

LEARNING AND DEVELOPMENT POLICY

April 2018

Authorship :	eMBED HR/L&D
Reviewing Committee :	Social Partnership Forum
Date :	10 January 2018
Approval Body :	CCG Executive
Approved Date :	04 April 2018
Review Date :	April 2022
Equality Impact Assessment :	Completed – screening
Sustainability Impact Assessment :	Completed
Related Policies :	<ul style="list-style-type: none"> • Induction Policy • Statutory and Mandatory Training • Professional Registration Policy • Apprenticeship Policy
Target Audience :	All staff CCG staff employed on Agenda for Change terms and conditions.
Policy Reference No. :	HR04
Version Number :	1.3

The on-line version is the only version that is maintained. Any printed copies should, therefore, be viewed as 'uncontrolled' and as such may not necessarily contain the latest updates and amendments.

POLICY AMENDMENTS

Amendments to the policy will be issued from time to time. A new amendment history will be issued with each change.

New Version Number	Issued by	Nature of Amendment	Approved by and Date	Date on Internet
1.0	YHCS			
1.1	CCG	References to funding panel removed, replaced with reference to Training Funding Application Guidance. Appendices 1 &2 removed, replaced by reference to guidance		
1.2	CCG	Additional paragraph 6.8.2	CCG Executive 20 December 2017 *Please note SPF approval obtained 12.01.18 but as no changes was ok that ratification had happened prior to this.	
1.3	eMBED L&D	Inclusion of GDPR statement under section 3 Impact Analysis	Social Partnership Forum – 10 January 2018 CCG Executive – 04 April 2018	09 May 2018

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CONTENTS

1	INTRODUCTION	4
2	ENGAGEMENT	4
3	IMPACT ANALYSES	5
4	SCOPE	6
5	POLICY PURPOSE AND AIMS.....	6
6	ROLES / RESPONSIBILITIES / DUTIES.....	6
7	DEFINITIONS	10
8	POLICY IMPLEMENTATION.....	10
9	TRAINING AND AWARENESS	10
10	MONITORING AND AUDIT	10
11	POLICY REVIEW	10
12	ASSOCIATED DOCUMENTATION.....	11
13	APPENDIX 1 : EQUALITY IMPACT ANALYSIS.....	12
14	APPENDIX 2 : SUSTAINABILITY IMPACT ASSESSMENT.....	16

1 INTRODUCTION

1.1 NHS Vale of York Clinical Commissioning Group (the “CCG”) aims to provide the highest possible standard of service within the resources available and recognises that the quality of the service it provides is a reflection of the quality of the knowledge, skills, attitudes, commitment, motivation and ability of the staff it employs. The CCG will, therefore, encourage all staff to develop to their full potential, enabling them to meet the organisation’s objectives. The CCG will also support a wide and flexible range of qualification and continuing professional development opportunities to facilitate the recruitment, motivation, and retention of staff.

1.2 This guidance recommends the parameters and guidelines that should apply when considering applications for studying; it cannot account for every individual situation. A checklist of questions is provided below to help the manager and employee negotiate a satisfactory result, balancing the employee’s needs with that of the service.

- What are the benefits to a) NHS Vale of York CCG (e.g. service provision) and b) the employee (e.g. knowledge and skills) from the proposed course of study?
- How does the course of study relate to the individual’s work objectives and/or PDP?
- What alternative learning approaches have been considered? Why are they deemed inappropriate?
- What will be the impact on service provision whilst the employee is absent on study leave?
- What is the total studying time per week recommended by the course provider?
- What specific actions will the manager undertake to support the employee and facilitate transfer of learning to the workplace?
- Are there any work-based projects to improve services that can be completed as a course assignment?
- If the original study proposal is not possible, what alternatives do both the manager and employee have?

2 ENGAGEMENT

- Social Partnership Forum/Policy Development Group
- Vale of York CCG staff via team meetings/team brief/internet

3 IMPACT ANALYSES

Equality

- 3.1 In applying this policy, the CCG will have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.
- 3.2 In developing this policy, an Equality Impact Analysis has been undertaken. As a result of performing the analysis, it is evident that a risk of discrimination exists and this risk may be removed or reduced by implementing the actions detailed within the Action Planning section of this document. No further actions are required at this stage. We would expect employees to consider their own personal needs and plan so accordingly. However, if an employee is able to demonstrate a particular need, this will always be considered by their line manager and met with discretion. The Equality Impact Analysis is attached at **Appendix 1**.

Sustainability

- 3.3 This policy has been sustainability impact assessed, and there are no anticipated detrimental effects on the CCG's sustainability themes.

