

Creation and Implementation of a Work Experience Policy within Midlothian Council

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1 Purpose of Report

This report outlines the proposal to establish a Midlothian Council Work Experience Policy. The Work Experience Policy describes the means by which Directors and Heads of Service are enabled to provide well managed and structured work experience opportunities within a safe environment which will benefit each Council Division, Midlothian High Schools, young people and unemployed adults taking part in employability and vocational learning programmes, including those with disabilities involved in Community Care work placement programmes, Looked After Children, Care Leavers and work experience pupils.

The policy requires every section of the council to offer opportunities for work experience each year to support the councils policy aims of increasing employability of the Midlothian population as set out in the Single Outcome Agreement.

2 Background

A description of current council services where work experience is a central element is set out in **Appendix 1** attached to this report.

2.1 Legal Requirements

Work Experience for pupils is authorised under the Education (Scotland) Acts, but is also subject to other legislation. A pupil whilst on placement is defined in the Health and Safety at Work etc Act 1974 as an employee, and relevant statutory provisions (i.e. regulations) made under the Act apply.

These legislative requirements lay explicit duties on the Education & Communities Division, host providers, school organisers and indeed on the pupils. Midlothian Council has a general duty of care towards pupils under the Education (Scotland) Acts, the Health and Safety at Work etc Act 1974 and the Management of Health and Safety at Work Regulations 1999.

The Mental health (Care and Treatment)(Scotland) Act 2003 places a duty on Local Authorities to promote wellbeing and social development for those who have, or have had, a mental disorder. Under the terms of the Act, mental disorder includes mental illness, learning disability and personality disorder. The duties under sections 25 to 31 of the Act sit within a policy framework that addresses inequalities and the promotion of wellbeing.

The Social Work (Scotland) Act 1968 Section 12 places a duty on every local authority to promote social welfare by making advice, guidance, and assistance available on a scale appropriate for the area.

Section 12A (added by the NHS and Community Care Act (1990) places a duty on the local Authority to carry out community care assessments and then decide whether to provide services.

The Chronically Sick and Disabled Persons (Scotland) Act 1972 places a duty on local authorities to publish general information about the services that they provide and let disabled people know of the services that they know others provide.

The Disability Discrimination Act 1995 makes it illegal for anyone providing services to discriminate against a disabled person in relation to access. This has now been updated by the Equalities Act 2010, which extends protection to six groups of protected characteristics in the population against whom it is illegal to discriminate.

The Children Scotland Act 1995 sets out the duties of the Council with respect to Looked after Children

If the policy commitments of this report are supported, a cross divisional procedures working group will publish guidance for all managers setting out the mechanisms that the council will require them to implement.

3 Report Implications

3.1 Structure

The principle behind a concise Midlothian Work Experience policy reflects the flow of supply and demand. Midlothian community planning partners require placements to support their Single Outcome Agreement commitments and this will only increase in the coming years to meet the demands generated by increasing unemployment and competition in the labour market.

Council divisions can supply these placements, the council itself requires motivated future employees and also citizens that are actively engaged and who can go on to paid employment. A well structured Midlothian Work Experience policy will enable us to deliver on all fronts. It is recommended that:

- Manages and co-ordinates all work experience activity – to ensure health and safety vetting of all placements in line with agreed standards and procedures.
- Council sections are required to offer a wide range of placements to cover the various types of Work Experience activity –This will be co-ordinated and supported by staff.
- The procedures working group supported by HR will ensure all section managers are briefed on Work Experience procedures and will identify staff interested in providing supervisory role to Work Experience placements. Staff will ensure training and support to all council Work Experience supervisors.

- Council to offer a guaranteed interview scheme to all participants meeting the minimum criteria for the post.
- staff and schools to work together to generate Work Experience placements which can accommodate the requirements of More Choices More Chances – this may include more Work Experience placements for S3, S5 and S6.
- Staff will assist with the tracking of positive destinations.
- Services will be required to link work placement options to existing services in criminal justice and drugs/ alcohol fields, with shared working between professionals supporting client's personal needs and employability staff., rather than transferring clients through an assessment and referral process without commitment to continuing client centred support.

3.2 Resource

Resource constraints in council budgets have left little option for expansion of some forms of placement activities without some transfer of resource internally between parts of the council.

Schools participating in the MY-JET Programme, a form of day release extended work experience in employers premises across the year rather than a one week block placement, will require to provide an element of funding when seeking placement for their pupils in order to share the costs incurred by in providing a range of services and support to both the schools and the employers (both private and council divisions)

Support Training For Employment Midlothian(STEM) participants are paid £20.00 per week by the council under the current arrangements, the maximum earnings they are allowed before affecting their disability related benefits. There has been a concern that transferring STEM to the Midlothian Training Services structure would negatively affect this arrangement and transfer responsibility for payments to each work experience providing section. Given the potential impact for the client group, it has been agreed that the current arrangements will continue, and be funded through the communities and wellbeing divisional budget by reutilisation of budgets allocated to external providers that are no longer in use.

