



**LSIS**

LEARNING  
AND SKILLS  
IMPROVEMENT  
SERVICE

# **Information, Advice and Guidance Related Services Rights and Responsibilities**

**This workbook has been designed to be used as  
part of the Information, Advice and Guidance  
Related Services framework in Wales**

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# Welcome to your Apprenticeship programme!

The skills you will learn during your training are pivotal to the success of any organisation and every business relies on the skills of its employees. The experiences you will gain from this programme will also help you to succeed in your future working career, wherever that takes you.

The first part of your training is the induction programme and this forms the initial part of your Apprenticeship framework. The induction is an important part of your training and will help explain what your new employer's expectations are, what the programme entails and teaches you about the company structure. You will learn about the organisation for which you work, your responsibilities within that organisation and the responsibilities of people who work with you.

Your employer and training provider or local college will carry out this induction programme and explain the requirements of your Apprenticeship to you as well as other important information such as the responsibilities and rights of yourself and of your employer regarding Health and Safety, Data Protection and Discrimination.

As you work through this workbook, you will be asked a number of questions. It is important that you answer these correctly and you will need to complete the workbook as part of your Apprenticeship.

Your employer or your training provider will be available to answer any questions or queries about your training.

Good luck with your Apprenticeship.

The LSIS Apprenticeship Team

## How to use this Workbook

All learners need to know that employers and employees have a range of statutory responsibilities and rights under employment law and that employment can be affected by other legislation as well. These Employee Rights and Responsibilities (ERR) form part of your Apprenticeship programme.

LSIS have produced this workbook to ensure that you know about ERR and can evidence this as part of your Apprenticeship.

## Completing the Workbook

You do not need to complete the workbook straight away, nor do you have to work through it in any particular order. Talk to people such as your line manager, training provider or mentor (if you have one) for information, help and advice on some of the sections. You will also need to do some research using your employer's staff manual or on the internet (if available).

The first section of the workbook is about legislation and rules that apply to everyone, the second section is about legislation and rules that apply to everyone and section three onwards is about you and your workplace.

At the end of each section, there are a few questions to check your understanding of some of the key issues and these should be completed as you work through the workbook. As you complete each question, date it in the checklist on page 40.

Once you have provided sufficient evidence has been provided and you have completed the checklist on page 40, the declaration on page 41 should be signed by you, your employer/line manager and your training provider.

# Section 1 Introduction

## What is an Apprenticeship?

Apprenticeships are nationally recognised frameworks comprising hands-on experience through employment, with skills and knowledge being learnt both on- and off-the-job.

Apprenticeships involve a close working relationship between apprentices, employers and training providers. Apprenticeships are developed by Sector Skills Councils or Standard Setting Organisations who work with sector representation including employers and training providers. This ensures that the Apprenticeship meets the needs of the industry.

Apprenticeships are available to anyone from the age of 16 who is not in full-time education, although some may be subject to minimum entry conditions.

## Your Apprenticeship

There are two levels of Apprenticeship for Information, Advice and Guidance Related Services in Wales – the Apprenticeship (level 3) and the Higher Apprenticeship (level 4).

Within this Apprenticeship framework there are two pathways in the Apprenticeship (level 3) and three pathways in the Higher Apprenticeship (level 4). Each pathway contains specific competence qualifications where you will gain hands on experience to build on your skills and knowledge.

Within the Information, Advice and Guidance Related Services Apprenticeship you will need to complete the following qualifications and training:

### For the Apprenticeship

#### **One of the following competence qualifications:**

- Level 3 Diploma in Advice and Guidance in Wales
- Level 3 Diploma in Employment Related Services, or the Level 3 Diploma in Employment Related Services in Wales

#### **Essential Skills (Wales) in:**

Communication - Level 3

Application of Number - Level 2

Information and Communication Technology - Level 1

And

## **Employee Rights and Responsibilities (ERR)**

### For the Higher Apprenticeship

#### **One of the following competence qualifications:**

- Level 4 Diploma in Advice and Guidance in Wales
- Level 4 Diploma in Employment Related Services, or the Level 4 Diploma in Employment Related Services in Wales
- Level 4 Diploma in Career Information and Advice

#### **Essential Skills (Wales) in:**

Communication - Level 3

Application of Number - Level 2

Information and Communication Technology - Level 1

**And**

## **Employee Rights and Responsibilities (ERR)**

There may also be additional qualifications that you or your employer feel might be beneficial to you and which you could take to enhance your Apprenticeship.

If you have any questions in relation to your Apprenticeship you should first speak with your employer or training provider/college. If they are unable to help and you need further advice you can contact the National Apprenticeship Service [www.apprenticeships.org.uk](http://www.apprenticeships.org.uk) or contact the Learning and Skills Improvement Service (LSIS).

## **What is LSIS**

LSIS is the Standard Setting Organisation for the Further Education and Lifelong Learning Sector. You can find out more about what LSIS does at <http://www.excellencegateway.org.uk/>.