The Sustainability Impact Analysis attached at **Appendix 2**.

Bribery Act 2010

- 3.4 The Bribery Act is relevant to this policy. Under the Bribery Act it is a criminal offence to :
- Bribe another person by offering, promising or giving a financial or other advantage to induce them to perform improperly a relevant function or activity, or as a reward for already having done so; and
 - Be bribed by another person by requesting, agreeing to receive or accepting a financial or other advantage with the intention that a relevant function or activity would then be performed improperly, or as a reward for having already done so.
- 3.5 These offences can be committed directly or by and through a third person and other related policies and documentation (as detailed on the CCG intranet) when considering whether to offer or accept gifts and hospitality and/or other incentives.
- 3.6 Anyone with concerns or reasonably held suspicions about potentially fraudulent activity or practice should refer to the Local Anti-Fraud and Corruption Policy and contact the Local Counter Fraud Specialist.

Data Protection Regulation (GDPR)

- 3.7 The CCG is committed to ensuring that all personal information is managed in accordance with current data protection legislation, professional codes of practice and records management and confidentiality guidance. More detailed information can be found in the CCGs Data Protection and Confidentiality and related policies and procedures

4 SCOPE

- 4.1 The policy applies to all CCG staff employed on Agenda for Change terms and conditions.
- 4.2 This policy does not cover statutory and mandatory training. For details of this, see the Statutory and Mandatory Training Policy.

5 POLICY PURPOSE AND AIMS

- 5.1 The CCG is committed to the development of all employees regardless of profession, job title, band or work pattern. All employees are required to have a Personal Development Plan (PDP) agreed with their manager as part of their annual appraisal and as amended by reviews.
- 5.2 Whilst considering study leave requests on an individual basis, managers must also be aware of their responsibility to ensure a level of consistency and equity within their own team and in relation to practice elsewhere in the CCG.
- 5.3 Factors that may be used to determine study leave requests will include the previous time off and funding the individual has received to participate in other courses of study and their existing qualifications. Applicants will therefore be asked to state the learning and development they have undertaken during the previous twelve months.
- 5.4 The number of employees attending external training will necessarily be limited by available funding and time constraints. Individuals attending such events will therefore be responsible for disseminating the learning points to other members of the team, to the benefit of colleagues.
- 5.5 After the learning event, the line manager is required to discuss with the employee how learning needs were met, and the value of the learning event and look at ways to implement learning in the workplace.

6 ROLES / RESPONSIBILITIES / DUTIES

6.1 The employee

All employees must :

- Participate in the Personal Development Review Process

- Have a copy of their Personal Development Plan
- Undertake learning and development identified as statutory, mandatory or as a corporate requirement for their area of work
- Comply with reasonable requests to update skills and knowledge
- Take active part in investigating development options and discussing, agreeing and keeping up to date their own training and development plan.

6.2 Line Managers

All line managers are responsible for providing the following for their staff :

- Induction
- Personal Development Review
- On-the-job training and coaching where required

6.3 Training Funding Approval Procedure

A form for applying for training funding, and one for applying for study leave, are available separately, as part of the Training Funding Application Guidance, which set out the appropriate levels of approval required, in accordance with the cost of the training and the amount of study leave required. This may vary from time to time, and therefore the latest forms should be requested via the Governance Team.

6.4 Leave Provision for Studying

- 6.4.1 The current levels of approval required for study leave are set out in the Training Funding Approval Guidance.
- 6.4.2 Time off, paid or unpaid, in respect of day release, will be the subject of discussion with the employee at the time that the request for study leave is processed.
- 6.4.3 Given that, in the main, attendance on a course or programme of study forms part of an employee's agreed personal development, it is not expected that there will be any adjustment to reflect differences between duration of the course, and the normal working day, e.g. where day release extends into the evening, any time outside normal working hours will not attract time off in lieu.
- 6.4.4 Employees who work flexi-time may only claim the standard working day as defined by the rules of the scheme.
- 6.4.5 Weekend attendance on approved courses of study may be compensated by time off in lieu, though not incur any payment for overtime. For optional elements the degree of support will be at the manager's discretion.
- 6.4.6 Employees may wish to undertake a course of study of some relevance to their current position or profession but which is primarily for the benefit of their

own personal advancement. In this instance the CCG may allow a proportion of the time required for attending the structured elements of the course as study leave. The remainder of the leave should be taken out of holiday entitlement, or unpaid leave. Managers have the discretion to increase the proportion taken as study leave e.g. if a project being done as part of the course will lead to a service improvement, however they must consider how equitable their decision will be viewed by their team and the CCG at large.

