Learning and Development Policy

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 |
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 |

# Version History

| Version | Date | Author (Name and Title) | Summary of amendments made |
| --- | --- | --- | --- |
| 0.1 | May 2022  | Senior HR Business Partner  | First draft ICB Policy |
| 1.0 | 08/07/22 | Governance Support Officer | Final review of version 1.0 |
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## Introduction

The Integrated Care Board (ICB) is committed to developing its staff and Board members to enable them to meet both present and future challenges. This policy evidences that commitment by setting out the mechanisms by which staff can obtain support for continuous professional development.

## Purpose / Policy Statement

The purpose of this policy is to outline the process and criteria to support staff development identified in appraisals. This will enable the ICB to maintain a Board and a workforce which is fit for purpose.

## Scope

This Policy applies to:

 • ICB Board members;

 • Staff who are directly employed by the ICB;

 • Members of ICB sub-committees as defined by the terms of reference of that committee.

It does not apply to staff members who are not employed directly by the ICB, e.g. staff of member practices or contractors/agency staff.

Whilst some training may include relevant selection criteria, the ICB will ensure that decisions about access to learning and development will be made irrespective of race, religion/beliefs, gender, age, disability, sexual orientation or contracted hours.

Whilst the Policy applies to Board and committee members who are not direct employees of the ICB, its scope only extends to meeting their training, education and development needs as Board members, rather than other aspects of their professional life. For example, the policy would enable a GP Board member to apply for a masterclass in commissioning or in corporate governance but an application for a GP Board member to attend a course in primary care consulting skills would fall outside the scope of this policy.

## Definitions

* Refer to main policy.

## Roles and Responsibilities

### Integrated Care Board

* + 1. The ICB Board is accountable and responsible for ensuring that the ICB has effective processes for the management of learning and development in accordance with best practice guidance.

### Chief Executive

* + 1. The Chief Executive is accountable for the policy and procedure being in place to ensure fair and equitable approach to learning and development for those in scope of this policy.

### Policy Authors

* + 1. Policy authors are responsible for ensuring that this document is updated to reflect any good practice guidance.

### Executive Chief People Officer

* + 1. The Executive Chief People Officer oversees the implementation of this policy and is responsible for ensuring that managers take action to meet the organisation’s obligations to ensure equity and consistency.

### Line Managers

* + 1. Line Managers have responsibility for the following:
	+ Ensure all new members of staff receive a full Induction to the ICB and their work area, completing the documentation and returning it to the HR team once completed.
	+ Discuss and identify development opportunities with individual team members at their annual appraisal and agree any development needs which clearly link to organisational and individual objectives, as detailed within the PDP.
	+ Identify the study leave requirements for staff.
	+ Not make any provisional commitment to staff for support of a training application that has a cost (be it direct or indirect) without prior agreement from the Head of Human Resources/appointed Director.
	+ Ensure that mandatory training has been completed prior to supporting other course requests.
	+ Ensure that there is a complete and clear record of development activity being carried out within the team/service.
	+ Prioritise the learning needs of the team.
	+ Organise cover within the team to allow study leave and ensure that the business is not adversely affected by the study leave.
	+ Identify and offer opportunities for development activities in the workplace e.g. projects, assignments, secondments and shadowing.
	+ Ensure that all staff comply with the mandatory training for their post and follow up non-attendance.
	+ Cancel the relevant course if a member of staff cannot attend, and the staff member is not in a position to cancel it themselves (i.e. due to illness)
	+ Monitor staff on any form of study leave and deal with any problems, i.e. attendance or request for support as they arise.
	+ Support members of staff prior to and following attendance, to ensure that the member of staff fully appreciates and meets the learning outcomes expected and shares this with the team/department.
	+ Be aware that non- attendance of pre-booked courses, including internal, incur charges, therefore cancellation should be avoided wherever possible.
	+ Be aware that travel, accommodation costs should be paid from the individual’s directorate budget.
	+ Ensure any property purchased (i.e. books) to support the course remains the property of the ICB.

### All Staff

* + 1. Those within the scope of this policy have the following responsibilities:
	+ Ensure that all induction activities are completed fully and within the relevant timescales, where the employee is new to the Organisation.
	+ Ensure that all applications are submitted for sanction within an adequate timescale and ensure any course costs are approved before booking takes place.
	+ Record all courses undertaken on their individual PDP/ESR.
	+ Ensure that they complete all mandatory training at the relevant frequency.
	+ Ensure that all training is linked to the appraisal review and supports the ICB’s corporate objectives
	+ Ensure that the Learning & Development application form is fully completed and signed by the line manager and applicant. An incomplete application form may lead to a delay or refusal of application.
	+ Ensure that approval for all costs for course fees, travel, books and accommodation are sought as part of the training application rather than being subject to a subsequent application, as far as can reasonably be envisaged. Also included should be the period of time off required in full, for consideration.
	+ Take responsibility for booking any external course once funding has been agreed.
	+ Arrange for their own travel to and from the place of study
	+ Ensure that if training needs are identified at different intervals throughout the year, the training course/event/conference aligns to their original PDP documentation and that this is signed off by their line manager.
	+ Print copies of certificates for any e-learning that is not undertaken via ESR; which should be sent to the HR team for collation on the individual HR file.

## Policy Detail

### Study Leave and Use of Study Leave Time

* + 1. Study leave time may apply to actual attendance at courses, conferences, training, or any additional time to study for examinations or prepare or complete course work (excluding Mandatory Training).
		2. Study leave may be granted for revision for examination purposes on a one day per subject basis, up to a maximum of three working days in one academic year per individual.
		3. Study leave may also be granted for attendance at examinations, and travel time to and from the examination.
		4. Working Time Regulations state that the time away from the workplace, on agreed extended study leave, is counted towards the 48 hours per week that a person is permitted to work.
		5. Staff may be given time off to attend day release courses to a maximum of 1 day per week with prior agreement from their line manager, providing that work can be covered. Time off will be granted for attendance at college/university only (i.e. staff will be expected to attend work during holidays, half term, etc.). If the study time only covers the morning or afternoon, staff will be expected to attend work for the afternoon or morning as appropriate.

### Study Time for Open/Distance Learning

* + 1. Where a member of staff is granted any funding (full or partial) for a course of study undertaken by open or distance learning, they may be eligible for study time within their normal working hours, subject to agreement by the line manager and Head of HR. It is expected that the most efficient method of study is approved – in terms of time, cost and efficiency (including likelihood for success – i.e. support needed to achieve).
		2. Time off for study and how much is granted is set out as follows:
* If the course of study is offered by day release at a school/college the employee may be granted study time for the duration of the course up to or equal to that needed to follow the course by day release;
* For courses not offered by colleges/schools (Open Learning method), managers may grant up to 50% of the equivalent total weekly ‘lesson’ time recommended , up to a maximum of one day per week;. In the absence of clear guidelines over weekly taught study equivalence, a decision will be reached over appropriate study time per week, using other qualifications of a similar level/stature as the benchmark.
* e.g. IHSM ten hours of taught study each week are recommended. Thus the member of staff might be granted up to five hours a week whilst following the course.
	+ 1. Individual departments may consider an offer of commitment (across the department or Directorate) depending on the type and duration of study requested. This may serve to increase the number of staff that can be supported at any one time (who otherwise may not be approved to undertake ICB funded training due to departmental impact). Examples are shown in Appendix B.
		2. Any ‘departmental guidelines’ should be discussed with the Head of HR to ensure consistency across the ICB, and to consider if any Equality impact may arise from this.

### Employee Commitment

* + 1. When study leave is granted for a course of study leading to the awarding of a professional/technical qualification, eg IHSM, Managing Health Services, MBA, CIPFA, IPM, CIPD etc. or for any study that takes (in its entirety, as opposed to individual modules) 3 months or longer to achieve OR costs the ICB £500 or more; the applicant will be required to sign an undertaking to remain working in the ICB for two years following the completion of the course (or accept repayment of costs if they leave sooner than this). See section 13 for information on repayment of course fees. Where courses are modular, any repayment period will commence from the conclusion of each module of study – giving the potential for multiple repayment periods when studying to achieve one overall qualification.
		2. In these circumstances, if the individual leaves the service before the end of two years, they may be required to repay 1/24 of the full study leave costs (expenses and fees) of the course of study for each full month remaining of the 24, e.g. if the full costs of the course were £750.00 and the member of staff leaves the NHS 14 months after receiving his/her qualification, he/she will be required to repay 10/24 of the costs, i.e. £312.50.
		3. This requirement may be waived if the Head of HR in consultation with the individual’s Director agrees the reason for leaving the service to be unavoidable.
		4. If a member of staff chooses to discontinue their studies for a professional qualification before the end of the course of study they may be required to repay some or all of the study costs (expenses and fees) so far incurred. This condition may be waived if the Head of HR in consultation with the individual’s Director considers the reason for the discontinuation of studies to be reasonable and/or unavoidable.
		5. If a member of staff is required to repay study costs these will be reclaimed by deduction from the staff member's salary. Staff will be required to consent to such deductions being made from their salary at the time study leave is requested.

### Continuous Professional Development

* + 1. Staff are encouraged to participate in CPD activities as relevant to their professional registration i.e. Human Resource Professionals, Finance, Clinical etc. to ensure that their records are kept up to date.
		2. As a minimum we will provide and release staff to benefit from:
	+ Learning and development activities identified as mandatory as required for all staff in order to ensure the health and safety of staff and patients.
	+ Provision of other training essential to service need or to address an identified risk.

### Applications for Learning

* + 1. When considering the application, the manager should consider the following points:
* How does the course of study fit in with the developmental needs of the Organisation, the team and the individual, which have been identified via the Personal Development Review Process?
* Is an "external" course the most appropriate way of meeting the learning need? Or could it be more effectively met in-house, eg by job swaps, coaching, secondment, project work, etc?
* Could the learning be delivered via a form of Apprenticeship?
* If an outside course is felt to be the most appropriate when other options have been considered will the course identified meet the specific needs of the individual and does it represent the best value for money?
* What is the team impact of approving the request for support to learn or develop? The number of current staff undertaking learning and development activities within one department or Directorate may impact on the ability for future requests to be supported – either fully or partially.
	+ 1. If agreement is reached on a period of funded study leave for a member of staff, the following expenses will be met:
* Course fees, as agreed (partial or full) (from Training budget).
* Examination fees, as agreed (partial or full) (from Training budget).
* Subsistence allowance - in line with Agenda for Change terms and conditions / local ICB policy (from individual’s department budget) where relevant and where attendance at place of study prevents the individual’s ‘normal’ meal options. Subsistence would normally only be payable where an individual is required to stay away from home on a ‘residential’ course.
* Travelling expenses, as agreed (partial or full) in line with Agenda for Change terms and conditions/ local ICB policy (from individuals’ department budget).
	+ 1. Standard or regular user rates of mileage allowance do not apply if an employee uses a private motor vehicle in circumstances where travel by a public transport would be more appropriate. For such journeys the public transport rate shall be paid unless this is higher than the standard or regular user rate for the appropriate engine band, when the lower rate should be paid.
		2. Managers may approve payment of the full standard and regular user rates in the following circumstances:
		3. When an individual is required by their manager to attend a course/conference/workshop for which study leave must be taken. This might include events attended to represent the Organisation or to learn about new NHS initiatives.
		4. When public transport would not be appropriate, e.g. where using public transport would lengthen the journey time considerably, where more than one person can travel in the same car, or where use of public transport would necessitate an overnight stay.
		5. The purchase of prescribed textbooks as agreed (partial or full funding) may be funded by the Organisation. These will remain the property of the ICB and staff will be required to return them to the HR department at the end of their studies for use by future students.
		6. Any other reasonable expenses are at the discretion of the manager/Head of HR.

### Sharing Knowledge

* + 1. Staff attending courses, conferences or other training events, are required to share the knowledge obtained with their colleagues. Appropriate mechanisms could be:-
	+ Written reports/briefing notes.
* Team briefings.
* Participation in action learning set.

Managers should obtain feedback on events or progress on long-term courses and make a note of the value of particular events for future reference.

