

## Time to train consultation response form

**URN10/1108**

The Department may, in accordance with the Code of Practice on Access to Government Information, make available, on public request, individual responses.

The closing date for this consultation is 15/09/2010

Your Name: Nicola Broady  
 Your Organisation (if applicable): Association of Colleges  
 Your Address: 2-5 Stedham Place, London, WC1A 1HU

Please return completed forms to:

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Please tick the box that best describes you as a respondent. This allows views to be presented by group type

<input checked="" type="checkbox"/>	Business representative organisation/trade body
<input type="checkbox"/>	Central government
<input type="checkbox"/>	Charity or social enterprise
<input type="checkbox"/>	Individual
<input type="checkbox"/>	Large business ( over 250 staff)
<input type="checkbox"/>	Legal representative
<input type="checkbox"/>	Local Government
<input type="checkbox"/>	Medium business (50 to 250 staff)
<input type="checkbox"/>	Micro business (up to 9 staff)
<input type="checkbox"/>	Small business (10 to 49 staff)

	Trade union or staff association
	Other (please describe):

The Association of Colleges (AoC) is the representative body for Colleges of further education, including general FE Colleges, sixth form Colleges and specialist Colleges in England, Wales (through our association with Colleges Wales) and Northern Ireland (through our association with ANIC). AoC was established in 1996 by the Colleges themselves to provide a voice for further education at national and regional levels. Some 98% of the 450-plus general FE Colleges, sixth form Colleges and specialist Colleges in the three countries are in membership. These Colleges are the largest providers of post-16 general and vocational education and training in the UK. They serve over 4 million of the 6 million learners participating in post-statutory education and training, offering lifelong learning opportunities for school leavers and adults over a vast range of academic and vocational qualifications. Levels of study range from the basic skills needed to remedy disadvantage, through to professional qualifications and higher education degrees.

**URN10/1108**

**Question 1:** Should the right be retained as it exists now in organisations with 250+ employees, and extend to small and medium organisations in April 2011 as planned?

Yes

No

Not sure

Comments

AoC continues to support the right to request time to train, and believes that the right should be afforded to all employees, regardless of the size of their employer organisation.

**Question 2:** Should the right only apply in organisations with 250+ employees, and not be extended to small and medium sized organisations?

Yes

No

Not sure

Comments

As above.

**Question 3:** Should the extension of the right to small and medium sized enterprises be delayed until the economic conditions improve?

Yes

No

Not sure

Comments

Small to medium sized enterprises will have had over a year to prepare for the introduction of the right to their employees. Initiatives to improve the skills of the country's workforce should not be delayed; rather a rise in employees' skills levels is likely to support sustainable growth. We fully support the view of Skills Minister John Hayes MP who commented in his Foreword to the Skills for Sustainable Growth Consultation last month: "Skills are vital to our economy. This was clear even before Lord Leitch published his report in 2006, demonstrating the need for urgent action if we are to retain our competitiveness and make progress in the future."

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**Question 4:** Should the right be removed altogether?

Yes

No

Not sure

Comments

**Question 5:** Should the right be retained, but made to function better for example by:

a. Exempting employees who can already access training from being able to use the right or introducing exemptions for other employees?

Yes

No

Not sure

b. Adding new reasons for refusal where good training review systems already exist?

Yes

No

Not sure

c. Introducing different procedures for dealing with requests? (If yes, please specify what these should be and how they would operate.)

Yes

No

Not sure

Comments on how these changes could be made without introducing further complexity or reducing legal certainty for employees and employers

offer their employees good opportunities for training and development and the sector has a national joint agreement on guidance on training and development between AoC and six trade unions. Where employers develop their employees and have good training request systems of their own, there should be scope to be exempted from the rigid statutory procedure. If option (a) above were adopted, there would need to be clear criteria to exempt an employee from being able to make a statutory request. If option (b) were adopted, there is a concern that tribunal claims could focus on whether an employer had had legitimate grounds for refusing a request on the basis of there already being a good training review system in place. It would be useful to have information on how the right had affected employers so far, before deciding on how best to amend it.

URN10/1108

**Do you have any other comments that might aid the consultation process as a whole?**

Please use this space for any general comments that you may have, comments on the layout of this consultation would also be welcomed.

One of the original aims of the right to request time to train was to promote a culture change so that employers and employees view skills investment as a powerful tool in realising business and career aspirations. The right has only been in place for four months, which makes it impossible to gauge whether this aim has, or will, be met. Given the Leitch Report and the fact that that the UK is still lagging behind its competitors in terms of skills, it does not seem wise to remove a piece of legislation that aims to support skills attainment and business growth.

Thank you for taking the time to let us have your views. We do not intend to acknowledge receipt of individual responses unless you tick the box below.

Please acknowledge this reply

At BIS we carry out our research on many different topics and consultations. As your views are valuable to us, would it be okay if we were to contact you again from time to time either for research or to send through consultation documents?

Yes

No