

S A M P L E

1. Introduction

- 1.1 Employers are now u where the employee reasons to prevent it
- 1.2 Employees who work right to request time extended to cover all delayed to allow time extension will be imp
- 1.3 The study or training qualification but its p effectiveness in the e employer's business
- 1.4 Employers are requir respond within set tir

2. Eligibility

- 2.1 The following do not
 - 2.1.1 A person of c
 - 2.1.2 A person resi school age, a (Part 1 of the
 - 2.1.3 A person of 1 (Section 29 o
 - 2.1.4 A young pers study or traini participate in Skills Act 200
 - 2.1.5 An agency wo
 - 2.1.6 A person who

3. Training

- 3.1 Employees can requ any training which th Employer's business
- 3.2 The training can be c most effective and ap
 - 3.2.1 In the employ
 - 3.2.2 At the employ

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- 3.2.3 Whilst the em
- 3.2.4 Within or outs
- 3.2.5 With supervis
- 3.2.6 Without supe

training provider; or

- 3.3 The application can b provided that its purp employer's business. There are no limitatio for or the time that th than one description

dy or training of any description employee's effectiveness in the e of the employer's business. dy or training that can be applied application can relate to more

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4. Procedure

- 4.1 A request to train can include the informatio [Policy](#). As such it ma with a template to en information. Please

ritten form. It must, however, 4.1 of the [Time off for Training Policy](#) to provide their employees receives all the necessary [For Training Request Letter](#).

- 4.2 Where the approval c and conditions, the n conditions of employ

involves changing their terms ng changes to terms and

- 4.3 The employee has th employer wants to di address the meeting may not answer ques unable to attend, the time that is convenie seven days of the ori where it does not allo two weeks pay can b tribunal.

ed to any meetings where the off to train. The companion can employee during the meeting but employee. If the companion is the meeting is rearranged for a his should take place within . The employer should note that accompanied, an award of up to tter go to an employment

- 4.4 The employer can or more of the following

for time off for training on one or

- 4.4.1 The proposed effectiveness Company's b

not improve the employee's ess or the performance of the

- 4.4.2 The burden o

- 4.4.3 Detrimental e

ustomer demand;

- 4.4.4 Inability to re-

isting staff;

- 4.4.5 Inability to rec

- 4.4.6 Detrimental in

- 4.4.7 Detrimental in

- 4.4.8 Insufficiency c or study; or

s the employee proposes to train

- 4.4.9 Planned struc

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5. Payment

- 5.1 The employee does not receive pay for time taken off for training or the costs of the training. The employer must have regard to the national minimum wage regulations. This is because there are different rules as to how training is treated as working time for these purposes.
- 5.2 Although the employer is not obliged to pay for training, the employer may choose to do so, especially to increase the effectiveness of the employer's business.

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6. Internal Appeal

- 6.1 The employee has a right to appeal the employer's decision should the employee be dissatisfied with their request for time off to train. In such situations the employer should provide the employee with an explanation. For example, the employer should have to explain why a particular business reason applies (see the example above).
- 6.2 There are no restrictions on an employee's internal appeal, and the employer must receive the employee's appeal notice. See [Time Off for Training](#) for the correct procedure.
- 6.3 The employee may appeal their appeal meeting which change the basis of the appeal. For example, where the employer rejected the appeal but the employee has not been able to find other member of staff to cover their hours; the employer should consider its initial decision.
- 6.4 Where an employee appeals the outcome of an appeal, the employer should aim to resolve the appeal informally. Where this does not work, the employee should follow the company's grievance procedure.

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7. External Appeal

- 7.1 Where there is an appeal against the rejection of a request for time off for training the employee should consider using an external third party mediator. This will result in the matter eventually ending up as a tribunal claim.
- 7.2 Where it becomes apparent that the employee is about to take their complaint to an employment tribunal, the employer should consider the ACAS pre-claim conciliation service which provides mediation. At least one attempt should demonstrate that the employer has been actively trying to resolve the issue if the matter is considered by an employment tribunal.
- 7.3 An employee cannot bring a claim to an employment tribunal unless one of the following applies:
 - 7.3.1 The employee's request was based on an incorrect interpretation of the law and the appeal meeting did not satisfactorily deal with this.
 - 7.3.2 The employer failed to follow the correct procedure.
- 7.4 A complaint that comes to an employment tribunal can encompass more

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than one element. If
of a request and a cl
tribunal may examine

complaint involving the rejection
is discriminatory, the employment
considered.

- 7.5 Should the employee
order the employer to
or alternatively pay the
pay subject to a statu

m, an employment tribunal can
following the correct procedure,
This can be up to eight weeks
ings.

8. **Employee Protection**

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- 8.1 The employer should
and therefore employ
result of a request, m

for training is a statutory right
are treated detrimentally as a
e off for training.

- 8.2 The employer should
not another's as this
such discrimination is
for time off to train ar
the employer is unus
independent legal ad

ots one employee's request and
mination claim. An example of
epts a male employee's request
oyee's request to train. Where
oyee's claim, it should seek

- 8.3 Similarly, the employ
differently. For exam
favourably than a pa

es on different types of contracts
ould not be treated more
is of their employment contracts.

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