

Duty of Care

Ensuring young apprentices and trainees stay safe at work



Young workers are a vulnerable group of employees, with injury rates out of proportion with other worker age groups.

As an employer of an apprentice or trainee who is under 18 years of age, it is critical you provide a safe and positive work environment for your learner. You should know the range of hazards in your workplace and minimise risk by providing support, instruction, training, and on-going appropriate supervision so your learner can stay safe at work.

Young workers need more guidance and support because they lack experience at work.

They may not understand that they're taking dangerous risks or know how to protect themselves physically and psychologically from injury.

That is why there are additional duty of care responsibilities and obligations to workers under the age of 18.

Understanding risk

Why young workers are at risk of workplace injuries:

- Limited workplace experience
- Still developing psychologically and socially
- Overconfidence
- Unable to recognise when something becomes unsafe
- Afraid to speak up
- Peer group pressure
- Experimenting with alcohol and drugs

What is Duty of Care?

You must take reasonable care to ensure your workplace and the people in it are safe from injury and health risks. If you identify a likely risk of harm, it is your legal obligation to address it. You should minimise or eliminate risk by providing support, instruction, training, and on-going appropriate supervision. Your inaction is a breach of your duty of care.

How we can help

Our training advisors from Training Services NSW can support you at any time during your learner's journey.

We offer:

- Advice on being a better supervisor
- Information about apprenticeships and traineeships
- Free supervisor training
- Site visits or phone calls to ensure your learner is making progress
- Dispute resolution services
- Recommendation for other support services



What are my obligations?

Make safety part of the conversation

Effective & adequate supervision and training is the best way to ensure young apprentices and trainees stay safe at work as well as producing quality work and maintaining industry standards.

You should:

- Conduct a workplace induction including orientation, roles and responsibilities and ground rules
- Explain safe work practices, workplace safety hazards and emergency procedures
- Provide required personal protective equipment and ensure it is used
- Identify gaps in your learner's knowledge, assess their ability to work safely and eliminate or minimise risk
- Provide information, training and constructive feedback
- Ensure your learner is directly supervised by a qualified or experienced staff member and never left alone to perform new tasks
- Ensure those in supervising roles are aware of their responsibilities concerning young learners

Visit: safework.nsw.gov.au

Zero tolerance of bullying and harassment

Workplace bullying, discrimination and harassment are unacceptable behaviours that cause humiliation, offence, intimidation or distress.

They can occur through verbal or physical abuse, psychological standover tactics, practical jokes or initiation, put downs, sexual misconduct, email, texts or on social media.

Workers who experience bullying can suffer anxiety, post-traumatic stress disorder and even commit suicide.

That is why workplace discrimination, bullying and harassment are against the law.

You must respond to and prevent these behaviours in the workplace through ongoing training and a zero tolerance policy. (See: headsup.org.au/supporting-others/workplace-bullying)

Protecting young people at work

You must ensure your young learner isn't exposed to inappropriate behaviours, sexually explicit or inappropriate material.

(See: kidsguardian.nsw.gov.au)

Supporting mental health

It is possible you may supervise a learner who is experiencing a mental health condition. Most people can effectively manage their mental health without it affecting their work. But there will be times when your learner may need support and reasonable adjustments at work to help them get and stay well.

If you notice changes in your learner's moods, behaviour or quality of work, speak to them and take steps to ensure they are supported to remain at or return to work when they're ready.


More info:

- headsup.org.au
- Lifeline 13 11 14
- youthsafe.org
- Headspace 1800 650 890
- Mental Health Line 1800 011 511
- Beyond Blue 1300 22 4636

Your Duty of Care is good for business

- Reduce costs associated with sick leave, worker absences and staff turnover
- Improve morale, productivity, sales, and revenue
- Avoid litigation, industrial disputes and fines
- Achieve greater staff loyalty and a reputation as a safe workplace

For more information

 13 28 11

 training.nsw.gov.au

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