

# Flexible Working Policy

Version 1  
18 March 2003

## 1. Introduction

The Council recognises that many of its employees have family and caring responsibilities which they combine with their paid employment, (caring for children, elderly family members or other dependants). As an employer the Council is committed to retaining, developing and motivating employees by ensuring that they are able to balance work and home commitments.

## 2. Principles

2.1 Best value can only be achieved through the development of a committed workforce. A proactive and flexible approach to the management of work issues is of direct relevance in retaining, developing and motivating valued employees.

2.2 The development of flexible working practices is part of the Council's integrated approach to the management of diversity, leading to improved equality of opportunity.

2.3 Work and home life can create conflicting pressures. The Council's integrated approach to the employees to combine work and home life by encouraging the use of flexible working practices.

2.4 Consultation with employees is the most effective method of exploring the possibilities of flexible working.

2.5 Managers are encouraged to consider the options for flexible working.

## 3.

# Key Provisions

### 3.1

## Flexible Working Arrangements

### 3.1.1 Definition

Flexible Working Arrangements provide employees with at least 26 weeks continuous service the right to request certain permanent changes to their conditions of service.

Applications for permanent changes to the following working conditions will be considered:

- A change to the hours they work.
- A change to the times when they are required to work
- To work from home (whether for all or part of the week)

Applications will be considered in accordance with the set procedure and refused only where there is a clear business reason for doing so.

### 3.1.2 Procedure

Employees must apply in writing to the Head of Service. The use of the [Flexible Working Application Form](#) will ensure that the application provides all appropriate information for proper consideration.

The Head of Service will arrange, within 28 days, for an appropriate manager to meet with the employee to discuss the desired work pattern in depth and to discuss how it might be accommodated. The employee has a right to be accompanied by a trade union representative or colleague at this meeting.

Unless further action is necessary before notifying the employee, the Head of Service will write to the employee, within 14 days after the date of the meeting, to agree a new work pattern and start date, or to provide reasons why the request cannot be granted. There will be circumstances where it is appropriate for the Head of Service to agree extended timescales with the employee.

Heads of Service must consult with the Head of Personnel before making a decision on an application for flexible working.

Employees are limited to making one application in any 12-month period

### 3.1.3 Appeals

Employees who wish to appeal against a decision should do so by writing to the Service Director within 14 days of being notified of the Head of Service's decision. The Service Director will hear appeals under the Council's [Grievance Procedure](#) with the hearing taking place within 14 days of receipt of the appeal. Where a grievance cannot be resolved at this stage of the procedure the employee will have the right to have his or her grievance heard by the Appeals Sub-Committee.

## 3.2

### Flexible Working Hours

Flexi-time allows employees, who are eligible to participate in the scheme, some discretion in the planning of their working hours according to service demands. Further details of this scheme are set out in the Council's [Flexi-Time Policy](#) and Scheme of Flexi-Time Employees' Handbook.

## 3.3

### Job Share

Job sharing is intended to provide flexibility of working arrangements, allowing employees to balance career and other commitments. The Council's [Job Share Policy](#) offers employees an alternative to traditional working arrangements whereby 2 employees can voluntarily share the duties and responsibilities of one full-time job, dividing the pay, holidays and benefits between them according to hours worked. The Job Share Policy is intended to provide flexibility of working arrangements with the advantage of allowing employees to balance career and family or other commitments and to return to, or continue at work, through sharing a full-time post. Job Share can also be of interest to employees who are nearing retirement.

## 3.4

### Maternity Provisions

Maternity provisions make benefits available to women during their pregnancy and after their baby is born. Details are set out in the relevant Conditions of Service and [Guidance Notes](#).

## 3.5

### Parental Leave

#### 3.5.1 Definition

This leave is for those employees responsible for caring for a child and is available for that purpose only. In order to qualify for this leave the employee must be one of the following:

- The mother of the child.
- The father of the child if he is married to the mother at the time of the birth or he is registered as the child's father.
- The father (if not covered by the above) if he has acquired parental responsibility.
- A guardian of the child.
- An adoptive parent.

This provision is available to all employees.

### 3.5.2 Provision

Eligible employees will be entitled to 13 weeks unpaid leave up until the child's 6th birthday.

Where the child is adopted the leave may be taken up to 6 years after the child is placed for adoption or until the child is 18, whichever is the earliest.

Where the child is disabled the leave may be taken in the period up until the child is 18. A disabled child is one for whom disability living allowance is awarded.

Leave can be taken in blocks of whole days. There will be no limit on the amount of leave that can be taken in any one year as long as this can be accommodated by the Service.

Employees will be entitled to return to the same job following parental leave.

In general, where possible, the employee will give the Service Director 21 days notice of his/her intention to take a period of leave, indicating the start and end dates, but it is recognised that this is not always possible. If the leave is to be taken by a father immediately after a child is born the notice must specify the expected week of childbirth. If the leave is to be taken immediately after a child is placed for adoption the notice must specify the expected week of placement.

The Service Director can postpone the period of leave for up to 6 months if the operation of the Service would be unduly disrupted. In this case the employee must be informed by the Service Director, in writing, within 7 days of the request for leave, stating his/her reasons for postponing the leave. However, leave cannot be postponed where it is to be taken immediately after a child is born or placed for adoption.

In the interests of good management practice employees will be asked to provide proof of the child's age, and a record of parental leave taken will be recorded and monitored by Services

## 3.6

### Maternity Support Leave

#### 3.6.1 Definition

This is leave for the father of a child or other parenting partner of the mother to provide support for the mother around the time of the birth and to enable other children to be cared for at that time. (full text of [Guidelines](#))

The primary provision is available to all employees.

#### 3.6.2 Provision

On application to the Service Director, 1 week special leave with pay (full normal pay) will be granted to an employee as defined above. Approval must be sought at least 21 days in advance of the expected week of childbirth and must be taken within an 8-week period that will encompass the date of birth. This leave can be taken as a block or can be taken as individual days. Employees with 26 weeks continuous service by the 15th week before the expected date of birth are entitled to an additional 1 week paternity leave with pay (Statutory Paternity Pay i.e. paid at same rate as Statutory Maternity Pay).

Those applying for leave should submit a copy of the MATB1 form to verify the requirement.

Employees may supplement the 1 or 2 week period of paid leave with a period of unpaid parental leave as per 3.5 above. (full text of [Maternity Provisions](#))

## 3.7

### Adoption Leave

#### 3.7.1 Definition

This is leave for employees adopting a child or children. It is available to the primary carer (where both partners work for the Council the other partner would be eligible to take Maternity Support Leave and Parental Leave).

This provision is available to employees who have completed 26 weeks' continuous service. Details are set out in the relevant conditions of service and guidance notes. Employees will be entitled to pay and leave entitlement equivalent to the [Maternity Provisions](#).

## 3.8

### Time Off for the Support of Dependants

#### 3.8.1 Definition

This is leave for employees who require time off work to take action that is necessary, for example:

- To help when a dependant, falls ill or is injured or assaulted.
- To make longer-term arrangements for the care of a sick or injured dependant.
- To cope when there is an unexpected breakdown in the arrangements for caring for a dependant.
- To deal with an unexpected incident involving a dependent child at school.

In all cases the provision is limited to the amount of time that is reasonable in the circumstances of the particular case. In cases of bereavement and serious illness other provisions are available as per 3.9 and 3.10 below.

A dependant is the partner, child or parent of the employee or other member of the household. They may also be somebody who reasonably relies on the employee for assistance e.g. where the employee is the primary carer. Time off work should be an amount which will enable the employee to cope with the crisis e.g. if a child falls ill, time off to deal with the immediate care of the child. It does not mean that the employee can take 5 days time off to look after the sick child.

#### 3.8.2 Provision

In the circumstances detailed above an employee, on application to the Service Director, will be granted up to 5 days time off with pay, (although it is envisaged that a maximum of 1 days leave would be the norm) providing that they inform the Service Director as soon as is reasonably practicable of the reasons for the absence and how long they expect to be away from work.

It is emphasised that this provision is intended to cover unforeseen matters. If employees know in advance that they are going to need time off they should utilise annual leave, flexi-time or in appropriate cases, parental leave.

## 3.9

### Bereavement

If an employee seeks special leave with pay in the event of a death of a relative, it will be at the discretion of the Service Director to agree as follows:

- In the event of the death of a husband, wife, partner, son or daughter, father, mother, brother or sister, up to 5 days paid leave
- In the event of the death of a grandparent, father-in-law, mother-in-law, son-in-law, daughter-in-law, up to 3 days paid leave
- In the event of death of other relatives, up to 1 day of paid leave

### 3.10

#### Serious Illness

At the discretion of the Director of Service up to 5 days special leave with pay in a leave year will be permitted in the event of a serious illness of a husband, wife, partner, child, father or mother. In special circumstances in the event of serious illness of other near blood relatives, or near relatives by marriage, up to 5 days leave with pay may be granted.

Employees will be expected to use annual leave in the event of minor illness or ailments of immediate family and relatives, or to use flexi-credit or unpaid leave, subject to approval.

### 3.11

#### Hospital Treatment Including Clinic

On the approval of the Service Director, special paid leave for attendance at Hospitals or Clinics for either out-patient treatment or examination will be granted on the production of evidence of an appointment.

If it is essential that a member of staff accompanies family and close relatives (husband, wife, partner, son or daughter, father, mother, brother or sister) to Hospitals or Clinics for either out-patient treatment or examination, then up to 5 days special leave with pay may be granted by the Service Director on receipt of a written recommendation from the General Practitioner that it is essential that the employee accompanies the relative to Hospital for treatment.

For incidental or routine appointments at Dentists, Doctors and other approved medical services, staff will be expected to attend such appointments before or after normal working or outwith core hours.

3.12

### Exceptional Circumstances

In exceptional circumstances, the Director of Corporate Services will have the power to grant up to 5 days additional paid leave, or up to 10 days additional unpaid leave. Any further requests for paid or unpaid leave will require the authorisation of the Director of Corporate Services following consultation with the Chairman of Resources Committee and the appropriate Service Chairman.

Where there is any request for special leave not covered by this Flexible Working policy the Director of Corporate Services will have the power to grant up to 5 days paid leave or up to 10 days unpaid leave following consultation with the Chairman of Resources Committee and the appropriate Service Chairman.

3.13

### Special Leave

Entitlements to special leave e.g. jury service, service in non-regular forces are contained within the Council's [Special Leave Policy](#).

[Guidance for Managers](#)

[Guidance for Employees](#)

[Flexible Working - FAQ's](#)

[Flexible Working Case Studies](#)

[Flexible Working External Links](#)

[Work/Life Balance - Flexible Working Arrangements](#)

