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FLEXIBLE WORKING POLICY

1 Introduction and Purpose

1.1 This policy sets out the Council's approach to flexible working, including:

- Flexible Working Hours Scheme
- Formal Flexible Working Arrangements

2 Flexible Working Hours Scheme

2.1 A flexible working hours scheme will be operated by the Council to enable agile working, enhance service delivery and facilitate the home/work balance of employees.

2.2 The scheme is available to everyone unless service needs require, for example, fixed hours. No employee has the right to work flexible hours and will be the decision of the Clerk/Manager if the scheme is operated in any particular area.

2.3 How Does `Flexible Working Hours' Operate?

2.3.1 Flexible working hours are working arrangements that allow employees to begin and end work at different times. In order to do this, the Manager will decide the extent of flexibility the service can provide to customers and employees.

This will include:

- opening/closing hours;
- office cover periods – including staffing numbers;
- remote working periods;
- service delivery requirements.

2.3.2 Although flexible working hours will bring benefits to staff, the work of the Community Council and the best interests of its customers/clients must not suffer. The success of the scheme depends upon common sense and the goodwill of everyone.

2.3.3 It will not always be possible to allow flexibility on a particular day. Should this occur, your Manager will discuss this position with you. They will not be able to

approve requests to work hours which would not be in the interests of the service to the public.

2.3.4 The Clerk/Managers will have the final decision, as it is their responsibility to ensure the needs of the service are covered. For this reason, some areas will not be able to implement flexible working hours.

2.3.5 The Clerk/Managers should consider the following when deciding the level of flexibility offered:

- meeting service provision and operational requirements including accessibility to external and internal customers/clients;
- contractual hours of employment being fulfilled;
- personal work objectives and targets being met.

2.3.6 In agreeing to exercise flexibility in hours, line managers and employees have a collective obligation to ensure that service delivery is unaffected as a minimum, and where possible flexibility in hours should improve service delivery.

2.4 Definition of Terms

2.4.1 In describing the scheme of flexible working hours, a number of terms are used. There are explained below:

Bandwidth:	This is the part of the day ranging from the earliest time which anyone can start through to the latest possible finishing time (excluding overtime).
Flexible Time:	That part of the day when a measure of choice of working times can be exercised. However, this will always be the subject of pre-planning requirements to maintain the level of service and your Manager's need to manage unforeseen circumstances.
Settlement Period:	In a scheme of flexible working hours, a suitable period may be chosen (in this case one calendar month), at the end of which there is a balance on how many hours were actually worked as compared with the contracted hours.
Carry Over Hours:	This is the number of hours more or less than your contracted hours that have been worked during the current settlement period.

Flexible Hours – Annual Period:	The flexible hours annual year will run from 1 April to 31 March each year. This is the period that the maximum flexi leave that can be taken outlined in the scheme based on contractual hours.

The scheme:

Bandwidth:	9.00am-5.00pm Monday to Thursday 9.00am-4.30pm Friday
Minimum Working Day:	4 hours (unless contractual hours are less)
Maximum Working Day:	11 hours

There are different carry forward for different contractual hours. The flexi period is monthly:

Hours worked per week	Maximum Credit Hours	Maximum Debit Hours
37 (full time)	10	5
30	7:30	4
22:30	5	3
Up to 15	4	2

The maximum flexi leave that can be taken per month and per annum is shown below. There are different maximums for different contractual hours:

Hours worked per week	Maximum Hours Per Month	Maximum Hours/Days Per Annum
37 (full time)	7:30	12 days (90 hours)
30	7:30	9 days (67:30 hours)
22:30	3:45	12 x ½ days (45 hours)
Up to 15	3:45	8 x ½ days (30 hours)

2.5 Carry Over Hours

2.5.1 Credit hours are those which arise from the employee having worked longer at that point in time than standard hours. Debit hours are those which arise from the employee having worked shorter at that point in time than the standard hours.

2.5.2 Debit hours are those which the employee owes to the Council because they have worked insufficient hours.

2.5.3 Credit hours in excess of those stated in the scheme, at the end of the settlement period will be lost. Debit hours cannot be carried forward in two consecutive settlement periods. You will be expected to work back these hours by the next settlement period. Failure to do so without good reason, may result in an appropriate deduction being made from salary or annual leave entitlement being adjusted.

2.5.4 If an employee has a prolonged period of sickness during the settlement period, the full credit/debit amounts shall be carried forward to the next month at which point the normal rules apply.

2.5.5 In exceptional circumstances, the Clerk may authorise and carry forward of hours in excess of the normal credit and debit balances allowed to the next settlement period.

2.6 How to book Flexi Leave

2.6.1 Flexi leave requests **must be** approved by your Manager prior to taking the time off.

2.6.2 Flexi leave cannot be booked in advance if you have not accumulated sufficient time to take the time. Requests to take flexi leave should be submitted to your Manager.

2.6.3 If you're taking a half day in the morning you should return to work no later than 2.00pm. If taking a half day in the afternoon you should leave no earlier than 12 noon.

2.6.4 All Managers will report to the Clerk at the end of each month on their staffs' flexi leave requests.

2.7 Time of in Lieu (TOIL)

2.7.1 Some employees regularly undertake work outside the bandwidth of the Flexible Working Hours Scheme. Where this occurs, an employee may accrue TOIL to be taken at a later date agreed with their Manager. Any accrued TOIL should

normally be taken within a month of the accrual and carry over balances should be avoided wherever possible.

2.8 Flexible Hours Recording Spreadsheet

2.8.1 You will be required to complete the flexible hours spreadsheet. The spreadsheet must be completed daily and saved in an agreed folder set up by the Clerk.

2.9 Lunchtimes

2.9.1 If you are part of the flexible working hours scheme you will have a flexible lunch period and are required to take lunch between 12.00 pm and 2.00 pm. The lunch period will be a maximum of 2 hours and a minimum of ½ hour. Irrespective of whether employees stay in the office, staff must book out immediately they commence their lunchbreak and book back in again when they are ready to recommence work.

2.10 Termination of Employment

2.10.1 Employees who leave the Council should make every effort to bring their credit or debit hours to nil by the date they leave. Should there be a debit balance outstanding an appropriate adjustment may be made to their salary. No payment will be made for credit hours unless there are exceptional circumstances and this has been agreed with the Clerk.

2.11 Abuse of the Scheme

2.11.1 The success of this scheme depends on trust. Any employee found to be abusing this trust in any way will be dealt with under the disciplinary code.

2.11.2 Random checks may be carried out and any attempt to falsify recorded hours etc will be regarded as misconduct.

3 Formal Flexible Working Arrangements

3.1 The Council believes that its staff members are its most valuable asset and is committed to attracting and retaining the very best talent. It also appreciates that the UK workforce is becoming increasingly diverse and includes a high

percentage or parents and individuals with caring responsibilities, as well as those whose interests and aspirations impact on their time.

3.2 The Council recognises the importance of helping its employees balance their work and home life by offering flexible working arrangements that enable them to balance their working life with other priorities. In addition, the Council recognises that staffing levels must remain in line with the demands of the business at all times.

3.3 This element of the policy aims to set out the ways in which flexible working can increase staff motivation, build better relationships between the Council and its employees, increase the rate of retention of staff, reduce absence, attract new talent, promote work-life balance and reduce employee stress. In doing so, this will improve the Council's efficiency, productivity and competitiveness.

3.4 <u>The Business Need</u>

3.4.1 Although the Council is committed to providing the widest possible range of working patterns for its workforce, both management and employees need to be realistic and recognise that the full range of flexible working options will not be appropriate for all jobs across all areas of the business.

3.4.2 When a request of flexible working is received, the Council will need to take into account a number of criteria including (but not limited to) the following:

- the cost of the proposed arrangement ;
- the length of time the proposed arrangement is required (if not permanent);
- the effect of the proposed arrangement on other staff;
- the level of supervision that the post-holder requires;
- the structure of the department and staff resources;
- other issues specific to the individual's department;
- an analysis of the tasks specific to the role, including their frequency and duration;
- an analysis of the workload of the role.

3.5 <u>Eligibility</u>

3.5.1 An employee can make a request for flexible working from their first day in a job.

3.5.2 Employees in all areas and levels of the Council will be considered for flexible working regardless of their age, sex, sexual orientation, race, religion or belief, disability, marital status, pregnancy or maternity, or gender reassignment.

3.6 Scope of a Request

3.6.1 The Council recognises that eligible employees can make a request for one of, or a combination of, the following:

- job sharing
- part time working
- annualised hours
- compressed hours
- flexitime
- term time working
- swapping hours
- working from home
- flexible shift working.

3.6.2 Any agreement to a request for flexible working will take effect as a permanent variation to the employee's terms and conditions, unless it is mutually agreed that this will be a temporary variation.

3.7 Applying for Flexible Working

3.7.1 The application must:

- be made in writing to the Clerk for consideration by the Establishment committee, and state that it is an application for flexible working under the statutory right to make a request;
- state whether a previous application for flexible working has been made under this procedure and, if so, when;
- specify the change applied for and the proposed date for the change to become effective;
- explain the effect the employee thinks the change will have on the Community Council and their colleagues and explain how any effect should be handled;
- be signed and dated.

3.7.2 The application must also state whether the variation requested is made in pursuance of a reasonable adjustment under the disability discrimination provisions of the Equality Act 2010.

3.8 Limits for making a Request

3.8.1 There are limits on the number of statutory requests that an employee can make:

- a maximum of two requests during any 12 month period
- only have one `live' request with the same employer at a time

3.8.2 A request will stay live until any of the following happen:

- the Council makes a decision;
- the employee withdraws their request;
- the employee and the Council agree an outcome;
- it's been two months since the date of the employee's request.

3.8.3 A request will stay live during:

- any appeal
- any extension to the two month decision period, if the employee and employer agreed to extend it

The employee and the Council can extend the two month time limit if they both agree to it. If an extension is agreed, the Council will confirm in writing either by letter or email.

3.9 Considering a Request

3.9.1 If the Council, as an employer, receives a statutory flexible working request, they must:

- accept the request unless there's a genuine business reason not to
- consult the employee before making a decision – unless it is accepted in full
- make a final decision, including any appeal within two months
- handle the request fairly and reasonably

3.10 Procedure for Handling an Application

3.10.1 A discussion regarding the application will be held between the employee and their line manager within 28 days of the application, unless the line manager notifies the employee in writing of their agreement to the variation. The time and place of the discussion will be convenient to both the line manager and the employee.

3.10.2 Once a decision has been reached, the employee will be informed within 14 days of the discussion. Where the decision is to agree to the application, the notice will specify the contract variation agreed to and state the date the variation will take effect.

3.10.3 Where the decision is to refuse the application, the notice will state which of the specified grounds for refusal are considered to apply and contain an explanation of why this ground applies.

3.10.4 An employee may appeal against the decision to refuse the application within 14 days of the decision. The notice of appeal must be in writing, setting out the grounds for appeal and sent to the senior manager.

3.10.5 The Chair of Establishment will discuss the appeal with the employee within 14 days after receipt of the appeal, unless the senior manager notifies the employee in writing of the decision to overturn the original decision and specifies the variation which is now agreed and the date on which it will take effect. If an appeal meeting is held, the time and place must be convenient to both the Chair of Establishment and the employee.

3.10.6 Within 14 days of the date of the appeal discussion, the senior manager will give the employee written notice of the appeal decision. Where the Chair of Establishment upholds the appeal, the notice will specific the contract variation agreed to and state the date on which it is to take effect.

3.10.7 Where the decision is to dismiss the appeal, the notice will state the grounds for the decision and contain an explanation as to why those grounds apply. The notice will also state that there is no further right of appeal.

3.10.8 An application for flexible working will be concluded within 3 months of the date of the application, unless an extension of time is mutually agreed.

3.11 Refusal of an Application

3.11.1 The employee will be informed of the refusal of their application in writing.

3.11.2 The application may be refused on one or more of the following statutory grounds:

- a burden of additional cost on the Council;
- a detrimental effect on the Council's ability to meet customer demand;
- an inability to re-organise work among existing staff;
- an inability to recruit additional staff;
- a detrimental effect on quality;
- a detrimental effect on performance;
- insufficient levels of work during the periods of proposed work;
- a planned structural change.

3.12 Withdrawal of Application by Employee

3.12.1 The employee can withdraw their application at any stage before agreement. The employee should write to their line manager stating they wish to withdraw their application.

3.12.2 Where the employee fails to attend a meeting or appeal meeting on more than one occasion or they refuse to provide reasonable information to allow their application to progress, without reasonable excuse, the Council will treat the application as withdrawn.

3.12.3 The Council will confirm the withdrawal of the application to the employee in writing.

3.13 Non-Statutory Requests for Flexible Working

3.13.1 Ineligible employees may make an informal request for flexible working. This should be made, in writing, to their line manager with information of their proposed pattern of working, the date they propose this to take effect, whether this variation is temporary or permanent, and how any negative effects of the proposed working pattern can be managed.

3.13.2 This request will be considered in line with the Council's operational and staffing needs.