## **Your sector**

There is a wide and diverse range of organisations in Wales that employ individuals to provide information, advice and guidance related services including but not limited to local authorities, careers advice services, voluntary sector organisations, student services, prisons and probation services, and government departments. Within these organisations there is an equally wide and diverse range of occupational areas and/or job roles that involve providing information, advice and/or guidance to members of the public or to other members of staff within an organization. This includes for example, job roles within visitor centres, customer/client services, help-lines, citizen advice, employment related services, Jobcentres, careers guidance and so



on. In fact, there are now an increasing number of organisations providing information, advice and/or guidance in specialist areas such as careers, educational choices, money management, pensions, housing, debt, benefits and consumer advice, as well as various types of social support.

## Your job role

As you work through this workbook you will need to be clear about your understanding of your job title and the corresponding job role(s) in which you will be operating as part of your Apprenticeship. The following table lists the main job titles and associated job roles that you may encounter during your Apprenticeship:

Job title	Job role
Customer Liaison Officer	Screen and develop relationships with customers and/or employers*
Employment Liaison Officer	Establish and maintain relationships with employers to develop job opportunities, source vacancies and manage recruitment. May include management or supervision.
Family Support Officer	Support families to overcome problems and prevent children being taken into care. May include management or supervision.
Job Broker/Employer Engagement Officer	Liaise with employers to generate opportunities to gain and sustain employment. May include management or supervision.
Personal Adviser/Job Coach	Coach individuals to identify personal needs, strengths and weaknesses, and job/career aspirations, and help them plan to achieve positive employment outcomes. May include management or supervision.
Project/Support Worker/Officer	Interact with clients in a range of settings and engage them to achieve appropriate outcomes.
Senior Project Worker/Co-ordinator	Interact with clients in a range of settings and engage them to achieve appropriate outcomes. May include some management or supervision.
Tutor	Facilitate learning with groups and individuals in generic and/or specialist skill, and/or improve employability skills, e.g. job search and interview techniques. May include management or supervision.
Employer Engagement Co-ordinator/Senior Job Broker/Senior Engagement	Liaise with employers to generate opportunities to gain and sustain employment. Often manage relationships with larger employers and have line management and

Consultant	quality assurance responsibilities for their team.
Senior Personal Adviser/Senior Job Coach	Responsible for the service developed and delivered by a team of advisers. Tend to have a caseload of more challenging or strategically important clients plus line management and QA responsibilities for their team.
Senior Tutor/Tutor Co-ordinator	Responsible for group-based delivery of employability skills by a team of tutors. Deal with more challenging or strategically important groups. May also have some line management and quality assurance responsibilities.
Stakeholder/Partnership Co-ordinator (Advanced Practitioner)	Accountable for interpreting a unique range of employment related service contracts to inform and develop operational plans to sustain employment outcomes. Maintain relationships with key/relevant stakeholders and ensure communication between internal teams and external stakeholders.
Careers Assistant	Provide impartial information and advice to clients on learning, training and career opportunities.

## The ERR outcomes

There are nine ERR outcomes that must be completed as part of your Apprenticeship. These nine outcomes require that you:

1. Know and understand the range of employer and employee statutory rights and responsibilities under employment law and that employment rights can be affected by other legislation as well. This should cover your rights and responsibilities under the Employment Rights Act 1996, Equality Act 2010, other relevant equalities legislation and Health & Safety legislation, together with the responsibilities and duties of employers;
2. Know and understand the procedures and documentation in your organisation, which recognises and protects your relationship with your employer. Health & Safety and Equality & Diversity training must be an integral part of your learning programme;
3. Know and understand the range of sources of information and advice available to you on your employment rights and responsibilities. Details of Access to Work and Additional Learning Support must be included in the programme;
4. Understand the role played by your occupation within your organisation and industry;
5. Have an informed view of the types of career pathways that are open to you;
6. Know the types of representative bodies, their relevance to the industry, organisation and occupation, and their main roles and responsibilities;
7. Know where and how to get information and advice on your industry, occupation, training and career;

8. Describe and work within your organisation's principles of conduct and codes of practice;  
and
9. Recognise and can form a view on issues of public concern that affect your organisation and industry.

Each of these areas is covered within this workbook.

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## Section 2 Statutory rights and responsibilities

### 2.1 Contracts of employment

In this section you need to know how an employer and employee (you) are governed by the terms and conditions contained within a contract of employment.

An employment contract is an agreement that sets out an employee's:

- employment conditions
- rights
- responsibilities
- duties

As part of the contract you will be expected to:

- arrive on time and work the hours agreed
- comply with the company's policies and procedures
- undertake the work as requested by your employer
- complete assessments/training as required
- attend college or training centre
- look after the health and safety of yourself and your colleagues
- respect the personal dignity of others.

#### Contract details

- Employment contracts are legally binding on both the employer and employee and serve to protect each other's rights and responsibilities.
- The terms (legal parts) of the contract can be in a variety of forms, including:
  - verbally agreed
  - in a written contract (or similar document)
  - in an employee handbook or on a company notice board
  - in an offer letter from your employer
  - required by law, for example, your employer must pay you at least the minimum wage
  - in collective agreements
  - implied terms

- A contract of employment comes into force as soon as a firm offer of employment has been made and accepted, even if agreement has only been verbal (for example, at an interview).
- By law, all employees are entitled to a written statement of the key terms and conditions of their employment within two months of starting work, providing the contract is to last for more than one month.
- Conditions of employment can relate to the employee (for example, notice periods, salary/wages, benefits, work hours) or to the company (for example, discipline/grievance procedures).
- Employment contracts may be permanent, for temporary periods of employment or for fixed-terms. They may be for full- or part-time work.
- Changes to employment contracts must be made following defined procedures. These are designed to protect the employee from unfair treatment and to ensure consultation on the nature of any changes proposed.
- A Code of Practice exists in case of any conflicts between an individual employee and their employer. There is no legally-binding process for this, but the organisation's grievance procedures should comply with the Code.
- Employees who believe they have been dismissed or otherwise treated unfairly may be able to take their case to an independent Employment Tribunal.
- Termination of an employment contract is governed by rules and rights which protect both the employee and the employer from unfair treatment.

Businesses in the European Union (EU) that employ at least 20 employees must meet some minimum requirements for informing and consulting employees.

Under Directive 2002/14/EC, employers must keep their employees informed of:

- What the business is doing and the economic situation it faces.
- What the employment situation is within the business.
- Any decisions likely to lead to substantial changes in the work organisation or contractual relations.

Employers must also make sure employees' representatives have the time and information to carry out an adequate study and, where necessary, prepare for consultation.

## Extra support

If you need extra support at any point of your Apprenticeship you must speak to your employer/manager or training provider.

There are schemes available that you may be able to get further advice on including:

- **Access to Work**

Access to Work (ATW) is a scheme set up by the Government which can offer grants for practical support to help overcome barriers that people with a disability, health or mental health condition may experience in the work place. The grant can be used for things such as:

- specialist equipment
- travel when you can't use public transport
- a communicator at a job interview

The amount you receive will be dependent on individual circumstances and is only available in England, Scotland and Wales.

- **Additional learning support**

Additional Learning Support is designed to ensure that all learners affected by specific Learning Difficulties, Disability or Learning Difficulties receive the support they need to complete their studies. Your training provider will have systems in place to offer you access to additional/specialist support, specific equipment or confidential learning support information.

## What you should know

You will need to know about your contract of employment and/or written terms and conditions statement, the systems and policies and procedures in place to protect your rights and responsibilities and those of your employer.

The terms of an employment contract set out what you and your employer can expect of each other. There are several different types and some do not need to be written down in your employment contract. If there's anything in your contract that you're unsure about, or which is confusing, ask your employer to explain it to you.

You should know what forms a legally binding part of your contract and what does not. The legal parts of a contract are known as 'terms'. Contract terms can come from a number of different sources.

### Q1. Can you give at least three examples of legally binding contract terms?

**Q2. If a company had more than 20 employees what EU directive should they abide by?**

**Q3. Who do you need to speak to if you need Additional Learning support?**

**Q4. Where would you find out more information on Access to Work schemes?**

## **2.2 Anti-discrimination**

The Equality Act 2010 combines previous anti-discrimination legislation into one act, and covers race, sex, sexual orientation, disability, religion or belief, gender reassignment, pregnancy and maternity, marriage and civil partnership and age. It protects against discrimination, harassment and victimisation.

The sex discrimination aspect of the law relates to all types of UK organisation, and covers:

- recruitment
- employment terms and conditions
- pay and benefits
- training
- promotion and transfer opportunities
- redundancy
- dismissal



Everyone has the right to receive equal pay for work of the same value regardless of whether they are a man or woman. All aspects of employment (or prospective employment) are protected from age discrimination, including:

- recruitment
- employment terms and conditions
- promotions and transfers
- training
- dismissals

All training and promotion opportunities should be publicised to all employees and open to everyone on a fair and equal basis regardless of age.

Employers cannot discriminate against workers because of a physical or mental disability or to fail to make reasonable adjustments to accommodate a worker with a disability. The Equality Act 2010 covers the following in relation to disability:

- application forms
- interview arrangements
- aptitude or proficiency tests
- job offers
- terms of employment including pay
- promotion, transfer and training opportunities
- work-related benefits such as access to recreation or refreshment facilities
- dismissal or redundancy
- discipline and grievances

Anti-discrimination law also protects employees who have made a complaint, or intend to complain, about unfair treatment.

European Union (EU) anti-discrimination law has been adopted across all member states, including the UK. So, just as in the UK, if anyone is employed within the EU, an employer must make sure that they do not discriminate against them because of their racial or ethnic origin, religion or belief, disability, age, or sexual orientation. This means:

- giving everyone in the company equal treatment at work and access to training
- making sure that disabled people can work comfortably
- providing equal access to employment
- having an equal pay system.

You will need to know about the Equal Opportunities policies and procedures in your workplace and any exemptions from the law, which is relevant to your occupation.

## Sex discrimination

An employer cannot discriminate against an employee because:

of their sex

they are married or have a civil partner

they have gone through, are going through or intend to go through, gender reassignment (changing their sex under medical supervision).

Under some circumstances, the law allows an employer to encourage or offer support specifically to men or women (positive action). For example, an employer who has no women managers might offer some training in management skills only to women or encourage them to apply for management jobs.

In some cases, a job can be offered to someone of a particular sex, because of what is called a 'genuine occupational qualification'. Examples could include:

some jobs in single-sex schools

jobs in some welfare services

acting roles that need a man or a woman.

**Q5. Identify the legislation that exists to protect you against harassment in the workplace.**

**Q6. Give three examples of sex discrimination aspects that are covered by law.**

**Q7. Give two examples when sex discrimination does not apply.**

## **Age discrimination**

Under the Equality Act 2010, no one can be denied a job, training or promotion based on their age, nor can they be harassed or victimised because of it. The act applies to all employers, private and public sector, the voluntary sector, vocational training providers, trade unions, professional organisation and employer organisation.

Employers cannot discriminate on the basis of age during recruitment. The applicant's skills should be considered rather than age. Job descriptions should not refer to age (either specifically or by using language that implies an age, such as 'mature' and 'young' or

'energetic') unless this can be justified. Experience, skills and ability should be considered when these are equivalent to qualifications.

According to the law, it is not permitted on the grounds of age to:

- Discriminate directly against you – that is, to treat you less favourably than others because of your age - unless it can be objectively justified
- Discriminate indirectly against you – that is, to apply a practice which would disadvantage you because of your age unless it can be objectively justified
- Subject you to harassment. Harassment is unwanted conduct that violates your dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment
- Victimise you because you have made or intend to make a complaint or allegation or have given or intend to give evidence in relation to a complaint of discrimination on grounds of age
- Discriminate against you, in certain circumstances, after the working relationship has ended

However, some work activities can only be undertaken by a person over a minimum age.

**Q8. Name three aspects of employment relating to age that fall under the protection of the Equality Act 2010.**

**Q9. Name one example of age discrimination during the recruitment process.**

## Disability discrimination

The Equality Act 2010 makes it unlawful to:

- discriminate directly against the employee (treat them less favourably than others) because of their disability, because of something connected with their disability or because they are associated with (for example, care for) someone with a disability
- discriminate indirectly against the employee (apply a practice which would disadvantage them) because of their disability, unless it can be objectively justified
- subject the employee to harassment (unwanted conduct that violates their dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment)
- victimise the employee because they have made (or intend to make) a complaint or allegation or have given (or intend to give) evidence in relation to a complaint of discrimination on the grounds of disability
- ask questions about the employee's health before offering them a job, except under certain circumstances.

**Q10. Give three examples of disability discrimination.**

## 2.3 Working hours, rest breaks and holiday entitlements

There are Working Time Regulations (Working Time Directive and Working Time Regulations 1998), which apply to all employers in the UK, regardless of sector or organisation size. The weekly maximum working hours for adult workers cannot be more than 48 hours a week on average (normally averaged over 17 weeks). Workers 18 or over who want to work more than 48 hours a week, can choose to opt out of the 48-hour limit by signing a voluntary opt-out agreement.

The Working Time Regulations do not apply to jobs:

- where the employee can choose freely how long they will work (for example, a managing executive)
- In the armed forces, emergency services and police – in some circumstances
- in security and surveillance
- as a domestic servant in private houses
- as a sea transport worker, a mobile worker in inland waterways or a lake transport worker on board sea-going fishing vessels.

There are special provisions which limit the hours that young workers (aged 16 or 17, and no longer at school) can work. The working time of a young worker must not exceed 8 hours a day, or 40 hours a week and no young worker (with a few exceptions) can be employed to work overnight between 22.00 and 6.00 (or if agreed, between 23.00. and 7.00).

### What is 'working time'?

Working time includes regular duties as well as:

- job-related training
- job-related travelling time (for example, if you are a sales rep)
- working lunches (for example business lunches)
- time spent working abroad (if you work for a UK-based company)
- paid and some unpaid overtime
- time spent on-call at the workplace.

It does not include breaks where no work is done (such as lunch), travel between home and work, time on-call away from the workplace, travelling outside work hours, unpaid overtime you have volunteered for, paid or unpaid holiday and non-job related training (for example, evening classes or day-release courses). Some employees are excluded from these provisions, and there are some situations which may be exempt from different parts of the provision (for example, 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).

Workers are entitled to 5.6 weeks' paid annual leave (holiday), which is calculated pro-rata for part time workers.

There are legal rights to time off work for public duties and other functions, not all of which need to be paid for by the employer. There are specific rights and responsibilities that apply in the case of maternity, paternity and parental leave.

## Rest breaks

Most workers have the right to take breaks, but whether or not you are paid for them depends on the terms of your employment contract.

### Types of breaks

There are different kinds of breaks from work. These include:

- Rest breaks (for example, lunch breaks and short breaks during the day). Adult workers can have a 20-minute break if they work six or more hours in a day (this may be a coffee or lunch break). It can be spent away from the workplace and should be in one block somewhere in the middle of the working time. The employer can say when the break must be taken.
- Daily rest (the break between one work day and the next – for most people, this means overnight). This break should be at least 11 hours for adult workers.
- Weekly rest is when the employee does not come into work for full days (for example, the weekend). For adult workers, this should be a minimum of an uninterrupted 24 hours a week or an uninterrupted 48 hours a fortnight.

The amount of break time you get is agreed with the employer (this may be in writing, or may just be the employer's standard practice). In addition to the minimum rest breaks required by law, the employer may also need to provide longer than periods if this reduces a health and safety risk. Short rest breaks during the day are often paid (but they do not have to be unless the contract says so). Daily rest and weekly rest aren't paid unless the employee has to remain on call.

There are some exceptions to the break rules for some specific job types (such as armed forces, mobile workers and rail workers). They may also apply differently to you if you travel long distances to work, do security/surveillance, constantly work in different places, or work in an industry with busy peak periods or a requirement for round-the-clock staffing. They may also be different in an emergency or where there is a risk of accident.

You need to know about your working hours and the steps you should take to ask for time off work, including your employer's policies that apply to time off work for different reasons.

**Q11. What is 'Working Time'?**

**Q12. What are the maximum hours you are allowed to work if you are aged between 16 and 17?**

**A day:**

**A week:**

**Q13. How many days paid holiday a year are you entitled to if you are working?**

**A five day week**

**A three day week**

**A two day week**



## 2.4 Maternity/Paternity, parental and adoption leave

Should the employee become a parent, they will be entitled to a period of maternity, paternity and/or parental leave, which can be paid or unpaid.

### Maternity leave

All female pregnant employees are entitled to take up to one year's (52 weeks) maternity leave, regardless of length of service with the employer. But only 39 weeks are paid for.

Statutory Maternity Pay (SMP) is paid for 39 weeks:

- For the first 6 weeks at 90% of the employee's average weekly earnings.
- For the remaining 33 weeks, the standard rate or a rate equal to 90% of their average weekly earnings (whichever is lower).

To qualify for maternity leave the employee must have been employed by the same employer continuously for at least 26 weeks into the 15th week before the week the baby is due.

A woman must give eight weeks notice if she is changing her date of return from maternity leave.

Optional 'keeping in touch' (KIT) days have been introduced enabling a woman to work for up to 10 days during her maternity leave period without affecting her SMP payments..

All women have a right to return to work after maternity leave regardless of the size of the employer.

Employers cannot automatically dismiss a woman because she is pregnant.

### Paternity leave

New fathers can take either one or two weeks' paternity leave and, during this time, may be entitled to Statutory Paternity Pay. However they cannot take odd days off and if they take two weeks they must be taken consecutively.

The Additional Paternity Leave Regulations from April 2010 entitle male employees who are fathers, partners of mothers or adopters to take up to 26 weeks' paternity leave in the first year of the child's life or its placement for adoption if the mother returns to work before the end of their maternity leave. This means that the father can share maternity leave with the mother who will be able to return to work any time after six months, enabling the father to have what remains of the 12 months maternity leave period. This applies to parents of babies born or expected to be born on or after 3 April 2011 or who have been notified of being matched for adoption on or after 3 April 2011.

## Parental leave

Parental leave is a right for parents to take unpaid time off work to look after a child or make arrangements for the child's welfare which is subject to certain criteria. Parents can use it to spend more time with children and strike a better balance between their work and family commitments.

Employees get 13 weeks in total for each child. Parents of disabled children get 18 weeks in total. However, strict rules apply to how much can be taken in any given year and it is only available until the child reaches 5 or until the adopted child has been placed for 5 years or reaches 18. Parents of a disabled child can take their 18 weeks until the child reaches 18.

Parents can take leave in blocks of 1 week up to a maximum of 4 weeks in any given year. Parents of a disabled child can take the leave in periods of 1 day at a time<sup>1</sup>.

## Time off for dependants

There are allowances for an employee to take a reasonable amount of unpaid leave to handle an emergency relating to someone who depends on them. An employer can't penalise the employee for this if their reasons for taking this leave are genuine.

A dependent could include a husband, wife, partner, child, parent, or anyone living in the household as a member of the family, or someone who reasonably relies on the employee for help in an emergency.

**Q14. How many weeks maternity pay is a mother entitled to?**

**Q15. How long must you be employed for you to qualify for Statutory Maternity Pay?**

**Q16. How much paternity leave are fathers entitled to officially?**

**Q17. What is parental leave and how long is it for?**

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<sup>1</sup> True as of January 2013

## 2.5 Absence and sickness

Employees have a right to receive statutory sick pay if they meet certain criteria. Some employers go beyond this and pay additional entitlements if employees are unwell.

Employees are normally allowed to 'self-certificate' the first 7 days of their sickness without the need to get a certificate from their local doctor. However, these arrangements may vary from employer to employer.

Doctor's 'sick notes' have been replaced with 'fit notes', or 'Statements of Fitness for Work'. The doctor can explain how the illness affects the employee's ability to work. This will help the employer to understand how they might be able to help the employee return to work sooner. The doctor can

- advise when the employee may be fit for work with some support;
- suggest common ways to help the employee return to work;
- give information on how the employee's condition will affect what they do

### What you should know

You need to know about your employer's requirements for giving notice of absence, notification of sickness if you are unable to go to work because of ill-health, the arrangements for sick pay and the procedures you need to follow when you return to work after an illness.

#### Q18. What is the statutory level of sick pay?

## 2.6 Data protection and access to personal information

The Data Protection Act gives individuals the right to know what information is held about them including the right to find out what personal information is held on computer and most paper records.

When part of your job requires you to process personal information about others a short checklist will help you comply with the Data Protection Act.

## 2.7 Health and safety

The Health and Safety at Work Act (1974) is the main legislation covering health and safety in the workplace. Under this Act, employers and employees have certain responsibilities. These are:

- Employers must safeguard, as far as is reasonably practicable, the health, safety and welfare at work of all the people who work for them. This applies in particular to the provision and maintenance of a safe plant and safe systems of work and covers all machinery, equipment and substances used.
- People at work (employees and volunteers) have a duty to take reasonable care to avoid harm to themselves or to others by their work activities, and to co-operate with employers and others in meeting statutory requirements. They must not interfere with or misuse anything provided to protect their health, safety or welfare.

There are many health and safety regulations and codes of practice relating to different kinds of work and different sorts of workplaces.

There are specific health and safety requirements relating to the employment of young people.

### What you should know

You need to know about the specific health and safety regulations and codes of practice that apply to your workplace and job, and the equipment you use.

You need to know about the measures put in place by your employer to provide protection for you and others (for example, the name of the person who is responsible for health and safety in your workplace).

You need to know about your personal responsibilities regarding health and safety.

### 3. Procedures and documents within your organisation

This section is about your work role and organisation and how the information in section 2 applies for you.

#### 3.1 Contracts of employment

Your contract of employment and/or written terms and conditions statement should include:

- the grievance procedures that should be followed in your own workplace
- the system of payments used in your workplace and the associated documents.

**As already outlined in Section 1 of this workbook, you will need to know the main terms and conditions of your contract of employment and who to go to if you have a grievance. You also need to know what information you have on your pay slip and how often you are paid, and by what method.**

**Q19. List two items that appear on your pay slip and explain briefly what they mean. (For example, National Insurance Number)**

**Q 20. What is a grievance procedure?**

**Q21. If you have a grievance at your place of work, who would you go to?**

### **3.2 Anti-discrimination**

Equal Opportunities policies and procedures in your workplace include the steps which you should take if you experience or witness discrimination and bullying at work.

### **3.3 Working hours and holiday entitlements**

Your contract of employment should outline:

- the working hours for your role and rest periods to which you are entitled
- steps you should take to request a period of time off work and the organisation's rules that apply to time off work for different reasons.

**You will need to know what hours you are supposed to work, whether it is shifts, what time you are allowed for breaks and how you go about asking for time off for various reasons.**

**Q22. Who do you need to contact to request time off work?**

### 3. Absence and sickness

You need to know:

- organisational sick pay arrangements relevant to your occupation
- the rules about how and when you must notify your employer if you are unable to come to work because of ill-health, and the implications of not following these

**You will need to know about the organisation's rules for giving notice of absence, notification if you are unable to go to work because of sickness and the arrangements for sick pay. You also need to know what will happen if you do not follow these rules.**

**Q23. What are the arrangements for notification of sickness in your organisation? (For example, do you need to contact your place of work before a specific time on your first day of absence?)**

### 3.5 Data protection and access to personal information

You should know:

- who you report to on matters to do with your personnel record and the procedure to follow to report any changes in their circumstances;
- what type of information is in your personnel record and who has access to it.

**You will need to know who to inform if you have a change of circumstances such as address change or change of name. You also need to know what information is kept about you and who has a right to see that information.**

**Q24. List two examples of changes to your personal circumstances that would need to be reported to your employer and to whom you would report these changes.**

### 3.7 Health and safety

You should know:

- the specific health and safety regulations and codes of practice that apply to your workplace and job;
- the measures put in place by your employer to provide protection for you and others against any risks arising from the work carried out, the environment or the tools, materials or equipment you use.

**You will need to know of any regulations and codes of practice on health and safety that apply to your job, how you help to keep yourself and others safe in the workplace and how your work complies with those requirements.**

**Q25. Give one example of a health and safety regulation and explain why it applies to your workplace.**

**Q26. Who is the 'nominated person' in your workplace responsible for the First Aid arrangements?**



## 4. Sources of information and advice about employment rights and responsibilities

### 4.1 Internal sources

You should 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.

**You will need to know who to go to for information and advice in your organisation – this can be on a range of topics such as to:**

- employment and personnel issues
- training
- additional Learning Support
- assessment

**Q27. Where would you find information within your organisation about:**

**a) Personnel issues (eg annual leave entitlement)?**

**b) Training opportunities (eg in-house training, qualifications)?**

**c) Additional Learning Support (eg for a learning difficulty, medical condition or disability)?**

### 4.2 External sources:

You should know about other information sources that may be available outside the workplace, what they provide and how to use them.

You will need to know where to go for information outside your organisation. This can be obtained from a range of sources such as:

- Citizen's Advice Bureaux
- Trades Unions

**Q28. Which external source(s) would you turn to for information relating to:**

**a) Health and Safety at Work?**

**b) Equal Opportunities?**

**c) Data protection?**

**d) Access to Work?**

## 5. About your occupation and organisation

You should know about:

1. The type of organisation you work for, in terms of the following factors:
  - The number of people they employ.
  - The number of volunteers working within the organisation.
  - The type of market in which the organisation operates.
  - Whether there are any issues of public concern that affect your organisation and/or industry.
2. How your organisation is structured.
3. The type of changes that have been taking place in your area of business over recent years which have affected individual working practices or the way in which your organisation operates.
4. The impact, if any, that these changes have had on your organisation and the way in which your job role is carried out.
5. The different ways in which your organisation carries out different tasks such as, finance, operations, personnel, marketing, health and safety, etc.
6. The ways in which the tasks outlined above may be split between different people, departments and/or sites.
7. The steps you should take to try to ensure that you interact effectively with colleagues and contacts in the workplace and why this is important to the organisation.
8. The principles of conduct and the codes of practice that apply to your organisation and your job role and how you are expected to work within these.

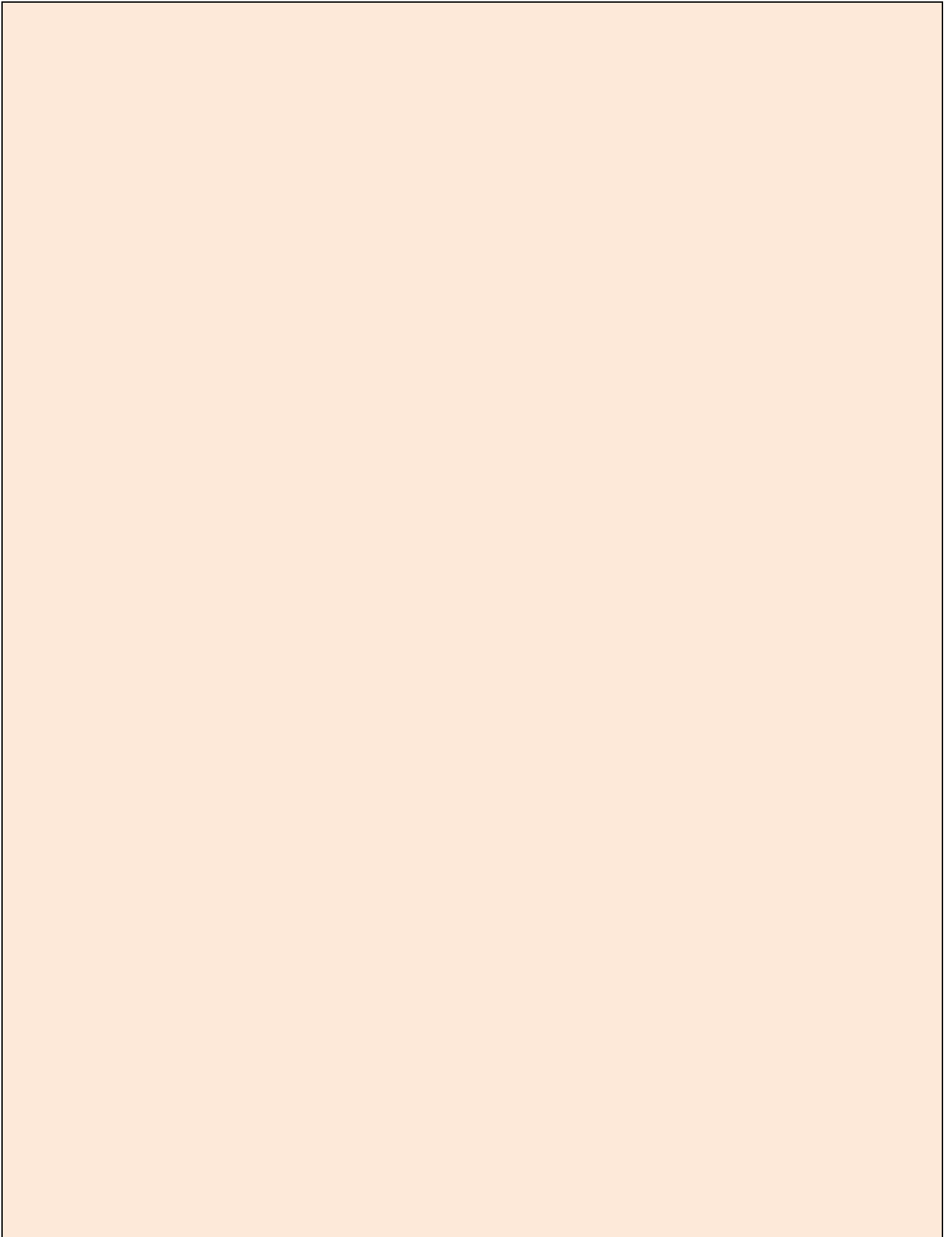
**Roles vary from one organisation to the next and may have been subject to many changes over recent years that have affected working practices and the way in which organisations operate.**

**Q29. What are the main changes that have taken place in your area of business over the last few years? You may wish to think about some of the changes in technology or the centralisation of tasks for example. List two changes.**

**Q30. Give an example of how any of the changes in Q29 have affected roles in your organisation.**

**Q31. Describe the main tasks that are part of your job role. List a maximum of three.**

**Q 32. Draw a diagram showing the structure of your organisation/department including names and job titles.**



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## 6. Occupations and career pathways

Occupations may be very specialised to a particular industry.

You should know:

- the requirements and characteristics of typical career paths associated with your occupation
- the main stages and requirements of the development programme which you are pursuing and what training and development opportunities your organisation provides in relation to this.

**You need to know what opportunities are available to you and the different career paths you can take and how to access them. You need to know about training and development and how this can progress your career.**

### Qualifications

For details of all qualifications listed on the qualifications and credit framework: <http://register.ofqual.gov.uk/>.

You may also find out more information on other courses and training opportunities through the following organisation:

- Learning and Skills Improvement Service
- OCR
- EDI
- Agored Cymru
- City and Guilds
- SFEDI Awards

There are many opportunities for further study upon completing your Apprenticeship. Your training provider may be able to give you further specific information on the qualifications available to you but you can also find out about higher level Apprenticeships at [www.afo.sscalliance.org](http://www.afo.sscalliance.org) or if you wanted to look at degree or other Higher Education courses you can look [www.ucas.ac.uk](http://www.ucas.ac.uk).

**Q33. List the opportunities for training and development provided by your employer (this could be qualifications, coaching, mentoring, in-house training, etc).**

**Q34. List the opportunities for training and development available outside of the organisation (this could be short courses, qualifications, etc).**

**Q35. With whom can you discuss these options with internally?**

**Q 36 Where can you find out more information on qualifications you can go onto after your Apprenticeship?**



## 7. Representative bodies relevant to you and your organisation

### 7.1 Representation

Within any industry there are a range of representative bodies that promote 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 other groups on issues that affect them all. Representation occurs both within an organisation and other bodies. Representation between different bodies can occur at local and national levels as well.

You should know:

- If there are any trade unions relevant to your occupation, in representing and protecting the common interests of employees.
- If there are any professional bodies relevant to your occupation.
- If there are any regulatory bodies relevant to your industry and occupation
- The name and role of the Standard Setting Organisation (SSO)/Sector Skills Council (SSC) relevant to your occupation.

**You will need to know the names and roles of your Standard Setting Organisation, any professional/representative, regulatory bodies, trades unions, consumer groups and employer organisation.**

**Q37. Describe the role and purpose of the Health and Safety Executive.**

**Q38. Say what the main trade union is for your occupation and what it does.**

**Q39. Name the Standard Setting Organisation in your area of business and explain briefly what it does.**

## Evidence record checklist

Question	Date completed	Comments (to be completed by assessor)
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# Declaration

Employee Rights and Responsibilities is a mandatory component of all Apprenticeship frameworks. A copy of the declaration should be kept in the apprentice's portfolio and then submitted to LSIS on the Apprenticeship Certificates Wales (ACW) system when applying for an Apprenticeship Framework Completion Certificate (please complete all sections in BLOCK CAPITALS).

Apprenticeship framework: Information, Advice and Guidance Related Services Apprenticeship (Level 3)/Higher Apprenticeship (Level 4) (please delete as applicable)

I confirm that ..... (please insert learner's name) has successfully completed the employee rights and responsibilities section of the Apprenticeship which has involved formal assessment.

The Apprentice has completed the following nine national outcomes satisfactorily:

1. Employment Law and legislation that may affect their work. This includes discrimination, harassment, personal dignity, equality, health and safety, safeguarding, and knowing what the employer's responsibilities and duties are.
2. Procedures and documentation within their organisation that which recognise and protect their working relationships. This includes health and safety, safeguarding and equality and diversity.
3. The range or sources of information and advice available to them, including Access to Work and Additional Learning and Support
4. The role their organisation plays in the Learning Support Sector
5. The different career pathways/opportunities available to them
6. The representative bodies or organisation and their relevance to their employment/industry
7. Where and how to get information and advice on their industry, occupation, training and career
8. Their role and work within their organisation's principles and codes of practice
9. Issues that may be of public concern that could affect their organisation and/or industry.

Apprentice's name:	Signature:	Date:	Date of birth:
.....	.....	.....	.....

Employer's name:	Employer's signature:	Date:
.....	.....	.....

College/Training Provider's name:	Provider's signature:	Date:
.....	.....	.....

LSIS will issue a completion certificate for this apprentice when the signed completion statement together with copies of all the evidence required are submitted to LSIS via ACW (please refer to the framework document).

Registered Office:  
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