



Rushcliffe
Borough Council

FLEXIBLE WORKING

The purpose of this policy is to provide guidance for managers and colleagues to explore options for flexible working and find mutually acceptable arrangements wherever possible.

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Relevant forms and letters:

- [Flexible Working Request Form](#)
- [Flexible Working Appeal Form](#)
- [Flexible Working Request Flowchart](#)

Related policies/guidance:

- Smarter Ways of Working
- Equality Act 2010
- Remote Working
- Everyday Flex

If you have any questions about this policy, or require any further support, please contact the HR Team on 0115 914 8289 or by email to hr@rushcliffe.gov.uk

For independent support, Care First offer a completely confidential and independent helpline for employees. Call 0808 168 2143 to receive support for mental health, legal signposting, practical help, manager coaching and much more.

Please note:

- This policy applies to all employees within Rushcliffe Borough Council unless stated otherwise within the policy.
- This policy does not form part of contracts of employment.
- Rushcliffe Borough Council reserves the right to amend this policy from time to time.

1.0 Policy Statement

Rushcliffe Borough Council understand that flexible working can be beneficial to both employees and the organisation. The Council therefore aims to support employees to achieve a better balance between work and their other priorities such as caring responsibilities, leisure activities, further learning and other interests.

RBC is committed to considering, and where possible, agreeing flexible working arrangements, provided that the needs and objectives of both the organisation and the employee can be met.

2.0 Scope

This policy applies to all employees across all sites of Rushcliffe Borough Council. All employees have the legal right to request flexible working – not just parents and carers.

All employees have a statutory right to request a flexible working arrangement from day one of their employment.

Employees are entitled to submit two flexible working requests in a twelve-month period, although may be entitled to additional requests if they relate to statutory entitlement e.g. the Equality Act right to request reasonable adjustments.

3.0 What is Flexible Working?

Flexible working is any type of working arrangement that gives some degree of flexibility on how long, where and when an employee works. Examples of this include part-time hours, term-time working, compressed hours and job shares.

4.0 Guiding Principles

RBC recognises the positive impact of flexible working arrangements to:

- improve efficiency and productivity;
 - improve the balance between life and work;
 - create a positive and inclusive environment;
 - create a happy and healthy workforce
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- Flexibility involves compromise and mutual trust, with responsibility for identifying and maintaining a workable solution being shared by managers and employees.
 - Where possible, RBC supports informal resolutions through conversation and empowers individuals, with support from their manager, to find a solution that works for them and the organisation.
 - All colleagues have the right to request flexible working, however, it may not be possible to agree to a particular request due to business need.

- RBC will ensure that decisions made in relation to flexible working requests, are made in accordance with the Equality Act 2010.

5.0 Informal Flexible Working Requests

A lot of flexibility exists on working hours across RBC and the Council wishes to support and encourage such an approach where possible. Many arrangements, such as changes to start and finish times, can often be negotiated locally without the requirement for a formal flexible working request.

The Council operates flexible working through everyday flex, allowing individuals day to day flexibility whilst also meeting the needs of our customers. Individuals may want to consider everyday flex as an alternative to a formal flexible working request and would need to discuss this option with their line manager.

Rushcliffe Borough Council also has a 'Smarter Ways of Working' framework which outlines principles to consider when informally agreeing ways of working that maximises on the benefits of both home and office working. The framework empowers individuals, with the support of their line manager, to find a balance that works for them and the organisation.

The first step of any flexible working request is therefore to see if it is appropriate to progress informally through a discussion between a colleague and their line manager.

Individuals still have the right to submit a formal application if they wish.

6.0 Formal Flexible Working Requests Process

Formal requests for flexible working can be made by completing the 'Flexible Working Applications Form' and submitting it to the line manager.

The line manager should consider the request and whether the request can be granted in full as a permanent or temporary change.

Should the line manager need to discuss the request further a meeting that will be held within 21 calendar days of the manager receiving the request. This time limit may be reasonably extended with the agreement of both the employee and the line manager. By exception, it may be appropriate for another manager to hear the request rather than the line manager.

At the meeting the employee may, if they wish, be accompanied by a colleague or trade union representative.

6.1 Formal Flexible Working Requests Outcome

Where a flexible working request can be granted in full as a permanent or temporary change, the employee should be informed of the agreement within 21 calendar days of the line manager receiving the flexible working request.

Where the flexible working request can not be granted in full the manager should arrange to meet with the employee within 21 calendar days. During the meeting the line manager should explore and share reasonable alternative and available options. The manager may propose a modified version of the request (i.e. even if the request cannot be accommodated, there may be other options that can be explored with the employee and RBC encourages this as a resolution).

The request may also involve a trial period which would include a mechanism for review between the individual and their line manager after a specified amount of time. At the end the review period, if the arrangement isn't working well, an individual may be moved back to their original working pattern.

Once options have been explored and where an alternative has been agreed the employee should be informed of the agreement within 7 calendar days.

Where alternative options have been explored and there is a genuine business reason(s) for the flexible working request to be refused, the employee should be notified of this within 7 calendar days of the meeting.

Where flexible working practices are agreed as a permanent change and this affects an employees contract of employment, confirmation of the new arrangement will be sent to the individual within 28 days of the change to their working pattern being agreed.

7.0 Reasons for declining a request

Each request will be considered on a case-by-case basis. The manager will review the proposed flexible working arrangements and consider alternative options.

Once the benefits and potential adverse effects have been considered ,the manager 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;
- a planned structural change to the business.

8.0 Right to Appeal

Individuals have the right to appeal a decision if their request is refused or is agreed in part. To do this, employees can lodge an appeal within 7 calendar days of being notified of a decision, using the 'Flexible Working Appeal Form' which should be submitted to HR (hr@rushcliffe.gov.uk).

An appropriate Appeals Manager will be appointed, usually either the relevant Service Manager or the Second Line Manager but it may be appropriate to appoint another manager in RBC. The Appeals Manager will normally arrange a meeting which is held within 14 calendar days from receipt of the appeal.

The employee will then be informed of the outcome to their appeal within 7 calendar days of the appeal meeting. These time limits may be extended with the agreement of both the employee and the Appeals Manager.

Appendix 1 - Flowchart

