



Flexible Workstyle Options Policy Guidance Note

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1 Introduction

1.1 This guidance note complements CultureNL's Flexible Workstyle Options Policy and sets out the:

- Request and consideration procedure for employee applications for flexible working
- The standard associated letters for flexible working
- Details of the appeal procedure, and
- Details of the principles for coreless flexi, flexible working hours, Homeworking and mobile working, and job sharing.

2 Flexible work patterns Request and consideration procedure – employee initiated requests

2.1 Refer to Section 7 of the Flexible Workstyle Options Policy for details of the flexible working eligibility criteria. The procedure to request flexible working progresses in three stages:

- Submitting an application (Paragraph 2.1.1)
- Considering an application (Paragraph 2.1.2)
- Reaching a decision (Paragraph 2.1.3)

2.1.1 Submitting an application

- (i) An employee who wishes to request a change in their work pattern should submit an application (Letter 1) to their line manager by post/ fax/ e-mail. The employee should tick the options relating to the appropriate statutory provisions.
- (ii) The request to work flexibly is a voluntary and permanent change to an employee's terms and conditions of employment, unless the arrangement has been introduced on a temporary period/pilot for a limited or defined period. The line manager and employee can agree in writing to extend the time limits for requesting and considering the application for flexible working following the outcome of the temporary period/pilot.
- (iii) The request procedure can take up to 12 weeks or longer where a problem arises. Therefore, the date when the employee would like to commence the new work pattern should be 12 weeks after the application date. This allows sufficient time for the request to be considered and for management to put in place appropriate arrangements, unless the request can be accommodated earlier than 12 weeks.
- (iv) The timescale for requesting flexible working has particular significance for women who are due to go on maternity leave and may wish a flexible work pattern to be effective on their return. In this instance, an employee may wish to apply before going on, or during, maternity leave and may need to attend meetings whilst on leave in order that the request is properly considered.
- (v) For requests submitted by post, the date when it is considered 'received' is based on a normal postal service unless shown to be otherwise. For fax and e-mail communication, the request is considered 'received' on the date of transmission unless shown to be otherwise
- (vi) If an employee fails to provide complete information, the line manager should inform the employee of what information is omitted and ask them to resubmit the application. The line manager is not obliged to consider the application until it is completed and resubmitted.

2.1.2 Considering an application

- (i) The line manager should arrange a meeting with the employee to consider this request following an informal discussion with the employee.
- (ii) Before progressing to a formal meeting with the employee, the line manager should take into account the following business and individual factors which may determine whether a flexible working arrangement is likely to be suitable:
 - What level and type of staffing is required to meet the needs of the Service?
 - What currently happens to cover sickness absence and annual leave?
 - Will the proposed change have a detrimental effect on the Service provided to external and internal customers? If so, can anything be done to overcome this?
 - Are there any future projects, organisational restructures planned, which may have a negative or positive impact in considering certain work-life balance options?
 - Does the job involve supervision/management of others? If so, what supervision arrangements can be implemented to ensure the required level of cover?
 - Does the employee have a particular skill or expertise that is fundamental to the current running of the business? If so, could another member of the team be trained to meet the need?
 - How can employees ensure that effective communication is maintained?
 - Does the job involve peak levels of work and does the proposed working arrangement enable these peaks to be met?
 - What working arrangements and times are the most appropriate in order to maintain the smooth operation of the business? How can the request meet the needs of the service, the post holder and the rest of the team? Is there an environmental impact e.g. security, commuting outside peak hours?
 - Will this create an arrangement that proves difficult to recruit/replace if the requesting post holder or another member of the team leaves?
 - Should the working arrangement be reviewed after an agreed period of time? (It should be noted that any change to an employee's working hours/pattern/work location will normally be permanent unless otherwise stated.)
- (iii) The line manager should arrange a meeting with the employee to consider the request. The meeting should take place within 28 calendar days after the date an application is received. It provides an opportunity to discuss the desired work pattern at length and consider how it might be accommodated.
- (iv) The line manager will convene the meeting and consider the application
- (v) The meeting should be arranged at a convenient time and place to all parties. These arrangements should be confirmed in writing (Letter 2).
- (vi) If a request is to be considered by a member of management who is absent due to annual leave or ill health, or if a temporary /pilot period is agreed, an automatic time extension applies. The period to arrange the meeting will commence either on the day the line manager returns or 28 calendar days after the application is made, whichever is sooner, or 28 calendar days following the end date of the temporary /pilot period.
- (vii) At the meeting, the employee has the right to be accompanied by a colleague or a trade union representative. Where the employee is not a member of a Trade Union, then discussions will be between the employee and the senior manager.
- (viii) An employee can withdraw an application during any stage of the procedure (Letter

3(a)). However, they should consider the implications. They will not be eligible to submit another application for 12 months from the date the application was made, unless she/he moves to another post within CultureNL.

- (ix) If an employee fails to attend the meeting, it should be rearranged at a mutually agreeable time.
- (x) If an employee fails to attend the meeting more than once and does not provide a reasonable explanation, the application should be treated as having been withdrawn. Confirmation of the withdrawal will be sent in writing (paragraph one of Letter 3(b) needs to be adjusted to accommodate this).

2.1.3 Reaching a decision

- (i) Once the meeting has taken place and the request discussed, the line manager must notify the employee of the decision in writing. Notification must take place within 14 calendar days following the date of the meeting.
- (ii) There are three possible outcomes from the meeting. The application for flexible working is either:
 - Accepted – with or without a pilot period (Paragraph 2.1.4)
 - Deferred (Paragraph 2.1.5)
 - Declined (Paragraph 2.1.6)

2.1.4 Accepted

- (i) If the request is accepted, the agreed work pattern will be a permanent change to the employee's contractual terms and conditions and the agreed flexible work pattern will continue throughout the entire course of employment. Notification will be detailed in Letter 4.
- (ii) Where a pilot / temporary period or time limited period is agreed, this will also be confirmed in writing (Letter 5).
- (iii) It is recognised that an employee's personal circumstances and the needs of CultureNL can change with time and so it may be appropriate in certain circumstances, for a review of the flexible working arrangement to be undertaken.

2.1.5 Deferred

- (i) If the line manager considers that they require more time, they must obtain agreement from the employee for an extension period in which to inform them of the decision. A decision may be deferred pending the outcome of the temporary/pilot period. Where an employee has completed their temporary/pilot period, management must arrange to meet with the employee within 28 days of the end of the temporary period/pilot to decide on the possible future outcome i.e. accepted, or declined, or in exceptional circumstances, a further extension may be granted.

The length of time required will be confirmed in writing (Letter 6).

2.1.6 Declined

- (i) A request to work flexibly may only be refused where there are clear business reasons.
- (ii) These reasons may be:
 - Burden of additional financial costs.
 - Detrimental effect on ability to meet customer demand.
 - Inability to re-organise work amongst existing employees.
 - Inability to recruit additional staff.
 - Detrimental impact on quality/performance.
 - Insufficient work during the periods the employee proposes to work.
 - Planned structural changes.
- (iii) The grounds for refusal must include an accurate factual explanation about why the business reasons apply in these circumstances (Letter 7).

