
**Manchester City Council
Report for Information**

Report to: Overview and Scrutiny Human Resources Subgroup – 25
January 2011

Subject: Flexible Working Policies

Report of: Assistant Chief Executive (People)

Summary

To inform members of the Councils policy on Flexible working and the guidance available to staff regarding time recording and how this relates to other flexible working policies.

Recommendations

To note the updated approach to flexible working and the positive impact to both the Council in terms of providing good quality services to residents and developing the Council as an employer of choice (promoting work life balance).

Wards Affected:

All

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Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

- Flexible Working Policy – December 2010
- Revised Disciplinary Policy and Procedure – April 2005
- Revised Tobacco Control Policy – December 2004

1.0 Introduction

- 1.1 The purpose of this report is to inform members of the Flexible Working Policy and arrangements which recognise the value that flexible working can bring to the Council.

2. Background

- 2.1 The policy is concerned with any aspect of how, when and where work is done as well as whom delivers. Flexible working can create major benefits for the organisation and the individual including improved business performance, enabling staff to achieve an improved work life balance, environmental benefits and performance, improved customer satisfaction, higher levels of employee morale and motivation and reduced accommodation costs.
- 2.2 The review of flexible working focuses on expanding the scope and application of flexible working arrangements aligned to service needs. Where the service requires an increase in flexible working, or where business needs can accommodate it, it can help support both improved service delivery through new ways of working and the drive for efficiencies. The revised policy includes a range of flexible working approaches including consideration of career breaks and sabbaticals provided the business can support such requests and conditions for return are met.
- 2.3 The flexible working hours scheme was last previously revised in 2001. However, in order to support the transformation of local government and to support the introduction of the *m people* Framework Agreement, the Flexible Working Policy was reviewed and updated in conjunction with the three recognised Trade Unions. The development of new ways of working has been essential in introducing flexibility to more traditional working arrangements. The revised Flexible Working Policy is attached as appendix 1.

3. Current Pilot Schemes

- 3.1 Currently within the Council, employees are undertaking a range of flexible working approaches. The main components of the flexible working policy include:
- Job share: for employees who choose or are unable to work full-time
 - Flexible start/finish times: allowing for balancing personal commitments/interests.
 - Part-time or compressed hours.
 - Home/remote working: allowing employees to work from home or away from their normal workplace either on an occasional basis or as part of an agreed arrangement.
 - Career breaks/ sabbaticals: an agreed period of leave can be authorised to support an individual's personal or professional development.

- Flexible Retirement: Employees from age 55 may consider flexible retirement whereby they can draw their pension and reduce their hours or move to a lower graded post. This enables employees to ease into retirement whilst providing the Council with the scope for retaining skills, reducing retirement costs, improving succession planning and providing development opportunities.

3.2 In addition a number of pilot flexible hour's schemes are taking place. To ensure that the pilot flexible working schemes are effective and meeting the agreed objectives performance is being monitored against agreed indicators. The pilot schemes are subject to formal reviews at 3, 6 and 9 months and will be evaluated.

4. Opportunities and Challenges

4.1 In order for new ways of working to succeed, support and effective leadership is required from all managers. We will be working with managers over the coming months to ensure that the ethos and culture of flexible working is embraced and fully utilised.

4.2 The Transformation programme has a cross-cutting flexible working theme for the whole of the organisation, knowledge and resources have been pooled to ensure that one consistent approach and support package is offered to services who are considering a move to flexible working.

4.3 From a service perspective, further guidance for services in how they apply a flexible working approach has been produced which outlines the range of working arrangements and their potential associated working patterns (e.g. part-time, job share, compressed hours, etc) and the guiding principles upon which the approach to flexible working is based. The approach includes the production of a toolkit for managers and staff to help them understand the benefits, policies, processes and options available to them and the different management techniques that these will require in order to adopt flexible working patterns.

5. Protocols

5.1 A vital element of successful flexible working will be the performance management of employees.

5.2 Flexible workers will need to have clearly set performance management targets. By enabling employees to work more flexibly managers will need to develop suitable performance management metrics to gauge if employees are working at optimum levels and track performance. A mechanism is required to record the time that employees start and finish work, lunch breaks or any other absence from the office for non work related reason.

5.3 Employees are required to use the agreed appropriate method for recording time. e.g. clocking in/out with monitoring arrangements in place. Where an employee is required to attend a non work related appointment within agreed

core hours, this will be discussed and approved by the line manager prior to them attending the appointment. The employee is required to clock out before attending their appointment and on their return.

- 5.4 The flexible working policy however, does not facilitate employees to take unofficial smoking breaks. The Council operates a no smoking policy which states that employees may only smoke in their own time. The Council will endeavour to assist any employee in their wish to give up smoking and processes are in place to facilitate this. The Council and Manchester NHS provide a specialist service to help Council employees to quit smoking. A specialist advisor can provide one to one support and advice to employees along with vouchers for discounted nicotine replacement therapy products such as patches, inhalers etc. This can be accessed through the Manchester Stop Smoking Service on 0161 205 5998. Assistance will be subject to exigencies of the service.
- 5.5 Misuse of working arrangements e.g. false time recording may result in disciplinary action being taken, in accordance with the Councils Disciplinary Procedure.

6. Conclusion

- 6.1 Flexible working provides a tool for the Council in ensuring that services are delivered when and where necessary. Flexible working also supports the Council's well being agenda through providing opportunities for greater work life balance and supports the Council becoming an employer of choice.
- 6.2 The Council recognises that each employee plays a role in supporting the organisation to attaining its goal and an employee's welfare is an important factor in achieving this.

Attached as appendices

1. Flexible Working Policy

Appendix 1

Flexible Working Policy

DECEMBER 2010

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1. PURPOSE

- 1.1 Manchester City Council is committed to attracting, developing and retaining a world class workforce. It aims to deploy all the talent and experience available in the most flexible and efficient manner. In developing a flexible workforce it recognises the importance of helping employees balance their work and home life. The Council also recognises that staffing capacity must at all times remain in line with the needs of the business so that service provision is maintained at all times.
- 1.2 Flexible working, when used effectively, delivers benefits to both employer and employees. Flexible working can benefit services by matching their business needs with the way their employees work. At the same time employees can achieve a better balance between work and home life.
- 1.3 Employee benefits:
- Increased job satisfaction
 - Work-life balance
 - Improved productivity
 - Improved morale and motivation
- 1.4 Employer benefits:
- Improved productivity and overall efficiency
 - Reduced absenteeism
 - Effective use of office space with associated reduction in costs
 - Lower carbon footprint due to reduced fuel and travel costs

2. SCOPE

- 2.1 These arrangements cover all employees employed by Manchester City Council excluding staff directly employed by schools.

3. BALANCING THE BUSINESS AND INDIVIDUAL NEED

- 3.1 The City Council is committed to providing the widest possible range of flexible working patterns and using flexible working as a positive tool to both improve employee satisfaction and deliver effective service provision. In considering all requests for flexible working managers must take account of individual needs and treat such requests reasonably, fairly and in accordance with relevant legislation and Council policies. However, both management and employees will need to be realistic and recognise that the full range of flexible working options will not be appropriate for all jobs across all areas of the business.

4. SERVICE-LED INITIATIVES

- 4.1 Where services are looking to adopt flexi-time (flexible working hours scheme) and/or flexible working arrangements to assist and enhance service provision

as part of a structured process, the considerations will need to emerge from and be supported by a reasoned business case following:

- Service redesign
- Major relocation
- Business planning process.

4.2 Where a flexible working arrangement is proposed, the Council will need to take into account a number of criteria including (but not limited to) the following:

- the cost of the proposed arrangement
- the effect of the proposed arrangement on other staff
- the level of supervision/management required
- the structure of the service area and staff resources
- other issues specific to the service area
- resourcing implications
- health and safety implications
- impact on individuals
- consideration of individual circumstances

4.3 Equality Impact Assessments must be carried out on proposed changes and cost/benefits realisation assessed.

5. TYPES OF FLEXIBLE WORKING ARRANGEMENTS

This policy sets out a suite of flexible working arrangements that can be used by employees. In dealing with requests managers are advised to think both of benefits in applying this policy to enhance service delivery within budgetary constraints as well as the beneficial impact flexible working has in maintaining employee motivation and morale. The policy includes the following options, but recognises that there may be other arrangements that can be accommodated, and that the working pattern that may suit any particular individual or a service could be a unique one.

5.1 Job- sharing

Job sharing is another form of part-time working whereby through a voluntary arrangement two employees share the responsibilities of one full-time position. Typically, job-sharing works on a shared responsibility basis where the individuals both carry out all the duties of the job, simply picking up the work where the other one left off. The duties of the position are divided between the two individuals, with each being able to provide cover for the other where necessary. In the event of one job sharer leaving, the hours of work previously undertaken by that person should normally be offered, in the first instance to the remaining job sharer.

In some circumstances it may be possible for one person to job-share two different posts within the Council e.g. where a job-sharer wishes to return to

full-time employment but the other half of the post is not vacant. Agreement needs to be sought from both line managers so that needs of each service area can be taken into account. The guidance can be found on the intranet www.mcc/personnel/ContractChanges/job_share.htm.

5.2 **Part-time working**

Part-time working is a system whereby the employee is contracted to work fewer than the standard number of contractual hours per year.

5.3 **Flexi-Time (Flexible Working Hours Scheme)**

Employee chooses, within limits, when to begin and end work between a prescribed period of time during the working day. They are required to work during the agreed core hours unless otherwise agreed by their line manager in advance and must work the agreed number of hours during each 4 week period.

Employees can carry over additional time accrued after every four week period. Any additional hours accrued over the normal limit, due to operational requirements/peak workloads, must be agreed in advance by management.

Generally, within the City Council the majority of services operate a flexi-time system whereby 7 hours may be carried over every 4 weeks. Provision of flexi-time will be governed by criteria set out in Para 4.

5.5 **Staggered working hours**

Staggered working hours allow for start and finish times other than the normal business hours. The standard working day remains at seven hours for full-time staff.

5.6 **Compressed hours**

Compressed working hours permit employees to work their total number of contractual hours over fewer working days. Where more than one employee within a team wishes to work compressed hours, a rota may be necessary to ensure fairness as some days (usually Monday and Friday) will be more popular choices for time off.

An employee would have a usual half day or day off, subject to the needs of the service area. The employee should work additional hours each day to make up the time.

5.7 **Voluntary reduced working time**

Voluntary reduced working time is a system whereby it is agreed that the employee will work reduced hours for a certain period of time, with a return to

fulltime hours at the end of this period.

5.8 Occasional working at home

Occasional working at home is a system whereby the employee carries out a proportion of their duties at home rather than on Council premises on an occasional basis. It would normally be used for carrying out specific tasks with specified outcomes which require a high level of concentration and/or minimum interruptions. However, it can also include work that can be done effectively from a remote location. It is an ad hoc arrangement and needs to be agreed beforehand with the line manager. Where it is necessary for the employee to take confidential material home, it must be stored securely. Safeguards to ensure that other people cannot access computer systems will also need to be considered. The impact of the employee's absence from the workplace on other employees in the team must be considered carefully. The employee must be contactable throughout the working day.

5.9 Home Working

Where appropriate managers may consider that an employee can work from home. Factors detailed in respect of occasional working at home (see para 5.8) must also be considered. There are several considerations to review before managers authorise home working.

The nature of working regularly from home means that often employees are unseen and work non-standard hours. Consequently the emphasis must be on task-oriented working, defining outputs and jobs to be done. Clear and effective communication channels are therefore vital, as is the need to keep in touch with employees to avoid isolation. Managers must also satisfy themselves that the employee has the necessary time management skills, the ability to work without close supervision, self-motivation and flexibility.

Before agreeing to home working, managers must undertake risk assessments associated with any tasks that the employee is asked to undertake and consider the requirement of health and safety legislation. Regular supervision must be agreed in advance and failure to meet prescribed agreed targets may result in the home working provision being withdrawn.

Decisions about whether to implement regular home-working/home-working schemes should be progressed on a cost-benefit analysis and be reviewed and approved by the Head of Service.

5.10 Time off for study/Career breaks/Sabbaticals

Career breaks/sabbaticals allow an employee an extended period of time away from paid work. A career break/sabbatical will be agreed if there is clear rationale in terms of benefits for both the employer and employee which supports learning, expertise and skill development that the employee will bring back to the workplace and if adequate cover arrangements can be made.

During the period of the break there will be no pension or National Insurance contribution. The period of break will count as leave of absence and an employee's service prior to the break will be protected. Annual leave will not accrue during the period of absence covered by the career break. Pension implications should be discussed with the Pensions Officer. Where it is agreed that continuity of service will be preserved during the break this will be dependent on the employee returning to Council employment after the break.

An employee on a career break may be required to fulfil certain reasonable conditions intended to enable the employee to keep up to date on work issues. These will be specified in the career break agreement. Examples of such obligations can include:

- attendance at away days, conferences or meetings
- attendance at specified courses.
- An employee on a career break/sabbatical will notify the Council of any changes in address or name as soon as possible.

5.11 Flexible Retirement

Employees from age 55 (with effect from 2010), may wish to consider flexible retirement whereby they can reduce their hours or move to a lower grade. Each request for flexible retirement will be considered on its individual merits and will only be agreed if it is in the economic and/or operational interests of the service to do so. All requests should be discussed with the employee's line manager before submitting a written request to their Head of Service. All applications will be considered through the flexible retirement approval process detailed within the flexible retirement policy and corporate approval will be required.

5.12 Annualised/Seasonal Working

Annualised hours and seasonal working may be suited to jobs where there is seasonal demand, peaks and troughs in workload, or where there is a need to respond rapidly to unpredictable demands, and these practices are already well established in discrete areas within the Council.

A formal policy for annualised hours and seasonal working will be developed in negotiation with the trade unions in the next phase of the policy review commencing January 2011.

5.13 Further guidance

Further guidance on flexible working arrangements is available on the Intranet.

PROCESS FOR CONSIDERING ALL REQUESTS FOR FLEXIBLE WORKING FROM EMPLOYEES

1. The Request

Where a verbal request is received from an employee, the employee should be informed that any request to vary their working pattern must be put in writing, to their line manager and must set out any relevant issues such as:

- the regular working pattern they require;
- the reason for the request;
e.g. support to partner, carer commitments
- how they believe this working pattern could be accommodated within their workplace
- period of review

2. Duty to consider - the "Business Case"

The manager must take into account the reason why the request is being made. Considerations of requests must be mindful of the City Council's commitments to equal opportunities, statutory provisions, needs of the service and impact on employees who face changes in their circumstances e.g. childcare commitments, caring responsibilities, personal circumstances; etc. Whilst this information may help to inform the manager's decision, the manager should be mindful that s/he does not have the right to unduly pry into an individual's personal circumstances.

Whilst there is no automatic right for an employee to be allowed to work flexibly or at different times to their colleagues, the manager has a duty to consider any such request made by an employee. In doing so, the manager should consider the business case for accepting or rejecting the request, which will include an assessment of the following issues:

- any additional costs to the business/service;
- the ability to meet customer demands;
- the ability to organise work within available staffing;
- the impact on work colleagues;
- the impact on service quality and/or performance;
- the ability to recruit additional staff, where appropriate

3. The Decision

After giving consideration to the request, the manager should respond to the employee, in writing, either:

- (a) accepting the request and establishing the start date, including setting out any action on which the agreement is dependent, whether the arrangement is temporary or permanent and whether there will be a review mechanism;
- or

(b) rejecting the request and giving an explanation of the business reasons for doing so.

This response should be given within an agreed timescales and where a variation to the original working pattern is agreed, the line manager must liaise with Personnel Shared Service to review the employee's Statement of Particulars and issue revised documentation, where appropriate.

4. Appeals mechanism

Where an employee is dissatisfied with the response to their request, they should raise a complaint, in line with the City Council's agreed relevant complaints procedure and are entitled to be represented throughout the process by a friend/trade union representative.