

## **Wiltshire Council Human Resources**

### **Time to Train Policy**

This policy can be made available in other languages and formats such as large print and audio. Please contact the Human Resources Policy and Strategy team for further information.

#### **What is it?**

This policy sets out the legal entitlements of employees to request time off for training. It is envisaged that the majority of requests should continue to be made directly to the line manager through supervision, appraisal or informally particularly if the training requested is internal. In these cases there is no need to use this policy.

This policy is available as an additional route for employee requests. Where an employee wishes to exercise this entitlement requests for time off can be made in relation to:

- accredited programmes leading to a qualification, or
- unaccredited training to help develop a specific skill(s)

Training must be relevant to your job, workplace or the Council.

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#### **Who is covered by this policy?**

This policy applies to all employees of Wiltshire Council who have:

- at least 26 weeks continuous service with Wiltshire Council on the date the request is made and
- not made a request in the last 12 months.

Please note that where time off is agreed under this policy all typed staff on former district council conditions of service should refer to the relevant Training Policy relating to their conditions of service for information on whether time off and expenses for training will be paid or unpaid.

### **What is my entitlement?**

1. You can make a request for time to train which:
  - you believe would improve your effectiveness in the organisation and improve the performance of the organisation.
  - is delivered in the most appropriate way for you e.g. long distance, workplace or college based etc.
  - can cover more than one piece of training in a single request. There is no limit to the amount of time or amount of study or training that you can submit a request for.
  - does not exceed your entitlement to submit only one request in any 12 month period unless you have requested that a previous request is withdrawn or declared invalid.
2. Employees have a right to request time off for study or training only; it is not a right to have the time off.

### **Paid time off for training**

3. Paid time off for training (based on a standard day of up to 7 hours 24 minutes) will be given, in accordance with the current training and development policy where:
  - The Council requires you to attend training necessary for further professional qualification/development, or
  - Where training is undertaken that is not a requirement of your job but is relevant to your job e.g. NVQ's, updating skills, personal development (e.g. confidence and assertiveness skills, workload planning) etc.
4. If you are a part-time employee you will be paid for your normal working hours on that day. If actual working time plus training time, or training time alone extends beyond your normal working day, the extra hours will be paid at plain time rate. Alternatively time off in lieu may be taken up to a maximum of 7 hours 24 minutes.

5. If you work part of a day before your attendance at college, the hours you can claim for that day including your attendance at college should add up to a maximum of 7 hours 24 minutes in total. Any additional hours beyond the standard working day of 7 hours 24 minutes will not be paid for.

### **Unpaid time off for training**

6. For all other time off to train requests which are agreed in line with this policy, time off will be on an unpaid basis or alternatively you may reach an agreement with your manager to work flexibly to make up the time spent training. This applies to requests for time off to train that are not directly relevant to your job but would improve the performance of the organisation.

### **Payment of course fees and other expenses**

7. If you are selected for an external training course, which leads to a recognised qualification you are also entitled to claim other training expenses including course and examination fees as set out in the [training allowances policy](#).

8. For all other time off to train requests, course fees and travel expenses will be payable where the training meets the conditions above for paid time off.

9. Course fees and other expenses will not be paid for unpaid time off for training.

### **What is the procedure for making a request?**

#### **The process**

10. You must apply in writing to your manager using form T2T1 which is provided for this purpose.

11. Your manager may agree your request straight away and if so will confirm this decision in writing within 28 days. However if this is not possible your manager will arrange to meet with you to discuss the request within 28 days of receiving the completed request form. You have the right to be accompanied at this meeting if you wish.

12. At the meeting your manager will discuss your request with you. They may also seek to identify and agree with you:

- alternative ways of meeting your request or different training options if appropriate.
- circumstances under which they might need to withdraw that agreement later.

13. Your manager will notify you of their decision in writing within 14 days of the meeting. If you have made a request for more than one type of training or

study your manager should notify you as to which parts of the request have been accepted or refused. The letter should also confirm any agreements resulting from the meeting.

### **If your request is refused**

14. If your request is refused your manager must set out the grounds for refusal and why they apply in writing.

15. Requests for time to train can only be rejected for one of the following service/business reasons:

- It would not improve the employee's effectiveness in the organisation
- It would not improve the performance of the organisation
- the burden of additional costs
- detrimental effect on customer demand
- Inability to reorganise work among existing staff
- detrimental impact on quality
- detrimental impact on performance
- insufficiency of work during the periods the employee proposes to work
- planned structural changes
- Inability to recruit additional staff

### **Right of Appeal**

16. If your request is refused you have the right to appeal against this decision to your corporate director. If you wish to appeal against the decision you should do so submitting form T2T2 within 14 days of receiving the decision.

17. If your corporate director decides to accept your request they will notify you of their decision and the date the training can start within 14 days of receiving your appeal.

18. If your corporate director does not initially accept the request they must hold an appeal meeting with you within 14 days of receipt of your notice of appeal. You have the right to be accompanied at this meeting if you wish.

19. You will be notified of the outcome of the appeal in writing within 14 days of the date of the appeal meeting. If the request is accepted this will include the details of what has been agreed. If the request is refused you will receive details of the grounds for refusal and why they apply.

### **Right to be accompanied at meetings**

20. You are entitled to be accompanied at meetings under this procedure including any appeal meeting. You may be accompanied by a trade union representative or Wiltshire Council employee if you wish. The companion has

the right to address the meeting and confer with you at the meeting but not to answer questions on your behalf.

21. If your companion is unavailable at the proposed time for the meeting than the meeting must be postponed to a time proposed by you provided that this is convenient to your manager and within 7 days, beginning with the day after the day initially proposed by the manager.

22. The meeting will count as working time and the employee and their companion have the right to be paid while attending the meeting.

### **Invalid requests**

23. If your manager considers that your request is invalid because it does not include all of the necessary information they will notify you of this within 28 days explaining the reasons why they consider it invalid. You will have the opportunity to revise and resubmit the request. This will be treated as a new request.

### **Withdrawing a request**

24. You can withdraw your application for time to train before you are notified of a decision by your manager using form T2T3 – Time to train notice of withdrawal.

25. All requests to withdraw should be followed up in writing by the manager. If you withdraw a request it will still count as a request for the purposes of this policy and you will not be able to apply again within 12 months of this request unless you have asked for a request to be ignored if you are submitting a further request on the basis of:

- you have mistakenly submitted an earlier request before 12 months elapsed and you notify your manager that you wish to withdraw the earlier application
- you did not undertake the training that was agreed following a request because the training was cancelled (for reasons other than your own conduct in relation to the training)
- you failed to start the training that was agreed following a request due to some unforeseen circumstances beyond your control.

### **General Points**

26. Meetings should be arranged at a time and place convenient to both parties.

27. If you fail to attend the initial meeting to discuss your request or the appeal meeting more than once without reasonable cause your manager is

able to treat the request as withdrawn and will notify you of this decision in writing.

28. All time limits can be extended where both parties agree, for instance to explore alternative methods of training. Any extension must be recorded in writing by the manager and copied to the employee and should confirm how long the extension is for and when it will end.

29. If the manager is on holiday or off sick when the application is received time limits will apply from the date of return.

### **What are my responsibilities as line manager?**

30. If an employee submits a request for time to train you should:

- ensure that you follow this policy
- give consideration to requests in a fair and consistent way in line with the business needs of the service and the organisation and in line with equal opportunities.

### **Are there any exemptions to this policy?**

The right to request time to train **does not** legally apply to:

- agency workers
- young people of compulsory school age
- young people who already have a statutory right to paid time off to undertake study or training
- 16 or 17 year olds who are already under a duty to participate in education or training
- 18 year olds who are treated as if Part1 of the Education and Skills Act 2008 applies to them

### **Relevant Policies and Legislation**

This policy arises from the Apprenticeships, Skills, Children and Learning Act 2009 which inserts a new provision into the Employment Rights Act 1996 for time off to study and train.

