

Together
we make a
difference

Work Experience and Placement Policy

LAST UPDATED: FEBRUARY 2023

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1. INTRODUCTION

1.1 Work Experience Placements

Work placement schemes provide opportunities and benefits to both individuals and employers. They are a useful way for those wishing to enter local government to gain an insight into the work carried out and to make informed career choices. They also provide the opportunity to acquire new skills in a structured environment, and increase opportunities for future employment. They showcase career opportunities available within the council and develop management skills for existing staff.

2. WORK EXPERIENCE AND THE NATIONAL MINIMUM WAGE

2.1 Work experience can be unpaid if the individual isn't a 'worker' or the placement is part of a further or higher education course.

An individual may be a worker whereby a contract is entered into (written, oral or implied) and there is an obligation for that individual to carry out some work or service. In these circumstances they would be entitled to core employment rights and protections such as the NMW and holidays.

For further information see Appendix A which provides examples of work placements that do and do not require payment of the National Minimum Wage.

If a Manager is approached by someone requesting work experience or a work placement they should contact Human Resources for advice as to whether they are likely to be classed as a worker or not and what options may be available.

2.2 Failure to pay the NMW to someone who is entitled to it is against the law. If an unpaid person claims that they are owed arrears of the NMW it is up to the Council to prove that they are not a worker and that no arrears are owed. Someone's entitlement to the NMW depends on the contractual relationship and not their job title.

2.3

Exceptions to payment of the NMW

In the following situations people are able to carry out work experience/placement opportunities without the requirement to pay them NMW.

- Students working as a required part of a UK-based further or higher education course don't qualify for the NMW if their placement does not exceed one year. The exemption does not apply to students performing work that is not related to their course, e.g. to help finance their studies or during a gap year.
- People undertaking work experience who are of compulsory school age are not entitled to the NMW. If someone is above compulsory school age but has stayed on in full or part-time education, they are entitled to the NMW unless they are undertaking a work placement as a required part of their studies.
- Someone who is carrying out a placement that does not involve any work being performed, such as work shadowing, so long as they are only observing and not performing work.
- Participants in government schemes or programmes to provide training, work experience or temporary work, or to help in seeking or obtaining work, for example Prince's Trust or T Level Work Placements
- Volunteers – are individuals or groups who offer us their time, experience, knowledge and skills without financial gain beyond reimbursement of expenses, helping us to achieve our service objectives, or with the aim of providing a benefit to the local community. They are not in a contractual position (written or implied) with the Council. Volunteers should be reimbursed for any expenses they incur in volunteering, for example travel expenses. (See volunteer policy for further information).

2.4

It is possible to take people on for genuine work experience reasons but the more 'work' (as opposed to shadowing, observing etc.) they do and the greater the obligation to attend for work the greater the risks of the NMW applying.

3. PRINCIPLES

- 3.1 Work experience is often undertaken by students as part of a further or higher education course to learn about the working environment within the Council.
- 3.2 Everyone on work experience should have the chance to try various tasks and develop skills that will make them more attractive to prospective employers. However they should not be relied on to fulfil roles that would otherwise be undertaken by a member of staff.
- 3.3 Work experience can be unpaid if the individual isn't a 'worker' or the placement is part of a further or higher education course.
- 3.4 If the terms of the placement are such that the individual is performing as a 'worker' the National Minimum Wage should be adopted throughout the duration of the placement.
- 3.5 Whether paid or not, the person on work experience may be entitled to the reimbursement of reasonable and pre-agreed expenses. These are to be agreed prior to the start of the placement by the Head of Service and in consultation with Human Resources.
- 3.6 Before the start date, written confirmation of the work experience should be provided, clearly outlining the terms of the engagement. Where the National Minimum Wage applies, a standard, short-term contract is required.

4. TYPES OF PLACEMENT

- 4.1 Placements can be either:
- a work-shadowing placement where the individual observes the work undertaken by the Council's employees but does not perform any work for the benefit of the Council, except for doing some work for illustrative or learning purposes; or
 - a work-experience placement, where the individual is expected to perform some work or provide some assistance to the council or to its employees.

