

SECONDARY EDUCATION - SENIOR PATHWAYS**WORKPLACE LEARNING - ACCOMMODATION AWAY FROM HOME****Advice for schools.**

Where training is provided by TAFE NSW Institutes and Private or Community RTOs this advice also applies.

On occasion, for an exceptional opportunity, a student may propose to undertake workplace learning that requires accommodation away from home. This could be local or distant. These placements require the special approval of the school principal and/or the relevant TAFE NSW Institute/Private or Community RTO manager.

There is no Departmental expectation that a school, TAFE NSW Institute or Private or Community RTO must approve these placements.

Criteria for placements involving accommodation away from home include:

- The educational value for the student is exceptional
- The proposed transport, accommodation and overnight supervision arrangements are suitable for the student and have the written approval of the parent and carer as well as the school
- The school, TAFE NSW Institute or a Private or Community RTO (along with the school) makes suitable preparatory, supervisory and emergency contact arrangements to ensure that the Department's duty of care to the student is exercised
- Written acknowledgement is obtained from the parent or carer that the insurance and indemnity provisions apply **only** to overnight accommodation that is provided and supervised by an employer as a normal provision of that type of employment.

Accommodation away from home FORM A must be completed in addition to the Student Placement Record.

What is the duty of care to students undertaking placements involving accommodation away from home?

The non-delegable duty of care owed by the Department to its students continues while a student is undertaking workplace learning. A non-delegable duty is described as a stringent and "personal" duty. It is more than a duty to take care; it is a duty to ensure that reasonable care is taken.

The duty of a school, TAFE NSW Institute or Private or Community RTO to care for students extends beyond the work day of the placement, particularly where accommodation is away from home. Schools, TAFE NSW Institutes or a Private or Community RTO along with the school must take reasonable care to keep all students undertaking placements away from home, free from harm as well as minimise the risk so far as is reasonably practicable.

This duty cannot be delegated by the school, TAFE NSW or Private or Community RTO to parents, carers, host employers or their workers, external organisations (such as work placement service providers), or accommodation providers.

What should schools consider?

Schools have to be comfortable that the duty of care requirements and the potential risks can be managed. If there is some doubt, then the placement should not be approved. If a parent is adamant that a proposed placement is suitable for their child, they have the option of making private arrangements using privately arranged insurance arrangements.

The potential risks increase when the student or their family or the school proposes that the student stay **onsite** or adjacent to the host employer's property. While most host employers and their workers will safeguard the student while on their property, schools need to recognise that this may not always be the case. Additional, targeted preparation is key to supporting the safety and welfare of the student for all the hours they will be on a host property.

To assist schools make informed decisions, a suite of resources has been developed to identify key issues.

The resources include:

- Key questions contact card
- Classroom poster
- Duty of care checklist for principals, TAFE NSW Institute or Private or Community RTO managers
- Onsite accommodation assessment form

Child Protection requirements

The Department requires that whenever a person other than a family member is supervising the student in overnight accommodation, that person must complete the *DEC Working with Children Check Declaration for volunteers and contractors* ([Appendix 5](#)) and provide certified *Proof of Identity* ([Appendix 6](#)) to the school. These documents must be retained for at least 5 years after the accommodation has ended.

Mandatory forms to document these placements:

- Student Placement Record
- Accommodation away from home FORM A
- Duty of care checklist for principals, TAFE NSW Institute or Private or Community RTO managers

For further advice and support

Schools, TAFE NSW Institutes and Private or Community RTOs are welcome to ring Senior Pathways in Secondary Education on (02) 9244 5425.