

Flexible working is a term used to describe a wide range of work patterns which encourage you to have a healthy work life balance. Flexible working allows you more freedom to organise your work to fit in with other parts of your life.

The council has a suite of flexible working options which are voluntary for Leeds City Council employees and have been developed in partnership with trade unions.

Flexible working means all employees can request a change in:

- The hours they work
- The times of day they work
- Where they work

Flexible working is about treating people fairly.

### **How do you make a request for flexible working?**

If you are seriously thinking about changing to a flexible working pattern you should speak to your line manager in order to explore what opportunities might be available.

You should then complete a flexible working application form giving as much information as you can. Your manager will make sure your request is considered seriously and discuss the outcome with you. Your manager may refuse a request but this would only be where there is a recognised business reason for doing so.

See the last page in this document for an overview of the application process and timescales.

**Note:** A change to your working pattern may affect your pension. See page 15 for further information.

### **Annualised Hours**

Annualised hours working is a system whereby the period of time which you must work is defined over a whole year. You agree with your manager and commit to a number of hours and an agreed pattern of working over a 12 month period as determined by the needs of the service.

Access to the provisions will be discretionary and will depend on operational and service requirements

### **What are the benefits?**

- The council would be able to retain skilled and experienced employees
- Help you to achieve work life balance
- Increase service flexibility to cope with local seasonal demands
- Have greater cost effectiveness due to the reduction or elimination of overtime

### **Requirements for applying to work annualised hours**

Any council employee can apply to work annualised hours. You would need to complete a flexible working request form and give it to your manager. Any such arrangement must be compatible with departmental and customer or client needs.

### **Things to consider**

- The needs of the organisation
- The health and safety of the individual and the health and safety of other colleagues
- Any obligations under the working time directive

### **Managers responsibility**

When considering a request for annualised hours managers should:

- Implement appropriate arrangements to monitor and record hours worked
- Agreeing and implementing effective means of communication to ensure contact is maintained at all times
- Consideration of situations where employees find it difficult to meet other commitments, for example dependant care if required to work at short notice
- Consider employees safety, health and welfare
- Have a duty of care to ensure all employees are consulted on any change in working practices
- Monitor workloads to ensure equal distribution

## **Employees responsibility**

You should make every effort to:

- Request annual leave well in advance
- Communicate with managers within the agreed timescales to discuss objectives, performance and workload
- Be available for any training and development as required

## **Reaching the decision**

The decision whether to agree a request to work annualised hours will be based on the impact on service delivery and the practicality of any revised working arrangements. Before making the decision managers should inform and consult with any affected members of staff.

Annualised hours may be initially agreed for a temporary monitoring period, if it is decided that the needs of the service are not being met then you would revert back to your normal working pattern and contracted hours. Any ongoing arrangement would remain a temporary variation.

You and your manager must ensure that the hours you agree to work do not contravene the working time regulations. A system of agreed working time needs to be established and every effort should be made to make sure that working time is monitored and that excessive debits and credits are agreed and can be managed.

## **Compressed hours**

Working compressed hours gives employees who work full time the option to work their contracted hours over a shorter period than the normal five day working week.

Working four longer days instead of five standard days or a nine day fortnight are common arrangements.

## **What are the benefits?**

- For the council to be able to retain skilled and experienced employees
- Help employees achieve work life balance
- Enable the organisation to extend cover or services on some working days
- Improved morale and motivation

## **Requirements for applying to work compressed hours**

- Any council employee can apply to work compressed hours under the council's flexible working scheme. An application must be made through your manager
- Any such arrangement must be compatible with service, customer and client needs and the arrangement should not place extra work on colleagues
- If the arrangement will mean that work is performed at unusual times without supervision then performance should be measured against clear objectives and targets
- Access to the provisions will be discretionary and will depend on both operational and service requirements

## **Reaching the decision**

The decision of whether to approve a request to work compressed hours will be based on the impact on service delivery and the practicality of any revised working arrangements. Before making the decision managers should inform and consult with any members of staff who are affected by this arrangement.

## **When a compressed hours arrangement has been agreed**

### **Managers responsibilities**

Managers must monitor the arrangement to ensure that the arrangement is working as expected. Care must be taken to ensure the employee does not work for long periods that could lead to excessive fatigue or be in contravention of the working time regulations.

### **Employees responsibilities**

- An employee must maintain the agreed working hours
- Have consideration for colleagues in relation to their working patterns
- Take responsibility for their own work and make sure their own work is not left for others to complete

## **Employment break**

An employment break is an authorised unpaid break from the workplace. This break in service could be for any period from two months up to three years. This could be to look after family or friends, travel or undertake full time education or training. This should not be used for sustained regular work or financial benefit.

