

DOCUMENT INFORMATION

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Where an employee needs help reading or understanding or engaging in the process below, because English is not their first language or they have learning difficulties or a disability which affects their ability in this area, Human Resources will arrange for someone to assist them. This will apply to the whole process and the support will include reading and explaining letters or documentation. To access this support the employee must ask Human Resources as otherwise they may not be aware of the need.

Flexible Working Hours Framework and Rules

Introduction

The Council recognises the benefits of flexible working practices to both the employee in improving work life balance and in meeting the demand for service provision. Flexible working hours provide you with the opportunity to work longer hours at certain times and less at others allowing you greater flexibility to manage your workload and balance work and domestic responsibilities.

The Flexible Working Hours Scheme also has benefits for the Council as:

- managers have the potential to arrange the working hours in their team to effectively deal with varying workloads or peaks and troughs in service requirements.
- it is a self-regulating framework within which casual absenteeism can be reduced
- it helps with the recruitment and retention of employees.

As long as it has been agreed in advance with your direct line manager, you can start work earlier or finish later than in our standard working pattern (8.30 am to 5.00 pm Monday to Thursday and to 4.30 on Friday) and potentially vary your hours each week, or on any particular day, or for a particular period. You can request to work at times that are convenient for you although your preference needs to fit in with the demands of your job and team.

You can also request to take up to two days' flexible working leave each calendar month but, before agreeing to any request, your manager will need to take into account existing leave commitments, predicted workloads, the demands on your colleagues and the business needs of the organisation. However, the scheme does provide a flexible working arrangement between a manager and employee and your manager will try to accommodate temporary changes to working patterns or leave requests provided your request does not have a detrimental impact on service delivery or the balance of work in a team.

This scheme takes account of the Working Time Regulations (1998) which introduced a legal limit to working time and stipulate minimum entitlements to rest breaks.

Who is covered by the scheme?

The Flexible Working Hours Scheme applies to the majority of employees below Head of Service Band level with the exception of the following services:

- Waste Collection
- Vehicle Workshop
- Parking Services
- Parks Operations
- Park Rangers
- Bereavement Services
- Day Centres
- Dial A Ride
- Meals on Wheels
- Depot Based Repairs Team
- Customer Services Centre

These services have been excluded as either alternative working practices are currently in place to support the business need or they are unsuitable for flexible working hours due to operational requirements.

Can I change my working pattern?

Your manager will consider any request that you make to change your working pattern for a particular period but in all respects, the principle 'work comes first' will apply. If, by agreeing to your request, this will create a detriment or disruption to the service, or place an unfair burden on your colleagues, your manager will refuse it or offer you an alternative option. When making a request you should first consider the impact this will have on the service and any cover arrangements needed.

Some examples of flexible working arrangements that may be put into place on a short term or irregular basis with your manager's prior agreement under the Flexible Working Hours Scheme are:

- commencing work early or late and finishing early or late
- working longer hours across fewer days (e.g. a full time employee working ten days full time hours in nine working days)
- term time working (working longer hours during school terms and less during school holidays).

These changes in working patterns can be used to assist you with childcare or dependent arrangement but equally, the opportunity to work a different pattern over a period of time is available to everyone and is not subject to you having specific personal or family needs. Changes in working hours can also be arranged to assist with social activities or simply to accommodate personal preference.

Changes to working patterns can also be agreed on a permanent basis but you will need to apply for this through the process for making a flexible working request using this link [Flexible Working Requests](#) .

What are the working hours?

All hours worked between 7.30 am and 7.00 pm Monday to Friday, count towards your flexible working hours total. If you are required to work outside these hours you will need

agreement from your manager to include the additional hours worked under the Flexible Working Hours Scheme. If you attend an evening Council meeting you can either claim an evening meeting payment or credit the time to your flexible working hours. Weekend and Bank Holiday working will not count towards your flexible working hours credit unless you have agreed this in advance with your manager on each occasion.

What are the core hours?

The scheme has core hours of attendance which reflect the business needs of the organisation. Subject to agreement from your manager, you can generally request time off outside of the core hours of 10.00 am to 12.00 pm and 2.00 pm to 3.30 pm. However, you should request permission from your manager in advance if you wish to arrive later than your usual start time or to finish earlier than your contractual finish time, or take an extended lunch break on any particular day. You should avoid requesting time off during core hours where possible but on occasions you may need to do so. You can request permission from your manager but they may not agree to your request if office cover or service needs are compromised by your absence.

How much leave can I accrue and take?

You can request to take up to two days' flexible working hours leave in each calendar month. Your manager will consider your request for leave but may not be able to accommodate this, particularly if the request is made at short notice towards the end of a quarterly period.

