



WSPC Flexible Working Policy 2024

Adopted: 20th May 2024

1. GENERAL STATEMENT

- 1.1. West Swindon Parish Council recognises and accepts its responsibilities as an employer for providing a safe and healthy working environment for all its employees, contractors, voluntary helpers and others who may be affected by the activities of the Council.
- 1.2 This policy aims to encourage staff to consider flexible working arrangements. The Parish Council recognises that a better work-life balance can improve employee motivation, performance and productivity, and reduce stress. The Parish Council is committed to agreeing any flexible working arrangements, provided that the needs and objectives of both the Parish Council and the employee can be met.
- 1.3 It is the Parish Council's policy to encourage open discussion with employees. An employee that thinks they may benefit from flexible working is encouraged to speak to their line manager or the Clerk/Parish Manager to arrange an informal discussion to talk about the options.

2. AIMS OF THE FLEXIBLE WORKING POLICY

To provide as far as is reasonably practicable, a working arrangement that gives some degree of flexibility on how long, where and when an employee works.

- 2.1 There are responsibilities or roles that will be more restricted than others due to operational requirements such as vehicle sharing, joint working, fixed times of meetings, activities or events taking place that require attendance. The following flexible working options are considered to be the typical arrangements that employees can request but the Parish Council recognises that there may be alternatives or a combination of options which are suitable to both the Parish Council and the employee:
 - Annualised hours
 - Compressed hours
 - Flexi-time
 - Home-working
 - Job-sharing
 - Part-time working
 - Term-time working

Types of flexible working

- 2.2 **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 agreed rota 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)

- 2.3 **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 five-day week is compressed into four days, or a 10-day fortnight into nine days. Each request will need to be considered in respect of the wider roles and responsibilities and the impact of changes across the team.
- 2.4 **Flexitime** allows an employee to choose, within certain limits, when to begin and end work. An employee is required to work during a core time and must work an agreed number of hours during the accounting period of a month. Their hours of attendance will be recorded and added up at the end of each accounting period. Excess hours may be used to either reduce attendance outside of core hours or, take additional leave (flexi-leave), subject to a maximum of two full days in any accounting period. Additional leave should be requested and agreed with the employee's line manager in the same way as annual leave.
- 2.4 **Home-working** is when an employee regularly carries out all, or part of, their duties from home rather than the employer's premises. The Parish Council can consider home-working being an occasional agreed day, a mix of home and office-based work each week or a full-time arrangement. Not all roles will be suitable for home working and the outdoor team will require access and support from the office-based roles during the working hours. The Parish Council recognises that face to face communication between colleagues is important and it is vital that the majority of the working week is spent in the office to support the day to day delivery of services. Working from home arrangements will be agreed based on these demands.
- 2.5 **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 Parish 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
- 2.6 **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 Parish Council believes that all *posts will be available on a part-time basis, except where a critical examination by line management proves this to be impracticable. The suitability of posts for part-time working will be stated in any internal or external advertisements*
- 2.7 **Term-time working** is where an employee reduces their hours or takes time off during any school holidays. Any weeks above their annual leave

entitlement will be unpaid. Salary can be paid in 12 equal monthly instalments (although arrangements may be permitted where an employee is only paid for the time worked and receive no pay during the holidays apart from their entitlement to annual leave)

The needs of the Parish Council

2.8 The Parish 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.

2.9 Where a flexible working arrangement is proposed the Parish 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 (including non office based team members)
- the need for, and effect on, supervision
- recording and monitoring of hours, shifts and accrual of hours
- the existing structure of the department
- the availability of staff resources
- cover of the office for access from members of the public
- 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

3. Eligibility

3.1 Any employee with at least 13 weeks of employment service, subject to the successful completion of any probation period, has a statutory right to request flexible working.

4. Submitting a flexible working request

4.1 An eligible employee is entitled to submit one flexible working request 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).

4.2 All requests must be made by email or letter sent to the Parish Clerk who will consider the request. For occasional, short term or one off requests, e.g. not exceeding three months, the Parish Clerk may authorise the request and report this authorisation to the next available Finance & Staffing Committee. For formal written requests that are proposing multiple absences or over a duration longer than three months, the Parish Clerk will make a recommendation to the Parish Council's Finance & Staffing Committee. In some instances, the Finance & Staffing Committee may refer the request or matter to a meeting of the Staffing Committee to enable more detailed deliberation. The Staffing Committee would make a recommendation to the Finance & Staffing Committee.

4.3 Depending on the degree of changes proposed, the Parish Clerk on behalf of the Finance & Staffing Committee may request that the person making the request provides the following information as part of the request/application process:

- 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 change to come into effect
- what effect the employee thinks the requested change would have
- 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

4.4 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. If an application does not contain all of the required information the Parish Clerk/Chair of the Finance & Staffing Committee will explain to the employee what additional or amended information they need to provide and ask the employee to resubmit the request.

5. Meetings regarding flexible working

5.1 Upon receiving a written request for flexible working the Parish Clerk/Parish Manager will consider the request and if this is an arrangement that is more than temporary e.g. proposing multiple absences or over a duration longer than three months, or is deemed to be in conflict with the needs of the Parish Team, the Clerk will seek to raise the request with the next available Finance & Staffing Committee. All staffing matters will be dealt with as a private and confidential item excluding the public and the press. The outcome of the Committee resolution will be communicated with the employee within five working days.

5.2 If the employee is not satisfied with the outcome of the Committee's resolution, they should seek to discuss this with their line manager or the Chair of Finance & Staffing Committee (usually the Chair of the Parish Council). Consideration will be given as to whether or not sufficient information has been provided to support the decision. The Clerk/Parish Manager or Chair of the Finance & Staffing Committee may consider it necessary to bring the matter back for another review to a meeting of the Staffing Committee or Finance & Staffing Committee.

6. Responding to a flexible working request

6.1 On behalf of the Parish Council, the Finance & Staffing Committee will consider the proposed flexible working arrangements, looking at the potential benefits, and adverse affects, to the employee and to the Parish Council in implementing the proposed changes.

6.2 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.

- 6.3 The employee will be informed in writing of the Parish Council's decision as soon as is reasonably practicable, usually within 5 working days but no later than 14 calendar days after the meeting.
- 6.4 The request may be granted in full, in part or refused. The Parish Council may propose a modified version of the request, the request may be granted on a temporary basis to provide a better assessment of the impact of the change. Employees adjusting their working arrangements may be asked to provide additional time recording for the purposes of time management, performance management and impact assessment. This may be in the form of timesheets or task sheets. The request for time recording will be on a case by case basis and completed within the working hours of the employee.
- 6.5 There is no appeal process, however the employee may ask for the decision to be reviewed again if they have reasonable cause to believe that the Parish Council
- did not handle the request in a ['reasonable manner'](#)
 - wrongly treated the employee's application as withdrawn
 - dismissed or treated an employee poorly because of their flexible working request, for example refused a promotion or pay rise
 - refused an application based on incorrect facts

7. Right to appeal decision

- 7.1 Every 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 by the Chair of the Parish Council and members of the Finance & Staffing Committee (no less than 3) within 14 calendar days. The employee will then be informed of the outcome to their appeal within 14 calendar days of the appeal meeting. These time limits may be extended with the agreement of both the employee and the Parish Clerk/Chair of the Personnel Committee.

8. Trialling new working arrangements

- 8.1 Where there is some uncertainty about whether the flexible working arrangement is practicable for an employee and/or the Parish Council a trial period may be agreed. If a trial period is arranged the Parish 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. The Staffing Committee or Finance & Staffing Committee will be given an update report at the end of the trial period prior to any confirmation of the change as a permanent arrangement.

9. Varying an employee's contract

- 9.1 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 Contract Variation letter or new contract of employment will be sent to the employee within 28 days of the change to the employee's working pattern being agreed (depending on the scale of change will determine whether a letter or new contract is sufficient).
- 9.2 If the employee has any questions or concerns about the new contract of employment or letter they should contact the Parish Clerk/Parish Manager to discuss the matter further.
- 9.3 Where a trial period has been arranged the Parish 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 Parish Council may reduce or lengthen the trial period where necessary with the agreement of the employee). The Parish

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. Complaints and further information

- 10.1 The Parish Council is strongly opposed to any form of victimisation of individuals who work, or request to work under flexible working arrangements.
- 10.2 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 the Parish Clerk/Chair of the Personnel Committee or the Chair of the Parish Council.
- 10.3 If informal discussions do not resolve the matter to an employee's satisfaction, they should raise a grievance under the Parish Council's grievance procedure.
- 10.4 For further information an employee should refer to the documents listed below and/or contact the Parish Clerk/Chair of the Personnel Committee.

Law relating to this document:

Employment Rights Act 1996
Equality Act 2010
Flexible Working Regulations 2014