### **What are the benefits?**

- For the council to be able to retain skilled and experienced employees
- Renewed stamina and energy on return from the break
- Benefit from additional training or development
- Help employees achieve work life balance
- May help someone undertake an appropriate full time qualification

### **Requirements for applying for an employment break**

Any council employee can apply for an employment break providing they have no less than two years service with Leeds City Council at the start of the employment break. An employment break should not commence when long term sickness, capability or disciplinary issues are on-going or pending.

Access to the provisions will be discretionary and will depend on operational and service requirements. There is no limit on the number of employment breaks an employee can request, but there should be a period of no less than two years between each one.

### **Things to think about when making a decision to apply for an employment break**

- Terms and conditions - continuous service including entitlements (for example, sickness, holiday, notice and redundancy payments) will be suspended for the duration of the employment break
- Returning to work – you may not be able to return to your substantive position as it may no longer be available and will need to co-operate to return into a comparable position

- If you take up paid employment whilst on an employment break the agreement will be terminated

## **Reaching the decision**

The decision whether to approve or not approve an employment break will be based on the impact on service delivery and the practicality of any revised working arrangements. Before making the decision managers should inform and consult with affected members of staff and consider the impact this may have on covering the position or recruiting to the position.

Managers must make employees aware of the impact an employment break has on their pension contributions.

## **When an employment break has been agreed**

### **Managers responsibilities**

- Managers must agree and maintain communication with the employee during the break
- Inform the employee when they are nearing the end of the employment break
- Agree return to work arrangements

### **Employees responsibilities**

You must maintain the agreed communication during the break and return to work at the agreed date.

If you wish to terminate the agreement you should inform your manager.

## **Flexi time**

Flexi time allows you a degree of choice whilst working your contracted hours. It allows you to vary your start and finish times to fit in with your outside commitments whilst also fulfilling your contractual obligation.

## **What are the benefits?**

- you can travel to and from work outside of rush hour periods
- helps you to manage workloads at busier times
- encourages diversity in employment for people not wishing to work standard hours

- increases the number of days you can take off by accruing hours at busy times and taking this accrued time off when workloads permit

## **Setting up flexi time**

Your manager will advise you of the range of hours which the flexi scheme will operate within. For example you could take flexi time between 7am and 7pm but hours outside of this will not be taken into account unless there is a prior agreement. When a range of hours is set up, operational efficiency and health and safety must be taken into account.

A general pattern of hours should be agreed between you and your line manager.

Core hours should be agreed. These are set hours that all employees have to work and should be agreed according to the needs of the business, core hours do not have to be set but in some services it may be required to ensure cover across peak times.

## **When a flexi time arrangement has been agreed**

### **Managers responsibilities**

- Ensure the arrangements are not detrimental to the service
- Make sure people are taking minimum break requirements
- Have a system in place for the recording of flexi time
- Keep a check on flexi time, making sure that staff are taking it appropriately

### **Employees responsibilities**

- Communicate changes in working patterns and time off with your team
- Maintain accurate recording of your flexi time
- Ensure that high levels of debit and credit hours are not accrued

## **Things to consider about flexi time**

- Flexi time periods cover four week periods and you are responsible for updating your flexi sheets. At the end of the four week period you can carry up to 15 hours in credit over to the next month flexi period and no more than four hours in debit. Any hours accrued over 15 hours in the time period at the point of carry forward will be lost

- Time should be recorded as a start time, a finish time and any breaks taken during the day
- Time used as break time must be debited from the flexi sheet, for example your lunch break. You must take at least the minimum of breaks in the working day; a break of at least 20 minutes must be taken for every six hours worked
- You can take up to a maximum of two working days in a flexi four week period, these can be taken as hours, half days or full days
- If you are absent from work due to sickness, study leave, training, conferences and special leave, credit should be recorded for the time period that you were absent. If you are on an unauthorised absence you will be credited with hours but lose a days pay

If the flexi time scheme is being abused or a service is being negatively impacted this facility can be removed from use.

For further information on the application of the flexible working process please contact your HR business partner team.

## **Job share**

Job share is a working pattern where two or more employees share the responsibilities and benefits of one full time post. The pay and benefits are divided between the partners depending on hours worked. They co-ordinate their activities to complete the work of one job.

## **What are the benefits?**

- Helps to retain skilled and experienced employees who are not able to work full time
- Reduces absenteeism
- Increases productivity and helps the manager organise teams flexibly
- Helps facilitate work life balance and improves morale
- Reduces dependant care costs

## **Setting up**

You would need to complete a flexible working application form and submit this to your manager. The decision on whether this is agreed will be based on the impact to the service and the practicalities of the revised working arrangements.

## **Access to this flexible working option will be for**

Existing employees applying to create a job share arrangement on their current job.

Internal or external applications for positions advertised on either a full time or job share basis.

Existing job share or part time employees may apply for an additional job share position.

## **When a job share arrangement has been agreed**

### **Managers responsibilities**

- To be aware that all positions should be available for job share. However, there is a right to review the suitability of a post for job sharing by directors and the chief officer HR or other nominee
- If a job share partner leaves, the remaining job share partner must be offered the position prior to advertising
- To consult with and have a duty of care to other team members who this may impact on
- Ensure both job share partners receive communications and have the opportunity to attend team events and access to training and development is equal
- Ensure the employee is made aware of an impact in their pension

### **Employees responsibilities**

- To understand the need to be flexible in negotiations regarding hours and working patterns
- To communicate and co-operate the job share pattern and handover process
- To consider and understand the implications that the change will have on your pension

## **Things to consider about job share**

Existing employees should complete the formal application form, or if applying for a position, complete the normal recruitment application.

Terms and conditions will be pro rata to the number of hours worked. Pro rata means in proportion. These will include salary, annual leave, statutory holiday, bank holidays, car allowance and other allowances such as car mileage rates.

## **Self-rostering**

Self-rostering is a means of allowing employees to schedule their own working pattern to help them balance their home and work life better. This scheme is suitable for employees that work around the clock shift patterns or extending the standard working day.

## **What are the benefits?**

- Helps to retain skilled and experienced employees who are not able to work full time
- Reduce absenteeism and the pressure of full time working
- Reduce the need for agency cover and diffuse tension over shift allocation
- Increases productivity and helps the manager organise teams flexibly
- Helps facilitate work life balance and improves morale
- Reduces dependant care costs

## **Setting up**

You or your team would need to complete a flexible working application form and submit this to your manager. The decisions on whether this is agreed will be based on the impact to the service and the practicalities of the revised working arrangements.

## **Responsibilities**

### **Managers responsibilities**

- Discuss the idea with employees to gain their support
- Agree minimum and maximum staffing levels for each shift

- Have a duty of care to ensure all their employees are consulted on any change in working practices
- Agree skills and grades needed for each shift with the team
- Set limits for time owed by employees
- Discuss whether there will be any effect on the delivery of the service
- Make sure everyone has a say and understands the scheme
- Have ultimate accountability for final rosters

### **Employees responsibilities**

- You will need to state your preferred hours and identify what hours you do not want to work
- Any clashes or shortfalls should be addressed by you or your team in the first instance
- The team should identify a co-ordinator to oversee the implementation and rotate this role
- You and your team need to be flexible and accept that the manager has overall responsibility where the team is not able to reach an agreement

### **Things to consider about self rostering**

When looking at self-rostering you should consider:

- If there will be any effect on the delivery of a comprehensive service
- If it will help recruit and retain employees
- If it will be fair to all
- If it will effect overtime or unsocial hours earnings
- How handovers will be managed if there are no clear shift changes
- If there is guidance about swapping shifts so that staff know who they can ask to cover a shift and who they have to contact for prior agreement
- A final cut off time for the swapping of shifts

If a self-rostering arrangement is agreed it is important to communicate its introduction to employees and service users. It is necessary that they are aware that regular arrangements may no longer continue.

## **Term time only working**

Term time working is an agreement that allows you extended unpaid leave to coincide with the school holidays. Normally you would be working 38 weeks a year in term time only. The scheme is most suitable for jobs where there is a reduction of work volumes and these normally coincide with school holidays.

### **What are the benefits?**

- helps to retain skilled and experienced employees who are not able to work full time
- reduces absenteeism and the pressure of full time working
- increases productivity and helps the manager organise teams flexibly
- helps facilitate work life balance and improves morale
- reduces dependant care costs

### **To request term time only working**

You need to complete a flexible working application form and submit this to your manager. The decisions on whether your request is agreed will be based on impact to service and the practicalities of the revised working arrangements.

