

# STAFFORDSHIRE FIRE AND RESCUE SERVICE

## WORK LIFE BALANCE (INCLUDING FLEXIBLE WORKING) POLICY

DOCUMENT REPLACES: NEW

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## 1 PURPOSE

- 1.1. The purpose of this policy is to enable employees who wish to adjust their working arrangements to achieve an improved work / life balance in a way which ensures Staffordshire Fire and Rescue Service (SFRS) provides efficient and effective services throughout Staffordshire by making the best use of resources available to it.

## 2. SCOPE

- 2.1 This policy applies to all staff who have successfully completed their probationary period where an adjustment to working arrangements is requested and can be accommodated without detriment to the service requirements, colleagues or finances.
- 2.2 UK organisation [Employers for Work-Life Balance](#) has defined it as: *"People having a measure of control over when, where and how they work. It is achieved when an individual's right to a fulfilled life inside and outside work is accepted and respected as the norm, to the mutual benefit of the individual, business and society."*
- 2.3 The Employment Act 2002 gives the right for employees with 26 weeks' continuous service, a child under the age of 17 (18 where the child is disabled) and parental responsibility for the child to request a change to the number of hours that they work, the times that they work or their place of work. The right to request flexible working is available to employees who have a minimum of 26 weeks' continuous service and who have caring responsibilities for an adult aged 18 or over who is their spouse, partner or civil partner; a relative; or someone who lives at the same address also have the right to request flexible working.

While it is the Service's policy to be flexible on working patterns for all its employees, in order to ensure that it is complying with its legal obligations concerning their right to request flexible working, there may be situations where precedence has to be given to those who are eligible for this right.

Any request for flexible working which is submitted by an employee exercising this statutory right will also be considered under this policy.

- 2.4 This policy will have no detrimental effect on future career prospects within the Service.

### Reference

- The Part-time Workers (Prevention of less favourable treatment) Regulations 2000.
- Working Time Regulations.
- Flexible Working Regulations.
- The Sex Discrimination Act 1975 and the Sex Discrimination (Indirect Discrimination and Burden of Proof) Regulations 2001.
- The Race Relations Act 1976, Race Relations Amendment Act 2000 and the Employment Equality (Religion or Belief) Regulations (2003).
- Management of Health and Safety at Work Regulations 1999 and HSE guidelines on Mental Health at Work.
- The Disability Discrimination Act 1995.
- The Working Time Regulations 1999.
- The Employment Relations Act 1999 and the Parental Leave amendment Regulations 2001.
- The Employment Act 2002.

## 3 BACKGROUND

- 3.1 As an employer committed to the good health, well being and welfare of its staff, SFRS will consider any request for changes to working arrangements (usually hours or day / shifts worked), either on a temporary or permanent basis.

- 3.2 This policy is subject to the exigencies of the service and the needs of staff members.

- 3.3 Types of work life balance flexible working arrangements includes:

- Reduced hours / part-time working.
- Annualised hours.
- Term time working.
- Flexible patterns of work.
- Job share arrangements.
- Compressed hours.
- Working from home on a regular / infrequent basis.
- Mobile working / teleworking.
- Career breaks.
- Sabbatical.

- 3.4 This policy does not include flexi-time arrangements as these are covered by a separate policy.

## 4 CRITERIA

- 4.1 All requests will be considered in an objective and fair manner.
- 4.2 All requests will be considered from any employee who has successfully completed their probationary period, in any department subject to:
- The efficiencies of the Service.
  - The suitability of proposed alternative arrangements.
  - The possible advantages or detriment of proposed arrangements.
  - There being no overall detrimental effect on the team, department, or Service.

## 5 PROCEDURE

- 5.1 In the event of a staff member requesting changes to their working arrangements, an employee must follow the statutory formalities which are that an application must:
- Be in writing either on paper or in electronic form.
  - Be dated.
  - Specify the changes requested.
  - State the date on which the proposed change should take effect.
  - State the date of any previous application(s); and
  - Expressly state that the application is an application to changes in working arrangements.
  - Contain a statement by the employee stating what effect, if any, she or he thinks the proposed change will have on the employer and how the employer may deal with any such change.
  - State whether they are making a request under the Work Life Balance Policy or as their statutory right to request Flexible Working (for details relating to the eligibility criteria for Flexible Working see [Appendix A](#)).

It is suggested that employees use the form at [Appendix B](#) to submit their application.

- 5.2 The request should be submitted as early as possible but in any event at least 2 months before the date the change is proposed to become effective.
- 5.3 The relevant Line Manager will acknowledge receipt of the request and arrange to meet with the staff member to consider the request in line with maintaining standards of service, any efficiencies that could be gained, along with the impact on the Service overall. The meeting will take place within 28 days of receipt of the request.

- 5.4 The staff member may be accompanied at the meeting with their Line Manager by a work colleague or an accredited Trade Union representative. The Line Manager may be accompanied by a member of the HR Management Team. Following the meeting, the Line Manager will give the request due consideration, taking into account all the points discussed at the meeting
- 5.5 The decision will be communicated to the staff member within 14 days.
- 5.6 Each request will be considered on its individual merit and the exigencies of the Service to be able to accommodate.
- 5.7 Where the request is agreed, this will initially operate on a trial basis for a period of 3-6 months. This is so that the staff member and Line Manager can assess the benefits and suitability of working arrangements originally agreed.
- 5.8 Once the trial period has been successfully completed the necessary formal contractual changes will be put into place.
- 5.9 Where the trial period is not successful, the Line Manager and staff member will liaise with the relevant member of the HR Management team and review the original request, the revised arrangements and, where these have not met expectations, agree an alternative course of action.
- 5.10 Every effort will be made to accommodate reasonable requests in accordance with the policy. However, where these cannot be accommodated or sustained, this may result in reverting to previous substantive arrangements or other alternative ways of accommodating the request.
- 5.11 Where the arrangement is agreed on a permanent basis, any request by the employee to revert to previous substantive arrangements, will be considered by the Service in a similar way as the original request. Should the Service request the employee to revert to the previous substantive arrangement, this will be undertaken through the normal consultation process for a contractual change.
- Where the arrangement is temporary, the substantive position can be reverted to by either party giving the requisite amount of notice.
- 5.12 Where a request is declined following initial consideration, or as a result of the trial period, the staff member may appeal this decision within 14 days of the notification of the decision.
- 5.13 A request can be declined due to:
- The burden of additional costs.
  - Detrimental effect on the Service.
  - Inability to reorganise work among existing team.
  - Inability to recruit additional staff.
  - Detrimental impact on quality.
  - Detrimental impact on performance.

- Insufficiency of work during the periods the staff member proposes to work.
  - Planned structural changes.
- 5.14 Upon approval of any such request, contractual arrangements in respect of salary, annual leave, bank holidays, allowances, sick pay etc. will be calculated on a pro rata basis in line with the proposed revised arrangements and will be included in the review of the arrangements to ensure all is working well.
- 5.15 The impact on pension arrangements, where these arise, will need to be considered on an individual basis.
- 5.16 Any training requirements will be agreed in advance and will form part of the review at 3 – 6 months after which the opportunity to revert to original substantive working arrangements will be subject to the needs of the Service.
- 5.17 Work life balance uptake will be disaggregated in terms of age, disability, gender and race and reported upon to ensure equitable uptake.

## APPENDIX A

### 1. The statutory right to request flexible working - the eligibility criteria

To have the statutory right to make a flexible working request, an employee has to meet certain criteria.

#### 1.1 General eligibility requirements.

- To be eligible to make a statutory flexible working request, a person must: be an employee - agency workers do not qualify.
- Have worked for you continuously for at least 26 weeks on the date they make their request.
- Not have made another statutory request during the past 12 months.

#### 1.2 The employee can only make an application to care for either.

- A child under 17.
- A disabled child who is under 18, and who is in receipt of disability living allowance.
- Certain adults who require care - The law does not specify any particular minimum level of care. However, see [Section 1.5](#) which provides examples.

Under the statutory arrangements, applications cannot be made for any other reason.

#### 1.3 Parents who can make flexible working requests.

A parent can request flexible working if they are either:

- The mother, father, adopter, guardian, special guardian, foster parent or private foster carer of the child or a person who has been granted a residence order in respect of a child.
- Married to, or the partner or civil partner of, the child's mother, father, adopter, guardian, special guardian, foster parent or private foster carer or person who has been granted a residence order in respect of a child.

#### 1.4 Carers who can make flexible working requests.

A carer can request flexible working if they care, or expect to be caring, for either:

- A spouse, partner, civil partner or relative.
- Someone who lives at the carer's address.

A relative is a mother, father, adopter, adoptee, guardian, special guardian, parent-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law, uncle, aunt or grandparent. Step-relatives, adoptive relationships and half-blood relatives are also included.

## 1.5 What types of adult care are relevant?

Carers' patterns of care-giving vary widely from individual to individual - both in the nature and the extent of the care given. Examples may include:

Emotional support.  
Giving / supervising medicines.  
Escorting to doctors' appointments.  
Keeping the care recipient company.  
Help with financial matters or paperwork.  
Supervision of the person being looked after.  
Help with personal care, eg dressing, bathing, toileting.  
Help with mobility, eg walking, getting in and out of bed.  
Housekeeping, eg preparing meals, shopping, cleaning.  
Nursing tasks, eg daily blood checking, changing dressings.

This list is not exhaustive.

## 2. The frequency of flexible working requests

- 2.1 Employees can make one application every 12 months - even if the second request in this period was for a different caring responsibility. For example, an employee wishing to make a request to care for an adult would still have to wait a year even if their previous request had been to enable them to care for a child.
- 2.2 Each year runs from the date the first application was made. Before making a subsequent request, the employee must - at the date of application - still meet the eligibility criteria.

## 3. The types of flexible working requests employees can apply for

- 3.1 Eligible employees can make a request to, for example:
  - Change the hours they work.
  - Change the times when they are required to work.
  - Work from another location of the business or from home (whether for all or part of the week).

## APPENDIX B

### 1. Personal Details

Name: Department/Location:

Manager:

Please tick either:

☐

I am making this request under the Work Life Balance Policy and I can confirm that: I have successfully completed my probationary period;

OR

☐

I am exercising my statutory right to request flexible working and I can confirm that: I am eligible to do so in line with the requirements set out under Section 1 of [Appendix A](#):

Date of any previous request to work flexibly under this right:

**2a. Describe your current working pattern (days/hours/times worked):**

**2b. Describe the working pattern you would like to work in future (days/hours/times worked):**

**2c. I would like this working pattern to commence from:**

Date:

**3. Impact of the new working pattern**

I think this change in my working pattern will affect my employer and colleagues as follows:

**4. Accommodating the new working pattern**

I think the effect on my employer and colleagues can be dealt with as follows:

Name:

Date:

**Employer's Confirmation of Receipt**

(to be completed and returned to employee)

Dear:

I confirm that I received your request to change your work pattern on (date)

I shall be arranging a meeting to discuss your application within 28 days following this date. In the meantime, you might want to consider whether you would like a colleague to accompany you to the meeting.

Signed:

Date: