

Safeguarding Learners

Safeguarding Learners – An Introduction

The DSCF publication 'Work-related Learning Guide (first edition)' points out:

'Work-related learning has an outstanding track record on health and safety and everyone wants to keep it that way. Changes to the curriculum and the new Diplomas means that work-related learning, greater employment involvement, more contact with different people and more movement of young people between different locations. Keeping young people safe in this environment will require continued careful attention and good management' (p.22)

The publication clearly identifies that the home learning base/school has the primary 'duty of care' for their learners at **all** times – including times when learners are involved in work experience or other off-site work-related learning. Moreover, the home learning base/school has the responsibility to ensure that:

- placements are vetted by a competent person; and
- their learners are prepared and briefed generally about health and safety and understand how to identify hazards, and the sort of control measures that can be put in place to reduce the risk of injury or accident.

The safeguarding of learners is the business of all stakeholders involved in work related learning e.g. home learning base/school; FE colleges; work based learning providers and employers. It is essential that the home learning base/school is confident about the safeguarding practices that are in place to ensure that individual learners have every opportunity to learn and thrive outside of the immediate home learning base/school environment.

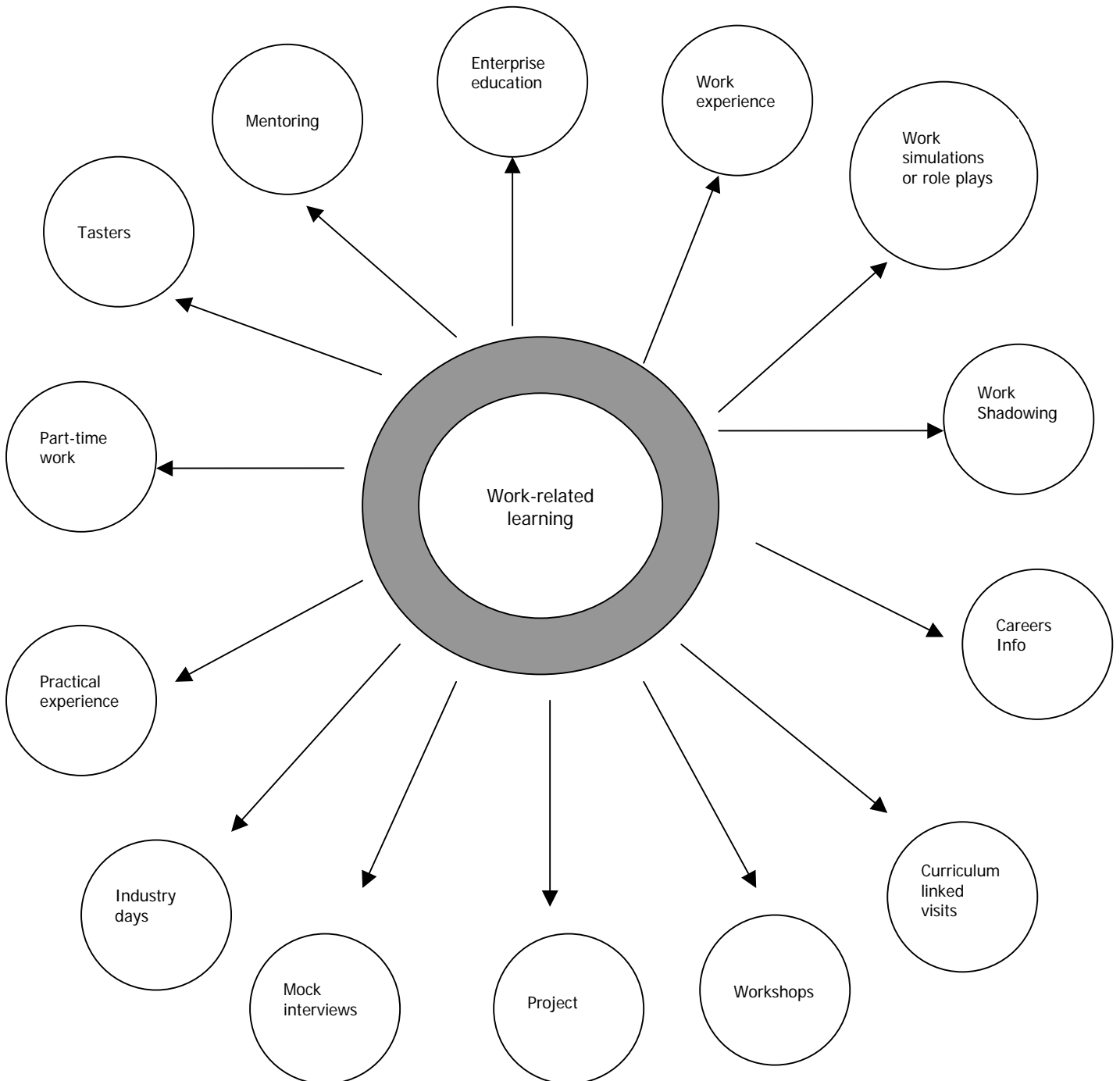
FE Colleges, employers and work based learning providers have responsibility for the health, safety and welfare of everyone on their premises, including any learners who are there or engaged in activities, which may be organised. These responsibilities include:

- complying with child protection legislation;
- checking their insurers are aware of the implications of their involvement with work-related learning and, in particular, 14-16 year old learners;
- agreeing and implementing workable attendance, reporting, monitoring and emergency procedures in partnership with the home learning base/school;
- supporting their staff in adjusting to teaching young people by organising training and establishing workable and effective policies; and
- complying with legislation and good practice on data protection.

All home learning bases/schools/FE college have a 'duty of care' for their learners. Legislation, guidance and judgements resulting from inquests, enquiries, criminal prosecutions, as well as civil actions consistently focus on the home learning base /school's/FE college position as the body with the primary 'duty of care' for their charges i.e. learners. Consequently, when there is decision to offer any off-site, curricular or extra-curricular activity, it is imperative that, senior management and staff responsible for operational processes and practices related to work-related

learning formally consider whether there is any increased risk to the health, safety and welfare of their learners, staff or others who may be involved.

It is important to note that, collaborative working in terms of work related learning does not reduce risk; rather it heightens the need for robust processes and procedures for the following examples of work-related learning.



Guidance provided by the DfES in their publication *Work-Related Learning and the Law: Guidance for Schools and business link practitioners*, states that, the home learning base/schools have to ensure that they are meeting the following responsibilities:

- ensuring supervision of activities is adequate i.e. that supervision is sufficient and that supervisors are trained or otherwise proven competent;
- child protection arrangements are secure i.e. vetting arrangements for staff and volunteers meet national requirements;
- attendance is recorded off-site and regularly transposed to school records (see national and local authority guidance);
- ensuring work experience placements organised by the home learning base/school/provider/third party organisation comply with the national and local authority policies;
- the home learning base/school has confidence in the health, safety and welfare arrangements for learners whilst on placement;
- the insurance cover for the provider extends to learners;
- the disclosure of information to the provider is relevant and shared in a sensitive manner, as well as negotiated with learners and their parent(s)/carer(s);
- appropriate travel arrangements are made between the learner, the learners' parent(s)/carer(s), the home learning base/school and providers;
- arrangements for supervision during breaks and lunchtimes have been negotiated with providers;
- behaviour management policies and procedures have been agreed and understood by all parties;
- teachers, support staff or learning mentors support the learners with regular monitoring and progress visits.
- arrangements are in place for feedback and reporting to the home learning base/school, parent(s)/carer(s) and learners.

In order for the home learning base/school to meet its obligations towards learners, the senior management team must ensure it has the following in place:

- competent staff or access to competent assistance to enable the home learning base/school to decide on the suitability of a placement with regard to health, safety and welfare for all learners;
- the ability to assess staff training and development needs and the necessary resources to arrange and finance appropriate training;
- mechanisms for evaluating the effectiveness of the arrangements that are in place for work-related learning opportunities and work experience placements (see Quality Standard for Work Experience, DCSF June 2008).

Competent staff should:

- have a reasonable understanding of health and safety law relevant to the nature of the work they are assessing;
- be able to identify basic health, safety and welfare defects;
- be familiar with and fully understand the home learning base's/school's policy, organisation and arrangements for health and safety on work experience and work-related learning opportunities;
- be aware of their own limitations and know where to get advice and information about health, safety and welfare issues, including child protection.