

MANAGEMENT STANDARDS CENTRE



EMPLOYMENT RESPONSIBILITIES AND RIGHTS

WORKBOOK

TO SUPPORT THE

APPRENTICESHIP IN TEAM LEADING

AND THE

ADVANCED APPRENTICESHIP

IN MANAGEMENT

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Dear Apprentice

Welcome to the Apprenticeship programme.

This may be the first time you have worked for someone, or the first time you have undertaken any training since leaving full-time education. You need to learn about the organisation for which you work, your responsibilities within that organisation and the responsibilities of people who work with you. You also need to know other vital information such as Health and Safety, Data Protection and Discrimination.

This workbook is aimed to help you know and understand your statutory rights and responsibilities and to understand those of the sector you are working in. As an apprentice in Management you could be involved in any sector or industry but you will still need to know about your own sector as well as your occupation.

Many of the Employment Rights and Responsibilities are covered in your N/SVQ and/or chosen technical certificate (if you are undertaking and Advanced Apprenticeship). You may also cover some aspects in your initial induction in the workplace. This workbook should reinforce what you have already been taught, as well as fill in any gaps there may be. The sooner you understand your responsibilities and rights the sooner you will become effective in the workplace.

You do not have to work through the book in any particular order and you may have to do some research to find out some of the answers. Your contract of employment and staff manual should provide many of the answers. Don't be afraid to ask for help from your training provider, assessor or line manager if you are unsure of any of the questions or where to look for answers. At the back of the workbook you will find a list of useful web sites where you may find much of the information required.

You will need to complete the workbook within six months of starting on your apprenticeship and it will need to be signed by your training provider and line manager as being your own work.

Good luck with the workbook and good luck with your chosen career.

Management Standards Centre

Key to symbols used in the workbook



You may need to do some research on the internet to find the answers

Some helpful search tools on the internet are:

www.askjeeves.co.uk

www.mirago.co.uk

www.google.co.uk

The ACAS web site is also a useful source of information www.acas.org.uk

Other useful web sites are listed on Page 23



You may need to refer to your Staff Manual to find the answers



You may need to look at other company documentation, such as Strategy Documents, Code of Practice, Working Principles, Annual Reports where they exist. Remember to ask for permission first



You may need to refer to your Contract of Employment



You may need to ask someone else for help – your line manager, a colleague or your training provider

Section 1

Anti-discrimination provisions – age, disability, gender, race, religion or belief and sexual orientation

What you need to know

- the right not to be discriminated against on the grounds of age, disability, gender, race, religion or belief and sexual orientation is legally protected from the first day of employment and applies during the recruitment process as much as during the period of employment
- anti-discrimination provisions protect an employee who has made a complaint of discrimination, or who has said they intend to complain, from victimisation by the employer
- some exemptions from the Sex Discrimination Act 1975 exist to cover very specific situations, such as the employment of ministers of religion, jobs in some welfare services, some jobs in single sex schools, or an acting job that specifically requires a man or a woman
- the right to receive equal pay regardless of whether you are a man or woman (Equal Pay Act 1970) covers not just payment, but all the terms of an employment contract and training, promotion and transfer opportunities.
- since October 2006, there has been legal protection against age discrimination. It is unlawful on the grounds of age to decide not to employ someone, refuse training; deny promotion, give adverse terms and conditions or retire an individual before the usual retirement age
- There are some exceptions and exemptions from the Age Discrimination Act 2006 for example; certain work activities require a person to have reached a minimum age before they can carry them out
- some exemptions from the Race Relations Act 1976 exist to cover very specific situations, such as employees working wholly or mainly outside the UK
- the Disability Discrimination Act 1995 (updated in 2005) applies to all employers regardless of size, with the exception of the Armed Forces
- the definition of 'disability' addresses a wide range of conditions and the Act states that a disabled person is one who 'has a physical or mental impairment which has substantial and long-term adverse effect on his ability to carry out normal day to day activities
- since 2005 people with HIV, cancer and multiple sclerosis (MS) are also covered by the Disability Discrimination Act from the day of diagnosis rather than when their condition has an adverse effect on their ability to carry out normal day-to day activities
- employers have the responsibility to make reasonable adjustments to working practices and the workplace in order that the needs of disabled employees can be met, for example by altering desk and seating arrangements to enable wheelchair access, or re-allocating heavy work duties to another employee if someone develops a heart condition or other

form of disability that makes heavy work impossible or arranging for an employee to use ICT to carry out work rather than writing documents or making visits

- unlike discrimination on the grounds of race and sex, the employer can justify discrimination against a disabled person if there are material and substantial reasons why the person's disability would prevent them from doing the job or make it exceedingly difficult for them to do it *and* there is no adjustment that could be made that would allow the disabled person to do the job for example, where a person's medical condition requires the taking of a drug which affects concentration and decision-making and poor skills in these areas would be likely to put safety at risk, as in a driving occupation

What you need to do

Answer the following questions:  

1. What should you do if you witness someone being discriminated against at work?

.....

2. Who should you contact in the first instance if you want to make a complaint about being discriminated against? This should be in your staff manual.

.....

3. There is only one employer exempt from the Disability Discrimination Act 2005, which is it?

.....

4. What, if any, exemptions are there under the Sex Race Discriminations Act, relevant to your job?

.....

.....

.....

Section 2

Working Hours, Holiday (Annual Leave) Entitlements and Flexible Working

What you need to know

- the Working Time Regulations 1998 (amended 1st August 2003) apply to all employers in the UK, regardless of organisation size. They set rules about the amount of time that employees can work and the amount of rest time to which they are entitled. When required the regulations are enforced by inspections by the Health and Safety Executive, and/or Employment Tribunals
- certain workers are not subject to these regulations, because they will be governed by sector-specific provisions for example some transport workers.
- some categories of employee are excluded from these provisions, and there are some situations which may be exempt from different parts of the provision for example with regard to seasonal workers in the run-up to Christmas or workers in sectors where the work cannot be interrupted on technical grounds such as with electricity production and transmission, or the fire service
- young people over school leaving age and under 18 are known as 'young workers'. There are special laws to protect the employment rights of young workers concerning health and safety, the types of jobs that can be done, and how many hours can be worked.
- both employees and employers have legal rights and responsibilities about the amount and timing of holidays taken from work.
- there are legal rights to time off work for public duties and other functions, not all of which need be paid for by the employer
- there are specific rights and responsibilities that apply in the case of maternity and parental leave
- anyone can ask their employer for 'flexible work arrangements', and the government has introduced a statutory right in order to encourage people to do so. There are some restrictions but in general an employee has the statutory right to ask for flexible work arrangements if they have a child under six or a disabled child under 18, are responsible for the child as a parent/guardian/foster parent, are applying to care for the child, are a carer who cares, or expects to be caring, for a spouse, partner, civil partner or relative or who lives at the same address as the person being cared for
- 'flexible working' describes any working pattern adapted to suit your needs. Common types of flexible working are: part-time ;flexi-time, annualised hours: compressed hours, staggered hours, job sharing, and working from home

What you need to do



Answer the following questions:

1. How many days annual leave are you entitled to under your contract of employment?

.....

2. How much notice does your employer require from you before you take annual leave?

.....

3. How many days annual leave are you allowed to carry forward from one year to the next?

.....

4. How soon must you take these additional days? Is there a deadline?

.....

5. What is the statutory time allowed for maternity leave?

.....

6. What other reasons may you be allowed time off work for?
Name two

.....

.....

.....

.....

7. What procedure would you have to follow to have time off for other reasons?

.....

.....

.....

8. Name and describe 3 types of flexible working

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.....
.....

9. In what situation might an employer consider flexible working arrangements?

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.....
.....

Section 3

Sickness absence and sick pay

What you need to know

- there is a statutory right to a prescribed level of sick pay which all employers must abide by. Some employers go beyond this and pay additional entitlements if employees are unwell.
- there are rules about who can claim Statutory Sick Pay which relate to how old the employee is, how much they earn and whether they have or are claiming any other form of statutory benefit eg statutory maternity pay or incapacity benefit

What you need to do

Answer the following questions



1. What should you do if you need to be off sick? Write the procedure below

Who should you contact initially?

By what time?

Do you need to inform your employer how long you are likely to be off for?

When will you need a sick note?

.....

.....

.....

.....

2. What would happen if you didn't follow the procedure for notification?

.....

3. Does your employer pay additional sick pay?

.....

Section 4

Legislations and Regulations in your Sector

What you need to know

- legal requirements and regulations are established to provide acceptable practice and they provide a protection for the public against practice that it thought to be unacceptable in the light of commonly agreed moral or other ethical beliefs. You must ensure you follow all relevant legislation and regulations
- areas of specific legislation, as set by the national governments of the UK and EU which specifically relate to your sector
- the name and role of regulatory bodies relevant to your industry, which exist to monitor and enforce the legislative frameworks, to include general bodies such as the Health and Safety Executive as well as industry specific regulatory bodies.

What you need to do

Answer the following questions



1. What legislation or regulations govern the sector/industry that you work in?

Name two

.....

.....

.....

(For example if you work in the petroleum industry there will be specific legislation, as there will be in other sectors, such as Child Care, Medical, Finance, etc.)

2. Name a regulatory body that is relevant to your industry/sector

.....

Section 5 – The types of representative bodies relevant to your industry and organisation and their main responsibilities and roles.

What you need to know

- within any industry there are a range of representative bodies that provide a mechanism for promoting the views of a group of people with common interests. The representative bodies collect the views of their members and act as their voice in discussions with representative of other groups on issues that affect them all.
- representation occurs both within an organisation and between an organisations and other bodies. Representation between different bodies can occur at local and national levels as well.
- the name and role of trades unions at organisational and national levels, relevant to your occupation, in representing and protecting the common interests of employees in a given industry and/or occupation.
- the name and role of trade and employer organisations, relevant to your industry and organisation, in representing and protecting the common interests of groups of employers in a given industry or sector of industry.
- the name and role of professional bodies, relevant to your occupation, in representing and protecting the common interests of members of a given professional level occupation.
- the role of consumer groups, relevant to your industry and occupation, in representing the views of consumers of products and services provided
- the name and role of regulatory bodies relevant to your industry and occupation in representing and protecting public interests
- the name and role of the Sector Body relevant to your industry and occupation

What you need to do

Answer the following questions



1. Name a regulatory body relevant to your industry and what are their main responsibilities?

.....

.....

.....

2. Name two Professional Bodies for Management and what services do they provide?

.....
.....
.....

3. What is the role of a trade union?

.....
.....

4. Which trade unions are relevant to your sector/industry?

.....
.....

5. Who are the main interest groups relevant to your area of work? (This could be members of the public, shareholders, etc, etc.

.....
.....

Section 6 – Contracts of Employment

What you need to know

- your own contract of employment and/or written terms and conditions statement
- the grievance procedures that should be followed in your workplace
- the system of payments used in your workplace and the documentation associated with that

What you need to do

Answer the following questions



1. What are your normal working hours per week?

.....

2. Are you paid weekly or monthly?

.....

3. How is your salary paid to you? i.e. cash, cheque, direct into bank account

.....

4. What information is shown on your pay slip? i.e. Payments and deductions?

.....

.....

5. What is the timescale for receiving a signed contract of employment?

.....

Section 7 – Data Protection

What you need to know

- who you report to regarding your personnel record and what the procedure is to follow to report any changes in your circumstances
- what type of information is held on your personnel record and who has access to it

What you need to do

Answer the following questions



1. What information is held on your personnel record?
Name three different types of information

.....

.....

.....

.....

2. Are you allowed to have access to your personnel records?

.....

3. Who would you need to report any changes in circumstance to? E.g. A change of name or address.

.....

.....

4. Would you need to put those changes in writing?

.....

