

Learning and Development Policy

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Governance Committee		Date approved	
Review date			

Strategic Alignment

Improving the Council's Resource Base – A Workforce Strategy that is built around the needs of the Council (as a single resource base) to deliver the priority outcomes, ensuring future workforce requirements, new skills and innovative approaches, and succession planning are recognised.

Consultation process		
Stakeholders	Contacts identified for each service	
	<i>Joint Trade Unions</i>	
Distribution		

Change record

Date	<i>28/02/2019</i>	Author	<i>Employee Relations Team, EmployeeRelationsTeam@northlan.gov.uk</i>
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Contents

1. Policy Statement
2. Policy Objectives
3. Learning and Development Priorities
4. Responsibility for Learning and Development
5. Right to Request "Time to Train"
6. The Council's Commitment to Learning and Development
7. Resource Considerations
8. Monitoring and Evaluation of Learning and Development
9. Grievances
10. Review of Learning and Development Policy

Appendix 1 – Sample Letter to Request "Time to Train"

Appendix 2 – Professional and Vocational Training Agreement/Letter of Undertaking

1. Policy Statement

- 1.1 This policy supports the actions and priorities outlined in the Council's Learning and Development Strategy and the Council's commitment to equality of opportunity in employment.

As the Council continues to adapt to meet future changes, our strategic priorities can only be achieved with staff that are flexible and recognise the importance of being committed to developing their skills further. The learning and development activities provided by the Council aim to help make this possible.

- 1.2 This policy applies to all employees, excluding teachers for whom separate arrangements exist.

2. Policy Objectives

In line with the Council's commitment to Investors in People, the objectives of the Learning and Development Policy are to:

- ensure that the Council has sufficient trained, qualified, experienced and flexible employees to support its service needs and to ensure its continuing effectiveness in providing services, achieving accreditation for service delivery and meeting legislative requirements;
- support the Council's Performance Review and Development framework to enable employees to perform their current jobs effectively and to acquire the necessary, new skills to meet future challenges;
- provide opportunities for employees to develop their potential, consistent with their needs and those of the Council;
- ensure there is equality of opportunity for employees to access formal and informal learning and development activities;
- support employees to meet their learning and development needs in an efficient and cost effective way.

3. Learning and Development Priorities

The Council's HR Strategy and Learning and Development Strategy provide the drivers for prioritising the learning and development activities which contribute to the Council's overall aims and objectives, and must be taken into account by Assistant Chief Executives when determining their own Service learning and development priorities.

4. Responsibility for Learning and Development

4.1 Employees

Every employee is responsible for taking ownership of their own learning and development, with support from their manager/supervisor, to ensure they can perform their role effectively.

To ensure individual and organisational performance is maximised, employees must:

- participate fully in the Council's Performance Review and Development process, and work with their Line Manager to identify their learning and development needs;
- undertake identified learning and development activities that are essential for their job;
- co-operate in any evaluation of learning and development.

4.2 Line Managers/Supervisors

Line Managers/Supervisors have a key role in achieving the Council's objectives by taking steps to maximise the performance of their employees.

Specifically, they will:

- ensure that all new employees, or those transferring from another Service/Division, undertake relevant induction activities;
- regularly discuss job performance with employees, and ensure that they make effective use of the Council's Performance Review and Development

system, focusing on strengths and areas for development to identify appropriate learning and development activities to improve their overall effectiveness;

- consult with the Policy and Training team and/or Service training team, as necessary, to obtain advice and guidance on the most appropriate methods of achieving identified learning and development needs either for individual employees or groups where similar development needs have been identified;
- discuss the objectives and desired outcomes of learning and development activities with employees prior to attendance, and ensure they are aware of the conditions of the Council's Learning and Development Policy;
- release employees to take part in learning and development activities in line with agreed learning priorities;
- consider the most appropriate and cost effective way of meeting development needs, making full use of resources already available within the Council, such as e-learning and on-the-job training;
- conduct post-development discussions with employees to establish the value/quality of the learning and development activity, discuss whether the desired outcomes have been achieved and how the learning will be consolidated and applied in the workplace.