2 Standard Flexible Working Letters

3.1 Appendix 1 contains the standard flexible working letters detailed overleaf:

Letter 1	Application form from employee to request flexible working
Letter 2	Line manager notification of flexible working meeting
Letter 3	(a) Letter from employee withdrawing request for flexible working or (b) letter from line manager confirming withdrawal of flexible working
Letter 4	Line Manager's notification of permanent flexible working arrangement
Letter 5	Line manager's notification of pilot flexible working arrangement
Letter 6	Line manager's notification of deferred decision on flexible working application
Letter 7	Line manager's notification of declined application for flexible working
Letter 8	Flexible working application-line manager's request for an extension of time limit
Letter 9	Employee's acceptance/rejection of the extension of time limit

3 Appeal Procedure

- 4.1 Where an employee's request is refused and she/he believes their application has not been properly considered, there is the right to appeal within 14 calendar days after receiving notice of the decision. This right of appeal will be dealt with in accordance with CultureNL's Grievance Policy, using the standard Grievance Policy documentation.
- 4.2 The employee or her/his representative on the employee's behalf should appeal in writing to the relevant Human Resources Section/Service Manager who will make the necessary arrangements for the appeal to be heard within 14 calendar days after receiving notice of the

appeal.

- 4.3 The Appeal shall be heard by a nominated senior officer. She/he will be assisted by a Human Resources representative.
- 4.4 The appellant should be given 7 calendar days advance written notice of the time and place of the Appeal Hearing unless otherwise mutually agreed.
- 4.5 The employee has the right to be accompanied by a colleague or a trade union representative.
- 4.6 At the Appeal Hearing, the appellant and or their representative shall put his/her case in the presence of management representatives and call witnesses as required. The appropriate management shall do likewise. Both parties will have the opportunity to make points of clarification in each other's arguments, further question witnesses, and sum up their cases.
- 4.7 The outcome of the Appeal Hearing shall be notified in writing to the appellant and her/his representative within 14 calendar days from the date of the Appeal Hearing.
- 4.8 In the circumstance where an employee fails to attend the Appeal Hearing, it should be handled in the same way as an employee who misses the meeting to discuss the application. An employee who fails to attend the Appeal Hearing should contact the nominated senior officer member of management as soon as possible to explain their absence.
- 4.9 If he/she fails to attend the Appeal Hearing more than once and does not provide a reasonable explanation, the appeal application will be treated as having been withdrawn. Confirmation of the withdrawal will be sent in writing.
- 4.10 If the employee is unhappy with the outcome of the initial appeal, which equates to Stage 1 of CultureNL's grievance procedure, the next stage of the appropriate grievance procedure may be invoked and this will normally be Stage 2. If the employee remains aggrieved, then Stage 3 of the appropriate grievance procedure may be invoked.
- 4.11 The decision of the Appeal Panel will complete CultureNL's internal appeal procedure for flexible working. In instances where the line manager has not followed the proper procedure, or whose decision to reject an application was based on incorrect facts, then an employee may make a formal complaint to the ACAS Arbitration scheme or an Employment Tribunal (in cases where employees are exercising their statutory right to request flexible working). However, where this occurs, employees are encouraged to exhaust CultureNL's grievance procedure before proceeding to an external body. The Human Resources Section should also be informed.

4 Details of CultureNL's Principles

- 5.1 Details of CultureNL's principles for the following are detailed in Appendices 2, 3, 4 and 5 attached to this guidance note:
 - Coreless Flexi
 - Flexible Working Hours
 - Homeworking and Mobile Working, and
 - Job Sharing

Appendix 1 Standard Flexible Working Letters

Letter 1	Application for Flexible Working
Letter 2	Line Manager's Notification of Flexible Working Meeting
Letter 3	(a) Letter from Employee Withdrawing Request for Flexible Working, or (b) Letter from Line Manager Confirming Withdrawal of Flexible Working
Letter 4	Line Manager's Notification of Permanent Flexible Working Arrangement
Letter 5	Line Manager's Notification of Pilot Flexible Working Arrangement
Letter 6	Line Manager's Notification of Deferred Decision on Flexible Working Arrangement
Letter 7	Line Manager's Notification of Declined Decision on Flexible Working Arrangement
Letter 8	Flexible Working Application – Line Manager's Request for an Extension of Time Limit
Letter 9	Employee's Acceptance or Rejection of the Extension of Time Limit

Letter 1 Application for Flexible Working

Dear Manager

Re. Application for Flexible Working

Name:

Employing Service and Section:

Employee Number:

Designation:

Location:

I would like to apply to work a flexible work pattern that is different to my current working pattern under my right provided in law and in line with CultureNL's Flexible Workstyles Options policy. I confirm I meet the specific eligibility criteria highlighted as follows:

- I have worked continuously as an employee of CultureNL for the last 26 weeks
- I have not made a request to work flexibly under this right during the past 12 months whilst in my current post.

My current work pattern is (days/hours/times worked)

The pattern I would like to work is

I would like this new work pattern to commence from

I think this change in my work pattern will affect service provision and colleague(s) as follows

I think the effect on service provision and colleague(s) can be dealt with as follows

Yours sincerely,

c.c. Human Resources Section

Letter 2 Line Manager's Notification of Flexible Working Meeting

Dear

Re. Application for Flexible Working

Name:

Employing Service and Section:

Employee Number:

Designation:

Location:

I confirm I have received your request to change your work pattern on --/--/--.

I shall be arranging a meeting with you to discuss your application within 28 calendar days of this date.

OR

I would like to meet with you at --am/pm on --/--/--in my office.

In accordance with the Flexible Workstyle Options Policy Request and Consideration Procedure (paragraph 2.1.2 (v) of the associated guidance notes) you are entitled to be accompanied at the meeting by a colleague or Trade Union representative, and you may wish to give this some consideration. It is your responsibility to make any necessary arrangements.

I have passed a copy of your application to the Human Resources Section who will ensure your application is dealt with in accordance with the flexible work application procedure.

Yours sincerely

Designation

c.c. Human Resources Section

Letter 3(a) Letter from Employee Withdrawing Request for Flexible Working

Dear

Re. Application for Flexible Working

Name:
Employing Service and Section:
Employee Number:
Designation:
Location:

I wish to withdraw my application for flexible working which I submitted to you on --/--/

I understand that I will not be able to make another application while I am in my current post until 12 months after the above date.

Yours sincerely,

c.c. Human Resources Section

Letter 3 (b) Letter from Line Manager Confirming Withdrawal of Flexible Working

Dear

Re. Application for Flexible
Name:
Employing Service and Section:
Employee Number:
Designation:

I confirm that I have received notice that you wish to withdraw your application for flexible working which you submitted to me on --/--/

If you remain in your current post, you will not be eligible to submit another application until 12 months after the above date.

I have informed the Human Resources Section of your decision and a copy of the documentation previously submitted will be held in your personal file.

Yours sincerely,

c.c. Human Resources Section

Letter 4 Line Manager's Notification of Permanent Flexible Working Arrangement

Dear

Re. Application for Flexible Working

Name:

Employing Service and Section:

Employee Number:

Designation:

Location:

Following receipt of your application and our meeting on, I have considered your request for a new flexible work pattern.

- I am pleased to confirm that I am able to accommodate your application.
- I am unable to accommodate your original request. However, I am able to offer the alternative pattern discussed and which we agreed would be mutually suitable and is detailed below.

The Human Resources Section will now issue you with a variation to your contract of employment.