## **Responsibilities**

### **Managers responsibilities**

- Your manager will have to consider whether the position will allow for term time hours and the impact this will have on the service and other members of staff
- Make a decision on whether the hours need to be replaced on either a temporary or permanent basis during the arrangement considering additional costs this may incur

- Communicate and consult with other members of staff who may have to pick up the additional work
- Ensure you are made aware that this change would have implications on pension
- Make sure you are kept up to date with communications whilst you are not in the workplace

### **Employees responsibilities**

- You need to provide information on how your position could be managed term time only and why you are requesting this, considering the relations beyond the team and the requirements of customers to show how this change will benefit the employer
- You need to contact pensions and fully understand the implications on your pension and pension contributions

### **Things to consider about term time only working**

- Term time only working may not be suitable for all posts or levels where continuity through the year is required
- You and your manager need to plan a year in advance as to when school holidays occur, stay in contact during periods of lengthy absence and ensure that you are made aware of and attend key meetings
- You will receive pay in 12 monthly equal instalments regardless of the hours actually worked in each month. During term time you are required to work your normal contractual hours
- Term time working utilizes annual leave and unpaid leave for working during term time and not working at all in the school holidays
- You should make scheduled appointments such as dental appointments during the term holidays
- Provision for special leave can still be made that covers emergencies

For further information on the application of the flexible working process please contact your HR business partner team.

## **How each flexible working option could affect your pension scheme**

This document was correct as of 18 October 2010 and is subject to changes in pension legislation and changes to the local government pension scheme.

Please ensure you contact the pensions team for personalised advice. The team will be able to look at your individual circumstances and explain how your pension may be affected.

### **Flexi time, compressed hours, annualised hours, homeworking, self-rostering**

No impact on your pension scheme.

### **Variation in hours and job share – defined as part-time for pensions purposes**

Your pension is calculated by multiplying your membership and final-pay figure together, and dividing by 60 to give your pension. So if you are working out how much your pension would be if you reduced your hours, the figure affected in the equation would be the membership figure as a reduction in hours reduces your membership.

The key to thinking about this is to remember that your membership will build up at a lower rate than full-time members', depending on what hours you work. For example, if you work 18.50 hours a week for 10 years, that would gain membership of 5 full-time years.

If you work full-time and decide to reduce your hours, the years in which you have worked full-time on full pay are protected.

### **Employment breaks**

Pension contributions are payable for any period of authorised absence of 30 days or less. Where the absence is for more than 30 days then you have the choice of paying for that period after the first 30 days.

If you choose to pay for the whole period of authorised absence you would only pay the employee contributions. This period will count towards your pensionable service when calculating the benefits at retirement and there will be no break in pensionable service.

If you choose not to pay the contributions after the first 30 days then only the first 30 days of your absence will count towards the benefits at retirement and there will be a break in pensionable service for the period where you have not paid pension contributions.

Your contributions for the first 30 days should be deducted from your salary when you commence the period of authorised absence. An arrangement can be made to pay the arrears of contributions, for the whole period of absence, on your return to work by deduction from your salary. The arrears would include employee contributions only. The arrears can be spread over the same duration for which the arrears have accrued.

### **Term time only working**

Your pension is calculated by multiplying your membership and final-pay figure together, and dividing by 60 to give your pension. With term time only your salary reduces and this therefore reduces your pension benefits even more significantly. If you move onto a term time only contract before you retire you will significantly reduce your pension entitlement. Most employees that move onto term time only contracts do so with a view to moving back onto full-time contracts at some point during their career.

For example, if you are currently working full-time aged 55 and wish to transfer over to term time only working, unless you revert back to full-time working in the last year of service you would suffer an automatic reduction in your final pension having made contributions on the basis of 100% of full-time pay for possibly the previous 30 years.

Anyone who wishes to switch to term time only from a full-time contract and continue on this option until they retire should fully understand the impact on their pension scheme.

# Flexible working application process



## Toolkit guidance

Manager receives an application for flexible working



Manager and employee meet to discuss the application



Manager writes notifying the employee of the decision



Employee needs to decide if they wish to appeal against the employer's decision. If so, they must appeal in writing, setting out the grounds for their appeal



Manager receives employee's written appeal



Manager and employee meet to discuss the appeal, employee has the right to representation.



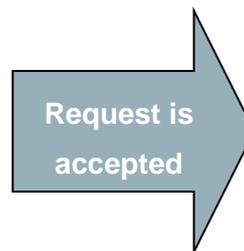
Manager writes notifying employee of their decision



If request is statutory, in specific circumstances, the employee can take their case to employment tribunal or binding arbitration. In the case of other types of requests the employee may raise a grievance.



Both manager and employee need to consider what arrangements they need to make for when the working pattern is changed



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