

## Work Life Balance and Flexible Working Policy

<b>Contents</b>	<b>Page Number</b>
<b><u>Section 1</u></b>	
1. Introduction	2
2. Application and Purpose	2
3. The Business Need	2
4. Statutory right to request flexible working	3
5. Other flexible working options	4
6. Records	3
7. Temporary periods of working flexibly	4
<b><u>Section 2 – Flexible Working Options</u></b>	
1. Career Breaks	5
2. Compressed Hours	5
3. Flexible Working Hours Scheme	5
4. Homeworking	6
5. Part-time working	6
6. Job-share arrangements	6
7. Flexible Retirement	7
8. Term-time working	7
9. Voluntary reduction of hours	7
10. Flexible Working Application Form	8
<b><u>Section 3 – Time off from Work</u></b>	
1. Adoption Leave	9
2. Carers' Leave	9
3. Emergency Care of Dependants	9
4. Fertility Treatment	10
5. Foster Care Leave	10
6. Maternity Leave	11
7. Maternity Support Leave	11
8. Parental Leave	11
9. Paternity Leave	12
10. Special Leave for Personal Reasons	12
11. Other Leave	13
Appendix 1 – Application Form	14

## **SECTION 1.**

### **1.0 Introduction**

- 1.1 Central Bedfordshire Council recognises the importance of supporting employees balance their home and work life and has a range of policies to give employees the flexibility to manage work duties alongside personal lifestyles and responsibilities. .

The Council is committed to move towards more flexible working practices. The broad thinking behind this is to work more effectively whilst helping employees balance their commitments, but also making sure that staffing capacity remains in line with the needs of the business. Flexible working can mean different things, for example it can:

- Help the Council work more efficiently and effectively.
  - Help reduce unnecessary travel and thereby reduce the Council's carbon footprint.
  - Mean that it is effective to work at home or at another work location occasionally.
  - Help achieve office space savings.
  - Help employees manage their work/life commitments.
- 1.2 There is a statutory right to *request* a flexible working pattern for employees who have certain parental responsibilities as well for employees who care for certain adults. However, the Council recognises that the need to work flexibly is not confined to any one particular group and has extended the opportunity to *request* to work flexibly to all employees.
- 1.4 The Council is committed to ensuring that this policy does not discriminate directly or indirectly on grounds of race, colour ethnic or national origin, religion or belief, sex, sexual orientation, marital status, disability, age, trade union membership and activity.

### **2.0 Application and Purpose**

- 2.1 This policy applies to all employees on Central Bedfordshire terms and conditions. Certain flexible working options will have criteria attached and these are set out below or in the appropriate guidelines.
- 2.2 The purpose of this policy is to set out the different policies, procedures and arrangements in place within the Council to support work life balance.
- 2.3 An important element of this Policy is to support the Green Travel Plan which will help to reduce the environmental impact of everyone travelling to work on the same days and at the same time.

### **3.0 The Business Need**

- 3.1 Although Central Bedfordshire Council is committed to providing the widest possible range of working patterns, both management and employees need to be realistic and recognise that the full range of flexible working options will not be appropriate for all jobs across all areas of the business.
- 3.2 Where some form of flexible working is proposed, the Council will need to take into account a number of criteria including (but not limited) to the following:
- The cost of the proposed arrangement
  - The effect of the proposed arrangement on other staff
  - The level of supervision/management required
  - The structure of the Group and staff resources
  - Other issues specific to the individual's Group

- Workload of the job
- Resourcing implications
- Health and Safety implications
- The need to provide cover during the working day.
- The employee's ability to carry out the job.

#### **4.0 Statutory right to Request Flexible Working**

4.1 There is a statutory right for employees to request a flexible working pattern if they:

- Have or expect to have parental responsibility of a child aged 16 or under or a disabled child under 18 who receives Disability Living Allowance (DLA)
- Are the parent/guardian/special guardian/foster parent/private foster carer or as the holder of a residence order or the spouse, partner or civil partner of one of these and are applying to care for the child.
- Are a carer who cares, or expects to be caring, for an adult who is a spouse, partner, civil partner or relative; or who although not related to the employee, lives at the same address as the employee.

