



# **FLEXIBLE WORKING POLICY AND PROCEDURES**

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Version	Date	Action
0.1	08/10/2014	Draft Agreed at MT
0.2	15/10/2014	Reviewed at SCF – No changes made
0.3	28/01/2015	Reviewed at SCF including EQIA – No changes made
1.0	04/03/2015	Approved at MT
1.1	28/03/2018	Draft to MT for consideration
1.2	09/04/2018	MT Revisions
1.3	06/08/2018	Updated Draft following SCF Consultation

Central Scotland Valuation Joint Board  
Flexible Working Policy and Procedure

1.4	23/08/2018	Updated following MT feedback
1.5	19/09/2018	Updated following further SCF and MT feedback.
1.5	28/09/2018	Approved by CSVJB

# FLEXIBLE WORKING POLICY AND PROCEDURE

## 1. Policy Statement

- 1.1. Central Scotland Valuation Joint Board (CSVJB) has always encouraged flexible working and fully supports the provisions set out in legislation which allow all employees with 26 weeks service, the statutory right to request a change to their contractual terms and conditions.
- 1.2. This policy sets out the Board's approach to flexible working arrangements which is in accordance with the ACAS code of practice "The right to request flexible working: an ACAS Guide".
- 1.3. As a Board we continue to transform the way in which we provide services and as part of this transformation recognise the need to move to more modern ways of working, which includes both the hours that are worked and the locations which work takes place in.
- 1.4. Increased flexibility has the potential to provide greater opportunities to support those members of staff seeking to have a greater degree of work/life balance by integrating home and work life more successfully.
- 1.5. The over arching principle of the flexible working policy is that the working pattern must maintain or improve service delivery and be cost effective. No changes to existing working patterns will be authorised if expected, or proven, to be detrimental to service delivery.
- 1.6. It is envisaged that increased flexibility and the introduction of alternative ways of working will contribute to the achievement of:
  - For the Board
    - a) Productivity improvements
    - b) Reduction in absenteeism
    - c) Reduction in recruitment and retention costs
    - d) Reduction in office space required
    - e) Increased workspace utilisation

- For staff
  - f) Increased motivation
  - g) Improved work satisfaction
  - h) Improved work life balance
  - i) Reduced levels of stress

1.7. The flexible working policy and procedure aims to support all staff working in this environment and foster meaningful and sustainable ways of working smarter and more effectively.

## **2. Scope**

2.1. This policy applies to all staff of Central Scotland Valuation Joint Board.

2.2. Under the Children and Families Act 2014 all employees now have a statutory right to request a change to their contractual terms and conditions of employment to work flexibly subject to the eligibility criteria set out below.

2.3. Requests for flexible working may be for any reason and are not restricted to employees with family care commitments.

2.4. In order to make a request under this policy a member of staff must:

- Be employed by the Board.
- Have worked for more than 26 weeks continuously at the date the application is made.
- Not normally have made another request under this policy in the preceding 12 month period.

2.5. Separate retirement options to allow staff to reduce their working hours and receive pension benefits are also available. Information on these options is available from LGPS (Falkirk).

2.6. Requests for flexible working are separate and distinct from the Board's special leave arrangements.

### 3. Options for Flexible Working

3.1. The Board provides a range of options for flexible/alternative working. Some relate to when work is carried out whilst others relate to where work is carried out.

3.2. Staff may apply for one or a combination of the undernoted options.

3.3. The Board will try to accommodate requests where possible and may also, if appropriate, explore alternative flexible arrangements with staff in order to reach a mutually beneficial arrangement.

