

## **Revised Flexible Working Policy**

### **SUMMARY**

- 1.1 The Children and Families Act 2014 has expanded the right to request flexible working to all employees with over 26 weeks' continuous employment.
- 1.2 Previously the Council had three separate policies that dealt with different aspects of flexible working. The 'Flexible Working Policy', the 'Job Sharing Policy', and the 'Work-life Balance and Flexible Working Policy'. The latter two policies are forms of flexible working.
- 1.3 The revised Flexible Working Policy covers all forms of flexible working whilst incorporating the legislative changes. The 'Job Sharing Policy' and 'Work-life Balance and Flexible Working Policy' have been converted to procedures, namely the 'Job Sharing Procedure' and the 'Working Flexible Hours Procedure'. This reduces the number of policies, whilst clarifying what is procedural.

### **RECOMMENDATION**

- 2.1 To note the change of the 'Work-life Balance and Flexible Working Policy' to the 'Working Flexible Hours Procedure'.
- 2.2 To note the change of the 'Job Sharing Policy' to the 'Job Sharing Procedure'.
- 2.3 To agree the changes to the Flexible Working Policy in line with the Children and Families Act 2014.

### **REASONS FOR RECOMMENDATION**

- 3.1 Changing the 'Job Sharing', 'Work-life Balance and Flexible Working' Policies to become procedures, reflects that these are procedural in nature rather than actual policies.
- 3.2 Changing the name of the Work-life Balance and Flexible Working Policy to the Working Flexible Hours Procedure, more accurately reflects what the procedure covers. It also avoids confusion with employees believing that flexi-time is the only way work life balance can be achieved.
- 3.3 Following the introduction of the Children and Families Act 2014, our policy on the right to request flexible working must meet the new legislation to avoid potential

litigation.

## **SUPPORTING INFORMATION**

- 4.1 The Children and Families Act 2014 expanded the right to request flexible working to all employees with over 26 weeks' continuous employment, on 1 June 2014.
- 4.2 The Act also removed some of the stringent requirements on timescales for responses, allowing a little more flexibility. These changes have been incorporated into the revised policy
- 4.3 At the time that the 'Job Sharing' and 'Work-life Balance and Flexible Working' Policies were introduced, these were new areas for the Council with no legislation in place to support them. In the years since the Council policies were produced, the Government introduced flexible working legislation. This was initially limited to those with children under a certain age, or those with caring responsibilities. The Council's policies applied to all employees who worked in areas that had the flexibility, to adopt these ways of working.
- 4.4 With the expansion of the right to request flexible working to all employees over 26 weeks' continuous employment, the legislation now mirrors the Council's policies. It is therefore, possible for us to have one policy that covers all types of flexible working, with separate procedures that deal with the detail of how the policy is applied in different circumstances.
- 4.5 Having fewer policies makes it easier for employees to search for the relevant one, , reduces confusion and avoids duplication. It also helps to avoid the need to change related/similar policies.
- 4.6 The titles of the Work-life Balance and Flexible working Policies were confusing, as they implied that the flexi-time system was the only way to balance work and personal life. There is a large amount of work being carried out on health and wellbeing. This includes looking at work-life balance in its entirety, rather than just one aspect of it. It was felt that changing the title to the Working Flexible Hours Procedure more accurately reflected what was contained in the document. This will also avoid potential confusion in the future, when the Health and Wellbeing Project Group develop different initiatives, around work-life balance.
- 4.7 Procedural detail is more likely to change than policy. It will save time and therefore, money, if changes in procedure do not need to progress through the full approval system, for Personnel Committee and the negotiating machinery.

<b>OTHER OPTIONS CONSIDERED</b>
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5.1 None.

**This report has been approved by the following officers:**

<b>Legal officer</b> <b>Financial officer</b> <b>Human Resources officer</b> <b>Estates/Property officer</b> <b>Service Director(s)</b> <b>Other(s)</b>	Tina Holmes  Nikki Gibbons, Diane Sturdy
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<b>IMPLICATIONS</b>
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### **Financial and Value for Money**

- 1.1 There is potential for limited savings through time saved by procedural changes not having to progress through Personnel Committee and the negotiating machinery.
- 1.2 There is a wealth of evidence available, to show that flexible working can lead to better productivity and efficiency.

### **Legal**

- 2.1 Failure to abide by the Children and Families Act 2014, could result in legal action being taken against the Council by our employees.

### **Personnel**

- 3.1 Employees who are able to balance their work and personal life are more likely to be healthy, motivated and productive. Flexible working is one way in which employees can seek to achieve this.

### **IT**

- 4.1 There is facility for employees to work remotely where they already have the technology in place to do so. Any requests for remote working from employees without the correct technological provision would need to be carefully considered for the financial implications. The burden of increased IT costs is an acceptable reason for refusal in this instance.

### **Equalities Impact**

- 5.1 The changes in legislation have required the revision of the policy. However, the fact that all employees who qualify now have the right to request flexible working is an additional equality benefit and has no detrimental effect. As there is no detrimental effect the existing EIA does not require updating.

### **Health and Safety**

- 6.1 Extensive research shows that access to work-life balance and flexible working, improves employees' health and wellbeing.

### **Environmental Sustainability**

- 7.1 None

## **Property and Asset Management**

8.1 None

## **Risk Management**

9.1 None

## **Corporate objectives and priorities for change**

10.1 A skilled and motivated workforce.