

Skills for Health Guide

Work Experience in the Health Sector Scotland





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The Case for Work Experience

There are approximately 300 different roles in the healthcare sector and an effective work experience programme can showcase the work of many of these. From clinical roles such as nurses, doctors, healthcare scientists and therapists, to non-clinical roles such as chefs, housekeepers, managers, accountants, electricians, secretaries, telephonists, porters and IT specialists, there are endless opportunities available to engage with work experience programmes.

Employers, students, parents and educators generally recognise the benefits of participation in work experience programmes and the use of real-life experiences is accepted as having a positive impact on a student's development and transition into the world of work.

What type of Work Experience does this Guideline focus on?

This Guideline is focused on promoting work experience programmes for students of schools, academies and colleges undertaking any health-related course at Scottish Credit and Qualifications Framework (SCQF) levels 3-6. The guidance is relevant to the health sector.

The scope of this guidance does not include clinical placements for students enrolled in higher or tertiary education courses (those at SCQF levels 7 and upwards).

This Guideline and Toolkit provides best practice resources to help a health employer establish or increase its provision of work experience programmes for students of schools, academies and colleges of all ages at SCQF levels 3-6. The guidance draws on good practice that is already happening in the health sector in Scotland and it is envisaged that by developing national guidance, the result will be increased local level partnerships between schools, academies, colleges, local authorities, the health sector and other parts of the community. It is also envisaged that this information will inspire the development of work experience programmes which are interactive wherever possible in order to maximise exposure about the world of work to participants.

Work experience programmes are a powerful tool for participants. A well delivered programme can raise awareness amongst students of schools and colleges and people of all ages, about the range of career pathways available in the health sector. Also, in any workplace the majority of staff are



usually adults. Accordingly, for many young people work experience is an important and memorable component of their personal and educational development because it has the potential to impact on a young person's perception about what is appropriate conduct, practice and attitude in the workplace.

Momentum is building to support programmes which enhance employability of all people seeking to enter the labour market. Work-related learning is an excellent tool for enhancing employability. Employability or 'work readiness' can relate to very specific vocational training which would allow a learner to proceed directly to a job. At the other end of the scale, it can also relate to transferable skills such as literacy and numeracy skills, interpersonal, team and communication skills. Work experience programmes contribute to the development of these skills.

Benefits to employers taking work experience participants

The benefits to health employers including NHS Scotland Boards, independent health care providers and the voluntary sector, are many and varied. They include the following:

- **Develop the workforce of tomorrow**

Work experience programmes help health employers mould their future workforce for anticipated changes in demand and priorities for health services by influencing people while they are still making their career choices. Employer engagement during the planning stage of a work experience programme, would ensure that programme content and structure promotes the type of knowledge and skills sought by employers.

- **Showcase the work of a variety of clinical and non-clinical roles**

Participants are therefore more likely to consider the health facility as a potential employer. The effect of this is that more candidates will apply for future positions and the employer has the opportunity to "grow locally" its future workforce.

- **Add competitive advantage**

When it comes to attracting highly experienced staff to existing vacancies, potential staff may consider it important that a potential employer has a well developed work experience programme in place for young people. Many parents working in the sector recognise the economic benefit and stability that a career in health can offer, and may encourage their children to consider it themselves.

- **Action Corporate and Social Responsibility (CSR) policies**

Work experience programmes are an excellent way of demonstrating how CSR policies can translate into real engagement with the community. They also help people make a smoother transition from education to the world of work or give them a renewed opportunity for their working life.

- **Promote equality of access**

By participating in work experience programmes and engaging in its surrounding community a health employer can promote equality of access for people of all ages and contribute to the implementation of the Scottish Government's social inclusion agenda outlined in *Equally Well*.

- **Increase completions of qualifications**

Work experience programmes can help to solve the increasingly mounting cost to health boards of staff attrition and to reduce drop-out rates in health-related courses because they can expose students to the realities of a job early on and at the right time when they are making important career choices.



- **Raise the organisational profile**

A structured work experience programme will raise the profile of a health facility amongst schools, academies, colleges and further and higher education institutions and accordingly will attract a higher calibre of applicant to future key vacancies. By publicising developments in experiential-based learning, an employer can continue to enhance the status of the organisation in the community.

Benefits to organisations supplying work experience participants – schools, academies and colleges

- Participation in work experience increases teacher exposure to recent developments in the health sector and accordingly improves their ability to link curriculum content to current work practices.
- Educational institutions that invest in work experience programmes are likely to enjoy an enhanced profile and reputation in the community. Parents of students generally recognise the positive effect work experience has on young people in terms of personal development and attitudes to the workplace.

- Work experience programmes can be championed by educational institutions as a means of achieving learning outcomes for students.
- Work experience programmes are the perfect way for educational institutions to demonstrate how key Scottish Executive education policy - *Determined to Succeed* and *Curriculum for Excellence*, can translate into real engagement in local communities between schools, academies, colleges and health employers. (Refer to the section below on Work Experience in the Context of Scottish Education and Health policy reform).
- Work experience programmes can help to solve the increasingly mounting cost to communities of staff attrition and to reduce drop-out rates in health-related courses because they can expose students to the realities of a job early on and at the right time when they are making important career choices.



Benefits to people undertaking work experience – school, academy and college students

- **Raised awareness of career pathways**
Gain awareness of the range of career pathways available in the health sector and gather experiences to assist in making an informed decision about what is the right vocation or career pathway.
- **Evaluate whether the health sector is the right fit**
Obtain exposure to what it is like to actually work in the health sector. This will help participants evaluate whether they are attracted to a career or vocation in the health sector or not.
- **Support an application for Higher or Further Education**
Work experience may be an important aspect of a participant's higher education course application. The programme can support those applicants by offering first hand experiences and an opportunity to demonstrate how that has enhanced their understanding of their future role.

- **Improve confidence and self-esteem**
Increase confidence and self-esteem through the responsibilities and opportunities associated with learning in real workplaces with people from different backgrounds.
- **Increase Employability Skills**
Develop employability skills and increased awareness of universally applicable issues such as equal opportunity, workplace health and safety requirements, and rights and responsibilities in the workplace.
- **Equality of Access and Opportunity**
Health sector work experience opportunities are all too often arranged in an “ad hoc” or informal way because applicants have family connections to a specific health facility. A structured programme is a way of providing a fair, equitable and transparent means of access to a potential career or vocational pathway in the health sector.

