

STATUTORY REQUESTS FOR TIME OFF FOR STUDY AND TRAINING POLICY AND PROCEDURE

1. INTRODUCTION

1.1. Purpose

1.1.1. The University is fully committed to staff training and development, recognising that affording staff the opportunity to undertake study or training will benefit both the member of staff and the University.

1.2. Scope

1.2.1. This Policy and Procedure applies to circumstances in which staff present a request for time off for study and training in accordance with the statutory procedure applicable from 1st April 2010. It is not intended to address study and training requests from staff that fall outside the statutory framework. Staff and managers may continue to address training and development needs without this Policy, where appropriate.

1.2.2. The University is committed to ensuring that the effect and application of this procedure accords to the commitments set out in its Equality and Diversity Strategy and will monitor this as appropriate.

2. POLICY

2.1. Eligibility

2.1.1. The law grants staff who have a minimum of 26 weeks' continuous service the right to request time off for study or training and to have their request considered by their employer.

2.2. Submitting a Request

2.2.1. Eligible staff may submit a request to undertake 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 business.

2.2.2. Requests can be made either to undertake an accredited programme leading to the award of a recognised qualification, or for unaccredited training that will help the member of staff to develop specific skills relevant to their 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 member of staff's employment within the University.

2.2.3. The request must be in writing (emailed requests are acceptable) and requests may not be submitted more than once every 12 months. The Statutory Request for Study or Training Form can be used to submit the request. The statutory process specifies that certain details should be included in the request (see box below).

2.3. Consideration of the Request for time for Study or Training

2.3.1. Where a valid request for time off for study or training has been submitted, the member of staff's line manager will arrange a meeting with them to discuss the request as soon as practicable. The meeting will normally take place no later than 28 days after the date on which the request was submitted. The member of staff may be accompanied by a University employed colleague or Trade Union Representative. The purpose of the meeting will be to discuss the request, its appropriateness to the member of staff's job and the needs of the business and any possible alternative arrangements that might meet the member of staff's training needs. A decision will be given to the member of staff in writing within 14 days of the meeting. If the member of staff's line manager is able to agree the request without the need for a meeting, the manager will inform the member of staff, in writing, within 28 days of receiving the request.

2.3.2. If the member of staff fails on more than one occasion (without good reason) to attend a meeting arranged to discuss their request for time off for study or training, the University has the right to treat the request as withdrawn. In these circumstances, the University will write to the member of staff to confirm this.

2.3.3. The University will endeavour, wherever possible, to accommodate a member of staff's request for time off for study or training, provided that the needs of the business are not likely to be adversely affected as a result of the member of staff taking time off work.

2.3.4. Each request will be dealt with individually, taking into account the amount of time off requested by the member of staff and any likely effects of granting the time off, e.g. any effects on the member of staff's work, or on their colleagues. Agreeing to one member of staff's request will not set a precedent or create a right for another member of staff to be granted time off work for study or training purposes.

2.3.5. Although the University encourages all staff to undertake courses of study or training that are relevant to their employment, there may be occasions when agreeing to the time off that a member of staff has requested is not possible or practicable from a business perspective. In these circumstances, and where it is appropriate, the member of staff's manager will discuss possible alternative arrangements with the member of staff with a view to seeking a compromise arrangement that suits both parties. There are, however, circumstances in which the University may have to refuse a request; these include where:

- a)** the proposed study or training would not improve the member of staff's effectiveness at work, or the performance of the business itself;
- b)** the cost to the business of granting the time off would be too great;

- c) granting time off would have a detrimental effect on the University's ability to meet customer demand;
- d) the University would be unable to satisfactorily cover the member of staff's absences;
- e) there would be a detrimental impact on quality or performance; or
- f) there are planned structural changes in the University during the proposed study or training period.

2.3.6. Whilst the University is not obliged by law to pay a member of staff for any time off granted for study or training, the manager will consider whether it is appropriate to pay the member of staff their normal wage/salary during some or all of the time off for study or training granted under this policy.

2.4. Appealing the decision

2.4.1. If a member of staff's request for time off for study or training is refused, they will be informed of the business reason(s) for the decision and why the specified reasons(s) apply in the particular circumstances. The member of staff will also be informed of their right to appeal against this decision and the person to whom the appeal should be addressed (this will be a more senior manager who was not involved in the decision to refuse the request). Any appeal should be submitted within 14 days of the decision to refuse the request. The appeal notice must be in writing (or email) and must include the grounds on which the member of staff wishes to base the appeal.

2.5. Additional Information

2.5.1. The University and the member of staff may, if they wish, agree to extend any of the time periods specified above. In this case, the University will record the agreement in writing and send a copy to the member of staff.

2.5.2. This Policy and Procedure is not contractual and is not intended to be incorporated into individual terms and conditions of employment. It may be subject to review, amendment or withdrawal.

2.5.3. Further guidance on the application of this Policy is available from Human Resources.

3. ROLES AND RESPONSIBILITIES

3.1. Staff Responsibility under the Statutory Procedure

3.1.1. For a request for time off for study or training to be valid, it must be in writing (email is acceptable) and must stipulate:

- a) that it is an "application under Section 63D of the Employment Rights Act 1996";
- b) the date of the application;

- c) whether or not the member of staff has made a previous application for time off for study or training, and if so when and how the last application was submitted;
- d) the subject matter of the proposed study or training;
- e) where and when the proposed study or training would take place;
- f) who (if anyone) would provide or supervise the study or training;
- g) what qualification (if any) the study or training would lead to; and
- h) how the member of staff thinks the proposed study or training would improve their effectiveness in the business and the performance of the business.

3.2 Managers Responsibilities

3.2.1 To provide appropriate support to members of their team who are requesting training

3.2.2 To ensure that any requests are managed in accordance with the procedure.

4. RELATED POLICIES AND PROCEDURES

- Equality and Diversity Strategy

5. REVIEW, APPROVAL & PUBLICATION

5.1. As a general principle, the Procedure will be reviewed by the HR Department, in consultation with recognised Trade Unions, after three years or where operational and/or legislative requirements change. Any revisions will be approved in accordance with UEC and Council procedures, where applicable.

6. DOCUMENT CONTROL INFORMATION

Document Name	Statutory Requests for Time off for Study and Training Policy and Procedure
Owner	Chief People Officer, Human Resources
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<i>For Office Use – Keywords for search function</i>	