



Flexible Working Policy

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Flexible Working Policy

1. INTRODUCTION

This policy sets out the different approaches to flexible working that Northern Ireland Water (NI Water) will consider to enable a member of staff to effectively balance work and family responsibilities.

2. POLICY RATIONALE

NI Water recognises that there are occasions when staff are unable to continue the arrangements of their existing contract for a period of time due to changes in personal circumstances and do not wish to terminate their employment with NI Water. On such occasions, if the nature of their job allows, and the qualifying criteria has been met, NI Water is committed to considering all applications for flexible working.

3. POLICY STATEMENT

Flexible working describes a range of working options (see Definitions below) which make it easier for employees to combine work and other responsibilities and which also meet the needs of both employer and employees.

This policy is designed to cover those working patterns outside the remit of the flexi-time arrangements in operation within NI Water. Part-time staff are not excluded from flexi-time arrangements.

The Employment (Northern Ireland) Order 2002, which came into effect on 6th April 2003, introduced specific rights to help employees balance their family and employment responsibilities. Requests for flexible working under the Order must meet the criteria set out in the legislation.

The legislation gives parents with a child aged under 6 (or parents of a disabled child under the age of 18) the right to request flexible working arrangements from their employer. NI Water has extended the right to request flexible working to parents of children aged up to 16.

From April 2007 the right to request to work flexibly has also been extended to the carers of adults.

NI Water will consider all applications for flexible working requests from any member of staff who satisfies the eligibility criteria.

4. DEFINITIONS

- i. **Part-time working:** Work is generally considered part-time when employees are contracted to work anything less than full-time hours.
- ii. **Term-time working:** An employee remains on a permanent contract but takes fixed periods of leave during school holidays.
- iii. **Job-sharing:** A form of part-time working where two (or occasionally more) people share the responsibility for a job between them.

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- iv. **Compressed hours:** Compressed working weeks (or fortnights) which doesn't necessarily involve a reduction in total hours. The central feature is reallocation of work into fewer and longer blocks during the week.
- v. **Annualised hours:** Describes working time organised on the basis of the number of hours to be worked over a year rather than a week.

NI Water will consider all applications made for flexible working which do not fall into the categories above but which constitute a change in working patterns or hours of work.

5. **MANAGER'S RESPONSIBILITIES**

Line Managers must give full consideration to all written applications for flexible working. The line manager will make the initial recommendation as to whether or not the application should be approved. In making a decision managers need to understand the financial impact of the flexible working pattern on their particular function. Following this all applications made must also be viewed and finally authorised by the Level Three Manager within the particular area/function. Both line managers and senior managers also have a responsibility to comply with response deadlines as laid out in this policy.

6. **EMPLOYEE'S RESPONSIBILITIES**

Employees must ensure that they have considered all financial and contractual implications before entering into an agreement to change their working pattern. This will include the potential impact on their pay; allowances; overtime; their pension and their annual leave entitlement.

7. **THE ROLE OF HR DIRECTORATE**

HR Directorate will support line managers in dealing with flexible working requests, where this is required and will issue documentation confirming any changes in working patterns agreed under the Flexible Working Policy.

8. **ELIGIBILITY**

To request flexible working an employee must:

- i. General
 - a. Be an employee of NI Water;
 - b. Have six months continuous service.
 - c. Not have made another application to work flexibly during the last twelve months, however consideration may be given to a further request made in exceptional circumstances.
- ii. For parents who submit an application for flexible working, they must have at the time of application:-
 - a. A child under 16, or under 18 in the case of a disabled child;

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- b. Must have, or expect to have, responsibility for the child's upbringing and be making an application to enable them to care for the child.
- iii. Carers of adults who are in need of care
 - a. Must be, or expect to be, caring for a spouse, partner, civil partner, close family relative; or
 - b. Live at the same address as the adult in need of care.
- iv. The application can cover
 - a. Hours of work
 - b. Times of work
 - c. Changes to hours of work
 - d. Part-time working
 - e. Job-sharing
 - f. Term-time working
 - g. Any other changes to working patterns as identified by the employee.