4.2 School Placements

The Council will provide work experience placement to students from schools in the Wyre area or to students who are resident in the Borough. These will be mainly Year 10 students (aged 15 - 16). The Council will strive to ensure placements are available to students who may find it more difficult to get placements within our local businesses i.e. students with learning difficulties, special needs, etc.

Other requests will be considered outside these categories if opportunities are available.

4.3 Work Shadowing

This is where an individual is assigned to follow an employee going about his or her normal activities, allowing close observation of tasks, which for reasons of complexity, safety or security cannot be actively undertaken by the shadowing individual. This applies to persons from other organisations who wish to gain an insight into the Council and its services.

4.4 Internship

Work experience can be called a 'placement' or an 'internship'. Internships are sometimes understood to be positions requiring a higher level of qualification than other forms of work experience, and are associated with gaining experience for a professional career.

Just calling a work placement an internship does not determine whether the work is indeed the work of an intern, nor whether the NMW should be paid; the title 'intern' is not covered in the NMW law. The important issue is the actual agreement that the person has with the council, and whether this agreement makes them a worker for the purposes of the NMW

Interns may be deemed to be workers if they are doing work that adds material value to the organisation, such as work that a paid employee would otherwise be doing. If this is the case, and they are more than merely 'observing', then NMW may be owed.

4.5 Government Work Experience

If an individual is between the ages of 16 and 24 and claiming Jobseeker's Allowance (JSA) and people over the age of 25 who do not have recent work history they are eligible to apply for a work experience placement whilst continuing to receive JSA and Universal Credit and will continue to be subjects to the benefit conditions. In this instance, the placement should last for between two and eight weeks and should offer 25-30 hours of activity per week. During the period of the placement they will continue to actively look for work.

5. METHOD OF PLACEMENT

- 5.1 In order to ensure a fair and structured system work experience requests will be dealt with centrally. Each request for a placement will be dealt with by the Human Resources Section who can then allocate and keep records of placements throughout the Council. If an individual or an organisation approaches a section or manager directly, this request should be directed to Human Resources who will assess the feasibility of offering a placement.

- 5.2 Wherever possible where a placement is provisionally accepted then the individuals will be invited to come on a pre-placement visit where they will be escorted around the site/office to meet staff who they will be working with. This provides an opportunity for the potential individual to decide whether the type of work and the workplace environment is what they really want.
- 5.3 Once the arrangements are confirmed the individual will be sent a work experience application form and a copy of the Council's Code of Conduct and ICT Computer Use policy to sign and return. This form will also ensure the Council gains all the information it needs e.g. about the interests and skills of the potential placement. A letter of confirmation of the placement will be sent by Human Resources once it is agreed. This will give reporting instructions such as contact name, start time, length of placement and location.
- 5.4 Any work experience placement, regardless of their age or from which organisation they have been placed, has the same responsibilities as any employee in so much as they must take reasonable care of their own health and safety and that of other people who may be affected by their actions. They must also co-operate with the Council in complying with our legal duties.
- 5.5 Prior to the commencement of the placement, the department that the placement is due to work in will undertake an appropriate risk assessment.
- 5.6 A copy of the Council's liability insurance document will be issued to the work experience placement if requested. If the placement includes travel in a council owned vehicle a copy of the councils vehicle insurance can also be issued on request.
- 5.7 Human Resources will keep a central record of all work experience placements and will be responsible for ensuring records are up to date and destroyed after 12 months of the placement ending. Details kept will include:
- Name of the individual
 - Age, gender, ethnic group and disability of the individual
 - Organisation/school the individual is from if applicable
 - Dates of the placement
 - Section/Division and name of responsible manager for placement

6. INDUCTION AND SUPERVISION

- 6.1 All work experience placements will receive an appropriate induction on their first day that outlines to them their duties and covers health and safety information. It is the responsibility of the Placement Manager (Manager or Supervisor in charge of the area where the placement is) to ensure that the Work Experience/Work Placement Induction checklist (see Appendix B) is completed and signed off.
- 6.2 Individuals should dress smartly and appropriately for the area of work they are taking part in.

7. TASKS

- 7.1 The Placement Manager will ensure that the work experience person is given work that is commensurate with his/her skills and abilities. The work may cover a range of tasks and may be in one department or in different departments and may cover one area of work or different areas of work. Should there be insufficient work available the relevant line manager will make reasonable efforts to find the work experience person suitable alternative work within the Council.