If you have any questions on the above, please do not hesitate to contact me as soon as possible.

Yours sincerely,

Designation

c.c. Human Resources Section

Letter 5 Line Manager's Notification of Pilot Flexible Working Arrangement

Dear

Re. Application for Flexible Working

Name:

Employing Service and Section:

Employee Number:

Designation:

Location:

Following receipt of your application and our meeting on, I have considered your request for a new flexible work pattern.

- I am pleased to confirm that I am able to accommodate your application on a temporary period/pilot basis fromuntil which we agreed would be mutually suitable. This arrangement will be reviewed on

The Human Resources Section will now issue you with a temporary variation to your contract of employment.

If you have any questions on the above, please do not hesitate to contact me as soon as possible.

Yours sincerely,

Designation

c.c. Human Resources Section

Letter 6 Manager's Notification of Deferred Decision on Flexible Working Arrangement

Dear

Re. Application for Flexible Working

Name:

Employing Service and Section:

Employee Number:

Designation:

Location:

Following receipt of your application and our meeting on, I have considered your request for a new flexible work pattern.

I confirm that the decision on your application has been deferred. This decision will be reviewed on.....

The Human Resources Section has been informed of this deferred decision.

If you have any questions on the above, please do not hesitate to contact me as soon as possible.

Yours sincerely,

Designation

c.c. Human Resources Section

Letter 7 Line Manager's Notification of Declined Decision on Flexible Working Arrangement

Re. Application for Flexible Working

Name:

Employing Service and Section:

Employee Number:

Designation:

Location:

Following receipt of your application and our meeting on, I have considered your request for a new flexible work pattern.

I regret to advise you I am unable to accommodate your request for the following business ground(s):

The grounds apply in the circumstances because:

I have discussed your application and my inability to accommodate your request with the Human Resources Section.

If you are unhappy with this decision, then you can appeal against it. This appeal must be done in writing, using CultureNL's standard Grievance Policy documentation, within 14 calendar days of receipt of this letter.

Yours sincerely,

Designation

c.c. Human Resources Section

Letter 8 Flexible Working Application-Line Manager's Request for an Extension of Time Limit

Dear

Re. Application for Flexible Working

Name:

Employing Service and Section:

Employee Number:

Designation:

Location:

Further to your application for flexible working, I wish to extend the amount of time I need to make my decision to allow me to: (please delete as appropriate)

- Arrange a meeting to discuss your application
- Notify you of my decision regarding your application
- Arrange a meeting to discuss your appeal
- Notify you of my decision regarding your appeal

I wish to extend the time limit to ** days. This means that I will have until --/--/--to complete the necessary action. I need the extra time for the following reasons:

Please confirm your response to this request in writing using the attached letter and send it to me by return.

I have informed the Human Resources Section of this and a copy of your response will be forwarded to the Human Resources Section.

Yours sincerely,

Designation

c.c. Human Resources Section

Letter 9 Flexible Working Application – Employee’s Acceptance/Rejection of Extension of Time Limit

Dear Line Manager

Re. Application for Flexible Working

Name:

Employing Service and Section:

Employee Number:

Designation:

Location:

I accept your request to extend the amount of time you require to consider my application for flexible working. I will now have your decision by --/--/--.

OR

I do not accept your request to extend the amount of time you require to consider my application for flexible working. My reason(s) for this is/are

Yours sincerely,

c.c. Human Resources Section

Appendix 2

Coreless Flexi Principles

1 Eligibility for employee participation

- 1.1 Employees who are granted a flexible working pattern in accordance with CultureNL's Flexible Workstyle Options Policy will not be able to participate in coreless flexi but they may vary start and finish times. They will not be able to accrue hours to be taken as flexi-leave (N.B. flexi-time/ leave is not a contractual right for any employee).
- 1.2 Participation in coreless flexi is voluntary.

2 Conditions of coreless flexi

- 2.1 Employees are expected to work their standard working hours as detailed in their contract of employment e.g. 08.45 – 16.45 Monday to Thursday and 08.45 – 16.15 on Friday. Coreless flexi must not be used by employees to establish regular work patterns out with their contracted hours e.g. regularly arriving at 08.15 and leaving at 16.15. It is not anticipated that employees making use of coreless flexi will request the same day every month for flexi leave as this will be regarded as establishing a regular work pattern.
- 2.2 Band width for flexible working hours will continue to remain from 08.00 until 18.00 daily (flexi hours cannot be accrued outwith these times).
- 2.3 Coreless flexi time should not be confused with flexible workstyles/work patterns as detailed in CultureNL's Flexible Workstyle Options Policy.
- 2.4 Any agreement to accessing coreless flexi must be approved in advance by the line manager (normally a minimum of 24 hours' notice is required unless in cases of emergency). Approval will be subject to the exigencies of the Service.
- 2.5 Employees participating in coreless flexi must be at work for a minimum period of four continuous hours per day on the day they want to access coreless flexi time, and must have accrued sufficient flexi-time (on the day they want to access coreless flexi time) before any request for coreless flexitime is made (the definition of sufficient time is enough time to cover the request to ensure the employee is not in a negative flexi balance as a result of accessing coreless flexi).
- 2.6 Employees who work more than six hours per day must take a minimum half hour for lunch in line with health and safety regulations. The system is programmed to deduct at least 30 minutes from an employee's record each lunch time, if for some reason no booking is made. For example, employees taking their lunch between 11.00 and 12.00 and accessing coreless flexi from 12 Noon until 14.00 must continue to book out on the system as normal. He/she should complete an exceptions report to have 30 minutes credited back on to their record as the system will automatically deduct this time.
- 2.7 The provisions of CultureNL's Special Leave Policy continue to apply and the introduction of coreless flexi should be seen as a complementary addition to the

provisions within the Special Leave Policy. Coreless flexi provides employees with additional choices to allow them to better balance home and work commitments.

3 Application and monitoring

- 3.1 Employees participating in coreless flexi must provide reasons for requesting coreless flexi-time which will be recorded by the line managers (for monitoring and evaluation purposes).
- 3.2 All employees participating in coreless flexi will be provided with an authorisation form (Form CFP/AF1-Appendix 1) to make it easier for line managers to monitor coreless flexi and for employees to apply for coreless flexi.
- 3.3 Line managers will monitor coreless flexi-time through the use of daily flexi reports, breaches of core time and the authorisation form.

4 Evaluation and review of the take-up of coreless flexi

- 4.1 The take-up of coreless flexi will be reviewed on a regular basis.

5 Line managers' responsibilities

Line managers must:

- 5.1 Consider the employee's request for each and every separate application for coreless flexi leave using the standard authorisation form (Form CFP/AF1). Approval of coreless flexi is subject to the exigencies of the Service.
- 5.2 Ensure that the employee provides reasons for requesting coreless flexi-time (for monitoring and evaluation purposes).
- 5.3 Ascertain specific details of the employee's proposed working times from the list of six coreless flexi options (contained in the authorisation form. e.g. if an employee requests to arrive after 10am, the line manager must get details of exactly when they will arrive (e.g. 11am) to ensure appropriate cover will be available within the team.
- 5.4 Ensure that employees have sufficient flexi hours prior to approving requests by checking daily flexi reports.
- 5.5 Ensure that adequate cover within the team is maintained during the standard hours of business.
- 5.6 Continue to encourage employees, where possible, to make appointments outwith normal working hours and to seek approval from their line manager to altering working hours (including requests for coreless flexi leave for more than one reason on the same day) prior to using the facility (normally a minimum of 24 hours' notice is required unless in cases of emergency).
- 5.7 Recognise that the provisions of the Special Leave Policy still apply and it may be appropriate on occasions to make employees aware of the Special Leave Policy and the options it provides.

