VET Courses

AN EMPLOYER’S GUIDE TO WORKPLACE LEARNING

2015

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Guidelines for employers providing workplace learning opportunities for school students

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This guide may be photocopied to support workplace learning programs for Catholic school students
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WHAT IS WORKPLACE LEARNING?

Workplace learning refers to programs that provide students with valuable opportunities to develop vocational skills, knowledge and attitudes in the context of real work environments. Workplace learning extends the school curriculum by enabling students to gain practical experience that may assist them in their transition from school to work and further study.

The two main types of workplace learning programs are work experience and work placement.

WORK EXPERIENCE

Work experience programs give students aged 14 years or over the opportunity to develop a more informed opinion about their possible career options by enabling them to spend some time in a workplace they have chosen.

Work experience allows students to:

- observe a variety of work being done
- undertake supervised work appropriate to the student's skill level
- ask questions about the workplace
- gain skills related to being at work
- find out about training and employment opportunities

WORK PLACEMENT

Work placement is different from work experience as it is an integral part of Vocational Education and Training (VET) courses that can be completed by students for their Higher School Certificate (HSC). These courses lead to nationally recognised VET qualifications and it is important for students to have opportunities to apply their classroom learning in real work contexts. For this reason, work placement is a mandatory component of these courses.

Work placement should be relevant to the vocational course being undertaken by the student. It should have a clear purpose and achievable outcomes in the particular employer's workplace and should complement off-the-job learning programs.

Work placement also provides opportunities for work-based assessment of specific course competencies, which are negotiated between the student's school or training provider and individual employers. Work Placement Service Providers assist schools and employers to broker these placements.
WHAT ARE THE BENEFITS OF WORKPLACE LEARNING?

Host employers have the opportunity to:

- be involved in the education and training of young people
- meet and train potential employees and contribute to the development of a committed and skilled workforce
- enhance the professional development of staff as they gain experience as workplace supervisors
- meet students from diverse backgrounds who may have skills which can be useful to your organisation
- promote good will in the community through closer links with schools

Students have the opportunity to:

- experience real work situations,
- access industry standard facilities, equipment and experienced staff
- develop self-confidence, skills and understandings that will assist them in their transition to meaningful work
- evaluate their abilities and interests in relation to career choices

ABOUT WORKPLACE LEARNING.....

Are students paid?

Students are volunteers and should not be paid. Any payment to students may invalidate insurance and indemnity arrangements.

Who do I contact if there is a problem?

If you have any concerns or difficulties during the placement regarding the student or other matters, please contact the nominated school coordinator as soon as possible so that solutions can be found quickly. Contact details are provided in the student’s workplace learning record.

What do I do if an accident occurs involving the student?

If a student is injured during a workplace learning program, including travel to and from the place of work, the following steps should be taken:

- seek medical help immediately
- contact the school as soon as possible and, depending on the seriousness of the injury, contact parents or carers.
- ask the doctor attending for a medical certificate
- use the student’s Medicare number. As students are not employees, Workers’ Compensation does not apply
- complete a written report of the accident and forward it to the school. Include a full statement from the student and employer or employees involved.

A copy of the Catholic Schools Insurance Covers for Workplace Learning is attached for your information. All claims for injury, loss of property or damage to property should in the first instance be referred to the student’s school.
When can workplace learning occur?

All students aged 14 years and over are eligible to participate. However, students under the age of 15 cannot participate in workplace learning outside the hours of 7.00 am and 6.00 pm.

Placements usually occur during school term time. However, Principals may approve placements during school holidays on the condition that the same level of duty of care and supervision is provided.

Are there any industrial concerns?

- The hours worked by the student during the placement should be in accordance with the award for your industry.
- Students should not replace paid employees (including employees who are on paid leave).
- Students should not be used to replace employees engaged in industrial disputes. In the event of industrial action, students must return to school.

WHAT ARE MY RESPONSIBILITIES REGARDING STUDENT SUPERVISION?

