

Wiltshire Council Human Resources

Flexible Working Policy (formerly Ways of Working)

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

Wiltshire Council is committed to flexible working and recognises the benefits it can bring to:

The whole organisation	Improved productivity, reduced absenteeism, better recruitment and retention, optimised property estate usage, reduced costs and increased workspace utilisation.
Teams and departments	Increased service flexibility and productivity, better able to meet the equality and diversity agenda
Individual employees	Improved motivation and morale, increased productivity, better work-life balance, reduced levels of stress.
Customers	Shaping services around their needs and concerns.
The environment	Reduced business mileage, lower carbon footprint.

This policy supports managers in developing a more flexible workforce in line with operational service needs.

Go directly to:

[Main principles of flexible working](#)

[How to apply to work flexibly](#) – employees guide

[How to deal with a flexible working request](#) – managers guide

Information about specific flexible working arrangements can be found here (**will be links**):

- [Flexi-time scheme](#)
- [Term time working](#)
- [Part time working](#)
- [Compressed hours](#)

- Job share
- Annualised hours
- Home working
- Time off in lieu

Who is covered by this policy?

All Wiltshire Council employees.

Whilst recognising that some posts lend themselves more easily to flexible working than others, there is an opportunity to encourage innovation, challenge the norm and use flexible working to help us achieve our goal to provide customer focused, inclusive and positive 'can do' services.

In addition please note – parents and carers have the statutory right to request a variation to their contracts so that they can work more flexibly. Requests made under this legislation must be dealt with under the [Flexible Working for Parents and Carers of Adults](#) policy.

What are the main points?

1. Flexible working focuses on outputs and achievements, on “what you do” rather than on “where you do it”.
2. Flexible working relies on a high level of trust between managers and employees and between members of a team.

Initiating flexible working

3. Wherever possible a team approach should be taken, with managers talking to their teams about how flexible working could work for them.
4. Individuals can request flexible working but a team approach must generally be taken when deciding whether the request can be agreed.
5. The decision should be based on feasibility and operational merits alone. Employees do not need to justify their reasons for requesting flexible working.

Team space

6. Flexible working encourages the most efficient use of team space, ensuring employees have access to appropriate equipment but that use of facilities is optimised.

7. Regardless of working arrangements no employee will have ownership of a personal workspace, except in the case of a disabled employee who has had reasonable adjustments made to their workspace. Desk space will be shared.
8. All employees will be expected to maintain a clear desk, meaning that all personal items, paperwork etc. are stored in designated storage areas enabling other people to use the work space.

How does this policy apply to me?

9. If you want to request to work flexibly you should:
 - Consider the flexible working options available. You may want to combine several flexible working arrangements (for example working part time and from home).
 - Discuss flexible working with your manager – it may be more appropriate to discuss options as a team, rather than apply on an individual basis.
 - Complete the form "[Proposal for flexible working](#)"
10. If you agree to work less hours as a result of flexible working you should consider the impact this may have on your pension provision, annual leave, bank holidays, some allowances, sick pay and maternity pay which are pro rata to contracted hours.
11. Your manager will normally hold a [one to one meeting](#) with you to discuss the request within 10 working days of receiving the completed request form.
12. Your manager may also arrange a team meeting to discuss flexible working.
13. Within 5 working days of the meeting you will be notified of the decision. If a decision can't be made within this time period your manager will meet with you to explain why and confirm when a decision will be made.

If your request is agreed

14. Once the arrangement has been confirmed there is no automatic right to return to your original pattern of working. To vary your working arrangement a new flexible working request would need to be made.
15. In certain circumstances such as:
 - a breach of trust,

- operational necessity (such as lack of cover to meet service needs or a service restructure),
 - poor performance,
 - misconduct,
- it is possible to terminate or suspend the flexible working arrangement, without notice.

