

# FLEXIBLE WORKING POLICY

## *Introduction & Purpose*

The Council recognises that there are multiple benefits to be gained, as an employer and for employees, by offering additional flexibility to employees in the hours that they work, the times that their working week is organised and where they conduct their work. Through its commitment to Work Life Balance, the Council wishes to work with employees to find solutions to improve the work and life balance of employees.

This policy meets the legal requirements for flexible working laid down in the Employment Act (2002) and the Work and Families Act (2014).

## *Scope & Eligibility*

An employee who meets the eligibility criteria set out below has a statutory right to request to work flexibly.

### **Eligibility Criteria**

An employee must meet the following criteria:

- 1 Have worked for their employer continuously for 26 weeks at the date the application is made continuous service is unbroken service with any local authority and those employers listed in the [Redundancy Payments \(Continuity of Employment in Local Government etc\) Modification Order 1999](#).
- 2 Not have made another application to work flexibly under the right during the past 12 months.
- 3 Be requesting to make a **permanent** change to the employment contract (unless otherwise mutually agreed).

If the employee does not meet the criteria a request may be considered outwith the Flexible Working Policy. Refer to [How to Dealing with Requests Outwith the Flexible Working Policy](#).

## *Types of Flexible Working*

Flexibility can relate to a change in the hours that employees work, a change to the times when employees are required to work or a request to work at home. For example, flexibility can be:

- part time working
- flexi time
- time off in lieu
- compressed working hours
- shift working

- reduction in working hours
- job sharing
- school term time working
- staggered working hours
- shift swapping
- annualised hours
- self rostering
- working at home

## ***Application Process***

All requests to work flexibly must be made in writing to your immediate Line Manager/Supervisor using the corporate form [Flexible Working Application Form](#) (available from Employee Support).

Your immediate Line Manager/Supervisor will arrange to meet with you to discuss your application. Depending on the management responsibilities of your immediate Line Manager/Supervisor, they may need to involve their Line Manager/Supervisor.

You have the right to be accompanied at all of the meetings to discuss your flexible working application by a trade union representative or a work colleague of your choice.

The HR Operations Team may be invited to attend the meeting, where this is considered necessary, to provide advice, support and guidance.

You will be informed in writing of the decision. If your request is approved, you will receive written details of the agreement and the start date. If your request is refused you will be advised of the grounds for refusal. If your request was for a permanent change to your employment contract you will also be advised how to appeal.

Your request to work flexibly, including any appeal, will be considered and decided upon within a 3 month period of receipt unless it is mutually agreed to extend.

## ***Assessment Criteria***

Line Managers/Supervisors must consider requests to work flexibly in a reasonable manner and ensure that they are assessed against the following operational factors. The reasons for refusing an application to work flexibly must be reasonable and attributed to one, or more, of the following grounds:

- 1 Burden of additional costs
- 2 Detrimental effect on the ability to deliver services
- 3 Inability to reorganise work among existing staff
- 4 Inability to recruit additional staff
- 5 Detrimental impact on quality and/or performance of work
- 6 Insufficiency of work during the periods the employee proposes to work
- 7 Planned structural changes

(Section 80G(l)(b) Employment Act 2002)

### ***Implementation of Flexible Working Policy***

To support this Policy:

- 1 Where an employee requests to work at home, the [Homeworking Policy and Guidance](#) should be followed
- 2 Services are encouraged to try new working practices through the formation of trials and pilots
- 3 Employee Support will be appropriately briefed to enable them to handle any administrative aspects of new flexible working arrangements.