

**CHERWELL DISTRICT COUNCIL**

**PERSONNEL AND GENERAL COMMITTEE  
29 April 2009**

**REPORT OF THE HEAD OF HUMAN RESOURCES**

**UPDATED RIGHT TO REQUEST FLEXIBLE WORKING POLICY**

**1 Introduction and Purpose of Report**

- 1.1 The purpose of this report is to seek approval for the attached updated Right to Request Flexible Working policy.

**2 Wards Affected**

None.

**3 Effect on Policy**

- 3.1 None.

**4 Contact Officers**

- 4.1 Anne-Marie Scott, Head of Human Resources (extension 1731)

**5 Background**

- 5.1 Since 2003 parents of children under the age of six or disabled children under the age of eighteen have had the legal right to apply for flexible working under the Employment Act 2002 and the Flexible Working Regulations 2002, and in 2007 this right was extended to those with caring responsibilities for adults.
- 5.2 From 6 April 2009 this statutory right was further extended to parents with children aged 16 and under.
- 5.3 The Council's Request for Flexible Working Policy has been updated to include this change in legislation, and is attached at Appendix A.
- 5.4 The policy sets out the eligibility criteria for making an application for flexible working, and follows the statutory process and timescales for considering and refusing requests.
- 5.6 Although eligible employees have the statutory right to request to work flexibly, and employers have a statutory duty to consider an employee's application seriously, there is no automatic right to flexible working. Refusal of a request must be based on acceptable business grounds as set out in the legislation.
- 5.7 It should be noted that regardless of the statutory right to request flexible working, all employees of the Council can request to work flexibly, and such requests are granted where possible if they can be accommodated without detriment to service delivery.

**6 Risk Assessment, Financial Effects and Contribution to Efficiency Savings**

- 6.1 The following details have been approved by Karen Curtin, Chief Accountant, 01295 221551 and Rosemary Watts, Risk Management and Insurance Officer, 01295 221551.

**6.2 Risk Assessment**

The risk associated with not approving the recommendations contained in this report is that the Council's Human Resources policy framework will not incorporate the latest legislative changes, increasing the risk of action being taken by employees at Industrial Tribunal.

**6.3 Financial Effects**

None.

6.4 **Efficiency/Savings**  
None.

## 7 **Recommendations**

7.1 The Committee is **RECOMMENDED** to resolve to approve

(1) The attached updated Right to Request Flexible Working policy for implementation.

Background Papers: None