

MORAY COUNCIL

Flexible Working Policy

Introduction

Moray Council believe that its employees are its most valuable asset and are committed to attracting and retaining the very best. It recognises the importance of supporting employees to balance their work and home life by offering flexible working and the benefits that can be realised by developing the post pandemic working environment, in particular by setting out the Council's approach to hybrid working. The Council is also committed to reducing its carbon footprint and the reliance on Council buildings and facilities.

This enabling employment policy is focussed on achieving the benefits of flexible working for the organisation and employees by providing a firm foundation for efficient delivery of services, ensuring continuous improvement in service provision with a focus on excellent customer service and where flexible working requests are made, that the needs of the service and the requirements of the job are paramount.

Providing seamless access to the workplace that meets customer, staff, service and organisational needs will support the Council as an exemplar for providing effective and efficient modern office and functional spaces, delivering quality services and helping reduce the Council's carbon footprint.

With the increased prevalence of working from home and expectations around hybrid working, it is anticipated that the need for individual applications will reduce.

Policy Statement

The Moray Council will encourage and support flexible working by proactively considering its application to all Council jobs. Wherever possible, we will offer defined flexible working arrangements designed to support service needs and offer choices to employees which assist work-life balance.

Aims:

- promote flexible working to support effective service delivery and efficiencies within the Council;
- enhance the working experience for employees by offering flexible working arrangements which support work–life balance;
 - provide a planned approach which creates a strong framework to balance service requirements and individual preferences while maximising service delivery for the customer.
 - Utilise flexible working as a tool to ensure efficient use of council buildings and facilities.
 - Embed hybrid working for employees normally in an office environment, based on the agreed 2 day office/3 day home working model or versions of such that equate to a proportionate arrangement taking account of service delivery requirements and individual circumstances.

- Work towards maximising the opportunities for flexibility in site specific/defined hours roles.
- Maximise technology to enhance flexible working e.g. increased use of collaborative tools, hybrid working solution for meetings.

Scope/Eligibility

The policy applies to Local Government Employees, Craft Operatives and Chief Officers. Teaching staff should refer to the [SNCT website](#) for further details.

All employees can ask to be considered for flexible working, however, the following considerations will apply:

- Repeat requests: These will not normally be considered within 12 months of the date of a previous application to work flexibly, except in exceptional circumstances.
- Posts which are site specific and/or where defined hours are required: Whilst it may not be possible for flexible working arrangements to apply to these posts, nevertheless opportunities for some measure of flexibility (e.g. to attend to personal business/appointments) will be considered and applied where appropriate. The rationale as to why flexible working arrangements are not possible will be available for employees upon request from their line manager.

Flexible Working in Moray

The main change in the flexible working offer is the introduction of hybrid working allowing employees to split their time between attending the office/workplace and working remotely, usually from home. This adds to the existing variety of flexible working arrangements available, all of which align with the principles outlined by the Health and Safety Executive around stress at work and the Fair Work Framework.

Although the Council is committed to providing as wide a range of flexible working arrangements as possible for its employees, both management and employees need to be realistic and recognise that the full range of flexible working arrangements will not be appropriate for all jobs across all services.

However, the Council is committed to working towards maximising the opportunities for flexibility in site specific/defined hours roles where possible. For example, it may be that through team rostering and/or re-arrangement of tasks and duties across teams, some elements of flexibility may be able to be accommodated where it is not possible to consider a change in workstyle for the job role itself.

The agreed model of hybrid working will continue for office based employees, which is based on a standard model of 2 day office/3 day home working (or versions of such) for full time employees, adapted as appropriate to working hours and individual circumstances. Managers are responsible for identifying the adaptations that are required to enable and facilitate service delivery requirements.

Workstyles:

Location Based/Fixed: any job which requires to be carried out at a particular location, e.g. service users home, facilities such as swimming pools, schools, libraries.

Hybrid: any job which can be carried out by splitting time between the workplace, usually an office, and home. ([hybrid working guidance](#)) – Background Paper 2

Home: any job which can be carried out wholly or mainly at home, or out in the field, with minimal requirement to attend an office or other work based location.

Managers are responsible for allocating a particular workstyle to all job roles within their service area based on consideration of where and when work can be carried out.

Parameters for Flexibility:

Managers are responsible for defining the parameters for flexibility with their service area to facilitate and enable employees to achieve a positive work/life balance whilst ensuring that service provision is not compromised.

The types of arrangements that may be considered include:

Flexibility in Hours of Work: Flexi Time; Compressed Hours; Annualised Hours; Staggered Hours

Flexibility in Leave arrangements: Structured Time off In Lieu; Holiday Buy Back

Flexibility in Contractual arrangements: Job Share, Part Time, Term Time; Phased Retirement

Management Arrangements

Guidance is available to support managers to put in place the required management arrangements for the types of flexible working arrangements that are appropriate within their service areas. The Flexible Working Toolkit and home/hybrid working guidance provide information, guidance and further details of how the range of flexible working arrangements can be implemented in practice.

It is recognised that there needs to be an increasing focus on outcomes based management rather than the time that employees spend at or in work and revised parameters are necessary to ensure the appropriate level of support and clarity of expectation around the way work is managed given the increase in working from home.

