

# Scotmid

# COOP

## **RIGHT TO REQUEST TIME OFF FOR TRAINING POLICY**

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The Society is committed to the training and development of its employees whilst managing the operational needs of the business. Employees can request time off to undertake accredited programmes leading to a qualification, or for unaccredited training to help them develop specific skills relevant to their job, workplace or business.

## **Eligibility**

To make a request for time to train an individual must:

- be an employee
- have worked for the Society continuously for at least 26 weeks on the date they make their request

The following groups do not have the right to request time to train:

- agency workers
- members of the armed forces
- young people of compulsory school age (or, in Scotland, school age)
- young people who already have a statutory right to paid time off to undertake study or training (under section 63A of the Employment Rights Act 1996)
- 16 or 17 year olds who are already under a duty to participate in education or training as a result of Part 1 of the Education and Skills Act 2008
- 18 year olds who are treated as if Part 1 of the Education and Skills Act 2008 applies to them

## **Training employees can request as part of time to train**

Employees can make requests to undertake any training which they believe will improve their effectiveness in our business, and the performance of our business.

The training they undertake can include accredited programmes - leading to the award of a recognised qualification - or shorter unaccredited training to help them develop specific skills relevant to their job, workplace or business.

Employees can request training that is delivered in whichever way they believe is most appropriate and effective. For example, they might request training which would be:

- undertaken on Society premises or elsewhere, including at the employee's home
- delivered whilst they are performing their employment duties or separately
- provided or supervised by the Society, a local college or training provider
- undertaken without supervision
- undertaken within or outside the UK

There is no limit on the amount of time or the amount of study or training - that an employee can request. Employees can ask to undertake more than one piece of training in a single request for time to train, e.g. where they would like to improve their literacy and numeracy skills in addition to another piece of training.

### **Payment for time spent training**

Employees will have the right to request that the Society allow them time to undertake training. They **do not** have the right to be paid for the time spent training if the Society agrees to their request. However, in certain circumstances the Society may agree to this, recognising the value of the investment or it may be that the Society agree to their request for time to train, and reach agreement with the employee that they will work flexibly to make up the time spent training, or that they will take unpaid time off to train.

### **Making a Time to Train Request**

The employee must fully complete the attached form clearly stating the following information:-

- the subject matter of the proposed training or study
- where and when the proposed training or study would take place
- who would provide or supervise it
- what qualification it would lead to (if any)
- how the employee thinks the proposed training or study would improve their effectiveness in the Society
- the date of the application
- the date and method - e.g. email or letter - that the employee's last application (if any) was submitted

### **Invalid Time to Train Requests**

If an employee's request is invalid because it does not include all of the necessary information, the Society will notify the employee of this within 28 days informing them of the reason why the application is invalid.

The employee may then revise and resubmit their request with the error corrected. This would then be treated as a new request and which would be considered because the initial request was not a valid one.

### **Frequency of Requests**

Employees can only submit one request in any twelve month period unless the employee has requested that an earlier request is ignored.

## **Withdrawal of a request by an employee**

An employee may decide to withdraw a request at any point before the Society has notified them of their decision. The notification can be orally or in writing. If the Society does not receive written notification from the employee that their request is withdrawn, we will confirm the withdrawal of the application to the employee in writing.

If an employee withdraws a request, it will still count as a request that the Society have received for the purposes of this legislation.

## **Ignoring earlier requests**

There are three circumstances in which the employee, having submitted a further request, may ask the Society to ignore an earlier request submitted within the last 12 months. These are:

- where the employee notifies that they mistakenly submitted an earlier request before 12 months elapsed and they wish to withdraw the earlier application
- where the employee did not undertake training that was agreed following a request because the training was cancelled - unless this was due to their own conduct in relation to the study or training
- where the employee failed to start training that was agreed as part of a request because of some unforeseen circumstance beyond their control

In these circumstances, the Society will ignore the fact that the employee submitted an earlier application, and consider their present request.

## **Timescales for considering time to train requests**

Within 28 days of receiving a valid request the Society will either:

- accept the request on the basis of the information set out in the individual's written request and inform the employee of the decision in writing
- meet with the employee to discuss their request - then within 14 days of that meeting, inform the employee of the decision in writing

If the Line Manager who would normally deal with training requests is absent from work on the day the application is received, the period within which a meeting must be held is automatically extended. A 28 day extension period will begin on the day that Line Manager comes back to work. This automatic extension can last no longer than 28 days.

The timescales for holding meetings and issuing notices of decisions on applications and appeals can be extended by agreement with the individual who has made the request. Such an agreement must be recorded in writing and a copy given to the employee.

The record of agreement to extend these timescales must:

- specify what period the extension relates to
- specify the date on which the extension is to end
- be dated

### **Requesting additional information to consider a request**

The Society if it has received a valid request but need additional information before giving the request proper consideration can ask the employee to provide additional information.