16. Such action will not be taken unreasonably and will be subject to full discussion with the individual(s) concerned.

If your request is declined

17. You will receive the decision in writing stating:
- the operational ground(s) why the proposal cannot be accepted;
 - an explanation of why the operational reasons apply in the circumstances.
18. You have the right to appeal against the decision in accordance with the council's appeals procedure.
19. There is no further right of appeal against this decision and no other procedure of the council, such as the grievance procedure, can be used.

Line manager responsibilities

20. Ensure equality of opportunity in accessing flexible working – see [guidance notes](#).
21. Promote flexible working within your team and encourage innovative, team-wide approaches to working arrangements. See [guidance notes](#).
22. Consider any individual flexible working requests in a wider team context.
23. Assess requests based on feasibility and operational requirements in accordance with the "[Considering a flexible working proposal!](#)" procedure which contains:
- timescales
 - [one to one meeting guidance notes](#)
 - [checklists](#)
 - [template letters](#) to agree or decline the arrangement
24. Ensure flexible workers have access to the appropriate workspace, facilities, technology and equipment.

25. Ensure that any pre existing reasonable adjustments are maintained for employees who commence flexible working or are provided for new employees, as appropriate.
26. Review office space requirements, ensure desks and equipment are used effectively and that clear desk policies are adhered to.
27. Review the flexible working arrangement within 3 months of the arrangement commencing in line with the [review meeting guidance notes](#).
28. Set clear performance management targets and objectives and hold regular reviews to ensure these are being met.

Note: Formal approval for any flexible working request which increases costs rests with the budget holder

Are there any exemptions?

No posts have been specifically designated as not suitable for flexible working.

However managers must assess the benefits of flexible working and have the right to refuse requests if:

- It is operationally untenable and would adversely affect service delivery.
- Where, for performance management reasons, it is inappropriate for an employee to work flexibly.

Further advice

For further information please speak to your supervisor, manager, service director or contact your HR advisor.