The Council is committed to supporting positive mental health and wellbeing across the workforce and will ensure that this is a central feature of the arrangements for managing flexible working.

Temporary Change

From time to time employee's circumstances change, perhaps they may have developed caring responsibilities for a short period of time. Flexible working can support this, through a

temporary change in working arrangements, allowing employees to revert back to their previous working arrangements after a specified period.

Informal arrangements can be made within the service between the manager and employee, ensuring that a service impact assessment is undertaken to gauge whether the temporary change in working arrangements can be accommodated.

Possible arrangements may include:

- Starting 1 hour later each morning to help settle children into a new school, making up the time at the end of the day
- Taking an afternoon off to attend a hospital appointment and agreeing to work the hours back the following week
- Starting 1 hour earlier each morning to allow for longer lunch breaks to be taken to help prepare a meal for an elderly parent following an operation

If the informal arrangement is likely to exceed 3 months, a formal application and agreement must be made. If the request to change working arrangements is then approved, it will result in a permanent change to the employee's contract.

Equality

Employees will not be treated less favourably as a result of working flexibly, or having made a request to do so. Where changes are approved, the general terms and conditions of employment for flexible workers will be the same as for all other council employees. However, there will be particular areas where conditions will have to be specified, for example in relation to health and safety and security of information for homeworking. These are detailed under the [Flexible Working Toolkit](#) (Background Paper 1) under general principles and in the home/hybrid working guidance.

Application procedure

It is anticipated that the number of individual flexible working requests will reduce given the increased opportunity for flexible working, particularly hybrid working, to be identified and implemented within services.

Where employees would like to work outwith either the standard model of hybrid working (2/3day split) or the model as adapted by their service area, a flexible working request will be required.

Requests for flexible working should be made using the [Flexible Working Application Form](#) (Background Paper 8) and then passed to the line manager for consideration.

All statutory requirements are reflected in the process outlined and at all stages of the process, trade union representatives are available, as appropriate, to provide advice and guidance to their members.

Responding to an application

Once a request has been received the line manager will [acknowledge receipt](#) of the application as soon as possible. The application will then be discussed with HR. It may be that a [meeting](#) is required to discuss the application further, and if this is the case the

employee will be notified accordingly. The meeting provides an opportunity for the reasons behind the request to be explored and ensure that it is the best option for both the service and employee. However, if a meeting is not necessary, a desktop assessment of the application will be undertaken and the employee will be notified of the outcome.

The request may be approved in full, in part or refused. If it is refused, it must be due to one of the following business reasons:

- imposes an unreasonable burden of additional costs on Moray Council;
- has a detrimental effect on the Council's ability to meet its customers' demands;
- has a detrimental impact on quality;
- has a detrimental impact on performance;
- creates unacceptable difficulties for the Council as we have been unable to make arrangements to reorganise the work amongst other employees;
- creates unacceptable difficulties for the Council as we would be/have been unable to recruit additional staff;
- creates unacceptable difficulties for the Council due to insufficient work being available during the periods you propose to work;
- it is inappropriate due to planned structural changes.

In terms of timescales, a response ([Flexible Working Outcome Letter](#)) should usually be provided within 28 days of the application being received by the line manager. If further considerations or arrangements need to take place, for example the availability of technology or a further assessment on the suitability of the request, then a response can take up to 8 weeks.

Any request that is accepted will be a permanent change to the employee's contract. To ensure that the change is suited to both the employee and the service, the line manager may introduce a short trial period (e.g. between 1-3 months) initially before formally responding to the request.

Appeal procedure

If the application is refused the employee has the opportunity to discuss it further with the next level of management to explore resolution. If attempts to resolve are unsuccessful, an appeal may be raised by completing an [Appeal Request](#) within 14 days of receiving written notice that the application for flexible working was turned down and submitting it to the manager detailed on the outcome letter.

All requests, including any appeals must be considered and decided on within a period of three months from the line manager receiving the request, unless an extension period has been agreed with the employee. The outcome of the appeal will be determined in consultation with HR and notified to the employee formally in writing.

Terms and Conditions

When a new designated way of working is agreed, any changes to the terms and conditions will be formally notified to the employee. Examples of this would be a change in hours or salary.

There will also be particular areas where conditions will have to be specified, for example in relation to health and safety for homeworking and security of information. These are set out under the [Flexible Working Toolkit and home/hybrid working guidance](#) (Background Paper 2) which may be supplemented to suit individual working requirements. All terms and conditions must be agreed in advance to allow flexible working to take place.

Related Documents

Document	Purpose
Flexible Working Application Form (Background Paper 8)	This can be used to make an application to work flexibly, or change your current working pattern.
Flexible Working Meeting Request Letter	This template can be used to invite an employee to a meeting to discuss their flexible working request further.
Flexible Working Outcome Letter	This template can be used to advise the employee of the outcome of their flexible working request.
Flexible Working Appeal Request	This template can be used by employees to raise an appeal on the outcome of their flexible working request.
Flexible Working Toolkit (Background Paper 1)	This toolkit provides support and guidance on the practical use of the council's flexible working policy and should be read in conjunction.