

Flexible Working Policy



WORKING TOGETHER

Contents

Page

Policy Overview, Objective, and responsibilities	3
Process Map	4
Procedure	5 – 7

Supporting Documents

All Documents can be found on the Learning Hub, HR Policies, Worklife, Supporting Documents

Managers Guidelines
Flexible Working Application Form
Letter to Confirm New Work Pattern
Letter to Confirm Work Pattern Declined
Letter to Invite to Appeal Hearing
Letter to Confirm Decision after Appeal

Policy Overview

This policy applies to all employees of Chorley and South Ribble Borough Councils.

This document is part of a family of policies which provide advice and information on achieving a work-life blend; see the Parental Leave, Leave, and Home Working policies for more information. Requests for reasonable adjustments to working hours associated with ill health or disability may also be dealt with under the Attendance policy.

This policy sets out the procedure and process for considering flexible working requests in line with and exceeding the ACAS code of practice. The councils will consider requests from all employees from the commencement of their employment. Ordinarily a maximum of 2 requests will be considered within a 12-month period. Applications should be considered and dealt with in their entirety within 3 months of the application date. Changes to working arrangements should be expected to start at the most within 6 months of the request.

Policy Objective

This policy aims to ensure that a comprehensive and robust process is in place for the consideration of all flexible working requests.

Flexibility first is one of the key measures to ensure the Councils have a thriving, diverse, motivated, and well skilled workforce. All requests for flexible working should be considered using this principal.

In considering requests for flexible working managers will take account of individual needs and treat such requests reasonably, fairly and in accordance with relevant legislation and council policy. Both management and employees will need to be realistic, recognising that some flexible working options may not be appropriate for all roles.

Manager responsibilities:

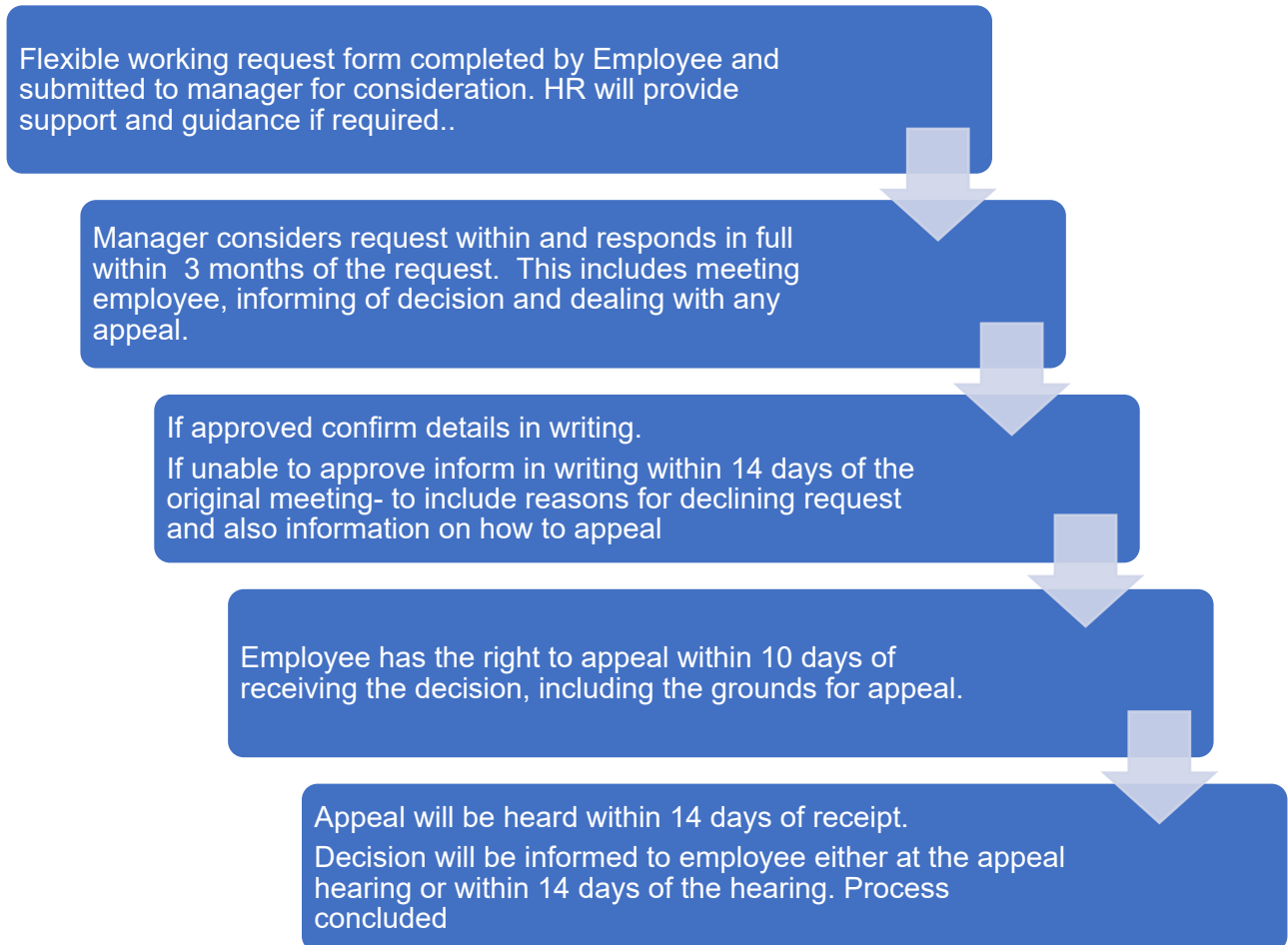
- To consider requests in accordance with this policy
- To respond to requests in a timely way
- To consider requests in relation to both the needs of the service area and the employee
- Ensuring there are sound and demonstrable service, management and operational reasons for the decision that is taken
- Consider each request on its own merits
- Consult with HR on requests as appropriate

Employee responsibilities:

- Ensuring they follow the process outlined in this policy, and to provide as much information as possible to ensure that their request can be fully considered.
- Being realistic and recognising that the full range of flexible working options/arrangements will not be appropriate for all service areas of the council.
- Noting that they have a right to request but there is no automatic right for the request to be agreed

- Making themselves available for meetings with management to discuss flexible working requests

Flexible Working process



Flexible Working Procedure

An employee can request to work a different work pattern at any time during their employment. Employees are allowed to request a change in work pattern twice every 12 months from their first day of employment or prior to employment. All requests should be carefully considered by the individuals manager. Flexible working requested can be temporary or permanent and are a change in the employee's terms and conditions of employment.

There are many examples of flexible working arrangements employees can request. Some of them are;

- Reduction in hours/part time working
- Term time or seasonal working
- Job share
- Compressed hours e.g. 9-day fortnight or 4-day week
- Annualised hours
- Change to working times
- Flexible retirement
- Evening, Weekend Working
- Hybrid working
- Agile working, working at different times of the day whilst taking breaks to do different/social activities. Work is seen as a task to do not how much time you spend in the office.

Requests should be consistent and establish a work pattern that is predictable (last for at least 12 months). This helps employees and employers to effectively plan, with a degree of confidence.

Procedure for making and considering flexible working requests

Employees wishing to request flexible working should discuss their request with their manager in the first instance.

Then complete the Flexible Working Application form and send it to their manager. The manager has 3 months from receiving the request to making a final decision on the request this includes any appeal. The request must include:

- What pattern is being requested
- Is this a permanent or temporary request
- When the employee would like the new work pattern to start.

Within 28 days of receiving the request the manager should meet with the employee to discuss the request. At the meeting, the employee should explain how the proposed work pattern will work for them and service delivery.

Discussions should also take place on any negative impacts the request may have on service delivery.

Once the new work pattern has been discussed and explored the manager should take time to consider the request before responding. Further meetings may need to take place before a final decision is made.

When considering the request, managers should consider the following points.

- Burden of additional costs
- Detrimental effect on the ability to deliver services
- Inability to re-organise work among existing staff
- Inability to recruit additional staff

- Detrimental impact on quality and/or performance of work
- Insufficiency of work during the periods the employee proposes to work
- Planned structural changes

These are all reasons to decline a request however the emphasis is to support flexible working requests where possible.

Once the manager has made their decision, they should inform the employee in person of the decision explaining how they arrived at it. This should be within 14 days of the original meeting. If the manager requires more time to consider the request, they must inform the employee of this and give a reasonable (no more than 14 days) amount of time to make their decision.

If the decision is to approve the new flexible working request, then a start date should be agreed. This should take place within 26 weeks of the original request being submitted.

The decision must be confirmed in writing, using the (Appendix 2 is a template letter) this is a legal requirement as it's a contractual change and a copy of the letter sent to the employee and HR. HR will make any necessary changes to hours, pay and work patterns on the payroll and time recording systems along with recording the letter on the employees personal file.

If the decision is to decline the request the manager should explain their decision and explore potential alternative work patterns that the employee could work. The objective here is to find a work pattern that suits and benefits all parties.

Hopefully, an alternative pattern can be agreed. If agreement can be reached the manager must confirm the decision in writing using the template "Letter to confirm new work pattern" which is available on the Learning Hub/HR Policies/Worklife/Supporting Documents. It is a legal requirement and a contractual change so its vital the change is confirmed in writing. A copy of the letter needs to be sent to the employee and HR.

HR will make any necessary changes to hours, pay and work patterns on the payroll and time recording systems along with storing the letter on the employees personal file.

At any stage, the new work pattern can be trialed to see if it works. Trial periods should be between one and three months.

If no alternative work pattern can be agreed, then the manager must outline their decision in writing using the template "Letter to Confirm Work Pattern Declined" explaining their reasons for refusing the request. Within the letter the employee will have the right to appeal against the managers decision. The letter can be found on the Learning Hub/HR Policies/Worklife/Supporting Documents.

When declining a request for an alternative work pattern the manager must state the reason that the request has been decline and it must fall within one of the following criteria.

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

If the reason to decline the request does not fall into one or more of the above criteria, then the request should not be declined.

Once the Employee has received the letter declining their request, they have 10 days to submit and appeal against the decision. Appeals should be submitted to the HR Team at HR@chorley.gov.uk or HR@southribble.gov.uk

An employee wishing to appeal must do so in writing stating the reasons for the appeal.

The appeal will be heard by an appropriate manager usually within 14 days of receipt of the appeal. The Manager hearing the appeal will have had no prior involvement in the case. The appeal hearing will be a review of the decision and will be supported by HR.

The individual will have the right to attend the hearing and to be accompanied by a, trade union representative or colleague. The manager who made the initial decision regarding the request may also attend if appropriate.

The decision may be given at the appeal hearing and will be confirmed in writing.

The decision following the appeal shall be final. This is the final stage of the process.

HR can provide support at any stage of the process. At any meeting, the employee is entitled to bring a work colleague or Trade Union representative.

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