All other programmes are contract funded by external partners on top of a core of council budget, and no changes are proposed to the financing of these programmes until the conclusion of current contracts and the Business transformation service review process currently underway.

3.3 Risk

- Without a clear policy on Work Experience and a clearly defined management system for the Work Experience Programme, breaches in Health and Safety legislation are likely to occur. This could result in injury (or worse) to participants, Enforcement Notices being issued by the Health and Safety Executive (HSE), fines both to the council and to individual employees or imprisonment.

- A clearly defined Work Experience Policy is essential to ensure the Government's Strategy Skills for Life, Learning and Work, More Choices More Chance (MCMC) , Curriculum for Excellence and Building Curriculum 4 targets are met – all of which MY-JET and Work Experience are aligned to and delivers on.
- A reduction in work experience activity will have a negative impact on lifelong learning and potentially could have serious implications for the future workforce within Midlothian.
- At present only 21% of school work experience placements are offered by council departments. The remaining 79% comes from private companies within Midlothian, Edinburgh and further afield. The MY-JET placements come entirely from private industries. Support Training for Employment Midlothian currently supports 30 clients who are employed by or who are on placement with Midlothian Council. These are almost exclusively within the social work and commercial services divisions (15 clients through social work, 13 through commercial services and 2 in education). MiTech has supplied significant numbers of trained administrative staff to council divisions over the past 16 years, with 36 women in the programme each year and placements forming a key part of the training process. 20 Community Task Force trainees are currently placed in the council Corporate resources division undertaking Dalkeith Townscape Heritage improvement projects and graveyard repair and maintenance,. 12 Modern Apprenticeships are in place in the council through Midlothian Training Services at present.
- Without a clear Work Experience policy and management system to ensure Midlothian Council offers placements within its own organisation, the Council will:-
 - a) Miss a huge opportunity to offer a valuable service to the community
 - b) Fail to engage with a potential workforce of the future
 - c) Fail to motivate its current employees by offering the opportunity to mentor a local person with additional support needs.
- Unemployed adults will not be assisted to re-enter work, and will place additional demands on public support through welfare are benefits as well as reducing the tax take of government in this time of economic austerity.
- Adults with community care needs will not be included socially and economically with consequent high costs for social care, and continuing exclusion from this core aspect of adult life
- The proposed scheme is designed to implement the aims of the Council's Corporate parenting strategy which sits within the national policy framework of improving outcomes for Looked After Children and Care Leavers set out in 'We can and Must Do Better' and 'These are Our Bairns'.

3.4 Policy

Strategy

This proposal supports Building the Curriculum 4 where young people are gaining skills for learning, skills for life and skills for work.

The Work Experience Act 1973, 1996 Education (Scotland) Act and the Employment Act 1990 authorised work experience for young people whilst still at school. Work Experience is an important element in the provision for pupils in the later years of secondary education, insofar as it will provide them with direct experience of the world of work.

The Community Care Act sets out expectations regarding the support of adults with community care needs who aspire to enter the world of work, and work experience is a key aspect of this route to paid employment. The Council has established its role under the national 'welfare to work' programme as a deliverer of work placements for unemployed adults from school leaving age onwards, and is expected to coordinate and deliver the 16+ learning choices and more choices more chances programmes all of which require the delivery of work experience placements as part of their schemes of operation.

The Single Outcome Agreement includes "Reduce relative levels of Poverty in Midlothian" as a priority outcome, and the council has committed itself to this along with partners in community planning. The Community planning partnership "Improving Opportunities Midlothian (IOM)" theme includes the same outcome, and delivery of work placement and work experience is coordinated through the Midlothian Employment Action Network for adults and the More Choices More Chances board for young people in upper secondary and immediately post school,. Both these groups report progress and performance to the IOM

'A Working Life for All Disabled People', The Supported Employment Framework for Scotland, advocates a Supported Employment approach to enable people with disabilities to access ordinary employment using a five stage 'place and train' framework whereby people learn on the job with support from colleagues.

Consultation

The report responds to feedback from service users and consultation with service delivery agencies, council staff and private sector employers.

Equalities

The report is intended to ensure a requirement is placed on managers in all parts of the council to offer work experience to a range of equalities groups, reduce competition between parts of the council support services and improve range of options for participants. An EQIA will be undertaken as the procedures are developed.

