



19 March 2021

To Councillors:

Desna Allen (Vice)	Richard Bambury
Pete Bishop	Jenny Budgell
Teresa Hutton	Andy Phillips
Nina Phillips	David Powell
Sandie Webb (Chairman)	

Extraordinary Meeting of the Human Resources Committee Thursday 25 March 2021

Dear Councillor,

You are summoned to attend an Extraordinary meeting of the Human Resources Committee to be held virtually using the Zoom platform on Thursday 25 March 2021 commencing at 4pm for transaction of the business given in the Agenda attached.

The meeting can be accessed by the following link or ID and password:  
<https://zoom.us/j/94288765756?pwd=Y05GNXRPZmNxd1VHZlY1WFFRM1dIQT09>

Meeting ID: 942 8876 5756  
Passcode: CTC21

Please note members of the public are invited observe the meeting virtually and have the opportunity to address the council at this meeting at 4pm. A guide is available for members of the public, for any support in accessing the meeting virtually please contact the Town Council at least 24 hours in advance of the meeting.

Yours faithfully  
**Councillor Sandie Webb**  
Chairman, HR Committee

pp.

All council meetings are open to the public and press

## RECORDING OF PUBLIC COUNCIL MEETINGS

Recording and using social media is permitted at Council meetings which are open to the public. Please note that Chippenham Town Council will be recording this meeting for training and monitoring purposes only.

### 4pm - PUBLIC QUESTION TIME (not to exceed 30 minutes)

The public are welcome to make representations, ask questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

To aid the virtual meeting process, Chippenham Town Council ask members of the public to email their questions to enquiries@chippenham.gov.uk no later than 12pm on the day before the meeting.

Any individual representation is limited to no more than 3 minutes. The Chairman will call the representation from those who are indicating that they wish to speak; written representations can also be received in advance of the meeting. A record of any public participation session shall not be included in the Minutes, but included as an appendix note to the Minutes of the meeting.

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## Agenda

Extraordinary Human Resources Committee - 25 March 2021

Wards affected    Page  
no.

1.        **APOLOGIES FOR ABSENCE**  
To receive apologies for absence.
  
2.        **NOTIFICATION OF SUBSTITUTION**  
To receive any notification of substitution made to the Chief Executive.
  
3.        **DECLARATION OF INTEREST**  
All Members of the Town Council are reminded to declare any pecuniary or non-pecuniary interests they may have in any business of the Council, its Committees or Sub-Committees, in accordance with the latest approved Code of Conduct.  
  
Members are reminded to declare any dispensation granted in relation to any relevant matter.
  
4.        **CHAIRMAN'S ANNOUNCEMENTS**  
To receive any announcements from the Chairman.

	Wards affected	Page no.
Item 6 and confidential items 10-12 to consider		
6. <b><u>FLEXIBLE WORKING POLICY</u></b> To receive and consider a report from the Corporate Support Officer regarding the adoption of a Flexible Working Policy (copy attached).	All	4
7. <b><u>ITEMS FOR COMMUNICATION</u></b> To consider any items for communication and any items to be consulted with the Youth Council.		
8. <b><u>DATE OF NEXT MEETING</u></b> The next meeting of the Human Resources Committee will take place on Thursday 03 June 2021. There is an extraordinary Human Resources Committee meeting scheduled for Tuesday 20 April 2021 at 4pm.		
9. <b><u>EXCLUSION OF THE PUBLIC AND PRESS</u></b> To pass, if considered necessary, the following resolution: “The press and public are excluded due to the confidential nature of the business under the Public Bodies (Admissions to Meetings Act) 1960 s1. sub section 2”.		
10. <b><u>JOB EVALUATION</u></b> To receive a confidential report from the Chief Executive.	All	
11. <b><u>EXTENDED CORPORATE MANAGEMENT TEAM JOB REALIGNMENT</u></b> To receive a confidential report from the Chief Executive.	All	
12. <b><u>APPRENTICES UPDATE</u></b> To receive a confidential report from the Director of Resources.	All	



## Agenda Item 6

Meeting	Extraordinary HR Committee
Date	25 March 2021
Report Title	Flexible Working Policy
Author	Helen Bywater, Corporate Support Officer

### 1.0 PURPOSE OF REPORT

- 1.1 To present a revised version of the Council's Flexible Working Policy, which has been adapted to include additional guidance around working flexibly on an ad hoc basis.

### 2.0 INTRODUCTION AND BACKGROUND INFORMATION

- 2.1 Councillors adopted the current Flexible Working Policy in November 2018. The existing policy outlines how employees can apply for a permanent change to their working pattern. However, it does not provide any advice to staff about working flexibly day-to-day.
- 2.2 Prior to the COVID19 pandemic, managers were consulted for their views on how flexible working was being implemented, and how it could be improved. Feedback from this session highlighted that many employees did not feel empowered to work remotely or outside of core hours, which is contrary to the policy statement that the Council 'has a positive view of variable working'. It is therefore appropriate that the policy be updated to provide clarity on what the Council seeks to encourage.
- 2.3 Since March 2020, COVID19 lockdown restrictions have necessitated home working for several members of staff. This has taught us valuable lessons about what works well regarding working flexibly.

### 3.0 FLEXIBLE WORKING POLICY

- 3.1 The proposed updated Flexible Working Policy is included at **APPENDIX A**. It starts with a new introduction, highlighting the importance of the policy in meeting the needs of the Council as well as recognising the needs of individual staff.
- 3.2 The section on 'Changes to an Employee's Permanent Contractual Working Arrangement' has been simplified to make the process easier to follow. The Flexible Working Request Form (included at the end of the policy document) has also been updated to remove references to childcare, as the right to request changes to working arrangements is not limited to parents and carers.

- 3.3 An additional section has been added on 'Flexible Working on an Ad-Hoc Day-to-Day Basis'. It is recognised that some roles will not be suitable for flexible working due to the nature of the employee's responsibilities, but where possible Line Managers will embrace flexible working. The revised policy sets out some guidelines managers and staff can follow to ensure that flexible working is effective and does not impact negatively on productivity.
- 3.4 Finally, options which could further improve flexibility after the pandemic have been identified, including meetings which are a mixture of in person and virtual, and opportunities for hot desking.

#### **4.0 CONTRIBUTION TO CORPORATE PLAN PRIORITIES (delete as appropriate)**

- 4.1 The introduction of a new Flexible Working Policy will contribute to the following corporate priority:
- v. Corporate Priority 5 - Effective and efficient use of resources.

#### **5.0 STAFFING IMPLICATIONS**

- 5.1 The potential impact on colleagues will be considered with each flexible working request. There are no other staffing implications.

#### **6.0 FINANCIAL IMPLICATIONS**

- 6.1 There are no financial implications.

#### **7.0 LEGAL IMPLICATIONS**

- 7.1 The policy complies with current employment legislation.

#### **8.0 RECOMMENDATIONS**

- 8.1 That Councillors adopt the revised Flexible Working Policy.



**CHIPPENHAM  
TOWN COUNCIL**  
Improving the quality of town life

Item 6 Appendix A

# Flexible Working Policy

Author: Chief Executive

Responsibility: Human Resources Committee

Date Adopted:

Review Date:

Amendments:

## Policy Statement

Chippenham Town Council has a positive view of flexible working. This policy sets out the framework in which flexible working will be managed and complies with relevant legislation (including the Employment Relations Act 1999, Employment Rights Act 1996, and The Children and Families Act 2014).

## Scope of the Policy

The policy applies to all employees of Chippenham Town Council (herein referred to as 'the Council').

## Introduction

Flexible working is a way of working that suits an employee's needs, which could require a change to their contract. Some examples of flexible working are part time hours, job sharing, alternative working hours including compressed hours, term-time working and working remotely or from home.

The Town Council recognises that historically the culture in the organisation has not been conducive to flexibility in working patterns. Some staff may have felt guilty or judged for working outside of core hours or were unaware that flexible working practices were allowed.

The purpose of this policy is to provide clarity on what the Council seeks to encourage. The policy aims to meet the needs of the Council whilst at the same time recognising the needs of individual staff. This will help with staff recruitment and retention. It is based on a foundation of empowerment, trust, professionalism, collaboration, and respect, in line with the Council's values and behaviours.

This policy covers both permanent changes to an employee's contractual core hours and place of work and flexible ways of working on an ad-hoc, day to day basis. It may be read in conjunction with other policies such as the Adoption, Maternity, Paternity and Parental Leave Policy and the Overtime and Toil Policy.

## Review Statement

This policy has been prepared considering prevailing legislation and recognised good practice. New legislation requirements or changes in current legislation may necessitate the review of this policy document. The Council will continue to review and amend this policy on a regular basis. It is the employee's responsibility to ensure that the copy of the policy being referred to is the most up-to-date version.

## Equality

In putting the procedure into practice, no aspect of the procedure will discriminate on the grounds of race, sex, sexual orientation, gender reassignment, age, religion, politics,

marital status, disability, politics, caste and / or union membership or any other grounds likely to place any employee at a disadvantage.

## Flexible Working - Changes to an Employee's Permanent Contractual Working Arrangement

### Eligibility for Permanent Flexible Working Arrangements

All employees have the legal right to request a change to their permanent working arrangements, not just parents and carers. The right to request flexible working is available to employees who have a minimum of 26 weeks' continuous service. Only one flexible working request can be made within a twelve-month period.

The legislation does not provide an automatic right to flexible working. There is an emphasis on the importance of both the employee and the employer considering the terms of the request and attempting to reach an outcome that suits both parties. The employee has a responsibility to think carefully about their desired working pattern when making an application, and the manager is required to follow a specific procedure to ensure requests are considered objectively.

### Procedures for Applying to Work Flexibly

Anyone considering flexible working should first discuss with their Line Manager the reasons for their request to change their working pattern. A formal application must then be made in writing to their Line Manager. This can be done by filling in the Flexible Working Request Form (appended to this document) or with a letter or email which clearly sets out:

- A statement that this is a statutory request
- The desired change in working pattern and the effective from date
- How this request will impact upon the work of the Council
- How the employee will manage their work to ensure there is no loss in efficiency
- The impact of the change to the work pattern on colleagues
- How any potential problems will be overcome if the changes are agreed
- A statement saying if and when they've made a previous application

All applications will be considered fully. The Line Manager will meet with the employee to discuss the application within 28 working days. The employee has the right to be accompanied by a companion who can either be a work colleague or certified trade union representative. The companion has the right to address the meeting. They may also ask questions and present the employee's case; however, they cannot answer questions on the employee's behalf.

## Withdrawing an Application

Employees should tell their Line Manager in writing if they want to withdraw their application. The Line Manager can treat an application as withdrawn if the employee misses two meetings to discuss an application or appeal without good reason, e.g., sickness. The Line Manager must tell the employee they are treating the request as withdrawn.

## Decision

The Line Manager will consult with the Corporate Management Team, who will consider all applications. The Corporate Management Team shall make a decision within 3 months of the initial request and will usually notify employees of the decision within 14 days of the meeting.

A Director can make a request to the Chief Executive for a decision.

The Chief Executive may make a request for flexible working to the Council's HR Committee and the request would also be reviewed by the HR Committee.

## Agreeing the Application

The Chief Executive or Director shall write to the employee with:

- A statement of the agreed changes
- A start date for flexible working

These changes will be part of a 'change to contract letter' as the employee's terms and conditions will change. This will be done as soon as possible but no later than 28 days after the request was approved.

If an application is approved, the working arrangement will be implemented on a trial basis for an initial period of 6 months.

## Review

The statutory right to request flexible working relates to a permanent change in working times, working hours or place of work.

After the initial 6-month trial period, the Line Manager and Corporate Management Team will undertake a review to ensure that the change in work pattern is working effectively for the Council and the employee, and that there is no adverse impact on either the work of the Council or the efficient working of the team. If there appears to be a problem the employee will be consulted before a decision is made to vary the working pattern for a further trial period or revert to the original working arrangement.

At the end of the review the Chief Executive or Director will either:

- Confirm in writing that the working pattern will continue on a permanent basis,

or

- Will give the employee notice that the working pattern cannot be accommodated and will end on a specific date.

### Rejecting an Application

The Chief Executive or Director shall write to the employee explaining they've rejected the application and the reasons why.

An application may be rejected for any of the following reasons:

- Additional burden of costs
- Detrimental effect on customer service
- Inability to reorganise work among other staff
- Detrimental effect on quality or performance
- Insufficient work available during the periods the employee proposes to work
- The proposal does not fit in with planned structural changes

### Right of Appeal

There is no longer a statutory right of appeal, therefore the decision of the Chief Executive or Director will be final. A further application cannot be made within 12 months.

### Flexible Working on an Ad-Hoc Day-to-Day Basis

Some teams are already working on a flexible basis day to day. We encourage managers to embrace flexible working and encourage staff to do the same where possible. With approval from the Line Manager, this could include:

- Using accrued TOIL to take time off or making up time later
- A review of the working week of individual staff if required e.g., working longer days Monday to Thursday, with Friday off or working longer hours one week and shorter the next
- Working from home or another approved location

However, it is important to recognise that not all jobs are the same and some job roles won't be suitable for flexible hours or remote working based on the nature of the employee's responsibilities, for example grounds maintenance or face to face customer service. In this case, it may still be possible to work from home on occasion to focus on a specific task e.g., writing a report.

The decision to allow flexible working hours or remote working will be delegated by the Corporate Management Team, to be at the discretion of the employees Line Manager, based on whether the employee would still be able to effectively carry out their role.

The Corporate Management Team may ask employees to work from home if mandated by Government or if it suits the needs of the Council.

The key to flexible working being successful is:

- Ensuring that there is appropriate cover. Depending on the department this could include: assigning a deputy to manage in your absence, asking a colleague to attend a meeting on your behalf, ensuring at least one member of the team is available during core hours
- For managers to judge their staff based on their output and outcomes, not how often they are present at their desk. However, employees will still be expected to work their contracted hours
- Effective communication: in particular, everyone keeping their electronic calendars updated and being contactable by phone if working out of the office
- The facilities team to notify staff when the building is open, so staff understand their options to work flexibly
- Recognising that staff have commitments that need to fit around work e.g., hospital appointments, family commitments
- Recognising that working patterns could be affected by seasonal demand e.g., busier during summer/winter
- Recognising that working flexibly can benefit an employee's mental health.

The Council recognises that changes to the physical infrastructure are necessary to allow greater flexible working. The cloud-based ICT solution allows for electronic working from any location; however, the following is also necessary:

- Continued investment in technology resources, including laptops and tablets and moving towards hybrid meetings where people can attend in person or virtually
- Future development of the Council's buildings to allow for hot desking
- A review of the opening hours of buildings and how they could be extended, staffed, and accessed (including keys and alarms).

### Further Information

For further information or clarification on any part of this policy, please contact your Line Manager.



## Flexible Working Request Form

Please fill in and return to your Line Manager. By submitting this application, you agree that this is a statutory request.

All applications will be considered fully and your Line Manager will meet with you to discuss the application within 28 days.

Name:	
Current working pattern:	
Desired new working pattern:	
How will this impact the work of the Council?	
How will you manage your work to ensure there is no loss in efficiency?	
What impact will this change in work pattern have on your colleagues?	
How will any potential problems be overcome when the changes are agreed?	
Have you submitted a previous application for flexible working? If so, when?	

Signed: .....

Date: .....