

Mulbarton Primary School



Work Experience and Work-related Compliance code

Adopted January 2022

Work Experience and Work-Related Learning Compliance Code P650

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1. Introduction

Well planned and effectively organised work experience and work-related learning programmes are an important part of preparing young people for working life. This Compliance Code outlines the requirements for assessment, monitoring and review of health and safety arrangements for pupils on work placements.

[The Young People at Work Compliance Code \(P632\)](#) sets out what schools need to do when they act as the location for a work placement, e.g. where a FE or HE student or pupil on work experience arranges a placement at your school; or where you employ someone under the age of 18.

2. Responsibilities

2.1 Director of Children's Services

The Director of Children's Services is responsible for ensuring the implementation of work placement programmes in line with legal requirements and the guidance outlined below in Community and Voluntary Controlled schools.

2.2 Schools

Headteachers and other staff with responsibility for work placements in Community and Voluntary Controlled schools must ensure that suitable pre-placement checks of health, safety and welfare arrangements of employers and training organisations are carried out by competent people.

Headteachers must also ensure that students are suitably prepared, supported and monitored during work placement programmes; and that safeguarding matters on work placements are considered in line with government guidance.

Headteachers of Foundation and Voluntary Aided Schools and Academies are advised to follow the best practice principles contained in this guidance.

3. Health and Safety Law and Work Experience

Pupils on work placements are regarded in health and safety law as employees and must be provided with the same health, safety and welfare protection given to other employees.

The HSE advises that [schools organising placements](#) need to check the employer has risk management arrangements in place.

4. Health and Safety Checks for Pre-16 and Post-16 Placements

4.1 Pre-Placement Checks

Schools must make arrangements to ensure that pre-placement health and safety checks are carried out by competent people against suitable health and safety criteria.

Suitable pre-placement health and safety checks should be made of employers and specialist training organisations where pupils attend work-related learning or to obtain a vocational qualification.

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Health and safety checks can be arranged through [WEX Norfolk](#) in Children's Services. Purchasing this service allows schools to use employers and training organisations that have already been suitably checked by a competent person and to place requests for checks of new employers/training organisations.

If schools choose not to arrange for health and safety checks to be carried out as above, they must make arrangements with another provider to check and keep under review the health and safety standards of locations where pupils attend for work experience or work-related learning.

4.2 Underpinning Knowledge and Competence

Suitable pre-placement health and safety checks of employers etc must be carried out by people who

- have suitable underpinning knowledge of health and safety
- are suitably competent to assess workplaces for health and safety
- carry out documented checks against suitable health and safety criteria

4.2.1 Underpinning Health and Safety Knowledge

Underpinning health and safety knowledge should be demonstrated via the IOSH Health and Safety for Work Placement Personnel qualification as a minimum, or a higher level health and safety qualification such as IOSH Managing Safely or the NEBOSH Certificate.

4.2.2 Competence to Assess Workplaces for Health and Safety

Workplace assessors must be able to demonstrate suitable occupational knowledge in the areas that they assess so that they are able to identify occupational risks and judge the adequacy of health and safety controls. Assessors should be able to support employers to improve their standards of health and safety.

4.3 Checks against Suitable Criteria

Schools must arrange for checks of employers to be carried out on a risk basis against suitable health and safety criteria and reviewed periodically. The table below sets out criteria that should be considered by assessors. Placements must not begin until confirmation has been received that appropriate checks have been completed or reviewed as appropriate.

Criteria for Employer	What to look for
Has a suitable health and safety policy	Clear commitment to health and safety through policy statement and suitable organisational arrangements, including for monitoring and review; senior management responsibilities clearly set out.
Has assessed risks and put in place adequate control measures to manage them	Risk assessment describes significant hazards associated with the work activities, who may be exposed (including pupils on work placements) and how risks are controlled.

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Has adequate arrangements for dealing with incidents	First aid and incident reporting processes in place; suitable investigations carried out.
Provides effective supervision, training and instruction	Appropriate supervision and sufficient health and safety information provided for pupils, including induction.
Maintains equipment and machinery adequately	Equipment and machinery maintained to required standards; gas and electrical installations inspected and tested.
Provides and uses personal protective equipment (PPE)	Use of PPE is enforced; PPE is maintained.
Fire precautions and other emergency arrangements in place	Fire procedures derived from risk assessment are in place.
Provides a safe and healthy working environment	Working environment is appropriate; welfare facilities are provided and maintained.

5. Prohibited and Restricted Activities

Work experience placements must not take place if pupils are younger than year 10 or if, exceptionally, the activities they will be engaged in are:

- beyond their physical or psychological capacity
- exposes them to substances chronically harmful to human health, e.g. toxic or carcinogenic substances, or effects likely to be passed on genetically or likely to harm the unborn child
- exposes them to radiation
- involves a risk of accidents which they are unlikely to recognise because of their lack of experience, training or attention to safety
- involves a risk to their health from extreme heat, noise or vibration

A wider range of work experience opportunities for children under minimum school leaving age is made possible by the 1996 Education Act. This enables pupils in Years 10 and 11 to assume the temporary status of a Young Person in employment law. Otherwise they would be prohibited by Child Employment legislation from engaging in activities such as factory work, motor vehicle repair and construction.

6. Preparation of and Support for Pupils on Placements

Schools should also make arrangements to:

- establish that the pupil has no medical history or known behaviours which could make the placement unsuitable for them
- brief pupils prior to placement
- visit/monitor pupils on short term and longer term placements
- debrief pupils after completion of placement

Schools must brief pupils on:

- supervision arrangements and health and safety responsibilities of pupils and employers

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- safeguarding arrangements
- arrangements for visit(s) and 'pastoral' support during the placement
- arrangements for reporting any health, safety and welfare related concerns

Schools must make suitable arrangements to visit/monitor pupils on a risk basis as they retain the duty of care for the pupil during the placement.