Employers are expected to act in accordance with workplace responsibilities as set out for all employees and members of the public. This includes responsibilities that flow from legislation such as Work Health & Safety, Child Protection, Privacy, Equal Employment Opportunity and Anti-Discrimination Legislation.

Work Health & Safety

In accordance with the Work Health and Safety Act 2010 and the Work Health and Safety Regulation 2010, (in force from January 1st 2012) all employers are required to have:

- A Work Health & Safety policy,
- documented safe work practices and
- a risk management system to identify hazards.

It is expected that employers would have these requirements in place prior to accepting a student for workplace learning, and would make any relevant documentation available if requested. It is also expected that all employers will give students a site-specific Work Health & Safety briefing at the commencement of, or prior to, the workplace learning program.

Where the workplace is a construction site, employers should apply the legislative requirements for WHS training. Employers should be satisfied that the student holds the required WorkCover card for General WHS Induction for Construction Training, and ensure that work activity and site specific training is conducted on the site.

Child Protection

Employers should ensure that all employees are aware of the special responsibilities associated with working with young people and of the consequences of any abuse. Child Protection legislation also applies to students undertaking workplace learning programs. Employers should take all possible steps to ensure that students do not:

a) undertake an unsupervised task that involves contact with children under the age of 18 years (applicable to Child – related employers only)

b) undertake a task that involves unsupervised contact with just one employee or client. Supervision can be provided by visual contact or the physical presence of another employee at all times.

Unacceptable conduct by an employer or their employees includes sexual intercourse with a student; inappropriate sexual conversations of a sexual nature; obscene language of a sexual nature; suggestive remarks; actions including showing of publications, electronic media or illustrations which are sexually suggestive; jokes of a sexual nature;
obscene gestures; unwarranted and/or inappropriate touching; sexual exhibitionism; personal correspondence with a student in respect of the employer’s or employee’s sexual feelings for the student; and deliberate exposure of students to sexual behaviour of others.

Additionally, students must not be treated in a manner that may be psychologically harmful or that would constitute physical assault. This would include pushing, grabbing, pulling or hitting a student as well as berating, humiliating or belittling the student.

It is expected that these requirements would be consistent with the employer’s existing workplace policies and practices.

**Employers must be aware** that complaints of harassment or abuse of a student in the workplace will require investigation and possible notification according to Part 3a NSW Ombudsman’s Act 1974 and Section 39 Commission for Children and Young People Act 1998.

**Privacy**

The Commonwealth Privacy Act 1988 and the Privacy Amendment Act 2004 regulate the collection and storage of personal and sensitive information that may be held by organisations. In order to meet duty of care responsibilities and to facilitate the design of suitable workplace learning experiences, employers are provided with relevant information regarding students who are on work placement or work experience. This may include name, address, age, emergency contact details and possibly sensitive health information. In accordance with privacy requirements, it is expected that employers will:

- keep all personal student information secure and confidential, particularly any health information
- ensure that information regarding the student is used only for the purpose of the workplace learning program
- dispose of all student details once the workplace learning program is completed
- provide student access to any student records held by the employer, including the supervisor’s report.

This legislation applies to the information collected about students by the school and passed on to employers, regardless of whether or not it directly applies to your organisation. Similarly, all information provided by the host employer to the school will be used only for the purpose of the workplace learning program.

**CHECKLIST FOR SUCCESSFUL WORKPLACE LEARNING**

**Before the placement**

- Ensure that employees, including union representatives, understand the purpose and the benefits of the workplace learning program. For the success of the program it is essential that all staff who will have contact with students, support the organisation’s approach to workplace learning and understand the special responsibilities of working with young people.

- Appoint experienced staff to coordinate the program and mentor the student. In consultation with the school coordinator, plan a schedule of activities which will provide students with an understanding of the nature of the industry and a variety of opportunities to learn and practice specific agreed skills.

