

THE MORAY COUNCIL FLEXIBLE WORKING POLICY

1. Introduction

The Moray Council requires to meet the ever-changing demands of our customers and to deliver effective and efficient services. Meeting service requirements and satisfying customers is our priority. The Council relies on employees to provide these services. So it is important to balance service priorities with employees' needs to ensure that work is satisfying and fits well with the rest of their lives. Flexible working options can help to support the aims of both employer and employees.

The Council is committed to, and recognises the benefits of, providing flexible working options. Benefits that can be achieved through flexible working in its broadest sense include improved motivation and morale, reduced absenteeism, increased productivity and better employee commitment and loyalty. As services face the challenges of the future, flexible working can help create sustainability for the future by offering efficiencies and being responsive to workforce and customer needs. In addition, The Moray Council recognises its legal obligations to consider applications in respect of parents and carers to formally apply for flexible working. However through the provision of this policy, we have enhanced these requirements by providing the right to request flexible working to all employees.

This policy is focussed on service improvement and improving working lives. Therefore, it is an overriding principle that service provision must not suffer and that there should be no detriment to colleagues as a result of the introduction of flexible working for any individual employee. Where requests are made, the needs of the service and requirements of the job will be paramount.

2. 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 options 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 environment for employees by offering flexible working options 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.

The Council will establish *Flex Job Types* and *Flex-Options* and will provide a consistent approach for the assessment of these options.

3. Scope

The policy applies to all employees of The Moray Council with the exception of Teaching Staff.

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

- **Temporary employees** – any costs associated with flexible working must be considered in the context of the length of the contract and whether there is likely to be a long term benefit from the investment.
- **New employees** (less than 26 weeks service by the date of application): in order to assess the individual's suitability and to ensure an effective induction, flex-options may not be appropriate immediately or may require additional support.
- **Repeat Requests:** Have not made another application to work flexibly under this policy in the past 12 months prior to the date of application.
- **Restricted Posts:** Due to the nature of the role, some posts may be identified as unsuitable for **Flex-Options** and the rationale for this decision will be available for employees upon request from their line manager.

4. Flexible Working in Moray

To encourage and support a real change in culture towards more flexible working, the Council is taking a three stage approach:

(i) Flex Job Types – the nature of the job is considered and a type allocated to determine where and when work can be carried out;

(ii) Flex Options – the range of flexible working options available are set out and considered for each service;

(iii) Flex Management - appropriate management arrangements are put in place to ensure a clear focus on delivering the requirements of the job.

5. Flex Job Types: Categories for Moray Council Jobs

The Council will categorise jobs into one of four **Flex Job Types**.

The **Flex Job Types** take account of the nature of the work to be carried out, the requirement for contact with customers, where work can take place and the need for access to corporate systems and technology to support the work. The main purpose of the **Flex Job Types** is to determine the degree of flexibility around when, where and how each job can be carried out. Once this is established employees can use the **Flex-Options** to adopt working arrangements to suit both them and the service.

The four ***Flex Job Types*** are set out below and described in more detail in **Appendix A**.

- **Fixed:** Working at a single place of employment carrying out tasks which cannot be done anywhere else.
- **Flexible:** Office based for majority of time but suitable to work in a ‘hotdesking’ environment.
- **Mobile:** Predominately working remotely or at out of office establishment.
- **Home:** Large majority of time working at home.

6. ***Flex-Options*** : Types of Flexible Working Arrangements

The ***Flex-Options*** provide an outline of the types of flexible working the Council offers. The availability of the options in each service, workplace and for each job will depend upon the requirements of the particular job and how it has been categorised against the ***Flex-Job Types***. In all cases the efficient provision of the service and the implications for other jobs in the service will determine the ***Flex-Options*** the Council offers. Where possible this will be considered with reference to the outcomes required of the service and particular role (as opposed to, for example, setting work times or location).

The availability of ***Flex-Options*** will be determined by managers in relation to jobs in their service and Personnel Services will assist in ensuring a consistent application of the ***Flex-Options*** to jobs across services. Managers will have to take account of the impact on the whole service and individual jobs will be considered in this context. For example, there may requirement for a proportion of a team to be available at a particular time. The managers will also determine the application of the particular ***Flex-Option*** to their service and any parameters that must be put in place (e.g. core times).

By proactively assessing jobs against the ***Flex-Job Types*** and identifying the ***Flex-Options*** it is hoped to promote flexible working and make it more accessible, avoiding the need for a complex application process for each individual case. Employees can simply select from the options available. The suitability of the individual employee will be considered within this context.