9. PROCEDURES

i. Making an Application

- a. Complete the Flexible Working Application Form;
- b. State whether a previous application has been made and if so, when;
- c. Specify the flexible working request applied for and the date on which it is proposed that this should become effective;
- d. Describe the impact the proposed working pattern will have on the individual's workplace and state how the new working pattern can be accommodated.

ii. Making an Application for Term-Time Working

Any application made for Term-Time Working must be made by the end of the December prior to the year when the proposed working pattern is due to change. This will allow both the organisation time to process the application and will give the individual sufficient time to make any necessary arrangements.

iii. Receipt of an Application

The line manager will arrange a meeting where possible within **10 days** of receipt of the flexible working application.

iv. Considering an Application

NI Water has a legal duty to consider all applications and establish whether the desired work pattern can be accommodated with the needs of the business.

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12. THE MEETING

- i. The line manager should endeavour where possible to hold a meeting with the employee to consider their request within **10 working days** of the receipt of a flexible working request.
- ii. The employee can be accompanied to this meeting by a work colleague or trade union representative.
- iii. The decision should be notified to the employee, in writing, and where possible, within **10 working days** of the meeting.

13. AGREEMENT

- i. Where an application is agreed by the Level Three manager:
 - a. Written notice should be sent within **10 working days** confirming the flexible working arrangements.
 - b. A letter will be issued from HR Directorate detailing the effective start and end date of the agreed flexible working pattern.
 - c. A review date may be required depending on request, duration and circumstances of the flexible working request.
- ii. Trial Period

Line managers and employees who are considering undertaking a change to the working arrangements under the provisions of this policy should consider the use of a trial period. The purpose of the trial period will be to assess the workability of the flexible working arrangement from both the manager's and employee's points of view. Either party has the right to terminate the arrangement with notice given of a minimum of 3 months.

14. REFUSAL

- i. Where an application is refused by the Level 3 manager:
 - a. Written notice should be sent to the employee where possible within 10 working days specifying the grounds on which it was refused in-line with the appeal procedure.
- ii. A wide range of criteria will be taken into account, for example:
 - a. The Company's business needs
 - b. The suitability of the job for the flexible arrangements proposed
 - c. The current balance of full-time and part-time and other flexibly working employees within the department or team
 - d. The feasibility of covering the remaining hours.
- iii. The following reasons must exist for the application to be refused:
 - a. The burden of additional cost
 - b. Detrimental effect on ability to meet customer demand
 - c. Inability to re-organise work among existing staff
 - d. Inability to recruit additional staff

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- e. Detrimental effect on quality
- f. Detrimental effect on performance
- g. Insufficiency of work during the periods you propose to work
- h. Planned structural changes.

15. WITHDRAWAL OF A FLEXIBLE WORKING APPLICATION

Any withdrawal of a flexible working application must be made in writing by the employee to their line manager. This will not affect the employee's right to make a further application for flexible working.

16. APPEALING THE DECISION

- i. There is a one stage appeal process open to employees who have applied for flexible working.
- ii. The employee has **10 working days** to appeal in writing after the date of notification of the decision
- iii. An appeal meeting will be arranged to take place within **10 working days** after receiving notice of the appeal to a Manager (Level 3 or above) not currently involved in the process and from a different Directorate.
- iv. The employee can be accompanied by a work colleague or trade union representative.
- v. The outcome of the appeal will be notified to the employee in writing within **10 working days** of the date of the meeting.
- vi. Any decision made in an appeal is binding on both the employee and the organisation.
- vii. The decision of the appeal panel is final.
- viii. HR Directorate will provide support to the organisation on the process of flexible working to ensure consistency.

If the appeal is upheld, the written decision will:

- i. Include a description of the new working pattern
- ii. State the start date from which the new working pattern is to take effect.

If the appeal is dismissed the written decision will:

- i. State the grounds for the decision.
- ii. Provide an explanation as to why the grounds for refusal apply.
- iii. Be dated.

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17. FAILURE TO ATTEND MEETINGS

If an employee fails to attend a meeting more than once and does not provide a reasonable explanation, the Company will treat the application as having been withdrawn. The employee will receive written confirmation that their application is considered withdrawn.

18. CROSS REFERENCE

Home Working Policy

19. REVIEW

This policy will be reviewed by management and trade union one year after implementation.