

## **Right to Request Time Off for Training - Guidelines for Employees**

### **1. Introduction**

1.1. The University recognises that its staff are fundamental to its success. A strategic, professional approach to staff development helps the University to attract and retain high-calibre staff with the skills and competencies necessary to deliver its objectives.

The University of York is committed to providing its employees with development opportunities to ensure that individuals and departments are able to contribute fully to the achievement of department and University objectives in the context of the strategic plan. The University already provides an extended programme of learning and development activities prioritised against the University's needs and available to you. It is envisaged that this policy will only need to be used by you in the exceptional circumstance that you are unable to access and use the resources already available to you. We would encourage you prior to submitting a request under this policy to check what is already available across the University, and explore any other possible options with your line manager.

1.2. You have a legal right to request time off for training if you have 26 weeks continuous service at the time the application is made.

1.3. You will not be eligible if any of the following applies:-

- You have made another application under this procedure during the preceding 12 months, taken from the day on which the current application is received by the University.
- You are aged 16 or 17 and are required by the Education and Skills Act 2008 to continue to participate in education or training until the age of 18.
- You are aged 18 and currently participating in a course of training or education for the purpose of fulfilling the duties of your post e.g. an apprenticeship
- You are a young person who already has a statutory right to paid time off to undertake study or training (under section 63A of the Employment Rights Act 1996)
- You are a casual or agency worker.
- You are a member of the University's temp pool

1.4. There is no requirement within the legislation for the costs of the training to be met by the University. If you are seeking financial assistance you should review the staff development policy and procedure for further guidance.

1.5. All requests made will be considered with due regard to the University's commitment to promoting equality and diversity among employees and commitment to developing our researcher community. All requests will receive due consideration.

## 2. Thinking about an application

2.1. You only have the right to request time for certain types of training. Before you consider making a request, you should make sure you have the right to request the training or study you wish to undertake.

2.2. Before making your request, it is important that you:

- Are sure it is something you want to do
- Decide on the training you need
- Consider how to best meet your training need

For example, if you would like training with an external provider or college then the timing of your request will be important to meet enrolment deadlines.

2.3. The time off for training procedure requires you to submit their formal request in form TFT1 at least 8 weeks in advance of the training or study taking place. This will allow time for you and your line manager to discuss the request and help you to decide whether you will have the time to attend. For example, you may need to agree a change to your work pattern before starting.

2.4. You should give some thought to the possible financial and personal time implications of any choice you make. It is important that you are well informed about the potential impact and you should seek advice from the relevant people if you are unsure. For example, Rob Oxley in the Payroll and Pensions Office may be able to assist with queries about the impact on your salary. Rob can be contacted on 2114.

2.5. If your post is externally funded you may need the permission of the funding body, for example a Research Council, as well as your manager to change pursue your chosen course or study activity.

2.6. Your manager is more likely to be able to respond positively to your request if you have thought through the implications for your colleagues and for the service you provide. If there are disadvantages you should try to consider how they could be overcome, or what benefits might outweigh them.

2.7. You can only make one request for time for training during any 12 month period according to the legislation. There is no limit to the amount of training you can request, and within reason you could request more than one training opportunity. You can continue to submit requests for learning and development made through the performance review process and throughout the year as they currently are without you being required to make a formal request under this policy.

2.8. If a request is not properly completed or is withdrawn, it is up to the University whether the request is considered in the future.

### **3. Making an application**

- 3.1.** Be sure to start the process in good time. Your request should be submitted as soon as possible and certainly not less than eight weeks before the activity is due to start.
- 3.2.** If you decide to make an application you should make arrangements to talk to your manager informally in the first instance. That will enable you both to think through some of the implications and consider whether you need to seek out further information before making a formal request.
- 3.3.** To make a formal request you will need to complete [form TFT1](#). It is important that you complete all sections of the form so that your manager and Head of Department (HoD) have the information they need to give proper consideration to your request. They may come back to you for more information and if so you will need to re-submit form TFT1 with the information included. The date of your request will then be the date of re-submission.

### **4. What happens to your application**

- 4.1. Your manager will acknowledge receipt of the form within 7 days. S/he will then give due consideration to your request and will consider factors such as whether the purpose of the proposed study or training will improve your ability to fulfil your role, the impact on the performance of the University or department and the impact on the service and other staff. S/he will include this information on form TFT1 and will then pass it to your HoD for a decision.
- 4.2. Your HoD will respond to you within 28 days of receiving your form unless absence delays this (see 2.7 of the procedure). S/he may write to let you know that your request has been approved or may want to arrange a further meeting within that same timescale to discuss the matter further. If a meeting is held you can chose to be accompanied by a work colleague or a trade union representative. Your HoD may request a member of the HR Department to attend to provide advice.
- 4.3. If it is not possible to agree to your request as it stands, your HoD may suggest an alternative arrangement for you to consider. It is sensible to be prepared to discuss a compromise.
- 4.4. You can change your mind about your application at any time up to the point that it is approved in writing by your HoD. If you do change your mind you should let your manager know verbally, by letter or by email and they will then confirm in writing that the request has been withdrawn.
- 4.5. Your HoD will write to you within 14 days of the date of the meeting to approve or refuse your request. If your request is rejected the letter must give the reasons (see 2.1 of the Procedure).
- 4.6. If your request is refused you have the right to appeal against that decision and the refusal letter should give you details about how to do so. An appeal hearing will then be arranged and your appeal will be heard by a different manager. You will again have the right to be accompanied by a colleague or by a trade union representative.

- 4.7. The manager hearing the appeal will give you a decision within 14 days of the date of the meeting. That decision is final and you may not normally submit another request for time off for training within 12 months.
- 4.8. If your request is approved it may require a temporary variation to your contract.

**For further information refer to the Request for Time off for Training Policy and Procedure or see our visual guide to making a request.**