

Flexible Working Policy

Version 8

Greater Manchester Police

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1. Introduction and Background

Policy statement

Greater Manchester Police (GMP) believe that Flexible Working can benefit both staff and GMP by: promoting work-life balance; building a committed, motivated and diverse workforce; retaining valued staff; reducing absence; and meeting operational demands.

This policy reflects the Employment Rights Act 1996, Children and Families Act 2014 and the Flexible Working Regulations 2014. From 30th June 2014 all employees have a statutory right to ask their employer for a change to their contractual terms and conditions of employment to work flexibly. These provisions also extend to officers.

We will consider all applications and each request will be considered on a case-by-case basis. We'll do this starting from a presumption that the flexible working request can be accepted. Agreeing to one request won't set a precedent or create the right for another staff member to be granted a similar change to their working pattern.

Aims

The aims of this policy are to:

- Give you a clear understanding of the Flexible Working Policy
- Explain the procedure to be followed, so we can fairly consider your request for Flexible Working

2. Scope

This policy applies to all Police Staff and Police Officers.

Where we refer to staff in this policy, it also applies to officers unless we say otherwise.

Police staff wanting to apply for flexible working must have completed 26 weeks service at the date of application.

Police Officers who want to apply for flexible working must have completed their probation period. In exceptional circumstances we may consider an application earlier. You must however, have completed your initial training, street duties and continuation training on a full-time basis (normally the first 40 weeks).

3. Terms and Definitions

Flexible working is an individual working arrangement that may differ from the standard working pattern for the role.

The following are examples of working patterns you may want to consider:

Full-time working

Full time hours for Police Staff are 36 hours 15 minutes per week. Full-time hours for Police Officers are 40 hours per week.

Part-time working

If you work part time, you work less than full time hours. You may have a later start or earlier finish; work mornings or afternoons only; nights only; work less days in the week or work alternate weeks.

Job-share

If you work job share, you and another person share the responsibilities, hours and pay of one post. Both of you would need to be able to carry out the full range of duties of the post so that the work flow is not affected.

Compressed hours

If you work compressed hours, you work an agreed number of hours over less days in the week. You may be either full time or part time. Your agreed working day will be a maximum of 10 hours.

Staggered hours

If you work staggered hours, you have different start, finish and break times to your colleagues. This may enable you to cover longer opening hours with your team.

Temporary reduced hours

You may request to reduce your hours on a temporary basis only.

Annualised hours

If you work annualised hours, you work an agreed number of hours per year, rather than a fixed number of hours per week or month. You may work longer hours during certain periods of the year and less at others. Your working pattern must still comply with the Working Time Regulations.

Term-time working

If you do term-time working, you work during school term time, and take time off during the school holidays. Your salary would be amended to take account of the additional time off, but would be paid to you in equal amounts each month. This type of flexible working would only be suitable for a few posts.

4. Roles & Responsibilities

Responsibility of Staff

Staff are responsible for meeting with their manager, having an open discussion, including childcare provisions and the support they have available, and be prepared to compromise to reach an agreement.

Staff have a right to request flexible working however they have a responsibility to make requests that are fair and reasonable and provide as much notice as possible to avoid overpayments. Staff don't have the right to have the plan agreed if it doesn't support operational demand.

Whilst staff may wish to start work earlier/later and finish earlier/later than their colleagues, staff are encouraged to work within their shift pattern as much as possible, They should

provide an overview of the reasons for their request; consider the impact on the Unit, Borough or Branch and also on their colleagues.

Responsibility of Managers

Managers can authorise flexible working requests. Managers must ensure that every application is seriously considered and is assessed on an individual basis, starting from the presumption that the request can be accommodated.

Managers will meet with the staff member, have an open conversation to discuss the application and be sensitive to and aware of their needs. Ask about childcare provisions and identify support available.

When making an assessment, balance the needs of the staff member with the needs of the organisation. To understand the wider impact of the application and the opportunities created by the flexible working request, the proposed plan can be discussed with the Resource Management Unit.