Benefits to staff overseeing work experience participants

- **Enhance staff communication, training and leadership skills**
Staff members involved in planning and supervising work visits and placements will enhance their own set of communication, training and leadership skills and accordingly increase their own employability.
- **Formally incorporate functions into KSF**
There is scope for incorporation of supervisory roles into a staff member's Knowledge and Skills Framework (KSF) Personal Development Plan. Participation by staff as supervisors to work experience programmes, can represent a vehicle for skills development, and there is scope to formally include this in a staff member's KSF Personal Development Plan.
- **Reinforce best practice service delivery**
Staff will reflect on their own practices when relaying information to work experience participants and reinforce best practice models of care delivery. This will help ensure that staff remain up to date with new developments and practice in relation to the part they play in provision of quality health care.



- **Participate in mentoring and ambassador roles**

Employees who participate as mentors and ambassadors often enjoy the role and as a result of transferring knowledge, gain a heightened awareness and appreciation of how their own skills, abilities and attitudes contribute to the delivery of high standards of care.

- **Contribute to the next generation's workforce**

Staff stand to make a valuable contribution to the next generation's workforce by helping to instill the right attitudes and behaviour in the workplace. They may also learn about important new developments in the Scottish school curriculum as a result of mentoring students.

Taken from a broader perspective, demographic trends in Scotland are characterised by an ageing population and an ageing workforce. Health employers now face a dwindling labour pool and accordingly need to be proactive in attracting future labour to the health sector. This starts with ensuring that people are aware of career and vocational pathways that may be available to them in health – not just doctors and nurses, but all other key roles including nursing

assistants, phlebotomists, radiographers, laboratory assistants, dental technicians, and non-clinical roles such as IT and technical support, trades people, estates, catering staff and much more.

By supporting work experience programmes operating in partnership between schools, colleges and health facilities, health employers can engage with young people at the right time in their lives when they are making important career choices.



A Range Of Work Experience Programmes in the Health Sector

Work experience is an opportunity for a person to learn in a contextualised environment. Work experience can also increase an individual's employability by developing transferable skills and the right attitude to work.

Most people understand work experience as a placement with an employer, which provides a pupil with the chance to learn about a work environment or field of interest and gain some perspective about the world of work. This conventional form of work experience should be considered alongside more innovative models discussed further below.

Work Experience for different stages in life

Work experience will be significant for participants for different reasons depending on their stage in life.

For school leavers it is a chance to gain real life exposure to the health sector at the crucial time when they are considering the range of career options open to them.

For school pupils and college students who are considering particular clinical careers, work experience may be an important component of their higher education course application. A good application may include first hand recounts of the student's visit or work placement. A work experience programme can support those applying to further and higher education institutions for clinical healthcare courses as they need to be able to demonstrate a clear understanding of their future role.

For the long term unemployed, or people who are not working in the healthcare sector but want to explore their options, work experience is the perfect way to start gathering information. Work experience will help an individual decide whether the health sector suits and interests them as a potential career, and how this would fit in with their existing commitments.



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The Health Sector

The following are some examples of services in health that can support a work experience programme:

- Allied Health Services – including physiotherapy, occupational therapy, speech and language therapy, dietetics, chiropody and podiatry. Professionals working in these services, work closely with patients, often on a one-on-one basis providing treatment and helping with rehabilitation.
- Dentistry – diagnosis and provision of treatment for a range of problems affecting the mouth, teeth and gums.
- Medicine – diagnosis, care and treatment of illnesses, infections and diseases and the general well-being of people.
- Nursing – provision of care for patients supporting treatment, recovery and the promotion of good health.
- Midwifery – provision of care, advice and planning for women and their families during and after pregnancy.
- Complementary Therapists – services used in conjunction with conventional medicine using natural methods to treat a range of symptoms and conditions.
- Healthcare Scientists – scientists and technicians who help to prevent, diagnose and treat illness using scientific knowledge and technical skills.
- Health Informatics Staff – management of information and communications technology to support the operations of a health employer.
- Management, Administration and Finance – addressing the financial and organisational issues necessary to ensure continued service delivery and contribution to the planning, quality and quantity of service delivery and patient care.
- Human Resource Services – addressing issues relating to the maintenance, planning and development of a workforce designed to implement a high standard of patient care.
- Wider Healthcare Team – includes teams responsible for the maintenance of health service facilities - gardening and estate services, catering services, security, portage, laundry and cleaning services.

Structured work experience programmes should, where possible, include a practical element, rather than being exclusively observational in nature. This is important because the last thing that a work experience opportunity should do, is disengage a participant. However, in a health care environment, the importance of offering practical experience for participants, must be balanced against health care provider obligations in relation to patient confidentiality and other ethical considerations unique to the health care environment. For more information about this refer to the Toolkit (placement information and confidentiality agreement).

Some tasks which may be appropriate for a student of a school or college to participate in, under supervision, include:

- Bed making
- Assisting with meals
- Talking to patients
- Taking and recording a patient's blood pressure, temperature and heart rate and completing fluids charts under direct supervision.



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Where a work experience programme involves practical elements with patient contact it is imperative to ensure direct supervision at all times by a staff member. It is also necessary to obtain the consent of the patient for the work experience participant to be involved in any aspect of his or her care, whether it be observing or assisting in ways listed above.

Work Experience Models

Work experience programmes are conventionally known as a period of time during which a student is placed into a workforce under supervision and exposed to the positive and negative realities of working in the relevant field or discipline. However, there is much more to work experience than this.

Some of the conventional and creative work experience initiatives currently happening in Scotland include:

- **Work simulation and work practice** in training institutions. This may involve sharing facilities such as laboratories and clinical skills centres to provide opportunities for work-related learning during organised days.

- **Work observations or visits** in which individuals or groups of work experience participants are guided around a workplace to observe a range of activities or work processes as part of a structured programme. For instance, partners may arrange half-day visits to a health facility each week as part of a programme extended over a school term or academic year.
- **Work shadowing** a health professional in a hospital or clinic, where an individual participant is assigned to shadow an individual staff member to gain an insight into a specific profession and have an opportunity to be mentored.



There is a distinction to be made between work-based learning and work-related learning. Work-based learning takes place in an actual workplace whereas work-related learning includes activities related to work, but that might take place in a simulated environment within a classroom, clinic, laboratory or other type of training centre.

Work-Related Learning

The advantage of work-related learning is that students gain valuable opportunities for learning which do not necessarily require an employer to provide access to a workplace if this is considered undesirable for a particular employer due to staffing or other issues.

So there are different ways for an NHS Scotland Board or independent health sector employer to engage with the community, meaning that regardless of a health employer's size or level of resourcing, participation is still an option.



Ambassador programmes

This involves a staff member of a health facility or a student of a higher education institution, acting as a representative of their organisation and sharing information with school and college students about what it is like to work in the health sector, or study for a career in health. This exchange of information can happen either in the classroom, in the workplace or during organised days such as visits to training centres.

Work Shadowing for Teachers

There are opportunities for school and college teachers to learn directly about health related issues, within the health care environment. Teachers can then take those learnings back to the classroom and unpack their newly gained knowledge, often in partnership with the health facility they visited.

Virtual Work Experience

Simulated online work environments have the clear advantage of accessibility across broad and sparsely populated geographical areas, as well as consistency in content delivery. However, this should be considered as a measure which can complement rather than replace a work experience

programme. See the Useful Links section of this guideline for the Virtual Work Experience site for NHS Scotland.

Open Days and Career Fairs

An Open Day is a chance for a health facility to showcase itself as a leader in the provision of health care services for their region and raise the organisation's profile in the community. It may involve arranging a day or a week whereby the facility or particular departments within the facility "opens its doors" to groups of students and teachers to offer an insight into what it is like to work in a health care environment.

A Careers Fair involves going out into the community to help people understand the organisation's operations. Usually if a Careers Fair is happening in a local area, this would involve sending representatives to promote both the organisation as a potential employer and the health sector as a potential career for students who are making important decisions about their future.

Creating Volunteering Opportunities

Finding volunteering opportunities in your area is an excellent way to contribute to the local community while gaining some insight about whether working in the health care sector appeals to you. See the Useful Links section of this guideline for volunteer organisation contacts.

The JET Programme

The JET Programme is a partnership agreement between NHS Lothian and the South Edinburgh Partnership to deliver work-based learning. The purpose of the programme is to provide S4 school pupils with skills to aid their move into employment and promote NHS Lothian as an employer of choice. The student attends every Friday during the academic year of 36 weeks and must be at the work placement for a minimum of 5 hours. The start and finish time of the placement is at the discretion of the department and can be decided in conjunction with the student. The programme is aimed predominantly, but not exclusively at those young people who are in danger of becoming not in education, employment or training, through early intervention.



The programme provides the pupils with the training and qualification they need to start a career and the candidates work towards an SVQ level 2. The aim is that those who have successfully completed their training are better placed for an offer of employment, a modern apprenticeship or entry into further education.

The JET Programme offers students in their fourth year at school, the opportunity to gain real work experience, work towards a nationally recognised vocational qualification, and continue to work towards gaining their standard grades/intermediate exams over the course of a full academic year.

Access to Industry

Access to Industry provides access to education and employment for disadvantaged and excluded people. NHS Lothian provides work experience placement opportunities for participants of Access to Industry projects.

Transition is an Access to Industry Project that provides a daily programme of accredited learning on a rolling basis and operates as a 'mini college' for recovering substance users. It offers SQA qualifications that include specific job training and core skills to encourage access to further education and employment.

Lone Parent Programme

NHS Lothian introduced new services for lone parents to help them look for work. As part of the new service package NHS Lothian delivers workshops through Edinburgh and Lothian to raise awareness of NHS careers and job application process. The service assists Jobcentre Plus customers to move into NHS vacancies.



Work Experience Compliance: Dissolving Myths and Addressing Facts

Myth: Patient Confidentiality Issues mean that work experience in a clinical setting is not practical

Facts: This is simply not true. Of course, employers recognise that patient confidentiality is a legal obligation and patient dignity is of paramount importance in the healthcare setting. That is why patient confidentiality issues must be expressly included in a work experience participant's contract. Also, programme supervisors must be appropriately briefed on how to address the issue during placements and visits. For a suggested process, refer to the templates in the Toolkit – Confidentiality Agreement and Induction Checklist.

The underlying rule is that a patient must always be consulted about whether or not they consent to a work experience participant being present during any form of patient contact or interaction.

Also, a supervisor must give consideration as to whether a certain clinical area or issue is one to which a work experience participant should be exposed given their age and level of maturity. This should be underpinned by a provision within work experience policy and procedures about

which clinical areas can be accessed by participants.

Health employers should weigh patient confidentiality considerations alongside the need to provide young people with a chance to experience the nature of a clinical role at an important time when they are evaluating their career options.

The key message is that patient confidentiality is not prohibitive as long as a work experience programme has built in the above checks and balances.

Myth: Criminal history checking requirements make starting up a programme prohibitive

Facts for Participants

The general rule is that criminal history checks are not necessary as long as participants are supervised during their visit or placement. A work experience application form can include advice that the position may require a disclosure and if necessary a standard disclosure can then be obtained from Disclosure Scotland. Standard level disclosures can be obtained for staff and volunteers (including work experience participants)



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working in patient contact settings. It is for the unit manager, in consultation with partners, to assess the nature of the programme, including firstly, whether it involves patient contact and secondly, whether it is supervised and then determine whether in the circumstances it is prudent for disclosure to be carried out. Disclosure is usually only required for students in higher education on work placements as part of their clinical course.

For further information on criminal history checks refer to the Toolkit – Application Form (Criminal history annexure) and visit Disclosure Scotland at www.disclosurescotland.co.uk

Facts for Programme Supervisors and Partners

Under the provisions of the Protection of Children (Scotland) Act 2003 it is an offence for an individual to work, paid or unpaid, with children (young people under the age of 18), when that individual is disqualified from working with children.

For further information refer to the Toolkit – Guidance on Child Protection Issues.

Myth: The organisation's insurance policy does not cover work experience

Facts: Participants will normally be covered by the health employer's existing liability policy and public liability insurance as long as the insurer is properly notified. The existing policies will cover most situations where employers offer placements and visits, provided that the employer's insurer is notified of the type of activities that are planned. The employer should provide details of the work experience programme, including the activities, to a level of detail which is satisfactory for the insurer.

So there is ordinarily no need to arrange a different type of cover with your existing insurer. However, it would be prudent for the employer to confirm that their insurance provision covers the following risks:

- Injury to young people
- Injury to others on the premises (employees, visitors, customers etc)
- Injury to others who are not on the premises
- Damage to or loss of employer's property
- Damage to or loss of other property, including property of the local authority.



It is good practice for partners involved in a work experience programme, such as local authorities and central work placement coordinating units, to certify that their insurers have also been notified.

Often a local authority will have an existing knowledge base surrounding insurance issues relevant to work placements and visits. So it makes sense for health employers to take advantage of that knowledge by working in partnership with their local authority.



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Myth: Health and Safety laws make running a programme too much trouble

Facts: For the purposes of health and safety law, work experience participants are regarded as employees. The key implication of this is that under the provisions of the *Management of Health and Safety at Work Regulations 1992* any workplace in which a work experience placement is to take place, must be subject to a risk assessment which specifically addresses risks to young people. By working in partnership with your local authority it is often possible to utilise an existing knowledge base on this issue and agree an assessment tool which will confirm workplace suitability or help to identify any issue for rectification.

The Health and Safety Executive website contains practical guidelines for employers preparing health and safety and risk assessment procedures for a work experience programme. Refer to the section on Useful Links.

Good practice dictates that participants must be advised about their workplace health and safety responsibilities prior to the commencement of their visit or placement. Again, this can be achieved

with the assistance of local authorities and school or college work experience coordinators by providing information packs to participants and a briefing prior to commencement of the visit or placement. For more information refer to the Toolkit - Placement Information, Induction Checklist and Risk Assessment.

Myth: Only children of existing staff have the chance to access meaningful work experience visits and placements

Facts: While contacts through family and friends have often been a well known routeway for young people to gain work experience opportunities, this is not and must not exclusively be the case. It is however a concern that young people from a work-connected family or background may be much better placed to source a work experience opportunity, than those coming from a workless household or community. Health employers are encouraged by way of Scottish Government policy initiatives including *More Choices, More Chances*, *Equally Well* and the *Curriculum for Excellence* to embrace their social responsibility to make programmes such as work experience more socially inclusive and widely accessible. Health employers must aim to encourage equality of

access to education opportunities for people of all economic and social backgrounds.

A structured work experience programme is a way of providing a fair, equitable and transparent means of access to a potential career or vocational pathway in the health sector.

For further detail on compliance issues, please also refer to the Annexure – Summary of Relevant Legislation and Regulations



Best Practice in Work Experience Programmes

The following are elements which should exist to ensure that a work experience programme is successful and mutually beneficial for partners and participants.

Be Clear about Goals from the top down and across partners

A good work experience programme will ensure that all partners including participants, parents, health employers, health staff, schools, academies and colleges are clear about the goals of the work experience programme.

Senior management must be clear about the purpose and value of the programme to their organisation. This means understanding and recognising the benefits it can bring to the health employer, participants and staff. The purpose and mutual benefits of the programme must be well defined and agreed at the top from the outset. This will help to ensure that the staff involved in administering a work experience programme and supervising participants, will in turn remain committed to the value of the project.

Backing for the programme must come from board or executive level. It is important that senior

managers endorse and support a work experience project as a core component of workforce planning and as an opportunity to demonstrate a willingness to implement Corporate and Social Responsibility policy in practice.

Publish Policy and Procedures

For a work experience programme to be effective, there needs to be robust policy and procedures in place which govern the programme and deal with formalities including patient confidentiality, workplace health and safety and risk management issues (refer to the section on Work Experience Compliance).

For example, the policy should contain clarity on the clinical tasks young people may engage in or observe as part of the structured programme, and any departments where their presence is deemed to be unsuitable. Due to the nature of the work, the sensitivity of the tasks being completed and the working environment, some wards or departments will not be appropriate places for work experience placements and visits and these situations should be clearly articulated in work experience documentation rather than being left to the discretion of an individual work experience supervisor.



Work in Partnership

A partnership approach to administering a work experience programme is crucial. The participant, work experience coordinators within schools, academies, colleges and health employers, local authorities, health staff and others, including parents and guardians of work experience participants, must all help and adopt an attitude which is conducive to achieving mutually beneficial outcomes. This will ensure that relationships develop at a local level to sustain the programme on an ongoing basis.



Include Work Experience Coordinators

The role of Work Experience Coordinator may either be a dedicated role or built in to a position in which work experience coordination is shared with other key responsibilities. In Scotland, work experience coordinator positions may exist in the health sector, schools, local authorities, universities and colleges.

Health employers should also look to include teachers and careers advisers in planning work experience programmes. This gives teachers and career advisors a better understanding of any unique local constraints or challenges faced by health employers in the region.

Ensure flexibility to accommodate location, funding and partner circumstances

The structure of a work experience programme must be tailored to accommodate the health employer's business needs, circumstances (including geographical-specific issues) and resourcing.

The individual circumstances of each school, academy, college, local authority and health employer involved in a work experience

partnership, will be unique and varied. The location of a health employer and regional economic issues will have a bearing on the nature and frequency of work experience programmes. Therefore diversity in approach to work experience programmes should be recognised. Partners must aim to initiate a programme in accordance with best practice and using a model that is sustainable and mutually beneficial for partners and participants.

It is recognised that NHS Scotland Boards have Scottish Government targets to meet on waiting times and referral to treatment times. This means that front line clinical staff and management teams must put patient services first, often at the expense of programmes which are not considered core business. However, it would be short-sighted to suggest that there is no room for a work experience programme, particularly given the variety of models available to suit different levels of resourcing and individual employer circumstances.

Depending on the size and capacity of the health facility and the model preferred by the health employer, resources may be required for:



- Regular liaison with partners about the development and implementation of engaging and meaningful work experience programmes.
- Administration in relation to the approval and preparation of participants for placements and visits as well as follow up evaluations.
- Supervision functions performed by staff members.

Support, advice and guidance is available at local authority level and within schools, colleges and academies to assist in the establishment and administration of a programme.

Work experience is now recognised as being more so than ever, a key aspect of any education package and the Scottish Government advocates the development of education business partnerships between schools, colleges and industry. Funding arrangements for a work experience programme must be negotiated between partners, and ultimately in allocating funding to work experience programmes, health employers will come to recognise that the immediate costs of establishing programmes will be far outweighed by the benefits gained in

the foreseeable future and longer term. Further, once the administrative arrangements and template documents have been prepared, participating partners will enjoy significant efficiencies in processing applicants for the future.

Address competing priorities

Health Board arrangements currently prioritise the provision of clinical placements for students enrolled in higher education health courses. There is an important point of differentiation between work experience placements and visits targeted at young people as opposed to clinical placements for higher education students. The former lays the foundation for young people to consider a broad range of vocations and careers within the healthcare sector and provides opportunity to sample life in those roles. The latter programme is much more specific and clinical in nature, proceeding on the assumption that earlier on in life, the participant was given the opportunity to have an insight into alternative careers and make an informed decision on what fits with them. It makes sense for both types of programmes to co-exist.

Implement a robust administrative process

For a programme to function, applications must be processed, participants and supervisors must be briefed and risk assessments and health and safety issues need to be addressed. None of these issues are prohibitive although they are often perceived as barriers to the commencement of a programme. There are many resources available, including the attached Toolkit. Also, local authorities can often provide assistance and resources in relation to health and safety issues, risk assessments and other administrative issues surrounding administration of work experience. It is important to work in partnership at a local level to take advantage of the existing knowledge in your community. See also the section on Work Experience Compliance and the Useful Links to this guideline.

Agree on learning outcomes and evaluation methods

The *Curriculum for Excellence* seeks to identify a new pathway for learning in Scottish schools and highlights the need for planning for choices for school children as well as the need for learners to experience opportunities which are designed



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not only to raise their awareness of future choices, but also raise their expectations and aspirations. Structured work experience programmes enable young people to make informed choices about their future world of work and will be increasingly considered an important component of their curriculum. Work experience is a key feature of the Scottish education system and its profile has risen markedly with the Scottish Government policy initiative *Determined to Succeed*.