4.3 **Human Resources and Learning and Development Teams**

Human Resources/Learning and Development Teams will:

- promote the sharing of learning and development resources to ensure a best value approach;
- co-ordinate, and facilitate the delivery of, appropriate learning and development solutions to meet Service and Council-wide needs.

5. Right to Request “Time to Train”

5.1 Background

In addition to the right of employees to request training as set out in this policy, employees have a statutory right to request time off for training under the Apprenticeships, Skills, Children and Learning Act 2009.

Employees do not have to use this right for every training request. Requests for training should be discussed with the line manager in the first instance.

The Performance Review & Development (PRD) process offers an opportunity to have this discussion, although training needs can be raised at any time throughout the year. It is anticipated that this approach will resolve the majority of requests without the need for a statutory request.

5.2 Eligibility

To make a statutory request for “time to train” individuals must:

- Be an employee.
- Have worked for the Council continuously for at least 26 weeks before the application is submitted.

Employees can make only one statutory time to train request in a rolling twelve month period and formal “time to train” requests must be submitted in writing to the line manager. A sample letter is held in Appendix 1.

5.3 Paying for the Training

The Council is not obliged to meet the costs of the training. When a request is discussed with the line manager, the employee should make it clear if they are also looking for the Council to provide financial support.

5.4 Time Periods for Considering a “Time to Train” Request

Within 28 days of receiving a request, the line manager must either:

- accept it, based on the information received, and give their decision in writing, or

- arrange a meeting to discuss it with the employee and within 14 days of that meeting inform the employee of their decision.

If the person who would normally consider the request is unavailable because of annual leave or illness, this time period can be extended. The 28 days starts either on the day the person returns to work or 28 days after the request is received, if the person is still unavailable at that point.

5.5 **Bringing a representative to the meeting**

The employee is entitled to be accompanied at any meeting held to discuss the training request by a work colleague or trade union representative.

5.6 **Making an Appeal**

If an employee makes a request for training under their legal right and the line manager refuses it, the employee is entitled to appeal this decision.

If an employee decides to appeal, it must be done within 14 days of the line manager's decision and should be submitted to the line manager's manager. The letter must be dated and set out why the employee is appealing the decision.

5.7 **Appeal Meeting**

The manager considering the appeal must arrange a meeting to discuss the appeal within 14 days of the date the employee sent the appeal letter. Following the meeting, the manager must give their decision on the appeal in writing within 14 days.

If an employee is unhappy with the outcome of the appeal, the next step is to raise a grievance against the Council. This should be done in accordance with the Council's Grievance Procedure.

6. **The Council's Commitment to Learning and Development**

6.1 **General Rules**

Resources to attend day/block release courses, full-time courses, evening classes or distance learning courses leading to a relevant

qualification may be granted where it would be in the interests of the Council and the individual employee.

- 6.1.1 The Council will normally only grant resources or financial assistance for a course of study leading to the attainment of a second professional or vocational qualification, in circumstances where it is deemed necessary to meet work requirements and appropriate budgetary provision is available.
- 6.1.2 An employee who is undertaking an authorised course of studies and who is appointed to a different post within the Council will normally be allowed to complete the course of studies authorised in that academic year. Any further resources granted subsequently will be subject to the Assistant Chief Executive's approval, on the basis that the qualification is still relevant to the Service and the new responsibilities of the individual.

6.2 **Qualifications and Job Related Training Courses**

Attendance at a relevant part-time course of study, or short external course, seminar, or other similar job related training course may be approved by the relevant Assistant Chief Executive, or nominated senior officer, provided that:

- the proposed course is relevant to the work of the Service and the employee's present post, or, where applicable, planned future position in the Council.
- appropriate budgetary provision has been made for the course.