Managers should think broadly and creatively and be open to looking at alternative working arrangements, including those that may be available across the organisation by contacting the Workforce Development Unit.

Changes to working patterns may have an impact on allowances (Police Staff only). Where additional costs have been identified, notify the staff member that their allowances will be capped at the current allowances rate.

Where staff have a partner in GMP, explore the possibility of a joint meeting with the partner and their supervision, to discuss working arrangements, if appropriate.

Managers must process the application and forward to Greater Manchester Shared Services (GMSS) as quickly as possible to avoid overpayments.

Timescales

Managers must ensure timescales are met and extensions to those timescales are agreed, including a change to their preferred start date; with the staff member and managing any appeals process.

Responsibility of SLT

SLT's except Borough/Branch Commanders; are responsible for reviewing applications that are not supported by the manager.

They'll ensure the manager has liaised with their Resource Management Unit and/or Workforce Development Unit when considering the application and that a detailed explanation of their decision has been provided.

They'll check with the manager that reasonable efforts have been made to consider a compromise or alternative working arrangements where the initial request can't be supported; and that the request is in line with the agreed timescales.

Where unsupported applications are referred to them SLT's will make the final decision, endorse the application form and forward it to Greater Manchester Shared Services (GMSS).

If they determine the application has not been considered appropriately, they'll return it to the manager with a request to either

- Review and provide more information; or
- Provide a detailed explanation for their decision

Responsibility of Borough/Branch Commander

Borough/Branch Commander's will be responsible for hearing appeals against applications that are refused.

They'll meet with the staff member within 14 days of receipt of the appeal.

Responsibilities of HR

HR is responsible for developing a Flexible Working Policy that supports the operational needs of GMP and considers the work-life balance of staff.

HR via Greater Manchester Shared Service (GMSS) is responsible for confirming the outcome of the flexible working request in writing to the member of staff within the agreed timescales including confirmation of changes to annual leave and allowances, where appropriate.

HR will monitor applications for consistency of decision-making and will maintain an overview of flexible working across the force.

5. Objectives

Our objectives are to:

- Seriously consider your request for flexible working.
- Make an informed decision that prioritises the business of core policing and will not be detrimental to operational needs.
- Enable you to discuss your flexible working request at a meeting with your manager, where you'll be able to negotiate a working arrangement that will fit both organisational and your personal needs.
- Recognise your right to be accompanied at all flexible working meetings.
- Give you a written detailed explanation of a flexible working decision.
- Allow you to appeal against a flexible working decision.

6. Principles

Terms and Conditions

Before you amend your working hours you should consider the financial impact. Both your salary and your pension may be affected.

We'll amend your salary and allowances in line with your new working hours, unless we cap your allowances (police staff only). But, any expenses you incur, we'll pay in full. If you're an essential car user, we'll pay your lump sum in full.

We'll amend your annual leave and bank holiday entitlement on a pro rata basis if your hours have reduced.

We will not recompense child care costs where these are incurred.

For a member of police staff, an agreement to a flexible working request is an amendment to your contract of employment.

If you're a police staff member and wish to return to full time hours in your role i.e. if you're job share and the other half of your job share leaves, and/or the hours remain available; we'll consider your performance and attendance if you're in the formal process of the Standards Performance and Attendance Policy before we'll agree to any increase in hours.

Capping of Allowances (Police Staff only)

If you request to work hours that would attract a higher allowance to those for the standard working pattern, your allowances will be capped and you'll receive the allowances for the current standard pattern only, e.g. you request to do less hours during the week and/or work additional hours at the weekend that attracts a higher weekend enhancement. In this instance your weekend enhancement will be capped at the old rate and you will not receive the higher allowance.

Where the number of hours you work at weekend remains unchanged but the average number of hours during the week reduce, then we will recalculate your weekend enhancement.

Meetings

You'll be invited to attend a meeting with your manager to discuss your application. Where your manager feels they are unable to support your application, the reasons will be explained to you and your application will be forwarded to your SLT for review and a decision.

Should your SLT reject your application, you can appeal the decision and you'll be invited to an appeal hearing with your Borough/Branch Commander.

If you fail to attend a meeting or a rearranged meeting, either at the initial application stage or at an appeal, without good reason; we may treat your application as having been withdrawn and we'll write to you to confirm your application is withdrawn.

Timescales

All requests will be dealt with within a period of **three months** from first receipt of the application to the notification of the decision of an appeal.

On receipt of a flexible working application, a meeting with you and your manager should take place within 2-3 weeks. Your manager will make a decision or refer your application to your SLT for review. You will be notified of the decision within 28 days of the meeting.

If you want to appeal against an SLT decision, submit this within 14 days of receiving the notification and your appeal hearing will take place within 14 days of receipt of that appeal.

N.B To avoid overpayments, please ensure you provide 3 months' notice of your preferred start date. Track your application through to ensure it's sent to GMSS as quickly as possible. If GMSS do not receive your application within 28 days of your start date, we cannot guarantee that an overpayment won't occur and we'll contact you to arrange repayment.

Extending time limits

You and your manager will agree an extension to time limits where appropriate. This may be necessary where there is a need to gather information, cover for annual leave, or cover other priorities. Your manager will write to you to confirm the new agreed time limits including a new start date and inform SLT where appropriate.

Right to be accompanied

You've the right to be accompanied at the meeting by a representative of a trade union, work colleague or a friend. You don't have the right to bring legal representation.

Further Applications (Police Staff only)

After you've made a flexible working application, you may not submit another application for 12 months.

7. Procedure

Submit your Application

You're required to complete a flexible working application form Police Officers (form 726c) or Police Staff (form 726f)

Whilst you may wish to start work earlier/later and/or finish earlier/later than your colleagues, you're encouraged to work within your shift pattern as much as possible. This form requires you to include:

- The 'standard' shift pattern for your area;
- Your current shift pattern (this may be the same as the 'standard' shift pattern);
- Your proposed new flexible working shift pattern;
- The reasons for your application, including details of any child care issues or support required;
- How your proposed plan may impact on your supervision, colleagues, Unit, Borough/Branch (as appropriate); and how this could be accommodated; and
- Your preferred start date (giving at least 3 months' notice).

Your Manager will use the information you provide to prepare for your meeting and to form the basis of the discussion.

Your manager may need to speak to you prior to the meeting if your application is incomplete as the timescales won't commence until all information is received.

Meeting with your Manager

Your Manager will meet with you within 2-3 weeks of receiving your application.

They may wish to inform you they support your application or they'll want to have an open and constructive discussion about your proposed working pattern.

Both parties need to be flexible and be prepared to compromise to reach an agreement.

Prior to the meeting your manager will:

- Discuss the proposed plan with the Resource Management Unit and where appropriate, the Workforce Development Unit;
- Review the current/future demand profile to determine what aspects of the plan are aligned to 'high demand', 'moderate demand' and 'low demand' as this will help them outline operational requirements;
- Consider any potential organisational costs/savings of the proposed working plan; including whether there is a requirement to cap your allowances (Police Staff only).

During the meeting the above points may be discussed in addition to:

- any difficulties you have with your current working arrangements (for example: which hours, childcare arrangements, caring commitments),
- which hours we consider to be the most important to provide the service,
- the number of staff required on each relief/ shift,

- any concerns your manager may have about the working pattern you've suggested,
- proposals from either party to deal with peaks and troughs in workload,
- what arrangements would need to be made in order for your manager to supervise you,
- whether the new working pattern could be undertaken on a 'trial basis' to see how it works; or on a permanent basis,
- whether you have a partner who works for GMP and if it may be appropriate to have a joint meeting with your partner and their supervision to discuss working arrangements;
- whether there's a need to review other vacancies within the borough/department or the force, to accommodate your proposed plan (police officer only)

A HR representative may also attend the meeting to help you reach an agreement.

After the meeting, your manager will complete the appropriate sections of your application form, providing a detailed explanation for their decision. . They may include an alternative working pattern you discussed at the meeting.

If your manager can't support your application, this will be forwarded to the SLT for review and a decision.

Decision

Greater Manchester Shared Services will notify you of the decision, in writing, within 28 days of your meeting (unless an extension to the timeline has been agreed).

If approved, this will confirm your new working arrangements, any amendments to your salary, and the review period (if agreed).

If your application is rejected, it'll be based on one or more of the following business reasons:

- Burden of additional costs;
- Inability to reorganise work among existing staff;
- Inability to recruit additional staff;
- Detrimental impact on quality and or performance.
- Detrimental effect on the impact or ability to meet customer demand;
- Insufficient work during the periods the employee proposes to work; or
- Planned structural changes.

You'll be provided with a detailed explanation as to why the business reason(s) apply in your circumstances.

If your application is rejected you'll be expected to return to work on your usual shift pattern until a new plan is agreed or you appeal and your appeal is accepted.

Appeals

If you want to appeal against a refused request, write to your Borough / Branch Commander within 14 days of receiving your letter and include the reasons why you're appealing the decision.

The Borough/Branch Commander will meet with you within 14 days of receipt of your appeal to hear your appeal.

Within 14 days of the appeal meeting GMSS will write to you to confirm the outcome of your appeal. If the decision is upheld, your letter will confirm your new working arrangements, the date it starts and changes to your salary. If your appeal is rejected, your letter will include a detailed explanation for the decision.

There's no further internal right of appeal.

Tracking Your Application

To avoid overpayments, please ensure you provide 3 months' notice of your preferred start date. Track your application through to ensure its sent to GMSS as quickly as possible. If GMSS do not receive your application within 28 days of your start date, we cannot guarantee that an overpayment won't occur and we'll contact you to arrange repayment.

Review of Working Arrangements

We'll review officers' flexible working arrangements annually and we may review any arrangements; including group reviews, for the following reasons:

- the arrangement no longer supports operational requirements or service delivery,
- your role is part of a restructure or you are moving location or moving post, or
- a new working pattern is being introduced for your team.

Your manager will meet with you and explain why it's necessary to review your working arrangement. They'll discuss with you the operational requirements and your personal circumstances, and where appropriate, request you to re-negotiate revised working arrangements.

Your manager will consider other roles across your Borough/Branch but may also request assistance from other Boroughs/Branches across the Force and/or Workforce Development, to see if there're any other posts that may support your flexible work plan. They'll also discuss with you a reasonable period for the changes to be implemented.

GMSS will write to you to confirm your new working arrangements and any changes to your pay and annual leave.

We'll consider any contractual requirements where the proposed change is an amendment to your contract of employment (Police Staff only)

Police Officers

We'll not increase your hours of work without your agreement, however you'll be expected to meet with your manager to review your plan if we feel it no longer supports operational demand.

Returning to full time hours (Police Officer)

If you are a police officer, and you want to revert to working full-time, you'll need to email or write to your manager to request this. You should give us as much notice as possible that you want to increase your hours.

We'll try to accommodate your request in your current unit within 2 months. But, if we can't, we'll meet with you to discuss an alternative post and appoint you to one within 4 months of your request.

Returning to full time hours (Police Staff)

If you're a police staff member and wish to return to full time hours in your role i.e. if you're job share and the other half of your job share leaves, and/or the hours remain available; we'll consider your performance and attendance if you're in the formal process of the Standards Performance & Attendance Policy before we'll agree to any increase in hours.

8. Associated Documents

GMP Forms:

Application for Flexible Working Police Staff (Form 0726F)

Application for Flexible Working Police Officer (Form 0726C)

GMP Guidance:

Flexible Working Management Toolkit

9. Statutory Compliance

9.1 Freedom of Information Act (2000), Data Protection Act (2018) & GDPR

The policy and procedures are compliant with the Acts and Regulation.

9.2 Equality Act 2010

Due regard has been had to the Equality Act implications. The Flexible Working Policy is open to all staff in line with the Flexible Working Regulations 2014 and the Children and Families Act 2014.