

# Ensuring Learner's Health & Safety - Policy



## References:

- A. Health and Safety at Work Act 1975
- B. Lewtay Safeguarding Policy
- C. Lewtay Health and Safety Policy
- D. Ofsted Further Education and Skills Handbook for September 2023

## Part 1 – Policy

### Background

1. Employers have the primary responsibility for the Health & Safety (H&S) of their staff, some of whom will be our learners<sup>1</sup> and should be managing any significant risks. Training Providers such as Lewtay Training Limited (Lewtay) should be taking reasonable steps to satisfy themselves that the employer is doing this. According to the Health and Safety Executive guidance regarding apprentices<sup>2</sup>, Training Providers do not have to second guess an employer's risk assessment or risk control measures and are not required to carry out their own workplace assessment.
2. However, Lewtay has a duty of care to all our learners to ensure they can undertake and complete their learning and development activity in a safe environment. This policy details the 'reasonable steps' Lewtay will take to ensure that the H&S requirements of Reference A are being met. Our Safeguarding duty of care is undertaken separately, but in parallel through Reference B. Reference B Annex D details the actions to be taken to ensure the health, safety and wellbeing primarily for any 16–17 year-old learners. All our learner's health, safety and wellbeing will be monitored throughout their journey with Lewtay. Their H&S knowledge and understanding is to be checked, see Annex A, so that the requirements of References A & D are met.

### Scope and Responsibilities

3. This policy relates to all Employers and Employees that Lewtay is contracted with to deliver its service provision. Should Lewtay's service provision be with a learner not under the remit of Reference A, and where their service delivery is at Lewtay's premises, their H&S will be in accordance with Reference C.
4. It is the responsibility of all Lewtay staff to take reasonable steps as detailed in Part 2, to ensure the Health, Safety and wellbeing of our learners is maintained.

### Policy Review and Updates

5. This policy will be reviewed annually. The next review will be in April 2025.
6. Where any revision to the policy is required, this will be carried out as soon as is practical. The version number and revision date shown in the footer, amended to reflect the updated version. All previous versions are to be replaced.

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<sup>1</sup> The term 'learner' applies to any individual undertaking a qualification with Lewtay Training Ltd, including those on Apprenticeships.

<sup>2</sup> [hse.gov.uk/young-workers/employer/apprentices](https://www.hse.gov.uk/young-workers/employer/apprentices). Whilst this guidance falls under 'Young People at Work', it is applicable to apprentices, learners of all ages.

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## Part 2 – Procedures

7. To meet the requirements of Part 1, the Lewtay staff detailed below are to undertake the following:

- a. **Managing Director (MD).** The MD is to ensure that:
  - i. Prior to entering into a contract with an employer, ensure that they have appropriate H&S provision in place. I.e.:
    - H&S policy including Risk Assessments. If there are 5 or more employees there must be a written policy.
    - H&S poster or alternate H&S information is provided for staff at all workplace locations.
    - Safeguarding provision and where applicable the Safeguarding Policy.
    - Employer Liability Insurance (ELI).
    - Vehicle insurance where applicable.
    - H&S training is undertaken.
    - Appropriate PPE is provided free of charge.
  - ii. For existing employers check appropriate H&S provision is being provided.
  - iii. Suitable timely action is taken to address any shortfall in the H&S provision provided.
  - iv. Appropriate welfare/wellbeing procedures are in place to identify and address where possible a learner's welfare/wellbeing needs.
  - v. Senior management are kept informed of any significant H&S issues with employers and actions taken.
- b. **Centre Manager (CM).** Where no dedicated CM is employed, these actions are to be undertaken by the MD.
  - i. Where no H&S training has been undertaken, allocate on-line training as part of the learner's Training Plan.
  - ii. Ensure that appropriate H&S information is available to learners on their ePortfolio. E.g., Your health, your safety - a brief guide for workers (INDG450). Workplace health, safety and welfare - A short guide for managers (INDG244(rev2))
  - iii. All the actions detailed below are being undertaken.
- c. **Administration Staff.** Admin staff are to ensure that:
  - i. A copy of the employer's current H&S policy, Safeguarding Policy\*, ELI and Vehicle Insurance\* has been obtained and uploaded to QuickBase. (\* where applicable).
  - ii. Timely reminders are sent to employers with relevant Lewtay staff Cc in, to ensure the employers documents held remain current.
  - iii. A monthly report is provided to the Senior Management Team detailing current state of insurance documentation held.
  - iv. H&S provision is discussed during well-being calls with and concerns passed on to the Service Delivery Staff Manager and/or Centre Manager.
- d. **Service Delivery Staff Manager.** Where no dedicated CM is employed, these actions are to be undertaken by the CM or MD. The Service Delivery Staff Manager is to ensure that:

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- i. Timely action is taken to address any H&S concerns raised by delivery or admin staff.
  - ii. During delivery staff 1-2-1, ensure the actions detailed in sub-para e are being/have been undertaken.
- e. **Service Delivery Staff.** Service Delivery staff are to ensure that:
- i. During the onboarding interview the H&S provision is appropriate, i.e.:
    - The applicant has covered H&S as part of their workplace induction.
    - The applicant knows how to report a H&S concern.
    - If the applicant has a workplace concern and has this been reported and is being addressed.
    - H&S training is being/has been undertaken by the applicant.
    - The applicant is made aware of Lewtay's welfare/wellbeing provision.
  - ii. During the learner's induction:
    - Confirm with the learner their employer's arrangements for managing risks and their role.
    - That the learner has no H&S concerns or if they have, has this been reported and what action has been taken.
    - Where required, appropriate PPE has been provided free of charge.
    - Check that the learner knows of the Risk Assessments undertaken and the control measures in place.
    - The learner is aware of Lewtay's welfare/wellbeing provision and how to access this.
  - iii. During the first visit to the learner's workplace or if they move to a new workplace, check the H&S provision. Ensure that:
    - A current ELI certificate and the H&S poster are displayed, or the learner has been provided with alternate H&S information if no poster.
    - The learner knows the location of fire extinguishers, fire alarm(s), emergency exits, first aid kit and the action to take in an emergency, including how to contact the emergency services.
    - From what you can see, there are no obvious hazards. If there are, raise your concern(s) with the senior staff member present and confirm what action will be taken or what measures are in place to control the risk.
    - H&S provision is commented on in the Visit Report.
  - iv. On subsequent visits ensure that:
    - The H&S provision is still effective and that the learner still feels safe in the workplace.
    - Any H&S issues previously identified have been suitable addressed.
    - There are no new hazards. If there are again raise your concern with the senior staff member present and confirm what action will be taken.

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- The learner’s wellbeing is discussed and that appropriate action, e.g., BHSF referral is taken to address any issues identified.
  - H&S provision is commented on in the Visit Report.
- v. Where workshops/group training sessions are undertaken away from the learner’s workplace Lewtaylor delivery staff are to ensure that:
- All attendees are informed of the location of emergency exits, assembly point, first aid provision and the actions to be taken in an emergency.
  - All attendees comply with the location’s H&S requirements.

Where after raising any H&S concerns with the employer and staff feel a learner’s H&S is still being compromised, they are to report this to the Service Delivery Staff Manager or the Centre Manager as soon as is practical, who is to take appropriate action.

8. If you have any queries about the contents or application of this policy, please contact the Managing Director/Centre Manager on 01733 552 475 or email [trish@lewtaylor.co.uk](mailto:trish@lewtaylor.co.uk)

*Trish Allen-Janes*

Trish Allen-Janes  
Managing Director/Centre Manager

Date:	8 <sup>th</sup> April 2024	Review Date:	8 <sup>th</sup> April 2025
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**Annexes**

A. Health & Safety Question Paper

## Learner's Health & Safety Question Paper

To check and confirm a learner's knowledge and understanding of some basic aspects of health and safety, they will be asked to complete the following question paper.

For the questions about fire extinguishers, the reference document on page A-4 can be provided.

# Health and Safety Knowledge and Understanding

**Q1. Where is your Assembly Point in the event of an emergency?**

A1.

**Q2. Where is the Health and Safety poster located?**

A2.

**Q3. Who do you speak to if you have a concern over Health & Safety in your workplace?**

A3.

**Q4. With regards to the Health & Safety poster, what responsibilities do you as an employee have towards Health & Safety in your workplace? Give all.**

A4 – a.

A4 – b.

A4 – c.

A4 – d.

**Q5. With regards to the Health & Safety poster, what responsibilities does your employer have towards Health & Safety? Give 4.**

A5 – a.

A5 – b.

A5 – c.

A5 – d.

**Q6. Who are the first aiders at your workplace and/or the appointed person(s)? List them.**

A6.


**Q7. Where is the first aid box/kit located at your main place of work?**

A7.