If the employee refuses to provide the additional information needed to consider the request, the Society can treat their request as withdrawn. This will be confirmed to the employee in writing that their request is considered to be withdrawn.

### **Accepting/Refusing a Right to Train Request**

There may be cases where The Society is content to accept in full the employee's proposals for training as set out in their request.

There may also be cases where the Society are content to accept the request, but think the training need can be met in a different way to the request proposal. For example, we may prefer to deliver training in-house rather than using an external training provider, or may be aware of different courses or qualifications that we believe would better meet the training need the employee has highlighted.

In such cases, we will discuss the employee's request with them before reaching a final decision and confirming it, in writing, to the employee.

The Society may only refuse an employee's request for time to train for one of the following business reasons:

- the proposed study or training would not improve the employee's effectiveness in the business
- the proposed study or training would not improve the performance of the business
- the burden of additional costs would be too great
- the proposed study or training would have a detrimental effect on our ability to meet customer demand
- would be unable to reorganise work among existing staff
- would be unable to recruit additional staff
- the proposed study or training would have a detrimental impact on quality
- the proposed study or training would have a detrimental impact on performance
- there would be an insufficiency of work during the periods the employee proposes to work

- there are planned structural changes during the proposed study or training period

### **Meeting an employee to discuss their time to train request**

The employee has a statutory right to be accompanied by a colleague of their choosing who also works for the Society.

The companion can address the meeting and confer with the employee during it, but may not answer questions independently of the employee.

If the companion is unable to attend the meeting, the employee can ask that the meeting is rearranged. The time the employee proposes must be convenient for all attendees, and should take place within seven days of the date originally proposed for the meeting.

### **Employee failure to attend meetings to discuss their request**

If the employee more than once fails to attend a meeting to discuss a request - or a meeting to discuss an appeal - without reasonable cause, the Society will treat the request as withdrawn. This will be confirmed in writing that the application is withdrawn.

### **Notifying an employee that their request has been accepted**

The Society will confirm the details of an agreement to an employee's request in writing, including the following details:

- the subject of the study or training
- where and when it is expected that it will take place, and over what period
- who will provide or supervise the training
- what qualification (if any) the training will lead to the award of
- how the training time will be taken - eg whether it will be paid, unpaid, or whether the employee will work flexibly whilst undertaking the training
- how the costs of the training will be met

### **Notifying the employee that part of their request has been accepted**

An employee might request more than one type of study or training at once. The Society may decide to agree to part of the application and refuse another part. The decision notice must include the information above and make clear which part of the application is agreed and which part is refused.

## **Withdrawal of agreement**

The Society may agree to an employee's request, but unforeseen circumstances may occur or training continues longer than anticipated which may lead to later withdrawing that agreement. In such cases, the Society will agree with the employee the circumstances in which the agreement will be withdraw. This will be confirmed in writing to the employee as part of the written acceptance of their request.

## **Notifying an employee that their request has been rejected**

If the Society decides that it cannot accommodate an employee's request for time to train, the employee will be informed of the decision in writing setting out:

- which of the business reasons were considered for turning down their request
- why the business reason, or reasons, apply in their circumstances
- the appeal procedure
- the date of the notice

## **Appeals process for time to train requests**

An employee can appeal against the decision made. They must make their appeal in writing within 14 days of receiving written notice refusing their request or part of their request.

The appeal notice must be dated and must set out the employee's grounds for making the appeal.

The Society will arrange an appeal meeting to discuss the employee's points within 14 days of the date of receiving the employee's appeal notice.

If it is practical, the appeal will be heard by a different manager to the person who considered their initial request.

The principles on the right to be accompanied, pay for attending the meeting and what happens if the employee fails to attend are the same as for the initial meeting.

## **Notifying an employee of the decision following the appeal meeting**

The Society will inform the employee of the outcome of their appeal in writing within 14 days of the date of the meeting.

The time limit for arranging an appeal meeting or notifying the employee of the decision on the appeal can be extended with the employees consent.

### **Internal grievance procedure**

If the issue is still unresolved, the employee may use the internal grievance procedure.

SCOTMID - Employee Hub



## Application to Request Time off for Training

**This is a request under 'Section 63D of the Employments Rights Act 1996' to request time off for training.**

**I confirm that I have at least 26 weeks continuous service and have not made an application for training time off in the last 12 months.**

Signed \_\_\_\_\_ Dated \_\_\_\_\_

### Personal Details

Name:

Payroll Number

Job Title

Department/Store

Manager

**The training that I would like to undertake is detailed below:-**

Course/Training Subject	
Where/when training held	
Training Start Date	
Training Provider/ Supervisor	
How do I see this training making me more effective at work & improving the performance of the business?	

**On completion of this form return it to the People & Performance Department.  
Your People & Performance Consultant will contact you within 28 days to discuss your request.**