

# Worcester City Council

## FLEXIBLE WORKING POLICY

### 6 APRIL 2024

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## **1. Introduction**

This policy aims to set out for employees their right to request flexible working and how the Council will respond to such requests. 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 to achieve a better balance between work and their other priorities, such as caring responsibilities, leisure activities and further learning.

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.

## **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. Examples include part-time working, flexi-time, job-sharing, working compressed hours, adjusting start and finish times, and working at other locations such as home.

## **3. Who is eligible to apply for Flexible Working?**

The Flexible Working (Amendment) Regulations 2023 applies to applications made on or after 6 April 2024. An employee can make a request for flexible working from **day one** of employment.

There is a limit of two requests allowed within a 12 month period.

## **4. Submitting a Flexible Working Request**

Requests for changes to hours of work, place of work and time of work are given serious consideration. Requests for flexible working should be made in writing on the flexible working request form. Employees need to:

- State the date the request is made, the change to working conditions they are seeking and the date they would like the change to take effect;
- Confirm that they have not submitted two requests in the previous 12 months;
- State if they are making their request in relation to the Equality Act 2010, for example, as a reasonable adjustment for a disability.

If an application is accepted by the Council it will result in permanent changes to their terms and conditions of employment, unless it is agreed otherwise.

## **5. Discussing the Flexible Working Request**

The line manager will arrange to meet with the employee within 28 days of receiving the written request. (This time limit may be extended with the agreement of both the employee, line manager and HR)

At this meeting employees are encouraged on a voluntary basis to share the reason they are seeking the change as this will help us to respond in the most appropriate way.

The purpose of the meeting will be to explore the working arrangement requested in more detail, discuss how best it may be accommodated together with possible alternative working arrangements in the event that it is not possible to agree the working arrangements originally requested.

## **6. Withdrawing an application**

If the employee wishes to withdraw their application they should do so in writing to their manager.

If two meetings are missed without good reason the Council can treat the application as withdrawn and the line manager will liaise with HR who will confirm this to the employee in writing.

## **7. Responding to a Flexible Working Request**

The line manager (in conjunction with HR, where appropriate) 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 Council is committed to providing a range of appropriate working patterns. However, employees and management need to be realistic and recognise that not all flexible working options will be appropriate for all roles.

### **Reasons for Refusing an Application**

Employers can refuse a request for any of the following reasons:

- the burden of additional costs
- inability to reorganise work amongst existing staff
- inability to recruit additional staff
- detrimental impact on quality
- detrimental impact on performance
- detrimental effect on ability to meet customer demand
- insufficient work for the periods the employee proposes to work
- planned workforce changes to the business.

The employee will be informed of the decision in writing within 14 days after the date of the meeting. This letter will either confirm the new working arrangements agreed to, or will set out the reasons why the application cannot be accepted.

Legally an employer must respond to a flexible working request within two months.

### **8. Right to Appeal Decision**

If the request is refused, the employee will also be advised of their right of appeal.

The employee may lodge an appeal within 14 days of being notified of their application being rejected. This should be done in writing and clearly state the grounds on which they are appealing. The appeal will be heard within 14 days. 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 by mutual agreement although the law requires the process to be completed within three months of the request being received. (This includes any appeals).

### **9. Trialing New Working Arrangements**

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

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.

### **10. 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. An amendment to contract letter will be sent to the employee within 28 days of the change to the employee's working pattern being agreed.