

Canvey Island Town Council

Flexible Working Request Procedure

1. Introduction

Under the Employment Right Act 1996, eligible employees have the statutory right to request flexible working arrangements.

In order to make a request for flexible working, you must:

- a) Have worked for Canvey Island Town Council continuously for 26 weeks at the date the application for flexible working is requested.

The Town Council will give consideration to any request for flexible working made in accordance with this procedure and will only reject a request for one of the following business reasons as set out in legislation:

- The burden of additional costs
- An inability to reorganize 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 you business

2. Meaning of Flexible Working

Flexible working can mean working shorter hours, flexi-time, job sharing, part time work or even a change of work location including working from home. Where the Town Council agrees to a request for flexible working, this will result in a permanent change to your terms and conditions of employment unless a short term agreement has been made.

3. Application Procedure

Employees

Before making a request for flexible working, you should consider the financial implications of your request such as a reduction in pay and recognise that if your request is accepted, any agreed variation to your terms and conditions of employment may be permanent and irreversible.

- a) Your application must be made in writing and include the following information:
 - i. A statement that this is a statutory request and if any when a previous application has been made.
 - ii. The date of the application, the proposed change of working conditions i.e. your desired work arrangements and the reason(s) for the request and the date it should become effective from.
 - iii. Specify how you meet the requirement for flexible working
 - iv. Explain any impact that the change will have on your employment and how any such effect may be dealt with.
- b) To make a request, you should complete a Flexible Working Request Form.
- c) You must send your request in writing to the Town Clerk.
- d) You may only make one application to work flexibly in a 12-month period.

Town Council

- a) Within 14 days of receiving an eligible request for flexible working, the Town Clerk will arrange a meeting with the employee to discuss the application and how it may be accommodated.
- b) Within 28 days of this discussion a meeting will be arranged with the Council to discuss the application. The Council may offer alternative options for consideration.
- c) Employees may be accompanied by a work colleague or employee representative at the meeting. The meeting will be postponed and rearranged in circumstances where the employee or supporting work colleague is unable to attend for good reason.
- d) The Council will inform the employee of its decision within 14 days of the meeting.
- e) If an application is accepted, the employee will be notified in writing detailing any contractual changes that will be made and the effective date.
- f) If an application is rejected, the employee will be notified in writing with a statement of the grounds for rejection and details of the appeal procedure.

4. Appeal Procedure

There is no legal right to appeal a decision made by the Council. A decision must be made within 3 months of receiving a flexible working request, therefore, should an employee appeal a rejected decision the Council will request an extension to consider this request.

- a) An appeal must be made in writing within 5 days of receipt of a rejection letter in response to a request for flexible working arrangements and sent to the Town Clerk.
- b) The Council will arrange a meeting to hear the appeal within 28 days.
- c) Employees may be accompanied by a work colleague or employee representative at the appeal hearing.
- d) The Council will inform the employee of its decision in writing within 5 days of the appeal hearing.

5. Further Information

For further information on flexible working requests contact the Town Clerk.

Note: This policy has been based on advice from the Society of Local Council Clerks and ACAS and their understanding of the law and practice at the present time

FLEXIBLE WORKING REQUEST FORM

1. Complete this form as applicable and return it to the Town Clerk.
2. You will be asked to attend a meeting with the Town Clerk within 14 days of receipt of your application.
3. A meeting will be arranged with the Council within 28 days of this initial discussion.
4. You may be accompanied by a work colleague or employee representative at the meeting. The meeting will be postponed and rearranged where you or your companion is unable to attend for good reason.

Name

Job Description

Part A – Declaration

I make this application to change my current work arrangements and I confirm that I meet all of the eligibility criteria below:

Tick / complete as appropriate

1 I have been continuously employed by Canvey Island Town Council for 26 weeks at the time of application.

2 I have not made a request to work flexibly during the past 12 months

3 If any, date of previous requests for flexible working

Part B – Flexible Working Change Request

My current working arrangements are
e.g. 0900 to 1730
Monday to Friday with a
one hour break (37.5
hours per week)

I would request a change
in my current working
arrangements to (provide
details)

I would like this change
to take effect from (insert
effective date)

Town
Clerk

<p>I believe that the proposed change to my working arrangements will affect my colleagues and CITC as follows. (Provide details in the space provided and / or attach separate piece of paper).</p>			
<p>I believe the effect on my colleagues and CITC can be managed as follows. (Provide details in the space provided and / or attach separate piece of paper).</p>			
<p>I would request the following person to accompany me in a meeting to discuss my request and that he/ she has agreed to attend.</p>	<p>Provide Companion's Name</p>		
<p>Signature</p>		<p>Date</p>	
For Council Use			
<p>Date application received</p>		<p>Town Mayor notified</p>	
<p>Meeting date</p>		<p>Outcome</p>	<p>Accepted / Refused</p>
<p>Where accepted – provide outline changes to terms and conditions</p>			
<p>Where refused – provide explanation or reasons</p>			

Town Clerk		Date	
Confirmation letter sent	Yes/No	Date	
Contract amended/issued	Yes/No	Date	
Payroll advised	Yes/No	Date	
Notes:			