

# Flexible Working Policy and Procedure



**How and where we work**  
Agile, adaptable, accessible

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**Slough**  
Borough Council

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## 1. Introduction

- 1.1. Slough Borough Council is committed to the promotion of flexible working and creativity in the design of jobs and contracts of employment which can improve performance and productivity, help with recruiting and retaining staff, increase staff motivation, promote work life balance and reduce employee stress.
- 1.2. This policy applies to all Slough Borough Council employees, not just staff with caring responsibilities. This policy does not apply to school-based staff who are under the control of Governing Bodies, Volunteers, Agency Workers and Contractors. But we will be recommending this to our maintained schools
- 1.3. Slough Borough Council (SBC) aims to design and implement policy documents that meet the diverse needs of our services, and workforce, ensuring that none are placed at a disadvantage over others. It considers current UK legislative requirements, including the Equality Act 2010 and the Human Rights Act 1998. SBC promotes equal opportunities for all where an inclusive workforce and diversity is valued (Refer to EDI policy).
- 1.4. At SBC we are committed to promoting an inclusive workforce and enabling a wide range of people to work for us. Flexible working supports equality, diversity and inclusion and recognises that different groups of employees may benefit from different patterns of work. This policy looks to drive best practice through flexible working styles to suit both the individual and organisational needs.
- 1.5. We can work towards this through enabling our managers to build flexible teams whilst creating a positive working environment in which all our staff can succeed.
- 1.6. This policy reflects the increasing demand from the public for greater flexibility in the provision of Council services, including what is perceived as being outside of our normal working hours.
- 1.7. The Council also recognises that more flexibility can contribute to the Council's activity in reducing carbon emissions throughout its operations.
- 1.8. This policy gives all employees the right to request Flexible Working. The right to request, however, is not the right for this request to be automatically granted. Later in this policy you will see the grounds on which a request may be refused or where a manager may put forward an alternative solution.
- 1.9. All requests received will be considered in the spirit of this policy and it's aims. Consideration will need to be given against any cost that may be incurred, service delivery to customers, performance management, team working and, as far as reasonably practicable, ensuring the health, safety and welfare of our employees.

- 1.10. Responsibility for making it work must be shared by employees and managers. Together you need to assess opportunities and challenges in any proposed arrangement openly and honestly.

## **2. Policy Statement:**

- Sets out your legal entitlement to make a flexible working request (Please see under Manager and Employee responsibilities).
- Set out to ensure clarity on flexible working arrangements offered at SBC
- Sets out the formal process by which you can request flexibility at work.
- Explains how such a request should be made and the procedures we follow
- Explains what happens if a request is approved
- Sets out the circumstances where we may decline your request
- Does not form part of your contract of employment. We reserve the right to amend this policy at our discretion and in line with legislative changes.
- Suggests before you make a formal flexible working application, that you discuss any request for flexibility informally with your line manager.

## **3. Types of Flexible Working**

- 3.1. Not one size fits all. Everyone is an individual and it is likely that different employees will have different needs/reasons for their request. Below are some of the different types of flexible working that can be requested.

- 3.2. Types of Flexible Working, this list is not exhaustive.

- Part-time Working
- Term-time working
- Annualised hours
- Compressed hours
- Job sharing

- 3.1. Hybrid Working is not covered by this policy. There is a separate Hybrid Working policy that can be accessed and guidance followed.

## **4. Responsibilities/Legal Requirements**

### **4.1. Managers are expected to:**

- deal with flexible working requests in a timely way adhering to the pre stated timescales within this document unless a variation is mutually agreed with the employee

- to consider the request in relation to both the needs of the service area and the employee
- ensure there are sound and demonstrable service, management and operational reasons for the decision that is taken
- observe good practice and consult with recognised Trade Unions and employees when considering the introduction of a flexible working arrangement at the request of an individual or a group of staff which would substantially change the working arrangements
- consider each request on its own merits

NB: It is worth noting that Flexible working patterns can be a statutory “reasonable adjustment” to support disabled employees or those with long term health issues in the workplace. This needs to be considered when looking at any flexible working request.

#### **4.2. Employees are expected to:**

- be realistic and recognise that the full range of flexible working options/arrangements will not be appropriate for all service areas of the council.
- note that they have a right to request but there is no automatic right for the request to be agreed
- make themselves available for meetings with management to discuss flexible working requests
- have 26 weeks continuous employment at the time of the flexible working request (subject to employment law changes)
- from 6<sup>th</sup> April 2024, you have the right to request flexible working from day one of your employment
- have the right to be accompanied to any formal meetings by a trade union representative, work colleague or support person. The employee can postpone the meeting for up to 5 working days of the originally proposed date if the representative is unavailable
- note that normally only one flexible working option can be requested and exercised in a twelve-month period

### **5. How a request should be made**

- 5.1. Once this has been discussed informally with your line manager a formal request for flexible working should be sent to your line manager in writing.

