

# HR Guide: Work Life Balance Options Version: 3.2

*Our Staff Values*  
**Focus. Passion. Inspiration.**



**North Ayrshire Council**  
Comhairle Siorrachd Àir a Tuath

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<b>Related Policies &amp; Procedures</b>	<ul style="list-style-type: none"> <li>• <a href="#"><u>Work Life Balance Policy &amp; Procedure</u></a></li> <li>• <a href="#"><u>HR Guide: Considering Work Life Balance Requests</u></a></li> <li>• <a href="#"><u>HR Guide: Taking a Career Break</u></a></li> <li>• <a href="#"><u>HR Guide Agile Working</u></a></li> </ul>
<b>Related documents</b>	<ul style="list-style-type: none"> <li>• <a href="#"><u>Work Life Balance Application Form</u></a></li> <li>• <a href="#"><u>Homeworking Risk Assessment Checklist</u></a></li> </ul>
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<b>Version Number</b>	<b>Effective Date</b>	<b>Details of Last Revision</b>
3.2	16.07.19	Updated to capture reduced hours by Occupational Health option to align with Pension (Scotland) Regulations 2019
3.1	28.03.17	Updated to reflect changes introduced by Flexible Working Regulations 2014 and general review.
3	16.02.16 -28.03.17	Updated to remove any reference to Job Share
2	24.08.15 – 16.02.16	Updated to replace reference to Navigate with 'Connects'

<b>Equality Impact Assessment</b>	August 2010
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## 1. Introduction

- 1.1 This guide is primarily designed for employees, to help them decide on the best work life balance option to suit their circumstances. The guide will also be useful for managers, as it provides further information on how various work life balance options work in practice.
- 1.2 The Council provides a range of flexible working options for all employees under the [Work Life Balance Policy](#) as shown below;
- Annualised Hours
  - Compressed Hours
  - Reduced Hours due to Occupational Health advice
  - Career Break
  - Flexible Working Hours (Flexitime)
  - Time Off in Lieu (TOIL)
  - Home-working
  - Part-time
  - Term-time working
  - Flexible/Phased Retirement/Winding Down
- 1.3 All of the Work Life Balance Options are described in the sections below.
- 1.4 The [Work Life Balance Policy and Procedure](#) sets out how employees should make any work life balance applications. However, employees should also consider the following information prior to making a work life balance request;
- When applying for a work-life balance option, employees will need to consider the effect of their chosen option on their colleagues and service delivery.
  - The Council encourages requests that will provide a financial saving through a reduction in working hours.
  - Pay and grading of posts will be subject to the Council's grading structure with employees being paid at the same rates as those on full time hours on a pro-rated basis.
  - Once a permanent change in hours has been agreed, employees have no contractual right to return to their previous work pattern and any reduction in hours will be removed from the department budget as an efficiency saving. An employee could however apply to return to full time hours where a suitable vacancy arises within the department through normal recruitment processes
- 1.5 [The HR Guide: Considering Work Life Balance Requests](#) may also be helpful in identifying the factors to be taken account in reaching a decision.

## 2. Annualised Hours

- 2.1 Annualised hours involve organising working time flexibly across a 12-month period rather than over a fixed standard working week. Although the working pattern varies, an employee receives his/her salary in equal instalments, irrespective of the actual number of hours worked in any given period.
- 2.2 Annualised hours are worked at times agreed between the Council and employee taking into account service provision and predicted workloads.
- 2.3 Generally, there are no standard weekly or monthly hours for annualised hour working patterns but there will be regular patterns of work.
- 2.4 In co-ordinating an annualised hours working pattern, managers must not breach the Working Time Regulations. Where annualised hours are worked by a team, managers should ensure that work commitments are shared fairly among all members of the team.
- 2.5 A contract of employment for annualised hours will specify the total number of attendance hours and exactly how the number of attendance hours is calculated.
- 2.6 The main part is worked in fixed shifts known as committed hours. These are determined by management and communicated to employees at the start of each calendar year.
- 2.7 Out with the committed hours, employees would be contracted to work a certain amount of reserve/bank hours when management can request an employee to work as and when the need arises. There is no additional monetary payment for these hours which are instead translated into time off similar to TOIL. The extent to which an employee is obliged to accept an offer of working reserve/bank hours is dependent on the contractual arrangement.
- 2.8 Bank or reserve hours may be used to cover for holidays, sick leave, special leave or increases in demand. They are not recommended for covering longer term absences, maternity leave, secondments or vacancies.
- 2.9 Managers need to approve all requests for leave made through the reserve or bank hours schemes. Employees should give at least 4 working days' notice and managers should reply within 24 hours where possible. Employees may also wish to consult with their colleagues prior to requesting leave. The usual rules for approving leave apply in terms of ensuring service delivery etc.
- 2.10 In exceptional circumstances, any accrued bank or reserve leave can be used to cover for events such as car breakdown or public transport failure.

