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21 October 2010

S U M M O N S

MEETING: Personnel Sub Board (Extraordinary meeting)
DATE: 28 October 2010
TIME: 5.00 pm
PLACE: Committee Room 1, Town Hall, Gosport
Democratic Services contact: Geoff Rawling

LINDA EDWARDS
BOROUGH SOLICITOR

MEMBERS OF THE SUB-BOARD

The Mayor (Councillor Allen) (ex-officio)
Councillor Carter CR (Chairman)
Councillor Burgess (Vice-Chairman)

Councillor Chegwyn
Councillor Hook

Councillor Jessop
Councillor Wright

FIRE PRECAUTIONS

(To be read from the Chair if members of the public are present)

In the event of the fire alarm (continuous ringing sound) sounding, please leave the room immediately.

Proceed downstairs by way of the main stairs or as directed by GBC staff, following any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.

IMPORTANT NOTICE:

- If you are in a wheelchair or have difficulty in walking and require access to the Committee Room on the First Floor of the Town Hall for this meeting, assistance can be provided by Town Hall staff on request

If you require any of the services detailed above please ring the Direct Line for the Democratic Services Officer listed on the Summons (first page).

NOTE:

- i. Councillors are requested to note that, if any Councillor who is not a member of the Sub Board wishes to speak at the Sub Board meeting, then the Borough Solicitor is required to receive not less than 24 hours prior notice in writing or electronically and such notice shall indicate the agenda item or items on which the member wishes to speak.
- ii. Please note that mobile phones should be switched off for the duration of the meeting.

AGENDA

PART A ITEMS

1. APOLOGIES FOR NON-ATTENDANCE

2. DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter, any personal or personal and prejudicial interest in any item(s) being considered at this meeting.

3. DEPUTATIONS – STANDING ORDER 3.5

(NOTE: The Sub Board is required to receive a deputation(s) on a matter which is before the meeting of the Sub Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Tuesday, 26 October 2010. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).

4. PUBLIC QUESTIONS – STANDING ORDER 3.6

(NOTE: The Sub Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Sub Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Tuesday, 26 October 2010).

5. LEARNING AND DEVELOPMENT

PART II

To seek the Committee's approval for a revised Learning and Development Policy, and to note the new procedure in consequence of the introduction of a right for employees to request training.

Contact
Officer:
Kathy Inch
Ext 5224

6. ANY OTHER ITEMS

-which the Chairman determines should be considered, by reason of special circumstances, as a matter of urgency.

7. EXCLUSION OF PUBLIC

To consider the following motion:

That in relation to the following item the public be excluded from the meeting, as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during this item there would be disclosure to them of exempt information

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within Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons set out in the report.

PART B ITEM
FOLLOWING THE EXCLUSION OF THE PRESS AND
PUBLIC

Item No.	Item	Paragraph no. of Part I of Schedule 12A of the Act	
8.	STAFF CHANGES	Paragraphs 1 and 3 Reason: The report identifies specific individuals and information regarding their personal financial affairs rather than the Council overall financial affairs. The public interest in the Council's overall affairs can be met in other ways without releasing such personal information and therefore the public interest in maintaining the privacy of personal information outweighs the public interest in the Councils financial affairs.	PART II Contact Officer: Ian Lycett Ext 5201

AGENDA ITEM NO. 5

Board/Committee:	Personnel Sub-Board
Date of Meeting:	28 th October 2010
Title:	Learning and Development
Author:	Head of Personnel
Status:	FOR DECISION

Purpose

To seek the Committee's approval for a revised Learning and Development Policy, and to note the new procedure in consequence of the introduction of a right for employees to request training.

Recommendation

That the Sub-Board approve, for adoption forthwith, the revised Learning and Development Policy attached as Appendix A, and note the procedure for dealing with requests in relation to study or training attached as Appendix B.

1 Background

- 1.1 The Council's Training Policy is reviewed on a regular basis, to ensure that it reflects the Council's priorities and workforce development needs, and addresses general learning and development issues appropriately.
- 1.2 Types of training and ways of providing it change over the course of time (e.g. increase in e-learning, popularity of mentoring and coaching), and the policy should address this, and cover the overall issues of learning and development and their evaluation.
- 1.3 The Employment Rights Act 1996, Employee Study and Training (Qualifying Period of Employment) Regulations 2010, Employee Study and Training (Procedural Requirements) Regulations 2010, and Employee Study and Training (Eligibility, Complaints and Remedies) Regulations 2010 introduced a new right, with effect from 6th April 2010, for employees in organisations with 250 or more staff to make a request in relation to study or training. (This right will apply to smaller organisations from April 2011.)
- 1.4 Requests can relate to any type of study or training, and can include a request for time off, time off with pay, and/or a financial contribution to study or training PROVIDED THAT the employee 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 Council's business.

- 1.5 Employees have the right to make one such request within a twelve month period, and a right of appeal if the request is refused.
- 1.6 Requests can be refused on grounds laid down in the legislation, and employees have the right to make a complaint to an Employment Tribunal where the decision was made on incorrect facts, or the employer did not follow the correct procedure.

2 Report

- 2.1 The Council is demonstrably committed to the learning and development of all employees, going beyond training strictly relevant to the job by also providing further development opportunities where this is possible and practicable.
- 2.2 Training needs are assessed as part of the normal management process, and more formally twice yearly as part of the Personal Review Process. Workforce development and succession planning also take account of future needs.
- 2.3 The Council provides a range of training opportunities for staff, including formal professional/technical qualifications, NVQ training, informal one-to-one sessions, secondments, coaching/mentoring, and the methods of training are varied in order to take account of individual preferred learning styles. This is incorporated within the learning and development policy.
- 2.4 In view of the approach to learning and development, it is not expected that there will be a significant response to the new procedure related to the right to request training, since staff already have mechanisms for making such requests, but nevertheless the procedure is in place for use if required.
- 2.5 The provisions relating to this new right mirror in large part those which apply to the right to request more flexible working, including the reasons an employer may use to refuse an application:

The proposed study or training would not improve the employee's effectiveness or the performance of the Council's business.

The burden of additional costs.

Detrimental effect on ability to meet customer demand.

Inability to reorganise work among existing staff.

Inability to recruit additional staff.

Detrimental impact on quality.

Detrimental impact on performance.

Insufficiency of work during the periods the employee proposes to work (where a rearrangement of working time is necessitated).

Planned structural changes.

- 2.6 The legal right to make a request for training or study applies to employees with a minimum of 26 weeks' continuous service.

3 Risk Assessment

- 3.1 The updating of the learning and development policy, and the introduction of the new scheme, ensures that we have appropriate policies, practices and procedures in place, in accordance with best practice and with current legislation.

4 Legal Implications

- 4.1 The procedure for dealing with training requests meets the requirements of the new Regulations. There is no legal requirement to have a formal Learning and Development Policy, but it assists in detailing the Council's approach to this important area.

5 Financial Implications

- 5.1 Training budgets are agreed annually, with needs being identified through personal review interviews and training needs categorised so that essential training is always covered.
- 5.2 Requests under the new procedure may or may not include financial assistance and/or time off. Each application will be considered on its merits. The right does not automatically include paid time off, or a financial contribution to the training. Any such agreement would be subject to there being sufficient budget available.

6 Conclusion

- 6.1 The Council's training policy was due for review, and has been updated to take account of changing needs and practices. The revised Learning and Development Policy, which has been agreed by UNISON, is attached as Appendix A.
- 6.2 New legislation has introduced the right for employees to request training.
- 6.3 The Scheme attached as Appendix B details the procedure the Council will use in considering any such requests.
- 6.4 The Sub-Board are requested to approve the updated Learning and Development Policy for immediate adoption, and note the new procedure by which requests for training can be made, in accordance with the new Regulations.

Financial Services comments:	None
Legal Services comments:	Contained in Paragraph 4 of this Report
Service Improvement Plan implications:	
Corporate Plan:	Pursuit of Excellence – motivated staff delivering quality services
Risk Assessment:	Paragraph 3
Background papers:	
Appendices/Enclosures:	Appendix A – Learning and Development Policy Appendix B – Procedure for Requesting Training
Report author/Lead Officer:	Kathy Inch

APPENDIX A**GOSPORT BOROUGH COUNCIL****LEARNING AND DEVELOPMENT POLICY**

The Council values its staff and is committed to investing in and developing them, recognising the value of continuous learning, training and development in order to develop potential in achieving its objectives.

The ability of all employees to grow is recognised, and the Council will base decisions on learning and development opportunities, and appropriate investment, on the organisation's requirements and workforce planning needs, both current and for the longer term future, maintaining a fair and equitable approach.

1. SCOPE AND PURPOSE OF POLICY

- 1.1 The Council will keep the level of skills under review, address any skills shortages and build upon existing skills and abilities by developing the potential of staff through a variety of forms of learning opportunities. This will embrace qualification based-training, short courses, e-learning, open/distance learning, planned work experience, secondments, special assignments, sharing of knowledge and the systematic development of individuals through assessment, coaching and mentoring.
- 1.2 Each member of staff will have a personal training and development plan, which will be formally reviewed twice yearly. The first priority is to allocate resources to immediate requirements necessary for the individual in order to satisfy the Council's objectives in terms of its services, quality and how the service is to be delivered.
- 1.3 The Council recognises that individuals need to learn continuously to be in a position to respond positively to changing demands and pressures.
- 1.4 The Council will ensure that consideration is given to an individual's personal development as well as the needs of the organisation.
- 1.5 The Council believes that all employees have the potential to grow, and will endeavour to provide opportunities for development wherever possible, and in the most appropriate way, having regard to all the circumstances.

2. STRATEGY

- 2.1 The responsibility for implementing the learning and development policy rests with Service Unit Managers, and Line Managers, as part of their objective to effectively manage and develop their staff. Managers should actively demonstrate their commitment to learning and development and encourage their management teams and line managers to stimulate, promote, provide and review learning opportunities.

- 2.2 Comprehensive training plans will be produced annually to meet the training requirements identified both for the Unit and corporately, and resources will be allocated accordingly. Sufficient flexibility will be allowed within the plans to meet urgent changing circumstances, and the most appropriate means of meeting needs will be determined having regard to all the circumstances, including the individual's preferred learning style.
- 2.3 Managers are responsible for the identification of training needs in conjunction with their staff. This will involve the regular assessment of staff, both formally via the personal review process and informally, with the assistance and advice of Personnel Services. Individual members of staff are also empowered by reviewing their own development and job related training needs and agreeing personal training plans with their manager.
- 2.4 The Council encourages staff to share skills and knowledge within their teams and sections, and also cross-departmentally, so that all staff benefit from the learning experience.
- 2.5 The Council will demonstrate the important contribution that a clear policy of learning and development will make to the enhancement of performance and productivity by ensuring that:
- Managers are able to identify training needs and assess the most appropriate means of achieving them, and subsequently evaluate the effectiveness of the learning provided, both in the short and longer term.
- A systematic approach is adopted, to develop an authority-wide training plan.
- Training resources are provided and allocated in accordance with the needs and priorities identified in the training plans.
- Staff are made aware of training initiatives and opportunities.
- In-house courses, including e-learning provision, are provided wherever possible and appropriate, with due regard to preferred learning styles.
- 2.6 The importance of evaluating the effectiveness of learning activities, both in the short and longer term, is recognised, and is carried out by managers using evaluation sheets, general management observation and through the personal review process. In addition, the Corporate Training Group evaluate the effectiveness of corporate training initiatives and provide feedback on training course contents and providers.
- 2.7 The resources invested in learning and development and the outcomes achieved are monitored, with continued investment planned as part of the continuous business planning process.
- 2.8 The Corporate Training Group monitor the implementation of this policy, and review Unit and Corporate Training Plans, and the overall effectiveness of training courses and activities.

3. TRAINING FRAMEWORK

- 3.1 Professional, technical and specialist training is provided where necessary to meet the Council's planned requirements and the related needs of individuals. Succession and workforce development planning is used to assist in the identification of current and future needs and the most appropriate means of meeting them. Employees are encouraged to pursue continuous professional development and, where appropriate, to gain further professional, technical and/or specialist qualifications.
- 3.2 The Council supports the recruitment and training of trainees, in general administration and in technical and specialist areas, across the organisation where possible, for which purpose a programme of work experience and training is provided, and competencies have been developed.
- 3.3 All new staff participate in induction training to enable them to understand the Council's ethos in relation to customer service and management styles, to introduce them effectively to the organisation and its policies and procedures, and help them to identify with the Council as a good employer and provider of services to the public. The induction process is kept under review, and revised as necessary, to ensure its continuing effectiveness.
- 3.4 Specialist training is provided where necessary to ensure that staff are fully informed and can perform effectively in their posts now and in the future. This includes training, at the appropriate level, in safeguarding children, young persons and vulnerable adults, in equality and diversity, and in health and safety.
- 3.5 Management competencies have been developed to ensure that leadership, management and supervisory training needs are identified and met in the most appropriate way, thus ensuring a high calibre of skilled and competent managers. Management development and leadership programmes may be used where they are the most effective means of meeting identified needs. All managers are trained in carrying out review interviews before they embark on the process, so that they are adequately equipped to undertake the task, and to both identify training needs and evaluate the effectiveness of training provided.
- 3.6 Recruitment and selection training is provided to ensure all those staff involved in the recruitment process have the skills and knowledge necessary to recruit the most suitable candidates without discrimination.
- 3.7 An internal mentoring scheme, with training provided for staff who wish to volunteer to mentor others, is in existence, and the Council also participates in an external mentoring scheme. Coaching is also recognised as a valuable means of providing learning and development in appropriate circumstances.
- 3.8 The most appropriate means of providing learning and development is kept under regular review, having regard to individual needs and preferences, and the organisation's aims and objectives.

4. REVIEW

- 4.1 This policy will be reviewed regularly by the Head of Personnel in liaison with the Corporate Training Group. The trade union will form part of the consultation and review process.

APPENDIX B**GOSPORT BOROUGH COUNCIL****REQUESTS IN RELATION TO STUDY OR TRAINING**

With effect from 6th April 2010, employees in organisations with 250 or more staff have the right to make a request in relation to study or training (this right will apply to smaller organisations from April 2011). This right is introduced by the Employment Rights Act 1996, Employee Study and Training (Qualifying Period of Employment) Regulations 2010, Employee Study and Training (Procedural Requirements) Regulations 2010 and Employee Study and Training (Eligibility, Complaints and Remedies) Regulations 2010. There is no right to paid time off for study or training.

The Council is committed to the continuous learning and development of all its staff, as set out in its Workforce Development Plan, People Management Strategy and Learning and Development Policy. Learning and development needs are continually assessed as part of day to day management, and more formally through the Personal Review process twice-yearly.

However, in addition to our normal procedures which should continue to be used, there is a right to make a request in accordance with the Regulations highlighted above. The legal right to make a request for study or training applies to employees with a minimum of 26 weeks' continuous service.

Requests can relate to any type of study or training, **provided that** the employee 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 Council's business. Training or study which is purely for an employee's personal development is not covered by these Regulations. Requests can be made in relation to an accredited programme leading to the award of a recognised qualification, or unaccredited training that will help an employee to develop specific skills relevant to their job. The proposed training could be conducted in any location and at any time, and may be supervised or unsupervised, but it must be relevant to the individual's employment with the Council. If a request is to be made for funding of any element of the training, this should be included on the form.

The employee has the right to make one such request within a twelve month period. A request must be submitted on the form attached, and the manager will arrange a meeting 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 made. The purpose of the meeting will be to discuss the request, its relevance to the employee's job and the Council's needs, and any possible alternative arrangements that might meet the employee's training needs. A decision will be given to the employee within 14 days of the meeting. Employees have the right to be accompanied by a companion at meetings in relation to the request, and the Council confirms that such accompaniment may be by a Trade Union representative.

If a request for study or training is refused, the employee has the right of appeal against this decision to a more senior manager who was not involved in the decision to refuse the request, and ultimately to the Chief Executive or a Director. Any such appeal must be lodged in writing to the relevant manager, with a copy to the Head of

Personnel, within 14 days of receipt of the decision, and it must detail the grounds on which the appeal is based.

Requests can be refused on the following grounds:

- the proposed study or training would not improve the employee's effectiveness or the performance of the Council's business,
- the burden of additional costs
- detrimental effect on ability to meet customer demand
- inability to reorganise work among existing staff
- inability to recruit additional staff (where this would be necessary)
- detrimental impact on quality
- detrimental impact on performance
- insufficiency of work during the periods the employee proposes to work (where a rearrangement of working time is necessitated by the request)
- planned structural changes.

Employees have the right to make a complaint to an Employment Tribunal in relation to a refused request, but only where:

- the decision to reject the application was based on incorrect facts (but this should first be covered in the internal appeal meeting)
- the employer did not follow the correct procedure (e.g. it failed to hold the meeting to discuss the request within the appropriate timescale or did not provide a complete and proper explanation of the decision to refuse the request).

Further information can be obtained from the Personnel Section.

GOSPORT BOROUGH COUNCIL
REQUEST FOR STUDY OR TRAINING

Name _____

Job Title, Section, Unit _____

I wish to submit a request in relation to study or training as detailed below. This is an application under Section 63D of the Employment Rights Act 1996.

I have / have not submitted a previous request in relation to study or training.
My previous request was submitted on _____

Details of Request for Study or Training

Subject matter of training sought _____

Are you seeking time off for this study or training? If so, please detail.

Will the course of study or training lead to an accredited qualification? If so, detail.

Explain how you think the proposed study or training would improve your effectiveness in your job and the performance of the Council's business.

Name the organisation or individual you wish to provide the training, and the cost if you are seeking financial assistance

Will the study/training be supervised? If so, who will the supervisor be?

Where and when do you propose to undertake the requested study/training?

Note – You should provide as much information as possible to assist in consideration of your request. If, on receipt of this form, your manager thinks that further detail is required before the request can be properly considered, he/she will contact you.

Signed _____ Date _____

This form should be forwarded to your manager without delay, with a copy to the Head of Personnel.

Manager's decision _____ Date _____