

Health and Safety Code of Practice SCP23 Placement of Students for Work Experience

Responsibility for Policy:	Deputy Chief Executive, Organisational Enhancement
Relevant to:	All LJMU staff and students
Approved by:	University Health and Safety Committee
Responsibility for Document Review:	Head of Safety, Health and Environment
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RELEVANT DOCUMENTS

- Health and Safety (Training for Employment Regulations) 1990
- Health and Safety at Work etc. Act 1974
- Management of Health and Safety at Work Regulations 1999
- Providing Work Placements for Disabled Students (DFES)
- Employer's Liability (Compulsory Insurance) Act 1969
- Financial Services Authority Regulations
- Quality Assurance Agency for Higher Education (QAA) Chapters B3 (Learning and Teaching) and B10 (Managing Higher Education Provision with Others) of the UK Quality Code for Higher Education
- ASET Code of Practice
- UCEA guidance – placement of students for work experience

RELATED POLICIES & DOCUMENTS

- Liverpool John Moores University Placement Learning Code of Practice
- Liverpool John Moores University Health and Safety Policy Statement
- MCP1 Organisation for the Implementation of the Health and Safety Policy
- MCP2 Arrangements for the Implementation of the Health and Safety Policy

- SCP33 New and Expectant Mothers
- SCP14 Fieldwork, Visits, Expeditions and Adventurous Activities off University Premises
- SCP24 Travelling and Work Overseas

**THIS CODE OF PRACTICE FORMS PART OF THE UNIVERSITY'S HEALTH AND
SAFETY POLICY AND REPLACES ALL PREVIOUS ISSUES**

INDEX

- 1. Objective and summary**
- 2. Risks and liabilities**
 - 2.1 Undesirable outcomes
 - 2.2 Criminal liability
 - 2.3 Civil liabilities
- 3. Development and approval of a Placement Learning Code of Practice**

1. INTRODUCTION

The University defines Placement Learning as learning that takes place as a planned and integrated part of a programme of study or LJMU programme, requiring students to spend time within a workplace environment for the purposes of satisfying programme objectives and/or learning outcomes.

Student placements are an essential part of many programmes and an important part of others, providing students with work experience. Placement structures differ depending on the discipline. Health and safety is only one aspect of the support and development of students on placement and so it needs to be an integral part of the whole process and experience.

The University has adopted a risk-based and risk management approach that can be applied to all student placements.

The risk-based approach allows a lighter touch on lower risk placements and more rigorous control measures where the risks are greater. As it is an integral part of the course, LJMU has the right not to approve a placement on health and safety grounds.

There are a few groups for which additional legal requirements apply such as placements to which specific contractual or legislative requirements apply, for example the placement of nursing students and students on teacher training.

2. RISKS AND LIABILITIES

The risks associated with student placements relate to injury/ill health; legal liability, both criminal and civil; and business risk.

2.1 Undesirable outcomes

The following undesirable outcomes could arise from a placement:

- Student injury or ill health as a result of working at a placement provider
- Student injury or ill health while on placement but not as a result of working there
- The actions of the student could cause injury or ill health to others, damage to property, or loss of income to a business

If any of these occurred, criminal or civil action might be taken against the student, placement provider or its staff, or the University or its staff, depending on the circumstances.

2.2 Criminal liability

For placements in the UK, with regard to criminal liability under health and safety legislation:

- Primary responsibility for managing a student's health and safety whilst on the placement lies with the placement provider (Section 2.1 of the Health and Safety at Work etc. Act 1974). The student will be treated as equivalent to one of their own staff in relation to health and safety matters

- The student has responsibilities to follow instructions and act sensibly to protect his/her own health and safety and that of others (Sections 7 and 8 of the Health and Safety at Work etc. Act 1974)
- If the University follows the guidance on sensible risk management referred to in section 3 of this Code of Practice, then it will be addressing its responsibilities for non-employees (Section 3 of the Health and Safety at Work etc. Act 1974)

For placements outside the UK, criminal liabilities on each party will be a matter for the enforcing authorities and the courts in both the UK and in the country where the placement occurs. With regard to such placements, implementation of the guidance referred to in section 3 of this Code of Practice on sensible risk management addresses criminal liability under UK law (Section 3 of the Health and Safety at Work etc. Act 1974) for non-employees. It will also provide evidence in defence of charges of negligence under UK Corporate Manslaughter or Gross Negligence Manslaughter legislation.

2.3 Civil liabilities

The nature and extent of civil liabilities between the University, the placement provider and student and the nature and extent of their civil liabilities to others are affected by many factors which will only be resolved in the courts and may depend on which country's legal system is deemed to have jurisdiction.

Liabilities are affected by agreements between the parties, statements made in advance about what they offer and civil law regarding contracts and services.

Any statements made by the University or its staff about the extent of its duty of care could be taken as admissions of liability and could affect the outcome of criminal or civil proceedings. This could include incorrect statements in the University's regulations, marketing materials or student briefings about placement checks that it makes.

3. DEVELOPMENT AND APPROVAL OF A PLACEMENT LEARNING CODE OF PRACTICE

As well as complying with health and safety legislation, the University is required to adhere to relevant indicators set out in Quality Assurance Agency for Higher Education (QAA) Chapters B3 (Learning and Teaching) and B10 (Managing Higher Education Provision with Others) of the UK Quality Code for Higher Education.

As such, a separate Placement Learning Code of Practice was developed and approved by SMT and the Education Committee in 2014, providing a universal reference point for the delivery of placement learning – including health and safety compliance. In order to maintain a 'single source of truth' all documentation is now contained within this separate Code of Practice.

Please see:

<https://policies.ljmu.ac.uk/UserHome/Policies/ViewPolicyStart.aspx?id=113&l=1>