

People Framework

Flexible Working Procedure



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Tracking

Policy Title	Flexible Working Procedure		
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Service			

Revision History

Revision Date	Revisor	Previous Version	Description of Revision

Document Approvals

Each revision requires the following approvals:

Sponsor Approval		Name	Date

1. Flexible Working

All employees who have been employed with the Council continuously for 26 weeks have the right to request flexible working

Employees are entitled to make a flexible working request once in any 12 month period.

2. Types of Flexible Working

Flexibility in Working Hours

An employee may request to continue to work their contractual hours but, with the agreement of their manager, vary their start and finish times. In considering requests for flexibility in working hours managers must ensure that adequate office cover is available to meet service requirements.

Part of the working day is designated as “Core Time” where all employees must be present (unless on authorised absence).

Core Time	=	Monday to Friday	10.00am	-	12.00pm
			2.00pm	-	4.00pm

Either side of the core periods are periods of “flexible hours” during which the employee can request flexibility in their working hours to be agreed with their manager:

Flexible Time	=	Monday to Friday	08.00am	-	10.00am
			12.00pm	-	2.00pm
			4.00pm	-	6.00pm

All local arrangements agreed in relation to flexible working hours should be documented with a copy of the agreement held on the employee’s personal HR file. (Flexibility in Working Hours form)

Part Time Working

An employee may request a reduction in their contractual hours. Where a reduction in contractual hours is agreed, the employee’s salary and annual leave entitlement will be adjusted accordingly.

Term Time Working

Term-time working is a form of part-time work where the employee works only during school terms and takes unpaid leave during the school holidays.

Compressed Hours

Compressed hours arrangements allow employees to work their contractual hours of work over a shorter period of time than is standard in the organisation.

For example, an employee may work their 36 hours per week over four days instead of the usual five days, or work a nine-day fortnight. In this way, the employee obtains an extra day off work each week or fortnight.

Annualised Hours

Annualised hours is an arrangement whereby working hours reflect seasonal or other peaks and troughs in service. Employees are contracted to work a set number of hours during the year, but weekly hours are varied depending service requirements.

Working from Home

An employee may seek to work from home as part of a flexible working arrangement. Please see the Council's Working from Home procedure.

3. Submitting a Flexible Working Request

Employees must submit flexible working requests to their manager in writing using the Flexible Working Request form. ([Link to form](#)).]

Any request made under this procedure must include:

- the date of the application;
- the changes that the employee is seeking to their 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 their 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 flexible working request is being made by a disabled employee as part of a request for a reasonable adjustment to their working arrangements, the employee should state this in their written application.

Where a flexible working request does not contain the required information, managers will explain to the employee what additional or amended information they need to provide and give the employee the opportunity to resubmit the request.

Eligible employees are entitled to submit one flexible working request in any twelve month period. Employees are entitled to submit additional flexible working requests if they relate to a statutory entitlement, e.g. the Equality Act 2010 right to request reasonable adjustments.

The manager will acknowledge the request using the Letter of Acknowledgment ([LINK](#)).

4. Meetings relating to Flexible Working

On receipt of a flexible working request the manager may arrange a meeting to discuss the proposed working arrangements with the employee. Where a request can be approved without further discussion, a meeting will not be necessary.

Where a meeting is arranged it must be held within 14 days of the manager receiving the flexible working request. This time limit may be extended with the agreement of both the employee and their manager.

The manager will give the employee 7 calendar days' written notice of the meeting. At the meeting the employee may be accompanied by a member of the Staff Consultative Group, trade union representative or work colleague.

Where an employee fails to attend a meeting and a rearranged meeting without good reason, their application will be deemed to have been withdrawn.

5. Considering a Flexible Working Request

In considering whether a flexible working arrangement can be accommodated the manager will take into account a number of criteria including (but not limited to) the following:

- The requirements of the service
- The impact of the proposed arrangement on other employees
- Whether the request is for a reasonable adjustment related to a disability
- Health and safety issues

Requests 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 their working pattern.

6. Trialing New Working Arrangements

Where there is some uncertainty about whether the flexible working arrangement is practicable for an employee and/or the Council, a trial period may be agreed.

Where a trial period is arranged the manager must allow sufficient time for the new working practices to be implemented before taking any decisions on whether the arrangements should be made permanent.

The Council reserves the right to require the employee to revert to their previous working arrangements at the end of the agreed trial period.

7. Responding to a Flexible Working Request

The manager will inform the employee of their decision within 28 days of receiving the flexible working request. This time limit may be extended with the agreement of both the employee and the manager.

The request may be granted in full, in part or refused. The Council 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.

Flexible working requests that are granted

Where a flexible working request is agreed, the employee and the manager will discuss how and when the changes will take effect.

Reasons for turning down a flexible working request

The manager will give 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 manager must not reject a flexible working request for a reason other than those detailed above. The manager must notify the employee of their decision within 14 days of the meeting to discuss the request.

8. Right of Appeal

Employees have the right of appeal if their flexible working request is refused or is only agreed in part. Appeals will be held in line with the Council's Appeal procedure.

9. Varying an Employee's Contract

Where flexible working practices are agreed as either a temporary or permanent change, these will be confirmed to the employee in writing by the HR team within 28 days of the change to the employee's working pattern being agreed.

Any change to contractual terms which is agreed in response to a flexible working request is a permanent one and the employee has no automatic right to change back to their previous pattern of work.

10. Reasonable Adjustments

The Council has a duty to make reasonable adjustments for a disabled employee in line with the Equality Act 2010.

11. Data Protection

When managing an employee's flexible working request, the organisation processes personal data collected in accordance with its data protection policy. Data collected

from the point at which the organisation receives a flexible working request is held securely and accessed by, and disclosed to, individuals only for the purposes of managing their request for flexible working.

Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the organisation's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the organisation's disciplinary procedure.