

Time for Training Guidance

On receipt of a Time to Train request please contact your HR Adviser who will provide advice and guidance to you. Please also refer to the [flowchart](#).

- 2.6 It may be that you 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.

2. Information employees must include in a time to train request

- 3.1 In order for a request for time to train to be a valid request, covered by the lege

withdraws a request, it will still count as a request that you have received for the purposes of this legislation.

Ignoring earlier requests

- 4.4 There are three circumstances in which the employee, having submitted a further request, may ask you to ignore an earlier request submitted within the last 12 months. These are:
- where the employee notifies you 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
- 4.5 In these circumstances, you must ignore the fact that the employee submitted an earlier application, and consider their present request.

4. Timescales for considering time to train requests

- 5.1 Within 28 days of receiving a valid request you must either:
- accept the request on the basis of the information set out in the individual's written request and inform the employee of your decision in writing
 - meet with the employee to discuss their request - then within 14 days of that meeting, you must inform the employee of your decision in writing
- 5.2 If the Head of School, Professional Services Manager (or nominee) 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 person comes back to work. This automatic extension can last no longer than 28 days.
- 5.3 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.

- 5.6 If the employee refuses to provide you with additional information you need to consider the request, you can treat their request as withdrawn. To do this, you must inform the individual in writing that you consider their request to be withdrawn.

5. Considering whether to accept or reject a time to train request

- 6.1 There may be cases where you are content to accept in full the employee's proposals for training as set out in their request.
- 6.2 There may also be cases where you are content to accept the request, but think the training need can be met in a different way to the request proposal. For example, you may prefer to deliver training in-house rather than using an external training provider, or you may be aware of different courses or qualifications that you believe would better meet the training need the employee has highlighted.
- 6.3 In such cases, you will need to discuss the employee's request with them before reaching your final decision and confirming it, in writing, to the employee.
- 6.4 Once the training method has been agreed you will need to consider how the costs of the training will be met. You do not have to pay for training, but you may choose to do so.
- 6.5 You 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
 - the proposed study or training would not improve the performance of the school, service or University
 - the burden of additional costs
 - agreeing to the request would have a detrimental effect on your ability to meet customer demand
 - you would be unable to reorganise work among existing staff
 - you would be unable to recruit additional staff
 - agreeing to the request would have a detrimental impact on quality

- 6.8 The companion can address the meeting and confer with the employee during it, but may not answer questions independently of the employee.
- 6.9 If the companion is unable to attend the meeting, the employee can ask that you rearrange the meeting. 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.
- 6.10 You must pay the employee and their companion for the time taken away from their normal working duties to attend the meeting.

Employee failure to attend meetings to discuss their request

- 6.11 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, you can treat the request as withdrawn. You should confirm in writing that the application is withdrawn.

6. Communicating decisions on time to train requests

- 7.1 Once you have considered your employee's request for time to train and reached a final decision, you will need to confirm that decision to the employee in writing.

Notifying an employee that you have accepted their request

- 7.2 You must confirm the details of your agreement to an employee's request in writing. Your HR Adviser will draft the leTT4

- 8.7 If it is practical, the appeal should be heard by a different manager to the person who considered their initial request.
- 8.8 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 your decision following the appeal meeting

- 8.9 You must inform the employee of the outcome of their appeal in writing within 14 days of the date of the meeting.
- 8.10 If your decision is still to refuse the request, you must send the employee a dated, written notification including:
- the grounds for your decision
 - why the grounds apply in their circumstances
- 8.11 The time limit for arranging an appeal meeting or notifying the employee of your decision on the appeal can be extended with the employees consent.

9. Dealing with unresolved time to train requests

- 9.1 There may be occasions where an employee is not satisfied with the way that you have dealt with their application, even after an internal appeal.

Informal resolution

- 9.2 You should first try to resolve any problems informally. For example, if a manager misses a deadline to respond to an employee's request, you should tell them to deal with the application as quickly as possible to discourage the employee from taking more formal action.
- 9.3 If you cannot resolve the issue internally, you could try using an external third-party mediator or conciliator.

Internal grievance procedure

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

Tribunal claims

- 9.5 If all other methods have failed, the employee may feel that a complaint to an employment tribunal is necessary.
- 9.6 Acas may be able to offer its pre-claim conciliation service if you believe the employee is about to make a complaint to an employment tribunal.
- 9.7 An employee may only make a complaint to an employment tribunal where either:
- your decision to reject an application was based on incorrect facts (although this issue should first be covered in the appeal meeting)

- you didn't follow the correct procedure, eg you didn't hold the meeting to discuss

- 10.5 In some circumstances, rejecting an employee's request for time to train could open up the possibility of a claim for discrimination on grounds of sex, race, religion or belief, sexual orientation, disability or age.

Less favourable treatment of part-time workers and employees on fixed-term contracts

- 10.6 You must not treat a part-time worker or an employee on a fixed-term contract less favourably than a comparable full-time worker or permanent employee - unless that treatment is justified by objective business grounds.