Sustainability

The preferential recruitment of local staff is not allowed under equal opportunities legislation. However, to achieve a sustainable Midlothian, with local employment opportunities minimising travel to work and carbon footprint is also a policy goal, The use of the council as a work experience provider

offer local people the chance to gain experience , develop their CV , understand the work of the council and be well placed to compete for vacancies as they arise .

4 Summary

Every young person is entitled to experience a senior phase of education where they can continue to develop the four capacities of Curriculum for Excellence and also develop a connection with the world of work. Equivalent benefits accrue to unemployed adults, and adults with community care needs.

By participating in Work Experience, people enhance their skills for learning, life and work. It allows them to expand their vocational awareness and enables them to test a vocational preference before further commitment to it, and to develop important core employability skills, personal qualities and give an understanding to support a positive transition into working life. For adults with community care needs work placements can form an important element of their weekly activities and for some may be their only experience of the world of work, whilst for others may be a step on the way to paid work. Care Leavers face significant barriers due to a lack of a secure family base and work placements contribute significantly to their health and wellbeing.

In the field of criminal justice there is increasing recognition of the need to use work placement as part of the route back to inclusion for ex offenders, and the Criminal Justice Authority is keen to expand the options available to its client group. This area overlaps with the expression of interest by Mid/ East Lothian Drug And Alcohol Project in employability for drug users, and since the demise of the councils externally funded pathways project, there is a gap in support services for these two sets of clients that enhanced work placement activity could contribute to.

5 Recommendations

Cabinet is recommended to:-

- (i) consider the information in this paper and agree the proposed structure for coordination and delivery of the Work Experience Programme by as contained in this policy proposal.
- (ii) agree the adoption of a Midlothian Council Work Experience Procedure to ensure a consistent approach to meeting the requirements of both Government Education initiatives and Health and Safety legislation
- (iii) agree that each section within the Council will offer suitable Work Experience placements, under the procedures indicated in this report
- (iv) agree that Midlothian Council offer a Guaranteed Interview Scheme to participants on Work experience Programmes who meet the minimum criteria for a post.

2 March 2011

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DESCRIPTION OF CURRENT COUNCIL PROVISION

School age provisions

All school age developments have built on the original provisions and ideas within the relevant national Education and Skills policies. A series of government initiatives, More Choices More Chances, 16+learning choices, Determined to succeed, and Curriculum for Excellence have sought to extend and consolidate the range and quality of placements offered to pupils.

School Work Experience can be offered in S3, but the overwhelming practice has been for schools to offer it to pupils in one week blocks in S4. Some schools also provide work experience in S5 and S6. Increasingly, the experience is certificated through the Scottish Qualification Authority (SQA) and it also features within standard grade social and vocational skills.

The basic operation of the school work experience programme depends on the availability of a sufficient number of placements, both in terms of range of opportunities and geographical spread, so that the pupils can access a placement that accords with their interests, skills and abilities. Many of these placements (49%) are found centrally and booked through the Work IT database managed by Midlothian Training Services. In addition, pupils often find their own placements, so called 'Self Found Placements' (51%) this being a component of certain certification. It is the totality of placements from all sources and the correct management of this system that allows the programme to be successful.

Midlothian Training Services took over the management of the School Work Experience programme in 2008. In a typical year approximately 1050 pupils undertake work experience placements, and over 500 different employment locations are used to support the programme. Midlothian Training Services has developed a comprehensive 'Work Based Learning: Toolkit for Success' which enables the Council to meet its Health and Safety obligations with regard to work placements. Currently just 21% of placements are provided by Council divisions. Given its place in the community as Midlothian's largest and most varied employer, the Council should be promoting in house placements and should be aiming to provide far more than 21% of placements. The advantages to the authority are obvious. This offers a support mechanism for the schools, pupils, parents, and other local employers.

Furthermore, there is a real opportunity that Midlothian Council could be seen as model of excellence.

In order for the process to work, Council divisions require to make commitments to participate in the Work Experience Programmes and be prepared to meet the Health and Safety standards relating to young person's contained within the Management of Health and Safety at Work Regulations.

PROGRAMME FOR ALTERNATIVE VOCATIONAL EDUCATION/TOPS WORK EXPERIENCE

Also seeking placements and utilising the Midlothian Training Services placement model are:

- The Programme For Alternative Vocational Education service, an 'S4 only' programme for pupils assessed through the over 12's forums as having a requirement for alternative curriculum outside a school setting linked to post school vocational training and employment .
- The TOPs service, part of children's services working with secondary school pupils excluded from or not attending school.

The current Midlothian School Work Experience Programme has 3 members of staff: One Co-ordinator and 2 Recruitment & Liaison Officers. This team conducts all the Work Experience Health & Safety Audits for all placement activity

Since 2008 Midlothian Council has taken the approach that all placement activity must be health and safety vetted by the School Work Experience Team based at Midlothian Training Services. All the Team must be National Education Board for Occupational Safety and Health (NEBOSH) General Certificate (or equivalent) qualified.