Section 8 – There are a range of sources and information and advice available on your employment rights and responsibilities. These sources can be found both internally and externally (within the organisation and outside of the organisation)

What you need to know

- the range of information made available to you by your employer on matters relating to your employment and working practice and where this can be obtained
- other information sources that may be available outside of the workplace, what they provide and how to use them

What you need to do

Answer the following questions



1. What information does your employer have available relating to your employment and working practice?

.....

.....

2. Where can this information be found?

.....

3. What information can you find outside of work? There are many organisations providing information and advice – you may have used one already. Name two sources of information

.....

.....

.....

.....

Section 9 – Understanding the role played by your occupation within your organisation and industry

What you need to know

- what sort of changes have been taking place in your industry over recent years which have affected your working practices and the way in which organisations operate
- the impact, if any, that these changes have had on your organisation and the way in which their occupation is carried out

What you need to do

Answer the following questions



1. Think of the industry that you work in. What changes have taken place over recent years which have affected the way the organisation operates? For example it could be technology or currency related (e.g. the influence of the Euro)

.....

.....

2. What impact on the management structure of the organisation has this had – or the way managers operate within the organisation?

.....

.....

.....

.....

Section 10 – you know where and how to get information and advice on your industry, occupation, training and career

What you need to know

- Information sources that may be available outside of the workplace, what they provide and how to use them

What you need to do

Answer the following questions



1. What is the name of the organisation that provides information, advice and guidance to young people up to the age of 19?

.....
.....

2. What is the name of the organisation that is responsible for all Post 16 Learning?

.....

Section 11 – describe and work within your organisation’s principles and codes of practice

What you need to know

- the mission statement (if appropriate) and/or codes of practice, documentation and procedures which the candidate must follow in carrying out their work
- which aspects of the codes of practice which the candidate must follow relate to the following sources:
 - the legislative and regulatory framework within which your organisation operates
 - principles established by professional or trade organisations
 - principles established by the organisation itself
- how your organisation makes its operating principles and business ethos known to employees, customers, suppliers and the community in which it operates
- ways in which sector, organisational and occupational values influence the way in which a business operates and the kind of implications which can

arise for the individual and organisation of failure to meet up to expected codes of practice

What you need to do

Answer the following questions



1. Describe the principles by which your organisation operates

.....
.....
.....

2. How are these principles made known to employees?

.....

3. How are they made known to customers and suppliers?

.....

4. Where would you find your organisation's Code of Practice if applicable?

.....

5. What would happen if you or your organisation failed to meet up to the expected Code of Practices?

.....
.....
.....

Section 12 – you recognise and can form a view on issues of public concern that affects your organisation and industry

What you need to know

- current issues of public concern that are particularly relevant to your industry and the views of different representative bodies on them
- key shifts in public opinion that have affected your industry, organisation and/or occupation, and the impact they have had on a general level and in relation to your own working practice
- how changes in public opinion can affect the way in which organisations and occupations operate by influencing the choices that customers make about:
 - what to purchase, and how much
 - who to buy from
 - how to make a purchase
 - when to buy
 - why to buy in the first place
- how organisations may try to predict, monitor and influence public opinion and adjust how they present themselves and their products/services
- examples of how the views and values of your organisation and/or relevant representative bodies have been made known to the wider community on a local, regional or national level

What you need to do

Answer the following questions



1. Name any issues of public concern that have had an impact on your occupation or industry

.....

.....

2. Say how any relevant issues of public concern have affected the way you do your work

.....

.....

What to do next

Now you have completed your workbook you will need to ask your training provider and your employer/line manager to sign the next page. This is to confirm that you have completed the workbook yourself.

You (or your training provider) will need to send the sign off sheet with all your other qualification certificates to claim your Apprenticeship certificate when you have finished your framework, so make sure it's kept somewhere safe – such as your portfolio of evidence. You can keep the rest of your workbook for your own records, this doesn't need to be sent to the Management Standards Centre and the addresses and contact details may come in useful as you carry out your job.

Once you have completed this framework, if you move on to another Apprenticeship framework that has an ERR Workbook as part of its outcomes, you will not be able to use this workbook as evidence, although having completed this workbook should help you with some of the questions as they may be similar.

Completion of Management Standards Centre ERR Workbook

We, the undersigned, agree that the knowledge and understanding covered in the employment responsibilities and rights workbook developed by the MSC, has been completed by the apprentice named below:

Name of Apprentice:

Date of Birth:

Signature:

Candidate Number:

Name of employer/line manager:

Signature:

Name and address of Training Provider:

Signature:

A copy of this page should be retained in the workbook. The original (signed) version should be returned to MSC, 2 Savoy Court, London on successful completion of the apprenticeship, together with copies of all of the evidence required for the issue of a completion certificate/diploma for this Apprenticeship (refer to the relevant Framework).

Awarding and Professional Bodies

Awarding Bodies:

<p>Institute of Leadership & Management 1 Giltspur Street, London, EC1A 9DD Tel: 020 7294 2800 www.i-l-m.com</p>	<p>EAL EMTA House, 14 Upton Road, Watford, Herts, WD18 0JT Tel: 01923 652 400 www.eal.org.uk</p>
<p>Chartered Management Institute Management House, Cottingham Road, Corby, Northants NN17 1TT Tel: 01536 204 222 www.managers.org.uk</p>	<p>Edexcel Foundation Stewart House, 32 Russell Square, London, EC1B 5DN Tel: 020 7393 4444 www.edexcel.org.uk</p>
<p>LCCIEB Athena House, 112 Station Road, Sidcup, Kent, DA15 7BJ Tel: 020 8302 0261 www.lccieb.com</p>	<p>OCR Westwood Way, Coventry, CV4 8HS Tel: 01203 421944 www.ocr.org.uk</p>

Professional Bodies: This is just a sample, there are many more

<p>Chartered Management Institute Management House, Cottingham Road, Corby, Northants, NN17 1TT Tel: 01536 204 333 www.managers.org.uk</p>	<p>Institute of Commercial Management The Fuseé, 20a Bargates, Christchurch, Dorset, BH23 1QL Tel: 01202 490 555 www.lcm.ac.uk</p>
<p>Institute of Leadership & Management Stowe House, Netherstowe, Lichfield, Staffs, WS13 6TJ Tel: 01543 251 346 www.trainginzzone.co.uk/ism</p>	<p>International Professional Managers Association Kester House, 159-163 Clapham High Street, London, SW4 7SS Tel: 020 7720 4414 www.ipma.co.uk</p>

Useful Addresses/Contacts

<p>Advisory Conciliation and Arbitration Service (ACAS) – booklets and advice on employment matters. Head Office, Brandon House, 180 Borough High Street, London, SE1 1LW Tel: 020 7210 3000 www.acas.co.uk</p>	<p>Adviceguide – information about a range of topics, including contact details of the National Association of Citizen’s Advice Bureaux www.adviceguide.org.uk</p>
<p>Careers Advice: Your local Careers/Connexions service National and local advice services such as the Careers/Connexions service: www.connexions.gov.uk</p>	<p>Chartered Management Institute Management House, Cottingham Road, Corby, Northants, NN17 1TT Tel: 01536 204 333 www.managers.org.uk</p>
<p>Connexions Service – Confidential advice, support and information via telephone, e-mail, text and webchat for all people aged between 13 and 19. Tel: 0800 800 13219 Text: 07764 13219 www.connexions.gov.uk</p>	<p>Department for Education and Skills Moorfoot, Sheffield, S1 4PQ Tel: 0870 000 2288 www.dfes.gov.uk</p>
<p>Department for Trade and Industry - information about work-related queries Enquiry Unit, 1 Victoria Street, London, SW1H 0ET Enquiry Line: 020 7215 5000 www.dti.gov.uk</p>	<p>Education and Learning Wales ELWa www.elwa.org.uk</p>
<p>Equal Opportunities Commission Arndale House, Arndale Centre Manchester M4 3EQ Tel: 0161 833 9244 www.eoc.org.uk</p>	<p>Health & Safety Executive HSE Infoline 0870 545500 Fax: 02920 859260 Email: hseinformationservices@natbrit.com</p>
<p>Institute of Leadership & Management Stowe House, Netherstowe, Lichfield, Staffs, WS13 6TJ Tel: 01543 251 346 www.i-l-m.com</p>	<p>Learning and Skills Council – information and advice about all Post 16 learning Cheylesmore House, Quinton Road, Coventry, Cv1 2WT Tel: 0845 019 4170 www.lsc.gov.uk</p>
<p>Local Training Consult your local telephone directory for: Local Learning and Skills Council Local colleges or training providers</p>	<p>Management Standards Centre 3rd Floor, 2 Savoy Court, Strand, London, WC2R 0EZ Tel: 020 7240 2826 www.management-standards.org</p>
<p>National Institute of Careers Education and Counselling (NICEC) Centre for Guidance Studies, University of Derby, S413, Kedleston Road, Derby, DE22 1GB Tel: 01332 621351</p>	<p>Trade Union Council - information about training in work and trade unions Congress House, Great Russell Street, London, WC1B 3LS Tel: 020 7636 4030 www.tuc.org.uk</p>

Glossary of Terms

In this section of the workbook we provide you with a glossary of terms that you may come across while you are completing your Apprenticeship.

Term	Definition
Management Standards Centre	The organisation responsible for the overview of vocational education and training in Management. They are responsible for developing standards and qualifications which are based on best practice in the workplace
Chartered Management Institute (CMI)	Professional and Awarding Body for management and leadership
Connexions	The confidential service to provide a comprehensive support for all young people between the ages of 13 and 19. They will provide information, advice and guidance about learning and work, health and social problems as well as acting as a referral agency for young people who may be encountering social problems, etc
DfES	Department for Education and Skills: the Government Department responsible for supporting the development and implementation of education and training programmes across England
Institute of Leadership & Management (ILM)	Professional and Awarding Body for leadership and management
Learning and Skills Council (LSC)	A national body set up by the Government in April 2001. They manage the provision of funding for and quality of provision of all Government Funded education and training, post 16, excluding Higher education. This includes 6 th form colleges, training providers and employers involved in the delivery of learning programmes such as Foundation and Advanced apprenticeships
Local Learning and Skills Council (LLSC)	There are 47 local Learning and Skills Councils. These are responsible to the National LSC in terms of carrying out national policy for the support of education and training programmes. They all work locally and respond to local needs and priorities
Learn direct	Organisation working with the University of Industry (Ufi) to provide access to innovative and high quality learning opportunities, most of which are available online. Designed to fit learning into other commitments

Apprenticeships	<p>Structured training programmes open to young people under the age of 25. These are at two levels:</p> <ul style="list-style-type: none"> • Apprenticeships leading to an NVQ level 2, associated key skills, technical certificate and possibly other enhancements decided by employers • Advanced Apprenticeships leading to an NVQ level 3, associated key skills, technical certificate and possibly other enhancements decided by employers <p>Funding support for the training may be available from the LSC</p>
National Occupational Standards	<p>Standards of performance required for individuals to work effectively and efficiently in their occupational area. They are devised by people working in the occupational area and contain statements of skill needs as well as required underpinning knowledge. Their development and review are managed by the appropriate Sector Skills Council/ National Training Organisation</p>
NVQ/SVQ	<p>National Vocational Qualification/Scottish Vocational Qualification: vocationally based qualifications developed from the National Occupational Standards and broken down into units or 'modules'</p>
Sector Bodies (Sector Skills Councils formerly National Training Organisations)	<p>Organisations approved by Government to identify and manage the learning needs of all workers within their sectors. This includes developing National Occupational Standards, NVQ/SVQs and Apprenticeship frameworks. For Management Standards, N/SVQs and Apprenticeship frameworks this organisation is called the Management Standards Centre</p>
University for Industry (Ufi)	<p>Part of the Government's Lifelong Learning agenda with the aim of putting individuals in a better position to get a job, improve their careers prospects and boost business competitiveness. The learning services are delivered through learndirect</p>