

Right to Request Training Policy

1 Introduction

- 1.1 The University is committed to the development of staff skills, expertise and ability in support of the University's strategic and operational plans, as well as the job and career aspirations of individual members of staff. This commitment is set out in the University's Staff Learning and Development Policy. The policy provides sufficient scope to address all training and development needs of staff within the University without the need for staff to rely on the procedure set out below.
- 1.2 However, under s.63D of the Employment Rights Act 1996, all staff have a statutory right to make a request in relation to study or training and to have the request considered. This policy sets out the procedure to be followed in the event of a member of staff making such a request.

2 Scope

- 2.1 This Policy applies to all staff who meet the following criteria:

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- Are employed by the University
- Have worked at the University continuously for 26 weeks at the date the application is made
- Not have made another application in the past 12 months

- 2.2 Young persons aged 16 and 17 who are covered by a separate right to time off for study and training under the Employment Rights Act 1996, section 63A, are excluded from this policy.

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3. Roles and Responsibilities

- 3.1 It is the responsibility of managers to handle and respond to requests for training under this Policy.

3.2 It is the responsibility of members of staff to apply for training in accordance with the information set out in this Policy.

3.3 It is the responsibility of Human Resources to provide advice and attend meetings where necessary.

4. General Principles

4.1 Staff may submit a request in relation to any type of study or training, provided that they can reasonably demonstrate that the study or training is likely to lead to an improvement in their effectiveness at work, and consequently an improvement in the performance of the University.

4.2 Requests can be made either in relation to an accredited programme leading to the award of a recognised qualification, or in relation to unaccredited training that will help the member of staff to develop specific skills relevant to his/her job. The proposed training can be conducted in any location and at any time, and can be supervised or unsupervised. However, it must be relevant to the individual's employment within the University.

5. Payment for time off granted for study or training

5.1 The University is not obliged to pay a member of staff for any time off or for meeting the costs of any training agreed under this policy. However, the University may, at its discretion, agree to pay the individual their normal salary during some or all of any time off granted and/or meet some or all of the costs of any training provided. Each case will be considered on its own merit.

6 How to apply

6.1 For a request for in relation to study or training to be valid, it must be made in writing (email is acceptable) to the manager and must stipulate:

- that it is an application to make a statutory request in relation to study or training;
- the date of the application;

- whether or not there has been a previous application in relation to study or training, and if so when and how the last application was submitted;
- the subject matter of the proposed study or training;
- where and when the proposed study or training would take place;
- who (if anyone) would provide or supervise the study or training;
- what qualification (if any) the study or training would lead to; and
- how the proposed study or training would improve effectiveness in work and improve the performance of the University.

6.2 The manager may ask for further information if they feel this is necessary in order to give proper consideration to the request.

6.3 If the University agrees to the request, the individual must inform their manager if they subsequently fail either to start or complete the agreed study or training.

7 Procedure for handling applications

7.1 The University has a statutory duty to consider requests made under this policy and to adhere to the following procedure.

Step 1

Upon receipt of a written application, normally within 28 days the manager will either:

- provide written agreement to the request , or
- hold a meeting to discuss the request.

The member of staff has the right to be accompanied at the meeting, if they so wish, by a workplace colleague or trade union representative and the manager may ask a representative from the Human Resources team to attend. The meeting will provide an opportunity to explore the desired training in depth, and to discuss its appropriateness to the individual's job and the needs of the University. It will also provide an opportunity to consider any possible alternative arrangements that might meet the individual's training needs.

If the member of staff fails more than once (without good reason) to attend a meeting to discuss a request in relation to study or training, the University may treat the request as withdrawn. In this case,

the Human Resources representative will confirm in writing that the application is being treated as withdrawn.

Step 2

After the meeting the manager or Human Resources representative will write to the member of staff normally within 14 days, to either:

- accept the request, clearly setting out the details including whether the member of staff will receive pay during any time off to undertake training, any adjustment to their working hours and how the cost of the training will be met; or
- confirm details of any compromise arrangement agreed at the meeting; or
- reject the request, providing a business reason and an explanation. The letter will include details of the right to appeal where a request is refused.

7.2 The time limits stated above may be extended by agreement.

7.3 Each request will be dealt with individually, taking into account the nature of the request and any likely effects of granting it. Agreeing to a request from one member of staff will not set a precedent or create a right for others to have their requests granted. Although the University will endeavour, where possible, to accommodate requests it will not always be possible to grant them in relation to study or training. The circumstances in which the University may have to refuse a request include where:

- the proposed study or training would not improve the individual's effectiveness at work, or the performance of the University itself;
- the cost to the University of granting time off for training would be too great;
- granting the request would have a detrimental effect on the University's ability to meet customer demand;
- the University would be unable to satisfactorily cover the individual's absences on training;
- there would be a detrimental impact on quality or performance; or
- there are planned structural changes in the University.

8 Appeals

- 8.1 The procedure provides a member of staff with the right to appeal the decision in writing within 14 working days of it being notified to them. The grounds of the appeal should be put in writing to the appropriate Human Resources team.
- 8.2 A representative from the Human Resources team (not previously involved with the application) will review the application and may either:
- grant the appeal, or
 - arrange to meet with the parties involved, normally within 14 days of receipt of the appeal. The member of staff may, if they so wish, be accompanied by either a Trade Union representative or a work place colleague.
- 8.3 The Human Resources representative will notify the member of staff of the outcome of the appeal in writing normally within 14 days of either the receipt of the appeal or the meeting, at which point the decision made will be final.

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