



People & ICT



Flexible Working Policy

Document Control

Version	Date	Authority	Change
0.1	26.08.15	Partnership Working Forum / Resources Committee	Review, update and Standard Policy Format

Introduction

The Highland Council believes that flexible working can increase staff motivation, promote work-life balance, reduce employee stress and improve performance and productivity.

As an employer the Council is committed to recruiting, retaining, developing and motivating employees by ensuring that they are able to balance work and personal commitments.

This policy applies to:

- Scottish Joint Council Employees (all Highland Council (HC) graded posts)
- Chief Officials
- Educational Psychologists
- Quality Improvement Officers & Managers

Please follow the link to access [PIN](#) policies for staff that have transferred to The Highland Council from SNHS.

Aims

The aims of this policy are to:

- Promote flexible working to support effective service delivery and efficiencies within the Council.
- Enhance the working environment for employees by offering flexible working options which support work/life balance.
- Provide a planned approach which creates a strong framework to balance service requirements and

individual preferences while maximising service delivery for the customer.

Principles

This policy is focussed on service improvement and improving working lives. It is an overriding principle that service provision must not suffer and that there should be no detriment to colleagues as a result of the introduction of flexible working for any individual employee. Where requests are made, the needs of the service and requirements of the job will be paramount.

As an employer the Council is committed to taking a proactive and flexible approach to the management of work issues and this will be reflected in the decisions made by line managers on behalf of the Council. Each request will be considered on its own merits in the light of the requirement to provide a quality service. All requests to work flexibly will be considered objectively and will only be refused if there are sound business reasons for doing so.

The requesting employee will receive written confirmation of the Council's decision. If unsuccessful this will include relevant key facts about why the business ground(s) are not considered to be met. Applications will not be refused without the manager consulting the employee on alternatives.

The Council provides employees with the right of appeal to next level of management within the Service within 14 days of being notified of the decision.

Under this policy all applications for flexible working are requested by the employee.

Application procedure and timescales

An eligible employee who is seeking to make a change to their working arrangements within the scope of this policy should complete an "[Application for Flexible Working](#)" form detailing the nature of the flexibility sought. The form should be submitted to the applicant's line manager.

The request can be for a variation in:

The hours required to be worked

The times when required to work

The place where required to work

Options which can be considered under flexible working include the following options:

- part-time working
- flexible working hours
- annualised hours
- compressed hours
- reduced Hours
- homeworking
- term-time working
- annualised hours

(Detailed descriptions of options can be found in flexible working guidance documents).

The appropriate manager should consider how to accommodate the request as quickly as possible from receiving the request. If the request is agreed on the basis of the information submitted, the line manager should notify the employee and complete a change form. The employee will receive written notification of the variation in contract outlining the date from which it is to take effect.

In some cases the appropriate manager may wish to meet with the employee to discuss the application before a decision is made. The meeting should normally take place as soon as possible from the date of receipt of the application. Following the meeting, the applicant's line manager should notify the employee of the decision, in writing. Possible decisions include:

- agreement to the original request,
- compromise agreement (as discussed during the meeting),
- not possible to accommodate the request at this time.

If the application has not been agreed then the employee will be notified of the reason/s for refusal.

Employees' may choose to be accompanied to any meeting during this procedure.

Appeal Procedure

If the application is refused the employee may appeal the decision. The appeal should be submitted in writing, setting out the grounds of the appeal, within 14 days of receipt of the written decision.

The applicant may appeal the decision if there is new information that was not available to the appropriate manager at the time they made the original decision **or** if the applicant thinks that the application was not handled reasonably in line with this policy or statutory entitlement.

The appeal should be submitted to the next level of management within the Service using the [Flexible Working Request Decision Appeal Form](#)

Withdrawal of an Application

The Council may treat an application as being withdrawn where the employee has:

- Notified the withdrawal orally or in writing
- Failed to attend a meeting under this procedure more than once without reasonable cause
- Refused to provide information necessary to assess the application without reasonable cause.

Except where the withdrawal has been provided in writing, the Council will confirm the withdrawal to the employee in writing.

General

This timescale to deal with a request, including appeal process, must not exceed 2 months.

The timescales for considering an application or an appeal may be varied in exceptional circumstances, by mutual agreement of the parties.

There may be instances where the appropriate manager is unsure that the arrangements requested are sustainable in the business or about the possible impact on other employees. In such cases, the line manager and employee may agree for the arrangements to be in place on a temporary or trial period basis rather than rejecting the request.

Subject to discussion with their line manager, the requesting employee will be given time off during working hours to attend any meetings specified by this procedure.

Guidance

Guidance, information and tools will be developed and maintained in partnership through the Highland Council Partnership Framework. Including:

Flexible Working Guidance for Managers

Flexible Working Guidance for Employees

Flexi-time Scheme

Home Working Guidance



Legislation

The development and application of this policy and appended procedures is guided by:

- Employment Rights Act 1996
- Children and Families Act 2014
- Flexible Working Regulations 2014 (SI 2014/1398)
- ACAS Code of Practice

Monitoring

The application of this policy will be monitored through the Highland Council Partnership Framework and the Highland Council Resources Committee.