- Ensure that you have provided the school with clear information about the type of activities you can provide and any special requirements such as first day arrangements or behaviour, clothing and safety regulations, etc.

- Where students with special needs have been identified, including students with learning disabilities, liaise with the nominated school coordinator to ensure that needs are understood and appropriate adjustments are made.
When the student arrives:

- Provide each student with a workplace induction, including safety instruction, emergency procedures, dress requirements, work expectations, location of facilities, working hours, break times, etc.

- Introduce the student to the supervisor and co-workers. Advise who to notify in the event of non-attendance due to illness or misadventure and who to speak to in regard to any problems or questions.

During the placement:

- Regard students as voluntary workers, not visitors. Provide an interesting range and variety of tasks so that students can develop skills related to the agreed outcomes of the program.

- Establish a supportive environment where students are able to ask questions and accept helpful advice.

- Ensure that students work normal working hours and have sufficient time to complete workplace learning journals and assignments.

- Always provide appropriate instruction and supervision – especially in relation to safety issues. Don’t assume previous experience.

- Ensure that students are not assigned tasks that are identified as prohibited activities in the attached insurance document.

Before the student leaves:

- Complete the student evaluation report and take time to discuss your feedback with the student.

FOR FURTHER INFORMATION

Thank you for your interest in providing workplace learning opportunities for students. Your contribution to the social and vocational development of young people is valued and appreciated.

If you have further questions, contact the VET Coordinator or Careers Adviser at the school, or the Vocational Learning Officer at the Catholic Schools Office.

The CSO Broken Bay acknowledges the NSW Department of Education and Training, An Employer’s Guide to Workplace Learning as an invaluable reference in the development of this employer guide.
This Statement provides a general overview of available insurance cover; it does not represent legal advice. For precise advice, please consult the relevant CCI or QBE Insurance Policy Documents. This advice replaces all earlier advice.

1. POLICIES

For NSW Catholic diocesan schools and most congregational schools¹, two separate policies provide work experience/ placement cover for students and their host employers:

- CCI School Care Personal Accident and Disability or Students’ Work Experience Personal Accident Policy with Catholic Church Insurances (CCI) (or equivalent)

Under Commonwealth legislations, these policies cannot pay for any Medicare services including the Medicare gap. These services should be claimed through Medicare and or private health insurance where available. Work placement students are not eligible for coverage through workers compensation.

1.1 CCI School Care [Personal Accident and Disability] Policy or Student Work Experience Personal Accident Policy

Each school or Diocese purchases these policies or equivalent. School staff organising work placements need to confirm the nature of their particular policy with their diocesan office or school bursar and provide advice to employers / brokers. These policies cover students for personal injury sustained whilst engaged in Work Experience/Placement activities. Students are covered whilst directly travelling to and from work places.

The Policies Cover:

- a) Death by accident;
- b) Permanent disablement compensation dependent on injury of up to maximum e.g. $750,000 or $275,000 depending on SchoolCare policy chosen (please refer to your policy to confirm extent of your coverage)
- c) Non Medicare expenses - e.g. dental, counselling, emergency transport, travel expenses or lump sum payments for certain injuries such as fractures, burns and dislocations (limits apply)
- d) Damage to student’s clothing or artificial aids resulting from an injury (limits apply).

¹ Congregational schools which do not take out employer liability cover through these policies make equivalent insurance arrangements and will provide relevant documents to host employers and brokers.
Catholic Church Insurances (CCI) advised on 24/01/2011 of an endorsement to the NSW SchoolCare Policies to allow certain students to use motor bikes as follows:

It is hereby noted that Exclusion 2.1.6 is deleted in respect of students undertaking accredited vocational education and training (VET) courses in the HSC Primary Industries Framework for their Higher School Certificate (HSC) only.

1.2 **QBE (Australia) Insurance Work Experience/ Work Placement Public Liability Insurance Policy (Policy Number AN-0014866-PLB)**

Catholic Education Commission NSW (CECNSW) purchases this policy on behalf of participating Catholic Schools. For further details and documentation, including the Certificate of Currency and participants, please contact CECNSW as listed below or online at:


This policy provides indemnity for the student, the employer and participating schools involved in Work Experience/Placement activities.

