

Wokingham Without Parish Council



Flexible Working Policy

Version 1.2

Introduction

Under provisions set out in the Employment Rights Act 1996 and regulations made under it, all employees have a statutory right to ask their employer for a change to their contractual terms and conditions of employment to work flexibly provided they have worked for their employer for 26 weeks continuously at the date the application is made. As a good employer, Wokingham Without Parish Council has a positive view of flexible working. This statement sets out the framework in which variable working will be managed within the Council.

Scope

This policy covers longer-term requests for flexible working. The council recognises that occasions arise from time to time that require flexibility, and whilst employees are required to be at their place of work for the hours and times outlined in their contracts of employment, requests for occasional flexibility to meet personal or business needs will be considered and should be agreed in advance with the Clerk.

Submitting requests for Flexible Working

- 1 A request for flexible working could include a request for a change to the number of hours that the employee works, a request for a change to the pattern of hours worked, a request to job share or a request to perform some or all of the work from the employee's home.
- 2 All requests must be made in writing by letter and addressed to the Clerk. Any request made under this policy must include:
 - the date of the application;
 - the changes that the employee is seeking to his/her terms and conditions;
 - the date on which the employee would like the terms and conditions to come into effect;
 - what effect the employee thinks the requested change would have on the Parish Council;
 - how, in his/her opinion, any such effect might be dealt with;
 - a statement that this is a statutory request;
 - whether or not the employee has made a previous application for flexible working; and
 - if the employee has made a previous request, when the employee made that application.
- 3 Where the request is being made by a disabled person as part of a request for a reasonable adjustment to his/her working arrangements, the employee should state this in the written application.
- 4 The Parish Council will not reject out of hand a request that does not contain the required information. The Clerk will explain to the employee what additional or amended information he/she needs to provide and ask the employee to resubmit the request.

Process following a request for Flexible Working

- 1 Once the Clerk receives the request, it will be dealt with as soon as possible, but no later than the deadline set out below. The line manager will usually arrange a meeting to deal with the request. Where a request can without further discussion be approved in the terms stated in the employee's written application, a meeting will not be necessary.
- 2 An employee will be given the right to be accompanied by a work colleague or Trade Union representative at any flexible working meeting. The meeting should take place in a private meeting room so that the discussion is kept away from other employees. The aim of the meeting is to find out more about the proposed working arrangements and how they could be of benefit to both the employee and Company.

Outcome of a Flexible Working request

- 1 After the meeting, the Clerk will consider the proposed flexible working arrangements carefully, weighing up the potential benefits to the employee and to the Parish Council against any adverse impact of implementing the changes. Each request will be considered on a case-by-case basis: agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to his/her working pattern.
- 2 The employee will be informed in writing of the decision as soon as is reasonably practicable after the meeting, but no later than the deadline set out below. The request may be granted in full or in part: for example, the Parish Council may propose a modified version of the request, the request may be granted on a temporary basis, or the employee may be asked to try the flexible working arrangement for a trial period. The employee will be given the right to appeal the decision if the employee's request is not upheld or is upheld in part.

Reasons for rejecting a request

The Clerk will give reasons for the rejection of any request. Those reasons must be for one or more prescribed business reasons, which are:

- the burden of additional costs;
- an inability to reorganise work among existing staff;
- an inability to recruit additional staff;
- a detrimental impact on quality;
- a detrimental impact on performance;
- a detrimental effect on ability to meet customer demand;
- insufficient work for the periods the employee proposes to work; and
- a planned structural change to the business.

The Clerk must not reject a request for any other reason.

Granted requests

If the request is upheld, the employee and the Clerk will discuss how and when the changes will take effect. Any changes to term and conditions will be put in writing and sent to the employee as an amendment to his/her terms and conditions of employment as soon as is reasonably practicable.

Timescales

- 1 All requests will be dealt with within a period of three months from first receipt to notification of the decision on appeal.
- 2 The Clerk should hold the meeting within 28 days of receiving the request and notify the decision to the employee within 14 days of the meeting, so that there is enough time for any appeal to be concluded.
- 3 Employees who are dissatisfied with the outcome of their request are allowed to lodge an appeal within 14 days of the notification, with the appeal to be heard within 14 days.
- 4 The employee will be informed of the outcome of his/her appeal within 14 days of the appeal meeting. These time limits may be extended where both the employee and the Clerk are in agreement. For example, the Clerk may agree to extend the time limit to give the employee a trial period on the flexible working arrangements.

Issues with requests

- 1 If an employee is dissatisfied or unclear at any stage throughout the process, he/she should contact the Clerk. If an employee is dissatisfied with the way in which his/her request has been handled, he/she should raise a grievance under the Parish Council's grievance procedure.
- 2 The Clerk will have regard to the Parish Council's equal opportunities policy when considering the request.
- 3 If an employee fails to attend a meeting, including an appeal meeting, and then fails to attend a rearranged meeting without good reason, his/her application will be deemed to have been withdrawn.