However, if an employee wishes to have an alternative flexible working arrangement considered, they can make a request using the ***Flex Procedure (ii)***. This may be less likely to fit with service needs and the rest of the team and they may be encouraged to consider one of the ***Flex-Options*** already identified for their role.

The ***Flex Options*** below describe the range of flexible working options. The detailed parameters and guidelines for each option are set out in ***Flex Regulations*** which will form part of the terms and conditions for the operation of flexible working.

A. Flex Hours: varying working time

(i) Flexi – time

Variable start, finish and break times which meet service needs but allow flexibility to suit individual employees. Some jobs may be suited to entirely variable hours. However, for others there may be times when minimum service levels must be guaranteed and “core time” will have to be used to give some structure to the working day (e.g. start by 10am). This degree of flexibility often requires teams of employees to co-operate to ensure there is adequate service cover and a fair distribution of flexible time. The General Principles sets out the details.

(ii) Compressed Hours

Fewer days are worked each week but the individual days are longer. For example, working 20 hours over 4 days instead of 4 hours a day for 5 days.

(iii) Annualised Hours

This is a system whereby an employee is contracted to work an agreed amount of hours per year rather than per week.

This pattern of work is split into core hours that are worked each week or month and the remainder of the hours are allocated to meet peaks and troughs in demand.

The working week may vary from week to week or season to season according to the business needs. Hours for the month are agreed in advance.

(iv) Staggered Hours (Shift work)

This is where colleagues in the same workplace have different start, finish and break times, allowing the Council to provide longer opening hours. It is essentially a shift system.

The pattern of working hours could be the same from day to day and week to week (e.g. Start at 8 am and finish at 4 p.m. every day) or it could vary on a rota basis.

B. Flex- Options – Part Time Options

(i) Jobshare

This is a form of part time working where the work is shared between two people. Job sharing is the voluntary sharing by 2 persons of all duties of an established full time post and appropriate aspects of conditions of service shared on a pro rata basis according to the hours worked by each job sharer.

(ii) Part time

This allows an employee to work less than the full-time hours for the post on an agreed working pattern. Terms and conditions (i.e. pay, holidays, pension) are pro-rata for the hours worked.

(iii) Term time working

This is where work follows school patterns. The employee works as normal during term time (or an agreed pattern of work for 47 weeks) but during school holidays or periods of unpaid time, they don't attend work but are still employed. Salary is paid over 12 months in equal instalments. Holidays are predefined and periods of non working time allocated in advance.

C. Flex-Place: varying the location where work is carried out

(i) Homeworking:

The job is done from home for all or part of the working week (or at a location other than the normal workplace).

(ii) Hot Desking / Mobile Worker

The employee will work mainly "in the field" or at client's locations/homes. Work instructions will be received by phone, computer at home or other mobile technology. As employees spend significant time away from their office base they require desks for less than 100% of working time and so will share desks with colleagues (hot desking). The use of 'touch down' centres and improved technology (e.g. hand held devices) will also support this type of working.

D Flex- Leave

(i) Structured Time Off In Lieu

Employees agree to work longer hours during periods of peak activity or demand. These extra hours are recorded and can be taken as time off (with pay) at a less busy time in agreement with their line manager. The Council may set limits on the number of hours that can be built up over the year and when time off can be taken.

(ii) Holiday Buy Back

This is where the employee has the opportunity to 'buy' additional holidays and will forfeit salary for an additional holiday.

E Flex Retirement

(i) Phased Retirement

This offers a period of part time working to move from full time work to retirement. The hours worked will be agreed between the employee and their manager. The variation could be to the number hours and days worked. There is a wide range of potential working patterns. Pay and benefits depend on the hours worked but usually involve a reduction in pay because fewer hours are worked. There may also be an impact on pension entitlement.

F Flex Package

This option allows the employee to select a combination of **Flex-Options** that has been identified as suitable for their post. For example, home working combined with flexi time or term time working combined with home working.

7. Flex Management: Outcome focussed management arrangements

Flexible working requires particular arrangements to be made to support and manage flexible workers, who may have less direct face to face contact with their managers and colleagues than traditional office based workers.

The Council will ensure that there are appropriate channels of communication in place so that flexible workers have access to information and can contact managers and colleagues on relevant issues.

As employees may be less visible, it is important to ensure a clear focus on delivering the requirements of the job and on measuring outcomes. Employees will be required to undertake the remit of the job through new ways of working and to deliver this in a manner and approach set by the Council. Methods will be put in place to support management by results and where relevant standards and targets will be set and agreed.

