

# Work/Life/Family Measures

## Procedure / Policy



Framework for Managing People

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### Version control

Version Number	Purpose/Change	Author	Date
1	Reformatting and referral to correct location of revised policies and procedures	Jane Blanche, HR consultant	27.10.15

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### 1.0 Adoption Leave and Pay

Please refer to the Council's Adoption Leave Procedure for information regarding this.  
[http://forestnet.lbwf.gov.uk/hr\\_procedure\\_adoption\\_leave.doc](http://forestnet.lbwf.gov.uk/hr_procedure_adoption_leave.doc)

### 2.0 Annual Leave

2.1 For details of the above Policy, please refer to the Pay and Benefits Section

### 3.0 Ante-natal leave

Please refer to the Council's Maternity Leave Procedure for information regarding this.  
[http://forestnet.lbwf.gov.uk/hr\\_procedure\\_maternity\\_leave.doc](http://forestnet.lbwf.gov.uk/hr_procedure_maternity_leave.doc)

### 4.0 Career Break Scheme

Neither the content nor the application of this Scheme forms part of the contract of employment of staff

4.1 Our managers will:	4.2 The employee is entitled to:
<ul style="list-style-type: none"><li>• Subject to the needs of the service will grant staff with at least one year's continuous local government service up to 1 year unpaid career break if they need extended time off:<ul style="list-style-type: none"><li>○ to care for children or dependant relatives, or</li><li>○ for educational, developmental or travel opportunities</li></ul></li><li>• promote the scheme to attract, retain or develop skilled staff</li><li>• keep in contact with people on an unpaid career break as appropriate</li><li>• ensure that staff understand and comply with the conditions of the scheme.</li></ul>	<ul style="list-style-type: none"><li>• up to two periods of unpaid career break</li><li>• a maximum total period of 2 years' career break</li><li>• have their job held open and return to it on the date specified or earlier if 4 weeks' notice is given</li><li>• accept brief periods of work or training during the break on a temporary or casual basis, provided the employer is the Council</li><li>• seek permission to work for another employer if there is a training or development benefit to the Council.</li></ul>

### 4.3 Current Provisions of the Career Break Scheme

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4.3.1 Full details of the current provisions of this scheme can be found in the "Career Break Scheme Application Form", a copy of which is available on the intranet or from your manager.

### 5.0 Industrial Injury or Disease – Provision for Leave and Pay

5.1 For details of the above Policy, please refer to the Pay and Benefits Section

### 6.0 Maternity Leave and Pay

Please refer to the Council's Maternity Leave Procedure for information regarding this.  
[http://forestnet.lbwf.gov.uk/hr\\_procedure\\_maternity\\_leave.doc](http://forestnet.lbwf.gov.uk/hr_procedure_maternity_leave.doc)

### 7.0 Maternity Support/Statutory Paternity Leave

7.1 For details of the above Policy, please refer to the Pay and Benefits Section

### 8.0 Medical Screening and Appointments

Please refer to the Council's Managing Sickness Policy and Procedure for information regarding this.  
[http://forestnet.lbwf.gov.uk/framework\\_managing\\_sickness\\_policy\\_procedure\\_1\\_august\\_20101.pdf](http://forestnet.lbwf.gov.uk/framework_managing_sickness_policy_procedure_1_august_20101.pdf)

### 9.0 Parental Leave

Please refer to the Council's Parental Leave Procedure for information regarding this.  
[http://forestnet.lbwf.gov.uk/index/hr/pay\\_and\\_benefits/how\\_to\\_guide\\_-\\_parental\\_leave.htm](http://forestnet.lbwf.gov.uk/index/hr/pay_and_benefits/how_to_guide_-_parental_leave.htm)

### 10.0 Special leave

10.1 For details of the above Policy, please refer to the Pay and Benefits Section

### 11.0 Time off for dependants

12.1 Our managers will:	12.2 Employees are entitled to:
<ul style="list-style-type: none"><li>• ensure that staff understand and have access to their legal right to reasonable unpaid time off to take action which is necessary:<ul style="list-style-type: none"><li>○ when a dependant falls ill, gives birth or is injured or assaulted</li><li>○ to make arrangements for the care of a dependant who is ill or injured</li><li>○ as the result of the death of a dependant</li></ul></li></ul>	<ul style="list-style-type: none"><li>• reasonable unpaid time off for dependants, provided that they:<ul style="list-style-type: none"><li>○ give the reason for their absence as soon as they reasonably can, and</li><li>○ say how long they expect to be absent (except where the employee returns to work before they can notify the</li></ul></li></ul>

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<ul style="list-style-type: none"> <li>○ when arrangements for the care of a dependant are unexpectedly disrupted</li> <li>○ to deal with an incident which occurs (for example) when a school is responsible for the child</li> <li>● ensure that staff comply with the conditions for such leave</li> <li>● understand and apply the legal definition of “dependant”<sup>4</sup></li> </ul>	absence)
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### 12.0 Time off for trade union activities

13.1 Our managers will:	13.2 Employees are entitled to:
<ul style="list-style-type: none"> <li>● ensure that staff understand and have access to their legal right to reasonable time off for trade union activities (as set out and discussed in the <i>Employee Relations</i> section of this framework).</li> </ul>	<ul style="list-style-type: none"> <li>● reasonable paid time off for carrying out industrial relations duties or undergoing necessary training as a properly-appointed official of an independent, recognised trade union</li> <li>● reasonable unpaid time off for taking part in activities of an independent, recognised trade union of which they are a member.</li> </ul>

### 13.0 Time off to seek other employment (for redundant staff)

14.1 Our managers will:	14.2 Employees are entitled to:
<ul style="list-style-type: none"> <li>● ensure that staff understand and have access to their legal right to time off when they are being made redundant.</li> </ul>	<ul style="list-style-type: none"> <li>● reasonable paid time off to search for another job or train for employment for alternative work - if they are redundant or are facing redundancy.</li> </ul>

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<sup>4</sup> A dependant is defined in law as

- the husband, wife or partner, child or parent of the employee, or
- someone who lives in the same household as a member of the family. Tenants, boarders and employees (such as a live-in housekeeper) will not qualify.
- in cases of illness, injury or where care arrangements break down, a dependant may also be anyone who reasonably relies on the employee for assistance.

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#### 14.0 Flexible Working - Context

- 14.1 The working of hours other than standard hours is subject to the needs of the service. Agreed public opening times must be met. Management reserves the right to require staff to work at particular times within their contractual hours to ensure that cover is provided or for some other substantive reason.
- 14.2 Employees who have a right to request flexible working, in law, will have any requests to work flexibly considered using the formal Council process as set out in the Contracts Section. Applications from other staff will be considered informally.
- 14.3 The following categories of staff have a right to apply for a permanent change in their working arrangements:-
- Employees with a child under 6 years old
  - Employees with a child under eighteen, if the child is disabled
  - Employees who care for or expect to care for another adult
- 14.4 A carer is defined as an employee who is, or expects to be, caring for an adult who is married to, or the partner or civil partner of the employee; or is a near relative of the employee; or falls into neither of those categories but lives at the same address as the employee.
- 14.5 For the application of flexible working, “relative” is defined as mother, father, adopter, 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, and step-parent, step-son, step-daughter, step-brother, step-sister. Half blood relatives are also included, as are adoptive relationships and relationships which would have existed but for adoption i.e. an employee’s natural relatives.
- 14.6 For more information see also the Council’s Guidance on Flexible Working which is available on the intranet
- 14.7 In the event of a dispute about the operation of any flexible working arrangement, the grievance procedure is available to resolve the matter. In the event of a collective dispute about flexible working, the Council’s consultative process should be used.

#### 15.0 Flexible Working - Staggered Hours

16.1 Our managers will:	16.2 Employees are entitled to:
<ul style="list-style-type: none"><li>• decide if the scheme is viable in the light of the requirements of the service, and where it is:<ul style="list-style-type: none"><li>○ allow staff to begin work at set 15 minute intervals (usually between 8.00 am to 9.45 am)</li></ul></li></ul>	<ul style="list-style-type: none"><li>• joint responsibility with managers to find practical and flexible ways of working which will meet the needs of the Council, its customers and staff.</li></ul>

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<ul style="list-style-type: none"> <li>○ ensure that staff then work a standard day to produce a staggered finishing time</li> <li>○ ensure that they record the arrangement and that any changes to it take into account the needs of customers and staff.</li> </ul>	<ul style="list-style-type: none"> <li>● request a permanent change to their contract <sup>5</sup></li> </ul>
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### 16.0 Flexible Working - 1 day off in 20

