

Introduction

The Flexible Working Policy includes procedures and guidance in relation to the following:

1. Changes in Working Hours / patterns
2. Job Share
3. Compressed working hours
4. Change in work location / homeworking

Aims of Policy

To provide clear guidelines for managers and employees to follow when considering requests under the policy.

Scope

This policy applies to all employees with the exception of those employees working in maintained schools under the direct control of a school Governing Body.

School Based Employees

Newport City Council commend this policy to individual Governing Bodies for adoption. If adopted by a Governing Body, the policy will apply to all employees under the direct control of that Governing Body.

To be read in conjunction with

[Family Friendly Policy](#)

[Flexi-time Guidance](#)

[Homeworking Policy](#)

Principles

The Council recognises that employees may require flexibility around their working patterns to suit their own personal circumstances. Whilst requests for flexibility will not be automatically agreed, consideration will be given to all requests on a case-by-case basis.

POLICY

Flexible Working

Flexible working enables an employee to request a variation to their working pattern, contractual hours or work location on a permanent or temporary basis. However, it does not provide the automatic right to work flexibly.

Agreeing to one employee's request will not therefore set a precedent or create a right for another employee to be granted a similar change to their working pattern. All requests are considered on an individual basis, taking into account the needs of the business and the impact that agreeing the request will have on service delivery.

The Council / School is committed to the provision of flexible working and has considered it appropriate to extend its statutory provision to include the whole of its workforce. The forms of flexible working covered by this policy are:

- Changes to Working Hours / Patterns
- Job-sharing
- Compressed Working Hours
- Flexitime Scheme
- Change in work location / homeworking

Employees can make applications as frequently as their personal circumstances require a change to be requested

Process

Employees who wish to request a variation to their contracted hours, work pattern or location are required to complete the application form [Work Life Balance Application](#) via their ESS account. Email workflow will confirm receipt of the application and the request will be sent to the line manager for consideration. The receiving line manager has the authority to agree to a request on the basis of the application itself without the need for a meeting, should it be felt appropriate to do so.

In the case of Head teachers, their application should be submitted to the Chair of Governors and determined by the relevant Staffing Committee.

Line managers will offer the employee a meeting to discuss the application within 28 calendar days of receipt. The employee has the right to be accompanied at this meeting by a Trade Union representative or work colleague and is entitled to have the meeting postponed for up to 7 calendar days to facilitate being accompanied.

The line manager will consider the business case for supporting/refusing the application, taking account of the factors indicated below:

1. Additional costs
2. The effect on the ability to meet service user demand
3. The ability to re-organise work among existing employees
4. Planning and scheduling of work
5. The ability to recruit additional employees
6. Impact on quality
7. Impact on performance
8. The sufficiency of work during the periods the employee proposes to work
9. Any planned structural changes

A different working arrangement or trial period may be considered as a temporary measure to determine whether the request is feasible (recommended no more than one year / one academic year), however in all circumstances the line manager must communicate in writing the decision reached within 14 calendar days of meeting with the

employee confirming the employee's right of appeal against the decision ([Letter accepting application](#), [Letter rejecting application](#))

Whatever the outcome, all relevant documentation must be sent in accordance with agreed time scales, unless the [line manager and employee agree an extension to the time scales](#).

Appeals Procedure

Should an application be refused, and the employee wishes to appeal against this decision, this should be made in writing to their Head of Service within 14 calendar days of receiving the decision, outlining the reasons for the appeal.

School Based Employees

In a school, an employee who wishes to appeal against the decision of the Headteacher has the right of appeal to the Governing Body's Staffing Appeals Committee. The appeal must be made in writing within 14 calendar days of receiving the decision outlining the reasons for the appeal.

A Head teacher who wishes to appeal against the decision of the Staffing Committee should submit their appeal to the Staffing Appeals Committee.

An appeal meeting must be arranged with the Head of Service / Staffing Appeals Committee within 14 calendar days of receiving the employee's appeal.

The Head of Service / Staffing Appeals Committee must inform the employee of their decision within 14 calendar days after the date of the appeal meeting. If the request is accepted a letter should be sent to the employee informing them of the decision and the date on which it is to take effect.

If the request is refused the Head of Service / Staffing Appeals Committee must set out the grounds for the refusal, explaining the reasons for their decision. The Head of Service's / Staffing Appeals Committee' decision shall be final.

All time periods for the hearing of the appeal can be extended where both the Head of Service / Staffing Appeals Committee and employee agree. Any extensions must be recorded in writing and copied to the employee, specifying the period the extension relates to and the date on which it will end.

The employee is entitled to have a work colleague or Trade Union representative to accompany them at the appeal.

N.B. Where the Head of Service determined to deal with the application personally, any appeal would be heard by the relevant Strategic Director.

TYPES OF FLEXIBLE WORKING AN EMPLOYEE CAN APPLY FOR

Changes to Working Hours / Patterns ([Work Life Balance Application Form](#))

Flexible working enables an employee to request a variation to their working pattern or contractual hours on a permanent basis. However, a temporary period of up to 12 months / one academic year may be considered as an

interim measure to determine whether the request is feasible. At the end of a temporary variation, the employee will either revert to their substantive hours or request a permanent change to their contractual hours, work pattern or location; there should not be a temporary extension to the arrangement.

