

A Summary

Time Off for Study or Training



a guide for employers

This summary provides basic information only. It does not attempt to explain the law in detail.

Who needs to read this?

Everyone who employs people aged 16 to 18 who work in England.

What is this about?

A new employment right for young employees. From 1 September 1999, the law will change, so that employees aged 16-17 with few, if any, qualifications will have the right to reasonable paid time off work to study or train.

This summary also explains the support available.

Why has the law been changed?

These days, qualifications matter for everyone – but some young people still leave school with very little to show for it.

Young employees aged 16-17, who have not reached a certain standard of achievement, will be able to study or train for approved qualifications.

This can be in the workplace, at college, with a private training provider, or elsewhere.

What is the standard of achievement?

Basically, the standard of achievement is “Level 2”, which means:

- 5 GCSEs at Grades A*-C; or
- a National Vocational Qualification at Level 2; or

Study

Time Off for Study

- a General National Vocational Qualification at Intermediate Level; or
- a BTEC First Certificate or Diploma; or
- a City & Guilds Diploma of Vocational Education at Intermediate Level.

What is in it for employers?

A highly trained, skilled and knowledgeable workforce is more effective and productive. Individual young employees are often more flexible, and more motivated.

And employers can get help with the costs of the study or training.

Which employees are covered?

The right applies to people who:

- are employees;
- are aged 16 -17;
- are not in full-time secondary or further education; and
- have few, if any, qualifications; and to
- 18 year old employees who want to complete the study or training they began at 16 or 17.

All young employees who meet the above criteria are entitled to paid time off.

There is:

- no minimum number of hours to be worked per week or per year;
- no qualifying period of employment;
- no exemption for small businesses.

What study or training can the young employee do?

The standard of achievement includes all NVOs at Level 2, all Intermediate GNVQs and all BTEC First Certificates or Diplomas. This gives over 600 qualifications to choose from. Young employees can also take GCSEs.

The young employee can work towards Level 2 in small steps. This means their first study or training could lead to a qualification at below Level 2.

National Traineeships

National Traineeships are one of the best ways to help young employees to get to Level 2. They:

- offer high quality training to industry standards;
- are currently available in 49 sectors of business and industry; and
- can lead to higher level training, such as Modern Apprenticeships.

Does the training or study have to be directly related to the young employee's current job?

Not necessarily. It may be better for the young employee to take up study or training that improves their employment prospects in general, for example by doing Maths or English GCSE.

What is reasonable time off?

There are no hard and fast rules on this. What is reasonable will depend on all the circumstances, and in particular on:

- the study or training the young employee wants to do; and
- the likely effect of the employee's absence on the running of the business.

Study

Time Off for Study

For example, it may be reasonable that the study or training is undertaken:

- in the workplace on the job; or
- elsewhere on site; or
- with a training provider; or
- with another employer; or
- at a college; or
- elsewhere; or
- in a combination of the above.

The study or training could also be:

- spread throughout the working week, perhaps sometimes in the workplace and sometimes elsewhere on site; or
- done on a part-time day release basis, perhaps at college or with a training provider; or
- on a block-release basis, perhaps at a less busy time of year; or
- done in other ways that are reasonable.

Although the law does not say how much time off is reasonable, Ministers have suggested the equivalent of one day a week as a yardstick.

Is there any financial help available?

Yes. The Government can contribute to the costs of the study or training, where employers cannot afford this. Help can also be available for support costs such as books, equipment, travel or childcare expenses, and assistance for young employees with disabilities. Ask your local TEC for details.

or Training

On average, the total amount of the support is expected to be up to £800 per employee per year. But employers will be responsible for paying the wages of their employee. The right is to paid time off.

What if there is a disagreement?

Careers services, and Training and Enterprise Councils (TECs) will be able to help. They can suggest alternative ways of doing the study or training. The first option may not always be the best.

What if that does not work?

As this is an employment right, the employee can take their complaint to an Employment Tribunal. But it should not have to come to that.

Where is there more information?

A detailed guide to the law is in the employment legislation booklet 'Time Off for Study or Training' Ref TfST/EL1.

More comprehensive advice and guidance for employers is in the full document 'Time Off for Study or Training: A Guide for Employers' Ref TfST/EG1.

For more general information call the Training Information Service on 0345 665588.

Information is also available at www.dfee.gov.uk/tfst.htm

Who can help locally?

The Careers Service and the TEC.

Call Learning Direct on 0800 100 900 to find out the nearest office.



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