

DEPARTMENT OF EDUCATION AND TRAINING Workplace Learning Updates

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OVERVIEW

- Workplace Learning (WPL) Review Project
- Health & Safety Guidelines for Work Experience and Structured Workplace Learning
- Amendments to Ministerial Orders
- Child Safe Standards
- FAQs
- Questions

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WPL REVIEW PROJECT

- Aim was to provide greater clarity on OHS requirements for WE and SWL placements and on duration of SWL arrangements.

Health & Safety Guidelines

- Currently:
 - We have Health & Safety Guidelines for WE students aged under 15 years and aged 15 years and over.
 - We do not have Health & Safety Guidelines for SWL students.
- Regular requests for clarification from schools and employers about permitted industries and activities for WE and SWL.

Duration of SWL arrangements

- Currently, no maximum specified in Min Orders 55 and 723, but states duration should be what is set out in the relevant Accredited Course of Study or as determined by the Principal/CEO as necessary to develop required competencies.
- Concerns regarding students being placed for extended periods of time in the workplace and performing 'productive work'.

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WPL REVIEW PROJECT

DET consulted with stakeholders on these two matters:

- **Five focus groups** – Horsham, Warragul, Shepparton, Dandenong and Broadmeadows with representatives from schools, NSSPs and LLENs.
- **Internal Working Group** – staff from DET and representatives from the VCAA, the VRQA, Catholic Education Commission of Victoria (CECV) and Independent Schools Victoria (ISV).
- **External Reference Group** – including representatives from:
 - o Victorian Association of State Secondary Principals
 - o AEU Principal Class Association
 - o Parents Victoria
 - o Victorian Parents Council
 - o Worksafe Victoria
 - o VicSRC
 - o Group Training Australia
 - o Victorian Employers' Chamber of Commerce and Industry
 - o Australian Industry Group
 - o Career Education Association of Victoria
 - o CECV
 - o ISV
 - o VCAA
 - o VRQA

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HEALTH & SAFETY GUIDELINES

Purpose:

- To assist staff in schools and NSSPs to consider any hazards and health and safety risks associated with WE and SWL placements to ensure that the student's health, moral and material welfare, safety and wellbeing will not be compromised during the placement.
- Under the new Health and Safety Guidelines for WE and SWL, students are prohibited or restricted from industries, activities, plant and equipment, and workplace hazards which:
 - Present unreasonable risks to their health, moral or material welfare, safety or wellbeing, or
 - which requires extensive training or experience to perform safely.
- **WE:**
 - 2 x sets of current guidelines for WE students (under 15 years of age and students aged 15 years and over) have been consolidated
 - No longer standalone documents - will be incorporated into the revised WE Manual.
- **SWL:**
 - New guidelines developed and will be incorporated into revised SWL Manual.

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HEALTH & SAFETY GUIDELINES - WE

PROHIBITED OR RESTRICTED INDUSTRIES OR BUSINESSES

X = Prohibited
Note: List is not exhaustive

INDUSTRY	Students under 15 years of age	Students aged 15 years and over
Abattoirs	X	X
Any business where firearms and/or ammunition are manufactured, repaired or sold	X	X
Aviation	X	See footnote 1
Butchers or fishmongers	X	See footnote 2
Civil construction (such as roads and bridges)	X	✓
Defence force	X	✓
Emergency Services	X	✓
Equine industry	X	See footnote 3
Fishing vessels	X	X
Funeral homes	X	X
Gaming	X	X
Mining, quarrying, extraction, recycling plants, foundries and tips	X	See footnote 4
Morgues	X	X
Prisons, correctional or remand centres, or immigration detention centres	X	X
Recreational vessels	X	X
Security industry	X	X
Sex industry	X	X
Tattoo shops	X	X
Trading vessels	X	See footnote 5
Transmission and distribution industries (line work and/or labelling)	X	X

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Footnotes

- Students aged 15 years and over may undertake work experience at a commercial airport or airline but are restricted to an office environment or other administrative environment such as customer service. If a student is offered a complimentary flight during their placement, this must be as a seated passenger only, and under the care and control of a suitably qualified and experienced member of staff.
- Students aged 15 years and over may only undertake retail activities in these industries.
- Students aged 15 years and over may only undertake work experience in this industry in line with the Department's guidelines for work experience with animals and are not permitted to undertake riding activities.
- Students aged 15 years and over may only undertake office duties above ground in these industries.
- Students aged 15 years and over may assist on trading vessels used for passenger ferry services or charter activities and operating on inland or enclosed waters.

