

Third Party Arrangements

'Work-related learning and the Law states that:

*'In any **work related learning programme**, much depends on the roles identified in any service level or partnership agreements between schools, providers and employers. However, the duty of care owed by the school to its students cannot be removed by a service level agreement. The school, therefore, will retain some responsibility – although other additional responsibilities will be placed on third parties through legislation, the common law, or guidance.*

(Work-related Learning and the Law: Guidance for Schools and school business links practitioners, 2006 p.19)

Consequently, the home learning base/school needs to ensure the following, when making arrangements with a third party e.g. FE College, work based learning provider, employer etc:

- that the supervision of activities is adequate i.e. that the supervision is sufficient and that the supervisors are trained or otherwise proven competent;
- that safeguarding/child protection arrangements are secure i.e. vetting arrangements for staff and volunteers meet national requirements (see '*CRB Checks*' page 15)
- that attendance is recorded offsite and regularly transposed to the school records;
- that work experience placements organised by the third party comply with the home learning base/school and the local authority's policies;
- that the home learning base/school has confidence in the health, safety and welfare arrangements for the learners while at the FE College or work based learning provider;
- that the insurance cover of the provider extends to the learners (see '*Insurance*' page 21);
- that disclosure of information to the provider is relevant, sufficient and negotiated with learners and parent(s)/carer(s);
- that data protection arrangements are secure (see pages '*Data Protection Guidance for Home Learning Bases/School and Work Experience Co-ordinators*' p.27)
- that travel and transport arrangements, including funding are appropriate and agreed; (see '*Travel and Transport*' page 23);
- that behaviour-management policies and disciplinary procedures have been agreed;

- that staff support in classrooms has been organised, where necessary;
- teachers, support staff or learning mentors support the learners with regular monitoring and progress visits; and
- arrangements are in place for feedback and reporting to the home learning base/school, parent(s)/carer(s) and learners;
- external qualifications are approved i.e. on the Section 96 list of the Learning and Skills Act 2000.

These arrangements will be informed by the providers existing policies and procedures e.g. behaviour management, recruitment and vetting policy; data protection; health and safety policy; transport and travel policy. The home learning base/school must be satisfied that there are robust arrangements in place **before** negotiating and arranging work experience/work-related learning opportunities for an individual or cohort of learners. Failure to do so could possibly result in a learner's health, safety and welfare being placed at risk.

A further indicator of good practice regarding safeguarding that a home learning base/school should look out for is the internal quality assurance mechanisms employed by third party provider(s). Where sufficient resources have been allocated by an organisation to ensure that its policies and procedures are 'fit for purpose', it is possible that this information can be taken as an indicator of good practice.

Where a home learning base/school is satisfied that the third party arrangements for safeguarding are robust, negotiation of a Service Level Agreement (SLA) can begin. A SLA should set out specific guidelines and objectives which act as a minimum standard for collaborative provision. The SLA is designed to ensure that the home learning base/school and third party provider(s) are fully aware of their roles and obligations.

The SLA for the purposes of robust safeguarding arrangements should specify terms and conditions for the following areas:

- vetting and recruitment arrangements;
- induction and attendance;
- supervision;
- adherence to local and national safeguarding policies and procedures;
- health, safety and welfare for individual learners/a cohort of learners/vulnerable learners;
- insurance cover;
- data protection and disclosure of information;
- travel and transport arrangements for individual learners/a cohort of learners/vulnerable learners;
- supervision arrangements during breaks;
- behaviour management;
- staff support for individual learners/vulnerable learners;
- feedback arrangements for the home learning base/school; parent(s)/carer(s) and learners;
- risk control measure(s) that need to be adopted for an individual learner/cohort of learners/vulnerable learner and how the measures will be disseminated by the home learning base/school.

In the event the third party subcontracts out part of the work experience/work-related learning provision, it is imperative that is specified in the SLA, and that the home learning base/school is confident about safeguarding arrangements that have been made on behalf of its learners.