Schools must provide each pupil and the employer with emergency contact details for a member of school staff who can be contacted should an incident occur or if concerns arise. This includes early mornings, evenings and weekends, or if a pupil attends their placement at irregular hours.

Emergency contact details must also be available and maintained in situations where a placement continues after the end of the school term into a holiday period.

7. Other Health and Safety issues

This section covers health and safety issues beyond pre-placement checks of employers that are pertinent to work placements and includes:

- Reporting incidents
- Out of County placements
- Placements abroad
- Working hours
- Work placements organised through or at FE colleges
- Alternative provision

7.1 Reporting Incidents on Work Placements

Norfolk schools, with the exception of Academies, must report all incidents involving pupils on work placement activities using the County Council's incident reporting systems. Academies should report incidents involving pupils on work placements using the incident reporting systems adopted by the Trust.

7.2 Out of County Placements

Sometimes pupils wish to undertake placements outside Norfolk. In these circumstances appropriate health and safety checks, as above, must still be carried out by competent people and suitable supporting documentation completed. Out of county placements can go ahead provided that the three minimum criteria below are met.

Please note that WEX Norfolk no longer undertakes out of county checks for employers beyond Norfolk and Suffolk. Schools needing to check work experience placements in other counties should make their own enquiries with providers who can complete the necessary checks on their behalf. A list of providers offering this service is available by emailing work.experience@norfolk.gov.uk.

Criterion 1:

An out of county placement should only occur where the placement is demonstrably unique and cannot be undertaken in Norfolk or Suffolk. In these circumstances schools must receive confirmation from their work placement check provider that the employer has been checked against suitable health and safety criteria.

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Criterion 2:

Accommodation during the placement must be suitable, e.g. a parent or other suitable adult stays with the pupil at the place of residence during the placement. The school's designated safeguarding lead must be consulted on this.

Criterion 3:

The school must prepare the pupil in advance of the placement (as above); and be able to support and monitor them appropriately during it - this can be done by telephone.

If any of the three criteria are not met, the placement must not go ahead.

7.3 Work Placements Outside the UK

Schools with pupils who wish to undertake work placements outside the UK should contact Educator Solutions (01603 307710; enquiry@educatorsolutions.org.uk) in the first instance so that advice can be given by the Outdoor Learning Adviser or the health and safety team.

HSE advice is that if work experience is to take place outside the UK it should be restricted to pupils over the age of 16.

7.4 Working Hours

Pupils on work experience programmes have rights under the Working Time Regulations. The main points are:

- a limit of eight hours working time a day and 40 hours a week (unless there are special circumstances)
- not to work either between 10pm and 6am or between 11 pm and 7am
- 12 hours rest between each working day
- two days weekly rest and a 30 minute in-work rest break when working longer than 4.5 hours

7.5 Work Placements organised through FE Colleges or other Training Providers

Where work placements form part of a qualification or learning activity offered by an FE College or another training provider an assessment of the adequacy of the employers' health, safety and welfare arrangements will be carried out by the FE College's or other training provider's health and safety adviser against suitable health and safety criteria.

7.6 Pupils attending FE Colleges or other Training Providers as part of their work experience placement

Schools must establish clear arrangements with FE Colleges etc for the supervision and management of pupils on college/training provider premises where they attend for vocational training courses.

The school and the college etc should establish a framework agreement that sets out shared arrangements and responsibilities for:

- Supervision and monitoring

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- Safeguarding
- Recording attendance and reporting non-attendance
- Arrangements for pupils with disabilities or specific medical requirements
- Parental consent
- Sharing relevant risk assessments with pupils and parents/guardians

7.7 Alternative Provision

Where schools place pupils in alternative provision, the same health and safety requirements as outlined above for employers apply.

8. Safeguarding

Keeping Children Safe in Education 2018 states:

Schools and colleges organising work experience placements should ensure that the placement provider has policies and procedures in place to protect children from harm.

Barred list checks by the DBS might be required on some people who supervise a child under the age of 16 on a work experience placement. The school or college should consider the specific circumstances of the work experience. Consideration must be given in particular to the nature of the supervision and the frequency of the activity being supervised, to determine what, if any, checks are necessary. These considerations would include whether the person providing the teaching/training/instruction/supervision to the child on work experience will be:

- *unsupervised themselves; and*
- *providing the teaching/training/instruction frequently (more than three days in a 30 day period, or overnight).*

If the person working with the child is unsupervised and the same person is in frequent contact with the child, the work is likely to be regulated activity. If so, the school or college could ask the employer providing the work experience to ensure that the person providing the instruction or training is not a barred person.

Schools and colleges are not able to request an enhanced DBS check with barred list information for staff supervising children aged 16 to 17 on work experience.

If the activity undertaken by the child on work experience takes place in a 'specified place', such as a school or college, and gives the opportunity for contact with children, this may itself be considered to be regulated activity. In these cases' and where the child is 16 years of age or over, the work experience provider should consider whether a DBS enhanced check should be requested for the child/young person in question. DBS checks cannot be requested for children/young people under the age of 16.

If there is a concern or an allegation made about a person who works with children and young people, contact the [PDC Duty Desk in Children's Services](#) immediately on 01603 307797.

If there are significant concerns about the adequacy of an employers' health and safety arrangements - e.g. where a school decides not to place a pupil with an employer, or

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withdraws a pupil once a placement has started - these concerns must be reported in the first instance to the provider appointed to carry out pre-placement health and safety checks, e.g. WEX Norfolk.