The ICB reserves the right to support only one colleague per conference/seminar unless there is a compelling reason to fund multiple places at the same conference etc. Any attendee at a conference or event should be prepared to cascade information or learning to support other colleagues within the ICB.

### Applications for Study/Funding for Training

* + 1. All applications must in the first instance be discussed with and agreed to be a priority by the individual’s line manager (or, in the case of Board members, by the ICB Chair and Chief Executive).
		2. Applications must then be submitted in writing using the Learning & Development Application Form, signed by both the applicant and the line manager.
		3. All applications will be considered by the Line Manager and then the Head of Human Resources. The ICB reserves the right to implement any further scrutiny to requests in order to ensure appropriate use of ICB funds and value for money – i.e. appointed Director/Finance sign off. Funded training for the HR team will be considered by an appointed Director.
		4. Applications for funding will be automatically rejected if an appraisal has not been completed in the past 12 months.
		5. Applications will be automatically rejected if the applicant’s mandatory training is not up to date.
		6. A Learning & Development Application Form must be submitted for all categories of training and development or Continuing Professional Development (CPD) activities, including attendance at conferences whether free of charge or not. The form must be completed, as indicated, for Internal Study Leave/Short Course/Extended Study Leave.
		7. For extended study leave the evidence should also include how the qualification will have a positive impact on the service, on patient care or how it will contribute to the ICB’s corporate objectives.
		8. For longer or higher cost courses, a supporting statement may be required, including where more than one individual has requested funding for a particular course and the ICB is unable to support more than one request (i.e. Mary Seacole, or Elizabeth Garrett Anderson Programme).
		9. Retrospective applications will not be considered. However, the ICB will give due consideration to requests to continue training and development activities that have already been commenced by an individual’s former employer.
		10. All applications for study leave should be made by using the Learning & Development Application Form which can be found on the Intranet. The application should be approved by the manager before forwarding to the Head of Human Resources for final approval and confirmation of budget allocation.
		11. Staff are required to submit forms for authorisation prior to making any confirmed bookings.

### Funding

* + 1. Where funding is available and the request supports an individual’s PDP (agreed at appraisal), then the course may be fully or partially funded where central training budgets allow. Once line manager approval has been granted, this must be sent to the Head of Human Resources for final approval. Any applications whose cost is estimated to exceed £10,000 must also be approved by the Chief Finance Officer.
		2. Where it is necessary for the applicant to belong to a professional body, the membership/subscription fee cost will be met by the applicant. However, applicants should be aware that they could be entitled to a tax deduction in respect of any professional fees paid.

[HMRC Income Tax Relief](http://www.hmrc.gov.uk/incometax/relief-subs.htm)

* + 1. If there is a cost involved to re-sit any part of the course, the responsibility for funding this will sit with the staff member.
		2. Funding may not be granted if more effective options can be identified.
		3. For courses of 1 year duration or more, an application must be submitted for the entire course cost and timescales, requiring support. The ICB may only be able to offer partial support, where study is likely to be prolonged. Where training is likely to span more than one financial year, it may only be possible to commit to partial funding. Initial requests should cover all module funding required. Where module dates/timescales are known this should be fully detailed on the Learning & Development application form in order to accurately calculate repayment periods, per module. Individuals should ensure that repayment forms are completed prior to the commencement of all individual modules so that repayment periods are correctly calculated and agreed.
		4. Travelling and subsistence expenses should be claimed on an expenses claim form and will be charged to the staff members relevant directorate.
		5. Confirmation of funding is subject to ICB approval and staff may be offered either full or partial funding. In addition, if budgets do not allow, or if training requested is not deemed essential to the role, the ICB may with discretion, offer to support an individual through notional time off only as opposed to course (and associated) payment. Options may exist for a form of ‘training loan’ whereby the ICB may pay up front costs of training and allow the staff member to repay the ICB for this on a monthly basis (where full or partial funding cannot be agreed or supported, and the individual would otherwise not be able to afford to fund the cost of training themselves at commencement of training – where a staggered payment plan does not exist with the study provider).

### Repayment of Course Fees

* + 1. If the employee whose study lasts for 3 months or more or costs £500 or more voluntarily leaves the ICB within 2 years of course completion, they will be required to refund a proportion of the financial assistance received. This will be deducted from their final salary payment. It is the responsibility of the individual’s line manager to ensure that the costs are retrieved. Reclaimed course fees will be paid back into the ICB’s training budget. Where repayment costs exceed a ‘reasonable’ proportion of final salary, arrangements will be made for a repayment plan over an agreed period of time, not normally exceeding six months.
		2. 1/24 of the full study leave costs (expenses and fees) of the course of study are repayable for each full month remaining of the 24. Refer to Appendix C for examples.

### Appeal Arrangements

* + 1. Staff will be informed of the basis upon which decisions about resourcing study leave and applications for paid training are met.
		2. Staff who are dissatisfied with any decision made in respect of study leave should raise this with their manager, in the first instance. Issues that cannot be resolved should be pursued formally under the ICB’s Grievance procedure.

## Monitoring Compliance

The HR Team will be responsible for monitoring that this procedure is followed and may be consulted at any stage through the process to offer advice to those involved.

Monitoring information will be published and reported as appropriate.

Should the monitoring uncover any shortfalls in the implementation of the policy, the HR team will work with the relevant management team to draw up an action plan for improvement. This action plan may include, for example:

• training for line managers.

• A risk assessment.

It is also anticipated that any issues in respect of the implementation of the policy may be identified as a result of staff exercising their right of appeal.

## Staff Training

No essential (including mandatory) learning and development requirements have been identified for any staff groups in order to fulfil the requirements stated within this policy.

Guidance can be sought from Human Resources team.

## Arrangements For Review

This policy will be reviewed no less frequently than every two years. An earlier review will be carried out in the event of any relevant changes in legislation, national or local policy/guidance, organisational change or other circumstances which mean the policy needs to be reviewed.

If only minor changes are required, the sponsoring Committee has authority to make these changes without referral to the Integrated Care Board. If more significant or substantial changes are required, the policy will need to be ratified by the relevant committee before final approval by the Integrated Care Board.

## Associated Policies, Guidance And Documents

#### Associated Policies

* Reimbursement of Expenses Policy.

## References

* NHS Terms and Conditions of Service - any reference is to the latest edition.

## Equality Impact Assessment

The EIA has identified no equality issues with this policy.

The EIA has been included as Appendix A.

## Appendix A - Equality Impact Assessment

**INITIAL INFORMATION**

|  |  |
| --- | --- |
| **Name of policy:** Learning and Development Policy **Version number (if relevant):** 1.0 | **Directorate/Service**: People Services  |
| **Assessor’s Name and Job Title:** Carolyn Druce, HR Business Partner  | **Date:** 3rd May 2022 |

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| --- |
| **OUTCOMES** |
| *Briefly describe the aim of the policy and state the intended outcomes for staff*  |
| The purpose of this policy is to outline the process and criteria to support staff development identified in appraisals. This will enable the ICB to maintain a Board and a workforce which is fit for purpose. |
| **EVIDENCE** |
| *What data / information have you used to assess how this policy might impact on protected groups?* |
| The ICB monitors the composition of its workforce under the nine protected equality characteristics and reports on this annually. This information helps the ICB to assess the potential impact of its policies upon staff. |
| *Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?*  |
| Relevant Trade Unions have been consulted on the policy and any comments will be taken into consideration when the policy is published. |

**ANALYSIS OF IMPACT ON EQUALITY**

The Public Sector Equality Duty requires us to **eliminate** discrimination, **advance** equality of opportunity and **foster** good relations with protected groups. Consider how this policy / service will achieve these aims.

N.B. In some cases it is legal to treat people differently (objective justification).

* ***Positive outcome*** *– the policy/service eliminates discrimination, advances equality of opportunity and fosters good relations with protected groups*
* ***Negative outcome*** *–**protected group(s) could be disadvantaged or discriminated against*
* ***Neutral outcome***  *–**there is no effect currently on protected groups*

Please tick to show if outcome is likely to be positive, negative or neutral. Consider direct and indirect discrimination, harassment and victimisation.

| ProtectedGroup | Positiveoutcome | Negativeoutcome | Neutraloutcome | Reason(s) for outcome |
| --- | --- | --- | --- | --- |
| Age |  |  | x | Any employee can make an application for via this policy.  |
| Disability(Physical and Mental/Learning) |  |  | x |  |
| Religion or belief |  |  | x |  |
| Sex (Gender) |  |  | x |  |
| Sexual Orientation |  |  | x |  |
| Transgender / Gender Reassignment |  |  | x |  |
| Race and ethnicity |  |  | x |  |
| Pregnancy and maternity (including breastfeeding mothers) |  |  | x |  |
| Marriage or Civil Partnership |  |  | x |  |

|  |
| --- |
| **MONITORING OUTCOMES** |
| Monitoring is an ongoing process to check outcomes. It is different from a formal review which takes place at pre-agreed intervals. |
| *What methods will you use to monitor outcomes on protected groups?* |
| It is anticipated that any issues in respect of the implementation of the policy will be identified as a result of staff exercising their right of appeal or via the ICB’sGrievance Procedure.  |

|  |
| --- |
| **REVIEW** |
| *How often will you review this policy / service?*  |
| Every 2 years as a minimum and earlier if there are any significant changes in legislation, policy or good practice. |
| *If a review process is not in place, what plans do you have to establish one?* |
| N/A |

## Appendix B – Examples for Study Time for Open/Distance Learning from the Finance Department

**CCAB/CIMA:**

up to 50% of the equivalent taught course days (i.e not including private study time) plus 1 day for revision and the time of the exam plus travel time will be given per module up to a maximum of 5 working days per module.

**Example (1)** distance learning - the equivalent college days are 4 - study leave is 2 days + 1 day revision + half a day to sit the exam and travel to and from the exam centre – 3.5 days. This is within the 5 day maximum and will usually be granted

**Example (2)** distance learning - the equivalent college days are 8 – study leave is 4 days +1 day revision + half a day to sit the exam and travel to and from the exam centre = 5.5 days – as this exceeds the maximum, study leave will be capped at 5 days.

**Example (3)** college study – the time in college is 8 days – study leave will be capped at 5 days and therefore annual leave or flexible working will be required to cover the additional 3 days in college plus any time taken for revision or the exam.

**AAT:**

up to 50% of the equivalent taught course days (ie not including private study time) plus 1 day for revision and the time of the exam plus travel time to and from the exam will be given per module subject to a maximum of 4 working days per module. (The lower limit reflects the fact that on average the AAT modules require fewer days in the college taught courses).

**Example (1)** distance learning – the equivalent college days are 2 – study leave is 1 day + 1 day for revision and half a day to sit the exam and travel to and from the exam centre – 2.5 days. This is within the 4 day maximum and will usually be granted.

**Example (2)** distance learning – the equivalent college days are 6 – study leave is 3 days + 1 day revision and half a day to sit the exam and travel to and from the exam centre – 4.5 days – as this exceeds the maximum leave will be capped at 4 days.

**Example (3)** college study – the time in college is 6 days – study leave will be capped at 4 days and therefore annual leave or flexible working will be required to cover the additional 2 days in college plus any time taken for revision or the exam.

**Other:** It is also recognised that, exceptionally, support may be given where a course is not a requirement of the job role – either CCAB/CIMA or AAT for roles where it is not a requirement or other qualifications that are not a role requirement. In such circumstances a nominal contribution to study time may be granted at the discretion of the CFO.

## Appendix C – Example of Repayment of Course Fees

 Example: cost of course £1500, repayment period of 2 years.

| Timescale Remaining | Amount To Be Repaid  |
| --- | --- |
| 6 months | 18/24 of the full study leave £ 1125 costs (expenses and fees)  |
| 1 year | 12/24 of the full study leave £ 750 costs (expenses and fees)  |
| 0/24 of the full study leave | £ Nil costs (expenses and fees)  |

The example given above will apply for either full course costs (where the course is not modular); or will apply at the conclusion of each module (for modular courses).

If a course has (for example) 4 modules, each studied consecutively, the repayment period for the first module will commence immediately as that module finishes and will span the next 24 months. The repayment period for the final module will therefore expire significantly after the first (and will essentially give a staggered repayment period).