8. DISCIPLINARY AND CAPABILITY ISSUES

- 8.1 The Placement Manager will ensure that the work experience person is given work that is commensurate with his/her skills and abilities. The work may cover a range of tasks and may be in one department or in different departments and may cover one area of work or different areas of work. Should there be insufficient work available the relevant line manager will make reasonable efforts to find the work experience person suitable alternative work within the Council.
- 8.2 Where, in the opinion of the relevant line manager, the capability or conduct issues are serious, the matter should be brought to the attention of the HR department who may contact the school or college involved with the placement.
- 8.3 The Council reserves the right to terminate a placement immediately, should the work-experience person be guilty of serious misconduct or any negligence resulting in loss or damage to the Council.

9. HEALTH AND SAFETY

- 9.1 The Placement Manager must ensure that the work experience or work-shadowing placement has the same basic training on matters of health and safety as other workers.

9.2 To ensure the Health and Safety requirements are met, it is essential that:

- I. All individuals on placement are properly prepared and briefed on hazards within the work place and control measures to reduce or eliminate risk of injury before they start their placement.
- II. Workplace supervisors/managers know exactly what is expected of them and are aware of their legal responsibilities.
- III. If a placement is arranged for a person with special needs e.g. particularly a Disability or Learning Difficulties then the risk assessment must take account of this. In accordance with Health and Safety legislation, the Placement Manager must ensure that risk assessments of work areas are carried out prior to a school work experience student commencing a placement on Council premises. Before the placement begins the parent/guardian of the student should be advised of the risks, and how they will be reduced or eliminated. Students must also be fully prepared and briefed on hazards, and the measures in place to reduce or remove the risks.
- IV. The tailored risk assessment should then be outlined to the applicant at induction.
- V. Where it is appropriate for placements to wear appropriate Personal Protective Equipment this will be supplied and must be worn at all times.

9.3 A young person at work is an individual who has not reached the age of 18, and a child at work is an individual that has not reached the minimum school leaving age usually 15 years old.

Young people are at a greater risk at work for the following reasons:

- Lack of knowledge, experience and training
- A young person's body has not fully developed
- A young person is more likely to take risks, respond to peer group pressure and be over enthusiastic

Before employing a young person the Placement Manager must carry out a risk assessment to identify the control measures required to minimise the health and safety risks this will include consideration of whether those managing the placement should be DBS checked.

10. SAFEGUARDING

10.1 All staff involved in the work placement of young people should be aware of the protocol for working with children set out in the Safeguarding Children's Policy.

10.2 For those who would benefit from site visits or other work out of the office a letter of permission may be required from the young person's parent or carer.

11. EQUALITY IMPACT ASSESSMENT AND MONITORING

- 11.1 The operation of this policy will be monitored for its impact on different staff groups in line with the Equality Act 2010. This will enable the Council to assess whether any differences have an adverse impact on a particular group, such that further action would be required.

12. DATA PROTECTION

- 12.1 In implementing this policy, the council will ensure that any personal data relating to the application of this policy will be obtained, processed and destroyed in line with Data Protection requirements.

APPENDIX A – NATIONAL MINIMUM WAGE ENTITLEMENT EXAMPLES

Examples of Work placements that DO require payment of the National Minimum Wage

1. A request is received from a graduate who would like to work voluntarily to gain some work experience to improve their C.V. as they are having problems getting paid work. As the manager of the section you see this as an excellent opportunity not only for the individual to get valuable work experience but also for a project or area of work to be undertaken that is required within the service that you are struggling to find the resource to tackle. It is agreed orally that the work placement will attend work Monday – Friday 9.00 – 15.00 and will undertake the activities as directed. The successful completion of the area of work to be undertaken is important to the service area therefore the work placement would need to achieve certain objectives and targets.
2. A request is received from an individual requiring work experience and offering to do this without pay. There are tasks within the section that need doing that are normally or currently carried out by an existing paid member of staff. It is agreed with the individual seeking work experience that they will carry out these tasks. It is agreed that they will work on a regular basis and because these tasks are important to the service certain standards of performance are set.

