

Work Experience: Information for Employers

WHAT IS WORK EXPERIENCE?

Work experience is a placement on an employer's premises in which a student carries out particular tasks, more or less as would an employee, but with the emphasis on the learning aspects.

The School Standards and Framework Act 1998 enables pupils to go on work experience during the last two years of compulsory education (i.e. from the beginning of year 10).

STATUS OF WORK EXPERIENCE STUDENTS

Under the Health & Safety (Training for Employment) Regulations 1990 students on work experience have the same status as employees under the Health & Safety at Work etc. Act 1974. Employers therefore have a general duty to ensure students' health, safety and welfare during their placement.

EMPLOYERS' INSURANCE

The major insurance associations have agreed that as a matter of convention, students on work experience placements should be treated as employees for the purpose of insurance i.e. they will be covered by the Employers' Liability insurance policy.

▪ **provided that the insurer has had advance notification of work experience occurring.**

The agreement reached with the insurance associations is based on the assumption that placements will last for about two weeks. **For placements lasting longer than 2 weeks, including where placements are for 1 or more days per week over an extended period, employers need to confirm with their insurance company that students are covered.**

Oxfordshire County Council (LEA) will also need confirmation that employers hold Public Liability insurance which will cover any liability arising from students' placements.

Self-employed people **MUST** contact their insurance company to arrange appropriate insurance cover and be able to provide evidence to Oxfordshire County Council Business & Skills Bureau that the necessary insurance is in place before providing a placement.

LA INSURANCE

The LEA holds Public Liability insurance to compensate employers or other third parties in respect of injury or damage caused by a student for which the LEA can be held legally liable. This policy will also cover against any claims arising due to the acts or omissions of the LEA or its employees.

If you have any queries concerning insurance for work experience please contact the Oxfordshire County Council Business & Skills Bureau.

HEALTH, SAFETY AND WELFARE

The main health, safety and welfare requirements for students are:

- **Risk Assessment** by the employer of the activities in which the student will be engaged
- **Adequate supervision** at all times, taking account of the age and lack of knowledge and experience of the student
- **Child protection**- the employer should have regard for the welfare of young people in the workplace
- **Briefing** by the employer on the health and safety aspects of their workplace
- **Provision** of personal protective equipment if appropriate.

RISK ASSESSMENT

The Management of Health and Safety of Work Regulations 1999 (as amended) require employers to do a specific **risk assessment** before a child* or young person* starts work. This includes part-time jobs, work experience and training programmes.

Risk assessment is a careful examination of what, in the workplace, could cause harm, and to ensure that enough precautions have been taken to prevent harm. Young people in the workplace are particularly at risk due to their inexperience, immaturity and lack of awareness of risks in the workplace.

Employers must take these factors into account. They should also consider the extent of the young person's physical and psychological capacity.

CHILD PROTECTION

Safeguarding of Children in Education (DfES Guidance September 2004), requires that employers have due regard for the welfare of young people in the work place. For some placements it may be necessary to carry out a Criminal Record Bureau check with an employer or placement supervisor. Further child protection guidance for work experience placements is available from the Oxfordshire County Council Business and Skills Bureau.

PASSING INFORMATION TO PARENT/GUARDIAN

Before employing or providing work experience or training for a child*, the employer must provide a parent/guardian with comprehensible and relevant information about any risks identified and the preventative and protective measures in place to control them e.g. supervision, use of protective clothing. If the work experience student for whom you provide a placement is a child* **information needs to be provided for a parent/guardian**. For further details contact the Oxfordshire County Council Work Experience Team or refer to Young People at Work - A Guide for Employers [Health & Safety Executive HS(G) 165 2000].

*Definitions

A **Young Person** is below the age of eighteen.

A **Child** is one who is of compulsory school age.

Compulsory school age: a child is of compulsory school age until the **last Friday in June in the school year in which they reach age 16**.

Work Experience helps students with their transition from school to work or further education. It can help them make decisions about their future career and training. Students may benefit from working an 8-hour day, getting to work on time, talking to and being with adults other than parent/guardian or teachers, and from seeing how different companies operate.

HOURS OF WORK

Work experience students should usually work the hours expected of a young employee up to a maximum of 40 hours a week (8 hours a day excluding breaks). Students of compulsory school age should not normally work on Bank Holidays or between 10.00 p.m. and 6.00 a.m. Employers may wish to consult with the school concerning hours. Provision should be made for appropriate breaks in accordance with any employment legislation that is applicable. The Working Time Regulations 1998 apply to work experience students.

PAYMENT AND EXPENSES

Work experience is part of a student's education and employers should make **no payment** for work performed. However, employers may help out with travel or meal expenses at their discretion.

REPORTING OF ACCIDENTS

A student involved in an accident at the workplace should be treated as an employee for the purposes of reporting to the enforcement authority [RIDDOR]. In addition any accident, illness or unauthorised absence regarding the student should be notified to the school without delay.

CONFIDENTIALITY

It should be made clear to students that they must hold in confidence any information about the employing organisation that they may obtain during work experience. Such information may not be disclosed without the employer's permission.

HEALTH AND SAFETY VISIT BY OCC

The Education Act 1996 places a duty on LEAs to approve the arrangements for placements for its maintained schools. This includes ensuring that placements are, so far as is reasonably practicable, suitable with regard to health, safety and welfare arrangements affecting students. This duty is fulfilled by the **Oxfordshire County Council (OCC) Business and Skills Bureau**, which supports all Oxfordshire LEA schools.

A key role of OCC is to check that appropriate insurance, health, safety and welfare arrangements are in place to cover students. Upon agreeing a placement you will be contacted by a Work Experience Skills Officer to arrange a visit (if this has not already been done).

The visiting Officer will discuss arrangements for the student and it is helpful if your Employers' Liability Insurance certificate and written Health & Safety Policy and Risk Assessments (if you employ 5 or more people) can be seen at this time. One benefit of this Scheme to employers is that the one visit covers students from all the Oxfordshire LEA schools for which the employer may decide to provide placements.

For further information contact

workexperience@oxfordshire.gov.uk

or call 01865 323478