



Flexible Working Policy Frome Town Council

1 Introduction

The Employment Act 2002 introduced the right for certain employees to request flexible working arrangements to allow them to care for a child. The Work and Families Act 2006 extended the right to request flexible working to employees who are carers of certain adults.

As a good employer, Frome Town Council has always had a positive view of flexible working and has offered part-time working and flexible working hours for some time. This statement sets out the framework in which variable working will be managed within the Council.

2 Eligibility

The right to request flexible working is available to employees who have a minimum of 26 weeks' continuous service and also have one of the following:

- Parental responsibility for a child up to 6 years of age (18 where the child is disabled); or
- Caring responsibility for a spouse, partner, civil partner, relative, or someone who lives at the same address

Only one flexible working request can be made within a twelve month period. The legislation does not provide an automatic right to flexible working. There is an emphasis on the importance of both the employee and the employer considering the terms of the request and attempting to reach an outcome that suits both parties. The employee has a responsibility to think carefully about their desired working pattern when making an application, and the manager is required to follow a specific procedure to ensure requests are considered objectively.

3 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 organisation has a detailed policy);
- Term time; or
- Occasional working from home.

4 How to apply

Anyone considering flexible working must first discuss with their manager the reasons for the request to change their working pattern. A formal application must be made in writing to your Line Manager. It should set out clearly:

- The desired change in working pattern;
- How it will impact upon the work of the Council;
- How you will manage your work to ensure there is no loss in efficiency;
- The impact of the change of your work pattern on your colleagues;
- How any potential problems will be overcome; and
- When you wish to start the new way of working.

All applications will be considered fully. The Line Manager will meet with the employee to discuss the application within 28 working days, unless agreement to the contrary is made in writing. The employee has the right to be accompanied a companion who may be a work colleague or certified trade union representative.

The companion has the right to address the meeting. They may also ask questions and present the employee's case. However they have no right to answer questions on the employee's behalf.

5 Who makes the decision?

The Internal Affairs Committee will consider all applications and consult the appropriate manager as required. The Council will notify employees of the decision within 14 days of the meeting. If an application is approved, the working arrangement will be implemented on a trial basis for an initial period of 6 months. If an application is refused, the individual will be notified in writing with reasons why the request cannot be accommodated at this time.

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; or
- The proposal does not fit in with planned structural changes.

If an application is refused, a further application cannot be made within 12 months.

6 Right of Appeal

There is a right of appeal, which must be submitted in writing within 14 working days. The Council will determine the appeal and notify the employee of their decision in writing within 14 days.

7 Review

The Town Clerk and the appropriate Manager will undertake a review after 6 months. This is to ensure that the change in work pattern is working effectively and that there is no adverse impact on either the work of the Council or the efficient working of the team. If there appears to be a problem, the individual will be consulted before a decision is made to vary the working pattern further or revert to the original working arrangement.

At the end of the review the Town Clerk will confirm in writing whether or not the working pattern may continue. If it may not continue, a minimum of two months' notice will be given that the working pattern cannot be accommodated and will end on a specified date.

All flexible working will be reviewed periodically by management to ensure that the needs of the Council continue to be met.