



## HEALTH AND SAFETY

**This guidance is designed to support agreements on health and safety procedures outlined in Section 2 & 3 of this manual, the Partnership and Service Agreements**

### 1. Legal requirements

This is a most important area for staff who are organising student placements away from the Learning Base during collaborative education and training provision. Health and Safety legislation is complex and subject to continual review and updating, such that staff working in educational institutions would find it very difficult to keep abreast of all aspects across the whole range of possible placements.

**A duty of care to the student will always exist within the responsibilities of the Learning Base institution.** The placement of the student in an appropriate Learning Provider environment is therefore the responsibility of the member of staff organising the placement. It is essential therefore that a risk assessment is carried out on the placement by a qualified Health and Safety person. If there is no qualified member of staff within the institution expert help should be sought.

In the case of Wolverhampton Learning Bases, help with generic risk assessments to establish suitability of placements is available from Wolverhampton Education Business Partnership.

Knowledge of Health and Safety within particular industries lies within those industries and therefore **risk assessments specific to the activities to be undertaken by the student on placement must be conducted by a competent person within the Learning Provider organisation.** This risk assessment must be passed to the Learning Base and parents/carers of the student before the placement begins.

**Wolverhampton & Black Country Schools should refer to Section 5 page 5 to ascertain services provided by Wolverhampton Education Business Partnership especially with reference to Health and Safety Risk Assessments.**

## 2. Securing student safety out of school

**Student safety is paramount:** As a safety precaution it is useful for students to carry a placement pass

**Remember:** Police and Education Welfare Officers have responsibility to check students found out of school

### Placement Pass

Design and make identity passes which work-related students must carry when out of school, for example:

Photograph	Name of School: Name of Student: This student is learning in a Placement out of school. on: (day) between: (start time) and: (end time) <b>Emergency contacts:</b> at school: at home:
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## HEALTH AND SAFETY CHECKLIST

Name: ..... Role: ..... Date: .....

		Yes	No	Don't know	Action needed
1	Has a 'competent person' (someone capable of identifying suitable placements for students) been trained and nominated?				
2	Alternatively is the school using another qualified trained person/agency to assess the appropriateness of placements? e.g. local Education Business Partnership.				
3	Has a check been made to ensure students are not involved in tasks which are prohibited or restricted. (See Prohibitions Guidance Appendix 5a)?				
4	Has the activities risk assessment been completed by the Learning Provider and passed on to the Learning Base and the student's parent/carer?				
5	Are you satisfied that the arrangements for supervision of students are adequate for the particular students and placements undertaken (especially vulnerable students, lunch times)?				
6	Has a risk assessment on the travel to and from the Learning Provider been completed?				
7	Are the specific responsibilities for health and safety, delineated and understood by all parties? a The Student b The Learning Base c The College d The Learning Provider				
8	Have the Learning Provider and Work Placement Staff received appropriate training in Health and Safety to ensure students are properly briefed before learning placements begin?				
9	Have all students received appropriate generic Health & Safety training before taking up placement. i.e. safe travel, safety equipment, fire alarms?				
10	Have the students been made aware that they have a responsibility for their own health and safety and should behave in an appropriate manner?				

		Yes	No	Don't know	Action needed
11	Does the Learning Base have a system to monitor students on placement, to ensure their health safety and welfare? Is the system appropriate to the differing needs of each placement?				
12	Have students received the appropriate induction into the Health and Safety procedures of the institution/company, including safe working practices, fire safety, accidents, first aid, personal safety equipment and clothing?				
13	Has the Learning Provider received from the Learning Base all the information on student health issues, necessary to safeguard individual students e.g. epilepsy, asthma, allergies or other conditions likely to affect the safety of the student?				
14	Has the Learning Provider received a copy of the 'Administration of Medicines': circular 14/96 (See Health and Safety Appendix 5b)				
15	Does the Learning Provider have the appropriate insurance for all student activity to be undertaken as indicated below? a injury to the students themselves b injury to others on the premises, such as employees or visitors c injury to others not on the premises. e.g. customers d damage to or loss of the employer's property e damage to or loss of other property.				
16	Has the Learning Provider appropriate First Aid procedures in place i.e. a 'designated first aider' holding a current first aid certificate from an approved organisation, or an 'appointed person', someone to take charge in a situation requiring first aid e.g. call an ambulance.				
17	When staff visit placements are they aware of the need for appropriate dress? i.e. Personal Protective Equipment supplied by the employer.  Hard hat, eye protection, ear defenders.....				
18	In the interests of student and staff safety, do students and staff have identity cards which include contact telephone numbers in case of accident?				

19	Does the Learning Provider have appropriate policies for Bullying, Child Protection, Health and Safety? If not have they been sent appropriate guidance on these issues?				
20	Does the Learning Provider understand their responsibilities under RIDDOR regulations to report accidents to the appropriate bodies and to the Learning Base? Do they also have an accident book?				

**\* RIDDOR Reporting of Injuries, Disease and Dangerous Occurrences Regulations 1996.**

**WOLVERHAMPTON LEA/EDUCATION BUSINESS PARTNERSHIP SERVICES**

Wolverhampton EBP is currently constructed to undertake Health and Safety Risk Assessments for pre 16 students undertaking Work Experience or long term placements across the Black Country. They will also undertake this service at post 16 on request. This refers essentially to work placements, although some Training Providers may undertake such risk assessments when they arrange placements for students. As EBP staff have undertaken NEBOSH training, schools are advised to contact Wolverhampton Education Business Partnership before entering into any other arrangement for Health and Safety Risk Assessment.

A Black Country web site has been developed to allow institutions to check whether companies have had a recent verified risk assessment. Schools will be issued with passwords to access this site through the EBP in the near future.

**EBP Contacts**

**1902 555277**

**Web site [ebp.dudley.co.uk](http://ebp.dudley.co.uk)**



**APPENDIX 5A****Prohibited Employment and Restrictions (Children and Young Persons)**

There are a number of statutes prohibiting or regulating the employment of children, but not all of these apply to students taking part in an approved work experience scheme.

Work experience for students of compulsory school age is prohibited in circumstances where it would be unlawful to employ young persons (i.e. those over compulsory school age and under 18 years). In addition, where there are statutory restrictions relating to young persons, as defined above, these also apply to students on work experience.

Details of prescribed employment and regulations applying to children, young persons or certain age groups, are contained in a wide range of legislation including:

- Employment of Women, Young Persons and Children Act 1920 Children and Young Persons Act 1933 and subsequent amendments
- Shops Act 1950
- Agriculture (Safety, Health and Welfare Provisions) Act 1956
- Factories Act 1961
- Employment Act 1989

The provisions of these Acts are complex and there are many exceptions to the general rules laid down. They include regulations on the hours that may be worked in certain types of occupation, details of prohibitions and restrictions in certain particularly dangerous occupations and in work with machinery.

Pupils who have already reached the Minimum School Leaving Age are legally entitled to work from the last Friday in June in the school year in which he/she becomes 16 (except in certain prohibited activities). (see HSE Publication 'Young People at Work' HS(G)165 for further clarification, issued to schools by the EBP in '97/'98)

Pupils will be subject to all prohibitions and regulations affecting the employment of young people (i.e., people under 18 years of age).

For example, **employment in asbestos manufacture, chemical manufacture, chromium plating, lead processing, blasting, betting offices, and in connection with the sale of intoxicating liquors are all prohibited.**

**There are certain processes which are considered to be dangerous** unless the young person has been fully instructed as to their dangers, or has received sufficient training, or is under adequate supervision. These include:

- Brick and tile presses
- Dough brakes and mixers (bakery & confectionery)
- Worm pressure extruding machines (materials handling and production processes)
- Garment presses and washing machines in laundries
- Meat mincers (food processing & butchers)
- Milling machines (engineering)
- Power presses (engineering),
- Loose knife punching machines (boot & shoe trade)
- Wire stitching machines (printing)
- Semi-automatic wood turning lathes (furniture manufacturing)
- Guillotines (engineering & printing)
- Plater printing machines (printing).

*These are only examples. Employers will need to consider each working situation in order to determine which machines or processes pupils might be allowed to operate bearing in mind the dangers involved and their relative immaturity and inexperience. It is likely that a one or two week placement is insufficient to allow for training in the above listed operations and should therefore not be encouraged.*

**There are many work places in which children may not be employed by law, even though they may be on placement at that establishment. It must be made clear to students therefore that they will be unable to take a Saturday job or be paid for any work in that placement.**

## Medical Needs and Medicines

The following extract from **Circular 14/96** may be helpful when considering arrangements for work related learning placements.

### The Legal Framework

1. The Education Act 1993 and the Medicines Act 1968 are relevant to schools in dealing with pupils' medical needs. The following paragraphs outline the provisions of these Acts that are relevant to the health and safety of pupils.
2. Most schools will at some time have pupils on roll with medical needs. The responsibility of the employer is to make sure that safety measures cover the needs of **all** pupils at the school. This may mean making special arrangements for particular pupils.
3. In some cases pupils with medical needs may be more at risk than their classmates. The school may need to take additional steps to safeguard the health and safety of such pupils. In a few cases individual procedures may be needed. The employer is responsible for making sure that all relevant staff know about and are, if necessary, trained to provide any additional support these pupils need.
4. The Medicines Act 1968 places restrictions on dealings with medicinal products, including their administration. **In the case of prescription-only medicines, anyone administering such a medicinal product by injection must be an appropriate practitioner (eg a doctor) or else must act in accordance with the practitioner's directions.** There are exceptions for the administration of certain prescription-only medicines by injection in emergencies (in order to save life).
5. **Subject to the point in paragraph 6, there is no legal or contractual duty on school staff to administer medicine or supervise a pupil taking it. This is a voluntary role.** Support staff may have specific duties to provide medical assistance as part of their contract. However, swift action would need to be taken by a member of staff to assist any pupil in an emergency. Employers (usually the LEA or governing body) should ensure that their insurance policies provide appropriate cover for staff willing to support pupils with medical needs.
6. Teachers and other school staff in charge of pupils have a common law duty to act as any reasonably prudent parent would to make sure that pupils are healthy and safe on school premises and **this might, in exceptional circumstances, extend to administering medicine and/or taking action in an emergency.** This duty also extends to teachers leading activities taking place off the school site, such as educational visits, school outings or field trips. Section 3(5) of the

Children Act 1989 provides scope for teachers to do what is reasonable for the purpose of safeguarding or promoting children's welfare. This can give protection to teachers acting reasonably in emergency situations such as on a school trip.

7. Parents are responsible for their child's medication. The head is normally responsible for deciding whether the school can assist a pupil who needs medication. Such decisions should, as far as practicable, encourage regular attendance and full participation in school life.
8. Children with medical needs have the same rights of admission to school as other children, and cannot generally be excluded from school for medical reasons.
9. Many pupils with **long-term medical conditions** will not require medication during school hours. When they do, many will be able to administer it themselves. School policies should encourage this approach.
10. **School staff should not, as a general rule, administer medication without first receiving appropriate information and/or training.** The local NHS Trust or HA can advise the school who the main health contact will be who can then advise on, and in some cases provide, the necessary support. In many areas this will be a school nurse provided through the School Health Service.
11. In many areas the NHS Trust will provide a School Health Service that can advise on health issues to pupils, parents, teachers, education welfare officers and local authorities. The main contact for schools is likely to be the school nurse.

### Drawing up an Individual Health Care Plan

12. Other pupils have medical conditions that, if not properly managed, could limit their access to education. Such pupils are regarded as having **medical needs**. Most pupils with medical needs are able to attend school regularly and, with some support from the school, can take part in most normal school activities. However, school staff may need to take extra care in supervising some activities to make sure that these pupils, and others, are not put at risk. In some cases, schools will find it helpful to draw up individual procedures, in the form of a health care plan, to ensure the safety of such pupils.

### Dealing with Medicines Safely

13. The safety of staff and pupils must be considered at all times. Particular attention must be paid to the safe storage, handling, and disposal of medicines. Training for staff should include guidance in safety procedures.

14. Some medication must be readily available in an emergency and should not be locked away. Relevant school staff and the pupil concerned should know where the medication is kept.

### **Further Guidance**

Guidance to help schools formulate general safety policies on managing medication, and to draw up health care plans to support pupils with medical needs, is provided in *Supporting Pupils with Medical Needs: A Good Practice Guide*.

If you would like a free copy of this booklet please contact:

Department for Education and Employment Publications Centre  
P.O.Box 5050  
Sudbury  
Suffolk  
CO10 6ZQ

Tel: 0845 602 2260  
Fax: 0845 603 3360

DfES Circular 14/96

### **References**

HSE Publication 'Young People at Work' HS(G)165, issued to schools by the EBP in '97/'98  
DfES Circular 14/96 – See Appendix 5b  
DfES /0475/2004 - Work Related Learning and the Law

### **Helpful Health and Safety Websites**

[www.youngworker.co.uk](http://www.youngworker.co.uk)  
[www.thetridentrust.org.uk](http://www.thetridentrust.org.uk)  
[www.workexperience.co.uk](http://www.workexperience.co.uk)  
[www.safelearner.co.uk](http://www.safelearner.co.uk)

