HEALTH AND SAFETY PROCEDURE FOR APPRENTICESHIPS

References:

A. Sheldrake Training Limited Health, Safety and Environmental Policy.
B. Health and Safety at Work Act 1974.
C. The Management of Health and Safety at Work Regulations.
D. HSE.gov.uk – Young People at work - Apprentices.

1. **Introduction**. Government-funded apprenticeships involve a three-way partnership between the training provider, Sheldrake Training Limited (STL), employer and apprentices. A clear understanding of specific roles and responsibilities by each party is therefore essential for the management of Health and Safety within the scheme.

This procedure outlines the various responsibilities of each party, and provides information and guidance for managing the Health and Safety of apprentices in-keeping within STL core **Health, Safety and Environmental Policy** at Reference A.

2. **Scope**. This procedure applies to all contracts agreed for Government funded apprenticeships.

3. **Definitions**. For this procedure, the following definitions apply:

Terminology	Definition
Apprentice	Any person taking part in Government funded apprenticeships
Employer	Any person or organisation engaged with STL as part of Government funded apprenticeships
Incident	An occurrence involving an accident, assault, near miss or case of occupational ill-health arising out of, or in connection with, the work activities or working environment
Accident	An undesired event, or sequence of events, resulting in personal injury, property damage or other loss
Near Miss	An occurrence that did not result in personal injury or damage, but which potentially could have had a much more serious outcome
Occupational ill-health	A prescribed occupational disease known or believed to be caused by the work activities or working environment
Assault	An act of non-consensual aggression which can be either physical or verbal

4. **Training undertaken on Employer's Premises**.

a. Where training of apprentices is undertaken at the employer's premises, the prime responsibility for the health and safety of the apprentice lies with the host employer. However, Sheldrake Training has a duty of care to take reasonable measures to ensure apprentices are not put at undue risk when working for employers who engage with Sheldrake Training Ltd.

b. To fulfil this duty of care, Sheldrake Training will obtain initial confirmation from prospective employers that they understand their responsibilities to apprentices and have a robust health and safety management system in place relevant to the apprentices.

c. Sheldrake Training will further carry out periodic checks of employers to monitor their ongoing suitability for the scheme in terms of their management of health and safety and fulfilment of the responsibilities outlined in paragraph 5 of this procedure.

5. **Responsibilities**

a. **Sheldrake Training**. Sheldrake Training is responsible for:

(1) Engaging employers that are competent in managing the health and safety of apprentices and have processes in place appropriate to the level of risk.

(2) Liaising with the employer to ensure that health and safety arrangements are in place appropriate for the level of risk.

(3) Obtaining confirmation of the employer's health and safety management arrangements in place.

(4) Responding as appropriate to any health and safety issues raised by the apprentice, the employer, or a member of Sheldrake Training Ltd.

b. **The Employer**. The employer has the prime responsibility for the health and safety of apprentices and must ensure all relevant legislative requirements are complied with in accordance with References B to D. In particular this includes, but is not limited to:

(1) Taking primary responsibility for the health, safety, and welfare of apprentices controlling risks to safety and health appropriately.

(2) Having a written Health and Safety Policy in place (where employing five or more employees) that sets out a clear commitment to managing the health and safety of Apprentices.

(3) Having procedures for carrying out risk assessments and bringing the assessment findings to the attention of apprentices.

(4) Having a clear process for reporting accidents and Health and Safety concerns.

(5) Ensuring apprentices receive adequate support and guidance to create a productive and positive experience.

(6) Providing an appropriate Health and Safety induction and ensuring that instruction, site familiarisation, personal protective equipment, training and supervisory arrangements are fit for purpose (to include fire precautions; emergency evacuations, fire practices and first aid arrangements; how to report accidents, incidents and unsafe conditions).

(7) Providing a safe working environment and non-discriminatory treatment.

(8) Cooperating with Sheldrake Training as far as is necessary when following up on identified health and safety issues.

(9) Informing Sheldrake Training of any health and safety and/or environmental incidents involving staff or apprentices.