There is a limit of 22.5 hours (three days' hours) credit or debit that you may have accrued at the end of each quarterly period at 30 June, 30 September, 31 December and 31 March. If you are part-time your credit or debit limit is pro rata of 22.5 hours. The balance of hours you have at the end of the quarterly period will be carried forward into the next quarter. You will lose any hours you have in credit above 22.5 hours (pro rata for part-time staff) and you will not be paid for them. Equally, if you are in debit at the end of the quarterly period you will not have pay deducted as a result although if you have accrued a large debit you will need to agree with your manager how this deficit will be reduced to zero within a reasonable timescale.

Your manager will monitor your hours each quarterly period and discuss this in your one to one meetings to ensure that you are not accruing excessive credits or debits in your working hours. If you have a deficit of more than the quarterly period limit which continues over two quarterly periods, your manager will remove you from the flexible Working Hours Scheme and agree a standard working week with you until your hours are in credit.

What other time is recorded?

If you are working away from the Council offices or attending an external training course requiring a longer travelling time than your normal commute to work, you will need to agree with your manager in advance whether you claim the additional time. If your manager agrees that you should be credited for the additional time the working hours that you record for that day will be the time that you leave and return home minus your usual commute to work time. For example, if you leave your home at 8.00am and your usual commute to the office is 40 minutes your start time will be 8.40am.

During a working day, you are required to take a minimum break of thirty minutes if you work continuously for more than a six hour period. This must be a break in working time and should not be taken at the start or the end of your working day.

If the offices close early on the last working day before Christmas you can only claim for the hours you have worked, not the hours you would normally work. Similarly, if the offices close

early or open late for any other reason e.g. bad weather, you can only claim for the actual hours you have worked.

How do I record my working time?

You should record the hours you work on the spreadsheet provided (your timesheet) which is located within your staff site on Sharepoint. It is your responsibility to accurately record the time that you start and finish work and how long you take for lunch, or other breaks, as recording your hours is based on trust. If you are office based this will usually reflect the time you are at your desk although there are likely to be occasions when you are working away from your desk or office. Lengthy breaks should not be counted as work so you should deduct the duration of these breaks from the total time that you work that day.

You are expected to use common sense and not to abuse the Flexible Working Hours Scheme. If anyone is found to have deliberately incorrectly recorded hours they may be removed from working flexible hours and placed on fixed weekly working hours and may also be subject to disciplinary action.

Leavers

If you resign you should ensure that you have worked the correct number of hours by your leaving date. It is your responsibility to manage any excess flexible working hours credit or debit during your notice period to reduce the amount to zero on your last day of employment. If you have excess flexible working hours to take off you should liaise with your manager about how to achieve this during your notice period, allowing for service delivery to be met. You will not be paid for flexible working hours you have in credit at the point of leaving. The Council will deduct payment for any deficit of hours at the time you leave the Council.

Responsibilities

Managers are responsible for:

- ensuring that the hours worked by the employees that they are responsible for enable them to provide an effective service to our customers
- ensuring that work commitments are shared equitably between team members so that no-one is significantly disadvantaged from any temporary changes to working patterns
- reviewing timesheets on a quarterly basis to monitor credits or deficits of hours and to assist staff in managing their workload and flexible working hours. This may mean agreeing a return to working a standard working week (8.30 am to 5.00 pm Monday to Thursday and to 4.30 pm on Friday) or increasing the hours worked each day.
- ensuring that employees do not have a credit or deficit of more than 22.5 hours (pro rata to three days' hours for those working part-time) at the end of each quarterly period or a deficit of this amount for two consecutive quarterly monitoring periods.
- ensuring that if staff leave the Council their flexible working hours total is as close to zero as practically possible
- ensuring that safe working systems are in place and carrying out risk assessments on working alone, building security, use of equipment and home working where flexible working arrangements have been agreed.

Employees are responsible for:

- ensuring that accurate timesheet records are maintained

- requesting your manager's agreement prior to taking flexible hours leave or varying your start or finish times
- ensuring managing your working hours to avoid an excessive credit or debit of flexible working hours
- your flexible working hours have a nil balance if you leave your employment with the Council
- considering your personal safety when working flexibly or alone outside of office opening hours or at other locations.

Monitoring the application of the Flexible Working Hours Scheme

The Council will carry out equality monitoring of its workers and is committed to the principles of diversity, equality of treatment and equality of opportunity. The scheme aims to ensure that no person receives less favourable treatment on any of the grounds outlined above under protected characteristics or is disadvantaged by conditions or requirements of the scheme.

Flexible Working Hours Procedure

Your hours of work will need to include the core hours and any additional cover that is required within your service and your manager will agree with you what flexibility in working hours can be accommodated within your role. The standard working week for a full time employee remains as 37 hours per week worked from 8.30 am to 5.00 pm Monday to Thursday and to 4.30 pm on Friday with a one hour unpaid lunch break.

How to use the flexible working hours timesheet

Hours of work are recorded in an Excel spreadsheet which is located within your staff site on sharepoint. This is currently under review and a new system with increased functionality will be developed later this year.

The Flexible Working Hours Scheme year runs from 1 April to 31 January and there are four quarterly periods used for monitoring purposes which end on 30 June, 30 September, 31 December and 31 March.

Your annual leave year continues to run from April to March and your leave entitlement will be calculated by your service's allocated administrator who will advise you of your entitlement. Annual leave should be booked through your service's normal procedure for booking leave and credited in your timesheet for your normal working hours for the period that the leave is taken.

The flexible working hours working day covers the period from 7.30 am to 7.00 pm and you can work, subject to demand and management agreement, between these times. Attendance at evening Council meetings can either be credited towards flexible working hours or you can claim an additional payment.

You should enter your start and finish times and the time that you take for a lunch break (or other breaks) which should be a minimum of 30 minutes if you work for more than a six hour period. You must have a rest break of at least 11 hours each day and you must not work more than 48 hours per week averaged over a 17 week period. If you are under the age of 18 you cannot work for more than 40 hours a week or for more than eight hours on any day.

Your spreadsheet automatically calculates the flexible working hours balance.

Booking time off using flexible working hours leave

You can take full or half days off using flexible working hours leave rather than annual leave. You will need to request this in the same way that you would book annual leave and have it authorised by your manager prior to you taking the time off. As with booking annual leave, being able to book time off using flexible working hours is dependent on service delivery and your manager is not obliged to authorise time off on any particular day.

If your manager has concerns about your working hours or your flexible working hours credit or debit they will meet with you to discuss the reasons and agree an appropriate plan to address this which may include the removal of flexible working hours and applying fixed weekly hours of work for a period of time. If the problem continues, your manager will seek advice from their Human Resources Advisor to consider whether the matter should be investigated and disciplinary action considered.

Absence

All absences, including appointments, must be agreed in advance with your manager. For periods of authorised leave such as sick leave and compassionate leave you will be credited with a standard working day (7.5 hours Monday to Thursday and 7 hours on Friday for a full time employee). If you become unwell part way through the day and need to take sick leave, this will be credited to a maximum of your normal working hours for that day which is 7.5 hours Monday to Thursday and 7.0 hours on Friday (pro rata for part-time staff or their contractual working hours for that day).

If you fall ill during time you have taken off work using flexible working hours leave, you may record this as sickness absence and retain your flexible working hours for use at a later date. This must be approved by your manager through the normal sickness absence reporting procedure.

Medical and dental appointments

Whole or half day hospital or clinic appointments should be recorded on a sickness absence form and you may credit your hours to a maximum of your normal working hours for that day which is 7.5 hours Monday to Thursday and 7.0 hours on Friday (pro rata for part-time staff or their contractual working hours for that day). Time off during the working day to attend hospital appointments where there is no control over the appointment time may also be credited to a maximum of your normal working hours for that day.

Emergency or urgent medical and dental appointments will be credited to a maximum of your normal working hours for that day as will attendance at appointments such as post and ante-natal clinics.

Routine medical and dental appointments should be arranged outside of working hours. Time taken to attend a doctor, dentist or optician appointment at any time during the working day will not be credited unless your manager agrees otherwise in view of the particular circumstances. An example of this could be making a reasonable adjustment if you have a disability. The Equality Act 2010 defines a disability as:

- a physical or mental impairment, and

- the impairment having a substantial and long-term adverse effect on the person's ability to perform normal day-to-day activities.

In these circumstances your manager will seek advice from their Human Resources Advisor and occupational health if medical advice is required. Human Resources can provide further information on occupational health referrals and reasonable adjustments.

Credits given for agreed absences added to the number of hours worked on that day will not exceed the employee's normal working hours which is 7.5 hours Monday to Thursday and 7.0 hours on Friday (pro rata for part-time staff or their contractual working hours for that day).

Travel time

If you are travelling from or to home from another work location instead of your normal place of work, or attending an external training course, you will need to agree with your manager in advance whether you can claim any additional travelling time involved.

You should record your start and finish times (including lunch breaks) that occur away from the normal place of work on your timesheet.

Overtime

Flexible working hours will minimise the need for overtime, as urgent matters or peak workloads can be managed through increasing hours of work during this time and reducing hours during quieter periods. You will not normally be required to work overtime on a regular basis unless it is specified in your terms and conditions of employment. Where overtime is necessary, this must be authorised in advance by your manager and will not be credited as flexible working hours.

Abuse of flexible working hours

Any suspected abuse of flexible working hours will be investigated in line with the Guidance on Conducting Workplace Investigations and may result in disciplinary action being taken. Abuse of annualised hours working could include false time recording, failing to make up a deficit of hours following an informal warning from your manager and taking flexible working hours leave without your manager's approval.

Managers may consider removing the employee's flexibility and applying fixed weekly hours of work for a period of time whilst an investigation is carried out. Where allegations have been proven at a disciplinary hearing the penalties may include removal from the Flexible Working Hours Scheme and applying fixed working times, either on a permanent or temporary basis, and the repayment of any deficit hours. Abuse of the Flexible Working Hours Scheme will be treated as misconduct depending on the seriousness of the situation and may also result in a written warning

Monitoring the application of the Flexible Working Hours Scheme

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