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East Lothian Council

Additional information:

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Designation	Head of Communities and Partnership
Date	4 th May 2015

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This policy applies to all employees of the Council

LEARNING AT WORK POLICY

Section

- 1 Introduction & Aims

- 2 Underlying Principles

- 3 Roles and Responsibilities

- 4 Background

- 5 Key Definitions

- 6 Funding, Costs, Travel and Time Off

- 7 Process for Gaining Approval for
Funded Approved / Developmental Learning or
Qualifications

- 8 Repayment of Learning / Qualification Costs

- 9 Monitoring and Review of the Policy

Appendix A: Learning / Qualification Contract

This is a Council Policy which is subject to consultation with the Single Status Joint Trades Unions. Any review or amendment by the Council will be following consultation with the trades unions.

This policy has accompanying guidance notes.

1. INTRODUCTION & AIMS

- 1.1.** East Lothian Council is committed to investing in and supporting staff. The Council's Workforce Development Plan aims to ensure that our workforce is skilled, motivated, flexible and well managed. The people who deliver public services in East Lothian are at the heart of what we aim to achieve in our Council Plan and the East Lothian partnership's Single Outcome Agreement.
- 1.2.** In achieving the Council Plan and delivering effective, efficient and excellent services the Council and its staff will be guided by the qualities set out in 'the East Lothian Way' which help provide direction and highlight what is expected of staff across all levels and all areas of the Council.
- 1.3.** This Learning at Work Policy is an important part of the Workforce Development Plan. The Council's employees are our most valuable resource. The expertise, energy and creativity of the workforce will be essential if we are to succeed in pursuing our ambitious and wide ranging agenda. In order to deliver the ambitious agenda set out in this Plan the Council needs to focus on its staff who must be capable, flexible, responsive and performance focussed.
- 1.4.** The Learning at Work Policy applies to all employees and aims to:
 - Enable employee development to support the delivery of the Council's plans, aims and ambitions.
 - Clarify the arrangements for learning and development within the Council.
 - Foster a culture which values, proactively encourages and supports learning for the continuous development and improvement of individuals, managers, teams, and the Council as a whole.
 - Increase employee engagement.
 - Ensure equality of opportunity to learning and development for all employees.

2. UNDERLYING PRINCIPLES

2.1. The learning at work principles underpinning this policy are:

- Learning should be regarded as a core work activity to support, enhance or enable objectives outlined in Council and service plans.
- Having a learning culture is a fundamental feature of a successful organisation and of an employer of choice.
- Every employee should have a Personal Development Plan (PDP).
- Different learning methods have equal validity.
- Most learning takes place on the job.
- Continuous change and improvement requires continuous development and learning.
- The Council will support all mandatory job related learning, approved learning or qualifications.
- The Council may also support personal and career developmental learning / qualifications where reasonably practicable, within service and budget provision.

3. ROLES & RESPONSIBILITIES

3.1. All Employees will:

- Remain aware of the duties and responsibilities of their job and any performance and professional standards and requirements; working to and maintaining these appropriately.
- Remain aware of and work to any developments, policies, guidance and best practice within their own service areas and professional fields.
- Aim to continuously improve their performance and therefore to be active learners.
- Take responsibility for their Personal Development Plans (PDP's) / Continuous Professional Development (CPD) and qualifications, and for implementing their own learning.
- Maintain training and CPD records as appropriate, in accordance with the guidelines of their professional body and the requirements of their role.
- Be good role models in their own learning and development practice; demonstrating the qualities and values detailed in *the east lothian way*, and
- Take responsibility for their annual and interim PRD.

3.2. The Council Management Team (CMT) will:

- Have overall responsibility for implementing and monitoring this policy and for leading the Council's drive to become a learning organisation.
- Implement PRD processes with employees within their service areas.
- Agree mandatory learning / qualifications and actively support their adoption.