Given that work experience is a key component of the Scottish Education system, partners in schools, academies, colleges and the health sector should agree learning outcomes or objectives for their programme in terms of skills development, including basic employability skills (such as literacy, language and numeracy), sector-specific knowledge and personal development. Partners to the programme, including health employers, teachers and work experience coordinators, should meet to agree learning objectives (refer to the Induction Checklist in the Toolkit). Visits to the venue for the work experience programme are helpful during this process to assist in establishing a sound partnership and provide context to the discussion. Some examples of learning objectives include:

- To undertake pre-arranged tasks as a staff member would do.
- To develop and articulate an understanding of the purpose of certain clinical or non-clinical roles in the health sector and how each role plays a part in patient care or service delivery.
- To help prepare for working life by meeting standards associated with workplace conduct, dress code and timekeeping.
- To understand the importance of workplace health and safety issues and identifying hazards relevant to tasks completed or observed.

Also, it is important that there is a defined approach to briefing and debriefing each participant to allow for opportunities to ask questions, reflect and articulate an awareness of what was learnt from the process, including how they were able to link their work experience to other aspects of learning. This also helps to ensure a high quality programme as feedback can be considered for further programme development. Accordingly, evaluation forms are key. An evaluation form should not be so lengthy and time consuming as to discourage participants from providing what could be valuable feedback for the future administration of the programme.



For an example of Evaluation Forms for participants and supervisors refer to the Toolkit.

Some structured work experience programmes certify attendance and others can even tie in aspects of work experience towards achieving a formal qualification.



Design stimulating programmes for participants

Work experience programmes should ideally be as practical and innovative as possible, to avoid disengaging the participant. Also, the participant and the health employer need to have a clear picture of the nature of activities or observations which will occur from the outset. When designing a programme it is crucial to consider the target group because different groups of work experience students will be seeking to gain different benefits from participation. For instance school pupils in 5th and 6th year will be at an important time in their lives when they are thinking about career choices and may have well developed career goals. Accordingly, many will want to experience a particular role in more depth. However, for younger pupils, work experience will more so be an opportunity to gain timely exposure to the broad range of clinical and non-clinical career options which may be available to them in the health sector.

Publicise achievements in the field of work-based and work-related learning to raise a health employer's profile

A structured work experience programme will raise the profile of a health facility amongst schools, colleges and further and higher education institutions and accordingly attract a higher quality of applicant to future key vacancies. Well qualified applicants are attracted to facilities that have a reputation for setting best practice standards for service delivery. A work experience programme is an opportunity for a health facility to showcase itself as a leader in health care.

There is potential for a health facility working in partnership with schools or colleges to publicise developments in experiential-based learning, again raising the profile of the facility as a leader and enhancing the status of the health employer. These types of profile-raising initiatives assist in bolstering support for the work experience programme at board level.



Work Experience in the Context of Scottish Education and Health Policy Reform

Scotland is currently pursuing its biggest education reform for a generation. At its heart is *Curriculum for Excellence*. This curricular reform recognises the important role for schools in preparing young people for adult life and employment. The *Curriculum for Excellence* aims to provide:

- Young people who are successful learners, confident individuals, responsible citizens and effective contributors.
- A single coherent curriculum for all children and young people aged 3 to 18 wherever learning is taking place, whether in schools, colleges or other settings.
- A broad general education organised through experiences and outcomes.
- More opportunities to develop skills for learning, skills for life and skills for work for all young people at every stage.
- A focus on literacy, numeracy and health and wellbeing at every stage.
- More opportunities for partnership working including with employers.

Working alongside Curriculum for Excellence is *Determined to Succeed*, the Scottish Government's innovative strategy for enterprise in education. This strategy has been a significant influence on the increased profile of work experience over recent years. The basis for *Determined to Succeed* is that Scotland's future economic prosperity depends on young people with well developed core and employability skills, an understanding of business and entrepreneurship, positive attitudes and a thirst for lifelong learning.

Determined to Succeed is focused on enhancing the enterprise and employability skills, as well as the positive attitudes of our young people, better preparing them to be the employees, employers and entrepreneurs of the future. Central to its success is the concept of partnership working between educators and employers which enables the learning taking place in classrooms to be set in the real life context of the workplace. This provides young people with a range of vocational and entrepreneurial experiences.

A rationale for the policy initiative is that teachers and employers working together can provide invaluable opportunities that, in turn, will help to



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raise the potential for achievement of all young people. Such partnerships can help teachers to develop an understanding of the world of work in the 21st century and enable employers to bring inspiration and relevance to the curriculum. It enables participating employees to improve their confidence and introduces them to new and innovative ideas in a stimulating and fun environment. Moreover, it provides young people with the skills to make informed choices as they move through and beyond schools and colleges.

The *Curriculum for Excellence* and *Determined to Succeed* highlight that it is important for learners to experience opportunities designed to raise their awareness of career options and increase their aspirations for the future. By increasing opportunities in Scotland for students to access health-related work experience, schools, academies, colleges and health employers can help to realise these aspirations.

Skills for Scotland: A Lifelong Skills Strategy, acknowledges the role that work experience can play in supporting young people to make positive transitions from school. The Scottish Executive skills strategy includes a commitment to “build

new and more engaging models of work experience”. Further, it states that “We need to continue to create an enterprising culture in our schools and make the link between the classroom and the workplace so young people see the relevance of their learning.” The focus on equipping pupils with skills for life and work is a key theme in the national skills strategy.

Put simply, work experience, done well, can help young people to become successful learners, confident individuals, responsible citizens and effective contributors to society and to work, as outlined in *Curriculum for Excellence*.

The above policy initiatives emphasise the important role that schools, colleges, academies and employers play in preparing young people for the world of work in a rapidly changing environment. A flexible curriculum enables partners to take a bold new approach to engaging young people in a range of experiential-based learning opportunities.

Skills for Work – Health Sector Courses

For people considering a college or school course in the health sector, there are a range of learning programmes which encourage the development of skills for the health workplace, including Skills for Work – Health Sector Courses recently launched by the Scottish Qualifications Authority (SQA). Skills for Work courses are the response by the SQA to *Curriculum for Excellence*, which called for a new type of course emphasising employability skills for 14 to 16 year olds. Skills for Work courses can be offered in schools and colleges and are designed to help candidates to develop:

- Skills and knowledge in a broad vocational area Core skills
- An understanding of the workplace
- Positive attitudes to learning
- Skills and attitudes for employability.

Skills for Work courses are primarily delivered through school-college partnerships and there are also opportunities to enhance young people’s overall learning experience on the courses through participation in work experience, thus allowing for



the application of knowledge and skills in a real or simulated work environment. Skills for Work qualifications are supported by employers in design and in delivery, as they often include practical workplace experiences.

