



EDUCATION SECTOR ALERT

Student Placements

A student placement may be a component of a taught course or research programme involving a matriculated student working with or within an external organisation. Examples where this may occur include health care courses, professions allied to medicine, education, social work, exchange schemes and laboratory work.

For various reasons, institutions are advised to have a framework outlining the principles governing student placement and have procedures for managing placement activity.

As well as the common law duty of care, higher and further Education institutions owe a duty of care under the Health & Safety at Work Etc Act 1974. This duty is to protect as far as reasonably practicable, the health and safety and welfare of students on any placement. Institutions organise placements and therefore have some control over the method and manner of the placement. The host organisation will also owe the student a duty of care.

Duty of Care

The duty of care at common law and under the Health & Safety at Work Etc Act 1974 requires that the institution acts as a "reasonable institution" and ensures that an appropriate placement is provided for each student which is in accordance with the level of study that they are undertaking and that there is no risk to the personal safety of the student.

In order to fulfil that duty of care, the institution should carry out a risk assessment. The risk assessment must identify potential hazards and document any practical measures being taken so that arrangements are made to minimise risks of injury to students or damage to students' property. The risk assessment and the steps taken following that must be documented and must also include a review of the host company's risk assessments, emergency procedures and the supervision arrangements that will be in place at the host organisation.

In general terms, the following approval procedures should be in place:-

- Health
- Safety
- Welfare of Students
- Opportunity to reach learning outcomes; and
- Insurance

Potential Liabilities

The liabilities that can arise from student placements include:-

- Injury to student
- Damage to student's property
- Injury caused by student to third parties; and
- Damage to third party property caused by the student

Appropriate insurance can be put in place in respect of student placements in order to cover potential liability. This will include employer's liability and public liability insurance. Where student placements involve professional training, further professional indemnity insurance will be required. In some cases, this will be covered by professional indemnity insurance taken out by the host company. For health-related placements, there will be relevant professional bodies who will provide professional indemnity insurance. Travel insurance may also be required where the student placement involves travelling between the student's home and the host organisation.

It is advised that all matters involving the student placement should be documented in writing between the institution and the host organisation so that both parties are aware of their obligations.

Additional Matters

Institutions must also consider the host organisation's capability of complying with legislation which places obligations on the institution affecting placements, such as Part IV of the Disability Discrimination Act 1995 (e.g. the requirement to make reasonable adjustments for students with disabilities).

Overseas placements may involve further concerns. For example, in the US, there are different systems in respect of company employees and workers' compensation schemes. Institutions should research foreign placements thoroughly and advise on particular issues or risks in visiting a foreign country.

Other matters to consider are accommodation for student placements, dietary concerns, staff qualifications for overseeing placements, ongoing professional training for placements, supervision, points of contact for emergency situations, dealing with complaints, suggestions and concerns etc. It is recommended that a register of placements be maintained so that there is a complete record of students on placements. In summary, there is a need for a good management system which involves personnel having knowledge of the placements provider, health and safety issues and the standards required under health & safety legislation.

Want to know more?

If you want more information, or wish to discuss any of the points in this Alert, please contact:

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