



Christchurch Town Council

Flexible Working Policy

Policy name	Version	Owner	Date Adopted	Review Date
Flexible Working Policy	V1.0	Clerk	September 2022	September 2023

INTRODUCTION

This policy is based on the ACAS template Flexible Working Policy template:

[Flexible working policy template | Acas](#)

The purpose of the policy is to maintain a committed and dedicated workforce which allows for and appreciates the need to strive for a balance between firstly workplace commitments and family and social life. In short it is a policy to achieve a good work-life balance.

Legal context

Christchurch Town Council has adopted this policy to give effect to the:

Employment Rights Act 1996,

The Equality Act 2010,

Flexible Working Regulations 2014

EU Working Time Directive.

The purpose of this policy

This policy aims to encourage staff to consider 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 assist its employees in achieving 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 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 their line manager to arrange an informal discussion to talk about the options. For the Town Clerk this conversation shall be held with the Mayor and Chairman of the Personnel Sub-Committee.

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. A "flexible working request" in line with this policy shall be a change to the base-line terms and conditions of an employee's contract. The following flexible working options are supported by Christchurch Town Council, but the council recognises that there may be alternatives or a combination of options which are suitable to both the council and the employee:

- Time off in lieu (“TOIL” or also known as Flexi-leave)
- Hybrid and Home-working
- Job-sharing
- Overtime
- Part-time working

Types of flexible working supported by the council

Time off in lieu (TOIL) will be granted to employees who, by virtue of their work commitments (such as evening meetings, weekend duties or training commitments) exceed their contracted hours. In such cases the employee may take that time back as time off, subject to notification to their line-manager and a “Flexi-Sheet” (attached as Appendix 1) being accurately kept by the employee. It shall be the duty of a line-manager to manage the Flexi-Sheet and ensure it is accurate and submitted in a timely manner. The “Flexi Period” is 4 weeks and assumes attendance hours based upon 37 hours per week, therefore 148 hours over the Flexi Period. This is pro rata for part-time employees. A full-time employee may hold a maximum surplus of 15 hours (equivalent to 2 full working days, pro rata for part-time employees) after which any hours worked in the 4-week Flexi Period above and beyond this ceiling shall be lost and cannot be carried over to the next Flexi period. A request for Flexi-leave shall be made to the employee’s immediate line-manager and shall be approved subject to business needs and workload assessment.

Home-working may be permitted subject to agreement of the Personnel Sub-Committee. It is anticipated that these requests shall be few and far between given that the working practices of the Town Council start from a position of Hybrid working which allows for working remotely from home and workplace-based attendance which shall be the starting terms and conditions of any employee contract. However, Home-working requests could include (but be not limited to) for example: set home working hours to fit around school and/or caring duties and requests following hospitalisation and recovery from ailments and/or injuries. The council will consider home-working being an occasional agreed set day or a mix of set home and set office based hours and work each week.

Hybrid Working following the Coronavirus Pandemic became the stable working practices of the Town Council. This model proved to be adaptable and agile in responding to business needs at the time. Hybrid working is a combination of working remotely from home and attending the Council Offices and other workplace meetings off-site (i.e Library, on-site at Council assets, or at Stakeholder/Partner organisations). Hybrid working relies upon the terms of mutual trust and confidence in the employer and employee relationship and also upon the premise that Council business needs must be prioritised and working hours as contracted are met during business hours.

The Council will consider Job-sharing. This is 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

Overtime is when hours are worked in addition to the usual full-time or part-time hours. Overtime can be agreed where the council would benefit from an employee working more hours. Such situations would include attendance at events such as Remembrance Day or Civic days and are usually hours worked at weekends. This is voluntary and an employee can refuse overtime if they wish. Overtime will be paid at in accordance with the National Joint Council's Terms and Conditions also known as the "Green Book".

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 20 hours per week. The suitability of posts for part-time working will be stated in any internal or external advertisements.

Other forms of flexible working including, compressed hours or term time working will be considered by the employee's line-manager in accordance with the rest of this policy should a request be received. Each request will be considered on its own merits on a case-by-case basis.

The needs of the council

The council is committed to providing a range of appropriate working patterns. However, employees and management 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 take into account a number of 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 and/or other protected characteristic in line with the Equality Act 2010
- health and safety issues

Eligibility

Any employee who has completed their probationary period has a statutory right to request flexible working.

Submitting a flexible working request

An eligible employee is entitled to submit one flexible working request to change their baseline terms and conditions in a twelve-month period (an employee is entitled to additional requests if they relate to a statutory entitlement e.g. the Equality Act 2010 right to request reasonable adjustments).

All requests must be made by email to the employee's line manager in the first instance.

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 this is a statutory or non-statutory request
- whether a previous application for flexible working has been made
- the dates of any previous applications

If the employee is making the request in relation to the Equality Act, e.g. as a reasonable adjustment relating to a disability, this should be made clear in the application.

Meetings regarding flexible working

Upon receiving a written request for flexible working the line-manager shall 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 their line-manager.

After the meeting, or if no meeting is necessary, the line-manager shall refer the matter for consideration by the Personnel Sub-Committee including the employee's original request, a report of the meeting held with the employee to provide further clarification and a short synopsis of the meeting.

Responding to a flexible working request

The Personnel Sub-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 14 days after the meeting.

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 their line-manager within 14 days if they wish to discuss the new arrangements further or have any concerns.

Right to appeal decision

The employee has the right to appeal the decision if their request is refused or is only agreed in part. The employee may lodge an appeal within 14 days of being notified of a decision on their application. This should be done in writing and clearly state the grounds on which they are appealing. The appeal will be heard in exempt session of a meeting of the next available Resources Committee. The employee will be invited to attend and present their appeal if they so wish. In lieu of any notification or reason excusing attendance Resources Committee shall proceed with determining the matter. Upon receipt of a reasonable explanation excusing attendance (absence due to holiday, sickness, clash of diaries etc...) the matter shall be held

in abeyance until the next cycle of Resources Committee, calling an Extraordinary Resources Meeting if deemed necessary by the Chairman.

The employee will then be informed of the outcome to their appeal within 14 days of the appeal meeting. These time limits may be extended with the agreement of both the employee and the chairman of the resources Committee.

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, it 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.

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 will be sent to the employee within 28 days of the change to the employee's working pattern being agreed.

If the employee has any questions or concerns about the new contract of employment, they should contact their line manager to discuss the matter further.

Where a trial period has been arranged the council will provide the employee with a document 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.

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.

If an employee feels that they have been treated unfairly or are dissatisfied with any stage of the flexible process, they should raise their concerns informally with their line-manager.

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 refer to the documents listed below and/or contact their line-manager in the first instance.