Courses are available in a variety of vocational areas and the Skills for Work – Health Sector Course has been introduced at Intermediate 1 (General Standard Grade). The course introduces candidates to the health sector. It includes investigating the range of services provided and the roles and responsibilities of those working in a type of provision.

Also the newly developed Skills for Work Health Sector Intermediate 2 course (Credit Standard Grade) will provide progression from Skills for Work – Health Sector Intermediate 1 and possible articulation into the Skills for Work – Health and Social Care Higher course. The Intermediate 2 course includes aspects of the National Health Service (NHS), primary and secondary care, independent health care, complementary therapies, the life sciences and retail pharmaceutical industries and the community and voluntary sector.

More Choices, More Chances

More Choices, More Chances is the Scottish Government's strategy to reduce the proportion of 16-19 year olds not in employment, education or training. It recognises that not being in education, employment or training is an unacceptable waste of potential, selling young people short and making no sense, economically or socially. It further recognises that a standard curriculum often does not respond to the specific needs and circumstances of many young people and that young people need more choices, chances and support to keep them engaged in learning and to progress to positive and sustained destinations. It encourages employers to include more vulnerable young people in opportunities which allow them to see the range of vocational pathways available.

Equally Well is a Scottish Government policy which promotes and strongly encourages employers to act as exemplars in creating opportunities to support vulnerable groups to get a foothold into gainful employment. By getting involved in work experience programmes which are inclusive of both young people and the long term unemployed, health employers have a chance to demonstrate their support for the social inclusion agenda.

The Relationship between Work Experience and Employability Skills

While there are many skills that are highly specific and require specialist training, employers often talk about 'employability skills'. These are the general skills and abilities that enable people to get, keep and do well in any job.

Employability skills are not specific to any particular job and are often the types of things that can be developed or learnt in real life situations including work experience programmes, and then used in many other areas of life or work. For instance, employers and government are increasingly recognising a need to focus on improving levels of literacy, language and numeracy skills for people of all ages in order to increase their employability.

Jobs in the health sector rely heavily on the personal qualities of individuals, on their practical skills and previous experiences gained at work or in life generally.

Sometimes people need help to recognise the employability skills that they have as they can often be taken for granted. These skills can also be learned, with the appropriate support. They are sometimes also referred to as 'transferable skills'.



Tools to help work experience participants identify employability skills for the health sector

Employability Skills Matrix

Skills for Health's Employability Skills Matrix is a useful tool as it outlines the knowledge, skills, attitudes and behaviours that employers are looking for in the health sector. The Matrix enables people to see the differences in required employability skills linked to the level of the occupational area. So it can be used by people who are looking at their career options in health to gain an understanding of the skills needed for successful career progression. To learn more about the Employability Skills Matrix, refer to the Useful Links section.

Career Framework for Health

The health sector is constantly changing as it seeks to respond to things like advances in medical treatments and technology. The way healthcare is delivered, and therefore the roles required to deliver it, are evolving all the time.

The need for flexible career routes and pathways that can respond to these evolving needs resulted in the development of a career framework that could be used by individuals working in the sector,

individuals considering their options for a career in health and organisations.

The Career Framework for Health has two key purposes:

- For individuals it has been designed to improve career development. It encourages the learning of new skills and taking on extra responsibilities, enabling progression within the organisation for those who want it.
- It can be used by employers to help them plan their workforce for the future.

The Career Framework for Health can be referred to by people considering their options in the health sector and careers advisors who need to gather information to inform students about the potential avenues in health.

To learn more about the Career Framework for health, refer to the Useful Links section.

Opportunities for progression in Health

People can refer to the Career Framework for Health to identify opportunities for progression in the sector.

Typical progression routes depend upon the entry skills and qualifications of each individual. However, the potential for progression is not limited by these skills or qualifications. For example, many individuals enter the workplace as healthcare assistants and are supported over time to undertake professional qualification courses leading to registered clinical practitioners roles such as nurses, physiotherapists etc.

Others join for the first time having completed a formal period of training and learning, such as nursing, and are able to undertake professional development to continue to enhance their careers.

Progression routes in this sector are flexible, with various stepping on and off points. This is an important point to note, particularly in a sector where many staff work part time and perhaps want to fit their training in with family and other commitments.

People can transfer between roles in NHS Scotland, the independent and voluntary sectors. Also, there are many shared skilled sets between the health & social care sectors, particularly in relation to support worker roles.



Work Experience for Career Change and Development

For people who are not enrolled in a health related course in a college or educational institution, but who still want an opportunity to learn what it might be like to work in the health sector, there are a number of avenues to explore.

It is not always easy to find ready work experience for people who are not in education or training, however there are programmes and opportunities which exist in the health sector.

Consideration must be given to whether a criminal history check is necessary. Disclosure Scotland is responsible for processing disclosure applications and advice should be sought if unsure whether one is needed (see the Useful Links section).

Pre-employment Training Programmes

A pre-employment training programme is a structured way for both a health employer and a candidate to try out a job before making any commitments. Some programmes are specifically geared towards attracting long term jobseekers.

Pre-employment programmes combine training and mandatory health care skills development with practical work experience in a health care setting. A programme may include some of the following:

- A pre-screening suitability process.
- An employability assessment where basic employability skills including numeracy, literacy and language are assessed.
- A work trial tailored by the health employer to match the work setting.
- A guarantee of a job interview by the health employer at the end of the programme.

Benefits to Employers

There are a number of real benefits to health employers who get involved in a pre-employment programme:

- Programmes are employer 'demand led' and therefore address skills shortages.
- Employers contribute to the design and content of the programme so that it is tailored to meet employer requirements.



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- Programmes are more flexible than just one job interview. The process is an extended and contextualised opportunity for candidates to demonstrate that they are the right person for the job.
- Retention rates increase because candidates who are recruited at the end of the pre-employment process, have demonstrated that they are suited to the job.
- Pre-employment programmes are an opportunity for health employers to “grow their own” staff locally leading to improved standing in the community and better staff loyalty. This is essential for entry level jobs on the Careers Framework for Health including caterers, porters and domestic assistants as well as health care assistants.

Benefits to Participants

The following are some of the benefits of a pre-employment programme for participants:

- Support may be available for participants to help them overcome barriers in relation to child care, financial and transport difficulties, learning difficulties and skills gaps.



- A pre-employment programme can be the first step for participants to achieving a qualification and working towards longer term career goals.
- Participation can boost a candidate’s confidence and skills.
- Some studies suggest that there is evidence of reduction in ill health caused by worklessness and that not only the individual but the individual's family can benefit from improved economic circumstances.
- Often long-term jobseeker participants may remain on benefits during the pre-employment programme.

Volunteering Opportunities

Taking up a health-related volunteering opportunity in your local area, whether it be through a local charity, NHS Board or the independent health sector, is an excellent way to get an insight into life in the health sector. Participating as a volunteer in a health-related field is a rewarding way to contribute to your local community. Also, it can help to build up some experience for future job opportunities and career development.