Examples of Work placements that DON'T require payment of the National Minimum Wage

1. A request is received from a student where completion of their course/degree is dependent on the completion of a relevant work placement. Such placements can be for up to a period of one year.
2. A request is received from a graduate who would like to gain work experience to enable them to work within a certain profession. They will be shadowing a member of staff and will not be responsible for the completion of any specific tasks themselves.
3. A similar request is received, this time they will be carrying out some work projects but the arrangement is very casual with no requirement for the individual to attend specifically at any particular time or a specified number of hours and there is no obligation to work. The sort of work they will be carrying out would be that which is for their own experience or training purposes only and if carrying out a project they would not be held responsible if it wasn't completed or it failed. The danger would be with this sort of arrangement that if the individual concerned was competent the arrangement would become more regular and with this regularity and obligation to work then the obligation to pay the NMW would apply.

APPENDIX B



INDUCTION PROCESS FOR WORK EXPERIENCE / WORK PLACEMENTS

A member of staff from the employing department will meet the student on their first day and go through points 1.0 to 1.3 of the induction process. Many induction needs are connected to the immediate working environment and these will be addressed when the student is introduced to their new working environment.

The guidelines can be altered to include any areas which are specific to a particular Directorate. It is intended that they will install a degree of uniformity into the Induction process.

Name

.....

Start Date

.....

Job Title

.....

Service Unit

.....

		Yes	N/A	Date
1.0	Temporary Staff Badge			
	Issue of Temporary staff badge. Make sure student understands to return the badge to reception at the end of placement.			
	Importance of wearing the badge in the building.			
	Agreed working hours discussed			
1.1	Work Experience placement form			
	Ensure student has completed prior to placement. If they have not, ask them to complete one at induction.			
1.2	No smoking policy			
	Explain WBC Policy.			
1.3	Code of Conduct and ICT Computer Use Policy (if appropriate).			
	Ask placement for a signed copy of the Code of Conduct and ICT Computer Use Policy (if appropriate)			

Induction Process undertaken by:

Name:

.....

Date:

.....

I confirm that the above points have been explained to me

Name:

.....

Date:

.....

Directorate

The following are guidelines for the Directorate Induction meeting:

		Yes	N/A	Date	
2.0	Job Description (should already have a copy, <u>if appropriate</u>)	Explain to the student about the duties they will be undertaking. Make sure the student knows who they are responsible to and who they can approach if they need any help.			
2.1	Starting & finishing times	Confirm with student what time they should start and finish. Hours of work should not be less than a normal school day unless agreed with school.			
2.2	Lunch breaks	Confirm what time to go for lunch and how long.			
2.3	Section/Directorate	Explain the structure of the Section /Directorate. Give a Directorate Organisational Chart.			
2.4	Sickness	Explain that they must notify either their Supervisor or Human Resources before 10.00am. They must also ring School/College to notify them of their absence. Explain importance so that any work that needs completing is kept to schedule.			
2.5	Use of Office Equipment	Explain telephone system, photocopier etc, including private use.			
2.6	I.T. Computer/Internet Use	Explain correct use of the Council's computers and Internet facilities (if appropriate)			
2.7	Work location	Explain the facilities available within their place of work.			

	Arrange a tour of the building.			
2.8	Customer Care	Explain the Council's commitment to Customer Care.		

Health & Safety

3.0	Rules & Regulations	Explain any prohibited machinery, equipment, substances, areas etc.			
		Explain that the student will be working to existing policies and procedures and the location of these.			
3.1	Risk Assessment	Discuss with the placement the findings or the Young Person Risk Assessment or the general workplace Risk Assessment if the placement is not a young person			
3.2	Fire Safety	Explain who the fire warden within the section is, what to do if the fire alarm sounds and the nearest fire exits.			
3.3	First Aid	Explain who is qualified to give first aid and where the first aid box is located.			
3.5	General Behaviour	Explain security doors and building security in general. Explain that any unacceptable behaviour or health and safety breaches may result in the placement being terminated with immediate effect.			

Induction Process undertaken by:

Name:

.....

Date:

.....

I confirm that the above points have been explained to me

Name:

.....

Date:

.....

PLEASE RETURN TO HUMAN RESOURCES WHEN COMPLETED