**The Policy Covers:**
- Indemnity for legal liability of students and employers for Personal Injury caused to a Third Party (limit $20,000,000 any one occurrence);
- Indemnity for legal liability of employers for Personal Injury to students (limit $20,000,000 any one occurrence)
- Indemnity for legal liability of Property Damage to an employer’s property (limit $20,000,000 for any one occurrence)
- Indemnity for legal liability of Errors and Omissions (E&O) in relation to the participation by students in Certificate II in Sports (Coaching) Certificate II in Outdoor Recreation and Certificate III in Sports Fitness only (Limit $1,000,000 any one Occurrence and in the aggregate in respect of claims made, costs inclusive). Any E&O claim or incident which might result in a claim must be reported through CECNSW to QBE as soon as the school becomes aware of it during the current Period of Insurance, and some additional exclusions apply.

For each claim the QBE Insurance policy has set a deductible cost (i.e. excess) of $1,000 except for E&O cover where the deductible remains at $5000. The policy requires that CECNSW, acting for the Catholic sector of schools, will provide for the payment of any deductible cost. The CECNSW reserves the right to recover the cost of the excess from a Diocese or Congregational school.

### 2. CONDITIONS AND EXCLUSIONS

#### 2.1 Some Key Exclusions

The school, the student and the employer will not be insured for the following activities:

- **2.1.1** Travel by Private and Charter Aircraft other than those providing a regular Public Transport Service (CCI provides cover as a passenger in a fully licensed commercial aircraft operated by a licensed airline over an established air route)
- **2.1.2** Travel by helicopter
- **2.1.3** Radioactivity/Nuclear material/Fuel/Ionising Radiations
- **2.1.4** Scuba/deep sea diving
- **2.1.5** Attendance at abattoirs (killing areas)
- **2.1.6** Driving any registered or unregistered motor vehicle (and engaging in motor cycling whether as driver or passenger).except as part of the BOS HSC Primary Industries Curriculum Framework (and then only when students have been appropriately instructed and supervised and the vehicle is properly maintained). See also Section 2.4.5.
2.1.7 Activities involving guns or firearms except as part of an approved and supervised Australian Defence Force activity
2.1.8 Watercraft exceeding 20 metres in length
2.1.9 Travel outside the 12 nautical mile limit at sea and undertaking construction work on structures in marine environments
2.1.10 Results from AIDS or HIV (direct or indirect)
2.1.11 Asbestos and tobacco or tobacco smoke
2.1.12 Activities involving service of alcohol unless the student is aged over 18, and the activity is essential to the placement and it has been agreed to by the school and TAFE NSW Institute and the student has completed the Responsible Service of Alcohol (RSA) Training Course
2.1.13 Sporting activities/events except as part of the Certificate II in Sports (Coaching) Certificate II in Outdoor Recreation and the Certificate III in Sports Fitness (and then only under instruction and supervision)
2.1.14 ‘High risk construction work’ as defined in the NSW OHS Regulation (2001) – see 2.4.3 below: i.e. construction work involving the use of explosives; work near traffic or mobile plant; and work in and around major gas and electrical installations
2.1.15 Demolition work requiring more than the simple stripping of walls
2.1.16 Any excavation work at a depth of one metre or more; at a depth under one metre without direct supervision by a competent person; near utilities
2.1.17 Work on a roof or in a roof cavity
2.1.18 Work on caissons or coffer dams (permanent or temporary structures respectively, used to enable construction and excavation work)
2.1.19 Fines or penalties, and/or liquidated, punitive, aggravated, exemplary and/or multiple damages imposed by law
2.1.20 Occurrences as a result of the insured person being under the influence of intoxicating liquor or any narcotic or drug unless taken in accordance with the direction and prescription of a legally qualified medical practitioner
2.1.21 Total exclusion of claims arising from sexual and/or child molestation
2.1.22 Claims arising from repair, replacement or recall of products
2.1.23 Damage to insured premises/property in the physical and legal control of the insured (property not belonging to the insured may be covered up to a limit of $1,000,000 for any one occurrence)
2.1.24 Professional Indemnity for negligent advice given by any student (except for those in Sports Coaching, Outdoor Recreation and Fitness courses for which separate E&O cover has been negotiated)
2.1.25 Any consequence of war, invasion, act of foreign enemy, hostilities (whether war be declared or not), civil war, rebellion, revolution, insurrection or military or usurped power of confiscation, nationalization, requisition, destruction of or damage to property by or under the order of any government or public or local authority.

2.2 Activities Requiring Special Approval

The following activities are excluded unless specially approved for each placement. Please contact CECNSW to request approval.

2.2.1 Activities involving the handling of animals, other than exempted sites and/or participation in BOS Stage 6 Primary Industries Course. For further information refer to CEC Diocesan Directors’ memo 08/14 at:

2.2.2 Mining/Quarrying/Tunnelling;
2.2.3 Timber getting/Sawmilling.
2.2.4 Abattoirs and meat processing plants (other than killing areas)
2.2.5 Placements outside the territory of the Commonwealth of Australia. Overseas placements are not advised. Placements in the USA or Canada and countries subject to their jurisdiction are not permitted. Any considerations of overseas placements should take into account the federal government website www.smarttraveller.gov.au and also consider the insurance regulations of the proposed country. Any proposed placement must be referred to the insurer QBE through CECNSW prior to approval.

2.3 Scope and Conditions of Cover

If the following requirements are not observed, available insurance may be rendered void.

2.3.1 Students must be at least 14 years of age and be participating in a school approved activity/placement. Students under 15 years of age must not undertake workplace learning before 7.00am or after 6.00pm.

2.3.2 Cover is available throughout school holiday periods, provided the work placement is arranged and supervised by the school. Year 12 students cease to be insured by their school once they complete their last HSC examination.

2.3.3 Interstate placements are permitted, if arranged and supervised by the school. Placements outside the territory of the Commonwealth of Australia require special approval from the insurer, through CECNSW and are not encouraged. (See 2.2.5)

2.3.4 Insurance cover may be voided (lost) by serious and wilful misconduct by a student while attending a work site.

2.3.5 The employer must have in all cases provided appropriate and reasonable instruction and/or supervision with respect to each Work Experience/Placement student.

2.4 Special requirements for higher risk industries and occupations

2.4.1 All students proceeding to a construction workplace for work placement or work experience must hold a construction industry induction card (CIC) issued by WorkCover in accordance with Part 6.5 of the Work Health and Safety Regulation 2011. To be issued with the certificate, students must provide evidence to WorkCover from a registered provider of satisfactory completion of the National Unit of Competency CPCCOHS1001A Work Safely in the Construction Industry.

2.4.2 The employer and school must comply with all Department of Industrial Relations and WorkCover requirements (including reporting requirements) for Work Experience/Placement Programs and observe any prohibited activities or WorkCover regulations (including any age restrictions and requirements for safety equipment / personal protective equipment e.g. helmets and harnesses).

2.4.3 Prescribed or dangerous machinery must only be used in accordance with WorkCover requirements, and only then in the context of appropriate training, supervision and risk assessment. Particular care is needed to comply with the OHS requirements for scheduled work as set out in Chapter 9 of the NSW OHS Regulation (2001), to be replaced by the model code of practice Managing risks in construction work when endorsed by the Minister.

2.4.4 Any electric, oxy-acetylene or similar welding or cutting and allied processes must be done in full compliance with Australian Standard 1674 “Safety in Welding and Allied Processes”.