6.4.7 Where a course of study is not related to an employee's current occupation or preparation for a future role within the CCG, there is no obligation on behalf of the CCG to provide any study leave. However in deciding whether a course of study offers a valuable and relevant experience to the potential student, managers are encouraged to look at all aspects before reaching their conclusion (i.e. the method of learning, composition of other participants etc. not just the subject matter).

6.4.8 Employees are required to complete the appropriate form for Study Leave. This does not apply to statutory and mandatory training, and sufficient time to complete statutory and mandatory training should be granted by CCG line management.

Examination Leave

6.4.9 Paid leave will be granted to sit examinations associated with an approved course of study. The employee will be required to provide evidence of examination dates to their line manager prior to approval of leave.

6.4.10 Leave may be granted for a first re-take of an examination failed, at the discretion of the manager. This discretion also extends to whether or not the leave is paid or unpaid.

Assignment Leave

6.4.11 Many courses now depend on assignments rather than examinations. Where this is the case, the manager has discretion to grant paid study leave to complete assignments, up to the level granted for examination leave.

6.5 Funding

6.5.1 There is a budget set aside to support CCG employees who undertake external qualification courses, external short courses and conferences. For current levels of approval required, please see the Training Funding Application Guidance.

6.5.2 Claims may not be made against this budget for travel expenses, subsistence or accommodation, although staff may claim for these from local budgets in the usual way. It is anticipated that where food and refreshments are provided as part of the course (and no overnight stay is involved) then there will be no subsistence claim.

6.5.3 No funding assistance will be given for administration costs (e.g. photocopying), textbooks or other learning materials.

- 6.5.4 Where staff are undertaking qualifications or training that is a statutory or professional requirement if they are to carry out their current or expected duties the CCG, they will receive 100% support for course fees.
- 6.5.5 If staff are undertaking training for their own personal benefit, the CCG has no obligation to provide any funding assistance, even if paid or unpaid leave has been granted.
- 6.5.6 When employees leave NHS employment before, or shortly after, completing a course of study, the anticipated benefits to the CCG or other NHS organisations are not realised. Therefore the CCG reserves the right to make a deduction from the remaining salaries of the individual concerned as compensation, calculated as follows:

If leaving :

Notice Given	% repayment
Within first 11 months from completing training	100%
Between 12 – 17 months from completing training	50%
Between 18 – 24 months from completing training	25%

These deductions are not applicable in the case of individuals being made redundant or retiring, including on health grounds.

They will also not apply to employees on fixed term contracts, save where those contracts are subsequently made substantive. Where these circumstances arise, the time they have served on a fixed term contract since completing their studies will also be included in determining whether any deduction from salary is applicable.

- 6.5.7 Students will have deemed to have completed their studies on submitting their last assignment or period of course attendance, whichever is the latter. The last attendance on a course can include a final examination or re-sit.
- 6.5.8 Special leave of any sort (e.g. maternity) or career breaks undertaken after completion of studies will be included in the calculations outlined in 6.5.6 as being continuous employment.
- 6.5.9 Where students have failed to attend, or complete, a course of study they will be subject to the conditions described in 6.5.6. However the same extenuating circumstances should apply as outlined above and includes long-term sickness.

6.6 Distance, Open or E-learning

- 6.6.1 Employees who are studying using these methodologies are subject to the terms and conditions already outlined above and shall be neither advantaged nor disadvantaged in comparison with students following more conventional courses of study.

6.6.2 Managers may exercise some flexibility in implementing the study leave policy e.g. employees undertaking distance learning may receive more funding support if there is less need for study leave, providing the total 'package' is equitable with that of employees undertaking a conventional course of study.

6.7 Applying for Study Leave

6.7.1 Study leave should be directly agreed between the employee and their line manager. The agreed study leave should be recorded via the Training Funding Application Guidance; the form should be kept on the employee's personal file.

6.7.2 Applications for study leave are subject to the requirements of the Training Funding Application Guidance and may require the approval of the budget holder or relevant Executive Director. See the latest version of the Guidance for current levels of approval required.

6.8 Applying for Funding

6.8.1 All requests for funding must be made on the application form contained in the Training Funding Application Guidance.

6.8.2 Any employee who feels they have been treated unfairly by refusal of study leave or funding for an external learning and development course/activity/event must refer to the CCG Grievance Policy and Procedure.

7 DEFINITIONS

The term 'study leave' applies to a period of time when an employee is absent from his/her normal workplace to attend a course, conference, seminar, workshop, open learning, or any other development activity for the purpose of obtaining knowledge or skill which will help him/her at work.

8 POLICY IMPLEMENTATION

This policy will be published on the CCG website, and all employees will be made aware of its publication through team meetings and regular information bulletins.

Breaches of this policy may be investigated and may result in the matter being treated as a disciplinary offence under the CCG's disciplinary procedure.

9 TRAINING AND AWARENESS

A copy of the policy will be available on the CCG website. Training needs will be identified via the appraisal process and training needs analysis.

10 MONITORING AND AUDIT

The implementation of this policy will be audited on an annual basis by the CCG and reported to CCG Governing Body.

An online version of the policy will be maintained as the current version.

11 POLICY REVIEW

The policy and procedure will be reviewed after four years for the CCG Governing Body in conjunction with Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

12 ASSOCIATED DOCUMENTATION

12.1 To ensure that this policy is viewed in context, it should be read in conjunction with the following policies:

- Induction Policy
- Statutory and Mandatory Training
- Professional Registration Policy
- Apprenticeship Policy

13 APPENDIX 1 : EQUALITY IMPACT ANALYSIS

1.	Title of policy/ programme/ service being analysed
	HR04 Learning and Development Policy
2.	Please state the aims and objectives of this work.
	The CCG is committed to the development of all employees regardless of profession, job title, band or work pattern
3.	Who is likely to be affected? (e.g. staff, patients, service users)
	Staff
4.	What sources of equality information have you used to inform your piece of work?
	Staff equalities data from HR records and staff survey.
5.	What steps have been taken ensure that the organisation has paid <u>due regard</u> to the need to eliminate discrimination, advance equal opportunities and foster good relations between people with protected characteristics
	The analysis of equalities is embedded within the CCG's Committee Terms of Reference and project management framework.
6.	Who have you involved in the development of this piece of work?
	Employees of VoY CCG NYH Social Partnership Forum eMBED HR/L&D
7.	What evidence do you have of any potential adverse or positive impact on groups with protected characteristics? Do you have any gaps in information? Include any supporting evidence e.g. research, data or feedback from engagement activities

Disability People who are learning disabled, physically disabled, people with mental illness, sensory loss and long term chronic conditions such as diabetes, HIV)	Consider building access, communication requirements, making reasonable adjustments for individuals etc.
The Policy does not specifically address the needs of employees with disabilities (courses tailored to meet needs, for example, course material in large print, Braille and using BSL signers and interpreters). Where it is an organisational requirement that an employee with a disability should attend a particular training event, reasonable adjustments should be made. This should be addressed individually with employees recorded as disabled in the CCG.	
Sex Men and Women	Consider gender preference in key worker, single sex accommodation etc.
Considered – no impact	
Race or nationality People of different ethnic backgrounds, including Roma Gypsies and Travelers	Consider cultural traditions, food requirements, communication styles, language needs etc.
Considered – no impact	
Age This applies to all age groups. This can include safeguarding, consent and child welfare	Consider access to services or employment based on need/merit not age, effective communication strategies etc.
There is a potential impact for younger employees who may be working on a lower banding. Line managers must ensure that younger employees have access to Learning and Development opportunities.	
Trans People who have undergone gender reassignment (sex change) and those who identify as trans	Consider privacy of data, harassment, access to unisex toilets & bathing areas etc.
Considered – no impact	
Sexual orientation This will include lesbian, gay and bi-sexual people as well as heterosexual people.	Consider whether the service acknowledges same sex partners as next of kin, harassment, inclusive language etc.
Considered – no impact	

<p>Religion or belief Includes religions, beliefs or no religion or belief</p>	<p>Consider holiday scheduling, appointment timing, dietary considerations, prayer space etc.</p>
<p>Considered – no impact</p>	
<p>Marriage and Civil Partnership Refers to legally recognised partnerships (employment policies only)</p>	<p>Consider whether civil partners are included in benefit and leave policies etc.</p>
<p>Considered – no impact</p>	
<p>Pregnancy and maternity Refers to the pregnancy period and the first year after birth</p>	<p>Consider impact on working arrangements, part-time working, infant caring responsibilities etc.</p>
<p>The Policy does not specifically address the needs of pregnant employees or those on maternity leave. Individuals returning to work following maternity leave should be worked with to refresh their Learning and Development plans and managers should ensure that pregnant employees have the same opportunities as others in the workforce .</p>	
<p>Carers This relates to general caring responsibilities for someone of any age.</p>	<p>Consider impact on part-time working, shift-patterns, options for flexi working etc.</p>
<p>Staff with caring responsibilities (often women) may find it difficult to access training. This may be because an event is longer than the normal working day. Where it is an organisational requirement that an employee should attend a particular training event, alternative arrangements may have to be considered. 74.3% of the staff in the CCG are female. Whilst national evidence suggests that this is more likely to have a greater impact on women, men with similar responsibilities should be equally supported .</p>	
<p>Other disadvantaged groups This relates to groups experiencing health inequalities such as people living in deprived areas, new migrants, people who are homeless, ex-offenders, people with HIV.</p>	<p>Consider ease of access, location of service, historic take-up of service etc.</p>
<p>Considered – no impact or not applicable to employees.</p>	

8.	<p>Action planning for improvement</p> <p>Please outline what mitigating actions have been considered to eliminate any adverse impact?</p> <p>Please state if there are any opportunities to advance equality of opportunity and/ foster good relationships between different groups of people?</p> <p>This Policy does not directly promote inclusivity, but sets out a process to allow all staff to access training where required. However , this might be more difficult for some groups and this should be monitored.</p>
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Sign off	
Name and signature of person / team who carried out this analysis	<i>eMBED HR / L&D</i>
Date analysis completed	<i>October 2017</i>
Name and signature of responsible Director	
Date analysis was approved by responsible Director	

14 APPENDIX 2 : SUSTAINABILITY IMPACT ASSESSMENT

Staff preparing a policy, Governing Body (or Sub-Committee) report, service development or project are required to complete a Sustainability Impact Assessment (SIA). The purpose of this SIA is to record any positive or negative impacts that this is likely to have on sustainability.

Title of the document	HR04 Learning and Development Policy
What is the main purpose of the document	The CCG is committed to the development of all employees regardless of profession, job title, band or work pattern. All employees are required to have a Personal Development Plan (PDP) agreed with their manager as part of their annual appraisal and as amended by reviews
Date completed	
Completed by	CSU Workforce

Domain	Objectives	Impact of activity Negative = -1 Neutral = 0 Positive = 1 Unknown = ? Not applicable = N/A	Brief description of impact	If negative, how can it be mitigated? If positive, how can it be enhanced?
Travel	Will it provide / improve / promote alternatives to car based transport? Will it support more efficient use of cars (car sharing, low emission vehicles, environmentally friendly fuels and technologies)? Will it reduce 'care miles' (telecare, care closer) to home? Will it promote active travel (cycling, walking)? Will it improve access to opportunities and facilities for all groups?	N/A		

Procurement	<p>Will it specify social, economic and environmental outcomes to be accounted for in procurement and delivery?</p> <p>Will it stimulate innovation among providers of services related to the delivery of the organisations' social, economic and environmental objectives?</p> <p>Will it promote ethical purchasing of goods or services?</p> <p>Will it promote greater efficiency of resource use?</p> <p>Will it obtain maximum value from pharmaceuticals and technologies (medicines management, prescribing, and supply chain)?</p> <p>Will it support local or regional supply chains?</p> <p>Will it promote access to local services (care closer to home)?</p> <p>Will it make current activities more efficient or alter service delivery models</p>	N/A		
Facilities Management	<p>Will it reduce the amount of waste produced or increase the amount of waste recycled?</p> <p>Will it reduce water consumption?</p>	N/A		
Workforce	<p>Will it provide employment opportunities for local people?</p> <p>Will it promote or support equal employment opportunities?</p> <p>Will it promote healthy working lives (including health and safety at work, work-life/home-life balance and family friendly policies)?</p> <p>Will it offer employment opportunities to disadvantaged groups?</p>	0		
Community Engagement	<p>Will it promote health and sustainable development?</p> <p>Have you sought the views of our communities in relation to the impact on sustainable development for this activity?</p>	N/A		

Buildings	<p>Will it improve the resource efficiency of new or refurbished buildings (water, energy, density, use of existing buildings, designing for a longer lifespan)?</p> <p>Will it increase safety and security in new buildings and developments?</p> <p>Will it reduce greenhouse gas emissions from transport (choice of mode of transport, reducing need to travel)?</p> <p>Will it provide sympathetic and appropriate landscaping around new development?</p> <p>Will it improve access to the built environment?</p>	N/A		
Adaptation to Climate Change	<p>Will it support the plan for the likely effects of climate change (e.g. identifying vulnerable groups; contingency planning for flood, heat wave and other weather extremes)?</p>	N/A		
Models of Care	<p>Will it minimising 'care miles' making better use of new technologies such as telecare and telehealth, delivering care in settings closer to people's homes?</p> <p>Will it promote prevention and self-management?</p> <p>Will it provide evidence-based, personalised care that achieves the best possible outcomes with the resources available?</p> <p>Will it deliver integrated care, that co-ordinate different elements of care more effectively and remove duplication and redundancy from care pathways?</p>	N/A		