



people policies

# Flexible Working Policy and Procedure



# Policy

## Purpose of the policy

**The council is committed to helping all its employees achieve a balance between their working life and other priorities such as parental and caring responsibilities, leisure activities, charity work and other interests.**

This policy aims to enable good practice in work-life balance by supporting employees who want to work more flexibly. It sets out the council's approach to flexible working and the process to follow to request it.

All employees have a statutory right to ask for flexible working which includes career breaks, part-time working, term-time working and job-sharing, home working, and for their request to be considered.

## Employee's responsibilities

- To carefully consider the impact of the flexible working request on service delivery and colleagues and provide a carefully thought-out application.
- To be prepared to be flexible to reach an agreement with management about the flexible working arrangement.

## Manager's responsibilities

- To consider all requests for flexible working arrangements properly in accordance with the procedure, including discussion with the employee and adhering to the time limits.
- Following discussion, to only refuse a request where there is a recognised business reason (see below) and to explain the reason to the employee.

## Trade union representative's role

- To work with the manager and employee to facilitate a quick and satisfactory resolution to the employee's request.
- To support the member requesting flexible working and advise them as appropriate.

# Procedure – flexible-working request

- 1 A flexible working request must be in writing (see Flexible Working & Parental Leave Application/Request Form) and the employee must include the following information:
  - The date of their application.
  - The change to working conditions they are seeking and when they would like the change to come into effect.
  - A statement that it is a statutory request and if and when they have made a previous application for flexible working. No more than two requests may be made in any 12 month period.
- 2 A new working pattern may be permanent or temporary. If a permanent change is agreed to the employee's terms and conditions they will have no automatic right to revert to their previous work pattern, so a temporary change may be the better option to ensure the arrangement works for you and the team. There may be instances where the manager is unsure whether the arrangement requested is workable but does not want to reject the request outright. In these cases a temporary change can be agreed to enable both parties to decide if it is workable. If temporary it should be for an agreed time of at least 3 months and not exceed 18 months. Temporary arrangements should be reviewed in sufficient advance of their end date.
- 3 When a written request is received the manager should meet with the employee as soon as possible and without unreasonable delay; this will help the manager get a better idea of what changes the employee is looking for and how these might benefit the service and the employee. The employee should be advised prior to the discussion they may be accompanied by a trade union representative or work colleague, but it is their responsibility to arrange this. It may

be necessary for the manager to discuss the request with affected colleagues/ teams where there will be a direct impact on them.

- 4 Following the discussion and before coming to a decision the manager should weigh up the benefits to the employee against the potential effect on service provision, the team as a whole, other colleagues and employment costs. Once this has been considered, the manager will decide whether to:
  - Agree to the request.
  - Agree to the request with some modification.
  - Reject the request.

The manager must advise the employee of their decision within 14 days of meeting with them.

Requests will be considered on a case-by-case basis and agreeing to one request will not set a precedent. It will not create the right for other employees to be granted a similar change.

It is a requirement by law to deal with requests for flexible working, including any appeal, within **two months** from first receipt unless a different timescale is agreed with the employee.

## Agreeing to the request or agreeing with some modification

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If the request is agreed, or agreed with some modification, the employee should be advised of, a start date and review dates for the change, the details should be confirmed in writing. The letter should state:

- The flexible working arrangement agreed to.
- The date it will take effect.
- If the change is temporary it should include an end date.
- Agreed date(s) for reviewing the arrangement agreed with your employee.
- Any other relevant details.

A copy of the letter and signed **Flexible Working and Parental Leave Application/ Request Form** should be emailed to HR Employee Life-cycle and an online employee amendment web-form completed via the Source.

## Rejecting the request

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If the request for flexible working is rejected it must be for one of the following business reasons:

- The change would incur extra costs which will damage the business.
- The business won't be able to meet customer demand.
- The work can't be re-organised among other staff.
- The service is unable to recruit someone to cover the remaining workload.
- Flexible working will have a negative effect on quality and performance.
- There will be a lack of work to do during the proposed working times.
- The business is planning changes to the workforce.

The manager must inform the employee of the reason for their decision within 14 days of meeting with them, setting out their reasons for rejection. The letter must be dated and should include:

- The business ground(s) for refusing the application.
- A sufficient explanation as to why the business ground(s) for refusal apply in the circumstances.
- Details of the right to appeal.

## Appeals

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The employee has 5 days to appeal the decision upon receiving the written notification of the decision. Appeals under this policy are heard by a joint appeals panel. Full details can be found in the **Appeals policy**.

# Additional guidance and support

This policy provides you with an overview of the purpose of the policy and the roles and responsibilities of those for whom it is intended. It also provides guidance in the Process section on the application of the policy. There are other documents which provide more detail and helpful guidance that should be read in conjunction with the policy and these are listed below.

## Additional guidance

**Appeal Process Flexible Working**  
**Examples of Flexible Working**  
**Request Flexible working or changes to flexible working**  
**Flexitime Scheme**  
**Reasonable Adjustments**

## Letters and forms

**Flexible Working and Parental Leave Application/ Request Form** also used for Job Share Applications  
**Flexible Working Appeal Form**  
**Flexible Working Manager's checklist**

## Associated policies

**Appeals policy**  
**Flexitime Scheme**  
**Part Time Working / Job Share policy**



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The audience of this document is made aware that a physical copy may not be the latest available version. The latest version, which supersedes all previous versions, is available on The Source.

Those to whom this policy applies are responsible for familiarising themselves periodically with the latest version and for complying with policy requirements at all times.

### History of most recent policy changes – must be completed

Version	Date	Change
V1.04	1 August 2023	Updated in line with The Employment Relations (Flexible Working) Act 2023
V1.03	5 April 2022	Re-formatted policy (employee and manager guide merged) also added Home working in flexible working options.
V1.02	30 September 2021	Fixed broken links
V.1.01	6 May 2015	<ul style="list-style-type: none"><li>• One application in any 12 month period</li><li>• Appeal has to be lodged within 5 days</li></ul>
V.1.00	24 July 2014	Re-formatted policy

