



Lanesend Primary School Flexible Working Policy 2019

School Staff Policy
 Isle of Wight Council Policy

Signed: Date:
 (Headteacher)

Signed: Date:
 (Chair of Governors)

Review Date: November 2022 (Every 2 Years)
Reviewed By: Headteacher and Money Group

Isle of Wight Council
FLEXIBLE WORKING
POLICY
January 2016

1 Document Information

Title:	Flexible Working Policy
Status:	Revised Draft
Current Version:	V2.1
Author:	Liz Maidment, Senior HR Business Partner Human Resources ✉ liz.maidment@iow.gov.uk ☎ (01983) 821000
Sponsor:	Anthony Thorn, Strategic Manager for Human Resources Human Resources ✉ anthony.thorn@iow.gov.uk ☎ (01983) 821000
Consultation:	With unions
Approved by: Approval Date:	
Review Frequency:	Every Two Years
Next Review:	January 2018

Version History		
Version	Date	Description
V0.8	April 2009	Final Draft
V1.0	February 2012	Revised Draft
V2.0	September 2015	Revision to reflect terms and conditions review 2012 – sent to Unions for consultation (27/11/15)
V2.1	January 2016	Amendments made following consultation

2 Contents

1	Document Information	3
2	Contents.....	4
3	Introduction	5
4	Scope.....	6
5	General Principles	7
5.1	Pay	7
5.2	Leave	7
5.3	Employee Loans.....	7
5.4	Sickness Absence	7
5.5	Maternity Leave / Pay, Paternity Leave and Shared Parental Leave / Pay.....	7
5.6	Filling Vacant Hours Created by Employees taking up Flexible Working	8
5.7	Provision of Information	8
5.8	Accommodation and Equipment	8
6	Flow Chart.....	9
7	Options Available Under the Policy	10
7.1	Non-Standard Working time: Annualised hours and compressed working	11
7.2	Voluntary Reduced Hours.....	13
7.3	Job Sharing	14
7.4	Term-time Working	16
7.5	Career Breaks	18
7.6	Home Working.....	20
8	Flexible Working Application Process.....	24
8.1	Considering the Initial Request	24
8.2	Multiple Requests	24
8.3	Agreeing the Request – Informing the Employee.....	25
8.4	Reviewing the Arrangement.....	25
8.5	Ending the Arrangement for Operational Reasons.....	25
8.6	Right to Revert Voluntarily to Original Pattern of Working	25
8.7	Action where Agreement is not given to take up Flexible Working	25
8.8	Managing Flexible Working Arrangements	26
9	Health and Safety	27
10	Grievances	28
11	Appendix A – Flexible Working Application Form	29
12	Appendix B – Managers Flexible Working Checklist.....	31
13	Appendix C – Model Letters	33

3 Introduction

We have a number of options in place to help our staff to achieve a work-life balance. This document provides guidance and definitions across the range of those flexible working options and how they are intended to work in practice. It is open to you and your manager to adapt the options to suit individual circumstances and service needs. However, it is important to fully consider the guidance provided.

The aim of this document therefore is to ensure that the needs of the Council and service delivery requirements are met as well as providing you with the ability to request flexible working practices that meet your personal needs as well as to achieve a positive work-life balance.

4 Scope

Any of the flexible working arrangements are, in principle, available to all staff, including the fire service. Primarily the needs of the service will determine the amount of flexibility you will have over your working time.

If your contract is not to work annualised hours then not all of the policy will necessarily apply to you.

Posts are classified as either flexible or constrained within the council's local terms and conditions of employment, which are available [here](#), and it is likely that most of the provisions of this flexible working policy will apply only to posts that are classified as Flexible. This does not however rule out the possibility of anyone in a post classified as constrained being allowed to work as flexibly as possible and it is a matter for you and your manager to consider where this might be possible. When a meeting takes place to discuss this you are entitled to have a union representative or a work colleague attend with you.

Flexible working options can also be introduced by your manager where it is considered that it is necessary to ensure effective service provision in specific areas. This will always be following full consultation with you and any other affected staff.

This guidance may also be useful for you and your manager should you have a disability and are discussing options for making reasonable adjustments.

5 General Principles

The following considerations will primarily relate to flexible working options which involve reduced hours, but some issues may also be relevant for other patterns such as home working.

Managers may need to take advice from the HR support team when they receive a request for flexible working in order to obtain the necessary guidance in relation to current employment legislation, in particular, the Working Time Regulations and the Flexible Working Regulations. The Council's Parental Leave Policy should also be considered if it relates to the needs for caring for children, or in emergency situations, please refer to the Council's Special Leave Policy.

Other issues that need to be taken into consideration are:

5.1 Pay

When taking up flexible working options which result in reduced working hours, you will be paid on a pro rata basis according to the number of hours worked. With the exception of career breaks and any unpaid special leave, you will continue to receive your pay monthly. If necessary, you should seek advice from the payroll team prior to agreeing a flexible working proposal so that specific salary details can be calculated and considered.

5.2 Leave

The impact on annual leave arrangements will vary according to the type of flexible working options agreed. Some flexible working options, particularly those where there is a reduction in the number of working hours, may result in annual leave being calculated as hours rather than days.

5.3 Employee Loans

Repayment of loans is not affected by any reduction in working hours. You must therefore continue with the agreed payment schedule.

5.4 Sickness Absence

Entitlement to occupational sick pay will be pro rata according to the number of days actually worked.

5.5 Maternity Leave / Pay, Paternity Leave and Shared Parental Leave / Pay

You will be entitled to the benefits of the council's maternity, paternity or shared parental schemes but payment will be reduced on a pro rata basis if your hours are reduced. To ensure you retain entitlement to occupational maternity or shared parental pay, if flexible working patterns are in operation, you will have to return to work for a minimum period of three months following your maternity or shared parental leave.

5.6 Filling Vacant Hours Created by Employees taking up Flexible Working

Where taking up a flexible working pattern has created a number of vacant hours within your post, then careful consideration must be given to filling these hours / weeks. Where it is decided to fill the vacant hours then this must be done without incurring any additional cost, i.e. the hours must be paid at a normal rate. The current vacancy authorisation process must be followed prior to any additional time being required. How the vacant hours are filled will depend upon the number of hours available. Your manager may, for example, choose to delete the hours and / or undertake a minor restructure, taking into account the new work arrangements or seek approval to fill the hours by recruitment or other internal arrangements to accommodate the vacant hours.

5.7 Provision of Information

If because of the nature of the flexible working pattern, you are working remotely from the workplace for prolonged periods, you will be kept informed by your manager about relevant workplace information.

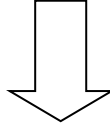
5.8 Accommodation and Equipment

Consideration will need to be given to the possible impact on accommodation and equipment if, for example, a number of staff reduce their hours within a section and these are subsequently used to make up another post.

6 Flow Chart

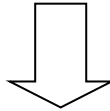
The flowchart below details the procedure for applying to change your way of working:

You advise your manager that you want to request flexible working, by filling in a flexible working application form (Appendix A).



Within 28 days of receiving your application form, your manager will undertake an assessment and will have a meeting with you to discuss your request and how it might be accommodated. You are entitled to have a union representative or work colleague attend this meeting with you.

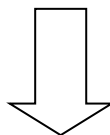
Your manager should use the checklist at Appendix B to ensure all appropriate issues are considered



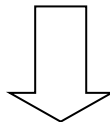
You will be advised of the outcome in writing, including any trial period review dates, by your manager. This will be done within 14 days of the meeting unless a decision is required from

Authorisation panel before it can proceed. If the agreement includes changes to your contracted working hours or work pattern then your manager will need to complete a Wightnet notification of change form to instigate any contract and pay alterations that need to be made.

If the agreement affects ICT or equipment needs, your manager will need to complete a change request service needs form available on the intranet [here](#).



If successful you can start your new flexible work pattern. If your request is not successful and you are not satisfied with the outcome of your application, you can appeal, via the grievance procedure. This procedure may be used however, only for failure to follow procedure or failure to reasonably consider your application.



There will be a trial period of up to three months. If the arrangements are working successfully, confirmation will be given by your manager of the permanent flexible working pattern arrangements

7 Options Available Under the Policy

The following options should be considered as opportunities for flexible working:

- Non-standard working time: annualised hours and compressed hours
- Voluntary reduced hours
- Job sharing
- Term time working
- Career breaks
- Home working

Application for any flexible working option should be made using the application form set out in Appendix A.

7.1 Non-Standard Working time: Annualised hours and compressed working

7.1.1 Management of contracted annualised hours (1,635 hours per annum = 1 full time equivalent (1,265 for centrally employed teachers))

It is generally expected that working time can be managed flexibly in accordance with service needs within the 1,635 full time equivalent annualised hours' provision, to vary hours if necessary to strike a balance between business and personal needs or to respond to peaks and troughs in workload where appropriate. Working annualised hours should not be used as a method for staff to accrue additional hours to be taken as leave at a future point.

Whilst managers need to ensure the required level of service is provided at all times, they also need to be aware that working very long hours in times of peak demand can result in increased stress levels and also difficulties for staff with caring responsibilities. Managers must take into account the relevant parts of the Working Time Regulations regarding breaks and the number of hours worked in any particular period. It may be possible and helpful to the service and to staff to have a number of different working patterns available, rather than just one pattern common to all. You and your manager should review and agree arrangements for working annualised hours each year. This system enables you to vary your hours during the day to accommodate, in the main, the needs of your service as well as your personal circumstances. Your manager will monitor your working hours and ensure that time is taken rather than allowing too many hours to accrue.

The following model scheme permits you to structure your working day:

“Flexible working” - The period when you may vary your starting and finishing times. You must agree with your line manager the earliest start time and the latest finish time that you are to be available for work, e.g. 8.00am – 10.00am and 4.00pm – 6.00pm. A lunch break of at least 30 minutes must be taken when the working day is 6 hours long or over.

“Core hours” - The period of time within which the minimum staffing levels as defined by your manager will apply, e.g. 10.00am – 12.00noon and 2.00pm – 4.00pm.

“Flexi time” – Time taken off on an ad hoc basis when approved by your manager and within the needs of your service where you are in excess of your required hours on a month by month basis.

