# Flexible working policy

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## Introduction

**Workington Town Council** recognises that a better work-life balance can improve employee motivation, performance and productivity, and reduce stress. Therefore, the Council wants to support its employees to achieve a better balance between work and their other priorities, such as caring responsibilities, leisure activities, further learning and other interests.

The Council is committed to agreeing any flexible working arrangements, provided that the needs and objectives of both the Council and the employee can be met.

It is the Council's policy to encourage open discussion with employees. If an employee thinks they may benefit from flexible working, they can either:

* Contact their Line Manager to arrange an informal discussion to talk about the options
* submit a flexible working request, by following the steps in this policy

This policy does not form part of the employment contract and can be amended at any time.

## What flexible working is

Flexible working is any type of working arrangement that gives some degree of flexibility on how long, where and when an employee works.

For example:

* annualised hours
* compressed hours
* flexitime
* remote working and working from home
* job sharing
* part-time working
* staggered hours
* term-time working

These examples are considered to be the typical arrangements that employees will request. However, the Council recognises that there may be alternatives or a combination of options which are suitable to both the Council and the employee.

## Types of flexible working

### Annualised hours

Annualised hours mean an employee's contractual working hours are calculated as the total number of hours to be worked over the year. The employee has some flexibility on when they work these hours over the year.

Usually, the hours will be divided into set rostered hours during busy periods, and unallocated hours during quieter periods. An employee can decide when to work their unallocated hours, subject to some limitations.

Payment will be in 12 equal instalments. However, arrangements may be permitted where the pay for the work actually done is in the period the payment relates to.

### Compressed hours

Compressed hours mean an employee works their usual full-time hours in fewer days by working longer blocks. There is no reduction in the employee's pay. For example, a 5-day week is compressed into 4 days, or a 10-day fortnight into 9 days.

### Flexitime

Flexitime allows an employee to choose when to begin and end work, within certain limits.

An employee is required to work during core hours and must work an agreed number of hours during the accounting period of a month. Their hours of attendance will be recorded and added up at the end of each accounting period.

An employee can carry over an excess of up to 10 hours from one accounting period to another (month to month).

An employee can use excess hours to either reduce attendance outside of core hours or take additional leave (flexi leave). Flexi leave is subject to a maximum of 5 full days in any accounting period. An employee should request and agree flexi leave with their line manager, in the same way as holiday entitlement (annual leave).

### The Council does not permit a deficit of hours.

### Remote working and working from home

Employees should make every effort to attend their place of work, due to the nature of the Council’s business it is preferred that Council staff work from the office the majority of the week. In exceptional circumstances where this is not possible, remote working and working from home may be available on occasions but requires prior approval from your Line Manager.

### Job sharing

Job sharing is an arrangement where a full-time post is divided into 2 part-time roles. The 2 job holders then share the overall duties and responsibilities. Their skills and the hours each employee wish to work must be compatible and meet the needs of the Council.

Pay and benefits are shared in proportion to the hours each person works. Job sharing can be considered where the creation of a single part-time post is difficult, or where 2 individuals wish to work part-time.

### Part-time working

Part-time working covers any arrangement where an employee is contracted to work anything less than typical full-time hours for the type of work in question. For example, an employee who works Monday to Wednesday.

### Staggered hours

Staggered hours mean having a different start and finish time to other employees. For example, working from 7am to 4pm instead of 9am to 6pm.

### Term-time working

Term-time working is where an employee's contractual working hours are during school terms only.

An employee does not work during school holidays. Any weeks above their annual leave entitlement are unpaid. Salary can be paid in 12 equal monthly instalments. Alternatively, an employee can ask to be paid for the time worked only and receive no pay during the holidays apart from their holiday entitlement (annual leave).

## Our approach to flexible working

The Council is committed to providing a range of appropriate working patterns.

There are many different types of flexible working. While some might not be practical for every job, it's likely other types will work. The Council commits to look at what's possible.

Where a flexible working arrangement is requested, the Council will take into account a number of criteria. This includes:

* the costs associated with the proposed arrangement
* the effect of the proposed arrangement on other staff
* the need for, and effect on, supervision
* the existing structure of the department
* the availability of staff resources
* details of the tasks specific to the role
* the workload of the role
* whether it is a request for a reasonable adjustment related to a disability
* health and safety issues

The Council is committed to agreeing any flexible working arrangements, provided that the needs and objectives of both the Council and the employee can be met.

## Eligibility

All employees have a statutory right to request flexible working from the first day of employment.

The Council is also open to discussing flexible working arrangements with employees before their first day.

Hiring managers will:

* discuss flexible working with the successful applicant before they start

## Submitting a flexible working request

An employee is entitled to submit 2 statutory flexible working requests in a 12-month period.

An employee can only have one live request at a time. A request will stay live until any of the following happen:

* the Chief Officer/RFO & Chair of F & GP makes a decision
* the employee withdraws the request
* the employee and Chief Officer/RFO & Chair of F & GP agree an outcome
* it's been 2 months since the date of the request

All requests must be made by written request (i.e. letter/email) to the Chief Officer/RFO of the Council.

Any request must include:

* the date of the request
* the changes that the employee is seeking
* the date the employee would like the proposed change to start
* whether this is a statutory or non-statutory request
* whether the employee has made any previous flexible working requests
* the dates of any previous requests

If the request relates to a reasonable adjustment for a disability under the Equality Act 2010, the employee should make this clear in the request.

If a request does not contain all of the required information, the Chief Officer/RFO will advise the employee what else they need to provide and ask the employee to resubmit the request.

## Responding to a flexible working request

The Chief Officer/RFO & Chair of F & GP will consider the proposed flexible working arrangements. They will look at the potential benefits and adverse effects to the employee and to the Council in implementing the proposed changes.

Each request will be considered on a case-by-case basis, in the order they are received. 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.

Where an employee's request needs further discussion, the Council will invite the employee to a consultation meeting. If a meeting is arranged it will be held within 10 working days of the Council receiving the request. This time limit may be extended with the agreement of both the employee and the Chief Officer/RFO & Chair of F & GP.

Where an employee's request can be approved in full without a consultation meeting, the Council will confirm this in writing within 10 working days of receiving the request. This will include details of the new arrangements and an invitation to talk about the new arrangements. This time limit may be extended with the agreement of both the employee and the Chief Officer/RFO & Chair of F & GP.

The Council will make a decision on all requests, including any appeal within a maximum of 2 months. This time limit may be extended with the agreement of both the employee and the Chief Officer/RFO & Chair of F & GP.

## Consultation meetings about flexible working

If the employee is invited to a consultation meeting, the Chief Officer/RFO and Chair of F & GP committee will discuss:

* the request
* how the proposed working arrangements might work
* how it could be of benefit to both the employee and Council

The employee will be given advance notice of the time, date and place of the meeting. If the initial date is problematic then one further date will be proposed. This meeting will be in person or a video call, or a telephone call if neither of those are possible.

At the meeting the employee may, if they wish, be accompanied by a colleague or a trade union representative.

If the employee fails to attend a meeting and then fails to attend a rearranged meeting without good reason, their request will be deemed to have been withdrawn.

## Communicating a decision after consultation

After a consultation meeting, the request may be granted in full, in part or refused.

The Chief Officer/RFO & Chair of F & GP may:

* propose an alternative option
* grant the request on a temporary basis
* ask the employee to try the flexible working arrangement for a trial period

If a working arrangement is agreed, the employee will be sent a confirmation letter within **10 working days** of the consultation meeting. This will include details of the new arrangements and an invitation to talk about the new arrangements.

If the request is refused, the employee will be given the decision in writing within **10 working days** of the consultation meeting.

## Right to appeal a decision

An employee has the right to appeal the decision if their request is refused or is only agreed in part.

The employee may submit an appeal within 5 working days of being notified of a decision on their request. This should be done in writing and clearly state the reasons for their appeal.

The appeal will be heard within 5 working days. The employee will then be informed of the outcome of their appeal within 5 working days of an appeal meeting. These time limits may be extended with the agreement of both the employee and Chief Officer/RFO & Chair of F & GP.

At the appeal meeting the employee may, if they wish, be accompanied by a workplace colleague or a trade union representative.

## Requesting a reasonable adjustment

The Council is committed to reducing and removing disadvantages for disabled employees.

If an employee needs to change where, how or when they work because of their disability, they can request a reasonable adjustment under the Equality Act 2010. If an employee requests a reasonable adjustment, they do not need to also make a flexible working request.

To request a reasonable adjustment, send your request by email or letter to the Chief Officer/RFO and include:

* that you're making a request for a reasonable adjustment under the Equality Act 2010
* the adjustment you're requesting

Chief Officer/RFO & Chair of F & GPwill discuss your request with you within 10 working daysof receiving the request. The outcome will be confirmed in writing within 10 working days of the discussion, including any agreed reasonable adjustments. These time limits may be extended with the agreement of both the employee and Chief Officer/RFO & Chair of F & GP.

## Trialling new working arrangements

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

A trial period will allow enough time to implement and get used to the new arrangement before making any decisions on its viability.

The Chief Officer/RFO will put any trial arrangements in writing to the employee. This will include their new working pattern and make clear that it is only a temporary change to the employee's terms and conditions.

The employee will be informed in writing of the start and end dates of the trial period. The Chief Officer/RFO may reduce or lengthen the trial period where necessary, with the agreement of the employee.

The Chief Officer/RFO will reserve the right, at the end of the agreed trial period, to require the employee to revert to their previous working arrangement. In this situation, the Chief Officer/RFO will give the employee4 weeks' notice.

## Varying an employee's contract

Where flexible working practices are agreed as a permanent change, any variation to the employee's terms and conditions will be put in writing. Written confirmation of the changes will be sent to the employee within one month of the change being agreed.

If the employee has any questions or concerns, they should contact the Chief Officer/RFO.

## Complaints and further information

An employee should raise any concerns withtheChief Officer/RFO if they:

* are not satisfied with any stage of the flexible working request process
* feel they have been treated unfairly because they've made a flexible working request

If informal discussions do not resolve the matter to an employee's satisfaction, they should raise a grievance under the Council's grievance procedure.

For further information an employee should contact Chief Officer/RFO.

If the complaint is about the Chief Officer/RFO, the employee should contact the Chair of the Finance and General Purposes Committee.

*The terms in this policy stand unless otherwise specified in your contract of employment.*