2.4.5 Placements involving student operation of golf carts, tractors or farm vehicles such as motor bikes/quad bikes are permitted only for students enrolled in the BOS HSC Primary Industries Framework. If the student does take part, he or she must have successfully completed a relevant formal training course or the related course competencies or have demonstrated substantial experience in the safe operation of such vehicles. The student still needs to be closely supervised.

2.4.6 A person undertaking work placement or work experience and over the age of 18 and working in occupations classed as “child-related employment” (e.g. placement with pre-schools, child welfare services, youth clubs etc) are required to complete a “Working With Children Check”. The Working with Children Check is a prerequisite for paid and unpaid child-related work. Under Part 2, section 6 of the Child Protection (Working With Children) Act 2012. Child-related work is defined as work in a specific,

2.4.7 You are advised to clarify any such student placement requirements with the Catholic Commission for Employment Relations and/or your child protection “Head of Agency”.

### 3. WHEN AN INCIDENT OCCURS

Any incident which may result in a claim against the employer or the school in respect of a work experience/placement student must be immediately notified (within 7 working days) in writing to the student’s school. The school then notifies CEC, NSW either directly or through the school’s Diocesan Office. Suspected spinal injuries must be notified to CECNSW within 24 hours.

- The Insurer must have full conduct and control of the claim against the employer and or the school. The employer and the school must fully co-operate with the Insurer in the conduct of any such action.
- When an incident occurs no undertaking or promise of settlement/payment may be made, since compensation decisions are a matter for assessment by the insurance company(ies). It may be possible in certain circumstances to make an apology but advice must first be obtained from the insurer through CECNSW.

CECNSW CONTACT: Gerard Delany, State Coordinator, Vocational Education, CECNSW: PO Box 20768, World Square NSW 2002 Telephone: (02) 9287 1549 Fax: 9264 6308 Mobile: 0412 151 953
Certificate of Currency  
General & Products Liability

Our Reference: 2015 01 31 - CoC - LIA - 20.01.2015
Department: Multinational Practice - NSW Corporate
Contact: Glen de la Cruz
Date: 20 January 2015

This certificate is issued as a matter of information only and confers no rights upon the holder. It does not amend, extend or alter the coverage afforded by the policy. It is provided as a summary only of the cover provided and is current only at the date of issue. For full particulars, reference must be made to the current policy wording.

Insurer: QBE Insurance (Australia) Ltd
Policy Number: AN 0014806 PLB

Insured: Catholic Education Commission of New South Wales &/ or the Catholic Education Office of Australian Capital Territory and Archdiocese Of Canberra and Goulburn and its/their subsidiary and related bodies corporate, as defined in the Corporations Act 2001, controlled entities and other entities for which the Insured has assumed an obligation to arrange insurance (including those acquired or incorporated during the Period of Insurance) for their respective rights, titles and interests.

The Business: Principally student work experience and work placement and all other occupations incidental thereto

Period of Insurance: From 4:00pm Australian Eastern Standard Time on 31/01/2015
To 4:00pm Australian Eastern Standard Time on 31/01/2016

Limit(s) of Liability: The limit of the Insurer’s liability:

(i) shall apply exclusive of indemnity provided for under Supplementary Payments;
(ii) shall not exceed the following amounts; except as otherwise provided in the Policy:
   (a) General Liability $20,000,000 any one Occurrence
   (b) Products Liability $20,000,000 any one Occurrence and in the aggregate during the Period of Insurance
   (c) Advertising Liability $20,000,000 any one Occurrence

If this communication contains personal information we expect you to treat that information in accordance with the Australian Privacy Act 1988 (Cth) or equivalent. You must advise us if you cannot comply.

SOLUTIONS...DEFINED, DESIGNED, AND DELIVERED.
(d) Errors & Omissions Endorsement
$1,000,000 any one Claim

Should more than one Limit of Liability be applicable to any one Occurrence in respect of
(a) and (c) above, such Limits of Liability shall not be aggregated – the highest single
Limit of Liability only shall apply.

Yours faithfully,

Glen de la Cruz
Senior Account Executive