Application for release to attend these types of courses, with or without pay, should be considered, following consultation with the Head of Business, Organisational & People Solutions or the relevant Assistant Chief Executive.

6.3 **Additional Rules for Specific Types of Study**

- Day or Block Release Courses: If operational conditions within a Service permit, time off to attend with pay, may be granted to employees who wish to commence an authorised course of study leading to an approved qualification.

- Full-Time Release Courses: Employees may be granted leave of absence, with or without pay, to attend a full-time course of study. The circumstances of each case will determine whether approval can be granted, and, if so, the level of support.
- Evening Classes: Employees may be granted financial assistance to attend an approved course of study by means of evening class.
- Distance Learning Courses: An employee may be granted resources to undertake a relevant course of study by distance learning (for example, online courses, Open University).

6.4 **Trainees**

At all times, the Council will facilitate the training of those employees who occupy designated trainee posts, in accordance with the conditions of their contracts of employment.

6.5 **Overseas Events**

Requests for attendance at events, conferences etc. which are held overseas will be subject to agreement by the Chief Executive.

6.6 **Time off for Trade Union Training**

In line with the Council's Time Off for Trade Union Duties Policy, an official of a trade union recognised by the council is entitled to have time off to undergo training in aspects of duties where such training is approved by the TUC or the officials own union.

Such training must be relevant to the carrying out of the officer's particular duties. The Council will treat such training courses as time off with pay. Time off will be granted subject to the exigencies of the Service.

7. Resource Considerations

The responsibility, accountability and authorisation of learning and development expenditure lie with Assistant Chief Executives. Training budgets should be fully reflected within Service Revenue Budgets.

7.1 **Reduction in Financial Assistance**

Where an employee receives financial assistance towards the cost of a course from any other body, the assistance given by the Council will be reduced accordingly.

7.2 **Conditions to be met to Continue Receiving Financial Resources**

The continuance of the resources outlined below will be subject to satisfactory progress being made throughout the course, for example meeting attendance rules or completion of assignments and coursework by agreed deadlines. Employees and their Line Manager should discuss and agree expected progress prior to commencing any course of study.

7.3 **Excess Travelling Expenses**

- The Council will pay to employees, actual excess travelling expenses incurred in attending an authorised course. Excess expenses are defined as being the difference between the actual cost incurred in travelling from the employee's home to the place of study and the normal cost of travel from home to place of work (one return journey), based on the public transport costs of both journeys.
- Authorised car users, who are authorised to use their cars to attend training courses, may claim actual excess expenses incurred. Employees with access to pool cars should seek authorisation to use their own car from their manager, otherwise claims should be based on the cost of public transport rates.
- Unsatisfactory attendance, or where the employee did not sit the required examinations without a satisfactory explanation, will result in the non-payment of claims, or recovery of expenses already paid.

7.4 **External Learning and Development Activities**

- Course Fees - The Council will pay in full the fee for an authorised external training event.
- Travelling Resources, Personal Expenses and Subsistence Allowances - Expenses incurred in attending an authorised course

will be reimbursed in accordance with the Council's Conditions of Service.

- Residential Accommodation – where this is required and the cost is not included as part of the course fee, the Council will arrange payment in accordance with the Conditions of Service. The cost of travelling home at weekends will be met by the Council where a residential course is of more than one week's duration and where the weekend does not form part of the course.

7.5 **Professional, Vocational Training and Qualifications Training**

The conditions governing the granting of financial assistance and other resources for professional, vocational and qualifications training are detailed below. These conditions do not apply to employees who have been granted full time release resources unless specified and their conditions will be determined on the basis of individual circumstances.

7.6 **Qualification Agreements and Written Undertakings**

The following conditions apply to employees who have been authorised to study for an approved course on a block/day/full-time paid release basis, by evening class, distance or open learning or undertaking a vocational qualification:

- All employees who have been granted resources for professional and vocational courses of study will be required to sign a Letter of Undertaking prior to commencing their studies. A copy of the signed undertaking must be given to the employee by their relevant Service. Before signing the undertaking, the employee will be advised of the estimated cost of the proposed course of study and this cost will be included within the Letter of Undertaking.
- This undertaking will require the employee to agree to remain and continue in the service of the Council for a period of 2 years, following the completion of the course. The employee will be required to repay to the Council any financial assistance given, during the study period or before the expiry of the 2 year period, should they:
 - voluntarily leave the service of the Council;
 - be dismissed from the service of the Council for reasons of discipline or misconduct;
 - voluntarily terminate the studies before completing the course;

- fail to make a satisfactory number of attendances while on the course;
- not attempt to complete the work of the course to a satisfactory standard;
- fail to make satisfactory progress as determined by the service provider in conjunction with employing Service.

A sample qualifications agreement and letter of undertaking is available at Appendix 2.

7.7 **Course Fees and Examination Fees**

Subject to the agreement of the Head of Service the Council will pay in full the prescribed course fee/matriculation fee and examination fees for an authorised course of study leading to a qualification recognised by the Council. This will not apply to subscriptions or any other fees payable to any professional body even when such a payment is a prerequisite to undertaking a course of study.

Payment of fees will be made only in respect of a course of study undertaken while in the service of the Council.

An employee joining the service of the Council while attending a course of study for which the fees have been paid may be allowed to continue such studies but no reimbursement of paid fees will be made.

An employee leaving the service of the Council in the course of an authorised course of study will be required to reimburse any fees in accordance with the written undertaking. Payment of re-sit examination fees is the responsibility of the employee.

Payment of fees is administered by the Service concerned, within the timescale detailed by the training provider, utilising the relevant training budget.

7.8 **Prescribed Text Books and Thesis**

The onus is on the employee to make use of text books and/or other training materials currently available within the Council or educational establishment. Full use should be made of municipal and college libraries, professional institutes etc, as well as Service reference libraries.

Where a further qualification entails the production of a thesis, assistance may be given to the employee to produce this in-house, where operational circumstances allow.

7.9 **Study for Examinations**

Subject to operational conditions within the Service, leave of absence with pay may be granted for the purpose of final revision prior to sitting a formal examination (not a class examination). The study leave permitted is:

1-2 exams	1 days paid study leave
3-4 exams	2 days paid study leave
5 exams or more	3 days paid study leave

One half day of paid leave may be granted to accommodate the completion of essential assignments or portfolio building.

Where appropriate, time and resources for study during working hours should be made available within the Service as an alternative to granting leave of absence.

7.10 **Examination Leave**

Leave of absence with pay may be granted to employees to enable them to sit authorised examinations during normal working hours. All requests for examination leave must be approved in advance by the employee's line manager.

7.11 **Open University/Summer School**

Employees who are required to attend Summer School as part of an approved course of study may be granted paid leave of absence. This decision should be made by the appropriate manager within the relevant Service.

7.12 **Attendance at Professional or Vocational Training During a Public Holiday or Non-Working Day**

If an employee attends day release classes to which there is already a commitment on a day which is designated a general or public holiday (as agreed in the relevant Collective Agreement), this will not be considered to be 'work on a public holiday' and consequently no enhanced payment will be made. However, the employee will be entitled to have a full day or half day, as appropriate, in lieu, subject to the exigencies of the Service.

Where an employee is required to attend learning and development events on a day their shift pattern or rota has designated as a day off they should discuss the options available for this with their manager prior to attending.

7.13 **Recovery of Financial Assistance**

Except where an apprenticeship or trainee agreement and the contract of employment otherwise specify, the amount to be recovered shall be the financial assistance paid by the Council, as specified in the Qualification Agreement and Letter of Undertaking (see paragraph 7.6), or such proportion thereof as may be determined by the Council, in connection with the course of studies, calculated to include:

- The course fees for the course of studies.
- All examination fees.
- Any grant made by the Council towards the cost of preparing a thesis.
- Actual excess travelling expenses already reimbursed.
- Any other grant made by the Council in relation to the course of studies.
- Any expenses incurred by the Council in recovery of financial assistance.

Employees who leave the service of the Council undertake to refund all or part of the financial assistance given, on the basis that the sum to be refunded will be reduced by $1/24^{\text{th}}$ for each complete month from the date of completion of course until the leaving date.

For example: If the total financial assistance is £1800, and an employee resigns 18 months from the date of completing the qualification, then the amount to be recovered will be £1800 – ((£1800/24) x18) or £1800 - £1350 = £450

8. Monitoring and Evaluation of Learning and Development

8.1 Monitoring

Suitable assessment procedures must be followed to monitor the effectiveness of learning and development activities to ensure these continue to meet Corporate, Service and individual needs. Information about Service learning and development activities is also required to provide an overview of the operation of the Policy and to allow preparation of accurate learning and development data.

The Policy and Training team will be responsible for updating employee training records for all structured learning and development which is delivered or organised by them. Services will be responsible for updating and maintaining employee training records for all learning and development activities delivered or arranged by their employing Service.

8.2 Specific Monitoring Activities

- Learning and Development Statistics - Details of all learning and development events, whether internal or external, organised and run by Services should be entered on the Council's Learning Management System by the relevant Service. This system will provide statistical data on the learning and development events undertaken and of the number of employees who attended such courses. The statistics will be used for corporate monitoring and reporting purposes.
- Termination of Professional and Vocational Training - When an employee, who has been authorised to attend an approved course of studies, terminates the course or leaves the service of the Council, Services should take any action that may be required to comply with the conditions of the Written Undertaking signed by the employee.
- Monitoring Progress - Services will monitor individual progress on professional and vocational education courses and, where it is identified that employees may be abusing the resources granted to them under this policy, should investigate and take appropriate action.

8.3 Evaluation

Evaluation is an integral part of any learning and development activity and managers need to understand the importance of their role in pre- and post-course activities.

To assist services evaluate and maximise the impact of any learning and development activities provided, the Policy and Training team will:

- provide standardised course evaluation forms for internal and external courses/seminars delivered or arranged by them;
- collate and analyse feedback on the effectiveness of completed learning and development activities in the workplace;
- provide pre- and post-course discussion guidelines.

9. Grievances

An employee may refer questions of interpretation or problems related to the provisions or to the application of this policy, in the first instance, to their immediate supervising officer. If this procedure fails to produce a satisfactory result to the employee concerned, recourse may then be made to the Council's Grievance Procedures.

10. Review of Learning and Development Policy

Human Resources will review this policy periodically in the light of organisational developments and future changes to the Council's service and employee requirements. Any changes which may be required to the Policy will be introduced in accordance with the appropriate employee consultative procedures.

Appendix One – Sample Letter to Request “Time to Train”

Dear [manager’s name]

I would like to apply under section 63D of the Employment Rights Act 1996 for time to undertake study or training (time to train).

I would like to carry out study or training on [please provide the following information]:

- the subject of the training or study you would like to do
- where and when the training or study would take place
- who will provide or supervise it (eg study at home, in a college etc)
- what qualifications (if any) it will lead to

I believe this training will make me more effective at work and improve my performance in the organisation because [include information about how the training will help make you better in your job, as well as how it will benefit your employer – your employer will assess your application based on business reasons for their company, so it is important that you include as much information and explanation as possible].

[include the statement below that applies to you and delete the rest]

[a] I will meet the costs of the training myself.

[b] I would like to discuss with you how to meet the training costs. [include any details you have about how much the training might cost and how you would like the costs to be met]

[c] The training is free of charge.

I have been an employee of the organisation for at least 26 weeks. I have not made a time to train request during the past 12 months.

