

## **Flexible working policy**

This policy forms part of your contract of employment. The councils are entitled to introduce minor and non-fundamental changes to this policy by notifying you of these changes in writing and will consult all employees on any significant changes.

This policy covers flexible working requests, job sharing and working from home. The policy aims to promote work-life balance which will increase productivity and motivation levels at work and reduce stress related absence and carbon emissions. It supports the councils' corporate equality objectives and takes account of relevant legislation.

### **Flexible working**

1. Flexible working covers a wide variety of arrangements currently in place at both councils. The annualised hours policy encourages this approach to work and many flexible arrangements are based on employees varying their hours within the parameters of this scheme. If you are not part of the annualised hours scheme you still have scope for flexible working by agreement with your manager.
2. Some examples of flexible working arrangements are:
  - starting work early and / or finishing early
  - working longer hours across fewer days (e.g. a full time employee working ten days' full time hours in nine days)
  - term time working (working solely during school terms)
  - job sharing
  - working from home on a regular or irregular basis.

### **Making an informal flexible working request**

3. The majority of flexible working arrangements are agreed informally between an employee and their manager. You may agree a change of working pattern with your manager either on a temporary or permanent basis. Your manager will advise the HR team to ensure your centralised records are up to date. If it is a significant change, you will receive confirmation in writing and your terms and conditions will be altered as appropriate. Anyone can make an informal flexible working request, regardless of their length of employment.

## Making a formal flexible working request

4. You are also entitled to make a formal working request. You could decide to take this approach if you are unable to agree an informal arrangement with your manager. You need to have completed at least twenty six weeks' continuous service at either council to be eligible to submit a formal request to work flexibly. To make the request, you need to put it in writing to your manager setting out the date of your request, the working pattern you are requesting and your thoughts on how it could be made to work. You may make one formal working request in a twelve month period.
5. In consultation with their HR representative your manager will arrange a meeting with you to consider the request, normally within ten working days (or as soon as possible after this if there is a legitimate reason why you cannot meet within ten working days such as absence due to holiday). Your manager will chair the meeting, a HR representative will take notes and you have the right to be accompanied by a colleague or trade union representative (and an interpreter or signer if required).
6. Your manager should inform you of the outcome of the request verbally and then confirm this in writing to you normally within ten working days of the meeting. They could decide to:
  - accept your request, setting out any action on which the agreement is dependent, and confirm when the request will be effective from which could be up to two months in advance. If you agree a formal flexible working request your terms and conditions of employment will be changed to reflect this and there is no automatic right to revert back to your original terms and conditions.
  - offer a trial period to see what effect the request may have on you and your colleagues over an agreed period (normally three months)
  - reject your request for one of the following business related reasons:
    - the burden of additional costs is unacceptable
    - detrimental effect to meet customer demand
    - inability to re-organise work among existing staff
    - inability to recruit additional staff
    - detrimental impact on quality
    - detrimental impact on performance
    - planned structural changes
    - insufficient work at the times the employee proposes to work.
7. If your manager receives more than one formal flexible working request, they should consider them in the order they are received. They are not expected to make a judgement about the most deserving request but should look at each one on its merits. They may choose to talk to everyone who has put in a request to see if there is any room for adjustment or compromise before making a decision. They may be unable to approve a request if a number of other employees are

already working flexibly because any further flexible working arrangements would impact adversely on the team.

## **Appealing a formal flexible working request**

8. You can appeal the outcome of a flexible working request by setting out the grounds for appeal in writing to your HR Representative within ten working days of being informed of the decision.
9. Your HR representative will respond to you in writing, normally within ten working days of receipt of your appeal. They will:
  - invite you to an appeal hearing stating the time and place of the hearing and giving at least five working days' notice
  - inform you who will chair the appeal hearing (normally your indirect manager i.e. your manager's manager)
  - inform you that you have the right to be accompanied by a colleague or trade union representative at the appeal hearing (and an interpreter or signer if required).
  - ask you to submit any documents supporting your appeal at least two working days in advance of the hearing so that these documents can be referred to in the hearing
10. The chair conducting the appeal hearing has the authority to uphold or reject the appeal and their decision is final.
11. The chair will inform you of the outcome verbally and will also confirm this in writing, normally within ten working days of the hearing.

## **Withdrawing a flexible working request**

12. You can withdraw an informal or formal flexible working request by writing to your manager. If you fail to attend a formal flexible working request meeting without reasonable cause, or if you refuse to provide your manager with information to help them assess your request then your manager will treat the request as withdrawn.

## **Job sharing**

13. Job sharing is a form of flexible working when two part-time employees agree to share the responsibilities of one post. Normally, they will work different days of the week, with potentially a short overlap to help facilitate communication or a handover. In a shared responsibility arrangement both employees carry out all the duties of the job, simply picking up the work where the other one left off. In a divided responsibility arrangement the duties of the post are divided between the two employees with each being able to provide cover for the other where necessary.
14. Job sharing can:

- give greater flexibility to employees with caring responsibilities or disabilities to enter or remain in employment where this would otherwise be difficult
- allow the employee to arrange non-work related activities in advance
- allow an employee to become more accustomed to increased leisure time in the run-up to retirement
- increase skills and expertise in a particular post
- cover peak periods of demand and sickness / annual leave when two employees work simultaneously

15. When requesting and considering job share arrangements you and your manager should be aware that:

- both employees would need to demonstrate excellent communication skills and ensure that regular hand-overs take place
- if one employee leaves the other employee is automatically at risk of redundancy / redeployment unless a suitable replacement can be found within a reasonable time frame or a decision is taken not to replace that part of the post
- demands on managers increase in line with the number of individuals for whom they have responsibility. Two employees sharing one job is likely to require more demands from their manager than if one person carried out the role
- one individual's prolonged sickness or other absence or an issue with their conduct will impact on the other individual in the arrangement
- not all roles will be suitable for job sharing

16. If you would like your role to be considered for a job-share you should initially talk to your manager informally. You also have the option of making a formal flexible working request.

## **Working from home**

17. You may agree with your manager that there are certain parts of your job which could be carried out whilst working from home as this can:

- reduce the cost, time spent, and environmental damage caused through unnecessary travel
- enable you to work without distractions to write reports or prepare papers
- help you balance your work and family commitments more effectively
- save you time with domestic arrangements, for example, attending a doctor or dentist appointment
- give greater flexibility to employees with disabilities or caring responsibilities to enter or remain in employment where this would otherwise be difficult

18. Working from home does not entitle you to any type of allowance for any additional household expenses arising from the arrangement e.g. heating expenses, cost of phone calls or the installation or use of an internet connection. You will not normally be provided with any home working equipment but will be able to access the council IT systems using the extranet. If council IT equipment is provided to you for home use this needs to be agreed by your manager and IT.

### **Working from home occasionally**

19. If you wish to work occasional hours or days from home to complete certain tasks, you will need your manager to agree to this. You should give your manager advance notice of when you intend to work from home. As the arrangement will be treated as informal, your terms and conditions of employment do not need to be varied to reflect occasional working from home. There will not usually be an expectation that you have to work from home.

### **Working from home regularly**

20. If you wish to request to work from home regularly to undertake certain parts of your job, or in some cases a significant part of your job, you should write to your manager giving reasons for your request. Your manager should then confirm in writing whether they support your request or not. If they do support the request their confirmation may mean that your terms and conditions of employment will vary and you will receive written confirmation of this.

21. If you wish to cease working from home regularly you need to inform your manager as soon as practicable. Your manager will then work with you to agree alternative working arrangements and your terms and conditions of employment will be changed accordingly.

### **Suitable arrangements for working from home**

22. When requesting and considering a request to work from home, you and your manager should be aware that:

- your work must be suitable to be carried out away from the council premises
- you must have suitable facilities and equipment to work from home
- there should be no adverse effects to the level and quality of your work
- you should have clear objectives and measurable outputs (e.g. the production of reports)
- your work must be suitable to be carried out alone and with minimal or no direct supervision

- you must be able to communicate effectively with your manager and colleagues when required
- working at home should be carried out at times when you do not need to be accessible in person or available for meetings at short notice
- there should not be an increase in workload for your colleagues as a result of you working from home
- appropriate arrangements must be made by you to continue supervising any employees who report into you
- if applicable, you must have suitable child or dependant care arrangements in place whilst working at home
- if you give your manager or colleagues your personal phone number to contact you they should respect your privacy by normally only contacting you for work related matters during your usual working hours
- your manager should inform the HR team of any regular home working you undertake

## **Confidentiality when working from home**

23. If you work from home you need to be mindful of your responsibilities relating to confidential information and the Data Protection Act. You will need to adhere to the following:

- keep all confidential information secure. This includes information stored on paper, a computer, portable media device (such as a USB key), or transmitted across networks or sent by email.
- report any breaches of confidentiality to your line manager immediately
- access the documents you need through the extranet where possible. If you need to take council paperwork home, only take the documents you require for the specific work you are carrying out and return all documents promptly
- avoid leaving council documents or records unattended (e.g. in a car)
- dispose of any confidential paper waste appropriately either by using a home shredder or preferably by bringing it into the office for confidential disposal
- do not save work onto your personal computer as this could compromise security and could also result in the duplication of documents. You should save all documents on the councils' network drives using the extranet
- do not allow family members or friends to read or access council documents you are working on at home
- any breaches of security of the Data Protection Act due to negligence on your part could result in disciplinary action being taken.

## Health and safety arrangements for working from home

24. Under the Health and Safety at Work Act 1974 each council has a duty to protect the health, safety and welfare of their employees. Most of the regulations under this act apply to you whether you are working on the council premises or from home. If you are working from home you should remain conscious of health and safety requirements. It is essential that by working at home you do not put yourself or anyone who lives with you at risk of injury.
25. If you work regularly from home you will need to complete a *risk assessment for home workers*, available in the health and safety section of the intranet. The risk assessment will be used to identify any hazards and will prompt you or your manager to decide what steps you need to take to reduce or eliminate any risks.
26. Health and safety aspects to consider are:
- you should keep your workspace at home tidy at all times. Make sure that leads are not trailing and any sharp or potentially dangerous items are locked away. This is particularly pertinent if you have young children at home.
  - you should carry out regular visual checks on electrical equipment you use for obvious signs of wear and stop using the equipment if you have any doubt about how safe it is
  - if you are using portable electrical equipment provided by either council it should be tested prior to use and returned to the office for retesting by the facilities team when requested
  - you and your line manager should be aware of the lone working policy in the health and safety section of the intranet and any impact this may have on you working at home
  - you will not be covered by the councils' insurance arrangements for equipment and personal accident when you are working at home. It is your responsibility to check that you are not contravening your personal home insurance policy if you work at home.
  - if you rent a property you should ensure you have the permission of your landlord to work at home
  - If you are part of the annualised hours scheme you should record the time you work from home on your timesheet and write 'worked from home' in the notes column.
  - you should not hold business related meetings at home as they could impact your privacy and personal safety and may not be covered for insurance purposes.

## IT support for employees working from home

27. If you have a technical problem whilst working at home you can contact the IT helpdesk from home during their standard working hours. The IT team will not be able to assist with resolving technical problems

specifically relating to equipment you own and use to work at home. They are able to fix problems with council owned IT equipment that you use at home providing you bring it into the office.

### **Alternative formats of this policy**

28. Alternative formats of this publication can be made available on request. These include large print, braille, audio, email, easy read and other languages. Please contact the HR team on 01491 823424.

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