7.1.2 Compressed Hours

Working compressed hours will mean you working your standard contracted working hours over fewer days by extending the working day. Examples of this include a four and a half day week, nine day fortnight or 18 day month (based on a four week month). Compressed hours can be a means of introducing some flexibility into jobs and enable extended service availability beyond the standard working day or provide quiet time for work at the beginning and / or end of the day. Staff working compressed hours will normally still be working full time hours but these are worked over fewer days and this is different to part time workers who work fewer hours during the course of the week.

7.1.3 Managing non-standard working hours

Where a number of staff within a service wish to work flexibly within their annualised hours or compressed hours it may be that the system would operate more effectively on a rota basis. Managers should ensure that the required level of service is provided at all times and may reasonably set longer core hours. Managers should not normally allow you to carry over more

than ten hours per month, nor be more than 4 hours in arrears except in occasional exceptional circumstances. Where a manager believes that you are abusing the system then disciplinary action may be taken. Time should be recorded by you and it will regularly be checked by your manager.

All excess hours must be used prior to you leaving the Council's employment as no payment will be made for any extra hours worked and not taken. Managers are responsible for ensuring that you are not in arrears of your required annualised hours at the end of your employment.

To maintain an effective level of service, your manager will determine the minimum staffing level that will apply during core hours. It is essential that you co-operate with your manager to ensure that minimum staffing levels within your service area or work group are maintained. Failure to do so may be considered to be an abuse of the system and disciplinary action may be taken.

7.1.4 Absence from Work

Time away from work due to annual leave, absence due to sickness or an authorised absence as detailed in the special leave policy will be credited to the employee. Absence due to GP and dental appointments will be treated as flexi leave unless they are antenatal appointments. Pre-arranged hospital appointments may be treated as Special Leave for one off appointments. However, if you have regular hospital appointments that you are aware of in advance, they should be booked as sick leave, flexi leave or annual leave. If you have a hospital appointment for day surgery, this should be pre-booked as sick leave. Managers will be expected to consider reasonable adjustments when regular hospital appointments may mean that the attendance management policy initiation points are breached. Such reasonable adjustments could include an increase to the number of absences allowed for a set period of time for that employee during the period of treatment. Reference should be made to the Attendance Management Policy. Time away from work to give blood will be treated as authorised absence.

7.2 Voluntary Reduced Hours

This is an arrangement commonly referred to as part-time working whereby you can voluntarily reduce your working hours. Pay and benefits will be reduced accordingly.

Anyone may request a reduction in their working hours. Reducing working hours may allow you to continue in work when otherwise they may not be able to.

The reduced hours may involve working fewer hours per day or working fewer days per week. In both cases the decision can be taken to either 'fix' the working time, e.g. set hours or days of working or allow the arrangement to be flexible to meet the fluctuations of operational needs, e.g. you remain on 'flexible working' with an adjusted standard working day and / or the working days can be subject to change on a pre-arranged basis dependent upon workload.

7.3 Job Sharing

Job sharing involves the voluntary sharing of a post where the individual sharers receive pay and benefits in proportion to the number of hours they work. Job sharing allows you to reduce weekly working hours without having to change job or career prospects and may suit the needs of those who, for example, are working parents, have caring responsibilities or a disability. The council can also benefit from a dual input of ideas and experience plus improved recruitment, retention and employee motivation.

7.3.1 Eligibility

Job sharing is in principle, available to anyone, but there are naturally some posts which will not be suited to job sharing where the impact on service provision negates the possibility of a successful job share. Job advertisements should make it clear where job sharing is available and when determining the division of hours and duties it is important to ensure that each set of hours form a viable package in their own right, to attract new applicants if necessary. Managers are responsible for identifying posts that cannot operate on a job share basis because of a significant detrimental impact on service provision. Requests to job share should not be refused without full consideration and operational justification. Managers may seek guidance from HR when considering requests.

7.3.2 How Does a Job Share Begin?

Two employees doing similar jobs may apply to share one of the jobs and release the other as a vacancy. Two candidates may apply for a vacant post on a job share basis and one or both may be successful, but each application will be considered on its own merits. Where applications are received from two employees wishing to job share together they should be assessed in the same way as applications from other candidates. Joint candidates should be interviewed separately to assess individual abilities to do the job. The selection panel may not make an offer of appointment to one job share partner only, if the other partner does not meet the requirements of the person specification until another partner can be appointed. Two separate candidates can be appointed to a vacant post on a job share basis. An existing employee may apply to job share and, if suitable, the other half of the job would then be advertised to find a job share partner before the request can be approved.

7.3.3. Managing Job Sharing

The distribution of duties and responsibilities for a job share post will be determined by your the line manager in consultation with the job sharers (taking account of skills and interests) and with regard to the needs of the service. However, the overall level of responsibility should be equal. Most difficulties with job sharing occur where the job share is not managed properly and where there is a lack of communication and co-operation between the job sharers and other colleagues / the manager, particularly because the job sharers may miss out on day-to-day issues. It is important to build in a period during the week or at least once per fortnight, when the two job sharers overlap their time (without working extra hours). It is recommended that each job sharer records useful information and ongoing issues for the other through the use of an electronic or paper diary.