It would be appropriate for the employee and their Line manager/Head teacher to review the working pattern in advance of the arrangement coming to an end in order for the employee to have sufficient knowledge of the change in working pattern and to make any alternative arrangements such as caring responsibilities.

School Based Employees

In determining a Flexible working application in schools, specific consideration should be given to the following:

- necessity for the employee to attend INSET days
- attendance at weekly staff meetings
- attendance at parents evenings

The above provides examples of considerations and is not an exhaustive list.

If it is determined that the employee should attend all INSET days, weekly staff meetings and / or parents evenings, not just those on their normal working days, there will be an additional cost to the school.

Job Share

Job share enables an employee to reduce their working week by more than one day. Applications for job share arrangements should be approved subject to a job share partner being recruited, and the employee will continue to work their contracted hours until a partner is found.

Should a Job Share partner leave, the remaining partner will be offered the post on a full time basis. If they wish to continue job sharing another partner will be sought through the current recruitment and selection procedure. Should another partner not be found, then the remaining partner will once again be offered the post on a full time basis. Should they refuse this offer, and in circumstances where the post cannot be accommodated as a part time post as an alternative to job share, suitable alternative employment will be sought and where this is not possible notice of termination of employment will be issued.

Detailed arrangements in relation to hours/days of work will be agreed between the job sharers and the manager. The hours to be worked will be individually stated for each partner, along with start and finishing times which if applicable will include flexible working hours as per the Council's / School's scheme. Hours of work may be varied at the discretion of the manager in order to meet services requirements. This will be done in consultation with both job sharers.

School Based Employees

In determining a job-share application in schools, specific consideration should be given to the following:

- *necessity for both job-share partners to attend INSET days*
- *necessity for both job-share partners to attend weekly staff meetings*
- *necessity for both job-share partners to attend parents evenings*
- *arrangements for handover*

The above provides examples of considerations and is not an exhaustive list.

If it is determined that both job-share partners should attend all INSET days, weekly staff meetings and / or parents evenings, not just those on their normal working days, there will be an additional cost to the school.

Compressed Working Hours

Compressed hours is a flexible working arrangement whereby employees work their contracted hours (37 hours or less) over a shorter period i.e. 9 days rather than 10 days per fortnight (74 hours over 9 days). This is also referred to as a compressed working fortnight and would usually replace flexi time. Compressed hours may not be suitable for employees who either work a set shift pattern or who operate in front-line service provision with set operating times.

The day off in a compressed week (i.e. the 10th day) will need to be agreed with the manager. The service must be covered during the office hours of the team, for example Monday to Thursday 8:30 am to 5:00 pm and Friday 8:30 am to 4:30 pm.

Employees must agree with their manager their start and finish times which can only be changed with the prior approval of their manager. Breaks will not count as work time.

Annual leave is not reduced but the employee's working pattern on iTrent must be amended to reflect their compressed week in order for annual leave to correctly be calculated. Entitlements to public, bank holidays and other statutory public holidays are unaffected.

School Based Employees

It is unlikely that a compressed working hours arrangement could be approved in the majority of school based posts, as employees in schools are normally required to be available during the hours that schools are open to pupils.

Change of work location / homeworking

This enables an employee to make an application to vary their work location or to work from home for up to 5 days per week (or pro rata for those working full time). This would mean a permanent change in the work location as specified in the contract of employment

It is unlikely that a homeworking arrangement could be approved in the majority of school-based posts, as employees in schools are normally required to be available to support teaching and learning on a face to face basis. However, it is possible that some homeworking could be accommodated with flexibility on the part of the school

Notification of Approval

Approved applications for flexible working will be notified verbally by Line Managers/Head teachers and through email notification in ESS

Flexi-Time

Flexi-time is applicable to all employees whose working hours/practices allow for flexible working hours to be implemented. For detailed guidance please see the [Flexitime Guidance](#).

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Document Control

Version	Date	Author	Notes/Changes
V1	16/12/2011	Human Resources	New Policy - bringing together number of existing policies and amending processes. New Template
V1.1	04/01/2012	Human Resources	Grammatical / Spelling issue
V1.2	23/01/2013	Human Resources	Service Area to People & Transformation, schools reference included and Template change
V1.3	20/01/2017	Human Resources	removal of flexitime (now separate guidance)
V1.4	03/10/2017	Human Resources	Version Control Added
V1.5	03/03/2020	Human Resources	Version Control Added
V1.6	16/09/2020	Human Resources	Re-establishment of links
V1.7	11/01/2021	Human Resources	Re-establishment of links
V2.0	03/02/2022	Amanda Bouadana	Change of name to Flexible Working Policy and addition of homeworking as a flexible working option to apply for
V2.1	16/08/2022	Kevin Howells	New Policy Agreed by Cabinet Member following trade union and stakeholder comments.