

Information for Parents and Carers

This document provides you with information to support you as a parent or carer of a young person starting a school based apprenticeship or traineeship.

Further information will be provided during the sign-up of the school based apprenticeship or traineeship Training Contract and Training Plan.

Overview

Apprenticeships and traineeships are employment based training arrangements approved in NSW under the Apprenticeship and Traineeship Act 2001.

School based apprenticeships and traineeships allow employers to take on school students as part-time apprentices and trainees while they are studying for the Higher School Certificate. They also enable students to attain a nationally recognised Vocational Education and Training qualification as well as their Higher School Certificate and gain valuable work skills and experience through paid employment.

The employment undertaken by the school based apprentice or trainee forms part of the training contract entered into by the student with the employer (and the parent or carer when the student is under 18).

The student's school is not a party to that contract but releases the student to complete the employment and training requirements of the contract that occur during term time.

In some cases the school may deliver or facilitate the delivery of the off the job (formal) training component of the apprenticeship or traineeship. In other cases, TAFE NSW or another registered training organisation will deliver the training.

An on-going employment and training relationship will exist between the student, the employer and the registered training organisation for the entire term of the student's apprenticeship or traineeship.

What are parents and carers asked to do to help set up a school based apprenticeship or traineeship?

The Department requests parents and carers to:

- help their young person fill in an Expression of Interest form for a school based apprenticeship or traineeship
- complete the Student Needs Assessment form with input from the student providing any necessary information to the employer about any needs of the young person that relate to their safety and participation in the workplace
- sign the Parent/Carer Agreement form
- agree to be the emergency contact for the student while they are in the workplace or ensure another trusted and reliable adult takes on that role
- be aware of the purpose of the Department's SBAT Incident Report and how it should be used
- ensure that their child can safely manage their travelling arrangements to and from their place of employment and their formal training site where the training is provided off-site from their school's premises
- sign the training contract if the student is under 18.

Useful contacts

For specialist advice about the operation of school based apprenticeships and traineeships in your area, including other employers offering these opportunities, contact your local State Training Centre on 13 28 11. State Training Centres support school based apprenticeships and traineeships and work closely at the local level with other people including the Department's Regional Vocational Education Consultant referred to below.

For further information:

- about school based apprenticeships and traineeships in NSW, including contact details for School Based Apprenticeship and Traineeship Coordinators visit www.sbatinnsw.info
- about apprenticeships and traineeships in NSW, including school based apprenticeships and traineeships, visit www.skilling.nsw.gov.au
- about the contact details of Australian Apprenticeships Centres, and their locations, visit www.newapprenticeships.gov.au
- on workplace safety and workers compensation matters, contact WorkCover NSW on 02 4321 5000 or the WorkCover Assistance Service on 13 10 50 or visit www.workcover.nsw.gov.au.

1. Who is responsible for the safety and welfare of a school based apprentice or trainee while at the workplace and still attending school?

The simple answer is that the employer, the school, the parent or carer, the registered training organisation and the student all need to work together to support the safety and welfare of the school based apprentice or trainee.

The employer of the school based apprentice or trainee has the main responsibility for the day to day safety and well-being of the school student while they are undertaking the employment component of the school based apprenticeship or traineeship.

The NSW Department of Education and Training has a duty of care to students when they undertake a school based apprenticeship or traineeship as part of the education and training opportunities provided by the school.

For this reason, the school Principal, or their nominee needs to be assured of the conscientious efforts of the employer to see that the proposed workplace and activities to be undertaken by the student do not put the student's safety or welfare at risk.

The parent or carer of the potential school based apprentice or trainee is asked to disclose the employer all relevant information that will assist the employer to maintain the safety and well-being of then student at the workplace.

The parent or carer also needs to see that the student can safely manage the travel arrangements to and from the workplace and to and from the formal training. In many cases, the student will travel to a training site away from the school.

For many young people their school based apprenticeship or traineeship will be their first experience in long term employment in an adult working environment. Parental support, particularly in the early stages, will increase the likelihood of their young person successfully meeting the challenges of this new experience.

2. What is required of their employer?

The employer is required to complete an Employer Questionnaire and Checklist that relates to the workplace and activities that the school based apprentice or trainee will be undertaking.

The employer is required to make any adjustments to the workplace that are required and implement strategies to support the student's needs in the workplace.

In addition, all employers have legal obligations under the Commission for Children and Young People Act (NSW) 1998 in relation to alleged employee misconduct of a child protection nature against a person aged under 18 years. The Department expects all employers of school based apprentices or trainees to make themselves aware of and comply with the obligations of employers under this Act.

3. What information must the parent/carer provide?

In some cases, a young person may have individual needs that may affect their safety or supervision in the workplace. These needs may include a disability, medical condition, allergy, learning need or behavioural challenge.

It is a requirement that the a Student Needs Assessment form be completed by the parent/carer in consultation with the student. Where the school based apprentice or trainee is living independently or is over 18, the young person can complete the Student Needs Assessment Form.

Information provided by the parent about a student's individual needs helps the employer to ensure that the needs of the young person can be appropriately supported for the duration of their apprenticeship or traineeship.

The student's welfare and safety at the workplace and that of their fellow workers is best served by complete and honest disclosure of any needs that they may have. Provision of this information also supports the employer to meet their legislative responsibilities for safety in the workplace.

Employers will be encouraged to contact the student's parent or carer directly to discuss any issues when planning appropriate work activities and workplace supervision for the student.

If the information provided on the Student Needs Assessment form does not reflect the school's knowledge of the student's needs, the Principal or his/her nominee will contact the student's parent/carer to discuss the matter. The Principal will not be able to progress the student's Expression of Interest to the next stage unless all relevant needs have been disclosed.

Parents/Carers are also required to sign the Parent/Carer Agreement form prior to the sign-up of the school based apprenticeship or traineeship training contract or training plan.

Parents/Carers must provide their contact information in the event the employer or the registered training organisation needs to make contact to discuss any concerns or issues which arise in relation the student.

4. Does the school supervise the school based apprentice or trainee in the workplace?

No, the employer is responsible for providing the day to day supervision of the school based apprentice or trainee while they are in the workplace. However, the school is responsible for monitoring the general progress of the apprentice or trainee. The school will sit down with the student in the first four weeks of first term and then at the end of each term to monitor their progress, safety and welfare.

5. Who looks after the safety and welfare of school based apprentices and trainees in the workplace?

The student's employer has the primary responsibility for the safety and welfare of the student while they are undertaking the employment component of the apprenticeship or traineeship.

The Department expects employers and their staff to be aware of their duty of care in relation to their school based apprentices and trainees and, in particular, their responsibilities under the NSW Occupational Health and Safety Act 2000 and the Commission for Children and Young People Act 1998.

The Department provides employers with the School Based Apprenticeships and Traineeships - Information for Employers document.

The detailed document includes advice about young people and safety matters, managing higher risk activities, supporting student needs and insurance responsibilities.

The document also contains important information about child protection matters. Employers are required to ensure that all staff are aware of the special responsibilities associated with working with students.

Similar information will be provided to school based apprentices and trainees during the student's preparatory session. This will ensure that they are aware of what is appropriate behaviour in the workplace.

6. Who does the school based apprentice or trainee contact in the event of an incident or concern?

The employer or workplace supervisor of the school based apprentice or trainee has a legal responsibility to deal with safety and welfare issues that may arise in the workplace. It is expected that they will deal promptly with matters raised by the school based apprentice or trainee.

If an allegation of a child protection nature or other concern affecting the welfare of the student is identified by the apprentice or trainee or their parent or carer, parents and carers are advised to immediately contact the school.

As a general rule, if a young person has a concern or an incident occurs in relation to their safety or welfare during their apprenticeship or traineeship but they do not feel they can report this to their supervisor or employer, the student or their parent or carer is asked to contact the school. The concern must also be recorded on the SBAT Notification Form and provided to the State Training Centre.

7. What are the obligations of the school based apprentice or trainee?

As a school based apprentice or trainee your young person is required to:

- inform their school and employer and school as soon as possible if they are not able to attend work or training through, for example, illness
- inform their school and supervisor in the workplace promptly of any injury, accident, incident or concern that may occur
- advise the school immediately if the student has had an injury and requires time away from work and/or training
- advise their school immediately if they have concerns relating to safety matters not dealt with in the workplace

8. What are the employer's obligations?

Employers and their staff supervising school based apprentices or trainees must:

- provide a safe and positive environment compliant with the NSW Occupational Health and Safety Act 2000 and relevant anti-discrimination and Equal Employment Opportunity legislation
- provide on-the-job training to apprentices and trainees under supervision of a capable and trustworthy employee briefed for the task
- identify areas of potential risk and implement

- strategies to eliminate or minimise risk associated with the work undertaken by apprentices and trainees
- provide appropriate information, instruction, training and on-going supervision to ensure the safety of apprentices and trainees during the duration of their training contract
 - provide a workplace induction including relevant safety matters to orientate apprentices and trainees at the beginning of their apprenticeship or traineeship
 - provide personal protective equipment (PPE) where required and appropriate training prior to its use
 - ensure that any special needs of apprentices and trainees, particularly those with a disability, are appropriately supported in the workplace
 - follow up any incidents of unacceptable conduct, risks to safety or welfare, or risk of harm to the apprentice or trainee as required by law
 - be aware of the purpose of the Department’s Incident Report and process for follow-up of concerns.

9. What insurance arrangements apply to school based apprentices and trainees?

School based apprentices and trainees are employees of the employer specified in the apprentice or trainee’s training contract, and as such the insurances of the employer apply to the apprentice or trainee.

School based apprentices and trainees must be covered under their employer’s property, public liability and workers compensation insurance arrangements for the duration of their training contract. Where the employer’s business is registered in another state or territory but the apprentice or trainee is undertaking the employment requirement of the apprenticeship or traineeship in NSW, the employer must take out NSW workers compensation coverage.

Employers are required to declare to the Department prior to commencement of the school based apprenticeship or traineeship that they have the appropriate insurance coverage in place.

Parents and carers are advised that claims for employment related injury, loss or damage either suffered or caused by their young person as an apprentice or trainee should be forwarded to their young person’s employer.

Parents and carers are also advised that the NSW Department of Education and Training:

- (1) will not indemnify the employer for any claims made by school based apprentices or trainees for compensation for any injury that they sustain whilst working for the employer
- (2) will not indemnify the employer for any claims made against the employer in respect of property damage or personal injury caused by a school-based apprentice or trainee in their employ
- (3) will not be liable for any claims made by the employer in respect of property damage or personal injury caused by a school based apprentice or trainee in their employ.

Parent/Carer Notes

State Training Centre contact officer:

School region contact person :

School contact person:

Registered training organisation contact person:
