

# **Cherwell District Council**

## **Personnel Committee**

**11<sup>th</sup> March 2015**

<b>Draft Flexi-time Policy</b>
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### **Report of Head of Transformation**

This report is public

#### **Purpose of report**

To seek member approval to implement a shared Flexi-time Policy for Cherwell District Council and South Northamptonshire Council.

#### **1.0 Recommendations**

The meeting is recommended:

- 1.1 To approve the revised two-way Flexi-time Policy.

#### **2.0 Introduction**

- 2.1 Cherwell District Council and South Northamptonshire Council have different Flexi-time policies at present. The current policies are titled 'Flexible Working Hours Policy', however it is recommended that the new policy be entitled 'Flexi-time Policy'. In law the term 'flexible working' refers to an employee's right to request flexible working hours after 26 weeks service. Employers have to give such requests serious consideration, whereas the Flexi-time Policy refers to the accrual / banking of working hours, which if more than the contractual entitlement can then be taken off at a later date as leave.
- 2.2 The current policies differ significantly in the amount of time that can be accrued during every four week period worked; the length of the bandwidths i.e. start and finish times for staff to be able to work and the core times where employees have to be available to work.
- 2.3 Streamlining the policies and expanding the bandwidths for SNC employees will reduce over-time claimed outside of band widths, where flexitime will be claimed as an alternative, but will also ensure consistency for staff of both Councils in terms of staff benefits. The policy proposed is actually very similar to the CDC policy which has been in place for a number of years and has been very effective as both a staff benefit, but also a managerial tool for meeting service needs.

### **3.0 Report Details**

- 3.1 Through restructuring and the creation of shared teams, it has become evident that the different flexi-time arrangements are a constant issue for employees who are required to work alongside each other and have different benefits. Therefore the revised policy will create consistency in approach and an equity that will promote a better morale for all staff going forward, especially for those who may currently feel disadvantaged.
- 3.2 Both Councils currently use 'Etarmis' for electronic time and annual leave recording. The system was implemented in October 2014, although this replaced (was an upgraded version of) a previous time recording system called 'Wintime' at CDC. At South Northamptonshire Council it was implemented in November 2014. When implemented the system was set up with the two policy rules for employees of both Councils, and has again caused queries from staff due to the different arrangements at each Council. Therefore a review of these arrangements is deemed appropriate to move to something more consistent.
- 3.3 Another reason to review the policy is the move to The Forum in April 2015 from the Springfields site for anyone working either for SNC or in shared teams. In order to support this move there needs to be a culture change to one of 'agile' working, which means being able to work anywhere and at any time (with consideration for service needs and Working Time Regulations restrictions on hours worked). A move to a more flexible flexi-time scheme will support this philosophy.
- 3.4 At present staff at SNC can only carry forward 8 hours of accrued time, and at CDC this has been 37 hours. The draft policy supports the 37 hour carry forward in each four week period. (Pro rata for part time staff based on contractual hours).
- 3.5 Excess travel to training courses and excess travel time for home to work will also now be bought in line so that this cannot be claimed by SNC staff.
- 3.6 A new section has been added to clarify maternity related absence such as ante natal appointments, and smoking breaks.

### **4.0 Conclusion and Reasons for Recommendations**

- 4.1 The revised policy should improve the clarity and simplicity of the process and ensure that both Councils benefit. The policy supports the approach that the Councils are trying to encourage and will enable managers to ensure a more consistent approach to the management of staff time.

### **5.0 Consultation**

At the time of writing this report, feedback is still being compiled from the Cherwell District Council Staff Consultation Group as consultation does not formally close until 10<sup>th</sup> March 2014, although feedback has been gained from the trade unions. Feedback will therefore be given to the Committee verbally, and if required an updated draft policy.

South Northamptonshire Trade Union  
Cherwell District Council Trade Union  
Cherwell District Council Staff  
Consultation Group

Support the proposals  
Support the proposals  
Awaiting full feedback

## 6.0 Alternative Options and Reasons for Rejection

6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Retain the current individual policies of each Council which would not provide a clear, consistent process and would not support agile working.

## 7.0 Implications

### Financial and Resource Implications

7.1 There could be potential cost savings resulting from a reduction of over-time for SNC staff. The longer bandwidth will reduce over-time and time off in lieu providing a cost benefit. However, there will be an increased in-direct cost in terms of additional staff absence when staff take time off accrued under the flexi-time scheme. There are however no financial implications for CDC.

Comments checked by:

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### Legal Implications

7.2 There are no legal implications resulting from this report.

Comments checked by: Kevin Lane, Head of Law and Governance, 0300 0030107

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## 8.0 Decision Information

### Wards Affected

N/A

### Links to Corporate Plan and Policy Framework

N/A

### Lead Councillor

None

## Document Information

Appendix No	Title
Appendix 1	Draft Flexi-time Policy
Background Papers	
None	
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## Appendix 1

### DRAFT FLEXI-TIME POLICY

#### 1. INTRODUCTION

- 1.1 The Councils' standard office hours are 8.45am to 5.15pm (CDC) and 8.45am to 5.15pm (SNC) Monday to Friday. Every department has to provide cover during these hours.
- 1.2 The Flexi-Time scheme (FT) provides a flexible system of attendance which allows employees to vary their time of arrival, departure, length and timing of lunch breaks, and to take time off (flexi-leave) if extra hours are worked and there is appropriate cover.
- 1.3 FT must operate within the confines of the employee's work environment and cannot reduce the overall efficiency of the workplace or the services provided. The following key principles must apply at all times:-
  - Managers must discuss with each employee their expectation and aspiration of working hours both from the individual's and the overall team's perspective;
  - Employees are obliged to work hours to suit the nature of the service and the service needs will ultimately dictate the pattern of working hours;
  - Employees must ensure that they take adequate breaks from work and ensure they take breaks in accordance with the Working Time Regulations. Employees working more than 6 hours per day must take a minimum of 30 minutes lunch break and there must be a break of at least 11 hours between finishing work and starting work the following day;
  - Full-time employees must work a minimum of a four day week;
  - Employees must be sure that working outside of standard office hours will not compromise personal safety and security and is approved by their line manager;
  - The opportunity to participate in the Ft scheme is a benefit that may be withdrawn at management discretion.

#### 2. PROCEDURE

- 2.1 Line managers must ensure that employee's flexi-time is planned so as to ensure that working environments are adequately covered during the full working day.
- 2.2 A minimum of 30 minutes rest break must be taken by employees working more than 6 hours a day.

#### 3. EXCLUSIONS

- 3.1 Wherever possible, all employees will be given the chance to participate in the scheme. However, it is recognised that for certain staff, flexi-time is not practicable. Employees should refer to their individual contracts of employment to determine if they are eligible

#### **4. FLEXI-TIME BANDWITH**

- 4.1 The daily working bandwidth is from 7.00am to 10.00pm. This is the period within which the employee's working day must be contained and employees must not start work earlier or finish later than these times without the prior authorisation of their line manager.
- 4.2 The line manager must give adequate consideration to any security or health and safety implications that may arise before they authorise working hours. Local bandwidths may apply to specific areas who have to account for duty officers, shift workers etc.
- 4.3 Work conducted outside of the bandwidth must be authorised by a manager and will be treated as over-time.

#### **5. BANKING FT CREDIT**

- 5.1 Employees may bank up to a maximum of their normal weekly contractual hours e.g. 37 hours or pro-rata for part-time employees. FT beyond this maximum will be lost and there are no circumstances under which additional hours can be credited or paid for.

#### **6. RECORDING AND SETTLEMENT PERIODS**

- 6.1 The recording period is four weekly. This is the point at which the 'bank' of hours must be within the agreed limits. There is no settlement period for permanent employees i.e. a maximum of their normal weekly contracted hours may be held in the bank for the continuance of their employment.
- 6.2 Permanent, fixed term and temporary employees must clear their bank before their last day of employment. Payment of credit balances will not be paid when an employee leaves.
- 6.3 The Councils reserve the right to deduct money from final salary for any debit owed.

#### **7. DEBIT BALANCE**

- 7.1 An employee may go into deficit by up to a maximum of 14.8 hours (2 days) or pro-rata for part-time employees. If this debit continues for more than 2 reporting periods, then the manager will come to an agreement with the employee as to how the debit can be paid back. In exceptional circumstances this might mean that the debit balance is deducted from the employee's salary.

#### **8. EMERGENCY SITUATIONS**

- 8.1 An employee may take agreed credit absence at short notice for emergency circumstances by agreement with, and at the discretion of their line manager.

#### **9. DOCTORS / DENTIST / OPTICIANS APPOINTMENTS**

- 9.1 No additional time will be credited for these routine appointments unless it is for the purpose of 'routine' cancer screening such as for cervical, breast or prostate cancer.

- 9.2 Where regular treatment for a recognised medical condition is needed over a number of weeks or months, this rule may be waived with the manager's agreement.

## **10. HOSPITAL APPOINTMENTS**

- 10.1 The Councils recognise that attendance for hospital appointments can be time consuming and that the timing of such appointments may be out of the control of the individuals. Employees will therefore be credited reasonable time for hospital appointments on production of a hospital letter or appointment card.
- 10.2 Requests for flexi - leave in these circumstances will be granted on the understanding that employees return to work straight afterwards.

## **11. MATERNITY RELATED APPOINTMENTS**

- 11.1 All medical maternity related appointments such as ante-natal and mid-wife appointments will be credited back.

## **12. TRAINING**

- 12.1 The Councils consider the provision of training to be a benefit to employees and will generally support such training by paying or sponsoring course fees and providing paid time off for attendance.
- 12.2 Attendance away from your normal working environment should be recorded as 7.24 hours per day and 3.42 hours per half day.
- 12.3 Excess travel time will not be reimbursed.

## **13. ABUSE OF FLEXI-TIME SCHEME**

- 13.1 The FT scheme is based on trust between the Councils and employees. It is operated as a benefit and may be withdrawn at management discretion. In cases where there is abuse or non-compliance with the scheme, disciplinary action may be taken. Such cases must be reported to Human Resources prior to any action being taken.

## **14. RESPONSIBILITIES OF LINE MANAGERS**

- 14.1 It is the responsibility of all line managers to manage the day to day operation of the FT scheme and to ensure that credit and deficit balances are within the agreed limits at the end of each period. Line managers are also responsible for ensuring that the work environment is adequately staffed during office hours.

## **15. QUERIES RELATING TO THE FLEXI-TIME SCHEME**

- 15.1 Employees are reminded that FT is a benefit and that they are obliged to work hours to suit the nature of the Service. Where there are queries or issues relating to FT employees and their line managers should work together to achieve resolution and seek advice from HR. In the event that resolution cannot be achieved the Grievance Policy should be followed.

## **16. TIME RECORDING**

16.1 All time worked should be recorded on the 'Etarmis' system. Where this is impossible due to the complexities of the working time required, a local variation on this policy may be agreed.

16.2 Time taken must be recorded as follows:-

- A full day must be recorded as 7 hours, 24 minutes.
- A half day must be recorded as 3 hours, 42 minutes.

Any booking of accrued flexi-time should also be done using the 'Etarmis' system. Bookings should not be made or approved if there is not the sufficient number of accrued flexi-time hours available to book.

## **17. SMOKING BREAKS**

17.1 Staff who take a break for smoking are required to clock out of 'Etarmis' to do so and clock back in upon their return to the building.