3.4. **When** work is carried out:

- **Flexible Working Hours (Flexi Time)** - Flexi time is a form of flexible working that allows employees to accumulate additional hours that can be exchanged for the equivalent amount of time off. Guidance on flexible working hours can be found in the flexible working hours' scheme.
- **Part Time Working** - This is an agreed regular pattern where a member of staff works fewer hours per week than a full time employee.
- **Job Sharing** - Sharing a job with someone else. The job share arrangement can be established from the creation of a new post or can be requested by the current post holder. The Board does however reserve the right to refuse a request for job sharing where it may be difficult to recruit a job share partner to the other part of the role and where the role cannot be undertaken on a job share basis. In addition if where job sharing is being undertaken and a job share partner resigns or moves to another post etc. the Board reserves the right to end the arrangement if a new job share partner cannot be found.
- **Compressed Hours** - The compressed hours scheme allows a member of staff to work fewer days overall by working longer hours on the days that they do attend. This can mean for example that they work a 9-day fortnight or a 4.5/4 -day week. In moving to compressed hours the employee will no longer be entitled to apply for flexi leave. The total number of hours for Annual Leave will remain in line with the standard 20 or 25 days based on a 7 hour day but the number of Annual Leave days will be reduced to reflect the longer working day. Employees on compressed hours will be able to be up to 4 hours in credit or 2 hours in debit. Fixed Public Holiday would continue to be credited at 7 hours per day. An employee may request a temporary variation to the

agreed compressed hours work pattern e.g. change their normal non-working day/half day in order to attend an appointment. This request would however be subject to Line Manager Approval.

- **Temporary Change of Hours** - This is where there is an agreed temporary change to a staff member's work pattern.
- **Employment/Career Breaks** - Subject to the needs of the service a member of staff may take a break in employment (without pay and benefits) of between 3 and 12 months to look after family, to travel, do voluntary work or undertake training. The Employment/Career break will not affect continuous service calculations or entitlement.
- **Buying Annual Leave** - Members of staff may, subject to the needs of the service, buy up to 5 days additional annual leave.

### 3.5. **Where** work is carried out

- **Mobile Workers** - Members of staff who spend the majority of their working time away from the office delivering community based services.
- **Fixed Workers** - These will be the Board staff who attend a fixed location and have a fixed work pattern.

## 4. Requesting Flexible Working

4.1. Where a member of staff wishes to change the way they work they should make a submission to their line manager in writing or complete the relevant proforma (appendix 1).

4.2. Where a written request is being submitted staff should set out the following:

- The date of the application, the change to working conditions they are seeking and when they would like the change to come into effect.
- What effect they think the requested change will have on the Board and how, in their opinion, any such effect might be dealt with.
- If they have made a previous application for flexible working and the date of that application.

## 5. Considering a request for Flexible Working

- 5.1. Once a request is submitted arrangements should be made to discuss this with the member of staff as soon as possible and ideally within six weeks of the request being received.
- 5.2. Under legislation requests should be dealt with in a timely manner, and considered at the latest within 3 months of first receiving the request.
- 5.3. Where a delay arises the member of staff should be informed as to the reasons for the delay.
- 5.4. A discussion may not always be needed where the service is happy to accept the request but it is helpful to discuss the request to ensure that the proposal put forward is the best solution for the Board and the member of staff.
- 5.5. The discussion provides opportunity to explore the exact changes and how they can be accommodated. It is good practice to allow the member of staff, if they wish, to be accompanied by their trade union representative or a work colleague of their choice.
- 5.6. It is important that any requests are considered carefully with the benefits of the requested changes in working conditions for the employee and the Board being considered.
- 5.7. When considering an application for flexible working managers should consider:
  - **Customer Factors** (including other teams/sections and partners) - Can service provision be maintained/improved. Is demand tied to certain times of the day?
  - **Job/Location Factors** - Can all of the duties be performed effectively from the location/in the working pattern envisaged? Are there information security issues? Is access to specialist information/equipment/reference materials or significant face to face contact with colleagues or customers required? Is access to premises available at the proposed times, if needed?
  - **Cost/Saving Factors** - Including those associated with ICT equipment, travel, time/expenses, and workplace priorities.

- **Team Factors** - Including morale; productivity; whether sufficient team members are available at all times; effect on potential for other team members to implement alternative working in the future.
- **Employee Factors** - Including satisfaction, motivation, commitment, morale and productivity; initiative; time/workload management; communication and supervision arrangements; social isolation; reduction in travel time/cost; requirement for on-the-job training; health and safety issues that may apply to the employee such as lone working, working pattern and length of work periods/rest breaks, suitability of workstation.
- **Environmental Factors** - Reductions in energy consumption, carbon footprint (e.g. reduced travel).