The availability and application procedures for a volunteering position are determined locally and restrictions may apply in some work areas for health and safety reasons and patient confidentiality. Also, in some circumstances a criminal history check may need to be conducted. See the Useful Links section of this guideline for contact details of Scottish volunteer organisations and guidelines.



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Useful Links

Skills for Health

www.skillsforhealth.org.uk

[Skills for Health's Employability Skills Matrix](#)

[The Career Framework for Health](#)

Learning and Teaching Scotland

www.ltscotland.org.uk

For work experience guidance and information for teachers on how to develop partnerships with employers.

Also visit

<http://www.ltscotland.org.uk/virtualworkexperience/virtualworlds/index.asp>

to explore a range of career opportunities within NHS Scotland using a virtual work experience site.

Determined to Succeed – the Strategy for Developing Enterprise in Education

www.determinedtosucceed.co.uk

increasing the profile of work related learning and development.

Skills Development Scotland

www.skillsdevelopmentscotland.co.uk

Incorporating

[LearnDirect Scotland](#)

[Careers Scotland](#)

Health and Safety Executive

www.hse.gov.uk/youngpeople/workexperience/index.htm

For guidelines on Work Experience for young people: Health and Safety basics for employers

NHS Scotland

www.show.scot.nhs.uk/

Also visit

www.show.scot.nhs.uk/publications/j9227.pdf

for NHS Scotland's guideline on criminal history checking for students, volunteers and trainees in the NHS Scotland.

Disclosure Scotland

www.disclosurescotland.co.uk

For advice on Criminal history checks

Department for Children, Schools and Families

www.dcsf.gov.uk

For advice on work experience for schools, employers and young people.

Young Enterprise Scotland

www.yes.org.uk

Volunteer Development Scotland

www.vds.org.uk

For information and guidance on volunteering in the NHS Scotland.

The Volunteer Centre

www.volunteerscotland.org.uk



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Acknowledgements

We would like to thank the following who collaborated with Skills for Health to produce this work:

- NHS Scotland Boards who offered case study material and policy documentation about work experience programmes operating in their region, including Lothian, Western Isles, Grampian, Dumfries and Galloway, Tayside and Greater Glasgow and Clyde.
- Independent Health Sector Employers (including Johnson & Johnson), Local Authorities (including the Highland Council Education Centre), Universities (including University of Aberdeen Medical School), Colleges (including West Lothian College, Moray College and Lews Castle College), Schools (including Currie Community High School, Castlebay School, Bearsden Academy, Lenzie Academy and Inveralmond Community High School) and Health Academies (including NHS Lothian Healthcare Academy and Tayside Healthcare Academy) referred to in this Guideline for facilitating case studies about work experience participants.
- NHS Employers who manage NHS Careers in England for allowing us to refer to their toolkit 'Enabling work experience in the NHS' to produce a bespoke guide for the Scottish health sector.
- All members of the Project Board, including representatives from Skills for Health, NHS Education for Scotland, NHS Tayside, Dumfries and Galloway and Lanarkshire, and Scottish Qualifications Authority who offered information and guidance throughout the life of the project which culminated in the development of this guideline.



Annexure

Summary of legislation and regulations relevant to work experience programmes

While it would not be practical to list every statute applicable to a work experience programme, the following is a summary of directly relevant legislation and regulations which should be considered. The information below should not be taken as an exhaustive list of relevant statute. Also, the following summary does not have legal status and only the courts can authoritatively interpret the law.

Work Experience – Legislative Basis Education (Scotland) Act 1980

This Act provides the legal basis to allow students below the statutory minimum school leaving age to participate in work experience towards the end of their compulsory education.

Health and Safety

Health and Safety at Work etc. Act 1974

Under the Act there is a duty of care imposed upon the employer as well as a duty on the work experience participant to take reasonable care to avoid injury to themselves and others.

The duty extends to provision of such information, instruction and training as is necessary to ensure so far as is reasonably practicable, the health and safety at work of employees, including work experience participants.

Work experience participants have a duty to co-operate with the employer so far as is necessary to enable the employer or any other person to comply with a duty or requirement imposed by health and safety law.

The Health and Safety (Training for Employment) Regulations 1990

Participants on work experience provided as part of a programme or training course, must be treated as employees for the purposes of health and safety legislation.

The provision of information, instruction, training and supervision is particularly important for new or temporary employees, including work experience participants, as they are unfamiliar to the working environment.



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The Health and Safety (Young Persons) Regulations 1997

The Regulations require employers to consider aspects of health and safety in their organisation specifically in relation to young people. The Regulations recognise that young workers may be particularly at risk from workplace hazards because of their lack of awareness of existing or potential risks, immaturity or inexperience.

“Young persons” refers to any person who has not attained the age of 18.

The Management of Health and Safety at Work Regulations 1999

In addition to an employer’s duty to assess health and safety risks, there are particular responsibilities towards young people:

- To assess risks to all young people under 18 before they start work.
- To ensure a risk assessment:
 - takes into account their psychological or physical immaturity, inexperience and lack of awareness of existing or potential risks;
 - the fitting and lay-out of the workplace;

- the nature, degree and duration of exposure to physical, biological and chemical agents;
- the form, range and use of work equipment and the way that it is handled;
- the organisation of processes and activities; and the extent of health and safety training provided or to be provided to young persons.
- To introduce control measures to eliminate or minimise the risks so far as is reasonably practicable.

The Regulations require that risk to children and young people must be assessed before they commence on a programme, and the parents or guardians of children must be advised of the key findings of the risk assessment and control measures. This information can be provided in any appropriate form, for example via the school or college, or a work experience coordinator.

A risk assessment must be reviewed by the employer if there is reason to suspect it is no longer valid or there have been significant changes to the matters to which it relates.

The Control of Substances Hazardous to Health Regulations 1999

It is necessary to conduct an assessment of substances which might cause ill health on a work experience programme.

Under the Regulations an employer shall not carry on any work which is liable to expose any employees, including work experience participants, to any substance hazardous to health unless the employer has made a suitable and sufficient assessment of the risks created by that work to the health of those employees and work experience participants and of the steps that need to be taken.

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995

This is a regulatory framework which stipulates the circumstances under which a workplace incident must be reported by an employer to the relevant enforcing authority. The nature of incidents referred to in the Regulations includes death, disease, injuries and dangerous occurrences in the workplace.



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Work experience participants should be briefed on their obligations to report a health and safety incident in the workplace and should be advised on the health employer's procedures for making a report.

The Working Time Regulations 1999

Work experience programme providers must comply with requirements under these regulations.

The Regulations apply to all workers, including work experience participants, with some additional provisions applicable to young persons.

Young persons have special rights under the Regulations. The rights of young workers differ in the following ways:

- a limit of eight hours working time a day and 40 hours a week (unless there are special circumstances);
- not to work either between 10pm and 6am or between 11pm and 7am (except in certain circumstances);

- 12 hours' rest between each working day; and two days' weekly rest and a 30-minute in-work rest break when working longer than four and a half hours.

If, on any day, or, as the case may be, during any week, a young person is employed by more than one employer (including a work experience provider), their working time will be determined by aggregating the number of hours worked for each employer. If unsure about how the Regulations impact on an individual given the information provided to a work experience provider in an application form, refer to the Regulations directly.

Workplace Fire Precautions

Fire Precautions Act 1971

This Act makes provision for the protection of persons from fire risks and the requirement of workplaces to obtain a valid fire certificate.

Fire Precautions (Workplace) Regulations 1997; and The Management of Health and Safety at Work Regulations 1999

The Regulations require that training and information be provided to work experience participants on action to be taken in the event

of a fire, including briefings on fire safety equipment, nominated fire safety employees and emergency routes and exits.

Fire (Scotland) Act 2005

There is a duty upon employers to carry out assessments of workplaces for the purpose of identifying any risks to safety in respect of harm caused by fire in the workplace, and take such fire safety measures as are necessary.

Insurance

Employers' Liability (Compulsory Insurance) Act 1969

Those on work experience programmes should be treated as employees for the purposes of insurance.

Under the Act, employers' liability insurance is compulsory. Employers are responsible for the health and safety of their employees while they are at work. An employee may be injured at work or they, or former employees, may become ill as a result of their work while in employment (this includes work experience participants). This Act ensures that an employer has at least a minimum level of insurance cover against claims. An employer can be fined for not holding a current



employers' liability insurance policy which complies with the law.

This type of insurance should be distinguished from Public Liability insurance which would cover an employer for claims made by members of the public or other businesses and is not compulsory although advisable.

The work experience provider must notify the employers' liability insurer that a work experience programme is to commence. Also the employer should provide details of the work experience programme, including the activities, to a level of detail which is satisfactory for the insurer.

All employers need employers' liability insurance unless they are exempt from the Act. The following employers are exempt:

- Most public organisations including government departments and agencies, local authorities, police authorities and nationalised industries.
- Health service bodies including National Health Service trusts, health authorities, primary care trusts and **Scottish health boards**.

The National Health Service (Clinical Negligence and Other Risks Indemnity Scheme) (Scotland) Regulations 2000

The Clinical Negligence and Other Risks Indemnity Scheme (CNORIS) is a risk management and financial risk pooling scheme for the NHS in Scotland.

NHS Scotland Boards are covered by CNORIS. Generally, in the event of an injury to a work experience participant or damage to or loss of an employer's property, the participant will be treated as an employee for the duration of the programme and will be covered under this scheme.

In general, insurers will cover work experience participants under existing employers' liability policy and appropriate notification should be provided to the insurer.

Information Security

Data Protection Act 1998

This Act provides a legislative framework to govern the processing and disclosure of information that identifies individuals and confidential information in relation to individuals and organisations. It is a contravention of the Act to disclose confidential

information to a third party, which could identify an individual patient or member of staff, or information about a health employer's business, without relevant excuse.

A work experience participant must agree not to disclose the identity or circumstances surrounding the treatment of a patient to anyone outside of the course of the work experience programme.

Also, if a work experience participant knows a patient, this must be disclosed to the work experience supervisor.

Computer Misuse Act 1990

This Act applies to work experience participants who seek to obtain unauthorised access to any program or information on a computer being operated in the workplace or as a result of their participation in a work experience programme.

Criminal History

Police Act 1997; and The Rehabilitation of Offenders Act 1974

The legislation makes provision for criminal history checks of work experience participants (and supervisors) where deemed necessary. Disclosure Scotland carries out basic, standard or enhanced



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checks about criminal history, held by police and government departments, which can be used by employers and partners to a work experience programme to assess suitability for the position.

The trigger for a criminal history check is the same regardless of whether the individual is a paid employee or unpaid volunteer (including a work experience participant). For a check to be warranted for a work experience participant, the position must involve directly working with patients. Also, generally in relation to work experience participants, it will not be necessary to arrange a disclosure if the participant is supervised during the programme.

The decision about whether or not to obtain a criminal history check must be made on a case by case basis.

The Protection of Children (Scotland) Act 2003

It is an offence for an organisation to knowingly offer, procure work for, or employ an individual to work, paid or unpaid, in a childcare position when that individual is disqualified from working with children. The way to check an individual is not disqualified is through an enhanced disclosure by Disclosure Scotland. A child care position

includes a position involving contact with children and young people under 18 and extends, in some circumstances, to those supervising a work experience programme. For instance, if child care is specified in a position, (e.g. work experience duties involving children or young people) then people occupying these posts should obtain an enhanced Disclosure Scotland check as a matter of course.

Legal Capacity – Parents and Guardians Children (Scotland) Act 1995

This Act makes provision on the relationship between parent and child and guardian and child in the law of Scotland. Also, the Act provides for the appointment of a guardian to a child. No guardian of a person under the age of 16 years shall be appointed as such except under the provisions of this Act.

Equal Opportunity Disability Discrimination Act 1995

Under the Act a person is disabled if they have a physical or mental impairment that has a substantial and long term adverse effect on a person's ability to carry out normal day-to-day activities.

Unlawful workplace discrimination includes direct discrimination, failure to make a reasonable adjustment and disability-related discrimination.

Direct discrimination cannot be justified and happens when:

- A disabled person is treated less favourably than a non-disabled person whose relevant circumstances are the same or not materially different.
- The treatment is on the grounds of disability.

Failure to make a reasonable adjustment cannot be justified and happens when an employer fails to make a reasonable adjustment for a disabled person.

Disability-related discrimination is when a disabled person is treated less favourably for a disability-related reason and treatment cannot be justified.



Education (Additional Support for Learning) (Scotland) Act 2004

Under this Act the factors giving rise to Additional Support Needs fall into four general categories:

- Learning environment
- Family circumstance
- Health and disability
- Social and emotional factors.

People with Additional Support Needs have the same aspirations as others however may require more support to achieve them. This Act outlines the responsibilities of education authorities to people with Additional Support Needs and these will be relevant to such people embarking on a work experience programme. The particular needs of an individual must be considered on a case by case basis.

For more information about issues of equal opportunity in the workplace including discrimination on grounds of disability, race, religion, gender, sexual orientation or otherwise, and equality and human rights legislation applicable in Britain visit the Equality and Human Rights Commission website at www.equalityhumanrights.com/advice-and-guidance/information-for-advisers/key-legislation/ and the Health and Safety Executive website at www.hse.gov.uk.