



Fakenham Town Council

Fakenham Connect  
Oak Street  
Fakenham  
Norfolk  
NR21 9DY

Tel: 01328 853653  
e-mail: [info@fakenhamtowncouncil.gov.uk](mailto:info@fakenhamtowncouncil.gov.uk)  
website: [fakenhamtowncouncil.gov.uk](http://fakenhamtowncouncil.gov.uk)

## Flexible Working Policy

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### 1. Introduction

Fakenham Town Council encourages staff to consider flexible working arrangements. We recognise that a better work-life balance can improve employee motivation, performance and productivity, and reduce stress. Therefore, the council wants to support its employees to achieve a better balance between work and their other priorities, such as caring responsibilities, leisure activities, further learning and other interests.

The council is committed to agreeing any flexible working arrangements, provided that the needs and objectives of both the council and the employee can be met.

It is the council's policy to encourage open discussion with employees. If an employee thinks they may benefit from flexible working, they can either:

- Contact their line manager to arrange an informal discussion to talk about the options
- Submit a flexible working request, by following the steps in this policy

This policy does not form part of the employment contract and can be amended at any time.

### 2. What flexible working is

Flexible working is any type of working arrangement that gives some degree of flexibility on how long, where and when an employee works.

For example: • annualised hours • compressed hours • flexitime • hybrid working • job sharing • part-time working • remote working • staggered hours • term-time working • working from home.

These examples are considered to be the typical arrangements that employees will request. However, the council recognises that there may be alternatives or a combination of options which are suitable to both the organisation and the employee.

### **3. Types of flexible working**

#### **Annualised hours**

Annualised hours mean an employee's contractual working hours are calculated as the total number of hours to be worked over the year. This may mean more hours are worked in busier periods and less in quieter periods. Payment will be in 12 equal instalments. However, arrangements may be permitted where the pay for the work done is in the period the payment relates to.

#### **Compressed hours**

Compressed hours mean an employee works their usual full-time hours in fewer days by working longer blocks. There is no reduction in the employee's pay. For example, a 5-day week is compressed into 4 days, or a 10-day fortnight into 9 days.

#### **Flexitime**

Flexitime allows an employee to choose when to begin and end work, within certain limits. An employee is required to work during core hours and must work an agreed number of hours during the accounting period of 4 weeks. Their hours of attendance will be recorded and added up at the end of each accounting period. A full-time employee can carry over an excess of up to 22 hours 12 minutes or a deficit of up to 14 hours 48 minutes from one accounting period to another. A deficit of hours should be made up in the following accounting period. An employee can use excess hours to either reduce attendance outside of core hours or take additional leave (flexi leave). Flexi leave is subject to a maximum of 3 full days in any accounting period. An employee should request and agree flexi leave with their line manager, in the same way as holiday entitlement (annual leave).

#### **Hybrid working**

Hybrid working is a mixture of working remotely and in the employer's premises. Working remotely can include working from home or other agreed locations.

#### **Job sharing**

Job sharing is an arrangement where a full-time post is divided into 2 part-time roles. The 2 job holders then share the overall duties and responsibilities. Their skills and the hours each employee wish to work must be compatible and meet the needs of the organisation. Pay and benefits are shared in proportion to the hours each person works. Job sharing can be considered where the creation of a single part-time post is difficult, or where 2 individuals wish to work part-time.

#### **Part-time working**

Part-time working covers any arrangement where an employee is contracted to work anything less than typical full-time hours for the type of work in question. For example, an employee who works Monday to Wednesday. All posts are available on a part-time basis, except where this is not practical.

#### **Remote working**

Remote working means working from anywhere other than the employer's premises. This can include working from home or any other agreed location. The council can consider remote working as being an occasional agreed day, a mix of working remotely and in the workplace, or a full-time arrangement.

**Staggered hours**

Staggered hours mean having a different start and finish time to other employees. For example, working from 7am to 4pm instead of 9am to 6pm.

**Term-time working**

Term-time working is where an employee's contractual working hours are during school terms only. An employee does not work during school holidays. Any weeks above their annual leave entitlement are unpaid. Salary can be paid in 12 equal monthly instalments. Alternatively, an employee can ask to be paid for the time worked only and receive no pay during the holidays apart from their holiday entitlement (annual leave).

**Working from home**

Working from home or homeworking is when an employee regularly carries out all, or part of, their duties from home rather than the employer's premises. The council can consider homeworking being an occasional agreed day, a mix of working at home and in the workplace, or a full-time arrangement.

**4. Our approach to flexible working**

The council is committed to providing a range of appropriate working patterns.

There are many different types of flexible working. While some might not be practical for every job, it's likely other types will work. The organisation commits to look at what's possible.

Where a flexible working arrangement is requested, we will take into account a number of criteria. These include:

- the costs associated with the proposed arrangement
- the effect of the proposed arrangement on other staff
- the need for, and effect on, supervision
- the existing structure of the organisation
- the availability of staff resources
- details of the tasks specific to the role
- the workload of the role
- whether it is a request for a reasonable adjustment related to a disability
- health and safety issues

We are committed to agreeing any flexible working arrangements, provided that the needs and objectives of both the organisation and the employee can be met.

**5. Eligibility**

All employees have a statutory right to request flexible working from the first day of employment.

The council is also open to discussing flexible working arrangements with employees before their first day.

Hiring managers will include flexible working options that are available in job adverts and discuss flexible working with the successful applicant before they start.