5.2. To apply for flexible working, you must complete the Flexible Working Request Application Form in full (Appendix a). In particular, the employee needs to address the following

- State that it is a flexible working request
- Be dated
- Set out the change that you want and when you want it to take effect
- Explain what impact, if any, you think the change would have on the business and how any such effect could be dealt with
- to state whether this is a permanent or temporary request to change working arrangements
- State whether you have previously made a flexible working request to us and, if so, when

## **6. Our approach to flexible working requests**

- We will deal with flexible working requests reasonably.
- We will consider the proposed flexible working arrangements, weighing up the benefits to you (and to the business) against any adverse impact that granting your request would have on the business or other staff.
- We may grant your request in full or in part, or we may refuse it. We may also propose changes to your request for you to consider. You may be asked to complete a trial period before we confirm whether we agree to the changes.

## **7. The Meeting**

- 7.1. You will be invited to a meeting to discuss your request. The meeting will give you the chance to discuss why you are requesting the change and will allow us to understand how you think such a change will work in practice.
- 7.2. We aim to hold a meeting within 28 days of receiving your formal request.
- 7.3. If at any stage the line manager needs more time to consider the request, for example, to consider alternative work patterns they may extend the time limit in agreement with the employee.
- 7.4. Time limits will be automatically extended where the manager is absent due to annual leave or sickness when the application is received. The 28 working days period will begin when the manager returns to work. Should the absence extend beyond a reasonable time limit, the line manager's manager will consider the request.
- 7.5. We will write to you with the outcome of your flexible working request, within 10 days of having held a meeting with you.

## **8. Agreeing a request**

- 8.1. If we accept your flexible working request, then your new work pattern will form a variation to your contract of employment and will be permanent unless otherwise agreed. We will confirm your new terms in writing.
- 8.2. We will review your new working pattern with you at regular intervals following the approval of your request to make sure that it is working as expected and meeting the needs and expectations of both you and the business.

## **9. Rejecting a request**

- 9.1. We will try to accommodate flexible working requests where possible. If we cannot accept your request, we will explain why in writing and will rely on one or more of the following reasons:
  - Incurs higher financial costs to the department that can't be sustained
  - The business cannot reorganise the work among other staff.
  - The business cannot recruit more staff
  - There will be a negative effect on quality
  - There will be a negative effect on the business's ability to meet customer demand.
  - There will be a negative effect on performance.
  - There's not enough work for you to do when you've requested to work.
  - There are planned changes to the business (for example, the business intends to reorganise) and we don't think the request will fit with these plans.
- 9.2. If we reject your request, we will make it clear, in writing, that you have the right to appeal this decision.

## **10. Trial Periods**

- 10.1. The legal framework surrounding flexible working does not include any right to agree to the request on a 'trial period' basis. However, it may sometimes be useful for both you and us to 'try out' the new working arrangements before a permanent change is made to your contract of employment. In these circumstances, we may seek to agree a trial period with you.
- 10.2. If you reject the offer of a trial period, we will have to agree or reject your flexible working request. If you agree to a trial period, then we will set out this agreement in writing. The letter may also include reference to an

extension of the 4-week time limit for dealing with flexible working requests (as this period would otherwise continue to run during the trial).

- 10.3. At the end of any agreed trial period, we will make a final decision on your flexible working request and will communicate this in writing. If we decide to reject your request, then we will make clear, that you have the right to appeal this decision.

## **11. Appeals**

- 11.1. You may appeal within 5 working days of our decision. Your appeal should be dated and sent in writing to the person identified as the appeal officer in the decision letter. You must explain exactly why you are appealing.
- 11.2. We will invite you to an appeal meeting. The appeal meeting will not be led by the manager who held the meeting at which we decided what action to take. You may be accompanied by a trade union representative or a work colleague. Appeals will normally be determined within a 4-week time frame from when you sent your initial request. An extension to the time period may need to be agreed with you, where necessary.



## Policy Schedule

Policy schedule	Details
Policy owner and lead	HR BP Team
Consultation	Trade Unions Staff Network Groups Corporate / Senior Leadership Team
Equality Impact Assessment	
Approving body	Employment & Appeals Committee
Date of approval	DATE
Date of implementation	
This version number	
Last version	v.? - DATE
Related documents	Equality and Diversity Statement Stress Code of Practice Family Friendly Suite of Policies and Procedures
Review interval	Three Year minimum October 2026 or sooner if required by legislation.

## Version

Version	Author	Date	Changes
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