



Devizes Town Council

FLEXIBLE WORKING

PURPOSE AND SCOPE

Every employee has the statutory right to ask to work flexibly after 26 weeks employment service. An employee can only make a statutory request once in any 12 month period. This policy covers employee requests to change their working hours or place of work under the statutory right in the Employment Rights Act 2014 to request flexible working.

GERNERAL PRINCIPLES

The law requires that all requests, including any appeals, must be considered and decided on within a period of three months from first receipt, unless it is agreed to extend this period with the employee.

PROCEDURE

1. THE REQUEST

An employee must make a request in writing and include the following points, see Appendix 1, application for flexible working form:

- The date of their application, the change to working conditions they are seeking and when they would like the change to come into effect.
- What effect, if any, they think the requested change would have on the employer and how, in their opinion, any such effect might be dealt with.
- A statement that this is a statutory request and if and when they have made a previous application for flexible working.

2. DEALING WITH THE REQUEST

- Once a request has been received in writing, the Council will consider it. A member of the Senior Management Team will meet to talk with the employee as soon as possible after receiving their written request.
- An employee may be accompanied by a work colleague for this discussion and any appeal discussion and the employee should be informed about this prior to the meeting.
- The Senior Management member will discuss the request with the employee, the purpose being to get a better idea of what changes are being looked at and how they might benefit the business and the employee.
- The discussion will take place in a private meeting room.

3. CONSIDER THE REQUEST

- a) The Council will consider the request carefully looking at the benefits of the requested changes in working conditions for the employee and the business and

weighing these against any adverse business impact of implementing the changes. In considering the request the Council will not discriminate unlawfully against the employee.

- b) Once the Council has made a decision the employee will be informed of the decision as soon as possible in writing.
- c) If the employee's request is accepted with or without modifications, the Council will discuss with the employee how and when the changes might best be implemented. The Council will write to the employee with a statement of agreed changes and with a start date for flexible working. The employee's terms and conditions in their contract will be changed.
- d) If the Council rejects the request it will be for one of the following business reasons as set out in the legislation – see below:
 - the burden of additional costs,
 - an inability to reorganise work amongst existing staff
 - an inability to recruit additional staff
 - a detrimental impact on quality
 - a detrimental impact on performance
 - detrimental effect on ability to meet customer demand
 - insufficient work for the periods the employee proposes to work
 - a planned structural change to the business
- e) If the Council rejects the employee's request the employee has the right to appeal the decision. The request will be dealt with as reasonably promptly as possible.

4. DEAL WITH THE REQUEST

If a meeting is arranged to discuss the application including any appeal and the employee fails to attend both this and a rearranged meeting without a good reason, the Council can consider the request withdrawn. The Council will inform the employee accordingly.

If at any stage the employee decides to withdraw their application for flexible working, they must write to the Council. The Town Clerk will acknowledge their correspondence.

APPENDIX 1

Personal Details	
Name:	
Manager:	

To Devizes Town Council

I would like to apply to work a flexible working pattern that is different to my current working pattern. I confirm I meet each of the eligibility criteria as follows:

- I have worked continuously as an employee of Devizes Town Council for the last 26 weeks.
- I have not made a request to work flexibly under this right during the past 12 months.

Date of any previous request to work flexibly under this right:

1) Describe your current working pattern (days/hours/times worked):

2) Describe the working pattern you would like to work in future (days/hours/times worked):

I would like this working pattern to commence from:

Date:

Impact of the new working pattern

I think this change in my working pattern will affect my employer and colleagues as follows:

Accommodating the new working pattern

I think the effect on my employer and colleagues can be dealt with as follows:

Name:

Date:

THIS APPLICATION SHOULD NOW BE PASSED TO YOUR MANAGER

This slip should be returned to the employee in order to confirm the Council's receipt of their application

Employer's Confirmation of Receipt (to be completed and returned to employee)

Dear:

I confirm that I received your request to change your work pattern on:

Date:

I shall notify you of my decision on this application within three months of this date, unless we agree a longer deadline for this decision.

From: