

Ealing Council

Flexible Working Policy

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Policy revised 1st April 2012

V3.0

Flexible Working Policy

Policy statement

Ealing Council is committed to facilitating, wherever possible, flexible working practices for staff without compromising the delivery of high quality and responsive services to the local community.

The Council recognises that for individuals, the opportunity to work flexibly can enable them to achieve a better work-life balance. Working flexibly can provide employees with a greater sense of responsibility, ownership and control of their working life.

The Council also recognises that it makes good business sense to provide flexible working opportunities for their staff because such arrangements can enable the Council to:

- Attract and retain skilled staff and reduce recruitment costs
- Raise staff morale and increase loyalty and commitment
- Increase attendance
- React to changing market conditions more effectively

Ealing Council is committed to the fair treatment of all employees. Any requests for flexible working will be considered, seriously, reasonably, objectively and consistently across the Council.

Scope

This policy applies to all employees who have a contract of employment with the Council except, teaching and support employees in schools. It does not apply to agency workers or contractors.

When considering the need to balance work and life outside work, the focus will not just be on the demands of those with care responsibilities (both children and adults). It is recognised that in such a diverse workforce staff will have many and varied commitments and interests outside work that they will need to balance with their work commitments. These might include employees combining work with continuing education, those with duties or interests outside work, employees needing time off for religious observances and employees who have retired from full time work but who are available on a part-time or temporary basis.

Making a flexible working request

Parents of children aged under 17 (or 18 where disabled) and carers of certain adults who have 26 weeks continuous service with the Council have a statutory (legal) right to request flexible working and the Council has a duty to consider their requests seriously.

The Council has extended the right to request flexible working to all employees of the Council who have 26 weeks continuous service with the Council.

However, where the Council cannot accommodate all requests for flexible working, priority will be given to those who have a statutory right to request.

The Council has an agreed procedure to consider requests for flexible working. See section 10 (paragraph 10.9) of the Local Terms and Conditions of Service (working time) for eligibility and details of the procedure. Requests can only be refused where there is an organisational reason as listed below. These are:

- Burden of additional costs
- Detrimental effect on the ability to meet customer demand
- Inability to reorganise work among existing staff
- Inability to recruit additional staff
- Detrimental impact on quality and/or performance
- Insufficiency of work during the periods the employee proposes to work
- Planned structural changes

Employees who do not have 26 weeks continuous service can still make a flexible working request but such requests will not be considered under the Council's local procedure. Such requests will be considered by the employee's designated manager and will be given serious consideration. Where it is impractical to agree to flexible working because of the impact on the service provided, then the manager will clearly explain the reasons for refusal to the employee.

¹There are a number of flexible working options contained within the Council's Local Terms and Conditions of Service (see table over leaf). Any flexible working decision will have regard to any relevant condition of service.

Defining flexible working

There are many different forms of flexible working that cover the way working hours are organised during the day, week or year.

Flexible working covers a wide range of options (or possible combination of options) including those detailed over leaf:

¹ Some of the Council's Local Terms and Conditions of Service do not apply to some chief officer posts (see relevant chief officer appendices to the contract of employment)

| Type of flexible working | Description | Local condition of service Y/N | Change to contract required* Y/N |
|---------------------------------|--|---|---|
| Part-time working | There is no set pattern to part-time working. It may involve a later start and earlier finish time than a full-time position, working mornings or afternoons only, fewer days in the week or any other arrangement of working time whereby the employee is contracted to work less than normal basic full time hours. The employee will be paid pro rata for the hours they work, with the exception of training and car allowances. | Y (part 2, paragraph 2.7 of the local conditions of service) | Y |
| Flexi-time | Employees are required to work within a “core time period”. Hours worked outside the core time period are often worked flexibly. | Y (paragraph 10.2 in parts 2 and 3 of the local conditions of service.) | Y |
| Job-sharing | Typically, two employees share the work normally done by one employee | Y (paragraph 10.4 in parts 2 and 3 of the local conditions of service). Job sharing can apply to posts at all levels. Certain posts may however be unsuitable for job sharing. | Y |
| Working from home | New technology makes communication with office and customers possible by telephone, fax and email from home, car or other remote locations | Y (part 2, paragraph 10.7 of the local conditions of service) Any regular home working | Y |

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| | | arrangements would be agreed in accordance with the Council's home working policy | |
| Term-time working | Employees work during school term time only. Their salary is calculated accordingly (based on the total number of weeks worked) and payment is spread across the year. | Y (part 2, paragraph 10.5.3 of the local conditions of service) | Y |
| Staggered hours | Employees in the same workplace have different start, finish and break times – often as a way of covering longer opening hours | N | Y |
| Annual hours (Implementation subject to further consultation) | This is a system that calculates the hours an employee works over a whole year. The annual hours are usually split into 'set shifts' and 'reserve shifts' which are worked as the demand dictates | N | Y |
| Additional leave entitlement | This may be agreed either unpaid or paid with salary re-calculated to take account of the extra leave. Additional leave may also be agreed as part of an annual arrangement | N | Y |
| Compressed working hours | Employees work their total agreed hours over fewer working days – for example, a five-day working week is compressed into four days | N | Y |
| Shift-working | This is the pattern of work in which a 24 hour period is | Y | Y |

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| | split into sections and one employee replaces another on the same job within a 24 hour period. | | |
| Shift swapping | Enables employees to negotiate their working times by re-arranging shifts among themselves with the proviso that the required shifts must be covered. | N | N |
| Self-rostering | Allows employees to nominate shifts which they would like to work leaving managers to compile shift patterns which match the individual preferences of staff to agreed staffing levels | N | N |
| Time off in lieu | This allows employees to take time off to compensate them for extra hours | Y (part 2, paragraph 10.2.5 of the local conditions of service) | N |
| Unique working patterns | These are individually tailored patterns which may involve a combination of options | N | Y |
| Career breaks | These are unpaid breaks with a guarantee that they will be able to return to work at the end of the agreed period. | Y (part 3, paragraph 11.12 of the local conditions of service). Employees with one years' service with the Council may take an unpaid career break of between 6 months and 3 years duration in accordance with the scheme. | N |
| Working reduced hours | Managers at their discretion may approve the working of | Y (paragraph 10.5 in parts 2 | Y |

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| | reduced hours on a temporary or permanent basis if the business needs of the service allow. | and 3 of the local conditions of service) | |
| Extended leave | Employees may request up to one years absence from work as a mix of paid and unpaid leave. One years notice to commence the leave is required | Y (part 2, paragraph 11.4 and part 3 paragraph 11.6 of the local conditions of service). | N |
| Accumulated leave | Employees may request to save up to a maximum of 10 days of their leave entitlement in any one leave year for a period of leave in a future leave year, up to a maximum of 30 paid days accumulated leave in total, to be taken as part of the extended leave arrangements | Y (part 2, paragraph 11.5 of the local conditions of service). | N |

*For permanent agreements only

Equality Act 2010 Employees who are disabled or become disabled in the course of their employment are encouraged to inform Ealing Council if they require any reasonable adjustments which are considered necessary for the performance of their duties. Flexible working options may be considered when making reasonable adjustments where appropriate and relevant to the provisions of the Equality Act.

Guidance

Guidance and associated forms on making and considering requests for flexible working are available for staff and managers.

Review

The Director of Human Resources will approve changes to this policy and associated guidance, which are required by legislation, best practice or key performance indicators. The employee's side has been consulted in the preparation of this policy and associated guidance and will be notified or consulted on any revisions