

Committee: Finance and Resources

Date: 5 December 2023

Report: Flexitime Scheme Policy Review

Purpose of the report

1. To inform Members of the outcome of the review of the Flexitime Scheme Policy, including a trial period, and to agree changes to the Authority's Flexitime Scheme Policy.

Recommendation

2. That Members approve the updated Flexitime Scheme Policy, set out in **Appendix A**. Proposed changes are shown in italics.

Strategic Planning Framework

3. The information and recommendation(s) contained in this report are consistent with the Authority's statutory purposes and its approved strategic planning framework and specifically Corporate Action Plan Objective 33, to "Ensure that we have HR policies, procedures, terms and conditions to attract and support the right people with the right skills to deliver the work of the Authority effectively".

Background

4. The previous Scheme of Flexible Working Hours Policy was last reviewed in 2018.
5. The working arrangements required during the pandemic has altered many employers and employees' expectations of working patterns across the UK. As a result, and with the need to ensure the Authority is competitive in its recruitment and retention of staff, the benefits of offering greater flexibility for staff, whilst maintaining service delivery, is now key to how we operate.
6. During 2022, a cross-departmental working group undertook a review of the flexi time scheme and considered the principles that should underpin any changes. Changes to the 'core hours' were proposed and agreed in principle. A trial period for the changes began in January 2023.
7. The working group have undertaken a further review following the 6-month trial period. The included the collection and analysis of significant performance measures, including:
 - **Line Manger Views.** All line managers were invited to complete a survey asking for their observations and thoughts on the changes implemented throughout the trial. A total of 39 responses (98% of all line managers) were received. One of the questions enquired about the change in core hours having any impact on service delivery; out of 39 managers, 30 managers responded positively, 8 confirmed no impact and one manager responded that it had both a positive and negative impact.

- **Complaints.** The number of complaints reduced during the trial period. This may not be connected to the changes themselves but it does provide an indication that the new arrangements have not negatively impacted on service delivery.

Comparison of Complaints	Total	C&C	PS	CS
2022 Complaints January - June	11	9	1	1
2023 Complaints January - June	3	3	0	0

- **Sickness absence.** Levels improved during the trial period, as shown below:

Sickness absence Period	Including LTS		Excluding LTS	
	Days lost (per FTE)	% lost	Days lost (per FTE)	% lost
January – March 2022	1.5 days	2.6%	0.9 days	1.5%
April – June 2022	1.3 days	2.4%	0.8 days	1.6%
January –March 2023	0.9 days	1.6%	0.8 days	1.4%
April – June 2023	1.3 days	2.5%	0.5 days	0.9%

Proposed changes

8. These are set out in detail in the attached appendix but the key changes are: Normal office opening hours remain 8:30 to 17:00 (Monday - Thursday) and 8:30 to 16:30 (Friday), with the core working time as 9:00 to 17:00.
9. There is greater flexibility within the core working time as to when staff can work their hours. Staff will be required to work a minimum of 4-hours each day, between 9:00 to 17:00, the hours don't need to be consecutive, but staff must have at least a 30-minute break in any 6-hour period. The previous policy required staff to also work a minimum of 4-hours each day but included the requirement that these hours be worked at 10:00 to 12:00 and 14:00 to 16:00, each day.
10. The number of flexi days leave and the number of hours that can be 'carried over' between accounting periods will remain unchanged for full-time staff, but will be pro-rated for part time staff.
11. The proposed changes have been discussed and agreed with UNISON.

Staffing implications

12. Improving flexibility for staff aligns with the requirements of the Investment in People standard of 'Leading and inspiring people' within the theme of 'Creating transparency and trust'.

Equality implications

13. An equality impact assessment (EIA) has been undertaken and it is considered that adoption of the revised Policy will have either a neutral or positive impact on individuals with protected characteristics under the Equality Act 2010.

Conclusion

14. The revised Flexitime Scheme Policy, allows the Authority to enhance its position as an attractive employer, in conjunction with the range of other benefits without compromising service delivery.

Vikki Thomas
Head of HR

14 November 2023



Flexitime Scheme Policy

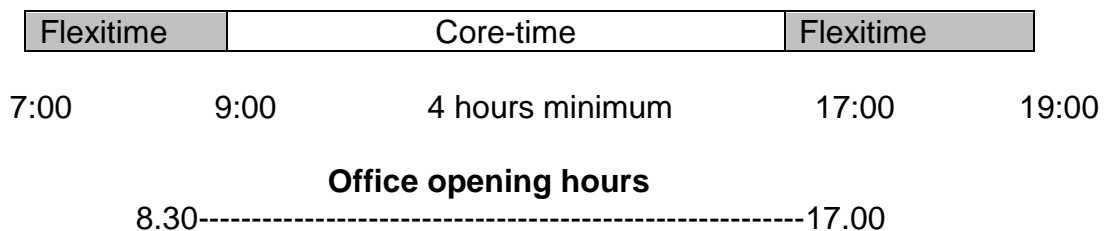
1. Introduction

- 1.1 The Flexitime Scheme enables staff to work flexibly, bearing in mind the requirements of the Authority’s services. There is therefore an expectation that the Scheme operates so that all services, both internal and external, are staffed effectively at all times, and that the Scheme is not operated at an individual’s convenience, at the expense of the Authority’s services.
- 1.2 The ability to build up credit hours, which may be taken as flexi-leave, is a further benefit of the scheme for staff. However, this does need to be balanced with operational needs and line managers are entitled to ask staff to manage their hours on a daily basis in a way that meets both personal and work needs, without excessive flexi-leave being taken, if work pressures require this. However, line managers are expected to be fair and reasonable in considering flexitime issues.
- 1.3 In principle, the Flexitime Scheme applies to many roles within the Authority, although some working patterns will make it difficult for flexitime to be built up, e.g. compressed hour’s arrangements. Any such arrangements may fall outside the Flexitime Scheme, necessitated because of service demands; this should be decided by the manager. This policy provides guidance for staff whose contract of employment includes the facility for flexitime working. It does not cover every eventuality which might arise in connection with flexitime. Advice, where necessary, can be obtained from HR.
- 1.4 For staff who work part time or job share, the hours of work over the accounting period and flexi-leave are calculated on a pro-rata basis, *with hours carried over on a pro-rata basis too.*

2. The Flexitime Scheme Working Hours

2.1 The Working Day

Under the scheme the working day is divided as follows:



2.2 Band-width

The total time span available (from the earliest starting time to the latest finishing time) is from 07:00 to 19:00. Hours worked outside the band-width cannot *normally* be recorded under the scheme. *Where staff may need to work outside of these hours to complete a task, these hours may be credited to the flexitime system on an ad hoc basis in discussion with line-manager through an ‘adjustment’.* Working outside these hours on a regular basis will need to be requested through a flexible working application.

2.3 Current office opening hours

As part of the Flexitime Scheme, line managers are responsible for ensuring sufficient cover is available in order to continue providing the same level of service to the public during office opening hours (08:30 – 17:00 Monday to Thursday and 08:30 – 16:30 Friday). In addition, there is a presumption that lunchtime cover should be provided where possible and as appropriate.

2.4 Core-time

All staff (with the exception of staff whose Employment Contract excludes this) must be on duty for a minimum of four hours during core time, which is 9:00 17:00.

Note. *the 4 hours do not need to be consecutive.*

2.5 Flexible hours

Subject to satisfactory cover and prior approval from their line manager staff may commence work at any time between 07:00 and 13:00 and finish work anytime between 13:00 and 19:00, as long as they work a minimum of four hours between 9:00 and 17:00 each working day. Any such agreement is, however not a permanent variation to the normal contractual office hours. Staff do not have an automatic 'entitlement' to work only four hours in anyone day e.g. 9:00 to 13:00 or 13:00 to 17:00 or to start or finish early i.e. 7:00 to 15:00 or 11:00 to 19:00. Anyone who wants to work such hours on a regular basis will need to submit a formal flexible working application, so this can be properly considered in terms of the impact on the team's service delivery ('regular' is defined here as more than 6 times a month).

It is the responsibility of the section head, in discussion with line managers to maintain service delivery at all times, during office opening hours.

2.6 Breaks

Where six hours or more is worked within a day, a minimum break of 30 minutes must be taken and recorded within a 6-hour period, i.e. if a member of staff works 9.00 to 15.00, they must have taken and recorded a 30-minute lunch break at some point, within that 6-hours.

Staff must record their break even if they eat at their desk (the Authority does not support this practice and encourages staff to take a break away from their desk/workspace).

Where a full day is not worked the following applies:

- *staff working 6 hours or more, a minimum break of 30 minutes must be taken and recorded.*
- *where a half day's leave is taken, a minimum of two hours must be worked within core time outside the leave booked (i.e. morning 9:00 - 12:00 or afternoon 14:00 - 17:00).*

For the avoidance of doubt, a half day is classified as half of the member of staff's contracted hours on the day the leave takes place, i.e. 3.45 hours for a full-time staff taking leave on a Monday, 3.5 hours on a Friday.

3. Accounting Period and Debit/Credit Hours

3.1 Accounting Period

The number of hours worked in each calendar month is accounted for separately from other months and therefore each Calendar Month is an Accounting Period.

3.2 Absences

Absences due to holiday, special leave, sickness, TOIL, training and conferences, must be credited as a 'standard day' or 'half day' unless prior approval to credit more has been given by an individual's line manager. A 'standard day' is 7 hours 30 minutes Monday to Thursday and 7 hours on Friday. (A 'standard day' for staff who work part time will depend on how many hours and on which days they are contracted to work).

3.3 Debit time

A debit (hours worked below the required number in the accounting period) of up to 10 hours may be carried forward from one accounting period to the next.

3.4 Credit Time

There is no limit to the amount of time which a member of staff can accumulate during each accounting period, but only credit hours (those worked in excess of the required number in the accounting period) of up to 15 hours (*pro rata'd for part time staff*) may be carried forward from one accounting period to the next.

Credit time in excess of 15 hours (*pro rata'd for part time staff*) cannot be carried forward under this scheme.

3.5 Flexi-leave authorisation

Credit time may be used to take up to two full days leave (called 'flexi-leave') in an accounting period and/or to supplement hours worked in the next accounting period (to the value of 15 hours (*pro rata'd for part time staff*)).

Line Managers must authorise flexi-leave. Flexi-leave must be recorded on Civica and authorised in advance of taking it.

A maximum of 12 days flexi-leave can be taken in any one leave year (1 April – 31 March), (*pro rata for part time staff*).

Flexi-leave can only be requested and taken in half or whole days. For the avoidance of doubt, a half day is classified as half of the member of staff's contracted hours on the day the leave takes place, i.e. 3.45 hours for a full-time staff taking leave on a Monday, 3.5 hours on a Friday.

3.6 Adjustments

If the record of a member of staff work attendance is wrongly recorded on the electronic system, for example;

- if a member of staff has forgotten to clock in and/or out,
- if a member of staff clocks out on business absence and works more or less than a standard day

Adjustments must be authorised by a line manager and, where possible, be put forward for processing within 5 working days of the occurrence.

Any flexitime adjustments missed by a member of staff, will not be actioned after one month. The clocking times recorded will stand, and where the lack of adjustment puts the member of staff in deficit, it would result in the need for them to work additional hours.

3.7 Doctors, Dentists and Hospital Appointments

Credit for absences taken of this nature shall not be given (even if the four hours of core time is infringed).

3.8 Time off for Cancer Screening

Cancer screening appointments that fall within the office opening hours (08:30 – 17:00 Monday to Thursday and 08:30 – 16:30 Friday), and on a member of staff's normal working day, will be recorded as paid time off and credited within the scheme.

3.9 Ante-natal care

Time off for anti-natal care appointments/treatment that fall within the office opening hours (08:30 – 17:00 Monday to Thursday and 08:30 – 16:30 Friday), and on a member of staff's normal working day, will be recorded as paid time off and credited within the scheme. Please refer to the Authority's Maternity Leave Policy.

3.10 Inclement Weather

No adjustments will be allowed for staff who are either delayed or prevented from getting to work because of inclement weather or its consequences (e.g. flooding). Similarly, staff leaving work early because of bad weather conditions will not receive an adjustment. Working at home may be considered as an option where appropriate and agreed by the line manager, in order to make up the hours that should have been worked.

Where inclement weather results in a member of staff exceeding the maximum debit allowed by the scheme, the line manager concerned will agree a timescale within which the debit should be recovered.

3.11 Staff leaving the Authority's employment

All flexitime debits and credits must be cleared before an individual leaves the Authority's employment. Any debit time which is not cleared will be regarded as unpaid leave and the appropriate salary deductions will be made.

4. Flexitime Recording

The recording of flexitime will be undertaken using Civica, the HR electronic system. Time is credited to the record by the member of staff registering that they have "clocked in" or "clocked out". Staff will not be required to keep additional records, nor to make any calculations (unless advised differently by their line manager) – the Civica system shows the amount by which a member of staff is in debit or credit each morning for the previous day.

Staff must not allow anyone else to clock in or out for them, nor must they clock in or out for anyone else. Staff must not clock in unless they are working – to do so is to fraudulently claim time, to which they are not entitled.

4.1 Abuse of scheme

The operation of the Flexitime Scheme is in many respects on the basis of trust, particularly in relation to adjustments. Staff should appreciate that breaches of this trust will represent misconduct, which will be dealt with through the Authority's disciplinary procedure and may lead to disciplinary action being taken a member of staff.

Outside of the disciplinary procedure, abuse of the scheme, e.g. unnecessarily long attendances at work solely to accrue credits, may result in a member of staff having the benefits of the Flexitime Scheme temporarily or permanently withdrawn. *All hours logged will be monitored, and if not managed by the member of staff, in accordance with this scheme, may also result in a member of staff having the benefits of the Flexitime Scheme temporarily or permanently withdrawn.*

4.2 Lost key fobs

Staff should report lost key fobs to reception staff as soon as possible where they will be issued with a new fob. This will, however, cause administrative difficulties as well as additional expense so every attempt must be made to keep key fobs secure.

This Flexitime Scheme Policy will be periodically reviewed.