Yours sincerely,

Name:

Job Title: Date:

Letter Reference: TD1



Appendix Two – Professional and Vocational Training Agreement

NORTH LANARKSHIRE COUNCIL

Professional And Vocational Training Agreement - Section 1

Application for Release and/or Financial Assistance

Name	
Employee Number	
Service/Division	
Job Title and Grade	
Email address	
Present Qualifications	

Proposed Course of Study

Course Title	Method & Place of Study (Including Duration)	Qualification	Date Due to Commence	Full Tuition and Exam Costs	Estimate of Other Costs (please detail)

Detail of Any Previous Council Sponsored Study

Dates	Course & Stage of Progress	Method & Place of Study	Result

Having discussed with the above Officer the relevance of the proposed course of study to their job requirements, and the way in which the course will meet their identified training and development needs, I hereby support this application and the request for release and/or financial assistance as detailed above.

Signature _____ Date _____
Manager

Line

Authorisation : I confirm that I have reviewed this application for the above Officer to participate in the course of study specified, and I recommend the granting of facilities as detailed above.

Signature: _____ Date _____

Assistant Chief Executive/Head Of Service

15

Cost Code:

On Completion: Original Copy retained in Personnel File (HR Division)

NORTH LANARKSHIRE COUNCIL

Professional and Vocational Training Agreement -

Section 2: Letter Of Undertaking

Name:	
Service/Division:	
Course of Study:	

This agreement applies to all staff who receive time off work and/or financial assistance in order to undertake recognised qualifications training while in the service of North Lanarkshire Council.

Staff wishing to undertake training leading to a recognised qualification, and who have received written approval of the Head of Service, **or their representative**, will receive full salary while on release for training purposes. All tuition, registration and examination fees will be met by the Council, together with any other obligatory fees. This will not apply to subscriptions or any other fees payable to any professional body, even when such payment is a prerequisite to undertaking the course of study.

Undertaking of Employees

In consideration of North Lanarkshire Council having agreed to pay my full salary during periods off work and/or to provide the financial contribution detailed in Section 1 of this Agreement, I bind and oblige myself to continue in the employment of the Council for a period of not less than two years immediately

after completion of the course. Should I, during the course of study, or before expiry of the aforementioned two year period,

- (i) voluntarily leave the service of the Council;
- (ii) be dismissed from the service of the Council for reasons of discipline or misconduct;

- (iii) voluntarily terminate the studies before completing the course;
- (iv) fail to make a satisfactory number of attendances while on the course;
- (v) not attempt to complete the work of the course to a satisfactory standard; (vi) fail to make satisfactory progress on the course

I undertake to repay the Council such proportion of all fees and allowances paid in relation to my attendance at the course, in accordance with the conditions set out in the Employee Learning and Development Policy. The portion repayable shall be either:

- (a) The full amount of financial assistance paid by the Council in connection with my studies if I terminate the course of study, or my employment terminates, prior to completion of the course.

16

OR

- (b) The full amount of financial assistance paid by the Council in connection with my

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course of study less 1/24 of this amount for each complete month from the date of completion of the course until the date of resignation, should my employment terminate before expiry of the two year post course completion period

The total amount repayable to the Council will be calculated to include:

- (i) The course fees for the course of study;
- (ii) **Any grant made towards the cost of essential textbooks unless these were purchased and retained by Learning and Development teams**
- (iii) All examination fees;
- (iv) Any grant made by the Council towards the cost of preparing a Thesis;
- (v) Any actual excess travelling expenses;
- (vi) Any other grant made by the Council;
- (vii) Any expenses incurred by the Council in recovery of financial assistance.

In this connection, I authorise the Head of Revenue & E-Government Solutions to deduct any such financial assistance in full from my next available pay, or final pay if appropriate.

Signature: _____ **Date** _____
Employee

On behalf of North Lanarkshire Council, I confirm having witnessed the signing of this Letter of Undertaking by I have fully explained the implications of this written undertaking, and will ensure that a copy of the signed document is returned to the employee prior to commencement of their studies.

Signature: _____ **Date** _____
Line Manager/Head Of Service

On Completion:
Original
copy - Retained in Personal File (HR Section)
Copied to Employee