Training and coaching on any new technology or ways of working will be provided as necessary.

It is essential to recognise that this approach to work is built on a high degree of trust and confidence between the employee and the employer. As such any breach of trust and/or confidence may result in the agreement of Flex-Option arrangement being terminated.

Operational guides are available within the management resources that support the policy document to ensure consistency of application and provision of appropriate management and support arrangements.

8. Procedure

All applications for flexible working arrangements must be made using the **Flex Procedure**.

Flex Procedure (i) To be followed where an employee is applying for an established Job Type and/or Option that has been identified as suitable for your post

Flex Procedure (ii) To be followed where an employee is applying under the Statutory provisions or where the employee is applying for a Job Type and/or Options that has not been identified as suitable for your post. The process and responsibilities for assessing requests are set out in the **Flex Procedure** which is contained within the operational guidance.

9. Terms and Conditions of Flexible Employment

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 for homeworking and security of information. The General Principles are set out in **Appendix B** and these may be supplemented to suit individual working requirements. All terms and conditions must be agreed in advance to allow flexible working to take place.

FLEX JOB TYPES DEFINITIONS

<p>FIXED WORKER</p> <ul style="list-style-type: none"> □ Working at a single place of employment carrying out task which cannot be done anywhere else. □ Spends a large majority of their time in the office or establishment □ May require access to paper files specifically located □ May require a dedicated workstation and fixed telephone extension 	<p>FLEXIBLE WORKER</p> <ul style="list-style-type: none"> □ No requirement to have a fixed desk in a specific location □ Suitable to work in a 'hot desking' environment. □ Office based for majority of time □ Jobs that may involve research, report writing, working with partners which can be carried out in multiple offices, occasionally working from home or remotely □ Likely to require access to corporate systems
<p>MOBILE WORKER</p> <ul style="list-style-type: none"> □ Predominately working remotely or at an out of office establishment □ Has a public/customer facing role in the field □ Will require mobile ICT equipment to access corporate systems to perform their role □ No requirement to have a fixed desk in a specific location 	<p>HOME WORKER</p> <ul style="list-style-type: none"> □ Spends a large majority of time working at home □ Will require a dedicated workstation, fixed telephone extension and access to corporate systems. □ Mobile ICT equipment for field work not required.

GENERAL PRINCIPLES

The following applies to all the working arrangements within the Flexible Working Policy and is provided for managers and employees to guide them in operating the various types of flexible options available.

1. Flexi Time:

Flexi time involves variable start, finish and break times which meet service needs but allow flexibility to suit employee needs. Some jobs may be suited to entirely variable hours. However, for others there may be times when minimum service levels must be guaranteed and will have to have some structure to the working day (e.g. start by 10am). This degree of flexibility often requires teams of employees to co-operate to ensure there is adequate service cover and a fair distribution of flexible time.

It must be remembered, however, that at all times the efficiency of the Moray Council and the services it provides must be maintained.

Arrangement of working time and flexi leave will require the consideration of individual and team workload and the overall pattern of work in the team/section/department, including peaks and troughs in service delivery. Managers are responsible for setting the parameters in relation to working time and flexi leave based on these factors.

As a minimum 60% of contracted hours must be worked in any one week and as a maximum an additional third of weekly contracted hours can be worked. E.g. an employee working 36.25 hrs must work as a minimum 21.25 hrs in a week and as a maximum could work 47.5 hrs in a week.

Each service will be responsible for setting its own accounting period in line with the needs of the particular service to ensure appropriate management of flexi time and flexi leave. This accounting period should be as a minimum, monthly, and should reflect the cycle of work in that given service.

Hours worked under these arrangements will not attract any enhanced payments even where they may be worked at times when normally these enhancements would be due. This is due to the element of individual choice in working at these times rather than the organisation requiring work to be undertaken at these times.

2. Holidays

Holiday entitlement is based on the particular contractual arrangements including the pattern and hours of work Entitlement will be reflected in your terms and conditions of employment Where there are changes to any terms and conditions of employment e.g. hours of work, then any implications for holiday entitlement should be discussed between manager and employee.

Where a service is operating flexible working, it is vital that management are able to forecast and secure staffing needs to enable delivery of service.

It is important to note, therefore, that some services may operate 'preferred holiday periods'. This may result in employees being asked to take a proportion of holiday entitlement within a set time period as determined by management. This will ensure the disruption to services is minimal and appropriate resource is available to meet peaks and troughs in demand.