A comprehensive Guidance Pack for Guidance Teachers has been produced to clearly highlight the procedure for Work Experience placements.

An Employers Pack has been produced to help local employers comply with the health and safety legislation.

Quality Portfolios have been produced to map out the procedures and documentation required for all types of Work Experience activity within Midlothian Council. 6 mainstream secondary schools plus 1 non-mainstream establishment. 2009-2010 generated 1021 work experience placements broken down as follows:

486 One week placements booked through Work IT
468 Self Found placements
55 Extended and Anomaly placements
12 MY-JET Placements

Extended placements vary in length from a few days to a period of several months. Midlothian Training Services has also vetted placements for Foreign Work experience trips.

2009/2010 - 49% one week placements are self found and 51% come via Work IT

Post School Work Experience

All young people aged 16-19 are entitled to an offer of a post school positive destination coordinated by Skills Development Scotland (SDS) the national body which delivers careers guidance services to pupils and young people.

SDS provides the option of a post school vocational learning opportunity through contracts with a variety of partners, of which Midlothian Training Services is the largest in Midlothian. Contracts are issued for three programmes; Lifeskills, (for young people with significant additional support needs); Get Ready for Work, for young people with few or no qualifications and facing additional barriers to entering work; and Modern Apprenticeships, Offering a route to SVQ level 3 vocational qualifications.

Around 200 young people a year take part in Midlothian Training Services programmes, all of whom seek work placements within the private, public and voluntary sectors. The former Commercial services division for many years successfully offered, and continues to offer work placements and progression to Modern Apprenticeships funded and administered through Midlothian Training Services.

The publication of 'We Can and Must Do Better' set out a national policy framework for improving outcomes for all looked After Children by challenging Local Authorities and partner agencies to meet their responsibilities to Looked After Children by embracing the concepts of corporate parenting, this group has need of additional support in making an effective transition to adult independent living, including entering paid work. .

Children's Services support work placements for Care Leavers under arrangements with SDS and the Social Networking Partnership, using Midlothian Training Services as the main provider through its SDS contracts.

Adult work placements

The Midlothian Training Services adult programmes: MiTech, Community Task Force, Future Jobs Fund and Flexible New Deal all contain elements of work placement of participants in employers' premises. Placements are sought for increasing numbers of adults as unemployment levels grow. MiTech has a long record of placing women retraining to work in work placements within the council divisions.

The Support Training For Employment Midlothian team formerly located in Social Work Division's community care services, but now transferred to Midlothian Training Services , has for many years offered work placements as part of its support to adults with learning disabilities, and this has now been extended to other community care groups.

'A Working Life for All Disabled People' The Supported Employment Framework for Scotland emphasises the need for consistent, person centred support and developing new opportunities to help all disabled people who want to work to do so. This focuses on supporting disabled people into sustainable work in mainstream employment. Clearly the provision of high quality placements is one of the key stages in this process .Midlothian has been awarded pilot area status by Scottish Government for delivery of supported employment.

Midlothian Training Services adult services offer

- work placements for up to 56 women returners to the labour market each year through the MiTech programme jointly funded by the council and Jewel and Esk College this programme has had a high success rate of gaining employment (averaging 65% over the past 10 years), and in placing women in the Council, where the information and communications technology and administration qualifications have been in demand. The council has a strong track record of recruitment to permanent posts from this programme. There are 3 staff employed in this programme, which also takes referrals from Department for Work and Pensions programmes and the Midlothian Training Services training for work contract with Skills Development Scotland.
- The working for families programme employs two key workers funded through Fairer Scotland Fund, who offer practical assistance to parent seeking to return to work, including assistance with childcare, access to financial advice and career guidance / training. Over 200 clients are dealt with each year.
- Future Jobs Fund provides 6 month long minimum wage employment for 18-24 year olds, with 31 of these posts within the council each 6 months.
- The Flexible New Deal programme, for adults (over 6 months unemployed) provides a 'job club' model for 173 adults at present, operating on a fortnightly drop in sessional basis. All these participants are potential placement seekers within the council.
- Community task force is for 18-24 year olds – 13 week work experience placements are on offer with associated personal support sessions. 2 staff are engaged in this work and placements are sought from within the council and externally in the private and voluntary sector. 102 young adults have been involved since February 2010.
- The Support Training For Employment Midlothian team, formerly located at Cherry Road, now part of Midlothian Training Services and located at 1 Eskdail Court Dalkeith, currently employs three Employment Officers and two Day Service Officers to deliver employment and placement support to clients with disabilities.