## Types of Fire Extinguishers

Below are examples of various fire extinguishers. Identify the locations (where applicable) they are available at your workplace and what type of fire they can be used to fight. If they're not used at your workplace, still state what types of fire they can be used to fight.

Type of Extinguisher	Location	Used on?
		
		
		
		
		

## Health & Safety Signs

Here are some signs that warn and inform people. Identify and write down what each one means.

	This sign means		
			
			
			
			
			
			



# KNOW YOUR FIRE EXTINGUISHER COLOUR CODE

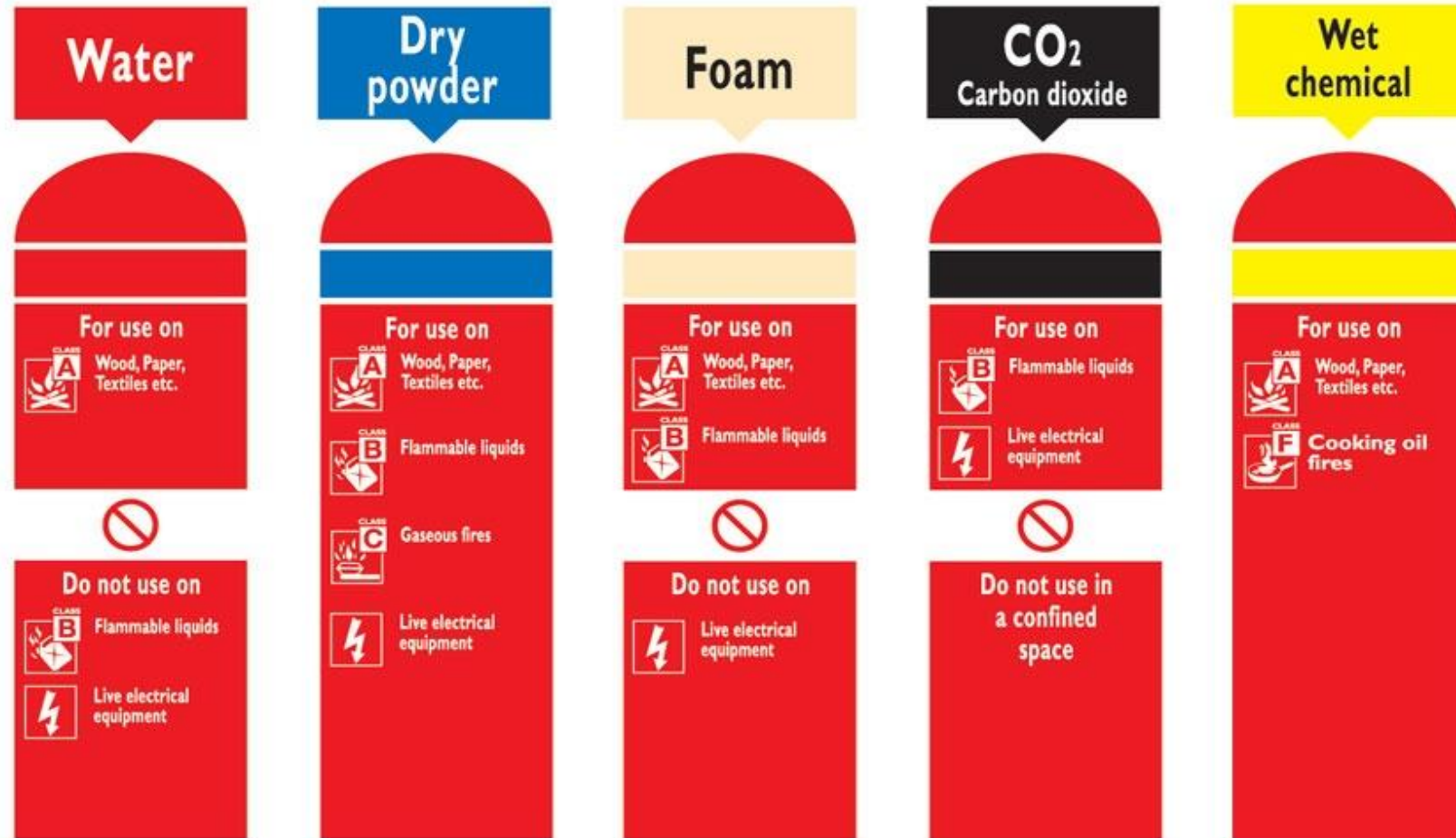


Image source: [Northants Fire Ltd](#)