



e-skills uk



Employment Rights and Responsibilities

For use in Apprenticeships for Contact Centres, IT User, IT Services and Development and Communication Technology (Telecoms)

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Version: 2.0

Date created: 16 July 2005

Last updated: 16 August 2005 (format only)

Information about Employment Rights and Responsibilities

ERR is a compulsory part of all Apprenticeship programmes to show that the Apprentice has had a full induction to the company or training programme, and are aware of those right and responsibilities that are essential in the workplace. Apprentices may be in the first job or be experienced in their role or industry, but this does not affect their ability to cover the knowledge required.

How should it be delivered?

The ERR knowledge has been presented in a similar format as the NOS and NVQ units so that it has the same flexibility as the NVQ. There are a number of evidence sources for ERR and these can include:

- Referencing evidence showing knowledge of the in-house company induction against the ERR requirements (e.g. Copies of induction handbook, with explanation from the apprentice where necessary)
- Collecting a portfolio of evidence, integrated with NVQ and Key Skills portfolios to prove knowledge.
- Some technical certificates include an externally tested ERR module, which will cover the ERR.

How much evidence should I provide?

We advise that the Apprentice should provide evidence showing their understanding of the company procedures and how these relate to the laws and regulations. However, the Apprentice should not be expected to provide large paper documents regarding any parts of legislation; we, therefore, suggest that evidence (e.g. company procedures, websites etc.) should be sign-posted wherever possible and practical.

What is included in this document?

The document includes the required standards in the same layout as the National Occupational Standards are produced. This can then be re-formatted in to the same delivery method used by providers for the relevant NVQ.

This also includes helpful resources, mainly in the form of website addresses for apprentices and employers to research any information that is not currently included in the company induction.

What proof is required by e-skills UK?

Once the candidate has completed the ERR, then the candidate, employer and training provider should sign the final page, and send with the Certificate Request form to e-skills UK.

Please be aware that while this Unit appears in the same format as an AOC or Unit, it does not need to be assessed or verified in the same way as the NVQ part of the Apprenticeship. Anyone with the appropriate technical knowledge on the subject can be responsible for judging the evidence provided by the candidate.

What is the difference between Apprenticeship and Advanced Apprenticeship ERR?

While the knowledge requirements are the same for both levels, the Advanced Apprentice will be expected to have a broader knowledge of the ERR, and the employer's responsibility in this. This should be in line with the greater depth of knowledge required for both the NVQ and Technical Certificates for Advanced Apprentices.

Links to qualifications in the Apprenticeship frameworks

The Employment Rights and Responsibilities links to other parts of the Apprenticeship frameworks and can be delivered alongside the other qualifications in an integrated approach. For example:

- The ERR includes areas that can be cross-referenced with parts of the NVQ, varying depending on qualification and units chosen
- Areas of the Technical Certificate will also cover parts of the ERR
- Key Skills can be integrated with an area of ERR or the NVQ to show knowledge of the subject (this will be particularly applicable to the Communication Key Skill)

Employment Rights and Responsibilities

These are the rights and responsibilities required for Apprentices, covering the relevant areas of employment law and workplace practices and procedures. There will be rights and responsibilities standard to all job roles and industries, and in addition, industry specific requirements.

The competent person can:	This will involve applying knowledge and understanding of:	Evidence reference:
<p>Rights Show knowledge of your rights as an employee, and work in accordance with them</p> <p>Responsibilities Show knowledge of your responsibilities as an employee, and work in accordance with them</p>	What should make up a contract of employment	
	Anti-discrimination laws and the bodies that enforce them	
	Your working hours and holiday entitlement.	
	Your company's policy on Sick and Maternity Pay	
	Your rights as an Apprentice	
	Your company's grievance and disciplinary procedures	
	The health and safety legislation relevant to your role, and your role	
	Your roles and requirements in maintaining health and safety	
	Your responsibility in adhering to data protection.	
	Knowledge of industry laws and guidelines	
	NOS and external sources of representation in your industry	
	Your role in your team and effective team-working	

Knowledge and understanding components

Health and safety rights and responsibilities	
What your rights are and what you must do to follow company procedures	
Rights	What employers should do in order to protect you at work What responsibility a training provider for your Health and Safety (including the Safe Learner project)
Responsibilities	Your responsibilities in maintaining health and safety in your workplace The laws and company procedures that you must be aware of at work (including Health and Safety at Work 1974, Manual Handling, DSE and any other laws relevant to your role)
Contract of Employment	
What a contract of employment must include and the laws relating to them.	
Rights	When you should be issued with a contract of employment What the contract should include (e.g. Salary, annual leave, working hours etc.) What should be done when changes in the contract are needed (e.g. changes in salary, job role, working hours) The relevant areas of the Employment Law Act, particularly Statement of Particulars (Contracts)
Responsibilities	Adhering to the Contract of Employment The differences for self-employed workers
Anti-discrimination laws	
What discrimination (e.g. gender, race, disability and age) is and the laws that protect against it.	
Rights	Your right to not be discriminated against on any grounds (e.g. gender, race, disability and age) The laws that protect you from discrimination, such as: <ul style="list-style-type: none"> • Equal Pay Act 1970 • Race Relations Act 1976 • Disability Discrimination Act 1995 What to do if you are being discriminated against, (including internal and external procedures)
Responsibilities	Examples of what would constitute discrimination against others The difference between direct, indirect and positive discrimination. How to avoid discriminating against potential employees when recruiting.
Working hours and holiday entitlement	
Your working hours and holiday entitlement, and the regulations and procedures that control these.	
Rights	What the Working Time Regulations 1998 are and the maximum working hours allowed, particularly for Young Workers (aged 16-17) Any exceptions to the Working Time Regulations 1998 (e.g. Seasonal workers in busy times, such as Christmas) What your working hours and holiday entitlement are (see also Contracts of Employment) Who enforces the Working Time Regulations
Responsibilities	Your company's procedure for booking holiday (annual leave) and why it is important that you follow it. What to do if you need to change or adjust your working hours.

Sick and Maternity Pay	
Your rights to Sick and Maternity Pay and your responsibilities in communicating with your employer regarding these.	
Rights	What Statutory Sick Pay is and your company's sick pay policy The right to Maternity Leave, and the minimum number of weeks of entitlement under Ordinary Maternity Leave (OML)
Responsibilities	The company procedures for reporting sick days. Procedures to follow regarding Maternity Leave.

Rights and responsibilities of an Apprentice	
As an Apprentice you have some specific rights and responsibilities	
Rights	Your role as an Apprentice and the similarities or differences from other employees in your company How the National Minimum Wage applies to Apprentices.
Responsibilities	Your commitment to the training and qualifications in the Apprenticeship

Grievance and disciplinary procedures	
The laws and internal procedures relating to grievance and disciplinary procedures	
Rights	The process that employers must follow for disciplinary procedures. Your rights during the disciplinary procedures.
Responsibilities	The procedures you must follow to report a grievance The procedures to follow to appeal a disciplinary decision.

Data Protection	
The key areas of data protection and how they affect you as an individual and an employee	
Rights	Your right to personal information held by an organisation (either your employer or another company) Who has rights to your information and how it can be used.
Responsibilities	What information you can and cannot give out, and who can have access to that information

Team working	
Working effectively as part of a team (from Develop Personal Effectiveness Unit)	
Rights	See responsibilities
Responsibilities	<ul style="list-style-type: none"> communicating effectively in a team setting contributing to team activities

Industry laws and guidelines	
The laws and guidelines that affect your industry (IT, Telecoms or Contact Centres)	
Rights	None
Responsibilities	What and how different industry activities are affected by laws and guidelines, such as storing names and address, downloading images from the Internet or sending inappropriate e-mails. The laws that are relevant to your role in ICT or Contact Centres, for example: <ul style="list-style-type: none"> Telecoms: The Wireless Telegraphy Act; IT: The Computer Misuse Act and the Electronic Communications Act 2000

NOS and external sources of representation	
The information relating to IT that is relevant to your job role	
Rights	The organisations that represent you and your employer (e.g. e-skills UK, trade unions, Intellect, British Computer Society, Call Centre Association)
Responsibilities	What National Occupational Standards are, how they can be used and who sets them for your industry.

Useful Resources

Organisation	Role/ Areas covered	Website
ACAS (Advisory, Conciliation and Arbitration Service)	Advice on employment matters	www.acas.org.uk
Citizen's Advice Bureau	General source of advice on a range of topics covering your rights as a citizen	www.adviceguide.org.uk
Department for Education and Skills	Overall responsibility for education in England	www.dfes.gov.uk
Directgov	Website covering almost all areas of employment rights and responsibilities, contracts etc.	www.direct.gov.uk
Disability Rights Commission	Disability Rights and Disability Discrimination Act 1995	www.drc-gb.org
e-skills UK	Sector Skills Council for IT, Telecoms and Contact Centres	www.e-skills.com
Equal Opportunities Commission	Equal Pay. Sexual Equality.	www.eoc.org.uk
Federation of Communication Services	Trade association for the mobile and telecommunication services industry	www.fcs.org.uk
Health and Safety Executive	Regulators of Health and Safety	www.hse.gov.uk
Information Commissioner's Office	Data Protection and Freedom of Information	www.informationcommissioner.gov.uk
Learning and Skills Council	Responsible for funding 16+ training in England	www.lsc.gov.uk
Safe Learner	Specific Health and Safety information for Apprentices	www.safelearner.info
Trade Union Council	Information about trade union and search for you trade union	www.tuc.org.uk
The Commission for Racial Equality	Race Relations Act and racial equality	www.cre.gov.uk
Tiger	National Minimum Wage and Maternity Leave	www.tiger.gov.uk

If you have any comments or queries regarding this workbook, please email ben.sweetman@e-skills.com.

Declaration

This declaration should be completed by the Apprentice, the employer and the training provider and then attached with the Apprenticeship Certificate Request Form.

Apprentice			
Name:		Date of Birth:	
Signature:		Date:	

Employer			
Name:		Organisation:	
Signature:		Date:	

Training Provider			
Name:		Training Provider:	
Signature:		Date:	

Please record details of any alternative knowledge specifications below: