Smarter Flexibility

Flexible Working and Workspaces Policy

2015

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1. POLICY

1.1 Aim

1.1.1 The aim of the Smarter Flexibility policy is to set out the London Borough of Lambeth's approach to flexible working and working in a flexible workspace.

1.1.2 From early 2015 most Council staff will be affected by relocations connected with the "Your New Town Hall" (YNTH) programme. Working flexibly in flexible workspaces will be "business as usual" by the time we move to the new Town Hall premises.

1.1.3 The approaches set out in this document recognise that service needs differ across the Council and are designed to support our move towards a desk occupancy ratio of 10:6.

1.1.4 This policy takes account of Council initiatives such as YNTH as well as the statutory Flexible Working Regulations (2014) and our obligations under the Disability Discrimination Act (1995) and Equality Act (2010) for providing reasonable adjustments.

1.2 Scope

1.2.1 This policy and the Smarter Flexibility Guidance apply to all non-schools-based staff who are directly employed by the Council.

1.2.2 Where employees have contractual flexible working arrangements already in place these are not changed by the contents of this policy or the Guidance.

1.3 Responsibilities

1.3.1 **Employees** are responsible for:

- familiarising themselves with and adhering to the standards set out in this policy

1.3.2 **Heads of Service** (or equivalents) and managers are responsible for:

- facilitating flexible working and enabling employees to work from other locations where appropriate
- agreeing all individual statutory flexible working requests, unless there is a specific business or health and safety reason not to *(see Smarter Flexibility Guidance para 4.3.4 for further guidance)*
- considering and responding to all requests for flexible working in a fair, equitable and timely manner
- making any reasonable adjustments that may be required in accordance with the Equality Act 2010 or other legislation

- ensuring that they don't agree any working pattern that breaches the Working Time Regulations
- ensuring that they don't contravene the contractual entitlements of any employee

1.3.3 **Human Resources (HR)** are responsible for:

- providing impartial advice and support to managers and staff throughout the process

2. GENERAL PRINCIPLES

2.1 Definitions

2.1.1 **FLEXIBLE WORKING** means having flexibility of work patterns or work location, either through formal or informal arrangements. The following are some of the more formal arrangements:

- Job sharing
- Part-time working
- Term-time working
- Wholly home-based working
- Partially home-based working
- Compressed working week(s)
- Staggered hours

2.1.2 **WORKING FLEXIBLY IN A FLEXIBLE WORKSPACE** is based on the principle that not all employees will be in the office all of the time. The following are some of the arrangements that can be applied formally or informally, in line with the needs and requirements of teams and individuals:

- Flexible hours
- Flexitime
- Ad-hoc home based working
- Ad hoc remote working
- Hot-desking

2.1.3 **HOT-DESKING** means that staff don't have a single static desk (unless this is essential for the purposes of their "reasonable adjustments" or because specialised equipment is needed for their role); instead they can work from any available desk. Where an employee has an allocated desk and they are not present for work on any particular day, that desk will be available for use by other people unless there is specialised equipment present which may prevent this.

A hot desk environment typically has:

- A "clear desk" policy
- Breakout areas
- Private meeting rooms.

2.2 "Smarter Flexibility" Principles

2.2.1 The following principles underpin the Lambeth approach to Smarter Flexibility:

- **Flexibility for all** – all employees should have the opportunity to work flexibly and in a flexible workspace

- **Business and citizens come first** – flexible working patterns should respond to business and citizen requirements

- **Shared responsibility** - everyone is responsible for working in a way which ensures the health, safety and welfare of themselves and their colleagues

- **Outcomes focused** – work is based on measurable goals, targets and outputs

- **Transparency** – there are agreed communication plans and open Outlook calendars to support flexible working

2.3 Document Management Principles

2.3.1 The following principles underpin the Lambeth approach to document management, which is a critical aspect of working flexibly:

- **Digital first** – all employees to consider digital rather than paper solutions first

- **Store once** – wherever possible store documents once only

- **Shared** – wherever possible store documents in a shared location

- **Know your retention rules** – retention rules vary across services, be aware of yours and undertake regular housekeeping

- **Know your filing structure** – know the filing structure of your service, ensure you store things in the right place.

3   APPROACHES TO MANAGING FLEXIBLE WORKING

3.1   Some employees have contractual flexible working arrangements in place and these are not changed by the contents of this policy.

3.2   Managers should seek input from staff and trade union representatives when developing flexible working arrangements for their team. It is important that all views are taken into account though the final decision on arrangements will rest with the manager. There may be many circumstances where the team and manager can develop plans for working arrangements which suit the needs of the service and which are also suitable for individual employees. Any team-based arrangements should adhere to the principles set out in paras 2.2 and 2.3, and they should be recorded in writing and copied to all team members.

3.3   Employees also have an **individual statutory right to request their own flexible working arrangements** under the [Flexible Working Regulations (2014)](#). Regardless of any informal or team-based arrangements, individual statutory requests must be actioned as set out in the **Smarter Flexibility Guidance section 4**. Any resulting changes will form a permanent change to the employee's terms and conditions of employment.

Note that "ad hoc" home working (working at home on an occasional basis with no set pattern) and ad hoc remote working are not subject to the statutory process and should be agreed locally with your manager as and when required.

3.4   Additionally employees can make informal requests for flexible working arrangements, in cases where they might require a less permanent variation to their working arrangements, or where they want to make a request that statutory time limits would otherwise disallow.

3.5   Managers must bear in mind that managing a flexible workforce can be more challenging than supervising a "9 to 5" regime. Management styles may need to be adapted and the impact on other practices such as performance management must be considered and appropriate adjustments made. **However these challenges are not a reason to resist or refuse flexible working requests.** The "Smarter Flexibility" principles should be considered at all times and decisions about flexible working should be made in an equitable manner. Statutory requests must be considered in the order in which they are submitted.

3.6   Managers may find that they have to balance the varying demands of service needs, team-based views about flexible working, and individual statutory requests for flexible working. Where there is not an obvious way to accommodate all these demands, managers should seek appropriate advice from HR as to how best to approach the situation. **If it's possible that a statutory request may have to be declined, managers must seek advice from the appropriate HR resource first,** *before* **making a final decision.**

3.7 Where an employee's statutory request for flexible working is declined they have a right of appeal (see section 4.4 of the guidance for further details)

3.8 Full details of :

a) Guidance for managers and employees
b) Flexible working options

and

c) The procedure for making and managing flexible working requests

are contained in the **"Smarter Flexibility" Guidance.**

4   DETAILS OF APPROVAL AND VARIATION PROCESS

4.1 Where the Council wishes to amend or terminate this procedure, it will consult with the relevant trade union with a view to reaching agreement over the proposed amendment(s)/termination. This procedure may be amended or terminated by agreement with the relevant trade unions at any time. Where agreement has not been reached with the relevant trade unions arising from consultations, the Council reserve the right to implement its proposed amendment(s)/termination by giving one months notice to employees of its proposal(s).

This policy is approved and signed by:

Nana Amoa-Buahin
Director CBD (HR & OD)

Jon Rogers (Branch Secretary – UNISON)
On behalf of Trade Unions

Appendix 1	Links to Guidance and Documents

- [Health and Safety Policy](#)
- [Flexible Working E-Learning/managers](#)
- [ICT Policy](#)