Pre-Accredited Work Experience

Questions and Answers

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|  | **QUESTION** | **ANSWER** |
| **1** | **Do I have to deliver Pre-Accredited Work Experience if I’m delivering pre-accredited Employability Skills or Vocational Programs?** | No. Pre-Accredited Work Experience is an option for providers to add an industry-based component to their pre-accredited course plan. |
| **2** | **When should LLOs consider delivering Pre-Accredited Work Experience?** | LLOs should only consider facilitating Pre-Accredited Work Experience activities if they are currently delivering either Employability Skills or Vocational Programs pre-accredited content, and have the capacity to provide trainer supervision for all on-site host employer activities. |
| **3** | **Are LLOs insured to facilitate Pre-Accredited Work Experience activities?** | The Victorian Managed Insurance Authority (VMIA) provide insurance to LLOs via their Community Service Organisation package, which includes Personal Accident and Public Liability policies.  This package provides coverage for learners participating in Pre-Accredited Work Experience on the proviso that:   1. Pre-Accredited Work Experience is undertaken as a group, and is supervised by a Learn Local trainer at all times. 2. Pre-Accredited Work Experience is directly linked to the Pre-Accredited A Frame. 3. Pre-Accredited Work Experience does not exceed 10% of total pre-accredited course delivery hours. 4. A formal agreement is in place between the LLO and the host employer |
| **4** | **Can I place learners in an unsupervised Work Experience Placement?** | The ACFE Board do not recommend that LLOs facilitate individual unsupervised work experience placements. Unsupervised work experience placements as a component of pre-accredited training pose a risk to providers and host employers.  From a legislative perspective, there are issues at both the Commonwealth and State levels.  **Commonwealth**  The Fair Work Act does not recognise pre-accredited training under the provisions for work experience. Furthermore, there is potential additional exposure for host employers who engage pre-accredited learners in activities which could be deemed ‘productive work’.  **State**  The Education and Training Reform Act provides precise and specific guidelines for the administration of Work Experience (in schools), Structured Workplace Learning (VETiS) and Practical Placements (RTOs). For the duration of these placements, the student is considered to be an employee of the Department of Education and Training, and is insured accordingly.  The Workplace Rehabilitation Compensation Act provides a framework for compensation due to workplace injury, including a definition of vocational placements which is specifically aligned to the Education and Training Reform Act.  As pre-accredited training is not included in either of these key pieces of legislation, WorkCover does not provide protection to host employers of pre-accredited work experience.  **Insurance**  The Victorian Managed Insurance Authority (VMIA) provide insurance to LLOs via their Community Service Organisation package, which includes Personal Accident and Public Liability policies.  VMIA’s Community Service Organisation package provides full coverage for LLOs hosting work experience within their own organisation. However, this full coverage does not extend to externally-placed Unsupervised Work Experience placements.  This is because VMIA’s Community Service Organisation package is not a worker’s compensation policy, and does not provide the same protection as is required by the Workers Rehabilitation and Compensation Act.  While there may be some limited coverage for the learner, the host employer is exposed for any occurrences beyond the scope of the policies. For example, the VMIA policy does not provide coverage for:   * mental health-related claims such as stress leave * aggravation of pre-existing injuries * lifetime disabilities * return to work costs.   This leaves the host employer responsible for this insurance coverage, and expose them to potential action under the Fair Work Act.  **Accredited Training**  If a pre-accredited learner has the capabilities to thrive in an unsupervised vocational placements, it should be considered whether that learner should be placed in an accredited course with an unsupervised work experience placement component.  **Alternate models of work experience in Pre-Accredited Training**  The model of Pre-Accredited Work Experience detailed in the Pre-Accredited Work Experience Guidelines is the model endorsed by the ACFE Board as being safe, supported by legislation, covered by insurance and aligned to the intended cohort of pre-accredited training.  However, should providers wish to conduct a different model of work experience in pre-accredited training, the ACFE Board strongly recommend that providers either:   * Inform the host employer that they will need to cover the activity with their own insurance policy, and ensure the host employers have adequate insurance coverage to support the activities. * Explore other arrangements to provide adequate insurance coverage. |
| **5** | **Is there a timeframe for these guidelines to take effect?** | The ACFE Board recommend that providers currently delivering Pre-Accredited Work Experience activities immediately use the structure detailed in these guidelines to avoid insurance-related risks. |