Statutory and Mandatory Training Policy

Title:	**Statutory and Mandatory Training Policy**			
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Ownership:	Director of Human Resources and Corporate Services Director of Education Director of Operations & Estates Director of Finance Director of Children & Young People's Services Chief Executive Office			
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Links to other policies	**See section 7.0 <u>EVIDENCE BASE / REFERENCES</u>**			

CONTENTS

1.0 INTRODUCTION / PURPOSE OF POLICY

1.1 Background

The need for this policy has been identified in order to strengthen the delivery and governance arrangements around the provision and recording of both statutory and mandatory training. This will support the Education Authority (EA) in ensuring compliance with legislation as well as promoting quality standards and minimising risk to children, young people, staff, visitors and the public.

It will clarify the minimum requirements across all EA staff and set out the expectations of Directors, Heads of Service, Line Managers, Employees, and training providers to ensure robust systems are in place to meet EA obligations.

1.2 Purpose

EA recognises that statutory and mandatory training is of vital importance in the provision of high-quality services to our children and young people and is essential for effective risk management and the maintenance of required standards.

We recognise our duty to deliver appropriate and sufficient training and to ensure that employees have reasonable access to complete such training.

This policy sets out the definition for statutory and mandatory training and the arrangements in place to meet our obligations.

For the purposes of this policy, statutory and mandatory training will be referred to under the collective title of mandatory training. The term Manager will also refer to School Leaders.

1.3 Objectives

➢ To reduce risks to our service users, staff, visitors, and the public.
➢ To ensure EA meets our vision 'to inspire, support and challenge all our Children and Young People to be the best that they can be.
➢ To enable a workforce that is highly capable, engaged and empowered.
➢ To comply with legislative requirements.
➢ To support staff in carrying out their duties safely and efficiently.
➢ To maintain competence to the required standards.
➢ To provide a systematic approach to the provision and monitoring of mandatory training for all staff.
➢ To ensure that a systematic approach is in place to review recommendations for proposed mandatory training.
➢ To ensure acceptable governance arrangements are in place regarding the provision of and attendance/completion of training.
➢ To outline responsibilities for managers and staff members to comply with the requirements of this policy.

2.0 SCOPE OF THE POLICY

All EA employees both school based and non-school based staff, regardless of contract type, including those engaged in a regular volunteer capacity, are required to complete, within the specified time frames, all mandatory training as defined within the EA Statutory & Mandatory Training Matrix or as identified specifically for their post.

The EA Statutory & Mandatory Training Matrix defines the types of training that are mandatory for all staff or across broad groups of staff. There are four imperatives that govern whether training is included in the matrix:

1. **A statutory obligation** - where the law defines that training must be undertaken or staff have a statutory right to entitlement (such as Article 92(2) Employment Rights (Northern Ireland) Order 1996 – *Please refer to Joint Negotiating Council Circular No. 124 [Revised] Facilities for Industrial Relations Duties and Trade Union Activities* for further guidance on principles and practices.
2. **A Government mandate** - where a formal, official directive has been handed down within the Education sector.
3. **A corporate mandate** - where the EA has identified training as being essential to organisational priorities. The requirement to undertake such training is normally also defined within an EA Policy for the particular topic.
4. Training which is regarded as being professional or a requirement of individual professions for their members to maintain core occupational competences, is **not** included in the training matrix. Professions and service managers will determine and record separately what training is mandatory to cover core role skills and communicate this to their staff.

The contents of the EA Statutory & Mandatory Training Matrix is not exhaustive as requirements are subject to change and therefore will be regularly reviewed by the Statutory and Mandatory Working Group.

3.0   ROLES / RESPONSIBILITIES

Directors: It is the responsibility of Directors to: -

- Provide assurance to CLT in regard to compliance with this policy. This includes ensuring robust processes are in place to implement and monitor this policy and the development of quarterly reports in support of performance management arrangements.

- Implement the policy within their Directorate, ensuring that Managers, School Leaders, Senior Responsible Officers, Lead Officers, and staff are aware of their responsibilities under this policy.

- Ensure that, where necessary, insurmountable issues with compliance are identified on the risk register.

- For those Directors who also carry responsibility for the provision of mandatory training, to ensure that arrangements are in place to meet the objectives of this policy.

Senior Responsible Officer (as identified on the EA Statutory & Mandatory Training Matrix): It is the responsibility of the SRO to:

- Be accountable for providing assurance that the required training has been procured or developed and available for staff to complete and that provisions are place for the recording and reporting of the training. The identified SRO should be Head of Service level or above.

Heads of Service: It is the responsibility of Heads of Service to:

- Implement and monitor this policy within their service, ensuring that issues of non-compliance with mandatory training have been addressed with all employees within their areas of responsibility.