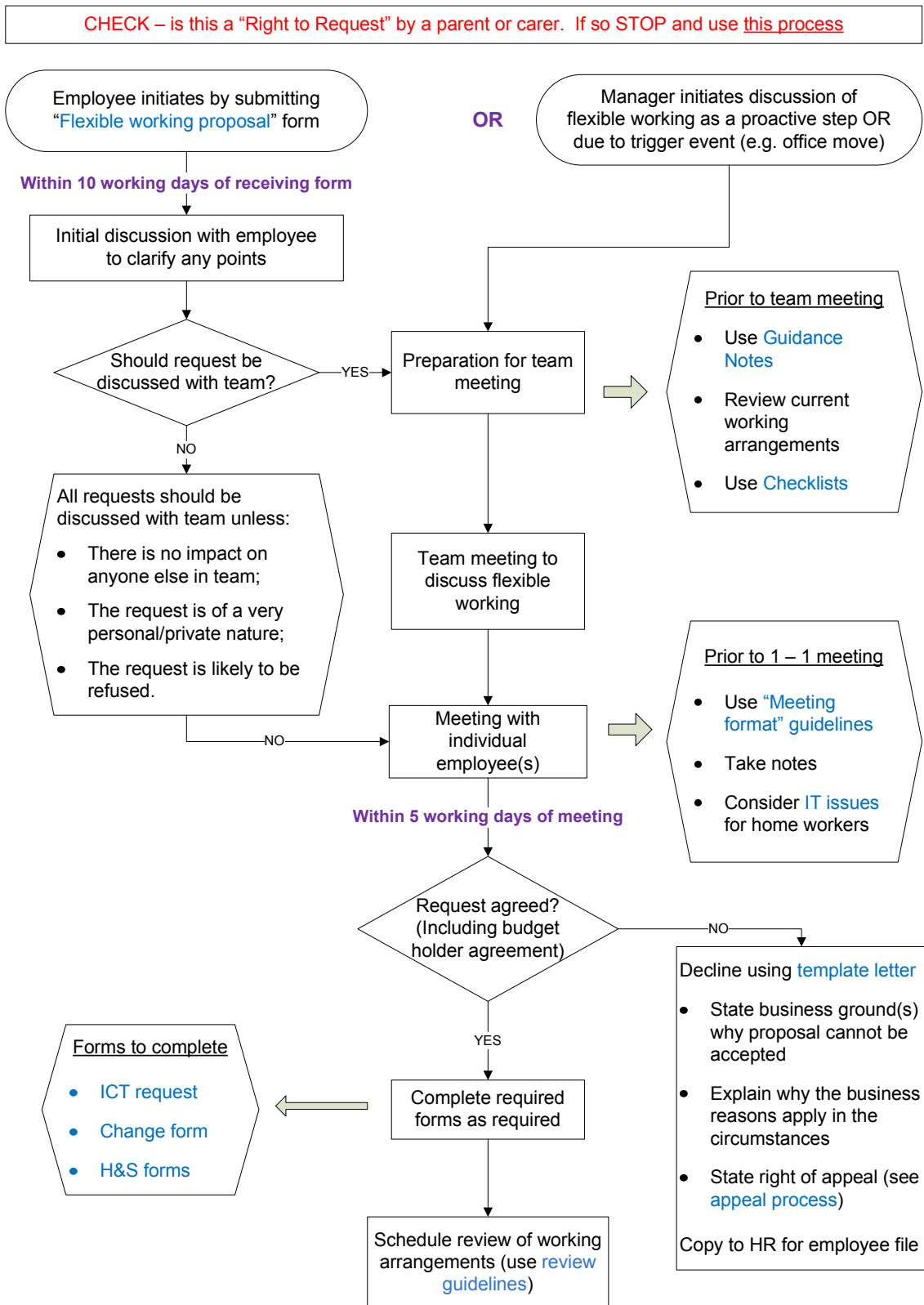
Toolkit

- Considering a flexible working proposal flowchart
- Guidance for managers - talking to your team about flexible working
- Flexible working – checklist for managers
- Proposal for flexible working
- Proposal for flexible working – one to one meeting format
- Template letter – flexible working proposal agreed
- Template letter – flexible working proposal declined
- Flexible working – review meeting format
- Equal opportunities in flexible working – guidance for managers

Policy author	HR Policy and Reward Team – PM
Date last updated	July 2010

Toolkit (all documents in this section will be links from this policy)

Considering a Flexible working proposal flowchart



Guidance for Managers - Talking to your team about flexible working

Flexible working arrangements work best when they are planned for as a team rather than on an ad-hoc basis as individuals request different working arrangements.

Ideally you should be proactive in discussing flexible working with your team but other triggers for having a team discussion include:

- Someone in your team submitting a flexible working proposal
- An office move
- A re-structure within the team

Preparation

- Make flexible working the focus of the whole meeting and plan enough time to discuss it fully.
- Let your team know the topic of the meeting so they can start to think about it. Explain that it is about fact-finding and discussion – nothing will be “imposed” on them
- Give them access to the relevant policies and guides and ask them to read them prior to the meeting
- Do your own preparation – complete the [checklist](#), understand current working arrangements in your team and try to anticipate the main concerns of team members.
- Find out what other teams in your department / area do – it may give you some ideas and real life examples to share with your team

Meeting

- Acknowledge that there may be concerns about discussing flexible working.
- Make flexible working accessible – many people think of “home working” when you talk about flexible working but you could start by talking about arrangements already used in your team (part time, flexi-time, time off in lieu etc.)
- Review how these arrangements are currently working and if anyone has any ideas about how to make them work better / differently
- Discuss other flexible working arrangements and whether you feel they could work in your team, outline the advantages for the organisation, team, individual and customers.

Outcomes

- If the outcome of the meeting involves individuals changing their working arrangements you should have one to one meetings with them to discuss the details and to ensure they understand all of the implications (follow the [“Considering a flexible working proposal”](#) flowchart).

If have any queries please contact your HR advisor

Flexible working – checklist for managers

As a manager you should consider how flexible working might impact on these key areas

+	it has a positive impact
N	it has no impact
-	it has a negative impact

Consider the impact on:

+ N - Notes

The organisation – could it help:

- to optimise property estate usage?
- to increase workspace utilisation?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Your team - would it enable you to:

- offer a more flexible service or improve productivity?
- meet the needs of a specific equality group more effectively?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Individual employees – could it improve:

- motivation and morale?
- work-life balance?
- stress levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Your customers (internal and external) – will you be better able to provide

- services that are shaped around their needs?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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The environment – will it reduce:

- business mileage?
- carbon footprint?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Any flexible working arrangements which are put in place should have a positive or neutral impact in all of these areas. If there are areas where flexible working will have a negative impact you should consider ways to prevent this impact.

PROPOSAL FOR FLEXIBLE WORKING

Use this form to make an individual request for flexible working arrangements to be considered.

This will form the basis of a discussion with your line manager.

Full name	
Job title	
Team & department	
Contact details	
Line manager	

Outline your current working arrangements:

- hours and days of work
- any current flexible working arrangements (e.g. working from home)

Outline the proposed new working arrangements:

For example

- Changes to hours (flexitime/part time/term time/annualised/compressed)
- Other flexible arrangements (home working/job share)

What are the benefits of this option (include personal and organisational)?

What would you expect the likely impact of this request to be operationally?

Are there any other factors which your line manager should consider prior to discussing this request with you?

Employee signature: _____

Date: _____

Proposal for Flexible Working – One to One meeting format

Discuss **proposal** considering:

- Impact on present service, standards and arrangements
- Impact on other team members
- Costs associated (e.g. equipment)
- Benefits to individual, team and customers

Discuss any **problems** which could be encountered and how they would be overcome – for example:

- communications
- access to information
- customer access

Consider **equipment / IT requirements** – for example:

- Mobile phone
- Smartphone
- Home email access via a Crypto card
- Laptop

More information about these can be found in the [ICT service catalogue](#)

Consider **access** to

- Intranet and internet (if the employee will be working from home do they have broadband)
- electronic files and folders (word documents, excel spreadsheets)
- emails/calendars (either from home or on the move)
- back office applications (databases)
- confidential information – consider format and how it will be kept secure
- hot desks / work space

Consider **suitable start date** – leave enough time for any assessments required (e.g. risk assessment for home working), equipment ordering and set up.

What happens next?

Keep notes of this meeting on file.

If you are not the budget holder their approval must be sought prior to agreeing any change to working arrangements which will increase costs.

You must inform the employee of the outcome – i.e. whether you can agree to the proposal, within 5 days of this meeting.

Return to “[Considering a Proposal for Flexible Working](#)” flowchart for next steps including letter templates.

Template letter – flexible working proposal agreed

PRIVATE AND CONFIDENTIAL

NAME
ADDRESS

DATE

Dear **NAME**

Confirmation of flexible working arrangements

Further to our meeting on **DATE** I confirm that, effective from **DATE** your new working arrangements will be:

Insert full details of revised working arrangements

IF THIS IS A VARIATION TO CONTRACT USE THIS PARAGRAPH

As discussed, whilst this variation is on a permanent basis, the needs of the service may in the future require a review of work patterns making amendment necessary. Any proposed changes will be subject to full consultation with you.

IF HOURS OR PAY ARE REDUCING USE THIS PARAGRAPH

I understand that you are aware of the short and long term implications of this new arrangement in relation to your terms and conditions of service and entitlements under the Local Government Pension Scheme.

If you are in agreement with details above, please sign and date the declaration below and return it to me, this will be retained on your file. A copy is enclosed for your records

Yours sincerely

NAME
JOB TITLE

I agree and accept the agreed variation to my terms and conditions of employment as detailed above.

Signed: Date:

Template letter – flexible working proposal declined

PRIVATE AND CONFIDENTIAL

NAME

ADDRESS

DATE

Dear **NAME**

Flexible working proposal

I write further to our meeting on **DATE** at which we discussed the flexible working arrangement that you proposed, namely:

- **ADD DETAILS**

Following careful consideration I am unable to agree to this proposal due to:

- **OUTLINE OPERATIONAL REASONS AND WHY THEY APPLY**

I hope that you understand the reasons for your proposal being declined, however you do have the right to appeal the decision.

I enclose the council's appeal procedure which includes the form for you to use if you wish to appeal.

If you have any further queries please do not hesitate to contact me.

Yours sincerely

NAME

JOB TITLE

Enc. Appeal procedure

Flexible Working – review meeting format

At any review it is important for the employee and manager to share their views about how the flexible working arrangement is going:

Employee view:

Is the arrangement working as expected?

Is there anything they expected to happen which hasn't happened?

Have they encountered any problems as a result of the new arrangements?

How do they feel it has impacted on their relationship with colleagues / customers?

Manager view:

Is the arrangement working as expected?

Have there been any consequences of the arrangement which were not envisaged before it started?

Have there been any impacts (positive or negative) on the rest of the team?

Has there been any impact on the employee's ability to meet work objectives?

Outcomes:

At the end of the meeting the manager and employee will need to agree whether:

- The arrangement will continue with no changes
- The arrangement can continue but there are some actions to be taken. These should be outlined and timescales agreed

Rarely, having made changes and explored all the options, it may be felt that the arrangement is not working and cannot continue.

HR advice should normally be sought prior to making a decision to end a flexible working arrangement unless it is with the agreement of the employee.

Guidance for managers - equal opportunities in flexible working

Equality is not about everybody being treated in exactly the same way; it is about everybody having equal opportunities and removing barriers that stop this from happening.

Managers have a responsibility to consider whether:

- there are barriers preventing people from particular groups from applying for or undertaking flexible working;
- there are groups for whom certain forms of flexible working (e.g. home working) would be particularly beneficial.

Remember that where an employee has a [protected characteristic](#) as defined by the Equality Act 2010 we have a duty to make reasonable adjustments.

Some examples of ensuring equality in flexible working include

- Making employees aware of the different types of flexible working available.
- Considering some re-design of roles to enable employees to work flexibly.
- Considering flexible working requests from employees with a disability as possible “reasonable adjustments” and accommodating them wherever it is operationally feasible.
- Ensuring that, where a workstation has been adapted for an employee with a disability, they are able to use it whenever they are in the office even if the rest of the team are “hot desking”.

Further advice

We have two staff forums where staff can network and support each other:

Staff disability forum

If you have a disability or hidden impairment, your experiences will be valued in the forum. Members meet every other month to share information and resolve practical issues related to disability, as well as acting as a consultation group.

Black and minority ethnic forum

The forum is open to all employees across the council who consider themselves to be BME as well as other individuals who may be subject to discrimination and harassment on the basis of their own ethnicity, nationality or faith, or of those with whom they are associated. They also act as a consultation group.

Contact the [equality and diversity team](#) for information about accessing these forums.

Access to Work

When considering reasonable adjustments for disabled employees [“Access to work”](#) can provide advice and support to both employees and managers. Contact by telephone 02920 423 291 or textphone 02920 644 886.

More information

The council's [equality and diversity team](#) are happy to offer support on equality issues affecting any groups of staff.

Individual employees with queries can contact their HR advisor.

Protected characteristics

Protected characteristics as defined by the Equality Act 2010 are:

Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment - The process of transitioning from one gender to another.

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Marriage and civil partnership - Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and maternity - Pregnancy is the condition of being pregnant. Maternity refers to the period of 26 weeks after the birth, which reflects the period of a woman's ordinary maternity leave entitlement in the employment context.

Sex - A man or a woman.

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.