7.3.4 Contractual Issues

Job sharers will have service conditions applied to them on a pro rata basis in accordance with the relevant national negotiating body and local conditions of service with some exceptions. Each job sharer will have an individual contract of employment. The job description may include a section incorporating agreed split tasks.

7.3.5 Rate of Pay

This will be the salary grade of the post pro rata to the hours worked. Job sharers will not necessarily be on the same salary point within the grade. Normal incremental progression will apply.

7.3.6 Pensions

If you are considering job sharing, you should contact the Pensions Section for more information.

7.3.7 Vacancies

Job sharers can apply jointly or individually for vacancies within the council (where the job is suitable for job sharing) on equal terms with full time employees subject to the usual assessment process.

7.3.8 Resignation of One Partner

Consultation should take place between your manager and the remaining job sharer to determine mutually acceptable cover. If your manager decides that the lost hours do need to be filled and receives authorisation to recruit to those hours then the remaining job sharer will be given the opportunity to apply for the available hours along with other internal candidates. If a suitable replacement cannot be found then the remaining job sharer may not be able to continue in this role.

7.4 Term-time Working

Term time working is a method of flexible working where your working weeks mirror Isle of Wight schools' term weeks. All requests for term time working will be considered subject to operational needs. Requests which do not match the Isle of Wight Council's school terms may be considered by your manager upon request subject to operational needs.

7.4.1 Eligibility

Line managers have responsibility for identifying whether in their service areas term time working can be applied or whether it would have a significant detrimental impact on service provision. Term time working will not be a practical option for all service areas, as many services outside the school environment will need to operate on an all year round basis.

7.4.2 Managing Term-time Working

Your manager will ensure that the required level of service is provided at all times and the recruitment of other staff may be needed to cover the school holidays when the permanent post holder is not working.

7.4.3 Contractual Issues

A term time working contract means you work all the weeks of school terms but employment is regarded as continuous throughout the year.

7.4.4 Annual Leave and Sick Pay

If you work term time you must take your annual leave entitlement during the school holidays. The taking of holidays in term-time is not generally permitted. However, it is acknowledged that special arrangements may need to be made for emergencies and the council's policy on special leave should be referred to in such circumstances. Sick pay and monitoring will only apply for the days of sickness absence that occur when the employee is 'working' i.e. not on school holidays

7.4.5 Working Hours

If you are term time working you can work full time or part time hours.

7.4.6 Rates of Pay

Your annual salary will be based on the number of days / hours that you work along with the number of weeks per year and your salary will be paid in twelve equal monthly instalments.

7.4.7 Pension

Local Government Pension Scheme contributions would be the standard percentage, deducted from each month earnings.

7.4.8 Training

If you are term time working you should have the same access to training information and opportunities as year-round staff. You will be expected to make yourself available for training even if you fall within the 'weeks off'. Adequate notice will be given to make alternative arrangements for those days and compensatory time off will be offered.

7.5 Career Breaks

A career break enables you to take an unpaid break from work for personal reasons and maintain continuity of service with the Council. You are required to give a minimum of three months' notice to commence a career break. With the exception of continuity of service, all other terms of your employment contract with the Council will be suspended. On return, at an agreed date following the career break, you will be able to return to the same or similar position within the council without competitive selection. It is recognised that during your working life that there may be times when personal commitments may take priority over work. The Council can accommodate such personal commitments, where operationally practicable, through career breaks. The benefits to the council include the recruitment and retention of skilled and experienced staff and knowledge and experiences brought back to the workplace.

The purpose of a career break could be to:

- Extend the maternity, paternity, parental, shared parental or adoption leave period.
- Care for dependent relatives.
- Enter full time education.
- Extended foreign travel.

The reasons are not exhaustive and others may be considered with the exception of taking up other paid employment.

7.5.1 How Long is a Career Break?

The minimum break is three months and the maximum break is one year. There is no limit to the number of career breaks anyone can take providing they return to work for the Isle of Wight Council for a minimum of two years between each career break.

7.5.2 Eligibility

All permanent staff with at least two years continuous Isle of Wight Council service regardless of the number of hours worked are eligible to apply for a career break.

7.5.3 What Happens to the Employee's Job during the Career Break?

Your line manager will give consideration to appropriate arrangements to cover your work during your absence. It may be that your manager chooses not to recruit to the post during the period of the career break. However, you will need to be aware that there may be a redundancy situation upon your return to work. Decisions will inevitably depend upon the length of the career break but may include; the recruitment of a fixed term member of staff on a full or part time basis, reallocation of some of the duties or secondment of an existing member of staff. Where a restructure takes place within the team during the career break, the manager will make every reasonable attempt to contact you to invite you to take part in the consultation. In the event that they are unable to involve you in the consultation and your post is made redundant you will be given notice on your return and be placed on the redeployment register until the end of your notice period.

7.5.4 Extending the Career Break

If you wish to extend your career break you must make a request in writing giving a minimum of three months' notice. Your line manager will give consideration to the extension along the same lines as the original request and may grant up to one year in total.

7.5.5 Cutting Short the Career Break

There will be no automatic right to cut short a career break but your manager would consider such written requests from you if they can be accommodated.