3.3. The Manager With Responsibility for Organisational Development will:

- Advise Service Managers and the CMT on learning and development matters.
- Plan, design, deliver or commission relevant learning materials, resources to meet corporate business objectives.
- Oversee corporate learning and development policies.
- Oversee the Performance Review and Development Scheme.
- Be responsible for the Workforce Development Plan.
- Produce guidance for an overall framework of evaluation for learning and development.
- Provide management information / statutory reports and produce an annual corporate Learning and Development report / plan.
- Work with other groups and individuals involved in learning, development and education, both within East Lothian Council (e.g. with Trade Unions' Learning Representatives), the Lothians and elsewhere, in order to ensure that the Council's resources are used most effectively and, where appropriate, in partnership.
- Ensure that practices within the Council reflect wider good practice generally.

3.4. Heads of Service will:

- Produce service-specific policies where appropriate to support the Council agenda or Learning at Work Policy.
- Incorporate key learning priorities (themes) within service plans and identify budget priorities.
- Determine requests for funded learning / qualifications and make recommendations to Head of Council Resources to waive any repayments.

3.5. Service Training & Development Officers will:

- Implement the corporate Learning at Work approach at service level.
- Provide advice to management on the direction and specific professional requirements for employees within their service.
- Lead on the organisational delivery and evaluation of service and professionally-specific learning and development.
- Provide / assist with annual reports on learning and development.
- Design and deliver bespoke service specific learning and development opportunities.
- Oversee workforce development / trainee / succession planning arrangements within services.

3.6. Employees With Line Management or Supervisory Responsibilities will:

- Take a lead role in creating a culture of ongoing active learning in their teams.
- Make decisions on requests for funded learning / qualifications.
- Be transparent and fair in providing access to learning and developmental opportunities; demonstrating equalities' awareness in development decisions.
- Carry out effective PRD meetings and ensure that all their team members have a Personal Development Plan.
- Maintain records of employees training, as necessary.
- Actively support employees in applying learning gained both 'on the job' and through other means; helping to ensure that the return on investment in the employee's learning is realised.

3.7. Trade Union Learning Representatives will:

- Work with corporate and service learning and development practitioners to represent their members' views and learning needs.
- Provide advice and guidance as required.
- Support learning and development to meet Council and service delivery requirements.
- Promote the 'learning organisation' concept to the workforce.

4. BACKGROUND

4.1. Our ambition to become a 'great' Council relies on having engaged employees who can achieve their full potential, within a challenging and rewarding work environment. The key to this is a positive approach and culture towards learning and development across the Council.

4.2. This policy takes into account a variety of factors including:

- National contexts such as conditions of service frameworks, changing statutory requirements and partnership-working arrangements.
- Local contexts such as The Council Plan, Service and Improvement Plan and our drive for continuous improvement.
- Relevant learning and development plans, strategies and frameworks
- Specific requirements for continuous / continuing professional development (CPD), as well as personal and professional review and development schemes for staff
- Changes in working patterns and the necessity of work / life balance.
- Access to a wide range of developmental opportunities for employees, partners and the community via the Council's learnPro online learning system (<http://eastlothiancouncil.learnprouk.com/>) and other professional networks and resources.
- Support for the ongoing attainment of Investors In People (IIP), which aims to transform the Council's performance through people.

5. KEY DEFINITIONS

5.1. Mandatory Learning

The Council Management Team (CMT) will determine which learning and development activities will be mandatory for all employees, or for particular groups of employees (e.g. for Managers). These will be publicised to those affected.

5.2. Approved Learning and Qualifications

5.2.1. **Approved learning** can be defined as:

“Any job-related learning which is necessary to allow the employee to perform effectively in their current role.”

This includes any learning required by an employee to allow them to develop their knowledge, skill or attitude (i.e. their competence) to assist them to perform their current role to the required standard and to meet their agreed personal business objectives.

5.2.2. **Approved qualifications** can be defined as:

“Any qualification which has been identified as essential, as opposed to desirable, for the employee in their current role.”