17.1 Our managers will:	17.2 Employees are entitled to:
<ul style="list-style-type: none"> <li>● decide if the scheme is viable in the light of the requirements of the service, and where it is:                             <ul style="list-style-type: none"> <li>○ allow staff to work 144 hours (the hours in a 4 week period of 20 working days) in 19 days*</li> <li>○ fix the hours to be worked (and the day to be taken) in advance in consultation with staff</li> <li>○ ensure that staff work (and take off) the hours agreed</li> <li>○ ensure days off are not carried over at the end of the period.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>● joint responsibility with managers to find practical and flexible ways of working which will meet the needs of the Council, its customers and staff.</li> <li>● request a permanent change to their contract <sup>6</sup></li> </ul>

\* Staff graded at PO6 – PO12 (or equivalent) are required to work all reasonable hours to discharge the duties of their post, subject to statutory restrictions. In these cases, flexible working will be deemed to be appropriate, where it is clear that the member of staff can meet this obligation within the 19 day working period.

### 17.0 Flexible working - Flexi-time scheme for employees at grades PO5 and below

This scheme is offered to employees, subject to management approval and is based on the service delivery requirements of the relevant department. It provides employees with the opportunity to work their full contractual hours, in a more flexible manner, within the

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<sup>5</sup> See Contracts Section of the Framework

<sup>6</sup> See Contracts Section of the Framework

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schemes parameters, allowing their working patterns to accommodate both the needs of the service and those of the employee.

The opportunity to participate in the Flexi-time Scheme is not available to all employees where service delivery needs or business reasons dictate. However, it is important to note that for all employees; this entitlement may be withdrawn at management discretion at any time.

The fundamental principles of the scheme are that it is based on offering flexibility whilst the employee works their contractual hours. The scheme does not provide employees with the opportunity to unnecessarily accrue excessive flexi-time where there is no organisational or departmental need to do so, as an additional method of leave.

Where increased work demands dictate and where it is necessary to meet service delivery needs, with management approval, the employee can undertake pre-planned additional hours, beyond their contractual hours. This additional time can then be accrued (in lieu of the employee claiming overtime). Under the scheme this time can be accrued and the additional time worked can then be taken at a later date.

17.1 Our managers will:	17.2 Employees are entitled to:
<ul style="list-style-type: none"> <li>• agree flexible working pattern with eligible staff as long as it does not have an unacceptable impact on service delivery</li> <li>• agree and be kept informed of the employee's regularity of the days, times and pattern to be worked, which must accord with the needs of the service, the employees contractual hours and the parameters of the scheme</li> <li>• ensure the accurate recording of the employees working time in accordance with the agreed work pattern and their contracted hours</li> <li>• specify the times when the office/ service is to be open and ensure that staff attend / cover these times</li> <li>• ensure that employees work to their contractual hours and that these apply within the 4 week Flexi-time settlement period</li> <li>• consistently apply the schemes arrangements regarding the taking</li> </ul>	<ul style="list-style-type: none"> <li>• only accrue flexi-time beyond their contracted hours, with pre-planned management approval</li> <li>• carry over from one period to the next:               <ul style="list-style-type: none"> <li>○ no more than 8 hours in credit, {pro rata for part time employees}</li> <li>○ no more than 4 hours in debit, {pro rata for part time employees}</li> </ul> </li> <li>• any approved accrued time must be taken subject to the needs of the service and as follows:               <ul style="list-style-type: none"> <li>○ 1 day (or 2 half days') flexi leave in any 4 week settlement period</li> <li>○ A maximum of 12 days' flexi-leave in the leave year</li> </ul> </li> <li>• have until the end of the settlement period to clear a debit of more than 4 hours, pro rata for part time employees, after that the manager will either:               <ul style="list-style-type: none"> <li>○ arrange for the employee's pay to be adjusted, or</li> </ul> </li> </ul>

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<ul style="list-style-type: none"><li>• of time and the carry-over of approved additional hours worked</li><li>• ensure that flexi-time records are:<ul style="list-style-type: none"><li>○ open to scrutiny and not held privately</li><li>○ completed within 24 hours of the period being recorded</li><li>○ checked at the end of each settlement period {4 weekly}</li><li>○ approved and if necessary adjusted at the end of the settlement period</li></ul></li><li>• ensure that, subject to the exigencies of the service, up to 7 days' notice, of the employees intention to take flexi leave, is given</li></ul>	<ul style="list-style-type: none"><li>○ remove the employee from the scheme</li><li>• joint responsibility with managers to find practical and flexible ways of working which will meet the needs of the Council, its customers and staff</li></ul>
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Subject to meeting the operational needs of the service, the basic parameters of the flexi-time scheme are as follows:-

Full time employees operating to the scheme may be authorised by their Manager to work within the following core times:

1	Start work between	07:00 and 10:00
2	Take lunch between	12:00 {noon} and 14:30
3	Vary the length of lunch <sup>7</sup> between	30 minutes and 120 minutes
4	Finish work between	16:00 and 19:00

A full time flexi day is assumed to be 7.25 hours (Monday to Thursday) and 7 hours (Friday)

A full time employee who takes half a day flexi-leave:

1. in the afternoon will remain at work until after 12:00 {noon}
2. in the morning will return to work before 14:00



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Where it is agreed between management and a part time employee that Flexi-time may be worked, their core hours, based upon that employee's contractual hours, shall be the subject of local agreement.

Lunch breaks to be taken which will be for longer than 60 minutes may be taken only if authorised in advance by the employee's Line Manager.

#### 18.0 Flexible working - Job Share

18.1 Our managers will:	18.2 Employees are entitled to:
<ul style="list-style-type: none"><li>• consider fully and carefully any request to job share</li><li>• advertise all full-time vacancies as open to job share unless there are compelling reasons not to</li><li>• normally limit job sharing to two employees sharing a fulltime post</li><li>• consult on working patterns to take account of the needs of the Council, its customers and staff</li><li>• promote the scheme to make career and job opportunities available to people who can't work full-time. (Normally therefore, full-time staff will not be allowed to take a new job share post while retaining part of their old full-time job).</li></ul>	<ul style="list-style-type: none"><li>• joint responsibility with managers to find practical and flexible ways of working which will meet the needs of the Council, its customers and staff</li><li>• job share any full-time post unless the manager satisfies themselves that:<ul style="list-style-type: none"><li>○ the arrangement would cause a genuine, serious and unavoidable problem in service delivery and</li><li>○ they can justify the decision objectively if challenged in an Employment Tribunal</li></ul></li><li>• request a permanent change to their contract <sup>8</sup></li><li>• conditions of service for job sharers as set out on the next page.</li></ul>

#### 18.3 Main conditions for job sharers

##### 18.3.1 Overtime - job sharers who agree to work additional hours will be paid:

1. plain-time rates for any time up to 36 hours (37 for former manual workers)
2. over time rates for any time worked in excess of 36 hours (37 for former manual workers).

##### 18.3.2 Annual leave - is worked out pro-rata to the hours worked. Complex working arrangements may necessitate calculating leave in hours rather than days.

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<sup>8</sup> See Contracts Section of the Framework

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18.3.3 Public holidays and other fixed days of leave – the appropriate proportion of these is to be added to leave entitlement and any time off that the employee takes must be booked from this (extended) entitlement.

18.3.4 Other conditions of service apply pro-rata to job share staff except:

1. provisions for training
2. the car loan and car allowance schemes (which under national conditions are to apply in full to part-time and job share staff.)

18.3.5 Resignation - if one job sharer resigns and the other half of the job is to be filled, the remaining sharer has the option to transfer to full time work. Any changes to contracts must meet the standards in the relevant section of this framework.

### 19.0 Flexible working - annualised hours <sup>9</sup>

19.1 Our managers will:	19.2 Employees are entitled to:
<ul style="list-style-type: none"><li>• assess the service's requirements for labour and attendance, taking into account flexible requirements and seasonal or other variations</li><li>• consult on working patterns to take account of the needs of the Council, its customers and all staff</li><li>• take account of relevant working-time regulations</li><li>• where feasible, and where this meets service requirements agree annualised hours arrangements with staff</li></ul>	<ul style="list-style-type: none"><li>• joint responsibility with managers to find practical and flexible ways of working which will meet the needs of the Council, its customers and staff</li><li>• be consulted over changes to working arrangements <sup>10</sup></li><li>• request a permanent change to their contract <sup>11</sup></li><li>• work to an annualised hours arrangement unless the manager satisfies themselves that:<ul style="list-style-type: none"><li>○ the arrangement would cause a genuine, serious and unavoidable problem in service delivery and</li><li>○ they can justify the decision</li></ul></li></ul>

<sup>9</sup> Most standard contracts specify the number of hours in the working week. An annualised hours contract sets out the hours to be worked over a complete year. This gives flexibility as to the number of hours to be worked in any given week and may be useful where work is seasonal, flexible or variable.

<sup>10</sup> Any changes to contracts must meet the standards in the Contracts Section of this framework.

<sup>11</sup> See Contracts Section of the Framework.

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<ul style="list-style-type: none"> <li>• make adjustments to contracts, pay and leave entitlement to take account of the arrangement</li> <li>• notify payroll of adjustments to pay.</li> </ul>	<p>objectively if challenged in an Employment Tribunal.</p>
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### 20.0 Flexible working - term-time working

<p>20.1 Our managers will:</p>	<p>20.2 Employees are entitled to:</p>
<ul style="list-style-type: none"> <li>• Consider fully and carefully any request for term-time working (for school based-staff, this is already required in the contract)</li> <li>• Consult on working patterns to take account of the needs of the Council, its customers and all staff</li> <li>• Where feasible, offer up to 9 weeks unpaid leave to be taken during school holidays</li> <li>• Agree in advance the number of weeks to be taken</li> <li>• Make adjustments to contracts, pay and leave entitlement to take account of the amount of unpaid leave to be taken (annual leave entitlement does not accrue during the unpaid leave)</li> <li>• Notify payroll of adjustments to pay.</li> </ul>	<ul style="list-style-type: none"> <li>• Joint responsibility with managers to find practical and flexible ways of working which will meet the needs of the Council, its customers and staff</li> <li>• Request a permanent change to their contract <sup>12</sup></li> <li>• Term-time working unless the manager satisfies themselves that:             <ul style="list-style-type: none"> <li>○ the arrangement would cause a genuine, serious and unavoidable problem in service delivery and</li> <li>○ they can justify the decision objectively if challenged in an Employment Tribunal.</li> </ul> </li> </ul>

<sup>12</sup> See Contracts Section of the Framework.

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### 21.0 Flexible working - time banking <sup>13</sup>

21.1 Our managers will:	21.2 Employees are entitled to:
<ul style="list-style-type: none"><li>• Offer staff the opportunity to use time banking - subject to budgeting constraints</li><li>• Agree and plan extended periods of time off for staff subject to service and business needs - as set out in the relevant parts of this section of the framework</li><li>• Offer the employee the opportunity to be paid during a period which would otherwise be unpaid by time-banking</li><li>• Make clear records of the arrangement and adjust contracts, pay and leave entitlements as required</li><li>• Notify payroll of adjustments to pay.</li></ul>	<ul style="list-style-type: none"><li>• Joint responsibility with managers to find practical and flexible ways of working which will meet the needs of the Council, its customers and staff</li><li>• Request a permanent change to their contract <sup>14</sup></li></ul>

<sup>13</sup> The idea is that an employee who wishes to take time off for, say, a month would work full-time for 4 months at 80% of their normal pay. They would thus “bank” 4x20% of a month’s pay. They would then be entitled to a month off at 80% of full pay.

<sup>14</sup> See Contracts Section of the Framework.

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#### 22.0 Flexible working - home-working <sup>15</sup>

22.1 Our managers will:	22.2 Employees are entitled to:
<ul style="list-style-type: none"><li>• Consider home-working where the work is suitable<sup>16</sup></li><li>• Ensure that they and the employee understand the practical implications of home-working<sup>17</sup></li></ul>	<ul style="list-style-type: none"><li>• Joint responsibility with managers to find practical and flexible ways of working which will meet the needs of the Council, its customers and staff</li><li>• Request a permanent change to their contract<sup>18</sup></li><li>• Work in a Council office or work place - there is no requirement for the employee to work at home</li><li>• Consistent treatment with other staff doing similar work.</li></ul>

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<sup>15</sup> Normally the most suitable jobs:

- deal independently with separate pieces of work
- do not require frequent access to paper files or restricted information
- have a high level of self-management and do not require close supervision
- do not require team working nor face-to-face contact with clients as part of the creative process
- do not involve regular face-to-face counter service with customers
- do not require the Council to provide specialist equipment or software.

<sup>16</sup> See footnote 44

<sup>17</sup> Things to consider will include: working hours and availability; communications and team working; equipment, property and insurance; mileage claims; income tax; data security and confidentiality; health and safety issues.

<sup>18</sup> See Contracts Section of the Framework.