

Flexible Working

Flexible Working	Applies to all Council employees
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Introduction

Flexible Working can increase staff motivation, promote a better work-life balance, reduce employee stress and absence levels and thus improve performance and productivity. The promotion of flexible working can also help attract new talent and retain high performing staff.

From 30 June 2014, all employees who have a minimum of 26 weeks continuous service now have the legal right to **request** flexible working and to have their request considered seriously.

In turn it recognises that staffing levels must at all times remain in line with the demands of the business but fully appreciates that the standard Monday to Friday, 9am to 5.15pm working week is, in some cases, incompatible with increasing demand for better work life balance, and inappropriate for the effective delivery of some services.

This policy provides the necessary framework for employees to apply for flexible working arrangements but it must be understood that requests for changes to working practices may be declined by managers, but every effort will be used to accommodate each request.

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1 Flexible Working Options

There are a number of ways where a person can work in a way that is defined as flexible working, that may suit them and/or the service better.

Examples of Flexible Working Options:

Such flexible working arrangements might include any one or a combination of options such as;

- **Part-Time Working / Reduced Hours**
- **Condensed / Compressed Hours**
- **Term-Time Working**
- **Flexible Working Hours**
- **Home-Working**
- **Career Breaks**

Please click on the attached link for guidance on the above options, [Flexible Working Options](#).

Flexi-Time Scheme

This flexible working policy replaces and incorporates both the Job-Share and the Flexi-Time schemes. Whilst the council no longer conforms to a prescribed set of core hours, it recognises that for many services the traditional core hours of 10am - 4pm (*with a bandwidth of 08.00 - 18.00*) will still apply and therefore the flexi-time scheme will continue as before (*in the absence of any other arrangement as determined by the service*). Therefore services and employees wishing to continue with their existing flexi-time arrangements may do so (without a formal requirement to apply for flexible working). Please refer to Appendix 7F for more information and guidance about the Councils existing flexi-time scheme.

2 Requests for Flexible Working

Any requests for flexible working, including requests for a change in the number of hours worked, or the pattern of hours that are worked, or job share, or working from home, etc., must be submitted in writing, via the **requisite application form at Appendix 7A**.

Any request made under this policy must include:

- the date of the application;
- the changes that the employee is seeking to his/her terms and conditions;
- the date on which the employee would like the terms and conditions to come into effect;
- what effect the employee thinks the requested change would have on the organisation;
- how, in his/her opinion, any such effect might be dealt with;
- a statement that this is a statutory request;
- whether or not the employee has made a previous application for flexible working; and
- if the employee has made a previous request, when the employee made that application.

Where the request is being made by a disabled person as part of a request for a reasonable adjustment to his/her working arrangements, the employee should state this in the written application.

If all the information required on the application form the employee will be asked to resubmit their request with the additional or amended information required.

Meeting to discuss a flexible working request

Once the line manager receives the request, it will be dealt with as soon as possible, but no later than the deadline set out below. The line manager will usually arrange a meeting to deal with the request. Where a request can without further discussion be approved in the terms stated in the employee's written application, a meeting will not be necessary.

An employee should be given the right to be accompanied by a trade union representative or work colleague at any flexible working meeting. The meeting should take place in a private meeting room so that the discussion is kept away from other employees. The aim of the meeting is to find out more about the proposed working arrangements and how they could be of benefit to both the employee and Authority.

3 Making a Decision

After the meeting, the line manager will consider the proposed flexible working arrangements carefully, weighing up the potential benefits to the employee against any adverse impact of implementing the changes. Each request will be considered on a case-by-case basis: agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to his/her working pattern.

The employee will be informed in writing of the decision as soon as is reasonably practicable after the meeting, but no later than the deadline set out below. The request may be granted in full or in part: for example, the organisation may propose a modified version of the request, the request may be granted on a temporary basis, or the employee may be asked to try the flexible working arrangement for a trial period. Please refer to Appendix 7B, 7D, 7E for trial period documentation.

The employee will be given the right to appeal the decision if the employee's request is not upheld or is upheld in part.

Reasons for turning down a Flexible Working Request

The line manager must give valid and good reasons for the rejection of any request. Those reasons must be for one or more prescribed business reasons, which are:

- the burden of additional costs;
- an inability to reorganise work among existing staff;
- an inability to recruit additional staff;
- a detrimental impact on quality;
- a detrimental impact on performance;
- a detrimental effect on ability to meet customer demand;
- insufficient work for the periods the employee proposes to work; and
- a planned structural change to the business.

The line manager must not reject a request for any other reason. Please refer to Appendix 7c for 'rejection of flexible working' letter.

Flexible Working Requests that are Granted

If the request is upheld, the employee and the line manager will discuss how and when the changes will take effect. Any changes to terms and conditions will be put in writing and sent to the employee as an amendment to his/her contract of employment/written statement of terms and conditions of employment as soon as is reasonably practicable.

4 Timescales

All requests will be dealt with within a period of three months from first receipt to notification of the

decision on appeal. The line manager should hold the meeting within 28 days of receiving the request and notify the decision to the employee within 14 days of the meeting, so that there is enough time for any appeal to be concluded.

5

Appeal Process

Employees who are dissatisfied with the outcome of their request are allowed to lodge an appeal within 14 days of the notification, with the appeal to be heard within 14 days. The employee will be informed of the outcome of his/her appeal within 14 days of the appeal meeting. These time limits may be extended where both the employee and employer are in agreement. For example, the relevant manager and the employee may agree to extend the time limit to give the employee a trial period on the flexible working arrangements.

Non attendance at Meetings

If an employee fails to attend both a first meeting and a rearranged meeting, either at the initial decision stage or an appeal stage, without good reason, the employer may treat the application as having been withdrawn by the employee. The employer must notify the employee that it has decided to treat the conduct of the employee as a withdrawal of the application.