

FRINTON AND WALTON TOWN COUNCIL



FLEXIBLE WORKING POLICY

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1.Introduction

This policy aims to provide guidance for staff considering flexible working arrangements.

The 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 achieve a better balance between work and their other priorities. 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. An employee that thinks they may benefit from flexible working is encouraged to contact the Town Clerk to arrange an informal discussion to talk about the options.

2.What is Flexible Working?

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

The following flexible working options are the typical arrangements that employees will request, but the Council recognises that there may be alternatives or a combination of options which are suitable to both the Council and the employee:

- Annualised hours
- Compressed hours
- Job-sharing
- Part-time working

3.Types of Flexible Working

- **Annualised hours** where an employee's contractual working hours are calculated as the total number of hours to be worked over the year, allowing flexible working patterns to be worked throughout the year.

Usually the hours will be divided into rostered hours, which are set, and unallocated hours, when an employee can be called into work as demand dictates (and to cover unplanned work and employee absence). Payment will be in 12 equal instalments (although arrangements may be permitted where the pay for the work actually done is in the period to which the payment relates).

- **Compressed hours** is where an employee works their usual full time hours in fewer days by working longer blocks meaning that there is no reduction in their pay. For example, a 5-day week is compressed into four days, or a 10-day fortnight into 9 days.
- **Job-sharing** is an arrangement where a full-time post is divided into two part-time roles. The two job holders then share the overall duties and responsibilities. Their skills and the hours each employee wishes to work must be compatible, and meet the needs of the Council. Pay and benefits are shared in proportion to the hours each

works. Job sharing can be considered where the creation of a single part-time post is difficult, or where two individuals wish to work part-time. The suitability of posts for job-sharing will be stated in any internal or external advertisements.

- **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 only works Monday to Wednesday. The Council believes that all posts will be available on a part-time basis, except where a critical examination by the Town Clerk proves this to be impracticable. The suitability of posts for part-time working will be stated in any internal or external advertisements.

4.The Needs of the Council

The Council is committed to providing a range of appropriate working patterns. However, employees need to be realistic and to recognise that not all flexible working options will be appropriate for all roles.

Where a flexible working arrangement is proposed, the Council will need to consider several criteria including (but not limited to) the following:

- 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 Council
- 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

5.Eligibility

Any employee has a statutory right to request flexible working from their first day of employment.

6.Submitting a Flexible Working Request

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

All requests must be made in writing addressed to the Town Clerk. In cases where the Town Clerk is making the request, this should be addressed to the Mayor of the Council. Any request made must include:

- the date of the application

- the changes that the employee is seeking to their terms and conditions
- the date from when the employee would like the proposed change to come into effect
- what effect the employee thinks the requested change would have on the Council
- how, in their view, any such effect could be dealt with
- whether a previous application for flexible working has been made
- the dates of any previous applications

If an application does not contain all of the required information, the Town Clerk will explain to the employee what additional or amended information they need to provide and ask the employee to resubmit the request.

7. Meetings Regarding Flexible Working

Upon receiving a written request for flexible working the Town Clerk will usually seek to arrange a meeting with the employee to:

- discuss the request
- find out more about the proposed working arrangements
- how it could be of benefit to both the employee and Council

If a meeting is arranged it will be held within 28 days of the Council receiving the request. This time limit may be extended with the agreement of both the employee and the Town Clerk.

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.

At the meeting the employee may, if they wish, be accompanied by a workplace 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 application will be deemed to have been withdrawn.

Once this meeting has taken place, and providing the Town Clerk has gained sufficient information, a report will be submitted to the Personnel Committee to consider the flexible working request. The Committee will be convened as soon as reasonably practicable, and within the 2 month timeframe to provide the employee with a response to their application.

8. Responding to a Flexible Working Request

The Town Clerk and Personnel Committee will consider the proposed flexible working arrangements, looking 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. 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.

The employee will be informed in writing of the Council's decision as soon as is reasonably practicable, but no later than 7 days after the Personnel Committee meeting. The employee will be provided with an explanation of the reasons behind the decision that was taken by the Committee.

The request may be granted in full, in part or refused. The Council may propose a modified version of the request, the request may be granted on a temporary basis, or the employee may be asked to try the flexible working arrangement for a trial period. If the request is agreed, then the employee will be sent a confirmation letter which will include details of the new arrangements. The employee should contact the Town Clerk within 7 days of receipt of the letter if they wish to discuss the new arrangements further, or have any concerns.

9. Appeals

There is no statutory right for an employee to appeal the outcome of their flexible working application.

10. Trialling New Working Arrangements

Where there is some uncertainty about whether the flexible working arrangement is practicable for an employee and/or the Council a trial period may be agreed. If a trial period is arranged, the Council will allow sufficient time for an employee and their manager to implement and become used to the new working practices, before taking any decisions on the viability of a new arrangement.

11. Varying an Employee's Contract

Where flexible working practices are agreed as a permanent change, a variation will need to be made to the employee's contract of employment. A new contract of employment or letter outlining the changes, will be sent to the employee before the new working practice commences.

If the employee has any questions or concerns about the new working arrangements, they should contact the Town Clerk to discuss the matter further.

Where a trial period has been arranged the Council will provide the employee with a letter that details their new working pattern, and makes clear that it is only a temporary variation to the terms of the employee's contract. The employee will be informed in writing of the start and end dates of the trial period (although the Council may reduce or lengthen the trial period where necessary with the agreement of the employee). The Council will reserve the right, at the end of the agreed trial period, to require the employee to revert to their previous working arrangement.

12. Complaints and Further Information

The Council is strongly opposed to any form of victimisation of individuals who work, or request to work under flexible working arrangements.

In all cases employees are encouraged to discuss any adjustments to their working arrangements with the Town Clerk in the first instance.

If an employee feels that they have been treated unfairly or are dissatisfied with any stage of the flexible working application process, they should raise their concerns informally with the Town Clerk.

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 and guidance regarding flexible working applications, an employee should contact the Town Clerk.

Date Policy Agreed: 18th April 2024

At a meeting of the Personnel Committee

Review Frequency: Four yearly (or sooner if changes in legislation dictates amendment).

Next Review Due: April 2028
