

E-tendering Guidance for Funded Organisations Learner Health, Safety and Welfare

Introduction

The LSC electronic tendering process is based on open and competitive tendering and therefore no consideration will be given to any prior knowledge that the LSC may have of a funded organisation. Even if an organisation is currently categorised as excellent the only evidence that will be considered is the narrative that a potential funded organisation enters against each question.

Each question will be considered individually and is dependant on the organisation's arrangements and how you answer the questions, this may mean that some information is repeated. When completing your tender It is important that you involve your competent person(s) when answering the questions i.e.

Q1 – Involve the person within your organisation who is responsible for dealing with allegations of abuse, bullying & harassment etc.

Q2 – 8 – Involve the competent person who gives advice on health & safety

Additional guidance can be found on www.safelearner.info

The answers to each question should be appropriate to the programme for which you are tendering. If you are tendering for multiple programmes the answers to the questions may need to be adjusted.

Q1. Safeguarding Young and Vulnerable Learners

This question does not specifically relate to health & safety Legislation but to Safeguarding Vulnerable Children and Every Child Matters (Education Act) and to Safeguarding Vulnerable Adults (Vulnerable Groups Act). However, it does come under health, safety welfare arrangements in the LSC Funding Agreement and seeking assurance.

Whether you deal with children, young people or adults you will need some arrangements in place and you should consult with your nominated person for dealing with safeguarding and /or allegations of abuse, when writing your tender for this question. You will need to outline details of any policies that you have on staff recruitment (i.e. CRB where appropriate), safeguarding learners, bullying and harassment etc.

In addition you need to outline your procedures for the training of staff and learners, sub-contractors and record keeping.

Q2. Access to Competent Health & Safety Person(s)

The LSC requires all funded organisations to meet the legal requirements. The Management of Health & Safety Regulations 1999 require all employers to have access to competent Health & Safety Advice.

This question asks you to state the level of qualifications held by your competent person and the amount of experience that they have in this role.

If the competent person(s) hold health & safety professional qualifications to Level 3 or above then they will probably be a member of a professional body i.e. IOSH, IIRSM etc. if so please state their grade and if not please state how the organisation keeps up to date with changes in Legislation etc.

Q3. How do you assess and control and manage the risks to learners.

It is a requirement that risks to all learners are assessed although if you are dealing with young learners then additional assessments will be required.

You should state whether you have a specific system/ format for assessment (i.e. 5 steps to risk assessment), whether the people (including learners) are involved in the assessments and how and if not how the information (hazards and risks) is disseminated to all concerned (including parents/ carers of children).

The risk assessments should be carried out at all locations where learning takes place (this may be linked to Q9.) If learning takes place with a subcontractor explain how risk assessments are managed . You should also outline how often risk assessments are reviewed and how they are evaluated. Individual assessments should also relate to the Health & Safety Procurement Standard (HASPS) 10. Risk assessments must be carried out by competent persons (state level) and should involve those who are to carry out the tasks including learners.

Once a risk has been identified it is a requirement that appropriate control measures are put in place. Personal Protective Equipment should be a last option but where it is deemed necessary arrangements must be made to provide it free of charge.

This section gives you the opportunity to outline how the control measures are determined, what arrangements are made and how they are evaluated for effectiveness. You should also outline how and when they are reviewed.

Explain how the findings of the risk assessments and the control measures are communicated.

Q4. What arrangements do you have in place for the discovery, investigation and reporting of accidents/ incidents to learners

The LSC do not advocate a blame culture, the main aim being to ensure that the learner is properly treated, not disadvantaged and to learn lessons from incidents and ensure that appropriate measures are put into place to prevent a recurrence.

Discovery of Incidents: Organisations should have procedures in place for discovering internal incidents and a Service Level Agreement in place with all sub-contractors that sets out the requirement to report incidents to learners to the funded organisation. However, there should be additional measures in place to monitor/ audit this process and you should state your arrangements including the checks made.

Once discovered all learner incidents should be recorded by the funded organisation and records made available to the LSC Learner Health & Safety Adviser/ Learner Health & Safety Manager.

Investigation of learner incidents: HSG 245 (HSE publication) sets out details of how incidents should be investigated. Your tender should outline your arrangements including the competence of the person undertaking the investigation, how you determine immediate and underlying causes and actions to prevent recurrence. You should also indicate how incidents will be followed up to ensure that appropriate actions have been taken .

Reporting of Learner incidents: You should outline your arrangements for ensuring that incidents are reported to the enforcing authorities where appropriate and your systems for reporting to the LSC as required by the funding agreement. The LSC reporting procedure and current report forms can be found on www.safelearner.info

Q5. What information, instruction and training will be given to learners

Your tender should outline the type and levels of health & safety training given to learners i.e. pre-briefing, induction and on-going training. The narrative should include any additional training, qualifications etc. and highlight any innovative methods adopted.

State what practical activities are included in the training, identification of risks and controls that contribute to the safe learner initiatives.

The LSC has provided a range of resources and you should state if any of these have been adopted and how they are used. (also refer to Health & Safety Procurement standard (HASPS) 10.

Q6. How do you promote the safe learner

The LSC Safe Learner concept and framework have existed since 2003 and in Autumn 2007 the Safe Learner Blueprint is to be launched.

If your organisation has not had previous dealings with the LSC, information on the safe learner can be found on www.safelearner.info and you could outline how it will be promoted.

All tenders should outline how your staff, learners, employers and supervisors will be made aware and how it is promoted.

The LSC is keen for funding organisations to be raising standards in this key area and adopting innovative methods that will engage learners in health & safety. (also refer to Health & Safety Procurement standard 10)

Q7 How do you ensure that learners are effectively supervised

In a large proportion of learner incidents one of the key underlying factors is lack of or inadequate supervision. Often supervisors are not properly selected, they may be good at a job but not good at passing on their skills, have received no training and information about learner capabilities is not passed on.

The narrative on the tender should clearly indicate what procedures you have in place to ensure that learners are adequately supervised by a named competent (ENTO unit as Benchmark etc), suitable person at all times and at all locations. It should also outline how you will check competence and how you will ensure that they are made fully aware of their responsibilities. You should also indicate how you determine appropriate ratios of supervision where appropriate.

Q8 What arrangements are in place for ensuring that all training takes place in safe, healthy and supportive environments at all locations

The LSC has a legal responsibility to ensure that all funded learning takes place in safe, healthy and supportive environments. The LSC with the support of funded organisations produced the “Health and Safety Procurement Standards (HASPS) as a minimum standard. The standards can be found on www.safelearner.info.

The narrative in the tender should outline your arrangements for ensuring that all locations (internal and external) meet the requirements of the LSC procurement standards. The tender should also indicate how you ensure that the health & safety assessments are carried out by competent persons and the level of competence that they hold/ training given.

The narrative should indicate your procedures for action where shortfalls are identified during an assessment i.e. production of development plan that is followed up and if there is a procedure for dealing with unsatisfactory training locations