

S
A
M
P
L
E

1. Introduction

- 1.1 The Apprenticeships Act 2009 introduced a right for employees to request time off for training in businesses with 250 or more employees or more than 50 employees in businesses where the purpose of the study or training is to improve the effectiveness in the Company's business and to improve the Company.
- 1.2 This policy applies to employees where the purpose of the study or training is to improve the effectiveness in the Company's business and to improve the Company.
- 1.3 The study or training must lead to the award of a qualification.

2. Aims of the Policy

- 2.1 To ensure that staff are aware of the requirements for time off for training, and the right to apply, and the Company's policy.
- 2.2 To ensure that the Company complies with all of its obligations imposed by law, and that requests for time off for training are dealt with fairly and consistently.
- 2.3 To ensure that employees are given time off for training that is relevant and beneficial for both the Company and the employee.

3. Qualifying Criteria

- 3.1 In order to be able to request time off for training employees must meet the following criteria:
 - 3.1.1 They must be employed by the Company on the date their request is made; and
 - 3.1.2 They must not have previously requested time off for training in the preceding 12 months unless the earlier request be ignored.
- 3.2 Where an employee requests time off for training in a 12 month period the Company will inform the employee if they do not intend to consider it.
- 3.3 The Company may, at its discretion, consider requests from employees who are not eligible for time off for training.
- 3.4 The following **do not** qualify for time off for training:
 - 3.4.1 A person of compulsory school age;
 - 3.4.2 A person residing in a care home who has ceased to be of compulsory school age, and who has not attained a level 3 qualification (Part 1 of the Apprenticeships Act 2009);

S

3.4.3 A person of 18 years of age or over (Section 29 of the Education and Skills Act 2008);

3.4.4 A young person who has a statutory right to paid time off to study or training and has not already under a duty to participate in training under section 63A of the Education and Skills Act 2008;

3.4.5 An agency worker;

3.4.6 A person who is a member of the Armed Forces.

4. Procedure

4.1 An employee who wishes to apply for training must do so [in writing] OR [using the form] to <<Individual e.g. HR Manager>> including the following information:

4.1.1 The application must be made under the employee's statutory right to training;

4.1.2 The subject matter of the training or study;

4.1.3 Where and when the training or study would take place;

4.1.4 Who would provide the training or study;

4.1.5 What qualifications would be gained;

4.1.6 An explanation of how the training would benefit the employee and the performance of the employee's business;

4.1.7 The date of the training;

4.1.8 The date and time of the application.

4.2 Where the employee provides additional information, the Company will request, but the Company requires the employee to provide such information. If the employee refuses to provide the information, the Company will treat the employee's application as if it were not made. The Company will inform the employee of this in writing.

4.3 When considering an application for time off for training the Company may believe that the employee's proposal is not in the best interests of the Company. In such cases the Company will enter into a discussion with the employee about the proposal. The Company will reach its decision on the application as soon as possible following the submission of such final decision.

4.4 The Company may agree to part of the employee's request but refuse another part. In such cases the Company will inform the employee in writing of which part of the application is refused.

4.5 Within 28 days of receiving an application, the <<Individual e.g. HR Manager>> will provide a written response, with either:

4.5.1 An acceptance of the request.

4.5.2 A suggested alternative to the request.

4.6 Where the Company agrees to the employee's request, the employee must be accompanied by a representative of the Company to address the meeting and confer with the employee to discuss any other matters that may arise.

A

M

P

L

E

S

with the employee due to the absence of the employee. If the employee is notified that the meeting is rescheduled and this should take place at a later meeting. Both the employee's time and the cost of the meeting will be taken away from the employee's time.

the employee will not answer questions on behalf of the employee. If the employee is notified that the meeting is rescheduled and this should take place at a later meeting, the employee can ask for a meeting that is convenient for all attendees, and the cost of the original scheduled meeting will be paid for any time taken away from the employee's time.

4.7 Where a meeting has been cancelled, the Company's decision on whether to reschedule the meeting will either be to:

the employee will be notified of the date of the meeting. This notification will be in writing.

4.7.1 Accept the rescheduling of the meeting; or

information detailed in sub-Clause 4.5 and 4.7 to be extended.

4.7.2 Confirm a copy of the meeting minutes; or

meeting; or

4.7.3 Reject the rescheduling of the meeting together with the employee's reasons for doing so.

business reasons for doing so. The employee's reasons for doing so will be taken into account.

4.8 It is possible for the extension of the period of absence to be extended where:

4.5 and 4.7 to be extended.

4.8.1 The extension of the period of absence is requested by the employee making the request. This request must be made in writing to and the date of the request must be recorded.

the employee making the request. This request must be made in writing to and the date of the request must be recorded. The period the extension relates to must be specified and the date when it is to end; or

4.8.2 The extension of the period of absence is requested by the employee's representative when the employee's representative returns to work.

the employee's representative is absent from work when the employee's representative returns to work. The day extension period will begin when the employee's representative returns to work.

4.9 The Company's acceptance of the employee's request to train shall be in writing and confirm the following:

the employee's request to train shall be in writing and confirm the following:

4.9.1 The subject matter of the training or study;

training or study;

4.9.2 Where and when the training or study shall take place;

training or study shall take place;

4.9.3 Who will supervise the training or study;

supervise;

4.9.4 What qualifications the training or study will lead to;

qualifications that will lead to;

4.9.5 Whether the training or study will be undertaken flexibly or whether the employee will be required to attend the training or study; and

whether the employee will be required to attend the training or study; and

4.9.6 How the costs of the training or study will be met.

met.

4.10 The employee must not:

the employee must not:

4.10.1 Fail to start the training or study;

fail to start the training or study;

4.10.2 Fail to complete the training or study;

complete the training or study; or

4.10.3 Undertake, or attempt to undertake, any other training or study that differs from the agreed subject matter of the training or study.

any other training or study that differs from the agreed subject matter of the training or study.

5. Refusal for Time off for Training

5.1 The Company will only refuse to grant time off for training on one or more of the following grounds:

the Company will only refuse to grant time off for training on one or more of the following grounds:

5.1.1 The proposed training or study will not improve the employee's effectiveness or the performance of the Company's business;

the proposed training or study will not improve the employee's effectiveness or the performance of the Company's business;

A

M

P

L

E

S

- 5.1.2 The burden of
- 5.1.3 Detrimental e
- 5.1.4 Inability to re-
- 5.1.5 Inability to rec
- 5.1.6 Detrimental in
- 5.1.7 Detrimental in
- 5.1.8 Insufficiency of
- or study; or
- 5.1.9 Planned struc

customer demand;
existing staff;

A

- 5.2 Where the Company
- accommodated, the
- 5.2.1 Which of the
- 5.2.2 Why this reas
- 5.2.3 The appeal p
- 5.2.4 The date of th

as the employee proposes to train
ee's request cannot be
d of this in writing explaining:
in sub-Clause 5.1 is the reason;

M

6. Invalid / Withdrawal of Request

- 6.1 If the Company cons
- will be notified of this
- Company considers
- missing from their re
- this will be treated as
- 6.2 In some cases the C
- the agreement to a re
- may agree to an emp
- Company may later r
- 6.3 Where an employee
- time off for training o
- there is no reasonab
- withdrawn. This will
- 6.4 Employees may with
- Company has notifie
- confirmed in writing b
- their request it still co

request to be invalid the employee
include the reasons the
i.e. the information that was
ay then resubmit the request, and
writing circumstances under which
In other cases the Company
see circumstances in which the
reement.
eting to discuss a request for
ested by the employee, and
will treat the request as
n writing at any point before the
Such withdrawal will be
where the employee withdraws
purposes of this policy.

P

7. Ignoring Earlier Requests

- 7.1 The Company will ig
- consider a new requ
- the employee:
- 7.1.1 Did not under
- because the t

n for time off for training and
he same 12 month period, where
s agreed in the earlier request

L

E

S

7.1.2 Failed to start
circumstance

eed due to some unforeseen

7.1.3 States that th
months elaps
withdraw that

request in error before the 12
the Company that they wish to

8. **Payment**

8.1 Payment for time tak

the sole discretion of the Company.

A

9. **Appeals**

9.1 Employees have the

of a request for time off to train.

9.2 An employee who wi
<<individual/title>> w
request or part of the

so in writing to
ified of the refusal of their

9.3 The appeal must be
appeal.

mployee's grounds for making the

9.4 The Company will re
notice.

receiving the employee's appeal

9.5 Where the employee
employee and provid
received should their
Clause 4.9.

the Company will write to the
ormation they would have
n accepted as set out in sub-

9.6 Where the Company
will arrange an appea
employee's appeal n
friend or colleague.

mployee's appeal, the Company
in 14 days of the date of the
entitled to be accompanied by a

9.7 Where practicable th
to the one that review

be heard by a different manager
request.

9.8 The Company will no
14 days of the appea

appeal decision in writing within
n will either:

9.8.1 Uphold the ap
provided if the
4.9; or

ion that would have been
pted as set out in sub-Clause

9.8.2 Dismiss the a
grounds apply

s for the decision and why those

9.9 Any time limits in this

ed with the employee's consent.

9.10 The appeal decision
outcome, they may u
of which can be found

oyee remains unsatisfied with the
al grievance procedure, a copy
t / person>>

M

P

L

10. **Equal Opportunities**

10.1 In line with the Comp

s policy, there will be no less

E

favourable treatment
request for time of to
employment tribunal

made or intend to make a
to make a complaint to the
for time off to train.

This policy has been approved &

Name: <<Insert Name>>

Position: <<Insert Position - e.g. Human Resources Manager>>

Date: <<Date>>

Signature:

S

A

M

P

L

E