



FLEXIBLE WORKING POLICY

Title	Flexible Working Policy
Who should use this	All Staff
Author	SAC/Adapted by AVJB
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Approved by Joint Board	NA – Board Approval not required
Reviewer	Office Manager
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Review History

REVIEW NO.	DETAILS	RELEASE DATE
1	MINOR AMENDMENTS	MARCH 2015
2	AMENDMENT TO ITEM 1.2 WITH REMOVAL OF REFERENCE TO WORK AND FAMILIES ACT 2006	MARCH 2018
3	UPDATE TO POLICY TEMPLATE AND REMOVAL OF REASON FOR EMPLOYEE APPLYING	FEBRUARY 2020
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1. Policy

- 1.1 The Board recognises the importance of balancing working life with domestic/family/caring responsibilities and that effective service provision can be enhanced by employees being able to strike such a balance. Therefore, to support employees a range of flexible working options are available, subject to service requirements.
- 1.2 In keeping with its commitment to providing effective and progressive employment policies the Board:
- encourages managers and employees to develop a partnership approach to identifying workable solutions to achieving work-life balance;
 - will consider all flexible working requests in accordance with set procedures and time limits, and
 - will ensure that agreed working arrangements are compatible with and beneficial to business efficiency and provision of services within the Board.
- 1.3 All flexible working arrangements must ensure both continuity in service delivery and the maintenance of appropriate staffing levels.
- 1.4 Managers will ensure that requests are considered seriously and that employees are aware of:
- a) any impact on conditions of service, e.g., pay, annual leave etc, arising from the flexible working request; and
 - b) any health and safety implications, including the Working Time Regulations.
- 1.5 Where a Manager considers it appropriate, a flexible working request can be subject to an initial trial period which should last no more than 3 months.
- 1.6 An employee with a flexible working pattern in place who successfully applies for a new position within the Board must advise the Recruiting Manager of his/her working pattern. The Recruiting Manager will review the working pattern and ensure the arrangements meet the needs of the service.
- 1.7 An application for flexible working may be treated as refused if the employee fails to attend two meetings or unreasonably refuses to provide his/her line manager with sufficient information to support the request. In such circumstances, the employee will not be eligible to make another application for 12 months from the date of their application (please refer to section 2 below).

2. Eligibility

- 2.1 To be entitled to apply for flexible working an employee must:
- have worked with the continuously for 26 weeks on the date on which the application is made, and
 - not have made a previous application in the 12 months from the date of the application.

3. Flexible Working Options

3.1 a) **Part Time**

An employee moves to contracted weekly working hours that are less than his/her current contracted hours. Salary and Holiday entitlement are adjusted accordingly;

b) **Term Time**

An employee works hours and days in line with the school timetable. Salary is paid in equal amounts over 12 months and includes an allowance in lieu of annual leave entitlement.

c) **Annualised Hours**

Weekly working time varies across a 12 month period to meet service demands rather than a fixed standard working week. Although the working pattern varies salary is paid in equal instalments irrespective of the actual number of hours worked in any given period.

d) **Compressed Hours**

An employee retains his/her contracted weekly hours but works over fewer days, meaning longer shifts on each day.

e) **Home Working**

There are two types of homeworking:

- Working **from** Home - where the employee has a base at home but works on a peripatetic basis; and
- Working **at** Home - where the employee is based solely, or predominately at home.

f) **Flexi Time**

Where employees are able to vary their start and finish times.

4. Procedure

4.1 **MAKING A REQUEST**

4.1.1 Applications must be made using form **PER/FW/1** (Appendix 1).

4.1.2 Before making an application employees must give careful consideration to the following:

- The new working pattern will normally be a permanent change;
- The effect it will have on their job and the Board in terms of service delivery and how this might be accommodated;
- Which working pattern will best suit their personal circumstances;
- Any financial implications in cases where the desired working pattern will involve a reduction in salary or other changes to terms and conditions.

4.2 **MANAGEMENT RESPONSE**

4.2.1 Managers should discuss all requests with the Board's Personnel Representatives in the first instance.

4.2.2 MEETING TO CONSIDER APPLICATION

Within 28 days of receipt of the application the employee's manager, plus the Boards Personnel Representatives where appropriate, will meet with the employee to discuss the requested work pattern. The employee is entitled to be accompanied by a work colleague or trade union representative.

If the timescale cannot be met the employee must be advised in writing.

4.2.3 NOTIFICATION OF DECISION

Within 14 days after the meeting, the manager will write to the employee to:

- a) Agree to a new work pattern with a start date; or
- b) Agree to a trial period of up to 3 months, with a start date; or
- c) Provide a clear reason from one of the permitted reasons for rejecting the request (please refer to section 5 below).

4.2.4 If the request is agreed, either on a permanent or temporary basis, an amendment to the employee's contract of employment will be issued.

4.2.5 If the request is rejected, or rejected once the trial period has ended, either in full or in part, the employee will be advised of his/her entitlement to appeal the decision.

4.2.6 If the timescale cannot be met the employee must be advised in writing.

4.3 RIGHT OF APPEAL

4.3.1 Any appeal must be made in writing to the Assessor & ERO within 14 days from the date written confirmation of the decision is received.

4.3.2 The Assessor & ERO will arrange for an informal hearing to be held within 14 days, convened by an appropriate nominated senior officer. The employee is entitled to be accompanied at the hearing by a work colleague or trade union representative.

4.3.3 If the matter cannot be resolved informally, the employee should then follow the Board's formal Grievance Procedure, commencing at Stage 3.

4.3.4 If the appeal is upheld, the written decision must include a description of the new work pattern. If the appeal is dismissed the written decision must provide the grounds for refusal.

A diagrammatic summary of the procedure is provided at Appendix 3.

4.4 EXTENSIONS TO TIME LIMITS AND WITHDRAWN APPLICATIONS

4.4.1 The various time limits within this policy may be extended where there is mutual agreement between both parties. Where such extension is required this should be recorded in writing.

4.4.2 If the employee decides to withdraw their application, he/she will not be eligible to make another application for 12 months from the date their application was made.

5. Reasons for Refusing a Request

Permitted reasons to reject an application are set out in legislation and are as follows:

- unreasonable or additional costs to the Board;
- detrimental effect on ability to meet customer demands and service delivery needs
- inability to re-organise work amongst existing employees or recruit additional employees
- detrimental impact on quality or performance
- insufficiency of work during the periods the employee proposes to work
- planned structural changes
- training which would not directly improve an employee's effectiveness or service performance or which might have a detrimental impact on the Board.

APPLICATION FOR FLEXIBLE WORKING	
You must complete all sections and provide as much information as possible about your desired working pattern.	
SECTION 1: PERSONAL DETAILS	
Name:	Employee No:
Designation:	Work Location:
I currently have flexible working arrangements in place: YES/NO (delete as appropriate)	
Please provide details of your current work pattern (days/hours/times worked):	
SECTION 2: NEW WORKING PATTERN	
Please provide details of the proposal(s):	
Tick as appropriate:	
<input type="checkbox"/> Change to work hours	
<input type="checkbox"/> Change to work times	
<input type="checkbox"/> Term Time Working	
<input type="checkbox"/> Annualised Hours	
<input type="checkbox"/> Compressed Hours	
<input type="checkbox"/> Home Working	

Please provide further information on the proposal:

If the request is for time off to accommodate Training or Study the following information must be provided:

- Detail of Training / Study undertaken
- Location / Dates / Times of training/study
- Details of training provider
- Qualification (if any) to be achieved

Please provide detail of how the service could accommodate this arrangement consider work performance, service delivery and impact on colleagues:

Please provide any further information that you feel may be relevant:

Proposed Date of Commencement of New Working Pattern (allow 3 months from requested date of commencement):

Is the proposed change to working pattern to be permanent: YES/NO (delete as appropriate)

If temporary, what is the duration of the request:

SECTION 3: DECLARATION

I confirm that I have read and understood the Employee Guide on Flexible Working and have discussed my request with my manager. I confirm that I meet the relevant qualifying conditions.

Signature of Applicant :

Date:

It is our responsibility to keep your information safe.

SUMMARY OF FLEXIBLE WORKING REQUEST PROCESS