If a preferred holiday period is required within a service, the timescales for the particular service will be communicated as any new arrangement is agreed.

3. Working Arrangements

When an employee is appointed or moves to a new working arrangement the details of the contractual change will be confirmed in writing. Any operational details in respect of these working arrangements will be agreed between the employee and the manager e.g. any shift arrangements, hours of work, expectations re: outputs etc.

Change to a particular working arrangement will be deemed as a permanent contractual change for the employee.

All working arrangements must comply with the Working Time Directive and Health and Safety requirements. Managers will be responsible for ensuring that employees are given adequate breaks based on the length of the working day agreed.

Managers will also be responsible for ensuring that an induction with regards to a new way of working is provided.

4. Termination of Flexible Working

Given that a change to a particular type of working arrangement is a permanent one, there will be no scope to end the working arrangements that have been agreed. This is due to the disruption to service delivery and the knock on implications to the working arrangements of other employees. In exceptional circumstances, consideration may be given to ending a working arrangement however this will require the authorisation of the Head of Service, in consultation with Personnel Services. Normal notice provisions remain in terms of the overall contract of which the type of working arrangement is part.

Where there is a change to service delivery needs or an individual's ability to work a certain arrangement managers may review and following appropriate consultation may terminate an agreed working arrangement by issuing the appropriate notice to the employee.

5. Work Place Location/Base

All work locations whether on Council or other premises, e.g. an employee's home will be subject to an assessment to ensure the location is suitable for purpose.

There is a variety of the tools available within the policy document that will be used to assess the location.

6. Individual Suitability

A number of working arrangements will have an impact with regards to the way employee's are managed and supervised, involving changes for both managers and employees. To ensure the success of a changed working arrangement, the suitability of an employee for a particular working arrangement will be assessed using set criteria

Available with the toolkit is a job suitability questionnaire that will be used for this purpose.

Where it is considered that an employee would not be suited to the particular working arrangement The reasons for this will be discussed between the employee and manager. Training and /or other support methods may be offered to assist the employee and/or manager with any particular issues arising from this assessment.

7. Salary

Payment will either be made in 12 equal instalments or every 4 weeks throughout the year depending on the agreed payment cycle for the particular employee group. This will be irrespective of the working arrangement agreed except where an employee is claiming their hours by timesheet.

8. Travel Expenses

Travel expenses incurred in the normal course of duties should be claimed in accordance with normal procedures. Expenses should be claimed from the agreed normal place of work for that particular day. These claims will only be allowed for the shortest journey, i.e. either home to venue or normal place of work to venue.

Employees are expected to plan their work such that meetings should as far as possible be arranged en route to or from home at the beginning or end of the working day to ensure efficiency and reduce the cost of travel.

9. Availability for Work

Where an employee is working flexibly it is essential that they provide their line manager with their availability for work. This would include the declaration of any second job that they may hold both within or outwith the authority. In accordance with the Council's conditions of service, employees are not normally restricted from undertaking work for another employer where it does not affect their work with the Council.

10. Attendance at Office

Where employees are working a flexible arrangement they will be required to attend the office as agreed with their line manager to ensure a regular reporting relationship and maintaining contact with the team

11. Sickness Reporting

Normal reporting arrangements will remain irrespective of the working arrangement. Please refer to the Health and Work Policy for further information.

12. Health and Safety Arrangements

The responsibilities of employees and managers remain, to maintain safe systems of work and a safe working environment in relation to flexible working arrangements. Details of any additional responsibilities in relation to health and safety will be highlighted for specific working arrangements i.e. home working.

The Council will be responsible for ensuring the safe installation of any equipment and for advising employees on its safe use. Training, if required, will be provided.

13. Security of Information and Equipment

An employee will be responsible for the security of all council information, files, documents etc in their possession and for ensuring no unauthorised access to such information. All information held should be treated in confidence and should not be inappropriately disclosed. Managers are responsible for ensuring that employees understand the requirements in relation to their particular service area.

Equipment provided by the council must not be used for private purposes and the security of the equipment remains with the employee whilst allocated to them. Upon request all equipment must be available for return to the Council.

14. Allocation of Work

Arrangements for the allocation of work should be made between the employee and supervisor/manager in advance. Employees are required to adhere to the same work standards and rules as office based staff. Regular contact should, therefore, be maintained with managers and employees should refer to them for advice as appropriate. With a move to outcome based performance, clear guidance will be given with regards to expectations of delivery of identified workload.