

Case Study - ABC Training.

ABC Training (not the real company name!) is an independent provider employing 25 people. Its background is in health and social care, but other than this area they deliver management, business admin, customer care qualification along with related essential skills etc. All their programmes are delivered to employed status learners. They do not have a direct contract with the SFA or the Welsh Government. They derive their funding from 2 contracts with 2 separate 'lead providers' in Wales and 3 contracts with 3 separate 'lead providers' or 'primes' in England. The 3 English contracts include 'a provider group or network' and 2 individual providers. Few learners are under 18, none are under 16 all are apprentices.

Evidence - general reflection.

The evidence to support this case study is derived from a visit to the provider to audit the business by DTD Training Ltd. DTD Training has a long association with the business which results from the Welsh Assembly Government's Health and Safety Code of Practice which determined that all lead providers should audit their sub-contract provision. Unfavourable audits several years ago led ABC Training to engage the services of DTD Training to up-skill the team, identify deficiencies against the Code of Practice, interpret the requirements of lead provider action plans and generally improve the level of compliance in respect of their statutory and contractual obligations.

It is still the case in October 2014 and moving forward to new contracts awarded in April 2015 that lead providers in Wales are required to audit their sub-contractors. Whilst no contractual requirement in England exists to the same extent as Wales, ABC Training are visited annually by 2 of their 'primes', audited and given a development action plan.

Evidence and observations - specific.

- During a visit and audit by DTD Training in November 2014 it was observed that ABC Training was utilising a different employer health and safety vetting form from each lead / prime. - 5 in all!
- Only the lead providers in Wales offer any guidance re a 'contractual requirement' to complete the vetting forms.

- Since the introduction of changes in July 2013 to HSE guidance on health and safety for young people none of the 5 lead contract holders have issued guidance / updates to ABC Training. None of the leads have made any changes to their paperwork.
- ABC Training are aware of the changes in guidance (provided by DTD Training as part of its consultancy service).
- ABC Training will not challenge the provision of paperwork, and / or guidance from lead providers for fear of being penalised.
- Each of the 5 forms contained a range of errors, summarised as follows:
- Reference to HASPS and Safe Learner Concept.
- A requirement to complete paperwork prior to commencement of learning as well as secure documents from the employer
- References to the LSC as the contractual body.
- A requirement to routinely report accidents to the SFA
- A requirement to check registration of premises via OSR1 / F9
- A requirement to inform insurers of trainees / learners.
- A commitment to developing a prescriptive action plan for employers.
- A requirement for a young persons risk assessment.
- Imposing provider policies and procedures for safeguarding on employers who do not provide evidence of compliance.
- Evaluation of highly technical processes where prohibitions would be appropriate to young people – ‘Chromium baths, circular saws, cleaning down of moving machinery’.
- A check on enforcement actions / prohibitions.

Conclusion

- ABC Training does not see that it has the responsibility to challenge lead providers / primes re. the content and accuracy of their paperwork. They clearly have a duty to do so, and also have the competence to undertake such a ‘challenge’.
- There is a ‘fear factor’ which leads to ABC Training not wanting to ‘bite the hand etc.’
- No guidance is given from the primes / lead providers to allow for any variation on evidence gathered subject to occupational routes.

- There is a massive waste of resource, time, money and personnel. There is a great deal of duplication, massive bureaucracy and poor quality. Most of all the concentration on the system loses sight of the safety of the learner.

There are many other points that can be made regarding the situation that ABC find themselves in. The problem is equally as significant for the lead providers and primes.