- 2.11 Annualised hours contracts require annualised holiday entitlement to reflect the varying hours and days that employees work. There is no loss of holiday entitlement when leave entitlement is annualised. The formula for annualising hours relates to the number of years' service in the same way as someone working standard hours. With the exception of teaching staff, the holiday year remains from 1st January until 31st December.
- 2.12 Personal Appointments should be arranged at times when the employee is not working or by using reserve or bank hours. There should be sufficient flexibility in working hours to ensure that appointments can be attended out with working hours. Employees may, with management approval, swap shifts to attend personal appointments. This is complementary to the Special Leave policy.
- 2.13 Reserve and bank hours should not be used when an employee is absent due to sickness, this should be treated as sickness absence and treated under the Maximising Attendance Policy and Procedure.
- 2.14 On termination of employment, there may be occasions where an employee has earned more or earned less money than they should have for the hours that they have worked year to date. Where it is not possible to balance these hours during the employee's notice period this will be reflected in the employee's final pay either through a credit or deduction where appropriate.

### **3. Compressed Hours**

- 3.1 Compressed hours is where an employee works their contracted weekly hours over fewer days e.g. a full time employee may work 3/4 extended days rather than the usual 5 days within the working week or their contractual hours over 9 days per fortnight instead of 10. Although the working pattern may vary, an employee receives their salary in equal instalments.
- 3.2 Compressed Hours are worked at times agreed between the Council and employee, taking into account service provision, predicted workloads and the impact of changing working patterns on other staff. It is the Manager's responsibility to consider whether employees who are working compressed hours require direct supervision or support at certain times. In addition, they should ensure that there is sufficient work or that work is required when the Manager may not be present.
- 3.3 The scheduled day(s) off should be carefully considered. This could be agreed as a fixed or floating day off or organised on a rota basis. The most popular requested days off are Friday and Monday. However, these are also the days that employees tend to request annual and flexi-leave.
- 3.4 The range of time between the earliest start and the latest finish will normally be Monday to Friday 06:00 until 19.00. Within these times, a lunch

break must be taken as a proportionate 'break' in the day from the starting time. To avoid employees working prolonged periods without a break, every effort should be made to have a rest break between 11.30-2.30pm. A minimum of 30 minutes must be taken. Working Time Regulations should be adhered to at all times.

- 3.5 The range has been determined on the existing general building security arrangements. During all working hours, Health and Safety must be considered in terms of the minimum safe staffing levels. Where applications for working compressed hours include times before 8am and/or after 6pm, the range of hours may be extended depending on the building security arrangements and with permission from the Head of Service.
- 3.6 Compressed hours require 'annualised' holiday entitlement to reflect the varying hours and days that employees work. There is no loss of holiday entitlement when leave entitlement is in hours. The formula for annualising hours relates to the number of years' service (including reckonable service). The holiday year remains from 1st January until 31st December (except for teaching staff).
- 3.7 It may be feasible to work compressed hours and also have the facility of flexitime. However, because the working day is extended, employees may find that they will not build flexi-credit as readily. It does however allow employees a degree of flexibility for start and finish times removes the need for TOIL or paid overtime.
- 3.8 Personal appointments should take place outside working hours where possible or, if applicable, flexi leave should be taken. This is complementary to the Special Leave policy.

#### **4. Reduced Hours due to Occupational Health advice**

- 4.1 Reduced Hours can be recommended by Occupational Health due to an employee's health condition. This working pattern can vary and is subject to Occupational Health's recommendations.
- 4.2 This recommendation should be discussed between the employee and their line manager to agree suitable arrangements.

#### **5. Career Break**

- 5.1 A Career Break is a period of unpaid leave from work (3 months to 2 years (up to 4 years for academic study) – Local Government Employees) (6 months to 5 years - Teachers and Associated Professionals) to allow an employee to pursue a specific activity (childcare, care of a dependent, voluntary work, travel, religious retreats or academic study). The contract of employment is voluntarily suspended. Employees on a career break

should not undertake paid employment, other than on a seasonal basis, with another employer.

- 5.2 To be eligible for a career break, employees must have 2 years' continuous service with North Ayrshire Council. Separate provisions on Career Breaks apply to Non-Teaching Staff and Teaching Staff. The [HR Guide : Taking a Career Break](#) provides further detail on the implications of a career break for employees and the processes to be followed.

## 6. Flexible Working Hours (Flexitime)

- 6.1 The Flexitime scheme allows employees to vary their start and finish times to ensure better work-life balance to better meet the service needs.
- 6.2 Full details of the scheme are available in the [Flexible Working Hours Scheme](#).

## 7. Time Off in Lieu (TOIL)

- 7.1 TOIL (Time off in lieu) differs from a flexitime system principally in that it is authorised on an ad hoc basis and it is generally recorded manually. It is mostly applicable for employees who work outside the flexitime range of hours and/or who are graded above the overtime ceiling.
- 7.2 The practical application of TOIL follows similar principles to the Council's flexitime policy.
- 7.3 TOIL can only be accrued outwith the employee's standard working hours.
- 7.4 The accounting period for TOIL will follow that of flexitime and can be found on Connects.
- 7.5 The maximum amount of credit that can be carried forward over an accounting period is 14 hours.
- 7.6 TOIL is accrued in plain time and time off can be taken at any time by mutual agreement between the employee and line manager.
- 7.7 Large balances of TOIL should be avoided and, similar to flexitime; accrued time can be lost if not taken within a particular accounting period.
- 7.8 TOIL should never be granted where flexitime is available.
- 7.9 When an employee is leaving the Council, every effort should be made to reduce any TOIL balance to zero before leaving. Where this is not possible for operational reasons, the employee will be paid at plain time for any remaining balance in their final pay.

- 7.10 Granting TOIL also reduces the requirement for paid overtime and can be used to manage peaks and troughs in service demand.

## 8. Homeworking

- 8.1 North Ayrshire Council provides a home-working option for those employees whose roles are suited to this type arrangement. Homeworking is when an employee works from home on an ad hoc or contractual basis.

- **Ad hoc** home-working or agile working is where an employee works from home on an irregular basis. This may be a few hours in a day or one day a fortnight. There is no regular or contractual obligation to work from home. Employees may be able to access a pool of laptops or mobiles to enable them to work from home on a temporary basis.
- **Contractual** homeworking is defined by the Health & Safety Executive as *“those people employed to work at home for an employer.”* This involves a contractual obligation to work from home on a regular basis defined by North Ayrshire Council as a minimum of once per week.

- 8.2 When working from home, employees should not work more than an average of 48 hours per week. They should also have a rest period of not less than 11 consecutive hours in each 24 hour period and 30 minutes break if they are working more than 6 consecutive hours. Employees under the age of 18 are entitled to 20 minutes after 4 hours and 12 hours in each 24 hour period.

- 8.3 The success of home working depends on the employee holding the right personal qualities and, through relevant performance monitoring, demonstrating the necessary skills. The following are some of the personal characteristics that are considered important:

- Self-motivation, self-reliance and discipline to work without direct supervision
- The ability to complete work to scheduled deadlines
- Initiative, flexibility and time management skills
- The ability to communicate well by telephone and in writing
- The ability to cope with reduced social contact and isolation
- The ability to cope with the additional pressures of working in the home where the demands of family life are difficult to ignore.
- The ability to combine work and leisure life

- 8.4 In assessing the suitability for a change in working arrangement, the line manager should have regard to the following criteria:

- The type of work activity and associated duties and responsibilities to ensure that there are no adverse effects on the level and quality



of service. Examples include consideration of the nature of work, level of expertise, requirement to/for supervision, access to necessary information, accessibility for others and the impact on other employees etc.

- Appropriate arrangements are in place to monitor performance i.e. measurable performance targets/outputs.
- Suitable equipment and facilities are available for safe and effective performance of work activity e.g. enabling technology, the employee's home environment etc. Areas with poor access, inadequate heating and ventilation are not suitable.
- Communication and administrative arrangements are in place to support the arrangement.

- 8.5 The types of jobs that are most suitable for home working are those that are information, advisory or guidance based, and can be clearly definable in output terms. The work must be able to be done with a limited need for face to face contact with colleagues or members of the public, or little direct supervision. Introducing home working should cause no adverse effects on the level of service.
- 8.6 The determination of when the contractual hours of work will be carried out will be agreed between the manager and the employee and will depend on the nature of the work undertaken e.g. being available for contact etc. Any additional hours worked require to be authorised, in advance, by the manager.
- 8.7 During the agreed working times when the employee is undertaking work activity at home, there will be a contractual requirement to ensure that childcare is undertaken by another person.
- 8.8 The Council and the employee both have a responsibility to ensure adequate health and safety measures for all agile working arrangements.
- 8.9 Health and Safety and DSE checks will be carried out initially by the employee with the forms passed Health and Safety (see Checklist 7) to be completed before home working can commence.
- 8.10 Employees will agree to complete health and safety self-assessments at least annually or in the event of the working environment significantly changing.
- 8.11 Employees have a responsibility to ensure that appropriate health and safety measures are observed (e.g. alternating work activities when using display screen equipment, appropriate arrangements for the correct use of computer equipment, mobile phones and taking adequate breaks etc). There will also be a responsibility to report any health and safety matters promptly to their line manager (e.g. reporting injuries to themselves or others in the course of their official duties)

- 8.12 Measures should be agreed for individuals working alone to ensure that a team member or manager is aware of their movements and whereabouts for safety reasons. For more information see the Council's Policy on Lone Working.
- 8.13 Consideration has to be given to the suitability of the proposed location. The work site has to be adequate, both in practical working and in terms of health and safety legislation.
- 8.14 The Council, in consultation with the employee and based on the work activity, will be responsible for determining the equipment requirements (including consumables) for the employee undertaking a home working arrangement. Any equipment supplied will remain the property of the Council or the Council's providers.
- 8.15 Whilst in receipt of equipment, the employee will have a responsibility to only use the equipment provided for the purposes of work, to take reasonable care and report any defects promptly to their manager (or other appropriate person).
- 8.16 The Council will provide and service any equipment considered necessary to the performance of the employee's duties. This will be subject to specific requirements, as determined by the manager, to ensure proper and safe use of the equipment supplied. An appropriate risk assessment should be conducted where necessary to determine the nature of the service or equipment provided.
- 8.17 Equipment provided by the Council will require a Portable Appliance Test (PAT) annually. The Council or its nominated representative will require periodic access to the employee's house for the purpose of inspection, servicing, repair and replacement of its equipment, on reasonable notice.
- 8.18 Electrical sockets and other parts of the home workers' domestic electrical system are their own responsibility.
- 8.19 If there is an issue with a hardware or communications failure, employees are expected to attend their designated office during work time to fulfil their duties as normal.
- 8.20 The Council's Employers Liability and Personal Accident insurance will cover employees working from home provided the Checklist has been completed. Employees are advised that they should check their own insurance arrangements to ensure that their work arrangements do not invalidate these.
- 8.21 Working from home sometimes has implications for an employee's mortgage or lease agreement, although in most cases there is no difficulty. Employees should advise their mortgage provider or landlord of this arrangement. Employees are also advised to check the implications for

Council Tax liability with their Council Tax section to ensure this is not affected.

- 8.22 Planning permission is not usually required to work from home as this does not normally affect the primary function of the building. Planning permission however is likely to be needed if the answer to any of the following questions is yes:
- Is there a planning condition which was imposed on the original planning permission for the home that could prevent working from home?
  - Will the home no longer be used mainly as a private residence?
  - Will the business result in a marked rise in traffic or people calling?
  - Will the business involve any activities unusual in a residential area?
  - Will your business disturb your neighbours at unreasonable hours or create other forms of nuisance?
- 8.23 If any substantial work is required to be completed to the property prior to working from home this will be at the employee's expense.
- 8.24 The Council will require employees to attend Council offices for team meetings, training or other work-related activities.
- 8.25 It will be essential to ensure that regular contact is maintained with the manager and colleagues, as appropriate, and that good communication systems are established. Where it is agreed that an employee can work from home, they should leave any details of how they can be contacted at home. If there are no alternative arrangements, then the employee's home telephone number may be used to contact them.
- 8.26 The Council will assess the employee's communication and telephone needs and will arrange to provide any necessary equipment or connections (including arrangements to reimburse the cost of business calls). The Service will meet the cost of installation of any ICT equipment and pay for basic line rental as appropriate.
- 8.27 Employees will be responsible for any hard copy information that they remove from Council premises. They will have to comply with local document library arrangements and not remove any information from Council premises for which prior permission has not been given. It will only be possible to connect computer equipment provided by the Council to the Council's computer network as per the Acceptable Computer Use Policy.
- 8.28 If employment is terminated either by the Council or the employee, an arrangement will be put in place prior to the employee's last day to return all equipment, information and materials. Any information should be handled confidentially and returned securely to the Council prior to the termination of employment.