### **Further advice**

Related policies and documents:

[Wiltshire Council - Training and Development](#)

North Wilts – Summary of key terms and conditions

[North Wilts – Summary of key terms and conditions](#)

[Salisbury District - Training and Development](#)

[Salisbury District – Summary of key terms and conditions](#)

[West Wilts – Training and Development](#)

[West Wilts - Summary of key terms and conditions](#)

[Kennet District Council - Training and Development](#)

[Kennet District Council - Summary of key terms and conditions](#)

For further information please speak to your supervisor, manager, service director or contact a member of your [human resources advisory team](#).

## **FAQs...**

### **Does my manager have to allow me time off for any training under this policy?**

No, this policy gives you the right to request time off for training but not for time off to be automatically given or taken. You will also need to identify how the training or skills would improve your performance in your role or the performance of the organisation.

### **My manager and I have identified that I need to attend a manual handling skill course do I need to make a request under this policy?**

No, if you and your manager have identified a training need and you have been requested to attend the training as part of your job you do not need use this policy. Your manager will make arrangements for you to attend the manual handling skills course in the usual way.

### **I would like to attend a course to improve my English skills as this is not my first language and I feel it will help me in my job. I have seen a course at my local college which is on a day when I normally work, do I need to make a request under this policy?**

If you have identified a training need and a course independently from your manager which you feel would help you in your job or improve the performance of the organisation, you should approach your manager about this in the first instance. This would be either through supervision, appraisal or informally in the usual way, without the need to make a request under this policy. However, if this is not possible or unsuccessful and you meet the qualifying conditions for the policy you can make your request using this policy.

### **Does this policy apply to me as I am on a former West Wiltshire District Council contract?**

Yes, this policy does apply to you as you are now a Wiltshire Council employee and this is a new policy. However, if you are still on the terms and conditions relating to your former employment with West Wiltshire District

Council you will need to refer to the West Wiltshire District Council Training Policy documents for further information on training allowances if your request is approved. Training allowances are due to be considered as part of harmonisation.

**How will my manager decide whether my time off to train will be on a paid or unpaid basis or whether I will have my course fees paid and travel expenses in respect of the training I have requested?**

If your manager has agreed your request they will need to refer to the training policy relevant to your conditions of service which will set out the conditions relating to whether your time off to train will be paid or unpaid and whether course fees and other expenses are also covered. If you are on Wiltshire conditions of service time off, course fees and travelling will be paid as long as the training is relevant to your job. All other requests for time off which are approved but do not meet the criteria for paid time off for training will be on an unpaid basis.

**I would like to undertake some training which is not relevant to my current job but which I feel would help me to change direction in my career. Is it possible to request time off in these circumstances?**

It is possible to make a request for training that is not necessarily relevant to your current job, but to be considered under this policy you would need to set out in your application how you think the proposed training would improve your effectiveness in working for Wiltshire Council and how it would improve the performance of the organisation. It would be for your manager to decide whether they could support the training in these circumstances taking in to account issues such as the relevance of the skills you seek to acquire to the organisation, the potential to improve the organisations performance, whether the skills are shortage skills etc plus issues relating to impact on workloads, team and the service.

**I have seen some training which I would like to undertake but I have already made a request for training under the time to train policy in the last 12 months. Am I able to make a further request?**

You are only entitled to make one request for time to train in a 12 month period under the legal right to request training set out in the time to train policy. However you are able to request additional training outside of this policy in the usual way through your line manager.

**As a manager I have a member of staff who would like to undertake some training which they feel would support them at work with their disability. Is there any further guidance relating to this?**



Yes, information is available in manager's toolkit and guide to disability in relation to reasonable adjustments and you may also wish to discuss this further with your HR Advisor or the HR Equality and Diversity Partner.

**Manager's Toolkit**

Contains further advice for managers and template letters

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