	<h2>Work Life Balance Policy & Procedure</h2>	Version: 2 Release Date: August 2010
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1. Policy

1.1. Scope

- 1.1.1. This policy and procedure applies to all employees within North Ayrshire Council and at the discretion of the appropriate Director or Head of Service can be applied from recruitment.
- 1.1.2. As well as being open to all employees, there are some groups of employees who have a statutory right to request flexible working. These are employees with children under 17 years old (18 years old for disabled children) and employees who care for dependant adults. Examples of caring responsibilities are set out in Appendix 2.

1.2. Purpose

- 1.2.1. The purpose of the Work Life Balance Policy is to provide clear guidance to managers and employees on the;
- Work-life balance options available,
 - Conditions affecting each arrangement,
 - Eligibility criteria, and
 - Procedure to be followed in applying for and considering a flexible working arrangement.
- 1.2.2. The Council recognises that it is essential to recruit and retain a skilled and experienced workforce. Effective service provision can be enhanced by employees being able to work in more flexible ways to better balance home and work life. Different working arrangement can also enhance the efficiency of service delivery.

1.3. Work Life Balance Options

- 1.3.1. The Council provides a range of flexible working options for all employees under the Work Life Balance Policy as named below;
- Annualised Hours
 - Compressed Hours
 - Employment Break
 - Flexible Working Hours (Flexitime)
 - Time Off in Lieu (TOIL)
 - Home-working
 - Job-share
 - Part-time
 - Term-time working

The [HR Guide: Work Life Balance Options](#), provides details on the operation of each work life balance option.





- 1.3.2. The Council also offers a range of retirement options to allow employees to reduce their working hours and receive pension benefits.
- 1.3.3. Employees in the Local Government Pension Scheme can apply for flexible retirement, as set out in the [Retirement Policy & Procedure – Local Government Pension Scheme](#). Employees in the Scottish Teachers Superannuation Scheme can apply for phased retirement or winding down, as set out in the [Retirement Policy & Procedure – Teachers Superannuation Scheme](#).
- 1.3.4. Unsuccessful applications for flexible working should not affect an employee's ability to apply for a flexible/phased retirement or winding down, and equally an unsuccessful application for flexible/phased retirement or winding down should not influence or affect a work life balance application.
- 1.3.5. Employees can apply for one or more of the work life balance options listed above.
- 1.3.6. Where a request is granted, employees are entitled to the same access to training, career opportunities and other work related initiatives as employees working standard hours. Salary and terms and conditions of employment will be unchanged except where working hours/patterns are varied.
- 1.3.7. The work life balance options are intended for long term permanent changes to working patterns. The [Special Leave Policy](#) is separate from this and better suited to short term emergency leave.

1.4. Service Delivery

- 1.4.1. The overriding principle of the Work Life Balance Policy is that once granted, any changes to working patterns must allow the service to still be delivered and be cost effective. As a publicly accountable body, the Council must ensure that the service it delivers is protected.
- 1.4.2. Therefore, management will not authorise a change in working pattern until it has been considered and reviewed in the context of service provision and its cost effectiveness. No changes to existing working patterns will be authorised if the service cannot continue to be delivered at an appropriate level.

1.5. Eligibility

- 1.5.1. Any permanent or fixed-term temporary can apply to change their work pattern/hours through the work life balance policy.
- 1.5.2. At the discretion of the appropriate Head of Service or Director, a work life balance option can be applied from the recruitment stage, if requested.





- 1.5.3. Please note, employees applying for a career break must have two years continuous service with the Council.
- 1.5.4. Employees must agree with their manager a proposed start date for a flexible working arrangement.
- 1.5.5. Only one application can be made in a 12 month period from the first date of application. There must be a minimum of two years' continuous service between career breaks.

2. Work Life Balance Request Procedure

2.1. Informal Discussion

- 2.1.1. The procedure to be followed in making an application for flexible working is set out below. A summary of the application procedure in flowchart form is attached as Appendix 1.
- 2.1.2. Employees in the first instance should discuss informally the possibility of a change in working pattern with their line manager to check whether the service is likely to be able to accommodate the particular arrangement.

2.2. Work Life Balance Application and Meeting

- 2.2.1. After informal discussions with their manager, employees should complete the work life balance application form (Form 1a) and return it to Human Resources or Education Personnel in Cunninghame House. If the proposal is to work from home, the Home Working Health and Safety Checklist has also to be completed (Checklist 7). Sufficient notice of the proposed start date should be given to allow time for the application to be considered and any impact on the service and other employees to be considered. Line managers will receive the form once Human Resources/Education Personnel have logged the request. (Memo 1b).
- 2.2.2. Employees who are seconded or acting up, or have more than one post can only submit one application in a 12 month period relating to any post. Therefore if the application is to be applied to more than one post, then this must be specified highlighting which options apply to which post.

The application will be considered against the current business requirements of each post and may be approved against one post and not another.

- 2.2.3. Employees can withdraw an application during any stage of the procedure by informing Human Resources/Education Personnel (Letter 5a). The employee's line manager will be informed if Human Resources/Education Personnel receive a withdrawal. Employees who





withdraw an application will not be eligible to submit another application for 12 months from the date the application was made. Confirmation of withdrawal should be sent to the employee. (Letter 5b).

- 2.2.4. The manager should meet with the employee and discuss the application with all of those who are affected by the change within 14 days from the date the work life balance application was received (Letter 1c). This may be extended by the manager or the employee because of practical difficulties and the employee will be informed of this (Letter 1d).
- 2.2.5. Employees applying may bring a colleague or trade union representative to the meeting (Where an employee is under 18 years old, one or both parents may also be present at the meeting).
- 2.2.6. If an employee fails to attend the meeting, the meeting should be rearranged at a mutually agreeable time. If an employee fails to attend the meeting more than once and does not provide a reasonable explanation, the application should be treated as having been withdrawn. Confirmation of the withdrawal will be sent in writing (Letter 5b).
- 2.2.7. The [HR Guide: Considering Work Life Balance Requests](#), provides guidance on the information which should be considered before accepting or declining a work life balance application.

2.3. Work Life Balance Application Accepted

- 2.3.1. If the change meets the work-life balance principles and is supported by the manager and colleagues, there are two possible courses of action. The new working pattern can be agreed by the manager on a **pilot** or **permanent** basis.
- 2.3.2. The manager may agree to a change in working pattern on a pilot basis in order to demonstrate in practice that;
 - service delivery is maintained
 - that it meets the individual's needs and
 - that it is fair to colleagues
- 2.3.3. If the request is agreed on a pilot basis, the manager will write to the employee within 14 days of the meeting, confirming the flexible working arrangement and when it will commence (Letter 2a). As a guide, pilots should run for a period of 3, 6 or 9 months.
- 2.3.4. If there are any salary or terms and conditions changes (e.g. reduction in hours), these will require to be agreed with the employee involved prior to the commencement of the pilot. The Manager must send a copy of the acceptance letter and CHRIS amendment form (if appropriate) to Human Resources/Education Personnel, who will seek formal





acceptance from the employee for any temporary changes to their terms and conditions of service which are to apply for the pilot period.

2.3.5. The manager will review and assess the success of the flexible working arrangement near the end of the pilot. The pilot will then be either:

- Extended
- Ended
- Accepted on a permanent basis

2.3.6. A pilot can be extended for a fixed period up to a maximum pilot period of 12 months. This is most likely where the manager needs more time to evaluate all influencing factors, where there are proposed changes to the organisation structure and ways of working, where there is higher staff turnover and flexibility needs to be continually adjusted etc. The manager will confirm the decision in writing within 14 days following the review (Letter 2b).

2.3.7. If the change to the flexible working arrangement is demonstrated not to be feasible, the pilot will be brought to a close. The manager will confirm the decision in writing to the employee within 14 days following the pilot review including the reasons why the pilot has been unsuccessful (Letter 2c).

2.3.8. The Manager must send copies of the letter declining the request and a CHRIS amendment form (if appropriate) to Human Resources/Education Personnel who will amend any changes to the employee's terms and conditions of service as indicated.

2.3.9. The manager may agree to a change in working pattern on a permanent basis. This is most likely to occur when the request does not vary greatly from the current arrangement, i.e. requesting a change from full-time to part-time and/or if the post/team has previous experience of the requested working pattern.

2.3.10. The manager will then write to the employee (Letter 3) within 14 days following the work life balance meeting/review, confirming the flexible working arrangement and from when it will commence. If there are any salary or terms and conditions of service changes (e.g. reduction in hours), the manager must send a copy of the acceptance letter accompanied by a CHRIS amendment form (if appropriate) to Human Resources/Education Personnel. Human Resources/Education Personnel will seek acceptance from the employee for the permanent changes to their terms and conditions of services prior to the commencement of the new working arrangement.

2.3.11. Once a permanent change has been approved the new work pattern will become the employee's contracted hours and they will have no right to return their previous work pattern or hours. An employee could





however return to full time hours where a suitable vacancy arises within the department.

- 2.3.12. Where possible if there is a reduction in working hours, these will be removed from the department budget as an efficiency saving. Future changes to work pattern may be permitted, but a reduction in hours cannot normally be reversed.

2.4. Work Life Balance Application Declined

- 2.4.1. Not all individuals, positions or business areas are conducive to flexible working. Where this is the case, the manager will provide the employee with a written explanation within 14 days following the work life balance meeting as to the reasons for declining the application (Letter 4). Human Resources/Education Personnel should receive a copy of this letter also.
- 2.4.2. There must be a clear business reason for declining a work life balance request particularly if the request can deliver efficiencies for the service.

2.5. Appeal

- 2.5.1. The Council's policy is that any employee may appeal against the decision taken by the manager to reject their request for flexible working.
- 2.5.2. Where an employee's request is rejected and he/she believes their application has not been properly considered, there is the right to appeal within 14 days after receiving notice of the decision. This should be made to the Head of Human Resources who will arrange for the appeal to be heard within 14 days after receiving notice of the appeal (Letter 6a).
- 2.5.3. The appeal should be heard by the Head of HR or a nominated senior member of HR management and they may be assisted by an HR representative. In the case of an appeal application from a Head of Service or Corporate Director, the appeal shall be heard by the Chief Executive or nominated Corporate Director.
- 2.5.4. The appellant should be given 7 days advance written notice of the time and place of the appeal hearing unless otherwise mutually agreed (Letter 6b).
- 2.5.5. Employees may bring a colleague or trade union representative to the appeal meeting (Where an employee is under 18 years old, one or both parents may also be present at the meeting).
- 2.5.6. The outcome of the appeal hearing shall be notified in writing to the appellant within 14 days from the date of the appeal hearing (Letter 6c). Human Resources/Education Personnel should receive a copy of the





letter to record the details on CHRIS.

- 2.5.7. In the circumstance where an employee fails to attend the appeal hearing on more than one occasion, they will be considered to have withdrawn their application except in cases where there are exceptional circumstances. The withdrawal will be confirmed using the letter 5b, and Human Resources/Education Personnel will be informed of the outcome.
- 2.5.8. The decision made by the Appeal Panel will complete the procedure. There will be no further stage of appeal within the Council.

2.6. Monitoring and Review Arrangements

- 2.6.1. HR will monitor and record all applications and work life balance arrangements put in place.
- 2.6.2. The impact of the work life balance policy and procedures on the department or service should be monitored by line managers on an ongoing basis. Senior Management throughout the Council will also be expected to review regularly the uptake and consistency of applications across their service.

2.7. Administration

- 2.7.1. Employees are responsible for sending work life balance paperwork to Human Resources/Education Personnel.
- 2.7.2. Human Resources/Education Personnel will receive all requests and forward them to the appropriate line manager.
- 2.7.3. Line managers are responsible for ensuring the requests are properly considered and that Human Resources/Education Personnel are informed of all decisions arising out of the procedure.
- 2.7.4. Standard letters and application forms are available from Navigate.