- Contact training providers or Lead Officers, if required, to request the provision of targeted training sessions in their Service Area. Heads of service will be responsible for the communication, recording and reporting of this target training.

- Provide assurance to DMTs in regard to compliance with this policy.

Managers (Note: Managers also refers to School Principals): It is the responsibility of Managers to: -

- Communicate to their staff the mandatory training required for their post. The training will be identified from the EA Statutory & Mandatory Training Matrix and managers should facilitate staff attendance/completion. As much of the training as possible should be included as part of the employee's induction.

- Communicate EALearn log in credentials to staff. Where staff have access to EALearn, mandatory training should, as far as possible, be completed using the system.

- Ensure information is collated relating to attendance/completion of training of staff and agreeing an action plan if the service area/school is not achieving the targeted uptake of relevant mandatory training.

- Implement and monitor this policy ensuring that issues of non-compliance with mandatory training have been addressed with all employees within their areas of responsibility.

- Contact training providers or Lead Officers (as identified on EA's Statutory and Mandatory training Matrix), if required, to request the provision of targeted training sessions in their Directorate/school.

- Ensure that additional role specific mandatory training for posts within their span of control is identified, communicated to post holders and the Statutory Mandatory Working Group for consideration of inclusion on the EA Statutory & Mandatory Training Matrix and the necessary arrangements implemented to meet identified need.

- A review of the training already completed previously will be undertaken and the mandatory training requirements for the forthcoming year will be identified. The Line Manager and the employee must agree an appropriate timetable and to ensure attendance at mandatory training events.

- For new employees and those new to post, the Line Manager will identify what mandatory training is necessary and agree an action plan as part of induction arrangements.

- If a Line Manager is unsure of their training responsibilities for a particular programme or requires assistance in the procurement of training or the locating of training materials, they should contact the Lead Officer for the training in the first instance.

- For staff who are planning to go on an extended period of leave to encourage them to update their training requirements before the leave commences. To ensure that any training that requires an update is completed within a maximum period of 12 months on their return.

- To ensure a process is in place for the uploading of staff attendance records to EALearn for the training completed in a face- to -face manner. For example the facilitator of a face-to-face training session can mark attendance or share attendance sheet with a nominated person. If unsure about this manager s should contact ealearn@eani.org.uk

- Follow up and investigate non-attendance/completion of training and rearrange for training as soon as possible.

Employees: It is the responsibility of Employees to: -

- Be aware of their personal mandatory training requirements as outlined in the EA Statutory & Mandatory Training Matrix.

- Where staff have access to EALearn, all available training should be completed through EALearn.

- Exercise personal accountability to ensure that mandatory training requirements are kept up to date and report to their Line Manager any difficulties preventing them from undertaking the required training.

- Attend/complete mandatory training as agreed with their Line Manager. Ensure that when attending/completing training the attendance/completion is registered so that a training record can be maintained. Failure to do this will result in the individual appearing to be non-compliant with this policy.

- Transfer the learning received into practice on return to work.

Lead officer (as identified in the EA Statutory & Mandatory Training Matrix): It is the responsibility of the identified lead officer to:-

- Plan for and provide sufficient training to meet the identified need. In some cases the lead officer will be approached by a service who has identified the need for training. In this case the Lead Officer will identify and recommend a course(s). The service concerned will fund, organise and report on the courses as required. Where it is a course on EA Learn, the lead officer will report upon this.

- The development of a new piece of statutory or mandatory training should follow the process as outlined in appendix 1 and 2

- Arrange for the provision of training **or** in other circumstances recommend the most appropriate training for a service in an appropriate format and mode, being flexible in approach. In the 1st instance consideration must be given to ensuring training is available on EA's Learning Management System, EALearn.

- Clearly communicate the details of the provision of training to managers and staff in a timely way. If the lead officer has recommended training for particular services based on need services will be required to communicate the details of training to their staff and ensure the accurate record keeping.

- Regularly review training content to ensure that it is current and relevant. Consider mode of delivery to take into account EA's new Learning Management System, EALearn.

- Ensure that all training has specific learning objectives stated as well as a detailed programme of content.

- Provide reports of completion / compliance to service managers, the Statutory Mandatory Working Group or any other manager on request for training they are responsible for. Services who have organised training will be responsible for providing these reports.

- All Lead Officers are required to attend a Content Administrator or Reporter training session. These are bookable via EALearn.

- Provide information and reports as requested by the Statutory and Mandatory Working Group.

- Ensure cancellations of training only happen in extreme circumstances, participants notified, and arrangements made to reschedule as early as possible.

- Carry out and record appropriate evaluation of training.

Organisational Development & Learning: - It is the responsibility of OD&L Team to:

- Convene and chair a Cross Directorate Statutory and Mandatory Working Group to support the full and robust implementation of the Statutory and Mandatory Training Policy.

That will:-

➢ Review and update the content of the Statutory and Mandatory Training Policy to ensure it reflects organisational need.

➢ Review, agree and oversee implementation of processes for effective communication of policy and training requirements with all staff in each Directorate.

- Review, agree and facilitate the process to determine what training should be mandatory and for whom.

- Review, agree and facilitate with Directorates/service areas the implementation of process for accurate record keeping.

- Communicate and recommend such actions as may be necessary within each Directorate to achieve compliance with the policy.

- Support individuals who have responsibility for the provision of Mandatory training.

- Ensure training meets expected standards and aligns with EA's Quality Framework for Training.

- Support all Lead Officers to utilise EALearn including the provision of training for Content Administrators and Reporters as required by services.

- Produce Organisational Compliance Reports for Core Statutory and Mandatory training as directed.

4.0 KEY PRINCIPLES

- Mandatory training is compulsory for all staff regardless of staff group or professional status. However, the mandatory training programme comprises of different requirements depending on the staff group and individual role. The EA Statutory & Mandatory Training Matrix sets out the mandatory requirements for all staff or broad categories of staff across EA.

- In making a distinction between statutory and mandatory training and Continuing Professional Development (CPD), it is acknowledged that some staff are required to undertake specific training and updates to fulfil professional registration requirements. It is the responsibility of the individual with their Line Manager to identify and agree any CPD required through their personal development plan. It is emphasised that these requirements must be undertaken in addition to the EA's mandatory training programme.

- All staff are expected to comply with the training set out within the EA Statutory & Mandatory Training Matrix and for their own role within the stated time limits.

- Completion of such training will take priority over non-mandatory training.

- Mandatory training should be completed as far as possible, within the first thirty days of taking up post and no later than six months in normal circumstances. The Manager, at all times, must ensure that any delay in completion of mandatory training does not create a risk for the employee or service user or EA.

- Although all managers and staff are expected to comply with mandatory training requirements, it is acknowledged that service priorities, sickness and

leave may impact on the achievement of full compliance from time to time. However, it is expected that the highest levels of compliance are achieved. Directorates will be required to report on this as part of performance management and accountability arrangements.

- Mandatory training is currently delivered through a variety of methods including classroom delivery and EALearn. EA will explore and develop methods of learning to ensure the appropriate mode for accessibility.

- Mandatory training requirements must be reviewed by Line Managers for staff new to EA, as well as those new to post and action taken as necessary to support compliance for the individual's role.

- All proposed new areas of mandatory training will be considered by the Statutory Mandatory Working Group in line with the agreed Protocol and EA's Quality Framework for Training.

5.0 PROCEDURE

5.1 Corporately Managed Employees

5.1.1 New corporately managed employees are required to undertake EA's Induction Programme. In conjunction with this programme, staff will complete a local induction within their own service area. During this local induction period their Line Manager will identify all statutory and mandatory training and ensure that, so far as practicably possible, the member of staff completes this training within the first thirty days of employment and no later than six months in normal circumstances.

5.1.2 All Corporately managed employees have been provisioned on to EA's Learning Management System, EALearn. Where possible, staff are required to access EALearn to complete all required training.

5.3.1 Managers must identify the training requirements for their staff through reference to the EA Statutory & Mandatory Training Matrix and through local knowledge of the employee's job role. Employees may also be required to complete other training deemed as essential by their Line Manager, such as equipment or systems training. This essential training will enable the employee to safely carry out the duties of their role, but this training may not be listed on the EA Statutory & Mandatory Matrix.

5.3.2 Line Managers must review their direct report's statutory and mandatory training record during their regular check ins and ensure that all relevant training has been completed and recorded using the appropriate recording mechanism to show that the required statutory/mandatory training has been completed. Should any member of staff not have completed their training the Line Manager will devise an appropriate timetable and action plan to ensure the member of staff completes the relevant statutory and/or mandatory training as soon as possible.

5.3.3 This training must take precedence over all other training. Completion of statutory and mandatory training is not optional. Where frequency is identified as annual this is defined as within a twelve-month period, for example training completed January 4th 2024, update will be required as of January 4th 2025, otherwise the employee

will be deemed as non-compliant with this policy, unless there are extenuating circumstances.

5.3.4   Statutory and mandatory training should be recorded accurately and records easily obtainable when required.

5.3.5   Difficulties in accessing training due to availability of places or access to a computer should be reported to the Manager for that particular service and alternative solutions put in place.

5.2   School Managed Employees

5.2.1   On commencement of employment, new school employees, in conjunction with their Line Manager will identify all statutory and mandatory training required to be completed and ensure that, so far as practicably possible, the new member of staff completes this training within the first thirty days of employment and no later than six months in normal circumstances.

6.0   IMPLEMENTATION OF POLICY

6.1   Dissemination
This Policy should be disseminated throughout EA as it applies to all EA staff.

Policy should be disseminated via:

- Inclusion in staff briefings
- Standing agenda items at staff meetings
- EA wide communications
- EA intranet and internet sites
- Inclusion in Employee Induction Journey document
- Inclusion in Manager Induction Toolkit
- Included within school policy documents

6.2   Resources
Further details of training can be accessed by contacting the lead officer named on the EA Statutory & Mandatory Training Matrix.

Other queries should be directed to organisationaldevelopment@eani.org.uk

6.3   Exceptions
Policies are open to all staff within EA who meet the eligibility criteria.

7.0   MONITORING

Directors will be responsible for monitoring the overall use of this policy and compliance within their own Service areas.

All Directorates must comply with the requirement to submit their compliance data as part of EA's performance accountability systems. This needs to be supported by a robust and rigorous performance accountability approach at local level.

Directorates are responsible for collating information within their Directorates regarding policies, procedures, guidelines and protocols developed and approved. This information should be provided to CLT and DMTs and as required by other groups such as the Statutory Mandatory Working Group.

8.0 EVIDENCE BASE / REFERENCES

EA Policies:-

Policy/Procedure
EA Child Protection Policy
EA Data Protection Policy
EA Destruction and Disposal Schedule
EA Disciplinary Procedure
EA Equality Unit policies and procedures
EA Grievance Policy
EA Guidance on Dealing with unreasonable complaints
EA Health and Safety Policy
EA ICT acceptable use Policy
EA Managing Attendance Policy
EA Rural Needs Policy
EA Social Media Policy
EA Whistleblowing Policy
EA Comments and Complaints Policy

(Policy list is not exhaustive)

9.0 CONSULTATION PROCESS

This draft policy has been subject to consultation with Directors, Assistant Directors, Senior Managers, Members of Organisational Development & Learning and the Statutory Mandatory Working Group. Trade Unions have also been consulted and their feedback has been considered and included.

10.0 EQUALITY STATEMENT

In line with duties under the equality legislation (Section 75 of the Northern Ireland Act 1998), Targeting Social Need Initiative, Disability discrimination and the Human

Rights Act 1998, the EA will carry out an initial screening exercise to ascertain if this policy should be subject to a full impact assessment. The outcome of the Equality screening for this policy is:

Major impact ☐

Minor impact ☑

No impact ☐

11.0 <u>DATA PROTECTION ACT 2018</u>

In line with the Authority's duties under the Data Protection Act, 2018 and the General Data Protection Regulations 2018 (GDPR), a Privacy Impact screening exercise and, where necessary, a full assessment has been carried out. A copy of the screening template is available from the Information Governance Team.

12.0 <u>APPENDICES / ATTACHMENTS</u>

EA Statutory & Mandatory Training matrix can be found on the EA website located: https://www.eani.org.uk/ea-staff-hub/hr-online/statutory-and-mandatory-training

Appendix 1: Request for Amendment to the EA Statutory & Mandatory Training Matrix in line with EA Statutory and Mandatory Training Policy

Appendix 2: Process for training to be included on the EA Statutory & Mandatory Training Matrix

13.0 <u>SIGNATORIES</u>

Name _____ **Date** __17 May 2024__

Title **Director of Human Resources and Corporate Services**

Appendix 1

Request for Amendment to the EA Statutory & Mandatory Training Matrix in line with EA Statutory and Mandatory Training Policy

The form, accessed via the link below, must be fully completed for training to be added or amended on the EA Statutory & Mandatory Training Matrix

[Request to add new statutory or mandatory training to EA Training Matrix](#)

Appendix 2

Process for training to be included on the EA Statutory & Mandatory Training Matrix

A need for new (or a change to) statutory/mandatory training arises as a result of a statutory obligation, an education mandate or a corporate mandate.

A training programme is designed or identified to meet the requirements identified above. The programme will include clear objectives and a programme of content. This will be the responsibility of the Lead Officer.

The training requirements and provision should be endorsed by the relevant professional staff members.

The Lead Officer for the provision of the training in the EA will formulate a plan to communicate, deliver and evaluate the training within the necessary timescales.

The Lead Officer will complete the request form for amendment to the EA Statutory & Mandatory Training Matrix and submit it to **OrganisationalDevelopment@eani.org.uk**

The Request Form will be tabled for endorsement at the next available Statutory and Mandatory Working Group.

The training will be added to the EA Statutory & Mandatory Training Matrix by the Organisational Development & Learning team in HRCS. The updated matrix will be issued to Directors & Assistant Directors for implementation in their Directorate. A copy will be uploaded to EA website.