



Northallerton Town Council

Adopted 16/10/17
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FLEXIBLE WORKING PROCEDURE

1.0 Introduction

This policy aims to encourage staff to consider flexible working arrangements. The Council recognises that a better work-life balance can improve employee motivation, performance and productivity, and reduce stress. Therefore the Council wants to support its employees achieve a better balance between work and their other priorities, such as caring responsibilities, leisure activities, further learning and other interests. The Council is committed to agreeing any flexible working arrangements, provided that the needs and objectives of both the Council and the employee can be met.

It is the Council's policy to encourage open discussion with employees. An employee that thinks they may benefit from flexible working is encouraged to contact the Town Clerk to arrange an informal discussion to talk about the options.

What is Flexible Working?

Flexible working can mean a change to the number of hours you work, the times you work or your place of work.

Some examples of flexible working are:

- Part-time working;
- Job share;
- Flexible working hours (the Council has a detailed policy);
- Term time only;
- Occasional working from home.

1.2 Eligibility

Any employee with at least 26 weeks of employment service has a statutory right to request flexible working. However the Council has taken the view that employees in all areas, and at any level, are entitled to submit a request for flexible working regardless of their length of service.

1.3 Submitting a flexible working request

An eligible employee is entitled to submit **one** flexible working request in a twelve month period (an employee is entitled to additional requests if they relate to a statutory entitlement e.g. the Equality Act 2010 right to request reasonable adjustments).



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All requests must be made by letter to the Town Clerk. Any request made must include:

- the date of the application
- the changes that the employee is seeking to their terms and conditions
- the date from when the employee would like the proposed change to come into effect
- what effect the employee thinks the requested change would have on the Council
- how, in their view, any such effect could be dealt with
- whether this is a statutory or non-statutory request
- whether a previous application for flexible working has been made
- the dates of any previous applications

If the employee is making the request in relation to the Equality Act, e.g. as a reasonable adjustment relating to a disability, this should be made clear in the application.

1.4 Meetings regarding flexible working

Upon receiving a written request for flexible working the Town Clerk will usually seek to arrange a meeting with the employee to:

- discuss the request
- find out more about the proposed working arrangements
- how it could be of benefit to both the employee and Council

If a meeting is arranged it will be held within 28 days of the Council receiving the request. This time limit may be extended with the agreement of both the employee and the Town Clerk

The employee will be given advance notice of the time, date and place of the meeting. If the initial date is problematic then one further date will be proposed. If a face to face meeting is difficult to arrange then, if agreed by the employee and the Town Clerk, the meeting may be held over the telephone.

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

If the employee fails to attend a meeting and then fails to attend a rearranged meeting without good reason, their application will be deemed to have been withdrawn.

Where a request can, without further discussion, be approved as stated in the employee's written application a meeting to discuss the request may not be necessary. The employee will be informed of the Council's agreement to the request by a confirmation letter as outlined in the section



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'Responding to a flexible working request' within 28 days of the Council receiving the request. This time limit may be extended with the agreement of both the employee and the Town Clerk.

1.5 Responding to a flexible working request

The Town Clerk will consider the proposed flexible working arrangements, looking at the potential benefits, and adverse effects, to the employee and to the Council in implementing the proposed changes.

The grounds for refusing a request include:

- Additional burden of costs;
- Detrimental effect on customer service;
- Inability to reorganise work among other staff;
- Detrimental effect on quality or performance;
- Insufficient work available during the periods the employee proposes to work;
- The proposal does not fit in with planned structural 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 their working pattern.

The employee will be informed in writing of the Council's decision as soon as is reasonably practicable, but no later than 14 days after the meeting.

The request may be granted in full, in part or refused. The 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 for a 6 month period. If the request is agreed then the employee will be sent a confirmation letter which will include details of the new arrangements. The employee should contact the Town Clerk within 14 days if they wish to discuss the new arrangements further, or have any concerns.

1.6 Right to appeal decision

The employee has the right to appeal the decision if their request is refused or is only agreed in part.

The employee may lodge an appeal within 14 days of being notified of a decision on their application. This should be done in writing and clearly state the grounds on which they are appealing. The appeal will be heard within 14 days. The employee will then be informed of the outcome to their appeal within 14 days of the appeal meeting. These time limits may be extended with the agreement of both the employee and the Town Clerk.

1.7 Trial period for new working arrangements



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Where there is some uncertainty about whether the flexible working arrangement is practicable for an employee and/or the Council a trial period may be agreed. If a trial period is arranged the Council will allow sufficient time for an employee and the Town Clerk to implement and become used to the new working practices before taking any decisions on the viability of a new arrangement.

1.8 Varying an employee's contract

Where flexible working practices are agreed as a permanent change, a variation will need to be made to the employee's contract of employment. A new contract of employment will be sent to the employee within 28 days of the change to the employee's working pattern being agreed.

Where a trial period has been arranged the Council will provide the employee with a document that details their new working pattern and makes clear that it is only a temporary variation to the terms of the employee's contract. The employee will be informed in writing of the start and end dates of the trial period (although the Council may reduce or lengthen the trial period where necessary with the agreement of the employee). The Council will reserve the right, at the end of the agreed trial period, to require the employee to revert to their previous working arrangement.

1.9 Complaints and further information

The Council is strongly opposed to any form of victimisation of individuals who work, or request to work under flexible working arrangements.

If an employee feels that they have been treated unfairly or are dissatisfied with any stage of the flexible process, they should raise their concerns informally with Town Clerk or Deputy Clerk or Mayor.

If informal discussions do not resolve the matter to an employee's satisfaction, they should raise a grievance under the Council's grievance procedure.