

Human Resources

FLEXIBLE WORKING FOR SUPPORT STAFF

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South Yorkshire
Fire & Rescue
WORKING FOR A SAFER
SOUTH YORKSHIRE

FLEXIBLE WORKING FOR SUPPORT STAFF

INTRODUCTION

1. This policy offers guidance to all Support Staff regarding the submission of a request for flexible working, including the eligibility criteria and the process of making and considering an application.
2. South Yorkshire Fire and Rescue is committed to establishing and maintaining a positive working environment where the dignity and respect of employees is not undermined. It is committed to working practices that ensure the fair treatment and professional and personal dignity of all its employees. No employee will be treated less favourably on the grounds of race, gender, disability, age, sexual orientation, religion or belief or for any other reason which cannot be justified in job related terms.
3. South Yorkshire Fire and Rescue (SYFR) will consider all applications from eligible employees in a serious and consistent way.
4. SYFR recognises the importance of being able to attract and retain high quality employees from all sections of the community. It further acknowledges that some employees may wish to reduce their working hours in an attempt to support the organisation in making efficiencies.
5. All requests for flexible working will be considered in a careful and positive way and requests will only be refused where there are clear and justifiable business reasons for doing so.
6. Support and information will be provided to employees wishing to make an application and feedback will be given at all stages of the process. Both managers and employees should be flexible when trying to reach agreement about changes to working arrangements.
7. This policy does not cover the provisions of the Flexi-time Attendance scheme. Further information on Flexi-time Attendance can be obtained from Human Resources.

ELIGIBILITY

8. In order to make a request for flexible working, an employee will need to have been employed continuously for 26 weeks at the date the application is made.

FLEXIBLE WORKING REQUESTS

9. Eligible employees can request:-
 - A change to their working hours
 - A change to their working pattern
 - A change to work location

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10. The following are examples of flexible working (this is not an exhaustive list). Some of these options may not be practical or possible depending on the nature of the work.
- **Annualised hours:** working time organised on the basis of number of hours being worked over a year rather than a week. It is usually used to fit in with peaks and troughs of work.
 - **Compressed hours:** same number of hours per week but worked over a shorter period of time e.g. 4 day week or 9 day fortnight.
 - **Flexitime:** The scheme allows managers and staff to arrange working hours to meet the needs of the organisation whilst taking into consideration the Applicant's personal circumstances.
 - **Home working:** allows employees to work some or all of their time from home. This sort of option will need to include consideration of management and support arrangements, a risk assessment of the home environment and contact with customers and colleagues (this option, for obvious reasons, will only be applicable to certain posts where the work is capable of being carried out from home).
 - **Job-share and part-time working:** involves two people sharing the work of one post. Part-time working does not involve a set pattern but can involve working fewer days per week or working part days. Part-time hours can vary from 15 to 30 per week.
 - **Staggered hours:** allows employees to start and finish their working day at different times.

MAKING AN APPLICATION

11. Employees will need to make a written application using **Form A – Request for Flexible Working** and allow sufficient time for the application to be considered well in advance of the desired start date.
12. All sections of the form must be completed and signed by the employee before consideration can be given to the request. Incorrect forms will be returned to the employee by their line manager for correct completion.
13. Employees will be required to provide as much information as possible and where necessary, provide the relevant evidence supporting their request for flexible working.
14. Any request that is made and accepted under this policy will be a permanent change to the employee's contractual terms and conditions (unless otherwise agreed).

CONSIDERING AN APPLICATION

15. The organisation will consider all applications and establish whether the desired work pattern can be accommodated taking into account the business requirements.

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16. Once an application is received, the line manager should acknowledge receipt using **Form AA – Confirmation of receipt – Request for Flexible Working**. The line manager will arrange a meeting with the employee and a representative from Human Resources within 28 days of the request being received at a time that is mutually convenient.
17. If this is not possible for any reason a different time scale may be used if both parties agree and it is confirmed in writing. If the line manager is on sick leave or annual leave when the request is submitted, the 28 day period will start from the date they return. In the event of long term sick leave, the Head of Human Resources may authorise another line manager to deal with the request.
18. The meeting should allow:-
 - the request to be explored in more detail
 - options to be discussed
 - dates to be agreed
19. The employee has the right to be accompanied at the meeting by a union representative or a South Yorkshire Fire and Rescue work place colleague. The onus is on the employee to arrange such representation should it be required. If the employee's chosen representative is not available on the date of the meeting they can request an alternative time and date. The new date should take place within 7 working days of the originally proposed date or the employee can bring a different representative. The representative is not allowed to answer questions on the employee's behalf.
20. The employee making the request must attend the meeting. If the employee fails to attend the initial meeting and/or a re-arranged meeting without a satisfactory and reasonable explanation, their application will be treated as being withdrawn. In such circumstances the line manager will write to the employee confirming that the application has now been considered as withdrawn.
21. All parties should be willing to be flexible in finding a workable outcome which may involve agreeing a compromise.

REACHING A DECISION

22. The line manager must inform the employee of the decision in writing within 14 days after the day of the meeting using **Form B – Flexible Working Application Acceptance Form**. A copy of this should also be sent to Human Resources
23. In cases where the request is more complex and/or has a significant impact on other employees then the 14 days may be extended with agreement by all parties.

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CONFIRMING A REQUEST FOR FLEXIBLE WORKING

24. Human Resources will write to the employee confirming that the request has been agreed. The letter will consist of:-
- a description of the new working arrangements
 - the start date of the changes
 - confirmation of change to terms and conditions of employment
 - any other action agreed e. g. health and safety considerations if the new working pattern involves regular working from home
25. Human Resources will inform the Payroll Section of any amendments to the employees pay.
26. Where the change(s) have a possible impact on other employees within the section then the line manager should inform them of these changes.

REJECTING AN APPLICATION

27. If it is not possible to approve an application for flexible working, even after considering alternative options, then Human Resources will inform the employee of this. The letter must state the business reasons for the decision which should include:-
- sufficient explanation of how the business reasons apply in the particular circumstances of the employee's request
 - clear and relevant facts
 - details of the employee's right to appeal
28. The only reasons for rejecting an application are:-
- burden of additional costs
 - detrimental effect on ability to meet customer demand
 - inability to re-organise work among existing employees
 - inability to recruit additional employees
 - detrimental effect on quality or performance
 - insufficient work during periods the employee proposes to work
 - planned structural changes

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WITHDRAWAL OF AN APPLICATION

29. An application may be withdrawn in the following circumstances:-
- The employee's individual decision to withdraw. If this is the case, they must inform their line manager in writing as soon as possible.
 - An employee fails to attend 2 meetings to discuss their application without giving a satisfactory or reasonable explanation.
 - If a manager seeks more information in relation to an employee's application in order for a decision to be made and the employee unreasonably refuses to provide the information, the line manager can treat the application as having been withdrawn.
30. Human Resources must be informed as soon as possible.

APPEAL PROCESS

31. An employee has the right to appeal, within 14 days after having been notified of the decision if they feel their application has been rejected because:-
- it has not been considered properly
 - they wish to challenge one of the business reasons
 - new information has arisen that would facilitate implementation
32. The appeal must be in writing to the Head of Human Resources, setting out the reasons for the appeal.
33. The Head of Human Resources will arrange an appeal meeting within 14 days of having received notification. The employee has the right to be accompanied at this meeting by a union representative or a South Yorkshire Fire and Rescue work place colleague, not acting in a legal capacity. The onus is on the employee to arrange such representation should it be required.
34. If an appeal is upheld, the notification must include a description of the new working arrangements agreed and the effective date.
35. If an appeal is rejected, the notification must set out the grounds for the decision in relation to the employee's grounds for appeal. The employee cannot re-apply for 12 months. The employee will be sent a reply, informing them of the outcome of the appeal.
36. The appeal decision is final and exhausts the internal procedure.

If you require any further guidance on this Policy please contact Human Resources.

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