5.3. Developmental Learning and Qualifications

5.3.1. **Developmental learning and qualifications** can be defined as:

“Any learning or qualification which, although completion may assist the employee develop personally and/or professionally, is not essential for the employee to perform effectively in their current role.”

This includes:

- Learning/qualifications which will assist an individual to gain the knowledge, skills or attitude required for a role other than their current role.
- Learning/qualifications which allow an individual to develop personally and / or professionally and, although it may improve their performance in the current role, is not essential to allow them to perform the current role to the required standard.

6. FUNDING, COSTS, TRAVEL AND TIME OFF

6.1. It is the responsibility of the employee in consultation with their Manager to minimise the financial and operational impact of undertaking either approved or developmental learning or qualifications by:

- Identifying a range of suitable options to meet the service and individual's need.
- Evaluating options; balancing quality and time against the cost and any operational constraints.
- Agreeing the chosen option for inclusion in their Personal Development Plan.

6.2. Funding and Costs for Approved Learning and Qualifications

6.2.1. Payments and reimbursements will be made in accordance with all relevant East Lothian Council policies and guidance.

6.2.2. East Lothian Council will pay the following costs associated with approved learning and qualifications:

- Course fees.
- Cost of learning.
- Course materials.
- Examination / assessment.
- Membership fees.
- Travel expenses.

6.2.3. Receipts / proof of purchase should be retained by the employee and submitted as part of any expense claims.

6.2.4. Costs of essential books equipment and materials for approved learning / qualifications will be reimbursed up to a maximum of £100 per academic year. Payments beyond this level must be authorised by the appropriate Budget Holder.

6.2.5. Books, materials and equipment funded by the Council are the property of the Council and must be returned at the end of the course or at an appropriate point during the course. They must be returned in acceptable condition otherwise the Council is entitled to seek full cost recovery. The exception to this requirement is if the books, materials and equipment will be of ongoing usefulness to the employee in which case they should be retained in the workplace for the benefit of the employee (and also colleagues).

6.2.6. To minimise the impact to the environment and costs to the Council, employees will seek opportunities to use public transport and to car share, where practicable.

6.2.7. Subsistence and travel costs, including excess travel costs, will be paid in accordance with relevant Council policy. Further information can be found on the ELNet 'Travel forms and guidance' page.

6.3. Funding and Costs for Developmental Learning and Qualifications

6.3.1. The amount of financial support offered to individuals for Developmental learning / qualifications is at the discretion of the line manager and appropriate budget holder in line with Council and service specific policies and guidance. The line manager and budget holder, when determining this, will consider the business case for the learning including:

- The operational impact.
- The business benefit of the learning e.g. the potential improvement to the service or wider organisation.
- The motivation of the individual applying for the learning.
- Associated recruitment and retention issues.
- The impact on other employees / team-members.
- The amount of budget available.

6.3.2. Unless otherwise agreed by the Manager and employee and stated in the Contract, costs incurred for developmental learning and qualifications will be reimbursed as per approved learning and qualifications (6.2).

6.4. Leave and Time Off for Approved Learning and Qualifications

6.4.1. Employee time for travelling to and attending approved learning and qualifications will be treated the same as for any other work activity. Employees will be entitled to receive time off to travel to and undertake any learning, assessment or examination leading to an approved qualification. In most cases this will be during normal working hours.

6.4.2. Leave / time off work will be granted in accordance with relevant Council policies and guidance.

6.4.3. Employees granted time off from their normal hours of work to undertake an approved course of learning or qualification will receive their normal contractual salary / wage for that day at plain time.

6.4.4. Where the activity takes place outwith the employee's normal working hours, the employee will be entitled to time off in lieu at plain rate.

6.4.5. Where the line manager deems that time off in lieu does not meet operational requirements, payment at plain time may be made, with the agreement of the relevant budget holder.

6.4.6. Leave with pay will be granted to enable employees to sit exams and first re-sits for approved learning/qualifications. Fees for these will also be reimbursed / met by the Council. Further re-sits will be taken in the employee's own time and at their own expense.

6.4.7. If the certificated examination date falls on a designated public holiday, the employee will be granted the equivalent time off in lieu, on a day to be agreed with the line manager.

6.4.8. Paid special leave will be granted for revising or preparing for approved examinations or assessments. This will be equivalent to the length of the examination sat e.g. a half-day revision for a half-day examination.

6.4.9. Work-based assessments - while the assessments themselves will be part of ongoing work activity, the employee can be granted leave to prepare for the assessment in line with paragraph 6.4.8 above.

6.4.10. Equivalent time for different learning methods should be given e.g. distance learning or e-learning. To calculate the time which should be allocated, managers should use the number of specified student hours for the course or the time for the equivalent tutor- led course e.g. a day-release course.

6.5. Leave and Time Off for Developmental Learning and Qualifications

6.5.1. The amount of time off offered to individuals for developmental learning / qualifications is at the discretion of the line manager. The line manager, when determining this, will consider the business case for the learning including:

- Relevant Council policies.
- The amount of budget available.
- The operational impact.
- The business benefit of the learning e.g. the potential improvement to the service or wider organisation.
- Priorities in terms of any approved learning / qualifications for the team or individual.
- The motivation of the individual applying for the learning.
- Associated recruitment and retention issues.
- The impact on other employees / team-members.

6.5.2. Unless otherwise agreed by the Manager and employee and stated in the Contract, leave and time off arrangements for developmental learning and qualifications will be as per approved learning and qualifications (6.4).

6.6. Membership Fees

6.6.1. East Lothian Council will meet membership fees payable to a professional institute where these are an essential pre-condition to commencing a course of study leading to an approved qualification.

6.6.2. For developmental learning / qualifications, the employee will meet membership fees for professional institutes or bodies, even where this is an essential pre-condition to commencing a course of study.

6.7. Fairness And Equality Of Opportunity

6.7.1. Line managers and budget holders will ensure fairness and equality of opportunity in making these decisions in line with the Council's Single Equality Plan.

7. PROCESS FOR GAINING APPROVAL FOR FUNDED APPROVED / DEVELOPMENTAL LEARNING OR QUALIFICATIONS

7.1. Usually the line manager and employee will identify the learning need and the possible learning route in the employee's PRD meeting. There may also be occasions when the employee approaches their line manager with a request outwith this process or the line manager identifies a learning need for the employee on the job. However the need is identified, the manager and employee will discuss and agree the actual learning route.

7.2. A Learning / Qualification Contract (Appendix A) must be completed by the employee and the manager. The employee will complete the first part of the relevant application; agreeing to and indicating their understanding of any financial or other terms. Their line manager will provide their endorsement of the request.

7.3. The Service Manager and budget holder will consider the request in light of agreed council and departmental priorities and inform the employee and line manager of their decision which will be recorded on the application form.

7.4. Where they agree to support the application, they will agree with the employee the terms and conditions on which the employee will be sponsored.

7.5. A copy of the signed / countersigned Learning / Qualification contract will be submitted by the Manager to Human Resources for retention in the employee's personnel file.

7.6. The employee will update their Personal Development Plan (contained within the Performance Review & Development documentation) to include the agreed learning or qualification.

7.7. In the event the manager does not agree to support the application:

7.7.1. The Manager must make it clear to the employee in writing, completing section 3.6 '*Reasons for refusal*' of the Learning / Qualification Contract.

7.7.2. The employee has the right to appeal to the Head of Service; whose judgement will be final.

8. REPAYMENT OF LEARNING / QUALIFICATION COSTS

- 8.1.** There are circumstances where the Council will require repayment by employee of costs paid towards either approved or developmental learning or qualifications. In the event the employee:
- 8.1.1. Fails to complete the learning / qualification at all or within an acceptable timescale, as agreed within the Learning / Qualification contract, the Council will seek repayment of all costs paid excluding travel costs and any approved time off previously granted.
 - 8.1.2. Leaves the Council before completing the programme of learning or qualification, the Council will not complete the payments and will seek to reclaim payments already made by East Lothian Council, in accordance with the Learning / Qualification Contract (Appendix A).
 - 8.1.3. Leaves the service of the Council within 12 months of completion of the qualification, the Council will seek repayment of all costs paid by East Lothian Council excluding travel costs and any approved time off previously granted.
 - 8.1.4. Leaves the service of the Council from between 12 and 24 months of completion of the learning/qualification, the Council will seek repayment of 50% of costs paid by East Lothian Council excluding travel costs and any approved time off previously granted.
 - 8.1.5. No repayment to the Council will be required where the employee leaves after 24 months of completion of the learning or qualification.
- 8.2.** Employees will be made aware of the circumstances where repayment is required at the time of approval and will be required to sign a Learning / Qualification Contract (Appendix A).
- 8.3.** The Learning / Qualification Contract (Appendix A) authorises East Lothian Council to deduct any outstanding sums due under this contract from the employee's final salary or wages payment.
- 8.4.** In the first instance the Manager should seek repayment directly from the employee either by cheque (made payable to 'East Lothian Council') or by cash. The Manager will inform the employee of the financial ledger and VAT status code in order for payment to be made. This information, along with the employee's payroll number should be written on the back of the cheque, and provided to the cash desk when making a cash payment.
- 8.5.** Where repayment has not been received by cheque or cash, the Manager will notify Payroll in order for any outstanding sums to be deducted from the employee's final salary, advising the employee also.

- 8.6.** If for any reason the outstanding sums cannot be deducted from the employee's final salary, or where an employee makes a specific request not to do so, the Manager will complete and sign an Invoice Requisition Form (available from the Sundry Accounts Team). A completed and signed copy of the form should be scanned and emailed to sundryaccs@eastlothian.gov.uk.
- 8.7.** An invoice from the Council will be issued by the Sundry Accounts team to the employee requesting full payment within 28 days.
- 8.8.** Where the employee cannot make payment in full within the 28 day period, arrangements should be made by the employee directly with Sundry Accounts to pay by instalment.
- 8.9.** Where there are extenuating circumstances, the Head of Service may make recommendation to waive repayment to the Head of Council Resources.

9. MONITORING AND REVIEW OF THE POLICY

- 9.1.** The Manager with responsibility for Organisational Development, along with the Service Manager, Humans Resources and Payroll and in conjunction with the Trade Unions, will monitor the implementation of the policy to ensure equality of opportunity and the policy's overall effectiveness. The Corporate Policy and Improvement Service Manager will report to the Board of Directors / Council Management Team annually.

APPENDIX A: LEARNING / QUALIFICATION CONTRACT

1. PERSONAL DETAILS (to be completed by the applicant)

Full Name:	Employee Number:
Post Title:	Full/Part Time:

Division:	
Service:	
Team:	Location:
Work Telephone Number:	

Previous relevant qualifications, with dates:
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APPENDIX A: LEARNING / QUALIFICATION CONTRACT

2. LEARNING / QUALIFICATION DETAILS (to be completed by the applicant)

This learning / qualification is: APPROVED / DEVELOPMENTAL (delete as appropriate)
Learning / Qualification applied for:
Briefly outline how this will benefit the service:
Enrolment Date:
Provider:
Specify full qualification or intermediate stage:

Main subjects:

Method of study, with options if appropriate:
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Full duration:	Start date:	Completion date:
Stage duration:	Start date:	Completion date:
Examination dates:		

APPENDIX A: LEARNING / QUALIFICATION CONTRACT

Estimated or Actual Costs	YEAR 1	YEAR 2	YEAR 3
Date:			
Fees and Associated fees:			
Course / Learning:			
Registration:			
Examination:			
Membership:			
Residential:			
<u>TOTAL:</u>			

Excess Travel:			
Materials:			
Other Costs:			
<u>TOTAL:</u>			

Details of other costs:

Financial and/or non-financial support applied for:

I certify that these particulars are complete and correct. I have checked and meet eligibility, age and other requirements for entry of the course of study.

.....

Applicant's Signature **Date**

APPENDIX A: LEARNING / QUALIFICATION CONTRACT

3. RECOMMENDATION (to be completed by Designated Officer, following discussion with Applicant and/or his / her Line Manager)

(This may be the applicant's Line Manager or Head of Service)

Please process this application within 14 days of receipt.

3.1 Is this application the result of a formal development review? Yes No

3.2 Have the attached course cost estimates been confirmed? Yes No

3.3 Can the level of financial support be contained in the budget? Yes No

3.4 Do you agree this request*? Yes No

* Complete 3.5 if agreed or in the event the request is refused, complete 3.6 providing a copy to the applicant and arranging a meeting to discuss.

3.5 Agreed Level of Support/Study Arrangements:

3.6 Reason(s) for refusal:

APPENDIX A: LEARNING / QUALIFICATION CONTRACT

LEARNING / QUALIFICATION CONTRACT

All employees who are granted financial assistance and/or non-financial support for further or higher education by East Lothian Council will enter into a formal contract with the Council, the conditions of which are stated below.

Conditions

- (a) "The continuance of facilities and assistance under this Part shall be granted only if the Council is satisfied that the employee has made satisfactory progress in the studies. If the authority is not satisfied, they may withdraw the facilities granted, under this Part, and may require the refunding of such proportion of the financial assistance granted as may be determined by the authority in the particular case.

- (b) Where facilities or assistance are granted, under this Part, the employee undertakes to remain in the service of the Council for a specified period provided there is a post available for which the qualification is required. The Council's specified period being a minimum of twenty-four months from the date of formal completion of the course of study.

- (c) Where an employee fails to honour condition (b), the Council will require the employee to make full or partial repayment of the financial assistance for course fees and all associated fees unless there are extenuating circumstances.

- (d) If the employee leaves the Council within twelve months of the date of formal completion of the course of study, the Council will require the employee to repay 100% of the defined financial assistance. If the employee leaves within the second twelve-month period after the date of formal completion of the course of study, s/he will be required to repay 50% of the defined financial assistance.

- (e) Where an employee leaves the Council, or withdraws from the course, before completing the whole or defined part of the qualification or fails to gain the qualification then repayment in full of the financial assistance for the agreed course fee and all associated fees will be required to be paid by the employee, unless there are extenuating circumstances.

APPENDIX A: LEARNING / QUALIFICATION CONTRACT

- (f) Essential books, materials and equipment for the course of study, provided or funded by the Council are the property of the Council and must be returned at the end of the course or at an appropriate point in the course. They must be returned in satisfactory condition; if they are not, the Council will require the employee to meet the full replacement cost.

- (g) An employee will not receive financial assistance or non-financial support with a course of further or higher education if the employee has not signed Section 2 of the Learning / Qualification Contract Section 5 of this contract.

- (h) The Head of Service or Delegated Officer will authorise by signature the granting of financial assistance or non-financial support to an employee through use of the Learning/Qualification Contract, and will not authorise the agreed assistance and/or support if the Contract and Application form have not been signed by the employee.

- (i) Where repayment of any sums due has not been made by the employee prior to their leaving the employment of East Lothian Council, the employee hereby authorises East Lothian Council to deduct any outstanding sums due under this contract from their final salary or wages payment.

- (j) The Council reserves the right to add to the above conditions, which would be notified to applicants.

APPENDIX A: LEARNING / QUALIFICATION CONTRACT

4 AUTHORISATION: TO BE COMPLETED BY HEAD OF SERVICE OR DELEGATED OFFICER

Authorised By:

Designation: Date:

Witnessed By:

Post/Status:

5. APPLICANT'S SIGNATURE

I have read and agree to abide by the Council's terms and conditions relating to approval and assistance with further and higher education study as specified in East Lothian Council's Learning at Work Policy.

Applicants Signature: Date:

Witnessed By:

Post/Status: