

 Warwickshire POLICE		 West Mercia POLICE		POLICY
Security Classification	OFFICIAL			
Disclosable under Freedom of Information Act 2000	Yes			

POLICY TITLE	Flexible Working Policy
POLICY REFERENCE NUMBER	A063
Version	2.0

POLICY OWNERSHIP	
DIRECTORATE	ENABLING SERVICES
BUSINESS AREA	PEOPLE SERVICES

INITIAL IMPLEMENTATION DATE	March 2019
NEXT REVIEW DATE:	March 2022
RISK RATING	LOW
EQUALITY ANALYSIS	LOW

Warwickshire Police and West Mercia Police welcome comments and suggestions from the public and staff about the contents and implementation of this policy.
Please e-mail contactus@westmercia.pnn.police.uk

1.0 **Policy outline**

The Warwickshire Police, West Mercia Police and the Offices' of the Police & Crime Commissioner (OPCC), Flexible Working Policy is in accordance with The Employment Rights Act 1996, ACAS guidance, Flexible Working Regulations 2014 and Police Regulations 2003

2.0 **Purpose of policy**

The purpose of the Policy is to ensure a fair, consistent and timely means of managing flexible working requests.

3.0 **Definition**

Flexible working is defined as a working arrangements which allow employees to vary the amount, timing, or location of their work usually to the benefit of the individual and the organisation.

4.0 **Eligibility**

Requests to work flexibly can be received directly in response to the recruitment process or from existing Officers or Staff under the internal flexible working procedure

Internal Flexible Working Procedure

Police Officers and Staff, having worked for Warwickshire Police and West Mercia Police or the Office of the Police and Crime Commissioners continuously for 26 weeks on the date of application, are eligible to request flexible working within their current role.

(There may be instances where these timeframes may be reduced by the Head of Business Area)

Flexible Working requests in response to recruitment adverts

Subject to business/operational resilience, Warwickshire Police, West Mercia Police and OPCC will advertise all jobs with the logo and strap line "Happy to talk Flexible Working"

Internal and external applicants who wish to work under a flexible arrangement with regards to an advertised vacancy are invited to apply to the recruitment advertisement which will clearly set out the type of flexible working attached to the role.

The recruitment shortlisting and selection standards will apply to flexible working requests in the same way as for full time workers with the exception of Job Share where the candidate selected must await confirmation that another candidate also indicating Job Share has conditionally accepted the remaining hours. Where a suitable partner cannot be found the HR Officer will be notified to determine whether further recruitment attempts would be appropriate or whether the role should be offered on a full-time or other basis to all candidates who have successfully met the minimum selection standard.

5.0 Timescales

Requests from officers and staff for flexible working in their current role will be considered in a timely manner and usually completed within 3 months of first receiving the request form unless a longer timeframe is mutually agreed.

Individuals must submit requests for flexible working no later than 3 months prior to the date they wish the request to commence.

6.0 Considering the request

A meeting with the individual may be arranged to discuss the request, however in cases where the Line Manager and the Head of Business area can agree to the request, a meeting with the individual may not be required.

The individual may be accompanied to any meetings arranged, in relation to their Flexible Working request, by a Trade Union or Staff Association representative or work colleague.

7.0 Agreeing the request

Any formal agreement to vary an individual's working pattern will only be honoured whilst they remain in the post, role and location for which the application was made.

Police Officers

Chief Officers retain the right to recall the Officer to duty and the acceptance of a flexible working request does not exclude them from this requirement. Furthermore, if operational exigencies necessitate, adjustments may be required to the approved working hours.

Police Officers, who work reduced hours and who were appointed as full time Officers (40 hours per week) can elect to return to full time hours at any time if they so wish. Where a suitable vacancy exists, the Officer will be able to return to full time duty within 2 months of receipt of a written request, or where this is not possible, within 4 months of receipt of their written notice.

Police officers are able to request a change in their working pattern at any time by completing a flexible working request. There are no limits to the number of times a police officer may request flexible working and there is no minimum number of hours which a part-time officer must work.

Where requests cannot be supported, within the current team, the request can be considered across the wider Force area.

Police Staff

Employees may request a temporary or permanent change to their working pattern. Line managers may also agree to a trial period of up to 3 months for the revised arrangements to ensure they are mutually acceptable.

Once a permanent change to an employee's working pattern has been accepted, they have no automatic right to revert back to their previous working pattern/hours, requests made will however be given due consideration.

8.0 Rejecting the application

There are 8 statutory business grounds under which organisations can refuse requests for flexible working.

A request for flexible working may be refused where there is a clear business reason, incorporating one or more of the following:-

- The burden of additional costs is unacceptable
- An inability to reorganise work amongst existing staff
- An inability to recruit additional staff
- A detrimental impact on quality (of service)
- A detrimental impact on performance
- Detrimental effect on ability to meet customer demand
- Insufficient work for the periods the employee proposes to work
- A planned structural change

9.0 Salary and allowances

All Police officers and staff who reduce their working hours will receive pro-rata pay, allowances, pension and leave. They will receive incremental increases in their rates of pay in the same manner as a person working full time and have access to promotion, training, appraisals and opportunities for overtime in the same way as full-time Police Officers or Staff.

10.0 Review

All flexible working arrangements may be reviewed by mutual consent where there has been a change in an individual's personal circumstances or the line manager feels that the arrangement is no longer sustainable due to one or more of the reasons set out in paragraph 8.

11.0 Appeal

Individuals will have the right to appeal against a decision to reject a request for flexible working.

12.0 Legal considerations

The Policy complies with Police Regulations and Determinations and provisions set out in the Employment Rights Act 1996 and regulations made under it.

13.0 Guidance and Procedures

- ACAS Code of Practice for Handling Requests to Work Flexibly in a Reasonable Manner 2014
- College of Policing Flexible Working in the Police Service Guidance for Managers
- Flexible Working Procedures
- Flexible Retirement Guidance
- Working Time Regulations

14.0 Assessment and analysis

The Equality Analysis (EA), Health and Safety Assessment (HAS) and Risk Assessment (RA) associated with this document are available on request.

15.0 Training

Management coaching may be required via HR

16.0 Consultation

Federation – West Mercia and Warwickshire
Unison – West Mercia & Warwickshire
HR Business Partners/Officers – ongoing consultation
Critical Friends Group

17.0 Document history

The history and rationale for change to policy will be recorded using the chart below:

Date	Author / Reviewer	Amendment(s) & Rationale	Approval / Adoption
Nov 2014	Liz Fletcher/ Tina Smith	Harmonisation	JNCC 27/11/2014

March 2019	Bal Kular-Pearce	Review v2.0	JNCC 21/3/2019
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