HEALTH & SAFETY GUIDELINES - WE

- Lists of prohibited or restricted activities, dangerous plant and hazardous equipment, and workplace hazards will be included in the revised **WE Manual** and will be made available on DET website at:
<http://www.education.vic.gov.au/school/teachers/teachingresources/careers/work/Pages/workexperience.aspx>
- **Note:** Lists are not exhaustive



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HEALTH & SAFETY GUIDELINES - SWL

PROHIBITED OR RESTRICTED INDUSTRIES OR BUSINESSES
X = Prohibited

Note: List is not exhaustive

INDUSTRY	
Abattoirs	See footnote 1
Any business where firearms and/or ammunition are manufactured, repaired or sold	X
Equine industry	See footnote 2
Fishing vessels	See footnote 1
General homes	See footnote 1
Gaming	X
Mining, quarrying, extraction, recycling plants, foundries and tips	See footnote 3
Morgues	X
Prisons, correctional or remand centres, or immigration detention centres	X
Recreational vessels	X
Security industry	X
Sex industry	X
Tattoo shops	X
Trading vessels	See footnote 4
Transmission and distribution industries (linework and/or cabling)	See footnote 1

Footnotes

1. Students may undertake structured workplace learning in these industries only if they are completing a relevant VET qualification and the structured workplace learning will allow them to obtain or further develop the skills and knowledge outlined in a relevant unit of competency within the qualification. Employers must provide students with an appropriate health and safety induction and any activities must be carried out under direct supervision.
2. Where students are not completing a relevant VET qualification, they may only undertake structured workplace learning in this industry in line with the Department's guidelines for work experience with animals and they are not permitted to undertake riding activities.
3. Students may only undertake office duties above ground in these industries.
4. Where students are not completing a relevant VET qualification they may only assist on trading vessels used for passenger ferry services or charter activities and operating on inland or enclosed waters.



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HEALTH & SAFETY GUIDELINES - SWL

- Certain industries or businesses are prohibited or restricted, **unless students are completing a relevant VET qualification** where the SWL will allow them to obtain or further develop the skills and knowledge outlined in a relevant unit of competency within the qualification. Employers must provide students with an appropriate health and safety induction and any activities must be carried out under direct supervision.
- Some activities in certain industries are prohibited, **unless students are completing a relevant VET qualification** where they allow them to obtain the skills and knowledge outlined in a relevant unit of competency within the qualification. Employers must provide students with an appropriate health and safety induction and any activities must be carried out under direct supervision.
- Students are permitted to use the listed plant or equipment **only if** they are explicitly required in the performance criteria or assessment requirements of a unit of competency the student is undertaking as **part of a VET qualification**. Employers must provide students with the relevant health and safety induction and any activities must be carried out under direct supervision.

Lists of prohibited or restricted activities, dangerous plant and hazardous equipment, and workplace hazards will be included in the revised **SWL Manual** and will be made available on DET website at:
<http://www.education.vic.gov.au/school/teachers/teachingresources/careers/work/pages/structuredlearning.aspx>

Note: Lists are not exhaustive.



