

Reporting of health and safety incidents for learners aged 16-18 or 19-25 with a learning difficulty and/or disability and are the subject of a learning difficulty assessment

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Introduction

Organisations have a responsibility for learner health and safety in relation to provision funded by the YPLA, under Health and Safety at Work legislation. This document provides information on the organisation's duties to the YPLA and to which other organisations reports should be made and by whom.

Also included for information are providers of 16-18 education that do not have a contractual relationship with the YPLA.

Provider Type	Responsible Body / Officer	Duty to YPLA	Other bodies to be notified
<p>General further education college</p> <p>Sixth form college</p>	<p>Board of Governors</p>	<p>The college shall comply with all relevant health and safety legislation and Health and Safety Executive working regulations and good practice and shall ensure that learning takes place in safe, healthy and supportive environments, which meet the needs of learners.</p> <p>The college shall inform the YPLA of injuries and diseases to Learners within the scope of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 1995 and fatal road traffic accidents. This shall be done by:</p> <ul style="list-style-type: none"> • in the case of education and training related fatal accidents and 'major injuries' (as defined in RIDDOR) - informing the YPLA by email to hsincident@ypla.gov.uk as soon as practically possible the college becomes aware of the event; and • all RIDDOR events - sending to the YPLA a completed Learner Incident Record Form and HSE 2508 within 10 days of the college becoming aware of the event. 	<p>By provider:</p> <ul style="list-style-type: none"> • Health and Safety Executive <p>By YPLA:</p> <ul style="list-style-type: none"> • Skills Funding Agency • Learner home and provider local authority

Provider Type	Responsible Body / Officer	Duty to YPLA	Other bodies to be notified
<p>Commercial and charitable provider</p> <p>Higher education institution</p>	<p>Governance arrangements vary</p>	<p>The provider shall comply with all relevant health and safety legislation and Health and Safety Executive working regulations and good practice and shall ensure that learning takes place in safe, healthy and supportive environments, which meet the needs of learners.</p> <p>The provider shall inform the YPLA of injuries and diseases to Learners within the scope of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 1995 and fatal road traffic accidents. This shall be done by:</p> <ul style="list-style-type: none"> • in the case of education and training related fatal accidents and 'major injuries' (as defined in RIDDOR) - informing the YPLA by email to hsincident@ypla.gov.uk as soon as practically possible the provider becomes aware of the event; and • all RIDDOR events - sending to the YPLA a completed Learner Incident Record Form and HSE 2508 within 10 days of the provider becoming aware of the event. 	<p>By provider:</p> <ul style="list-style-type: none"> • Health and Safety Executive <p>By YPLA:</p> <ul style="list-style-type: none"> • Skills Funding Agency • Learner home and provider local authority

Provider Type	Responsible Body / Officer	Duty to YPLA	Other bodies to be notified
Local authority learning providers	Local authority governance arrangements apply	<p>The provider shall comply with all relevant health and safety legislation and Health and Safety Executive working regulations and good practice and shall ensure that learning takes place in safe, healthy and supportive environments, which meet the needs of learners.</p> <p>The provider shall inform the YPLA of injuries and diseases to Learners within the scope of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 1995 and fatal road traffic accidents. This shall be done by:</p> <ul style="list-style-type: none"> • in the case of education and training related fatal accidents and 'major injuries' (as defined in RIDDOR) - informing the YPLA by email to hsincident@ypla.gov.uk as soon as practically possible the provider becomes aware of the event; and • all RIDDOR events - sending to the YPLA a completed Learner Incident Record Form and HSE 2508 within 10 days of the provider becoming aware of the event. 	<p>By provider:</p> <ul style="list-style-type: none"> • Health and Safety Executive • Learner home local authority if different to provider <p>By YPLA:</p> <ul style="list-style-type: none"> • Skills Funding Agency

Provider Type	Responsible Body / Officer	Duty to YPLA	Other bodies to be notified
Independent Specialist Provider (ISP)	Governance arrangements vary	<p>ISPs are contracted to notify the YPLA and learner home local authority of all incidents within 72 hours of their occurrence.</p> <p>In the case of fatal accidents and 'major injuries' (as defined in RIDDOR), the YPLA and learner home local authority must be notified immediately by phone or fax. RIDDOR events, including the above, must be recorded on a Learner Incident Report form, and sent to the YPLA and learner home Local Authority within 10 working days of the ISP becoming aware of the event.</p> <p>The ISP must monitor and act on any other harm to the learner to the extent that the ISP could reasonably be expected to do so and / or where harm could affect the quality of the learning experience. Harm includes (but is not limited to) other incidents that cause absence from learning, any loss to the learner of any physical or mental faculty or any disfigurement, incidents of bullying and harassment. Such information must be reported to the YPLA and learner home local authority within 72 hours of their occurrence.</p>	<p>By provider:</p> <ul style="list-style-type: none"> • Health and Safety Executive • Learner home local authority <p>By YPLA:</p> <ul style="list-style-type: none"> • Skills Funding Agency

Provider Type	Responsible Body / Officer	Duty to YPLA	Other bodies to be notified
Independent Specialist Provider (ISP) cont.		<p>The ISP shall cooperate with, and provide information to the YPLA as requested, to give assurance that adequate arrangements exist for learner health and safety to enable a review of learner incidents.</p> <p>By completing the above duties, this will assist YPLA with regard to contractual requirements on Learner Health and Safety.</p>	

Provider Type	Responsible Body / Officer	Duty to YPLA	Other bodies to be notified
Academies	Board of Governors / Academy Trust or proprietor	<p>The YPLA requests that the Academy notifies the appropriate Academies Liaison Officer within YPLA of incidents covered by RIDDOR (1995) legislative regulations.</p> <p>The YPLA also requests it receive urgent notification from the Academy of fatal accidents and ‘major injuries’.</p>	<p>By Academy:</p> <ul style="list-style-type: none"> • Health and Safety Executive <p>By YPLA:</p> <ul style="list-style-type: none"> • Learner home local authority
Maintained school sixth form	Board of Governors	<p>The YPLA requests that the school notifies the YPLA by email to hsincident@ypla.gov.uk of incidents covered by RIDDOR (1995) legislative regulations.</p> <p>The YPLA also requests it receive urgent notification from the provider of fatal accidents and ‘major injuries’.</p>	<p>By School:</p> <ul style="list-style-type: none"> • Health and Safety Executive • Local authority – please refer to the LA H&S code of practice: ‘Health and Safety: responsibilities and powers’, which guides schools on appropriate responsibilities

Provider Type	Responsible Body / Officer	Duty to YPLA	Other bodies to be notified
Community school Community special school Voluntary controlled school Pupil referral unit	Local authority	N/A Duties are prescribed by HASAW Act 1974 and all relevant legislation.	By school / Unit: <ul style="list-style-type: none"> • Health and Safety Executive • Local authority
Independent schools	Board of Governors / proprietor	N/A Duties are prescribed by HASAW Act 1974 and all relevant legislation.	By school / Unit: <ul style="list-style-type: none"> • Health and Safety Executive • Local authority

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Young Offenders Institution	YOI's with support from OLASS providers	Manage incidents related to Health and Safety To ensure that all learning environments and practices meet statutory health and safety requirements. Duties are prescribed by HASAW Act 1974 and all relevant legislation.	
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