5.8. The Board is under no statutory obligation to grant a request to work flexibly and the Board's ability to provide an effective service will be paramount.

5.9. The manager and member of staff should work jointly to reach an acceptable solution that will be based on mutuality, co-operation and practicable compromise. This may include the provision of a trial period where one or both parties are unsure if the proposed working arrangement would be practicable.

5.10. Trial periods must be agreed by the manager and employee before arrangements begin. The trial period must be for a reasonable and specified period (maximum of 3 months), at the end of which, or sooner, the working arrangements will be subject to review.

5.11. If a trial period is unsuccessful the member of staff will revert to their substantive working practices.

5.12. Where a trial period has proved successful arrangements will be made with HR to confirm a permanent change to contract.

5.13. Managers must be able to objectively justify their decision especially if they are refusing any request to work flexibly.

5.14. The current legislation outlines the business reasons that can be used to justify the refusal of a request to work flexibly. These are:

- The burden of any additional cost is unacceptable to the Board
- There is an inability to reorganise work among existing staff



- Inability to recruit additional staff
- The Board considers the change will have a detrimental impact on quality
- The Board considers the change would have a detrimental effect on the Board's ability to meet customer demand
- There will be a detrimental impact on performance
- There is insufficient work during the periods the member of staff proposes to work
- Planned structural changes e.g. where the Board intends to reorganise and considers the flexible working changes may not fit with these plans

5.15. Managers/supervisors should ensure that they do not inadvertently discriminate (either directly or indirectly) against a particular staff member because of their protected characteristic.

5.16. Once a decision is reached and has been approved by the employee should be advised in writing. The decision may be that:

- That the Board agrees to the new work pattern and confirm the start date
- That the Board agrees to a compromised flexible working arrangement
- That the Board does not agree to the request and provides clear business reasons as to why the application cannot be accepted.

5.17. Any changes to a staff member's working hours as a result of a request for flexible working is regarded as a permanent variation to contract, unless agreed otherwise. With the exception of trial periods, once a change to a staff members hours or place or work has been implemented, the employee has no automatic right to revert to their previously pattern of working at a future date.

5.18. Variations may be considered in light of changing operational service needs when the continuation of the working arrangement is detrimental to service delivery or where the member of staff wishes to apply for a review. Appropriate arrangements will be made to discuss the impact of further changes and where appropriate reasonable notice, to end the existing arrangement will be given.

- 5.19. Flexible Working offers staff benefits but is not intended to give the opportunity to increase salary. As such where an employee has a request granted under this policy to change to working in a period or pattern for which an enhancement that they do not currently receive (e.g. unsocial hours, night work, weekend work, shift allowance) is usually paid under the terms and conditions applying to the employee group, such enhancements will NOT be paid as a result of changes made under this policy/procedure.
- 5.20. Only where a requirement to work shifts etc is set by management will any time based enhancements be considered.
- 5.21. Where a request is refused the member of staff should also be informed of their right of appeal.
- 5.22. Any abuse of the Flexible Working scheme may result in action under the Board's Disciplinary procedures and may lead to the amendment or withdrawal of the arrangement.

## **6. Handling Requests to work flexibly in a fair way**

- 6.1. Where agreement is reached with one member of staff this WILL NOT set a precedent or create a right for another member of staff to be granted a similar change to his/her working pattern.
- 6.2. There is NO contractual entitlement to have an alternative working request approved.
- 6.3. There may be occasion when the service requires to consider more than one request. In doing so the following should be considered:
- Requests should be considered in the order they are received
  - Having considered and approved requests managers should remember that the business context has changed and can be taken into account when considering the subsequent request.
  - Where more than one request is received there is no requirement to make value judgements about the most deserving request. Managers should consider each application on its merits looking at the business case and the possible impact of refusing a request.