(10) Ensuring insurance is in place to cover liability for any injuries, ill health or property damage sustained that is attributable to the activities of the apprenticeship provision.

c. **Apprentices**. Apprentices are responsible for:

(1) Taking reasonable care of the Health and Safety of themselves and others.

(2) Co-operating with the employer and Sheldrake Training on matters of Health and

Safety.

(3) Not bringing Sheldrake Training or the employer's reputation into disrepute and actively working to promote a good reputation for Training Provider, the employer, the apprenticeship programme and fellow apprentices.

(4) Abiding by the rules and regulations of the Employer.

(5) Informing the employer and Sheldrake Training of any personal factors or changes to personal factors (e.g. health, disability, linguistic or cultural) that may affect the level of risk attached to the apprenticeship or may require reasonable adjustments to be made.

(6) Reporting to the employer and Sheldrake Training any incidents or issues that occur or any concerns regarding Health and Safety.

(7) Confirming that any personal vehicle insurance covers travel to/from work and business use if travel to other locations is required.

d. **Partnership Responsibilities**. The nature of the three-way partnership between Sheldrake Training, the apprentice and the employer, places a responsibility on each party to:

(1) Be partners in planning and management.

(2) Clearly understand the responsibilities and expectations of each party involved.

(3) Collaborate to ensure opportunities are inclusive, safe and supported.

(4) Engage in structured opportunities for learning and development.

(5) Establish sustainable relationships and networks.

(6) Record outcomes and evaluate feedback to enable continuous enhancement and continuous improvements, especially where Health and Safety is involved.

6. **Engaging Employers**.

a. **Employer's Declaration**. Here is an explanation of the declaration that is to be made by the employer:

"The *Engagement of Employers Health and Safety Questionnaire*, shown at Annex A of this procedure, is to be used for obtaining initial information of the employer's arrangements for managing the health and safety of apprentices. All employers being considered must complete the questionnaire and agree to forward evidence of the health and safety arrangements in place on request".

b. **Duration**. Each questionnaire is valid for the duration of the contract. However, when a contract exceeds one year, confirmation must be obtained from the Employer on an annual basis that appropriate insurance and health, and safety management systems remain in place. This includes forwarding current insurance documentation, together with a newly completed questionnaire, or written confirmation that the information provided in the original questionnaire remains valid.

c. **Engagement of Employer's - Questionnaire**. Before prospective employers can be engaged by Sheldrake Training Ltd , they must satisfactorily complete the *Engagement of Employers Questionnaire* at Annex A to indicate they are able to meet the health and safety responsibilities outlined in paragraph 5b of this procedure.

7. **Approval of Employers**.

a. **Sheldrake Training Staff – Completed Questionnaires**. Sheldrake Training staff receiving completed questionnaires must use the information provided to gauge the suitability of the employer. Where further clarification is felt to be appropriate, a request for supporting documentation must be made to provide evidence that the processes indicated are in place. Examples of evidence requirements include:

(1) Copies of risk assessment relevant to the activities of the apprentice.

(2) Copies of written procedures.

(3) Copies of induction / training information.

(4) Copies of fire practice details (dates/times, frequency, participation etc) and incident/accident books/records.

b. **Background Checks**. Background checks for enforcement action by the Health and Safety Executive can be undertaken through the following links:

(1) **Improvement Notices**. http://www.hse.gov.uk/notices/.

(2) **Prosecutions**. http://www.hse.gov.uk/enforce/prosecutions.htm.

c. **Decision Making (Suitability of Employer)**. In deciding on the initial or ongoing suitability of the employer, the following must be considered by the relevant Sheldrake Training staff:

(1) Answers provided in the *Engagement of Employers Questionnaire.*

(2) Appropriateness of any supporting documentation provided or requested.

(3) Promptness of return of questionnaire/request for supporting documentation.

(4) Previous knowledge of or dealings with the employer.

(5) Feedback from apprentices working / having worked at the employer's premises.

(6) Staff visits to the employer's premises.

d. **Approval Process – Decision**. Having taken all the above (paragraph 7 a to c) into account, employers will be graded as follows:

(1) **Approved** – the employer is deemed suitable.

(2) **Approved with Action Plan** – employer is deemed suitable with improvements as agreed between Sheldrake Training Ltd and the employer e.g.

