



Policy Purpose/statement/reason for being...
Derby City Council

E.G- MIP is designed to strengthen the effectiveness of individual's contribution to the Council's success.

Flexible working g Policy

Purpose

Derby City Council is committed to helping employees achieve a work life balance as part of a wider commitment to the health and wellbeing of our employees. Our flexible working policy is designed to help managers and employees consider the different options available for flexible working. It also allows managers to consider requests objectively and fairly, making sure that requests are only refused where there is a valid business reason.

Document Control

Implementation date	
Author	Tina Holmes
Equality impact assessment date	Existing EIA still Valid
Version control	2.1
Revised/updated	April 2014 to reflect the Children and Families Bill 2014.
Review required	



1. Policy application

- 1.1 This policy applies to all Council employees except those employed under the delegated powers of Governing bodies of community, voluntary controlled schools and trusts schools. Governing bodies of these schools are strongly urged to adopt this policy for non-teaching staff within their delegated powers.

2. Principles

- 2.1 Eligible employees can apply for a permanent change to their **terms and conditions of employment that relate to:**

- the hours they are required to work
- the times when they are required to work
- where they are required to work, which allows for a request to work from home.

- 2.2 Employees do not have the right to change back to their former arrangement.

- 2.3 Employees must have 26 weeks' continuous service at the date of their application. This includes employees who have TUPE transferred in, associated bodies and LEA schools but does not include previous continuous service with other local government bodies.

- 2.4 There are many types of flexible working that can be applied for including:

- Part-time – reduced hours, term time only working,
- Job sharing
- Flexi-time
- Compressed hours
- Annualised hours
- Homeworking

- 2.5 Only one application to work flexibly can be made in any 12 month period.

- 2.6 A request can **only** be refused for these reasons:

- burdens of additional costs
- detrimental effect on ability to meet service users' demands
- inability to reorganise work among existing employees
- inability to recruit additional employees
- detrimental impact on quality
- detrimental impact on performance
- not enough work during the period the employee proposes to work
- planned structural changes.

Managers refusing a request must state which of these eight reasons apply and include an explanation about why it applies in the particular circumstances. The explanation must include key facts that are accurate and clearly relevant to the employee's application.

- 2.7 Employees can withdraw their application at any stage during the process by completing the withdrawal form and sending it to their manager. The manager will confirm receipt.

- 2.8 An employee will be treated as withdrawing their application if they do not attend a meeting more than once and do not provide a reasonable explanation.
- 2.9 Employees who withdraw their application will not be able to make another application for 12 months.
- 2.10 The law requires the consideration process for a flexible working request to be completed within three months of first receiving a request, **including** any appeal.

3.0 The application process

- 3.1 See Appendix two for flowchart
- 1 Employee completes right to request flexible working application form and sends to manager
 - 2 Manager acknowledges application and arranges meeting with the employee to be held within 28 days using the appropriate invitation letter giving at least 5 normal working days' notice
 - 3 Manager and employee meet to discuss and consider application. The employee has the right to be accompanied by a work colleague or a trade union representative.
 - 4 Manager informs employee of the decision within 14 days of the meeting by completing the relevant section on the application form
- 3.2 Managers should consider carefully and seriously whether the desired working pattern can be accommodated within the needs of the service. Wherever possible requests should be agreed or a suitable alternative offered. Where the request is part of a reasonable adjustment, managers should refer to the Disability Equality At Work Guidelines.
- 3.3 The timescales set out in 3.1 can be varied so long as the total time taken for whole of the process, including any appeal does not exceed three months.
- 3.4 Time limits are automatically extended when the manager who would normally consider the application is absent when the application is made because of annual leave or sick leave. However, if the manager is likely to be off for more than two weeks then alternative arrangements should be made to make sure that the three month time limit is not exceeded.
- 3.5 Employees who do not attend a meeting must contact their manager as soon as possible to explain. The managers should then rearrange the meeting at a time and place convenient to both the employee and the manager.
- 3.6 If for some reason the request cannot be dealt with within three months the manager must discuss the proposed new timescale and if agreed complete the relevant section of the application form. The application form should give details of why additional time is requested. For example:
- the manager may need to see another employee, who is on annual leave, about whether they could work the hours not covered by the employee who requested the new working pattern
 - to accommodate a trial period for a revised working pattern before a final decision is made
 - the employee may be on annual leave
 - the employee may be away sick.
- 3.7 An extension beyond three months must be agreed by the employee. If the employee does not agree to an extension beyond three months any decision will be

based on the information available at that time.

4 Appeal

- 4.1 Employees have the right to appeal against the outcome of a flexible working request. Appeals must be made within 7 days using the appeals policy.

Please see the [appeals](#) pages on iDerby for additional information.

- 4.2 This is the final stage of the internal flexible working process.

5 Support and guidance

- 5.1 A full description of the process including guidance, supportive information and documentation is on the intranet under Human Resources:

- 5.2 Information on the procedures for job sharing and work-life balance are also available on iDerby or from your line manager.

6 Roles and responsibilities

- 6.1 The roles and responsibilities of key stakeholders are summarised in appendix 1.

Appendix1

Chief Executive & Chief Officers, Tiers 1 & 2	Head of Service Tier 3	Managers	Employee	Human Resources
Every employee must use the procedure and guidance on iDerby				
Fairness and equality				
To ensure this policy is implemented in a fair, consistent and non-discriminatory manner	To provide reasonable adjustments as required.	To provide reasonable adjustments as required.	To notify managers of reasonable adjustments required.	Provide advice and guidance to managers and employees.
	To consider all requests in a fair and consistent manner.	To consider all requests in a fair and consistent manner.		
General operation of the scheme				
To ensure managers carry out their responsibilities.	To follow the procedural guidelines and timescales set out in section 3 of the policy.	To follow the procedural guidelines and timescales set out in section 3 of the policy.	To follow the procedural guidelines and timescales set out in section 3 of the policy.	Provide advice and guidance to managers and employees.
	To provide Human Resources with appropriate documentation for record retention.	To provide Human Resources with appropriate documentation for record retention.	To provide managers with relevant information	To keep relevant records of the application on the employee's personal file.