**6. Submitting a flexible working request**

An employee is entitled to submit 2 statutory flexible working requests in a 12-month period.

The council allows employees an additional 1 request in a 12-month period, on top of the statutory entitlement.

An employee can only have one live request at a time. A request will stay live until any of the following happen:

- the council makes a decision
- the employee withdraws the request
- the employee and organisation agree an outcome
- it's been 2 months since the date of the request

All requests must be made in writing to the line manager and discussed at a meeting of the HR sub-committee.

Any request must include:

- the date of the request
- the changes that the employee is seeking
- the date the employee would like the proposed change to start
- whether this is a statutory or non-statutory request
- whether the employee has made any previous flexible working requests to the organisation the dates of any previous requests

If the request relates to a reasonable adjustment for a disability under the Equality Act 2010, the employee should make this clear in the request.

If a request does not contain all of the required information, the line manager will advise the employee what else they need to provide and ask the employee to resubmit the request.

## **7. Responding to a flexible working request**

The line manager and HR staffing sub-committee will consider the proposed flexible working arrangements. They will look at the potential benefits and adverse effects to the employee and to the council in implementing the proposed changes.

Each request will be considered on a case-by-case basis, in the order they are received.

Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working pattern.

Where an employee's request needs further discussion, the council will invite the employee to a consultation meeting. If a meeting is arranged, it will be held within 15 working days of receiving the request. This time limit may be extended with the agreement of both the employee and line manager.

Where an employee's request can be approved in full without a consultation meeting, the council will confirm this in writing within 20 working days of receiving the request. This will include details of the new arrangements and an invitation to talk about the new arrangements. This time limit may be extended with the agreement of both the employee and line manager.

The council will make a decision on all requests, including any appeal within a maximum of 2 months. This time limit may be extended with the agreement of both the employee and line manager.

## **8. Consultation meetings about flexible working**

If the employee is invited to a consultation meeting, the HR subcommittee and Line manager will discuss:

- the request
- how the proposed working arrangements might work
- how it could be of benefit to both the employee and organisation

The employee will be given advance notice of the time, date and place of the meeting. If the initial date is problematic, then one further date will be proposed. This meeting will be in person or a video call, or a telephone call if neither of those are possible.

At the meeting the employee may, if they wish, be accompanied by a colleague or a trade union representative.

If the employee fails to attend a meeting and then fails to attend a rearranged meeting without good reason, their request will be deemed to have been withdrawn.

### **Communicating a decision after consultation**

After a consultation meeting, the request may be granted in full, in part or refused.

The council may:

- propose an alternative option
- grant the request on a temporary basis
- ask the employee to try the flexible working arrangement for a trial period

If a working arrangement is agreed, the employee will be sent a confirmation letter within 10 working days of the consultation meeting. This will include details of the new arrangements and an invitation to talk about the new arrangements.

If the council refuses the request, the employee will be given the decision in writing within 10 working days of the consultation meeting.

## **9. Right to appeal a decision**

An employee has the right to appeal the decision if their request is refused or is only agreed in part.

The employee may submit an appeal within 5 working days of being notified of a decision on their request. This should be done in writing and clearly state the reasons for their appeal.

The appeal will be heard within 10 working days. The employee will then be informed of the outcome of their appeal within 5 working days of an appeal meeting. These time limits may be extended with the agreement of both the employee and line manager.

At the appeal meeting the employee may, if they wish, be accompanied by a workplace colleague or a trade union representative

## **10. Requesting a reasonable adjustment**

The council is committed to reducing and removing disadvantages for disabled employees.

If an employee needs to change where, how or when they work because of their disability, they can request a reasonable adjustment under the Equality Act 2010. If an employee requests a reasonable adjustment, they do not need to also make a flexible working request.

To request a reasonable adjustment, send your request by email or letter to your line manager and include:

- that you're making a request for a reasonable adjustment under the Equality Act 2010
- the adjustment you're requesting

The line manager will discuss your request with you within 10 working days of receiving the request. The outcome will be confirmed in writing within 5 working days of the discussion, including any agreed reasonable adjustments. These time limits may be extended with the agreement of both the employee and line manager

### **11. Trialling new working arrangements**

Where there is some uncertainty about whether the flexible working arrangement is practical for an employee or the council, a trial period may be agreed.

A trial period will allow enough time to implement and get used to the new arrangement before making any decisions on its viability.

The council will put any trial arrangements in writing to the employee. This will include their new working pattern and make clear that it is only a temporary change to the employee's terms and conditions.

The employee will be informed in writing of the start and end dates of the trial period. The council may reduce or lengthen the trial period where necessary, with the agreement of the employee.

The council will reserve the right, at the end of the agreed trial period, to require the employee to revert to their previous working arrangement. In this situation, the organisation will give the employee 4 weeks' notice.

### **12. Varying an employee's contract**

Where flexible working practices are agreed as a permanent change, any variation to the employee's terms and conditions will be put in writing. Written confirmation of the changes will be sent to the employee within one month of the change being agreed.

If the employee has any questions or concerns they should contact their line manager

### **13. Complaints and further information**

An employee should raise any concerns with their line manager if they:

- are not satisfied with any stage of the flexible working request process
- feel they have been treated unfairly because they've made a flexible working request

If informal discussions do not resolve the matter to an employee's satisfaction, they should raise a grievance under the organisation's grievance procedure.

***Reviewed at Policy and Resources Committee 8<sup>th</sup> January 2025***

***Ratified at Full Council 29<sup>th</sup> January 2025. Due for review 2028***