(a) Alterations to documentation to clarify applicability to apprentices.

(b) Any other actions relevant to the apprentice's tasks/activities, equipment used and/or the working environment.

(3) **Rejected** – employer cannot demonstrate appropriate management of the health and safety of apprentices.

8. **Further Guidance and Other Policies**. Further advice and guidance on this Health and

Safety procedure for apprentices can be provided by Sheldrake Training Ltd. This policy is to be read in conjunction with Sheldrake Training Safeguarding Policy and Procedures and the company's Health, Safety and Environmental Policy at Reference A.

Annex:

A. Health and Safety for Apprentices – Engagement of Employers – Questionnaire.

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Health and Safety for Apprenticeships
Engagement of Employers - Questionnaire

Sheldrake Training Limited has a duty to confirm that employers engaged with apprenticeships have appropriate arrangements in place to manage the health and safety of apprentices. Please complete Section 1 of the self-assessment questionnaire below and return this, together with any requested documentation. Please note that the apprenticeship cannot progress until this questionnaire is returned.

Section 1 - Employer's Declaration

Name of Employer:

Address of Employer:

Main Contact Name: Tel. / E-Mail:

Questionnaire	Yes	No	N/A
Does your organisation have a written Health and Safety Policy that includes a commitment to the health and safety of apprentices?			
Does your organisation have Employers Liability Insurance in place that provides cover for apprentices?			
Does your organisation have Public Liability Insurance in place that provides cover for apprentices?			
Please forward copies of insurance details			
Does your organisation have an induction process that will inform apprentices of fire / emergency, incident reporting, supervisory, first aid and other necessary arrangements?			
Does your organisation have a programme of risk assessment that identifies the significant risks associated with apprentices' activities, equipment used and working environment?			
Does your organisation have a process for informing apprentices of the risk assessment findings and the necessary control measures to be followed?			
Will apprentices be provided with the necessary information, training and supervision for the tasks/activities, equipment and working environment involved?			
Are those supervising apprentices suitably trained, qualified, and experienced for the nature of the tasks/activities, equipment and working environment involved?			
Does your organisation have a process for identifying the need for Personal Protective Equipment, including cleaning, maintenance, and replacement of items?			
Will the apprentices be provided with required items of Personal Protective Equipment and instructed on its appropriate use?			
Does your organisation maintain items of equipment in accordance with statutory requirements (where necessary), manufactures or other appropriate guidance?			
Does your organisation have a process for recording and investigating incidents that includes informing Sheldrake Training Limited of all incidents involving apprentices?			

Does your organisation maintain working environments in accordance with the Workplace Health, Safety & Welfare Regulations?			
Does your organisation have a process for monitoring and reviewing its health and safety arrangements that includes the needs of apprentices?			
Has your organisation been the subject of enforcement action by the Health and Safety Executive and / or Fire & Rescue Service in the last 3 years? If yes, please provide details.			

Other information (please provide any other information you feel is applicable to the management of health and safety of apprentices):

Section 2 - Approval (For Sheldrake Training Limited use only)

Employer confirmation:

I confirm the above information is correct and that supporting documentation can be provided on request.

I confirm copies of valid insurance documents are included with the questionnaire.

I confirm that Sheldrake Training Limited will be informed of any significant changes in the health and safety management system that affects apprentices and of any incidents involving apprentices.

I confirm that I am authorised to sign on behalf of the employer.

Name (print): Signature: Date:

Employer Returns	Yes	No	N/A
Has the employer indicated in the Questionnaire that processes are in place for managing the health and safety of Apprentices?			
Has the employer provided evidence that valid insurance is in place e.g. copy of a current Employers Liability Certificate, details of Public Liability Insurance?			
Where requested, has the employer provided relevant documentation as evidence of their management processes?			
Where the employer has been the subject of health and safety /fire safety enforcement action, have they indicated that necessary remedial action has been implemented?			

Employer is approved	
Employer is approved with the following actions agreed (include timescales and details of person(s) responsible for completion)	
Employer is rejected	

Name (Print):	**Job Title**:
Signature:	**Date**: