

Bassetlaw District Council

Joint Employee Council

10 April 2024

Report of the Head of People and Culture

Flexible Working Policy and Procedure

Cabinet Member: Communications, Policy and
Performance

Contact: Karen Childs

1. Public Interest Test

The author of this report, Karen Childs, has determined that its contents are not confidential.

2. Purpose of the Report

To propose amendments to the Flexible Working Guidelines in light of legislative changes, and to convert it to a Flexible Working Policy and Procedure, consistent with other Council HR policies.

3. Background and Discussion

3.1 Changes to employees' rights to ask for flexible working are due to come into force on 6 April 2024 when the Employment Relations (Flexible Working) Act 2023 becomes law.

3.2 The main changes are:

- the requirement for an employee to have 26 weeks' continuous service before they can make a formal flexible working request is removed. This means the right to request flexible working becomes a 'day-one' right.
- Employees will also be able to make two flexible working requests every 12 months, a change from the current single request every 12 months.
- the time limit for employers to deal with flexible working requests is reduced from three to two months, although this can be extended if the employee agrees.

- Employers must consult with an employee before refusing a request, and the new legislation will remove the need for employees to explain or justify the impact of the proposed change to their working arrangements.

3.3 As a consequence of these impending changes, the current Flexible Working Guidelines have been reviewed and revised by the Policies Working Group comprising HR and trade union colleagues. The opportunity has been taken to bring the document up-to-date and remove duplication, aiming for an easier to read style that is more accessible for staff. This is attached at appendix 1, for consideration by the Joint Employee Council.

4. Implications

a) For service users

None arising directly from this report.

b) Strategic & Policy

None arising directly from this report.

c) Financial - Ref: 24/767

None arising directly from this report.

d) Legal – Ref: 03/04/2024

The amendments to the existing provisions ensure that the new policy and procedure are compliant with employment legislation.

e) Human Resources

The changes to the document are intended to ensure that staff are informed about their right to request flexible working and how to make an application.

f) Climate change, Environmental

None arising from this report.

g) Community Safety, Equality and Diversity

None arising from this report.

h) GDPR

None arising from this report.

i) This is not a key decision.

5. Options, Risks and Reasons for Recommendations

5.1 To note the contents of this report, and support the introduction of the new Flexible Working Policy and Procedure attached at Appendix 1, for recommendation to Cabinet.

5.2 To note the contents of this report and propose an alternative approach.

6. Recommendations

6.1 That the Joint Employee Council notes the contents of this report, and supports the introduction of the new Flexible Working Policy and Procedure attached at Appendix 1, for recommendation to Cabinet.

Background Papers

Location