6 Employees' responsibilities

Employees participating in coreless flexi must:

- 6.1 Try, where possible, to make appointments outwith normal working hours.
- 6.2 Seek approval from their line manager (using the authorisation Form CFP/AF1) to altering working hours (including requests for coreless flexi leave for more than one reason on the same day) prior to using the facility (normally, a minimum of 24 hours' notice is required unless in cases of emergency).
- 6.3 Ensure that if they wish to access more than one option from the list in the authorisation form (reason for requests) to be taken on the same day, these must be recorded and signed off by line managers on an individual basis. The conditions of the principles must be upheld (those outlined in paragraph 2).
- 6.4 Be at work for a minimum period of four consecutive hours on the day coreless flexi is being taken and must have accrued sufficient flexi-time to cover this period before any request for coreless flexi-time is made.
- 6.5 Note that normal business hours of 08.45-16.45 daily must be maintained.
- 6.6 Note that the band width will remain from 08.00 to 18.00 daily.

APPENDIX 2

Authorisation Form - Coreless Flexi

CFP/AF1

1. Band Width will continue to remain from 8.00am to 6.00pm daily (flexi hours cannot be accrued outwith these times).
2. A compulsory minimum break for lunch of 30 minutes will continue to be deducted to comply with Health & Safety Regulations.
3. All employees must ensure that they have accrued sufficient flexi-hours to cover any request prior to submission to their Line Manager as requests which result in a negative balance will be refused.
4. All employees must ensure that they will be working for a minimum period of 4 continuous hours on the day they wish to access coreless flexi.
5. All employees must ensure that if they wish to access more than one option from the list below to be taken on the same day, these must be recorded and signed off by Line Managers on an individual basis.
6. Line Managers must ensure that all employees have accrued sufficient flexi-hours to cover any request by checking daily flexi reports prior to approval.
7. Line Managers must ensure that all employees provide details on anticipated arrival/departure times to maintain adequate cover during standard hours of business.

Name of employee		Service			Team			
Date Application Submitted	Date Coreless Flexi to be taken	*Coreless Flexi Options (See List Below) <i>Insert Number</i>	**Reason For Request (See List Below) <i>Insert Number</i>	Outcome Agreed Yes/No	***Rejection Criteria See List below <i>Insert Number</i>	Line Manager's Signature	Date of Line Manager's Signature	Input Date (Office Use Only)

***Coreless Flexi Options**

- 1 - Arrive after 10am (indicate time)
- 2 - Vary lunch break (indicate times)
- 3 - Take Longer Lunch (indicate times)
- 4 - Leave after 2pm (indicate time)
- 5 - Leave and return (indicate times)
- 6 - Any other variation (please specify)

****Reason for Requests**

- 1 - Medical - Employee Only (not dependants)
- 2 - Dental - Employee Only (not dependants)
- 3 - Family/Carer Responsibility
- 4 - Leisure
- 5 - Personal

*****Rejection Criteria**

- 1 - Insufficient cover available within team
- 2 - Working constraints/deadlines
- 3 - Insufficient prior notice given
- 4 - Insufficient flexi time accrued
- 5 - Minimum continuous 4 hours will not be achieved

Appendix 3

Flexible Working Principles

These Principles are currently being reviewed following the implementation of Coreless Flexi and will be updated.

1. Quick Reference Section

- 1.1 Employees may achieve flexibility in their working hours, always provided that the exigencies of the service are maintained.
- 1.2 All employees included in flexible working hours must record their hours worked electronically.
- 1.3 Accounting periods are 4 weeks duration.
- 1.4 The options for flexible working are:

Flexible Start of work between 0800 and 1000 hours.

Flexible Lunch Break between 1200 and 1400 hours subject to a compulsory minimum break of 30 minutes. Employees on business absence will receive an automatic debit of 60 minutes subject to a credit adjustment, where appropriate, to the minimum break of 30 minutes.

Flexible Finish of work between 1600 and 1800 hours.

Time Credits for ease of operation the maximum time credit which may be carried over to the next accounting period is 7 hours.

Time Debit maximum debit which may be carried over to the next accounting period will be 3 hours.

Flexi leave maximum flexi leave 1 day per accounting period subject to a maximum of 13 days over a calendar year.

2. Introduction

2.1 Object of Flexible Working Hours

The primary object of flexible working hours is to allow employees to vary their starting and stopping times of work, from the normal starting and stopping times, to a degree which, whilst suiting their personal circumstances, including travel arrangements, should mean that in the majority of cases the total number of weekly hours worked should vary little from the normal contracted weekly hours and usually will equalise over the accounting period of four weeks. There will be exceptions to this which are allowed for within the terms of the flexible working hours principles and which must be agreed between employees and management and reviewed periodically.

CultureNL recognises that the introduction of flexible working hours should lead to improvements in job satisfaction and performance and thereby improve efficiency. Arrangements made under flexible working hours will at all times be governed by the exigencies of the Services provided.

2.2 Principles of Flexible Working Hours

The operation of Flexible Working Hours must observe the following fundamental principles:

2.2.1 Standards of efficiency of service provided in any part of CultureNL's undertaking must be maintained.

2.2.2 It will not be possible for all employees to reconcile flexible working hours with the exigencies of the service or the requirements of their post. CultureNL therefore reserves the right to exclude from participation in flexible working hours any post or posts which it considers are of such a nature that the operation of flexible working hours will reduce the effectiveness of the service provided by CultureNL.

2.2.3 CultureNL reserves the right to implement flexible working hours where such an arrangement ensures the effectiveness of the service. Such arrangements will be subject to consultation with the appropriate trade union(s).

2.2.4 Flexible working hours are dependent upon co-operation between employees and the relevant senior managers to ensure provision of the service at all times throughout notional hours.

2.2.5 At public contact points, or to suit particular workload patterns of a section or service, the relevant senior manager, as appropriate, must make arrangements with employees to ensure proper cover for the maintenance of the service. Employees may be required to vary their working arrangements to meet the exigencies of the service and in such circumstances appropriate systematic rotas should be employed.

2.2.6 Employees participating in flexible working hours will have their working hours recorded by mechanical, electrical or electronic equipment, as determined by CultureNL. Subject to condition 3.3(b) below "booking in and out" will be required at the start and finish of each day and at lunch times.

2.2.7 In certain circumstances either management or employees, on provision of adequate notice, may revert to notional daily hours. Employees reverting to notional daily hours will require to "book in and out" as specified in 2.2.6.

2.2.8 Any grievance relating to the operation of flexible working hours should be processed through CultureNL's Grievance Procedure.

2.2.9 Any employee found to be abusing this facility, will be immediately excluded from being able to operate flexible working hours and shall revert to notional daily hours and require to "book in and out" as specified in 2.2.6. In addition, CultureNL's Disciplinary Procedures may be invoked as appropriate

2.3 Basic Principles/Definitions

2.3.1 Bandwidth (i.e. Permitted Working Hours)

The bandwidth consists of the time between the earliest start of work and the latest finish (i.e. 0800-1800).