## 7. Appeals

- 7.1. If the member of staff wishes to appeal against a manager's decision they must do so within 14 days of being notified of the outcome of their request.
- 7.2. The appeal should be in writing and outline the grounds for making the appeal and submitted to the Assistant Assessor, or Assessor if the Assistant Assessor is the line manager who made the original decision.
- 7.3. An appeal meeting will be organised with the Assistant Assessor or Assessor within 10 working days of receipt of the appeal. Normal working practices will continue until the appeal is concluded.
- 7.4. If the appeal is upheld the Assistant Assessor or Assessor will liaise with the original decision maker who will communicate the new working pattern and start date of the new arrangements to the individual and their line manager.
- 7.5. There is no further right of appeal.

## 8. Responsibilities

- 8.1. Managers are expected to:
  - Foster a culture of trust in working relationships.
  - Consider current and foreseeable operational needs of the service and how different working arrangements could affect these.
  - Consider the potential impact on other employees, internal and external customers and clients.
  - Continue to measure the performance and output of all employees to maintain service standards.
  - Decide whether flexible arrangements can be supported, taking into account such factors as the staff member's role and operational needs of the service.
  - Determine whether the alternative working arrangement can be agreed on a temporary or permanent basis.
  - Confirm any changes to the service HR Business Partner.
  - Deal with all requests on a consistent and fair basis.
  - Explain fully the reasons for refusal.
- 8.2. Employees are expected to:

- Co-operate with management to facilitate a culture of trust.
- Outline, in their request, how they see their role and duties being fulfilled under the proposed alternative working arrangements.
- Recognise and consider the likely impact on existing terms and conditions.
- Collaborate with their line manager during the request process.
- Ensure the timing of their request allows sufficient opportunity for the line manager to fully consider the request.

## 9. Monitoring and Review

9.1. Both Senior Management and Staff Consultation Forum Representatives shall monitor the effectiveness of these procedures on an ongoing basis. Amendments will be made as and when deemed necessary and, where appropriate, after consultation with the forum.

Policy Name	Flexible Working
Department	HR
Policy Lead	HR
Equality Impact Assessment	
Full EQIA required	Yes <input type="checkbox"/> No* <input checked="" type="checkbox"/>
* In no please provide rationale. All employees have the right to request flexible working and it is not anticipated that it will have any negative impact on any protected group.	
Date Full EQAI complete	N/A
Date Approved	
Review Date	

## APPENDIX 1 - APPLICATION FOR FLEXIBLE WORKING

### 1. Personal Details

Employee Name	
Position	
Team	
Line Manager	
Proposed start date	
Is the request being made in relation to the Equality Act 2010?	YES /NO
*If YES please provide further details for your request	

### 2. Current Working Arrangements

Mon	Tues	Wed	Thurs	Fri

3. Flexible Working Arrangement

Part Time	<input type="checkbox"/>	Temporary Change of Hours	<input type="checkbox"/>
Job Share	<input type="checkbox"/>	Career Break	<input type="checkbox"/>
Compressed Hours	<input type="checkbox"/>		<input type="checkbox"/>

4. Requested Work Schedule (Complete for Part Time/Job Share /Temporary Change of Hours)

Mon	Tues	Wed	Thurs	Fri

5. How will your requested schedule sustain or enhance your team's ability to get the job completed?

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6. Please describe how your proposal may impact upon your colleagues, and/or workload, and how can this be accommodated.

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Signature			
Print Name		Dated	

Please submit this form to your line manager

For Completion by Manager

Approved	<input type="checkbox"/>	Not Approved	<input type="checkbox"/>
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Please give reasons for any non approval

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Signature			
Print Name		Dated	

Please return to the Executive Assistant together with any relevant documentation



## APPENDIX 1b - APPLICATION TO BUY ADDITIONAL LEAVE

### 1. Personal Details

Employee Name	
Position	
Team	
Line Manager	

### 2. Request

I wish to request the option to purchase ..... days additional annual leave for the leave year .....

If approved, I hereby authorise Central Scotland Valuation Joint Board to make the relevant deductions from my salary.

Signature			
Print Name		Dated	

Please submit this form to your line manager

For Completion by Manager

Approved	<input type="checkbox"/>	Not Approved	<input type="checkbox"/>
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Please give reasons for any non approval

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Signature			
Print Name		Dated	

Please return to the Executive Assistant together with any relevant documentation