- 8.29 Where there is a change in the employee's personal circumstances in respect of the home working arrangement, the employee will be required to advise their manager, and this could trigger a review of the arrangement.
- 8.30 As there is a need to balance work and home life, employees should inform their friends and family about their home working arrangements to ensure that there will be minimal interruptions.

## **9. Part Time Working**

- 9.1 North Ayrshire Council provides a part-time working pattern for all employees unless Management can demonstrate that it cannot be justified due to the detrimental impact it would have on service delivery.
- 9.2 Part time working is where an employee's contracted weekly working hours are less than the contracted hours of a full-time employee. Both the salary and terms and conditions of service of employees who work part-time are calculated on a pro rata basis, according to the hours worked.
- 9.3 Where work only takes place during a specific part of a year e.g. during a school term-time, for the employee to be considered as part-time, their weekly working hours must be less than a full-time employee during the specific part of a year/term-time.
- 9.4 Employees can feasibly hold more than one part time post.
- 9.5 At points of contact with the public or to suit particular workload patterns, the Head of Service or nominated Manager must ensure that the provision of service is maintained throughout working hours.
- 9.6 The hours/ cycle of work and task allocation should be agreed and included in the contract of employment. A manager should consider the preferred working pattern of the employee, the type of work and its requirements and the need to have a workable arrangement to attract future applicants.
- 9.7 The holiday entitlement (including public holidays) for part-time employees is calculated on a pro-rata basis and is detailed in the contract of employment.
- 9.8 Part-time employees can work flexitime if the role is conducive to this type of arrangement. They will be entitled to carry forward flexi-credits and debits on a pro rata calculation of their shared hours. Refer to the Flexitime Policy for more information.
- 9.9 Leave related to personal appointments (e.g. dentist, opticians, physiotherapy, appointments for dependants, vehicle repairs, solicitors, bank, household maintenance) should be made out with normal working hours.

- 9.10 Overtime can only be worked out with the standard working hours e.g. before 6.00 and after 19.00 Monday- Friday. Part-time employees qualify for overtime only after working full time hours during the standard working week. Part-time employees qualify for overtime only after working full time hours.
- 9.11 Where an employee holds 2 part-time posts, enhanced rates will be paid at the rate applying to the post against which the overtime has been worked.

## **10. Term Time Working**

- 10.1 Term time working is where an employee works their hours and days in relation to the school timetable (9-3/3.30 and does not work during the school holidays.
- 10.2 Term time working may be more suited to those services that provide and operate primarily during the school term but is not restricted solely to these services. Term time working may also involve working standard hours but not working during the school holidays.
- 10.3 The employee's salary is paid in equal amounts over 12 months.
- 10.4 There is a maximum of 5 days unpaid leave that can be used during term time and in some cases, flexitime may be permitted to ensure employees have some flexibility about start and finish times as well as being able to travel out with normal working hours without having to be paid overtime.
- 10.5 With term-time working contracts, the employee will remain an employee of the Council during the summer holidays although they will not be required to work during this time.
- 10.6 Salary will be based on the actual number of hours worked over the year and will be paid either in twelve equal monthly instalments (annualised pay) including pro-rated holiday pay.
- 10.7 Where the term-time arrangement comes to an end for any reason including leaving employment with the Council, the actual number of hours worked during the year will be calculated. Any overpayment will be deducted from the final salary or arrangements may be made to repay any overpayments.
- 10.8 Leave related to personal appointments (e.g. dentist, opticians, physiotherapy, appointments for dependants, vehicle repairs, solicitors, bank, household maintenance) should be made outwith working hours.

## **11. Flexible/Phased Retirement/Winding Down**

- 11.1 Employees wishing to consider Flexible/ Phased Retirement or Winding down must refer to separate guidance as set out in the [Pensions page](#) on Connects.