2.3.2 Core Time

Core time is the period of the working day which all staff must work.
Monday -Friday 1000 -1200 and 1400 -1600

2.3.3 Flexible Working Hours

Within bandwidth and outwith core time, staff may fix the start and finish of their period at work

and thereby achieve flexibility in working hours. The options are therefore:

(a) a flexible start of work between 0800 and 1000 hours.

(b) a flexible lunch break between 1200 and 1400, subject to a compulsory minimum break of 30 minutes. Staff on business absence during the lunch period (i.e. 1200 to 1400) will receive an automatic debit of 60 minutes for lunch subject to a credit adjustment, where appropriate, to the minimum break of 30 minutes.

(c) a flexible finish of work between 1600 and 1800 hours.

2.3.4 Accounting Period and Contracted Daily Hours

The accounting period is the period over which attendance hours are compared with contracted hours and time credits/debits identified. The period shall cover four weeks:

Contracted Accounting Hours -	140 hours per four week period
Contracted Weekly Hours -	35 hours
Contracted Daily Hours -	Monday -Friday 7 hours

2.3.5 Notional Daily Hours Notional daily hours will be:

Monday -Thursday -0845-1645 (lunch break 55 minutes)
Friday -0845-1615 (lunch break 50 minutes)

2.4 Time Credits/Debits

2.4.1 At the commencement of each working day, the recording system will automatically debit each employee with 7 hours. All hours worked by an employee will thereafter serve to reduce this debit or to create a credit if work is continued beyond 7 hours.

2.4.2 The maximum credit which may be carried over to the next accounting period is 7 hours.

2.4.3 The maximum debit which may be carried forward to the next accounting period will not exceed 3 hours. In any 4 week accounting period, all debit hours in excess of 3 hours must be reduced and debit hours, in excess of this figure will be deducted from salary. Furthermore, any repeat of this particular system violation may result in the officer reverting to notional daily hours with the requirement to "book in and out" as specified in 2.2.6.

2.4.4 Employees terminating employment, or transferring out of flexible working hours arrangements, will be required to reduce their credit/debit hours balance to nil by due date. Any failure to do so, in respect of any outstanding debit balance will be rectified by means of a salary deduction.

2.5 Flexi leave

One of the main objects of flexible working hours is to afford employees the opportunity to vary start and finish time in accordance with the principles detailed above. Time credits/debits should, normally, only vary at the margin but at times, flexible arrangements may lead to an accumulation of credit hours and it is expected that these will be settled within the flexible working hours bands of the next accounting period. However, subject to the exigencies of the service, such credit hours may be taken as flexi leave during core time subject to the following:

2.5.1 Flexi leave may only be taken with prior appropriate management approval, and subject to reasonable notice being given. Approval of such leave will, in any event, be subject to the exigencies of the service.

2.5.2 The maximum flexi leave which may be taken is one day per accounting period subject to a

maximum of 13 days over a calendar year.

2.5.3 Flexi leave will only be granted when an employee has sufficient credit to cover a full or half day's absence. Under no circumstances will an employee be permitted to accrue a debit balance as a result of taking flexi leave.

2.5.4 During the period when flexi leave is being taken no credits will be granted and the leave will merely reduce or cancel out credit time accrued to that point.

2.6 Termination of Flexible Working Hours

Flexible Working Hours can be terminated by CultureNL providing an adequate period of notice is given (i.e. one accounting period or 4 weeks), subject to consultation with the appropriate trade union(s).

Appendix 4

Homeworking and Mobile Working Principles

These Principles should be read in conjunction with the Flexible Workstyle Handbook a copy of which is available from the Human Resources section.

Option 1

1. Equipment and IT Support

Employees will no longer require an office desk and will conduct all previous office based duties from home. The following package shall be provided and maintained by CultureNL, for as long as the employee remains as part of the initiative.

- a. Provision of laptop PC and software.
- b. Provision of printer and associated items.
- c. Mobile phone.

All equipment provided by CultureNL for the purposes of Option 1 must not be used for private purposes and the use of software other than that provided by CultureNL is not permitted. The terms of CultureNL's Acceptable Use of ICT Policy, Information Security Policy and the Data Protection Act will continue to apply.

All equipment provided remains the property of CultureNL and must be returned upon request. Access to the employee's home may be required for this purpose and arrangements will be discussed in advance to agree a mutually agreeable time.

In order to ensure access to all CultureNL IT facilities, a four weekly Broadband allowance of £30 (the value of which shall be reviewed after six months) shall be paid to each employee. This will be on the provision that a Broadband facility is provided and maintained by the employee which is sufficient to support all necessary IT connections and equipment essential for connection to the relevant CultureNL databases. Where there is any break in this service liable to last longer than one week, then the employee should advise their line manager so that appropriate interim arrangements may be discussed. It is advisable that employees check the terms and conditions of their broadband contract to ensure that the provider accommodates the home working arrangements.

2. Working Hours

- 2.1 To provide the greatest level of flexibility employees will work their full contracted hours (e.g. full time = 140 hours) averaged over a 4 week period.
- 2.2 All working hours shall be recorded on an electronic diary which should be submitted to the employee's line manager for approval.
- 2.3 As far as possible the employees' work pattern should be agreed with their line manager at least 1 week in advance. This includes providing employees with an indication of the expected work output and how this will be monitored. It is recognised that this will be easier to do for some jobs than for others and that there may be occasions where the agreed work pattern may need to be amended.
- 2.4 The employee is required to ensure that working time is without interruption. Under no circumstances should they undertake any other responsibility during working hours.

- 2.5 It may not always be possible to accommodate the employee's requested work pattern and all work patterns will be agreed with the line manager or nominated officer subject to the exigencies of the Service.
- 2.6 As the employee will benefit from increased flexibility in their work pattern, she/he will no longer have access to the current "flexi-time" system.
- 2.7 Employees must work their full contractual hours by the Sunday of the 4th week of the accounting period. However, in order to ensure that a degree of flexibility is available, a credit or debit of up to 2 hours shall be allowed. Any employee who continuously fails to work the agreed number of hours shall be removed from flexible working and may be subject to CultureNL's Disciplinary process.
- 2.8 There is no requirement to work a minimum or maximum number of hours each day; however the employee's work pattern must comply with the Working Time Regulations.
- 2.9 The employee's line manager will ensure that the proposed work pattern is in accordance with Working Time Regulations. The basic rights and protections that the Working Time Regulations provide are:
- a) A limit of an average of 48 hours per week which a worker can be required to work.
 - b) A limit to an average of 8 hours in 24 which night workers can be required to work.
 - c) A right for night workers to receive free health assessments.
 - d) A right to 11 hours rest a day.
 - e) A right to a day off each week.
 - f) A right to an in-work rest break if the working day is longer than 6 hours.

Further information relating to the Working Time Regulations can be found at:
<https://www.gov.uk>

- 2.10 No additional payments will be made for any work undertaken outwith CultureNL's core hours, other than in extenuating circumstances. For example, where, due to Service requirements, employees are asked to work more than five hours out with the core hours, the employee shall receive the appropriate enhancement to their pay.
- 2.11 If the employee is not working at home all day then the time incurred in travelling from home to their first appointment and from the last appointment to their home should not be included in the worked time for that day.
- 2.12 Notional hours will apply for the purposes of sickness, annual leave and public holidays.

3. Travel and Subsistence

- 3.1 There will be no change to the current CultureNL's procedure in claiming for mileage. For clarity, for those employees working from home, the daily mileage claim will be equal to the total number of miles travelled minus the number of miles that would normally be incurred in travelling from the employee's home to their designated work base.

3 Health and Safety

- 4.1 The introduction of Flexible Workstyles has resulted in a significant change in working practices. Assessment of the different working practices will, therefore, have to be considered to ensure that appropriate controls are in place to control any new risks identified. Full assessment of all risks shall be considered by CultureNL's health and safety colleagues and appropriate training will be provided to line managers and employees. Specifically this will include guidance on the proposed home workplace to ensure that it is adequate, both for

practical working and in terms of the relevant health and safety legislation (this applies to employees who are permanently working at home – Option F, and also those working at home as required -Option B).

- 4.2 CultureNL will ensure that the proposed home workplace is adequate, both for practical working and in terms of the relevant health and safety legislation, prior to the commencement of flexible working (this applies to employees who are permanently working at home – Option F and also those working at home as required -Option B).
- 4.3 The employee also has a responsibility to maintain safe systems of work and a safe working environment at all times. If an employee proposes to make any changes to their home workplace that would impact on any risk assessment, they should notify their line manager. Advice is available from the relevant Service's Health and Safety Team (this applies to employees who are permanently working at home – Option F, and also those working at home as required -Option B).
- 4.4.1 CultureNL will be responsible for ensuring the safe installation of any equipment and for advising employees on its safe use. Any necessary training will be provided on all equipment to be used.

5 Taxation, Insurance and Mortgages

- 5.1 Where the home is used for business purposes, as defined by Her Majesty's Revenue and Customs Office – HMRC (formerly known as the Inland Revenue), employees will need to contact HMRC for a personal assessment. It is the employee's responsibility to ensure that they contact HMRC for a personal assessment of their circumstances, or changes to their circumstances. Where it is confirmed that costs will be incurred from a personal assessment by HMRC, the employee is responsible for meeting these costs (this applies to employees who are permanently working at home – Option F and also those working at home as required -Option B).
- 5.2 Employees will be responsible for seeking confirmation from domestic insurance companies that their domestic insurance policies have been noted, or adjusted, if necessary (this applies to employees who are permanently working at home – Option F and also those working at home as required Option B).
- 5.3 Working at home may have implications for an employee's mortgage or lease arrangement. Consequently, employees are obliged to advise their mortgage provider or landlord that they are working at home (this applies to employees who are permanently working at home – Option F and also those working at home as required -Option B).

6 Security of Information

- 6.1 The employee will be responsible for the security of all CultureNL's information, files, documents, etc. in their possession and for ensuring there is no unauthorised access to such information. All information held should be treated in confidence, should not be inappropriately disclosed, and should be in accordance with CultureNL's Acceptable Use of ICT Policy, CultureNL's Policy on Data Protection and CultureNL's Policy on Information Security. Advice is available from the employee's line manager.

7 Attendance at the Office

- 7.1 The employee will be required to attend their normal place of work, as determined by their line manager. CultureNL reserves the right to request the attendance of the employee at different work locations to carry out service provision as agreed with their line manager, for operational requirements. In circumstances where the employee is required to attend at a different location from their designated work base, travelling expenses will be reimbursed in accordance with

standard procedures.

8 Sickness Absence

- 8.1 Where an employee's agreed working day commences before the normal 8.45am start time, employees will be required to make contact with their line manager to advise them of their absence by no later than 9.30am.
- 8.1 Where an employee's agreed working day commences after the normal 8.45am start time; employees will be required to make contact with their line manager within an hour of their scheduled start time. Should contact with their line manager not be possible then notification of the absence should be advised to the line manager or nominated officer by e-mail at their earliest convenience, and the line manager will then make contact with the individual at the first available opportunity.

9 General

- 9.1 Employees participating in the Flexible Workstyle Options Policy will continue to be governed by CultureNL's policies and procedures with the exception of the aforementioned exclusions (i.e. flexi-time scheme) and amendments to the absence notification procedures.
- 9.2 Arrangements for the allocation and return of work should be made with the employee's line manager in advance and in accordance with existing procedures. Regular contact, should, be maintained with the employee's line manager and employees should continue to refer to their line manager for advice.
- 9.3 A small pool of laptops will be made available to employees if, for whatever reason, there is a breakdown in the normal working arrangements. These laptops are intended for short term usage only and will be issued at the discretion of the appropriate line manager.

10. Review and Evaluation

- 10.1 The flexible workstyle will be formally reviewed after six months and regular updates will be provided.
- 10.2 The electronic diary/working patterns and use of key fobs will be monitored and reviewed on a regular basis.
- 10.3 The conditions of the flexible workstyle may be subject to amendments following the outcome of reviews and evaluations and in respect of any CultureNL policies or initiatives.

11. Notice Period

- 11.1 Participation in the Flexible Workstyle Options Policy may be terminated by either party if they find that the arrangement is unsuitable e.g. changes in personal circumstances or nature of work, subject to twelve weeks' notice on either side. It may be necessary in some cases for the Service to postpone an employee's return to office working while appropriate arrangements are made.

Option 2

Equipment and IT Support

As the employee will continue to work primarily from CultureNL's premises and occasionally work from home, they will utilise hot desking facilities when conducting all office based duties. To facilitate occasional home working, they will be provided with a key fob which enables

access to CultureNL Ltd's systems. Employees, who choose this option will be responsible for maintaining their own broadband connection at home and appropriate hardware.

1 Working Hours

- 1.1 To provide the greatest level of flexibility employees will work their full contracted hours (e.g. full time = 140 hours) averaged over a 4 week period.
 - 1.2 All working hours shall be recorded on an electronic diary which should be submitted to the employee's line manager for approval.
 - 1.3 As far as possible the employee's work pattern should be agreed with their line manager at least 1 week in advance. This includes providing employees with an indication of the expected work output and how this will be monitored. It is recognised that this will be easier to do for some jobs than for others and that there may be occasions where the agreed work pattern may need to be amended.
 - 1.4 The employee is required to ensure that working time is without interruption. Under no circumstances should they undertake any other responsibility during working hours.
 - 1.5 It may not always be possible to accommodate a requested working pattern and all working patterns will be agreed with the employee's line manager or nominated officer subject to the exigencies of the Service.
 - 1.6 As the employee will benefit from increased flexibility in their working pattern, the employee will no longer have access to the current "flexi-time" system.
 - 1.7 Employees must work their full contractual hours by the Sunday of the 4th week of the accounting period. However, in order to ensure that a degree of flexibility is available, a credit or debit of up to 2 hours shall be allowed. Any employee who continuously fails to work the agreed number of hours shall be removed from the Flexible Workstyle initiative and may be subject to CultureNL's Disciplinary process.
 - 1.8 There is no requirement to work a minimum or maximum number of hours each day, however the employee's working pattern must comply with the Working Time Regulations.
 - 1.9 The employee's line manager will ensure that the proposed working pattern is in accordance with Working Time Regulations. The basic rights and protections that the Regulations provide are:
 - A limit of an average 48 hours per week which a worker can be required to work
 - A limit to an average of 8 hours in 24 which night workers can be required to work.
 - A right for night workers to receive free health assessments.
 - A right to 11 hours rest a day.
 - A right to a day off each week.
 - A right to an in-work rest break if the working day is longer than 6 hours.
- Further information relating to the Working Time Regulations can be found at:
<https://www.gov.uk>
- 1.10 No additional payments will be made for any work undertaken outwith CultureNL's core hours, other than in extenuating circumstances. For example where due to Service requirements, employees are asked to work more than five hours out with the core hours, the employee shall receive the appropriate enhancement to their pay.
 - 1.11 If an employee is not working at home all day then the time incurred in travelling from home to their first appointment and from their last appointment to home should not be included in

worked time for that day.

- 1.12 Notional hours will apply for the purposes of sickness, annual leave and public holidays.

2 Travel and Subsistence

- 2.1 There will be no change to the current CultureNL procedure in claiming for mileage. For clarity, for those employees working from home, the daily mileage claim will be equal to the total number of miles travelled minus the number of miles that would normally be incurred in travelling from the employee's home to their designated work base.

3 Health and Safety

- 3.1 The introduction of the Flexible Workstyle initiative shall result in a significant change in working practices. Assessment of the new working practices shall therefore have to be considered to ensure that appropriate controls are in place to control any new risks identified. Full assessment of all risks shall be considered by our health and safety colleagues and appropriate training provided. Specifically this will include guidance on the proposed home workplace to ensure that it is adequate, both for practical working and in terms of the relevant health and safety legislation.
- 3.2 CultureNL will ensure that the proposed home workplace is adequate, both for practical working and in terms of the relevant health and safety legislation, prior to the commencement of flexible working.
- 3.3 The employee also has a responsibility to maintain safe systems of work and a safe working environment at all times. If an employee proposes to make any changes to their home workplace that would impact on any risk assessment, they should notify their line manager. Advice is available from CultureNL's Health and Safety team.

4 Taxation, Insurance and Mortgages

- 4.1 Where the employee's home is used for business purposes, as defined by the Inland Revenue, the employee will require to contact the Inland Revenue for a personal assessment. It is the employee's responsibility to ensure that they contact the Inland Revenue for a personal assessment of their circumstances, or changes to their circumstances. Where it is confirmed that costs will be incurred from a personal assessment by the Inland Revenue, the employee would be responsible for meeting these costs.
- 4.2 The employee will be responsible for seeking confirmation from domestic insurance companies that their insurance policies have been noted or adjusted if necessary.
- 4.3 Working at home may have implications for an employee's mortgage or lease arrangement, and employees are obliged to advise their mortgage provider or landlord that they are working at home.

5 Security of Information

- 5.1 The employee will be responsible for the security of all CultureNL's information, files, documents, etc. in their possession and for ensuring there is no unauthorised access to such information. All information held should be treated in confidence, should not be inappropriately disclosed, and should be in accordance with CultureNL's Acceptable Use of ICT Policy, CultureNL's Policy on Data Protection and CultureNL's Policy on Information Security. Advice is available from the employee's line manager.

6 Attendance at the Office

- 6.4 The employee will be required to attend their normal place of work, as determined by their line manager. CultureNL reserves the right to request the attendance of the employee at different work locations to carry out service provision as agreed with their line manager, for operational requirements. In circumstances where the employee is required to attend at a different location from their designated work base, travelling expenses will be reimbursed in accordance with standard procedures.

7 Sickness Absence

- 7.1 Where an employees' agreed working day commences before the normal 8.45am start time, employees will be required to make contact with their line manger to advise them of their absence by no later than 9.30am.
- 7.2 Where an employees' agreed working day commences after the normal 8.45am start time, employees will be required to make contact with their line manager within an hour of their scheduled start time. Should contact with their line manager not be possible then notification of the absence should be advised to the manager or nominated officer by email at their earliest convenience, and the line manager will then make contact with the individual at the first available opportunity.

8 General

- 8.1 Employees participating in the Flexible Working Initiative will continue to be governed by CultureNL's policies and procedures with the exception to the aforementioned exclusions (i.e. flexi-time scheme) and amendments to the absence notification procedures.
- 8.2 Arrangements for the allocation and return of work should be made with the employee's line manager in advance and in accordance with existing procedures. Regular contact should be maintained with the employee's line manager and employees should continue to refer to their line manager for advice.
- 8.3 A small pool of laptops will be made available to employees if for whatever reason, there is a breakdown in the normal arrangements. These laptops are intended for short term usage only and will be issued at the discretion of the appropriate manager.

9 Review and Evaluation

- 9.1 The initiative will be formally reviewed after six months and regular updates will be provided.
- 9.2 The initiative including electronic diary/working patterns and use of key fobs will be monitored and reviewed on a regular basis.
- 9.3 The conditions of the initiative may be subject to amendments following the outcome of reviews and evaluations and in respect of any CultureNL policies or initiatives.

10 Notice Period

- 10.1 Agreement to participate in the Flexible Workstyle initiative may be terminated by either party if they find that the arrangement is unsuitable e.g. changes in personal circumstances or nature of work, subject to two weeks' notice on either side. Additional or less notice can be agreed by mutual consent. It may be necessary in some cases for the Service to postpone an employee's return to office working while appropriate arrangements are made.

Appendix 5

Job Sharing Principles

1. Definition

Job Sharing is defined, for the purpose of this policy as the voluntary sharing by 2 persons of the duties and responsibilities of an established full time job. The salary and appropriate conditions of service are shared on a pro-rata basis according to the hours worked by each job sharer.

Job Sharing is available to prospective employees (if the job is advertised as being suitable for job sharing) and existing employees who wish to reduce their hours.

The purpose of the scheme is two-fold:

- (a) For employees, it provides the opportunity for working conditions which meet changing individual circumstances, and
- (b) For CultureNL's, it allows for the retention of trained and experienced employees who might otherwise leave.

2. Eligibility

This Policy applies to all employees of CultureNL with the exclusion of those employed under the scheme of salaries and conditions of service for teaching staff in school education.

All permanent established posts will be considered eligible for job sharing. For reasons of management consistency, strategy and policy, Chief Official posts are deemed to be inappropriate for job sharing.

Furthermore, a Senior Manager, or nominated officer, can refuse an application for job sharing if the job is deemed to be unsuitable for sharing. Written reasons for the decision must be provided and employees may have the right to appeal in accordance with CultureNL's Grievance Procedure.

3. Application for Job Sharing

(a) Adverts

Where a post becomes vacant and is identified as being suitable for job sharing, it will be advertised in the normal way but with a note to the effect that applications will be accepted from persons wishing to job share.

Employees wishing to job share their existing post should submit their request, in writing, to CultureNL Chief Executive, or nominated officer, who will approve or reject their application. To allow advertising, interviewing and appointment procedures to be followed, applications to job share must be submitted not later than 8 weeks before the proposed "sharing" date. It is not necessary for an employee to have an identified partner before applying for job sharing. All such vacancies will be advertised in the normal way.

(b) Applications

Applications for job sharing can be made in a number of ways (subject to the post being deemed suitable for job sharing).

(i) An existing post holder may apply to job share and the remaining portion of the post would be advertised.

(ii) Two candidates can apply jointly for a post and both be successful, having been considered jointly alongside every full-time application.

(iii) One successful candidate can be appointed to a vacant post on a job sharing basis and the remaining portion would then be advertised.

(iv) Two candidates applying independently of each other can be appointed to a vacant post subject to both satisfying the requirements of the job, having been considered jointly alongside every full-time application.

In all cases, Chief Executive of CultureNL, or nominated officer, reserves the right to determine the suitability of an individual for the post. Where one or both of the applicants for a job sharing post are not selected there is no right of appeal except where such a right exists by way of statute.

Where an existing employee wishes to job share, implementation will be dependent on the appointment of a suitable sharer. If a suitable sharer cannot be appointed, the job sharing arrangement will not go ahead. There is no right of appeal against the decision of CultureNL as to the suitability of applicants for the one half of a job sharing post.

4. Loss of Job Sharing Partner

In the event of a job sharer leaving the shared post, the remaining sharer shall be offered the post on a full-time basis, subject to satisfactory work performance and conduct. If the remaining sharer does not wish to take the post full-time, or if there are work performance/conduct issues, a suitable job sharing partner will be sought.

If it is not possible to recruit a suitable replacement, every effort will be made to redeploy the remaining sharer. Wherever possible, such redeployment will be to a post on an equivalent grade and conditions, although this cannot be guaranteed.

If no redeployment is available, or if it is offered and not accepted, the remaining job sharer will be dismissed. Such a decision will only be taken as a last resort and only after management has fully consulted with the employee and explored every possible avenue.

5. Sharing Arrangements

The hours of work will be agreed to meet the operational needs of CultureNL and, as far as possible, to suit both job sharers. An appropriate arrangement may be selected from a variety of working patterns.

The post may be shared on a split-day or split-week basis giving each employee a pro-rata share of the full-time hours of the post on either a morning or afternoon basis or 2/3 days on alternative weeks, or 2½ days per week or other sharing arrangements which are deemed to be suitable.

Whatever the arrangements, over a reasonable period, each sharer's average hours must equate to their contractual hours. The agreed arrangements will be included in each sharer's contract of employment.

The Chief Executive of CultureNL, or nominated officer, has the right to insist on a pattern of work to meet the exigencies of the services and the requirements of an overlap period and on review of the arrangements, to subsequently amend starting and finishing times, patterns of work, overlap, etc.

There may be circumstances where an employee wishes to hold two different job sharing posts within CultureNL. Clearly, the operational viability and practicality of such an arrangement would have to be carefully considered. However, such an arrangement will be supported wherever it is deemed to be practicable.

6. Temporary Period

In situations where the suitability of a job sharing arrangement is in doubt, Chief Executive of CultureNL, or nominated officer, may apply up to, but not normally exceeding, a six month temporary period at the manager's discretion to establish the suitability of a post for job sharing.

The job share contracts of employment will clearly indicate the terms of the temporary period and the consequences of the job being found unsuitable for job sharing.

The suitability of a job share will be carefully monitored during the temporary period and any problems addressed at an early stage and steps taken to remedy them. Arrangements will be terminated only after careful consideration and only after all other possible solutions have been exhausted.

Ultimately, if a job sharing arrangement, which has been set up under a temporary period, does not work out the arrangement will be terminated. The resulting effect on the employees will depend upon the partner's position prior to the introduction of the job sharing arrangements:

(a) Existing postholder who had applied to job share full time post.

Original partner would immediately revert to full-time status. The other partner would be offered redeployment to other suitable available employment and if this was not possible the contract of employment would be terminated. If the other partner, prior to the start of the job sharing arrangement, held a permanent substantive post within CultureNL, the substantive post should be filled on a temporary basis for the six month period of the temporary period. If the sharing arrangement is deemed to be unsuitable, the other partner would revert to his/her substantive post.

(b) Both partners have joined the organisation to take up job sharing posts.

The job would revert to full-time status with both partners applying, if they wish, for the post. If one or both do not want to work full time, attempts will be made to redeploy the individuals to a suitable alternative post. If redeployment is not available, or is offered and not accepted, the sharers will be given appropriate notice to revert the hours of the post to full-time and the job sharing contract of employment will be terminated.

7. Conditions of Service

(a) Application of Grade/Salary Scales

Job Sharers will be graded according to the salary scale/grade applicable to the post although placing within the grade will be on an individual basis. The salary will be paid on a pro-rata basis in accordance with the number of hours worked. If weekly hours vary (i.e. a short week and a long week) payment will be made on the average hours. Incremental progression will be in accordance with the conditions applying to full-time employees.

(b) Contract of Employment

Job Sharers will have individual contracts of employment with particulars of the post and any associated conditions specified for the individual.

(c) **Hours of Duty**

The normal hours of duty for a job share will be a pro-rata share of those of the full-time post as agreed on appointment. Details of the hours of duty, including pattern, overlap, variations, etc., will be clearly detailed in the statement of particulars for the post.

(d) **Overtime**

Payment for overtime working will be made only when an individual job sharer exceeds the total weekly hours for the equivalent full-time post.

(e) **Annual Leave**

The annual leave entitlement for job sharers will be a pro-rata share of the entitlement which the individual would have received if working full-time (based on the number of days or weeks worked per annum).

(f) **Public Holidays**

The paid public holidays allocated to each job sharer will, when combined, not exceed the total applicable to an equivalent full-time appointment. Sharers are required to be flexible in order to ensure equity.

(g) **Special Leave**

Special leave will be granted in accordance with the conditions applying to full-time employees.

(h) **Irregular Hours Payment/Weekend Allowance/Shift Allowance**

Irregular Hours Payment/Weekend Allowance/Shift Allowance will be paid to job sharers who satisfy the conditions laid down in the Scheme of Salaries/Pay & Conditions of Service.

(i) **Statutory Sick Pay & Sickness Allowance**

Job Sharers will be entitled to statutory sick pay and sickness allowance in accordance with the Scheme of Salaries/Pay & Conditions of Services.

(j) **Maternity Leave**

Job Sharers will be entitled to Maternity Leave in accordance with the Scheme of Salaries/Pay & Conditions of Service.

(k) **Hospital & Medical Appointments**

Job Sharers will be expected to arrange medical and other appointments outside working hours. Where this is not possible e.g., clinics or surgeries which take place on set days of the week coinciding with the job sharer's working hours, leave to attend appointments should be dealt with under normal special leave arrangements.

(l) **Training**

Training needs of job sharers will be determined on an individual basis. Job sharers are covered by the terms of CultureNL's Training and Development Policy. Attendance at training courses on days on which the sharer does not work will be avoided as far as possible. Where it is unavoidable, time-off in lieu will be given or the sharer may be offered

correspondence or distance learning depending on the circumstances.

(m) **Flexible Working Hours-Flexi-time/leave**

Job Sharers will not, normally, be eligible to accrue hours to be taken as flexi-leave, but may vary their start and finish times for flexible working hours. However Chief Executive of CultureNL, or nominated officer, may agree where it is a practical option. It should be noted that flexi-time/leave is not a contractual right for any employee.

(n) **Superannuation**

Job Sharers will be eligible for membership of the Superannuation Scheme in terms of the Local Government Superannuation (Scotland) Regulations 1974 -86.

(o) **General Conduct**

Job sharers will be covered by the conditions as they apply to full-time employees.

(p) **Discipline & Grievance Procedure**

Job sharers will be covered by the terms of CultureNL's Discipline & Grievance Procedures.