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AMENDMENTS TO MINISTERIAL ORDERS

- 1. Definitions added or revised**
 - Child Safe Standards
 - School Governing Authority (Min Order 382 and Min Order 55)
 - Accredited Course of Study (Min Order 55 and Min Order 723)
 - VET Program (Min Order 55)
- 2. Requirements of Principal in relation to an Arrangement**
Prior to entering into an Arrangement, the Principal/CEO must be satisfied:
 - that the School Governing Authority/NSSP will comply with the Child Safe Standards for the duration of the proposed Arrangement
 - that the WE Coordinator/SWL Coordinator has arranged with the student an appropriate time to contact the student at least once during the Arrangement, and if the placement under the Arrangement spans over more than one term, at least once during each term.
- 3. Payment**
 - Payment does not include payment in kind - Example: A gift card or voucher must not be used to pay students engaged under an Arrangement.
- 4. Maximum number of days**
 - Duration for SWL arrangements (Min Order 55 and Min Order 723) (outlined on next slide)
- 5. All Arrangement Forms and Travel & Accommodation Forms updated**
 - Minor amendments including new banners, field added for employer's email address, tick boxes for student qualification (SWL only).



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AMENDMENTS TO MINISTERIAL ORDERS DURATION OF SWL

- The total number of SWL days for a student must not exceed:
 - a) 40 days during each School Year/Academic Year, and
 - b) 10 days during each school term.
- The total number of SWL days a student may undertake with an employer must not exceed 20 days during any School Year/Academic Year.

Exemptions

- The Principal/CEO may permit, in writing, a student to undertake more than 10, but not more than 15, SWL days during a school term if they are satisfied that the student requires additional SWL days to acquire particular skills or satisfy the requirements of the Accredited Course of Study.
- The Principal/CEO may permit, in writing, a student to undertake more than 20 SWL days with an Employer during a School Year if they are satisfied that:
 - a) it is not possible for the student to undertake the additional SWL days with a different employer; and
 - b) one or both of the following apply:
 - i. the student requires additional SWL days to acquire particular skills or satisfy the requirements of the Accredited Course of Study; or
 - ii. the student will be undertaking activities to satisfy requirements of the Accredited Course of Study which are different to the requirements satisfied during the first 20 structured workplace learning days with the Employer.



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AMENDMENTS TO MINISTERIAL ORDERS DURATION OF SWL (continued)

- The Principal's/CEO's written permission when making the exemptions must include reasons.
 - The Department will develop a template to assist Principals/CEOs to do this.
- If the Principal/CEO permits a student to undertake more than 20 SWL days during a School Year/Academic Year with an employer, they must ensure that:
 - a) a new Arrangement Form is completed and signed by all parties (employer, student and parent (where student is under 18 years of age) and Principal/CEO)
 - b) a copy of the Principal's/CEO's written permission is attached to the Arrangement Form
 - c) a copy of the new signed Arrangement Form is provided to each party.



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AMENDMENTS TO MINISTERIAL ORDERS

- Ministerial Orders 382 and 55 (for schools) and Ministerial Orders 723 and 724 (for NSSPs) will be amended from **1 January 2017**.
- Amended arrangement forms will accompany the amended Ministerial Orders.
- Transitional provisions:**
 - The amendments do not apply to any placement occurring in the period 1 January 2017 to 31 December 2017 if the arrangement was made on or before 31 December 2016.
- Copies of the amended Ministerial Orders and amended arrangement forms will be available at:
 - Min Order 382: <http://www.education.vic.gov.au/school/teachers/teachingresources/careers/work/Pages/workexperience.aspx>
 - Min Order 55: <http://www.education.vic.gov.au/school/teachers/teachingresources/careers/work/Pages/structuredlearning.aspx>
 - Min Orders 723 and 724: <http://www.education.vic.gov.au/training/providers/rto/Pages/workplacelearn.aspx>



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AMENDMENTS TO MINISTERIAL ORDERS

Making arrangements for 2017

Which Ministerial Orders and arrangement forms apply?	
Arrangement made* on or before 31 December 2016 for a placement occurring in the period 1 January 2017 to 31 December 2017. <i>This means that all parties, including the principal, have completed and signed the relevant sections of the arrangement form.</i>	Current Ministerial Orders apply and current arrangement forms must be used.
Arrangement partially made on or before 31 December 2016, but completed on or after 1 January 2017, for a placement occurring in the period 1 January 2017 to 31 December 2017. <i>This means that not all the relevant sections of the arrangement form have been completed or signed by relevant parties before the commencement of the amendments but are ultimately completed and signed after the changes take effect (on 1 January 2017).</i>	Schools/NSSPs may seek to arrange placements for students in 2017 before 31 December 2016 and may wish to make these arrangements using the amended arrangement forms attached to the amended Ministerial Orders. In these cases, schools may commence using the amended arrangement forms, however, the arrangement must not be fully made (for example, the principal/CEO must not sign the arrangement form) until on or after 1 January 2017.
Arrangement made on or after 1 January 2017.	Amended Ministerial Orders apply and amended arrangement forms must be used.

* An arrangement is 'made' when all parties have completed and signed the relevant sections of the arrangement form.



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CHILD SAFE STANDARDS

- The Child Safe Standards are compulsory minimum standards for organisations that provide services for children, including Victorian early childhood services and schools, to help ensure the safety of children.
- Ministerial Order 870 operationalises the Child Safe Standards in registered Victorian schools.
- Standard 6 requires the school governing authority to develop and implement risk management strategies to ensure child safety in school environments.
- School environments include workplace learning environments where students undertake work experience, structured workplace learning, school community work (volunteering) and School Based Apprenticeships and Traineeships.
- Registered schools are therefore required to develop and implement risk management strategies prior to students undertaking workplace learning to ensure their safety will not be compromised.
- The Child Safe Standards don't require a risk management strategy for each individual student undertaking workplace learning. Rather, workplace learning should be considered as part of a school's overall child safety risk management strategy.



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CHILD SAFE STANDARDS

- In developing your child safety risk management strategy, consider the following in relation to workplace learning:
 - Identify child safety risks in workplace learning environments.
 - Identify any existing risk mitigation measures or controls.
 - Assess and rate the child safety risks given the existing controls in place, taking into account the likelihood of risk, and the likely consequence of the risk.
 - If the risk rating is more than the 'acceptable level', identify further risk management strategies through additional treatments or other prevention, detection or mitigation strategies and then re-assess the risk.
- Risk mitigation measures and controls already exist in the form of requirements and processes set out in Ministerial Orders.



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CHILD SAFE STANDARDS

- Schools should consider including the following additional control measures in their risk management approach:
 - Provide information to employers about the Child Safe Standards and examples of acceptable and unacceptable behaviours in dealing with students. The Department has developed a fact sheet for employers, which can be accessed at: <http://www.education.vic.gov.au/school/teachers/teachingresources/careers/work/Pages/default.aspx>
 - Make employers aware of the school's approach to child safety by providing them with a copy of the school's child safety policy or statement of commitment. If the employer is an in scope organisation for the Child Safe Standards, schools are encouraged to request a copy of the employer's child safety policy of statement of commitment. For a list of in scope organisations, see: <http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies-guidelines-and-legislation/in-scope-organisations-for-child-safe-standards>
 - Implement and adhere to strategies to promote child empowerment and participation so that students participating in workplace learning have the skills and knowledge to recognise abuse or other risks to their safety, and the confidence to raise concerns, make complaints or let someone know they feel unsafe.



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CHILD SAFE STANDARDS

Supporting resources

- Child Safe Standards and workplace learning:
 - Child Safe Standards and Workplace Learning: A Guide for Schools
 - Fact Sheet for Employers: Child Safe Standards and Workplace Learning
 - Both documents available at: <http://www.education.vic.gov.au/school/teachers/teachingresources/careers/work/Pages/default.aspx>
- Department of Education and Training PROTECT portal: <http://www.education.vic.gov.au/about/programs/health/protect/Pages/default.aspx>
- VRQA Child Safe Standards resources: <http://www.vrqa.vic.gov.au/childsafes/Pages/resources.html>
- For general advice regarding developing a child safety risk management strategy and a sample child safety risk register, please contact the Department's Risk and Decision Unit at portfoliorisk@edumail.vic.gov.au



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Questions?