

T-LEVELS

THE NEXT LEVEL QUALIFICATION

***HEALTH AND
SAFETY,
INSURANCE AND
SAFEGUARDING
GUIDANCE***

***COMPLIANCE INFORMATION FOR
EDUCATION PROVIDERS AND
EMPLOYERS OFFERING INDUSTRY
PLACEMENTS***



HM Government

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HEALTH AND SAFETY GUIDANCE

The education provider and employer have a **shared duty of care** for the student. With respect to health and safety in the workplace, the duty of care rests primarily with the employer. It should be noted though, that checks should be made by the education provider as part of their safeguarding duties.

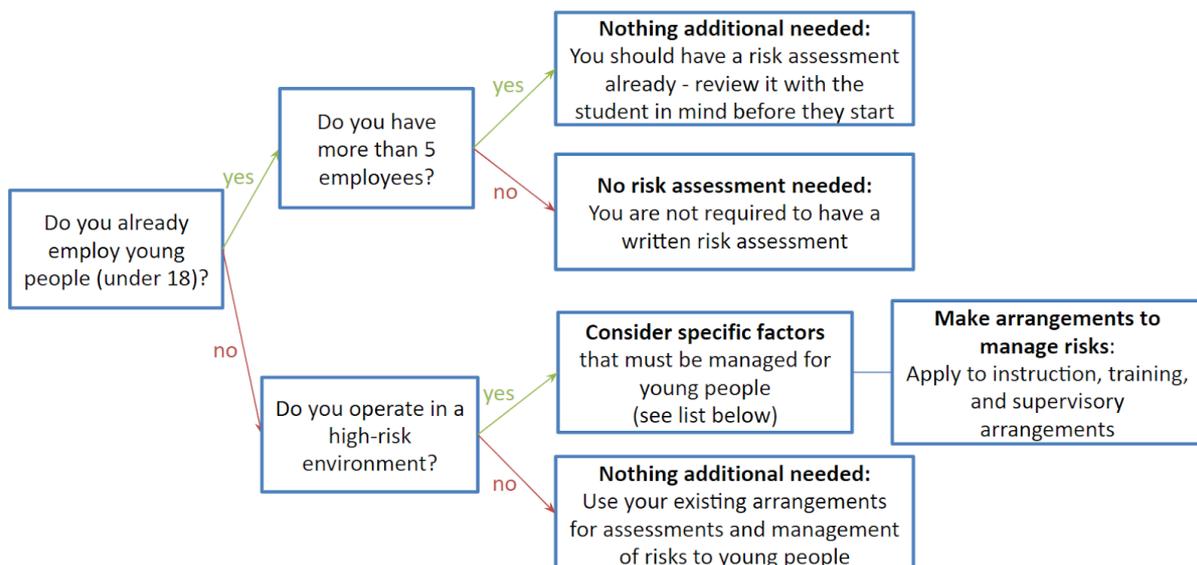
Health and Safety Executive (HSE) guidance on work experience covers provider and employer responsibilities and is relevant to industry placements. Employers and education providers are encouraged to familiarise themselves with the HSE guidance which can be accessed [here](#).

Employers will need to **adhere to their legal obligations under the Equality Act 2010** (as they would anyway) including not using language or behaviour in a manner which is discriminatory. Education providers and employers should work together to consider any reasonable adjustments that students might need as a result of a disability when attending the workplace for an industry placement.

By law, employers are responsible for ensuring a **safe working environment**, completing an **adequate risk assessment**, providing **appropriate training** and ensuring that the student receives an **adequate induction** to the health and safety aspects of their workplace.

RISK ASSESSMENT

Not all companies will need to complete a new risk assessment when a student joins the organisation. The flowchart below helps to indicate the risk assessment requirements.



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INDUCTION

A standard workplace health and safety induction might include the following:

- Name and location of person responsible for health and safety
- Name and location of person responsible for first aid
- Location of first aid box and accident book
- Correct and safe use of any new equipment relevant to placement
- Explanation of the student's responsibilities in case of emergency
- Location of fire exits and fire procedures
- Explanation of particular work-based hazards
- Consequences of breaching health and safety regulations
- Procedure for reporting accidents
- Procedure for reporting hazards

HIGH-RISK ENVIRONMENTS

If the employer's organisation is involved in **agriculture, construction, manufacturing, or the workplace has exposure to radiation, noise and vibration, toxic substances or extreme temperatures**, it will be considered a 'high risk environment'.

If this is the case, there should already be **control measures** in place for mitigating risks to employees. Employers may however want to consider whether they need to do anything further to control the risks for young people - perhaps involving **dedicated supervision**.

If the company uses **heavy or dangerous machinery**, full training and supervision should be given to the student before they start using it. Also bear in mind that for some equipment and machinery (such as forklift trucks and some woodworking machinery), there is a minimum legal age limit for operating.

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Employers should check that the **student is old enough** to use a piece of machinery, before providing them with training.

For further and more specific information about working in high-risk environments, please consult the following guidance from HSE:

- [biological agents](#)
- [working with chemicals](#)
- [working with lead and lead processes](#)
- [asbestos](#)
- [working with explosives, including fireworks](#)
- [working with compressed air](#)
- [construction, including demolition](#)
- [electrical safety](#)
- [agriculture](#)
- [manufacturing](#)

ACCIDENT REPORTING PROCEDURE

If there is any kind of accident in the workplace, employers are required by law to act swiftly, and to record the incident in an accident book. If the incident was severe in nature or involved **injuries, diseases or dangerous occurrences**, employers are legally required to report it via [RIDDOR](#).

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If the student is involved in an accident, the employer must inform the education provider. Depending on the incident, someone from the provider may wish to visit the workplace to find out more details about what happened.

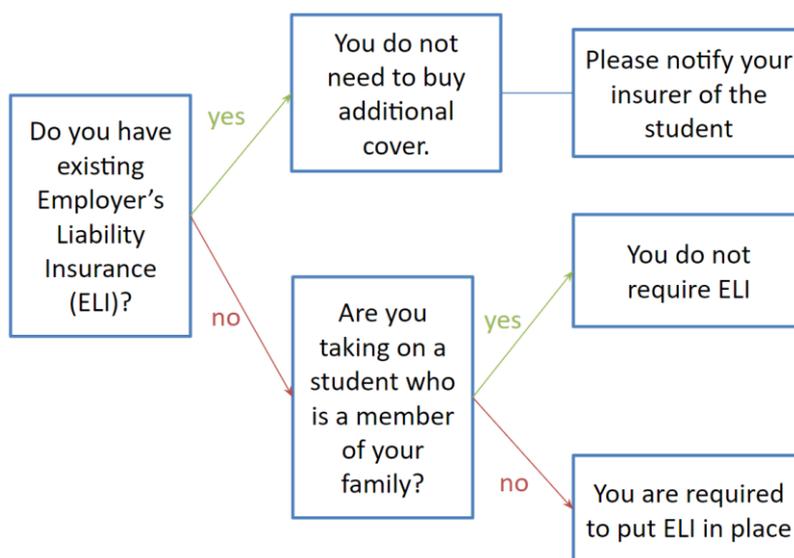
INSURANCE GUIDANCE

If the industry placement student is doing work that falls within normal business practice and the employer already has up-to-date **Employer's Liability Insurance** and **Public Liability Insurance**, then the employer does not need additional cover.

If the employer is unsure as to whether the work the student is undertaking counts as 'normal business practice', then they should talk to their insurance company.

Because the student will be working for the employer for longer than a 2-week period, employers will need to **notify their insurer** about the placement. The risks of taking on an industry placement student are the same as taking on any other employee.

If the employer does not already have Employer's Liability Insurance (ELI), they should consult the flowchart below:



If employers are seeking further information or guidance on insurance, they should see the Health and Safety Executive's

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[FAQs](#) on this topic and confirm with their own insurance company.

SAFEGUARDING GUIDANCE

Safeguarding is about protecting children, young people and vulnerable adults from abuse or neglect. **Education providers are responsible for safeguarding and promoting the welfare of students on industry placements**, as they form part of the study programme for which they have organised.

Education providers will already have safeguarding guidance materials in place, as a core part of their internal policy documentation. As part of pre-placement checks, education providers must check that an employer has policies and procedures to ensure a **safe and proper environment** for their student. They may also carry out a **site visit** and will be in **regular contact** with the employer and the student throughout the placement. The principle is to keep checks and monitoring **simple and proportionate** for both employers and education providers.

Education providers should give the employer information about how safeguarding concerns should be dealt with during the period of the placement and measures that should be taken if any issues arise. For smaller employers and SMEs, it may be that the education provider can advise the employer on their health and safety policies and procedures. It may be useful to share the contact details of the designated safeguarding contact with the employer.

Education providers may also give their students and parents/guardians tools to be used for raising questions and concerns. For example, it may be useful to give both students and parents a small, **user-friendly "safeguarding card"** which contains contact details of their designated safeguarding contact. Students, parents and guardians should be encouraged to get in touch with their designated safeguarding contact with any concerns.

It is important that employers:

- provide a **safe and welcoming learning environment** for all students;
- have a **zero-tolerance policy of bullying and harassment**;
- **report all incidents** to the education provider; and
- are **alert to the possibility of abuse**.

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Adult members of staff working with young people (under 18) must be made aware of **potentially difficult situations**, such as those outlined below.

Touch/environment

There may be occasions when staff members need to have contact with a young person when guiding them through their job, but they should **avoid any unnecessary close contact**. Where possible, staff should **avoid being on their own** in an isolated or closed environment with a young person.

Behaviour

It is important to **reassure and guide** a young person, particularly when faced with a new environment or a new situation in the workplace. Staff should avoid being over familiar and behaviour which may cause embarrassment or fear should not be permitted.

Travel

Employers should ensure that there is a **known destination** and **check in times** in situations where a young person will be travelling alone with an adult. It is a good idea to make a mobile phone available in such situations.

Mentor

Those placed immediately in charge of young people should be competent in their work role, mature in their attitude and also be at ease.

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Disclosure

If a student discloses confidential information to a work colleague that gives them cause for concern about the **student's physical or emotional safety**, staff should speak to their HR manager. If the student makes such a disclosure, these steps may be followed:

- Listen to them, take what they say seriously and offer reassurance without making promises.
- Never stop a student who is freely recalling significant events.
- Do not question or interrogate the student directly to gain more information. If the disclosure is correct, any questioning could change the outcome of any action.
- Do not overreact.
- Do not promise you will 'sort it out'.
- Do not promise the student that you can keep secrets.
- Explain what you have to do next and whom you have to tell and why.
- Record the discussion accurately, as soon as possible after the event, even if it is information you do not fully understand or like writing down.
- Share your concern with HR (if any) and/or the contact for industry placements at the employer who should contact the education provider.

DBS checks

Employers do **not** generally need to carry out a basic, standard or enhanced [Disclosure and Barring Service](#) (DBS) check on members of staff supervising young people aged 16 or 17. This includes freelancers.

However, where a student has a need for personal or health care due to a disability, the person providing that personal or health care may be required to obtain an enhanced DBS check. CDF funding can be used towards DBS checks. An education provider may also choose to ask a line manager or supervisor to undergo a basic DBS check if they feel this is necessary, in situations such as:

- where the student may be **vulnerable** (special needs, someone who is in care/has a care plan).
- where the student is likely to be **regularly alone** with the adult as part of their work.
- where the placement has a **residential component**.

This is not a legal requirement but can be requested at the **discretion of the education provider**.

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A student may need to have an **enhanced DBS check** before starting an industry placement in certain sectors, for example, a placement in the **health care** and **early years sector** where the employer would need to check that the student is not barred from regulated activity relating to children and regulated activity relating to vulnerable adults (where appropriate). Whilst this seems very unlikely to be the case, an individual can be automatically added to the barred list (either with or without representations) upon conviction for certain offences.

Prevent Duty

This concerns the duty of education or training providers to have due regard to the need to prevent their students being drawn into terrorism and remains the education provider's responsibility during the industry placement. Education providers will expect the employer to assist with their duty to comply by being alive to the risk and reporting any concerns to them.

Further resources

- [Keeping Children Safe in Education](#) - Statutory guidance for schools and colleges
- [The Prevent Duty Guidance for learning providers](#)
- [Working together to safeguard children](#) - Statutory guidance on inter-agency working to safeguard and promote the welfare of children.
- [NSPCC](#) includes a link to a downloadable Safeguarding Policy example
- [Educate against hate](#) user-friendly website with practical advice and information on protecting children from extremism and radicalisation
- [Prevent for further education and training](#) - A website hosted by the Education Training Foundation which provides Prevent advice for the Further Education sector (including employers).

There is a helpline that education providers, organisations or individuals working with children can contact if they have concerns about extremist activity within an education setting.

Preventing extremism in education and children's services

Email: counter.extremism@education.gov.uk

Telephone: 020 7340 7264

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You can contact the helpline for advice and guidance on the following concerns:

- Extremism within an education setting
- Extremism within any organisation working with children or young people
- A teacher, governor, or any other staff member within an education setting exposing learners to extremism

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