4.2 Under the law the Council must seriously consider any application made and only reject it if there are good business reasons for doing so. Employees have the right to ask for flexible working - not the right to have it.

4.3 Where employees qualify for the statutory right to request flexible working, the requirements set out by the legislation must be adhered to.

4.4 The Guidelines on Statutory Flexible Working and application form are available from the Intranet or Human Resources.

#### **5.0 Other Flexible Working Options**

5.1 The Council has extended the facility to request flexible working to all employees, subject to the requirements of the service. This additional facility will be at the discretion of line managers following consultation with their Head of Service and HR Business Partner. It must be noted that the Council has no legal obligation to consider applications other than those covered by the paragraphs above. However, the Council is committed to developing Work Life Balance for all employees and will consider applications from all employees.

5.2 Examples of flexible working arrangements are set out in *Section 2* of this document. Examples of time off from work which aim to help employees balance work commitments and personal circumstances are set out in *Section 3*.

#### **6.0 Records**

6.1 It is important that a written record and copies of all correspondence are retained by the line manager throughout the application process.

6.2 At the final stage of the application copies of *all* relevant forms and any other correspondence (e.g. extension of time limit records, letter of appeal etc) should be forwarded to Human Resources so that:

- Any contractual change can be actioned and pay adjustments made.
- Copies of correspondence are retained on the employee's personal file.
- Data can be obtained to assess the level of take up of each stage of the process.

## **7.0 Temporary periods of working flexibly**

- 7.1 In some circumstances a permanent change to an employee's contract of employment may not be the best solution for them. In such circumstances the manager might consider that a temporary period of flexible working, agreed informally, might be appropriate. The temporary period would not normally exceed 3 months. Alternatively, the manager and employee might agree to a time-limited change after which they would revert back to the original pattern.
- 7.2 The manager must ensure that Human Resources are informed of any temporary changes to the employee's contract of employment.

## **SECTION 2**

### **FLEXIBLE WORKING OPTIONS**

Most applications to work flexibly will be adjustments to the hours and days worked in a specific post. However, there are a number of other options that will be considered under this procedure. The following gives examples of flexible working but given the diversity of jobs and working practices with the Council, it is not possible to have an exhaustive list and employees may request consideration of alternative flexible arrangements.

#### **1.0 Career breaks**

- 1.1 Career breaks allow an employee an extended period of time away from paid work where possible, with a return to the same or a similar job at the end of the time.
- 1.2 Career breaks of between six months and two years may be requested. A career break will only be agreed if adequate cover arrangements can be made.
- 1.3 . The period of break will count as leave of absence and an employee's service prior to the break will be protected. Annual leave will not accrue during the period of absence covered by the career break.
- 1.4 Employees will be required to pay pension contributions on the first 30 days of unpaid leave and this will be deducted from the last payment of salary before the start of the career break. Following the career break, employees can elect to pay back the contributions for the period of their absence and they will maintain their full pension benefits. If the employee elects not to continue paying contributions, this period will not count towards membership of the pension scheme.
- 1.5 The Career Break Guidelines and application form are available on the Intranet or from Human Resources.

#### **2.0 Compressed hours**

- 2.1 Compressed working hours permit employees to work their total number of contractual hours over fewer working days. Either a five day week is compressed into four and a half days, or a 10 day fortnight into nine days.
- 2.2 Where more than one employee within a team wishes to work compressed hours, a rota may be necessary to ensure fairness as some days (usually Monday and Friday) will be more popular choices for time off.
- 2.3 An employee would have a 'normal' half day or day off, but that would be subject to change depending on the needs of the team and, for example attending meetings and workload.
- 2.4 The employee will work an equal number of additional hours each day to make up the time.

#### **3.0 Flexible Working Hours Scheme**

- 3.3 A Flexible Working Hours scheme is currently in operation for employees of the Council. This scheme aims to give employees some freedom to arrange their working hours to suit their own commitments or to avoid the rush hours. The scheme applies to all employees who are covered by NJC conditions of service except those whose duties make flexibility impractical. Exclusions to the scheme will be decided by Directors and new employees will be advised if their post is covered by the scheme. It is a fundamental requirement of the flexitime scheme that the efficiency of the Council and levels of service provided are maintained. Employees are expected to co-operate with the need to ensure minimum staffing levels are maintained during the normal working day, including the lunch period and other breaks, to facilitate contact with the public and other customers. This scheme will continue to operate alongside other flexible working arrangements provided the duties of the post do not make flexibility impractical.

## **4.0 Homeworking**

- 4.1 Generally speaking any job which does not require time spent in one location for example to operate machinery or to deliver direct customer care, and which is capable of being managed by objectives and defined outputs, may be adapted for home-working.
- 4.2 Homeworkers are employees of the Council with the same contractual rights as other employees. They have the same terms and conditions except where specifically varied in relation to place of work.
- 4.3 Homeworking arrangements may be formal or informal. Informal arrangements should be short term only, for example to enable an employee to work undisturbed at home on a particular project, or to cater for the short term personal needs of an employee.
- 4.4 The Council's Homeworking Guidelines refer to formal arrangements for homeworking and approval for formal homeworking for suitable posts must be within the provisions of this scheme. The Guidelines and Homeworking Pack are available on the Intranet or from Human Resources.

## **5.0 Part-time working**

- 5.1 The Council offers a range of part-time and term-time posts in line with the needs of the service. Additionally, full-time employees may request to work part-time at particular points in their career. Managers should carefully consider such requests taking into consideration:
  - operational needs
  - the needs of the employee
  - whether the post can be split
  - whether workloads or responsibilities can be allocated differently
  - whether more flexible working hours can be agreed if part-time work is not possible
  - whether an alternative part-time post may be available.
- 5.2 If the manager decides that part-time work is not an option they should contact their designated HR Officer to ensure that all options have been considered and that the reasons for the decision are clear and recorded.

## **6.0 Job Share Arrangements**

- 6.1 A job share is a formal arrangement where two people voluntarily share the responsibilities of one full time post, with the salary and leave entitlement allocated on a pro-rata basis. Full details of how Job Share can be arranged are to be found within the Job Share Guidelines but key points are as follows:
  - Job Share requests can be received either through application for vacant posts or through applications from existing employees to job share their current post.
  - The pattern of work and the respective allocation of tasks and responsibilities can be arranged in line with the needs of the service and the individuals concerned and every effort should be made to ensure that these are done equitably.
  - The Head of Service will make decisions concerning requests for job share in consultation with their designated HR Manager
  - There is no automatic right to job share but an unjustifiable refusal to allow a job share not based on business needs, may be viewed as discriminatory under the Sex Discrimination Act.

- The Council reserves the right to review the job sharing arrangement should it cease to meet the needs of the service. Such a review would be carried out in consultation with the job share partners and with the designated HR Officer.

6.2 The Job Share Guidelines and application form are available on the Intranet or from Human Resources.

## **7.0 Flexible Retirement**

7.1 Within the regulations of the Local Government Pension Scheme (LGPS), there is discretion for employees to request to voluntarily reduce their grade and of hours or work, on a permanent basis with adjustment to pay, coupled with receipt of their accrued pension benefits and the option to continue paying into the pension scheme. Whilst the Council is required to have a written policy on Flexible Retirement the discretion remains with the Council with regard to the application of the policy.

7.1.2 The employee must be of minimum pensionable retirement age currently 50 (55 from 01/04/2010).

7.1.3 All requests will be subject to operational considerations and the reduction of grade/hours should be of substance. Reduction in hours should normally be a minimum of 40% for both full and existing part-time employees. The employee should normally identify a suitable *lower* graded post to which they are appointed on merit. This could be either within their own Directorate or elsewhere in the Council.

7.1.4 In some instances there may be a financial strain to pension fund and this cost will need to be paid from the Service budget should the flexible retirement be agreed. Full information is set out in the Guidelines.

7.1.4 The Flexible Retirement Guidelines and application form are available on the Intranet or from Human Resources.

## **8.0 Term-Time Working**

8.1 Term-time working is an arrangement whereby employees work during term-time only, usually 38 weeks a year, although some employees may work more weeks depending on the need of the service.

8.2 There are different ways in which term-time working can be implemented:

- The employee is given unpaid leave of absence during school holidays. The annual salary is reduced accordingly to the amount of unpaid leave required and is paid at the same monthly rate throughout the year; or
- The employee can choose to use annual leave during school holidays thereby reducing the amount of unpaid leave needed.

8.3 Term time working is an agreed variation to the contract of employment.

## **9.0 V-Time (Voluntary Reduction of Hours)**

9.1 V-time is where an employee reduces their contractual hours for a short period of time, normally not exceeding 3 months, and then returns to their previous contractual hours. This could assist with short term domestic problems or assist with dedicating time to studying. Pay and conditions are changed during the period of V-time, but there is a guarantee that the previous contractual hours can be resumed at the end of the agreed period.

## **10.0 Flexible Working Application Form**

- 10.1 Employees who wish to be considered for flexible working should complete the form at *Appendix 1* and submit to their line manager for consideration. Managers should aim to consider and reply to the employee within 28 days of application, although there may be occasions when this will not be practicable.
- 10.2 Managers will consider the effect of the request upon the service area, customer/clients and the employee's colleagues, in particular the impact if more than one employee in a specific area works flexibly.
- 10.3 All applications that are accepted will be permanent, subject to the requirements of the service area. However, if an employee requests a short term arrangement for a specific reason this will be considered.



## **SECTION 3**

### **TIME OFF FROM WORK**

Flexible working options contribute significantly to improving the working lives of employees. Additionally, but of equal importance are the arrangements in place for employees to take leave in order to balance work commitments and personal circumstances.

Line Managers are responsible for supporting time off in these situations, recognising that employees are individuals and their personal circumstances deserve individual consideration. Human Resources are able to provide support and guidance to employees and managers whenever they feel it is appropriate.

#### **1.0 Adoption Leave**

- 1.1 The Council's Adoption Leave scheme aims to assist employees who adopt a child and to allow them to be with the child for a settling in period. This policy applies to anyone who has a child placed with them for adoption.
- 1.2 The entitlement to adoption leave is up to a maximum of 52 weeks in total for each child adopted, dependent upon length of service. There may also be entitlement to adoption pay.
- 1.3 An employee will have the contractual right to return to work following adoption leave.
- 1.4 The Adoption leave Guidelines and application form are available on the Intranet or from Human Resources.

#### **2.0 Carers' Leave**

- 2.1 Central Bedfordshire is the lead organisation for supporting local carers. We recognise that 1 in 8 of employees also have caring responsibilities outside of work and we are committed to enable you to continue working and caring.
- 2.2 The term 'carer' means those who provide care for others on an unpaid basis, as distinct from those who are paid (for example home carers, care workers etc). Carers help those who are ill, frail or disabled to live as independently and with as much dignity as possible.
- 2.3 To be eligible for carer's leave, the employee must live at the same address as the person they are caring for.
- 2.4 In such circumstances the manager might consider that a temporary period of flexible working, agreed informally, might be appropriate. Alternatively, annual leave, flexitime or unpaid leave may be considered.
- 2.5 The manager must ensure that Human Resources are informed of any temporary changes to the employee's contract of employment.

#### **3.0 Emergency Care of Dependants**

- 3.1 Employees have a statutory entitlement to unpaid time off for dependants. This right allows employees time off to deal with an emergency involving a dependant in the following circumstances:
  - To help out, or make arrangements when a dependant falls ill, is injured or assaulted, this includes where a dependant has not been physically injured but is distressed, for example as a result of a mugging incident;
  - To help out when a dependant gives birth (see Maternity Support Leave)

- To cope when arrangements for caring for a dependant break down unexpectedly, for example where a nurse or carer fails to arrive as arranged or where a nursery is unexpectedly closed;
- To deal with the consequences of a death of a dependant. (See Special Leave, paragraph 9).
- To deal with an unexpected, serious incident at school, or during school hours, for example where a child has been involved in a fight, injured at school or is being suspended from school.

3.2 Employees should be allowed time off to deal with emergency situations as they arise and make alternative arrangements for care. For most cases up to 1 day's leave, should be sufficient to deal with the problem. This should be taken as annual leave, flexi-time or unpaid leave.

3.3 The Guidelines on Emergency Care of Dependants are on the Intranet or from Human Resources

#### **4.0 Fertility Treatment**

4.3 The Council recognises that fertility treatment is a stressful and emotionally demanding experience.

4.4 To support employees who are undergoing treatment personally, we will allow up to a maximum of 5 days' paid leave overall for investigations or treatment. These days may be taken as a block or separately as necessary. 3.5 To be eligible for leave for fertility treatment, employees must have been continuously employed by the Council for at least 26 weeks.

4.6 The employee should provide their manager with a letter from the hospital/clinic where the employee is being treated. This letter should state the expected week and the duration of the investigations or treatment.

4.7 Request for leave for fertility treatment will be treated in the strictest confidence.

#### **5.0 Foster Care Leave**

5.1 The Council values the contribution to the community made by foster parents and the commitment of employees who provide foster care for children. To support employees to make the necessary arrangements to receive the child being fostered, and to settle them into the family home, a maximum of 2 days' paid leave will be allowed following a formal fostering arrangement. This arrangement is only applicable to long term fostering, which would not normally be less than 6 months.

5.2 To be eligible for Foster Care Leave staff must have been continuously employed by the Council for at least one year.

5.3 If you require leave for foster care, you should notify your line manager at the earliest opportunity and provide relevant documentation in evidence of the arrangement.

5.4 Foster Care Leave is available for fostering children through the Local Authority or other recognised agencies and normally does not apply to the short or long-term care of children who are family members. However, foster care leave may also be available to members of staff where children of very close relatives would otherwise have to be fostered or go into local authority care for a period not normally less than 6 months.

## **6.0 Maternity Leave**

- 6.1 The Council has Maternity Leave Guidelines which set out both Statutory and Contractual/Occupational benefits for pregnant employees. The precise entitlements will depend on the employee's length of service.
- 6.3 The Maternity Leave Guidelines and application form are available on the Intranet or from Human Resources.

## **7.0 Maternity Support Leave**

- 7.1 Maternity Support Leave (MSL), of 5 days with pay shall be granted to the child's father, the partner or nominated carer of an expectant mother at or around the time of birth. A nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother.
- 7.2 All employees regardless of their length of service are entitled to maternity support leave provided they meet the requirements outlined below.
- 7.3 The granting of MSL is subject to the following conditions:
- Applications must be made in writing to the employee's line manager and should declare that the employee is the nominated carer.
  - Applicants should give as much notice of their request for MSL as circumstances allow.
  - Submission of medical advice of the expected date of childbirth.
  - The timing of the MSL should be agreed in discussion with the line manager and should normally be completed within 56 days of the birth. Where a child is born early, MSL can be taken any time between the actual date of the birth and the end of the 56 day period running from the Sunday of the week the baby was originally due.
  - The expectant mother is not receiving any care and support from any other person in respect of her confinement.
- 7.4 MSL can only be taken once in any 9 month period.
- 7.5 MSL may count towards, but may not be taken in addition to parental or paternity leave.
- 7.6 The scheme also applies in the case of adoptive fathers, partners or nominated carers and shall be granted at or around the time of the initial placement. The MSL should normally be completed within 56 days after the placement of the child with the prospective adoptive parents.

## **8.0 Parental Leave**

- 8.1 Parental Leave is the statutory right of any parents who have a child under 5 (18 if disabled). Key characteristics are as follows:
- Employees should have worked for the Council for 12 months to qualify
  - The full entitlement is 13 weeks for each eligible child
  - A parent may take up to 4 weeks in any one year
  - Parental leave may be taken in complete weeks
  - Parental leave is unpaid
  - Parents should give at least 21 days notice of their intention to take parental leave
  - If the Line Manager considers that the absence would be unduly disruptive then he/she can postpone parental leave for up to 6 months but must give reasons in writing for doing so

8.2 The Parental Leave Guidelines and application form are available on the Intranet or from Human Resources

## **9.0 Paternity Leave**

9.1 The Council allows 5 days' paid paternity leave per child to all fathers (natural or adoptive) who have been continuously employed by the Council for a period of 12 months before the expected week of confinement or, in the case of adoptive fathers, before the expected week of placement. Paternity leave will be paid at the rate of statutory paternity pay (SPP) or 90% of average weekly earnings if this is less than SPP. This is the same as the standard rate of statutory maternity pay.

9.2 The leave must be taken from the actual date of birth or placement of the child.

9.3 In certain circumstances, the line manager may use their discretion in allowing a delay in the start of the paternity leave. This would typically be requested when mother and child are unable to leave hospital for a period and require care on their return home.

9.4 In cases where fathers need extended leave at the point of the birth or placement of the child their request should be dealt with under the Parental Leave Guidelines.

8.5 The Paternity Leave Guidelines and application form are available on the Intranet or from Human Resources.

## **10.0 Special Leave for personal reasons**

10.1 If an employee needs time off to cope with a situation that doesn't fall under the 'time off for dependants' right (see paragraph 2.0), they may have a right to time off under the Council's Special Leave scheme.

10.2 Special leave is somewhat difficult to define, but would normally be applied to necessary absence from work when a close relative has died or is terminally ill; (previously referred to as 'Compassionate Leave') or for other serious personal difficulties, which arise unexpectedly or suddenly.

10.3 Where leave is requested due to the death of a close relative, paid leave up to 5 days may be granted at the discretion of the line manager who will take into account the specific circumstances of the request. These could include such activities as arranging the funeral; dealing with matters relating to the estate of the deceased or travelling to attend the funeral etc.

10.4 Managers may approve reasonable periods of annual leave, flexi-time or unpaid leave of absence for employees who request time off to care for terminally ill/chronically sick relatives.

10.5 For domestic emergencies such as house fire, burglary etc., up to 1 day's paid leave may be granted at the discretion of the line manager. The provision for such paid leave is to allow the employee enough time off to make alternative arrangements and return to work.

10.6 The Special Leave guidelines are available on the Intranet or from Human Resources.

## **11.0 Other Leave**

11.1 In addition to the time off for work set out above the Council has a number of other schemes that allow employees to take time off work.

11.2 These include:

- Appearance as a court witness
- Interviews with other Public Sector Bodies
- Local Authority Member leave
- Magistrate's leave
- Professional Study leave
- Time off for Public Duties

11.3 Further details of these and other schemes can be obtained the Intranet or from Human Resources.



**3. Impact of the new working pattern**

I think this change in my working pattern will affect the Council, my section / team and colleagues as follows:

I have discussed this application with my colleagues in my team.

**4. Accommodating the new working pattern**

I think the effect on the Council, my section / team and my colleagues can be dealt with as follows:

Signed:	
Print name:	
Date:	

Appendix 1

**NOW PASS THIS APPLICATION TO YOUR MANAGER**