3. Legislation

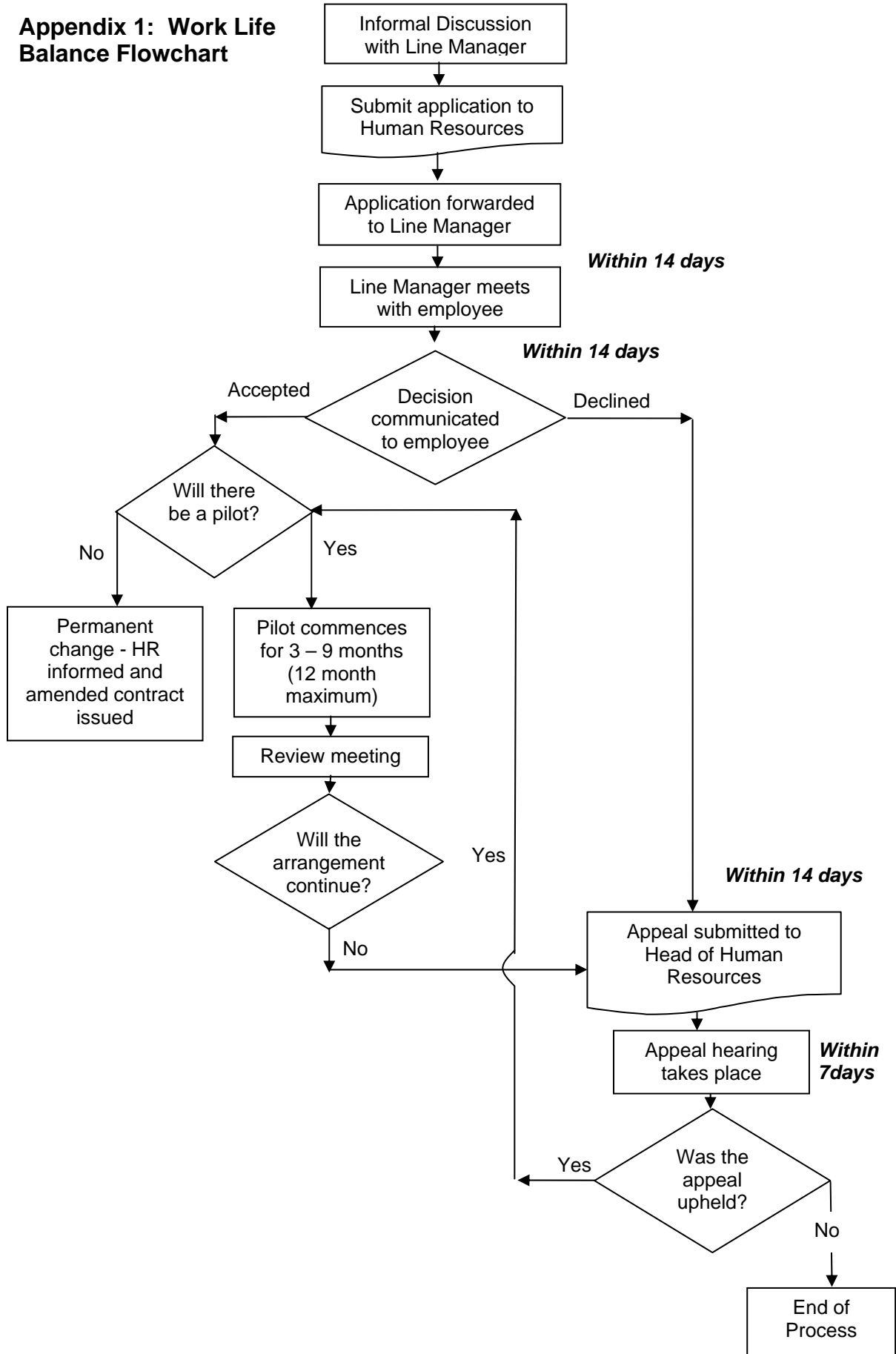
The legislation that applies to this policy includes:

- The Working (Eligibility, Complaints and Remedies) Regulations 2009
- The Flexible Working (Eligibility, Complaints and Remedies) (Amendment) Regulations 2006 for employees who care for dependant adults





Appendix 1: Work Life Balance Flowchart





Appendix 2 – Examples of Caring responsibilities

Examples of caring responsibilities that would give employees the statutory right to request flexible working under the Council's Work Life Balance Policy include:

- Help with personal care (e.g. dressing, bathing, toileting)
- Help with mobility(e.g. walking, getting in and out of bed)
- Nursing tasks(e.g. daily blood checking, changing dressings)
- Giving./supervising medicines
- Escorting to appointments (e.g. GP, hospital)
- Supervision of the person being looked after
- Emotional support
- Keeping the care recipient company
- Practical household tasks (e.g. preparing meals, doing shopping, domestic labour)
- Help with financial matters or paperwork