

Australian Capital Territory

# Children and Young People (Work Experience) Standards 2009 (No 1)

Disallowable instrument DI2009- 166

made under the

Children and Young People Act 2008, Section 887 (Standard-making power)

## EXPLANATORY STATEMENT

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### Introduction

The Children and Young People (Work Experience) Standards 2009 (No 1) provide the framework for work experience programs being conducted by schools.

A work experience program is an arrangement where a student, as part of their curriculum, participates in a workplace to experience a work situation in a particular industry.

A provider who operates a work experience program in accordance with the Standards may seek approval from the Chief Executive to conduct the program. Such approval permits the program to involve young people where the employment of the young person would not otherwise be permitted by the provisions of the *Children and Young People Act 2008*.

These Standards are designed to ensure that work experience programs operate safely and maximise the benefits for students, employers and schools.

### Individual clauses

**Clause 1:** sets out the purpose of the standards.

**Clause 2:** defines key terms used in the standards.

**Clause 3:** outlines the purpose of work experience programs.

**Clause 4:** provides that students involved in work experience programs must be 14 years of age or over, except in a work experience program specifically approved to provide work experience to students under the age of 14.

**Clause 5:** requires providers of work experience to keep a register of participating host employers. Before an employer is entered on the register the provider must take steps to ascertain the long term suitability of the host employer to provide work experience.

**Clause 6:** requires providers and schools to comply with requests to provide the Chief Executive with a copy of the participating employer's register.

**Clause 7:** states a student may apply for a work experience placement.

**Clause 8:** provides that a host school may refer a student to a provider for a work experience program.

**Clause 9:** provides that before entry into a work experience placement, the student, the student's parent or guardian, the host school, the host employer and where involved, the provider, must approve the work experience placement in writing. In determining whether the placement is appropriate, the parties are required to consider whether the placement contravenes the *Education Act 2004*, whether the placement is likely to prejudice the ability of the child to benefit from education and training and whether placement would prejudice the health, safety or development of the student.

**Clause 10:** requires that the provider advise Unions ACT of proposed work experience placements before they commence.

**Clause 11:** makes special provision for work experience placements with a butcher.

**Clause 12:** requires all parties to a placement to enter an agreement setting out the parties' rights and obligations.

**Clause 13:** requires a complaints protocol to be included in the agreement required under clause 12.

**Clause 14:** imposes obligations on host organisations to ensure the safety and well-being of the student attending that work experience.

**Clause 15:** places obligations on the host school to properly prepare a student for work experience and to take steps to ensure the safety of the student while on work experience placement.

**Clause 16:** requires a host school to, where practical, arrange for a teacher to visit the student at least once during the work experience placement.

**Clause 17:** provides that students on work experience placement are on the same conditions that apply to ordinary workers and cannot be exploited.

**Clause 18:** provides that work experience is not to include activity declared by the Department of Education and Training or under the *Children and Young People Act 2008*, to be high risk.

**Clause 19:** sets out the hours of work. Work experience placements are generally for normal working hours between 7.00am and 7.00pm, and not in excess of 40 days each calendar year.

**Clause 20:** requires a provider to apply to the Chief Executive for an exemption from complying with the standards for a particular placement.

**Clause 21:** provides that no remuneration will be paid to a student for participation in work experience placement.