



## FLEXIBLE WORKING PROCEDURE

### DOCUMENT VERSION CONTROL

Date	Author	Version	Status	Reason for Change
May 2009	SEStran	1.0	FINAL	Policy Adopted
July 2016	SEStran	1.1	FINAL	Revised to include flexitime hours recording system
Oct 2017	SEStran	1.2	FINAL	Adoption of version control
Aug 2021	SEStran	1.3	FINAL	Reference to Home Working Policy added
Sept 2025	SEStran	1.4	FINAL	Changes to eligibility criteria

## **INTRODUCTION**

SEStran recognises the importance of helping employees balance their work and home life by offering flexible working arrangements.

Legislation provides employees who meet the eligibility criteria set out below with the right to apply to work flexibly and for this application to be considered.

### **Scope**

This policy encompasses all SEStran employees.

### **Flexible Working Options**

Examples of flexible working options include:

#### Compressed Hours

Compressed hours are a working pattern that reallocates the normal hours of work and the work activity into fewer and longer blocks of time. A full-time employee on this arrangement will normally have their standard hours per week compressed into fewer than five full working patterns that suit service delivery needs. This can include term time working.

#### Part-time Working

Part-time working is where an employee works fewer hours per day, per week or per year, than those who work full time in the same job. Part-time working hours can be arranged into work patterns that suit service delivery needs. This can include term time working.

#### Job Share

This involves two employees carrying out the work of a full-time post that would normally be done by one employee. There is no set model for managing time, which may involve working a set number of hours each week or alternative weeks.

#### Annualised Hours

Annualised hours are where the contracted hours are worked over an entire year rather than per week. Hours of work may be varied, as agreed, in a way that reflects seasonal/operations variations in service delivery over the year.

### **Eligibility**

There is no minimum length of service to make a request.

Employees can make a maximum of two statutory requests in any 12-month period. A statutory request cannot be made if an earlier one is still “in process”. A request is “in process” until:

- It is withdrawn
- SEStran issue a decision (although if the employee appeals, the request will be “in process” again until the appeal decision)

- An agreement is reached with the employee regarding the request

## **How to Make a Request**

Applications should be made on the attached form and submitted to the Business Manager.

## **Withdrawing a Request**

Employees can withdraw a request at any time by letting us know in writing (this can be by email).

## **Consultation**

The manager may be able to agree to an employee's request in full without consulting with them. Otherwise, they will consult with the employee before reaching a decision. In such circumstances the employee would be invited to a meeting (in person or online) to discuss the request.

If the employee is unable to attend a scheduled meeting, they must let their manager know as soon as possible and confirm the reasons for this. The request will be deemed to be withdrawn if the employee fails to attend both an initial and rescheduled meeting to discuss the request without good reason. In such circumstances the employee would be written to confirming if the request is being treated as withdrawn.

What would be discussed at a meeting would depend on the circumstances, but might include:

- The employee's reasons for requesting flexible working.
- The changes they are looking for.
- Any impact on the employee's terms and conditions.
- Potential benefits or other impacts of SEStran accepting or refusing the request – including for the employee, their work, their colleagues and the business.
- Practical considerations if the request was agreed.

If it may not be possible to agree to the request, it may be appropriate to discuss alternative options and /or a trial period.

Trial periods will not be used in all cases and requests may be agreed or refused without a trial period. After any trial period, the employee would revert to their original working arrangements, other than in respect of any changes it has been agreed will be made on a temporary or permanent basis.

## **Agreement to a Flexible Working Request**

If a request (or part of it) is agreed, this would be confirmed in writing to the employee. If necessary, this would include written confirmation of any changes to the employee's terms and conditions along with the date from which these will take effect.

Changes to an employee's terms and conditions will be permanent (unless temporary changes

have been agreed).

### **Agreeing alternative arrangements**

If an employee's request (or part of it) cannot be agreed, in some cases, agreement may be reached with them on alternative changes to their working arrangements. In this case, written confirmation will be issued to the employee of the agreed changes to their terms and conditions along with the date from which these will take effect.

Changes to terms and conditions will be permanent (unless temporary changes have been agreed).

### **Refusing a Request**

If a request (or part of it) is refused and alternative arrangements cannot be agreed with the employee, the decision will be confirmed in writing, explaining the reasons for this. Any refusal must be for one or more of the following reasons:

- the burden of additional costs
- detrimental effect on ability to meet customer demand
- inability to re-organise work among existing staff
- inability to recruit additional staff
- detrimental impact on quality
- detrimental impact on performance
- insufficiency of work during the periods you propose to work
- planned structural changes.

Advice should be sought from SEStran's Human Resources Adviser where a manager is unsure if their reason for refusal falls within these headings.

### **Appeals**

Any employee whose request (or part of it) has been refused can submit an appeal in writing within 5 working days of receipt of the letter advising of the refusal. The submission must set out the reasons for the appeal and should be sent to the Partnership Director. The appeal will be handled in line with the appeal stage of the Grievance Policy & Procedure. The timescales within the policy apply.

### **Timescales**

To meet statutory requirements, the whole process, including any appeal, must be completed within two months of the statutory request being received unless an extension to this period is agreed with the employee.

## **Reasonable adjustment requests from employees with disabilities<sup>↑</sup>**

Employees should be encouraged to make any type of request that relates to disability as a [reasonable adjustment request](#). They can do this in writing or can ask their manager to discuss this. Requests must be considered in line with SEStran's legal obligations under the Equality Act 2010. This requires an employer to make reasonable adjustments to remove any disadvantage related to a person's disability.

The legal obligation to make reasonable adjustments is separate to the legal obligation to consider a request for flexible working.

Advice may be sought from SEStran's Human Resources Adviser on any such requests.

## **Flexitime Scheme**

The operation of the Flexitime Scheme must observe the following basic principles:

- The level of service must not be reduced in any way through the operation of the flexible working hours.
- Continuous cover must be made during public opening hours and the Director or a Senior Manager will determine suitable staffing levels.
- Flexitime applies to the day to day operations of the service. Any other working arrangements, for example, overseas trips must be discussed with the relevant line manager.

It is recognised however that the options contained in the policy cannot be made available to all employees. The scope to undertake flexitime is subject to the requirements of services and exclusions. It is an over-riding principle that service provision must not suffer.

## **Time Recording Arrangements**

All employees are required to record their attendance by using the excel flexi sheet manual recording system.

Abuse of the flexitime scheme is regarded as a serious matter and may result in disciplinary action.

Flexible Hours:                      7:00am – 7:00pm Monday – Friday

No core time hours

Employees must work a minimum of 4 hours per day. Employees who wish to work out with standard working hours require prior permission from their line manager.

## **Lunch Period**

There is a minimum lunch break of 30 minutes. Appropriate operation cover should be maintained during the lunch period.

Accounting Period

The period over which employees must work their contracted hours, allowing for any carry forward, is 4 weeks.

Contracted Hours: 148 hours per 4 week period  
Contracted Weekly Hours: 37 hours

Employees working reduced or increased hours will be required to work four times their weekly contracted hours within each accounting period.

Credit Hours: maximum of 14.48 hours for full time employees can be carried over  
Debit Hours: maximum of 7.4 hours for full time employees can be carried over

For employees working reduced or increased hours this will be calculated on a pro rata basis.

#### **Flexi Leave**

Up to 2 days' flexi leave may be authorised in any one accounting period. Flexi leave may only be used where the hours being carried forward into the next accounting period will not exceed the maximum debit limit. All flexi leave must have prior management approval. Employees should not work additional hours with the sole purpose of building up flexitime.

#### **Review of Procedures**

SESTRAN will undertake a review of this document annually. However, either the employer or trades unions may propose amendments at any time, by giving notice in writing to the Partnership Director.

#### **Appendix 1 – Application for flexible working**

#### **FURTHER GUIDANCE**

Further guidance can be found in the Home Working Policy

S:\HR\Staff\Policies\PDF docs

## **Appendix 1**

### **APPLICATION FOR FLEXIBLE WORKING**

This form should be used to make an application to apply for a flexible working option. The details you provide will help your manager to consider your request. You can make up to 2 applications to work flexibly in any 12 month period. You must receive an outcome within 2 months of your application. **Please complete this form and pass it to your manager.**

- If your application is being agreed in full, your manager does not need to meet with you.
- If your manager wishes to discuss your application further or is unable to agree to it in full, they should arrange a consultation meeting with you to discuss your request as soon as possible and within 14 days of receipt of your application. You be accompanied at the meeting.
- Your manager will provide you with a written response to your request advising you of the decision within 14 days of the meeting or 28 days of your application.

Name:	Employee Number:
Service:	Job Title:
Manager's Name:	Manager's Job Title:

Describe your current working pattern

Hours per week:
Working Pattern:

I am applying for (choose one):

<input type="checkbox"/>	Part time
<input type="checkbox"/>	Annualised hours
<input type="checkbox"/>	Compressed hours

Describe your requested working pattern

Hours per week:
Working Pattern:

I would like this arrangement to start from:

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#### **Confirmation of eligibility and other arrangements**

I confirm that:

<input type="checkbox"/>	I have not made a request to work flexibly in the past 12 months (if you have, please state the date the application was made) Date of previous application:
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Signed	
Date	

#### **Record of Decision** (Line Manager to complete)

Date of meeting with employee:	
Date letter sent to employee with outcome (within 14 days of the meeting or 28 days of the application)	

<b>Application Accepted</b>	
Date new working pattern will start	
Date of review (if applicable)	

<b>Application Rejected</b>	
Reason for rejection:	You must choose one of the following:
	Burden of additional costs
	Inability to reorganise work with existing employees
	Inability to recruit additional employees
	Detrimental impact on quality
	Detrimental impact on performance
	Detrimental impact to meet customer demand
	Insufficiency of work when employee proposes to work
	Planned structural changes
Name	
Signature	
Date	

### Next Steps

Line manager to advise employee of outcome in writing within 14 days of the consultation meeting.