7.5.6 Contractual Issues

You will be required to sign an agreement suspending all the terms of your contract of employment, with the exception of continuity of service, during your career break from the Council. Your contract of employment will remain suspended for the duration of the protracted period of absence. Your line manager will need to contact the HR support team to get this agreement sent to you. You will return to your substantive post or to a similar post on an agreed date at the end of the career break subject to any structural changes following an organisational review. This will not constitute a break in service and general conditions of service will apply as at the start of the career break when you return to work.

7.5.7 Rates of Pay

At the end of the career break you will return to the same incremental point you were on at the start of the career break which may result in salary protection if the post has been downgraded in a restructure.

7.5.8 Pension

If you are considering a career break you should contact the Pensions Section for more information.

7.5.9 Disciplinary Sanctions

If you have any live disciplinary sanctions, these will be suspended for the duration of the career break and will be carried forward upon your return to work.

7.5.10 Keeping in Touch

You should agree with your line manager how contact may be maintained during the career break if necessary.

7.6 Home Working

As part of the range of flexible working options available, opportunities for home working can be considered where there is a justifiable business case for you to undertake this way of working.

Home working can be classified in three ways:

- **Touchdown home working**
where you occasionally work at home, typically on an ad hoc basis, to do a particular piece of work.
- **Partial home working**
A regular agreed arrangement for home working has been made between you and your line manager to enable you to work part of your contracted hours at home.
- **Full home working**
A regular agreed arrangement for home working has been made between your and your line manager to enable you to work at least 90% of your contracted hours at home.

Home working is a voluntary based scheme. In most cases you will initiate a discussion regarding the possibility of home working. However, if it is in the interests of the authority or your service, your manager may approach you or other members of your team to discuss a possible voluntary arrangement, or a new post may be created with some degree of home working specified as a requirement.

7.6.1 Suitability for Home Working

Successful home working is dependent on a number of factors: the suitability of the role, the individual and the home work environment. Anyone considering home working will be expected to have a discussion with their line manager first.

7.6.2 Office Base

Occasional or partial home working would not normally have an effect on a designated office base, although full home workers are likely to have their office base at their home address.

7.6.3 Access by Council Staff

Your home should not normally be used for meetings with colleagues, and certainly not with clients. However, there may be occasions when the home may need to be visited by council officers to install equipment, carry out assessments of the work environment, and so on. On these occasions the home worker should be given notice of an appointment date and time, during working hours, and by agreement.

7.6.4 Security

The same standards of security of information and equipment that would apply in the office must be maintained at home. Periodic checks of the home may be made to ensure that working arrangements are secure. Reference should be made to the Council's ICT and Information Policies and any relevant Departmental Policies regarding the security of information.

7.6.5 Information Assurance

The council's policies provide details of the conduct and standards expected in the Isle of Wight Council and must be adhered to by all staff and Councillors whether working in a council building or not. In general, however, you must not leave information whether in electronic, paper or other form, in a place or format that makes it accessible to non-Council employees. You are also asked to ensure that the correct measures are taken to ensure that information is kept and handled appropriately, the guidance on handling information is provided in the council's information policies. Anyone who fails to take measures to prevent information being inappropriately released may be subject to disciplinary action.

7.6.6 Managing Contact

If you work regularly away from the office, you will be required to attend your team work base on a regular basis, and at times agreed with your manager. Your managers must ensure that you receive all appropriate information and communications that affect your work. For full home workers, you and your manager must agree how communication and contact are to be managed. Anyone working from home must be contactable by phone during their agreed working hours.

7.6.7 Health and Safety

There is a duty on employers to protect the health, safety and welfare of their staff, including home workers. Therefore as part of the home working approval process a risk assessment of the hazards associated with the work being considered for home working must be completed and the significant findings recorded.

Once home working has been approved and implemented, all home workers are required, as with other staff, to complete a risk assessment of their working arrangements as well as other assessments appropriate for the type of work they are doing, e.g. DSE assessments if using display screen equipment or COSHH (control of substances hazardous to health) if using materials that fall within those regulations for work. Note there is no requirement to complete a COSHH assessment for COSHH material (eg cleaning products) that may be present in the home but do not relate to work.

You must report incidents of pain or discomfort associated with DSE use (hands, wrists, shoulder, back) to your manager.

You are also required to have due regard to health and safety legislation.

Under the management of Health and Safety at Work Regulations 1999, any significant risks need to be addressed. For occasional and partial home workers this can be undertaken as a self-assessment as long as the findings are reviewed by your manager.

It is worth noting that whilst working from home, the home is considered a work place and Health and Safety Executive Inspectors have a right to visit and enter such premises to ensure that risks from working at home are properly managed.

7.6.8 Home Workers Changing Jobs or Leaving the Authority

You will be required to return any files, equipment and any other item belonging to the council before your leaving date.

7.6.9 Finance and Costs

7.6.9.1 Income Tax

Where an employer provides equipment, services or supplies to an employee working at home, there is no tax charge or liability for National Insurance on them if they are used by the employee for work purposes only and they are provided for the sole purpose of allowing the employee to work at home.

7.6.9.2 Household Expenses

Only where the Council requires individuals to work from home on a permanent basis (ie the employee works at least 90% of their contracted hours at home) will an allowance be payable to employees. The standard allowance to cover energy costs and wear-and-tear will be at a rate as determined from time-to-time but will be no more than the Inland Revenue tax free limit of £3 per week.

7.6.9.3 Telephone Expenses

You are expected to use the council's Avaya telephone system when working from home. In exceptional circumstances and/or when Avaya is not available, where a personal phone is used for business calls, any reimbursement for calls made must be backed up by an itemised statement of numbers called and cost. Where itemised statements are not provided, a list of calls made must be kept as evidence of additional expenditure and submitted with the claim.

7.6.9.4 Reimbursement for Work Journeys

Any travel expenses are to be claimed in accordance with the council expenses policy.

7.6.9.5 Council Tax and Business Rates

It is extremely unlikely that Council Tax will change as a result of working at home. The same applies to the business rate. In practice, where domestic use can take place after work has finished, it is unlikely that liability for the business rate will arise. However, you will be expected to check for yourself on any implications for Council Tax, Business Rates or Capital Gains Tax, particularly if you make building alterations or devote an entire room to your employment.

7.6.9.6 Mortgages and Tenancy Agreements

You must check for yourself with your lender / agent if you are spending any of your time working at / from home, and ensure that there are no terms or conditions, leases or covenants, which prevent you from working at home.

7.6.10 Insurance

Anyone who has an agreed a flexible working arrangement will be covered by the council's insurance arrangements for employer's liability as if they were at work. However, it is not current council policy to provide insurance cover for personal equipment. However, individual service areas may purchase additional insurance coverage for any equipment that is purchased by the Council for home use, and which is intended to stay within the Council's ownership. Further information and quotes can be obtained from the Insurance section located within County Hall and can be contacted by using the main County Hall Call Centre number of 821000.

Anyone working regularly from home should inform their home and contents insurers of the change in their working arrangements.

7.6.11 Equipment and Installation

The Council may provide ICT equipment where there is a business requirement a Change Request Form is available on the Intranet here: <https://wightnet.iow.gov.uk/ict/centralisedBudget.aspx> which must be completed for an assessment of the necessary equipment.

You will be expected to take all reasonable care of any such equipment, to use it only for work and then in accordance with operating instructions where applicable. Equipment and usage will be covered by the same policies and have the same responsibilities as non-flexible working staff. You will be responsible for carrying out visual checks of the plugs and cables of all electrical equipment issued to them. Any defects such as bare wires, damage to cable insulation, scorch marks on plugs, etc must be reported to ICT and the equipment should not be used until the faulty components are replaced.

The type of equipment supplied will depend on the requirements of the business for the member of staff to work flexibly. In the case of ICT equipment, ICT Services will determine the most appropriate equipment to be supplied. Ownership of the equipment will remain with the Isle of Wight Council and should the employee leave the employment, all equipment must be returned to the Council.

Broadband and internet connectivity is not provided and is the responsibility of the member of staff to arrange and fund.

8 Flexible Working Application Process

The following process sets out the arrangements that are to be undertaken in considering and giving approval to flexible working requests. Section 5 provides a flowchart for reference.

8.1 Considering the Initial Request

You will need to make a request for flexible working in writing to your line manager. The application form for flexible working is set out in Appendix A. The information provided by you will form the basis for a meeting with your manager, where the request can be more fully explored. You are entitled to have a union representative or work colleague attend this meeting with you. You should indicate a proposed start date and the period during which flexible working is required.

Your manager will then meet with you within 28 days of receipt of the request. Within 14 days of this meeting your manager will notify you of the decision, unless a longer period is jointly agreed between you and your manager.

You will be required to give reasons for requesting a particular flexible working option. This information is confidential to those responsible for making the decision and anyone providing advice such as from HR or Legal. Your manager should not make speculative judgements about the importance or relevance of reasons for requests. It is essential to view the request as objectively and fully as possible, taking into account only the practical implications:

- Workload of the person making the request and the team in which they work.
- Options for re-scheduling and / or re-prioritising work.
- Alternative options for flexible working.
- Implications for conditions of employment.
- Financial implications.

There may also be other issues that are unique to the situation and these should also be considered.

Within your written proposal you will be expected to give consideration to any impact your request may have upon your own work, other team members and service delivery and will be expected to offer constructive suggestions as to how these can be managed. A checklist is provided in Appendix B to assist you and your manager in considering requests.

8.2 Multiple Requests

Where a manager receives a number of flexible working proposals, or a joint proposal from a group of staff, the requests will have to be considered collectively.

8.3 Agreeing the Request – Informing the Employee

The agreed changes must be subject to the successful completion of a trial period (except for when the request is for a career break) after which a review must be undertaken to assess the viability of the change. The review should be arranged for a suitable period after commencement agreed between you and your manager. You will be issued with a formal letter of notification about the trial period including an explanation of the impact on your conditions of service and the agreed flexible working arrangements. Model letters can be found in Appendix C.

8.4 Reviewing the Arrangement

An initial review meeting should be arranged at the end of your trial period which would normally be no longer than three months, although it is important to discuss any difficulties or problems before this time. A successful trial period will be confirmed in writing to you. If your trial period is unsuccessful, this will be explained to you and confirmed in writing. It is your manager's responsibility to ensure this review takes place.

8.5 Ending the Arrangement for Operational Reasons

Beyond the review period, all flexible working arrangements will be made subject to a proviso that you may be required to revert to your original pattern of working or an alternative if there are identifiable and significant operational problems identified at any time. Such action will not be taken unreasonably and will always be subject to full discussion you and the giving of appropriate notice.

8.6 Right to Revert Voluntarily to Original Pattern of Working

You will have the right to revert to your original pattern of working within the trial period subject to you giving the agreed notice. Once your trial period has been served and the arrangement has been confirmed, you will not then have the right to revert to your original pattern of working. You will, however, have the right to request a variation of your pattern of working and your manager will treat this as a new request for flexible working.

8.7 Action where Agreement is not given to take up Flexible Working

If it is considered that a post is unsuitable for the specific flexible working option proposed by you or a group of staff, the reasons for this decision will be communicated to you, ideally by discussion and followed up in writing. If a meeting is held, you are entitled to have a union representative or work colleague attend this meeting with you. Requests for flexible working will normally only be refused on one or more of the following grounds:

- Burden of additional costs.
- Detrimental effect on the ability to meet customer demand.
- Inability to reorganise work among staff.
- Inability to recruit additional staff.

- Detrimental impact on service quality.
- Detrimental impact on performance.
- Planned structural changes.
- Insufficiency of work during the periods the employee proposes to work.

If your flexible working request in any way relates to a disability (e.g. your own disability or your care giving responsibilities as a result of a family member's disability) or a request for a reasonable adjustment, your manager will need to consult with the Human Resources team before making a decision to deny a request.

8.8 Managing Flexible Working Arrangements

If you are found to be abusing the flexible working system you may be excluded from the flexible working arrangements and may be subject to disciplinary action being taken against you under the council's disciplinary procedure. The following examples of misuse, which are not exhaustive may constitute gross misconduct:

- Making a personal accident claim when the home worker was not working.
- Persistently working less than the contracted hours.
- Fraudulent claims on timesheets.

9 Health and Safety

It is vital that Health and Safety issues are discussed when considering flexible working options.

It is essential if you are working outside normal office hours, working from home or travelling / working from a number of locations your personal safety is not compromised.

As a minimum, you and your manager need to consider and risk assess:

- What the work involves (lifting, storage, visits).
- Personal issues (are you capable of working on your own, any medical conditions to consider, first aid provision, feeling isolated).
- Where you will work (designated office space within your home or locations across the Island, etc).
- Fire safety / electrical testing.
- Equipment needed (ICT, furniture, etc.)
- Any personal protective equipment that may be required.
- Lone working, for staff carrying out office work at home, it is not normally necessary to use the Lone Working system. It is, however, important that staff who will be visiting sites from home and returning to home do so.
- Security issues.
- Use of mobile phones.

10 Grievances

Where you are dissatisfied with a decision in relation to a proposal you have made to work more flexibly, you have the right to access the council's grievance procedure. This procedure may be used only for failure to follow procedure or failure to reasonably consider the application

11 Appendix A – Flexible Working Application Form

Before completing this form please refer to the Flexible Working Policy and Procedures

NAME:		JOB TITLE:	
SERVICE AREA:		MANAGER:	

To the manager,

I would like to apply to work a flexible working arrangement that is different to my current working pattern under the Council's Flexible Working Policy. I confirm I meet the eligible criteria as follows:

- I have worked continuously as an employee of Isle of Wight Council for the last 26 weeks (two years if applying for a career break).
- I have not made a request to work flexibly under this right during the past 12 months.

Please give a brief outline of the reason you are requesting to work flexibly:

--

Describe your current working pattern (days / hours / times worked):

--

Describe the working arrangements you would like to work in future (including days / hours / times worked):

--

Describe the working location / s you will be at; when you will be there; where these will be; etc.

Have you discussed your plans with your colleagues? What was the response if you have?

How will this be of benefit to the service?

I would like this working pattern to commence from:

Signed:

Date:

Approved:

Line Manager:

Date:

**PLEASE SEND COMPLETED FORMS TO YOUR MANAGER AND ALSO SEND A COPY
TO THE HUMAN RESOURCES DEPARTMENT**

12 Appendix B – Managers Flexible Working Checklist

Items to check:		Signed and Dated
1	Employee expresses an interest in flexible working - Flexible Working Application	
2	Hold informal discussion and ensure employee has read the Flexible Working Policy and any related Policies. Discuss requirements for equipment and consider the impact on the job, the person and the location. The employee is entitled to have a union representative or work colleague attend any meetings about their application with them.	
3	Arrange follow up meeting after completed application allowing time to get answers to points 4-10.	
4	If home working conduct a risk assessment of the activities to be completed to ensure they are suitable for home working and to identify any special equipment or other items required. Note it is reasonable to ask employees to risk assess their own home environment where the activities are of general office type work, as long as they provide photographs and the risk assessment is thoroughly reviewed. In these circumstances a home visit would not normally be required	
5	Check that employee has advised mortgage / landlord / insurers etc, if main base is to be their home.	
6	After consideration of application decide if:- a) Agreement in principle subject to cost analysis. b) Rejection – what grounds.	
7	Before speaking to employee, if 6b you may wish to discuss issue with HR. If 6a, follow steps 8-10 <u>before</u> speaking to employee.	
8	Carry out full cost analysis, including discussions with departmental employees.	
9	Discuss all financial and other implications with appropriate manager and budget accountant including the impact on other employees.	
10	Draw up planned timetable with approximate date when amendments to contract can commence. Submit ICT Change Request Form for necessary equipment.	
11	Within 14 days of the follow up meeting, inform employee of outcome to application.	
12	Agree points on hours being worked, changes to duties, reporting lines, nominated base, base from where he / she will collect or order stationery, mail etc. If appropriate, set the approximate date for equipment to be set up in employee's home.	
13	Agree review date (within 3 months of the start of the new working pattern).	
14	Agree the notice period to end the amendment to contract / flexible working arrangement on either side during the trial period.	
15	Agree start date of amendment to contract / flexible working arrangement with employee.	
16	Inform HR of start date plus all points agreed in 12.	

Items to check:		Signed and Dated
17	Arrange with HR / Payroll to receive appropriate allowances if taking up full home working option. Complete appropriate change form to inform HR of any changes to terms and conditions of contract that may be needed.	
18	Ensure relevant Health and Safety assessment has been carried out at their flexible working locations or arrange to carry out an assessment at their home (if that is to be their main base). e.g. DSE Assessment	
19	List all equipment for audit that is in employee's possession / home. Ask employee to complete declaration form in relation to any equipment in their home to be kept on personnel file.	
20	Advise all other relevant parties about change in working location and / or need to collect mail / order stationery, etc.	
21	Change departmental records and advise others on strictly "need to know" basis of new contact address or telephone number.	
22	Inform ICT regarding servicing of equipment.	

13 Appendix C – Model Letters

LETTER 1 – REJECTION OF TRIAL FLEXIBLE WORKING PROPOSAL

Dear

FLEXIBLE WORKING PROPOSAL

Further to your meeting with.....on....., I confirm that it will not be possible to introduce a variation to your working arrangement because of operational difficulties which prevent a trial of the proposed arrangements.

The reasons for this decision are set out below:

(insert details of the issues that have arisen and were discussed at the review meeting)

Should you be dissatisfied with this decision, you do have the right to have your complaint dealt with and this may be done using the Council's Grievance Procedure.

Yours sincerely

LETTER 2 – AGREEMENT TO TRIAL PERIOD

Dear

REQUEST FOR FLEXIBLE WORKING

Further to your meeting with.....on....., I confirm that there will be a mutually agreed variation to your working arrangement for a trial period with effect from..... . For the duration of the trial period you will work on the following basis :

(insert full details of revised working arrangements).

This arrangement may be made permanent subject to the successful completion of the trial period which will be reviewed on If this working arrangement is not considered to be operationally feasible the reasons for this will be explained to you and confirmed to you in writing. You will then revert to your original working hours arrangement. If you are dissatisfied with the outcome of any decision made in relation to your flexible working proposal, you will be able to pursue this via the Council's Grievance Procedure.

I understand that it has been explained to you that you are responsible for considering the short and long-term implications of this new arrangement in relation to your conditions of service and entitlements under the Local Government Pension Scheme. The main changes are however, specified below:

(insert details of revised terms and conditions; pay (pro rata), holiday entitlements etc)

If you require any further information about the arrangement please do not hesitate to contact me. If you are in agreement with the details above, please sign and date the declaration below and return one copy of this letter to.....which will be retained on your personal file.

Yours sincerely

Signed: Date:

LETTER 3 - CONFIRMATION OF FLEXIBLE WORKING ARRANGEMENT

Dear

FLEXIBLE WORKING PROPOSAL

Further to your meeting with.....on..... , I confirm that the trial period for your flexible working proposal has been successful and the arrangement can now be made permanent / extended until the date requested which is..... .

My letter dated confirmed the details of your revised working arrangements and the main changes to your terms and conditions of employment.

I confirm that although this arrangement may now be viewed as permanent, the needs of the service may in future require a review of work patterns making amendment necessary. Any proposed changes will be the subject of full consultation with you.

If you require any further information please do not hesitate to contact me. If you are in agreement with the details above, please sign and date the declaration below and return one copy to which will be retained on your personal file.

Yours sincerely

I agree and accept the mutually agreed variation to my terms and conditions of employment.

Signed..... Date.....

LETTER 4 – TERMINATION OF TRIAL FLEXIBLE WORKING ARRANGEMENT

Dear

FLEXIBLE WORKING PROPOSAL

Further to your meeting with on , I confirm that the trial period for your flexible working proposal has identified operational difficulties which will mean that the arrangement cannot be made permanent or extended further.

The difficulties are explained below:

(insert details of the issues that have arisen and were discussed at the review meeting)

As discussed, you will revert to your original arrangements with effect from

Should you be dissatisfied with this decision, you do have the right to have your complaint dealt with and this may be done using the Council's Grievance Procedure.

Yours sincerely