

# Flexible Working Hours Scheme

## 1. Introduction

- 1.1 Lancaster City Council is committed to providing, where practical and operationally possible, employees with a greater degree of flexibility in arranging their working hours to meet the demands of their jobs whilst providing an element of flexibility to assist with meeting their domestic and personal commitments.
- 1.2 The Flexible Working Hours Scheme aims to provide this flexibility by allowing some choice, with the agreement of employees' line managers, in the start and finish times and working patterns available to employees in completing their work, whilst at the same time offering the City Council the flexibility to manage varied and fluctuating workloads.

## 2. Scope

- 2.1 The Flexible Working Hours Scheme can be applied to full time employees, part time employees, temporary employees, and those in their probationary period unless it is withdrawn for any reason in accordance with the provisions in the Scheme. If flexible working hours are in operation this will be noted in the individual employees' contract of employment.
- 2.2 The City Council also recognises that not all posts, owing to the nature of the type of work the employee is required to perform, will be suitable for this type of flexible working arrangement. Consideration will always be given to identifying the operational viability and the volume and type of work.
- 2.3 If it is considered that the flexible working hours scheme should not apply, the Council will try to identify, where practically possible, ways of providing an employee with some flexibility in working practices to ensure that basic needs connected with balancing work and home life can be accommodated.

## 3. Responsibilities

### 3.1 Management Responsibilities

Managers of each team will be responsible for the management of the Scheme for their staff. This includes checking of flexi time recording sheets at the end of each settlement period, and if any flexi leave is requested.

Management of staff time to ensure adequate breaks from work and monitoring of workloads is a key management responsibility. High levels of flexi time may indicate a problem with workload or time management issue that should be further investigated. Flexi time recording sheets should be carefully monitored.

Chief Officers are responsible for ensuring the overall smooth running of the scheme within their service, considering the need for office/reception cover to meet the demands of our customers, both external and internal.

### 3.2 Employee Responsibilities

Employees are placed in a position of trust and are responsible for recording their own time on the forms accurately in accordance with the rules of the scheme below.

Employees must submit their flexi recording sheet to their manager at the end of each settlement period and when requesting flexi leave.

Flexi time is a system to allow flexibility of working hours and employees should not regularly accrue large amounts of flexi time or regularly take the maximum flexi leave allowance each settlement period. If employees find that they are regularly accruing excessive amounts of flexi time in addition to their normal contracted hours they should discuss this with their line manager.

## 4. Scheme Operation

### 4.1 Bandwidth hours of the scheme and Premises Opening Hours

Subject to agreement, the earliest time an employee can start work is **6.00am** and the latest finish time is **10.30pm**

The bandwidth of hours in any day is therefore 16.5 hours – however we do not recommend employee works the full hours even with regular breaks. The wide bandwidth is in place to support work life balance and account for hybrid working undertaken from home alongside time in the office.

Standard building opening hours for the main council work base locations at Lancaster and Morecambe Town Halls are: **7:30am until 7:30pm**. Any hours worked outside of these standard opening hours should be done off premises i.e., hybrid workers should work from home outside of these hours, unless under prior agreement with an employee's Chief Officer.

Please note that staff access via the swipe system is not operational outside of premises opening times.

Chief Officers when granting permission for employees to work in Council buildings outside of these hours should conduct the lone working risk assessment in line with the Councils Lone Working Policy and ensure that the relevant mitigations for the highlighted risks are in place. This includes arrangements for safe access and vacation of the building.

### 4.2. Settlement Period

The settlement period is **four weeks**. At the end of every four-week period employees will be expected to have worked the required number of hours, i.e.,  $4 \times 37 = 148$  hours, for full time employees subject to the scheme credit and deficit hours permitted below.

### 4.3. Credit Hours and Deficit Hours

Employees are allowed to carry over, from one flexitime period to the next, a maximum of **14 hours credit** (pro rata for part time employees). If employees have more than 14 hours credit at the end of a settlement period, **the excess will be forfeited**.

Service Managers will have some discretion to allow greater amounts of carry over in situations where there are operational problems and business needs to be met. In such cases it is expected that Service Managers will discuss the need for the relaxation of this rule with their Chief Officer. **There is no facility within the Scheme to transfer credit hours to time in lieu records or for payment.**

The maximum carry over of **debit hours** from one flexitime month to another is **minus 7 hours** (pro rata for part time employees).

If an employee is in debit, they must arrange with their line manager to make up the required time within the next settlement period. It is not envisaged that an employee will regularly carry over debit hours from one month to the next.

If an employee consistently i.e., for three or more flexitime periods, carries over debit hours, they can be required to 'pay off' the debit using annual leave. These occasions are expected to be rare rather than the norm and regularly balancing flexitime records using annual leave will not be permitted.

#### **4.4 Mandatory Breaks and the Working Time Directive**

**All employees are required to take a minimum of a 30-minute break**, on any day that they intend to work a total of 6 hours or more. This is a legal requirement under the working time directive in the interests of health, safety, and welfare.

Employees will normally be expected to take **no more** than 1 hour at lunch break, without first seeking authorisation from their line manager, in advance. Authorisation to take a longer lunch break will not be unreasonably withheld.

It is not expected that any employee will work more than 48 hours in a single working week, again, in line with the working time directive, to ensure adequate rest from work. Employees who for any reason think they may exceed this amount should discuss this with their line manager.

#### **4.5 Flexitime Leave**

The maximum flexitime leave an employee can request to take in a 4-week settlement period is **2 days i.e., 14 hours 48 minutes - pro rata for part time employees.**

All flexi-time leave must be requested by the employee on my view and authorised by the employees' line manager.

Flexitime leave is only permitted to be booked upto one settlement period in advance. Employees must demonstrate to their manager utilising their flexi recording sheet that they have the required credit to book the days leave. Leave will not be authorised in advance of the accrual of flexi time.

The granting of requests for flexi leave will normally depend on:

- The operational needs of the Service
- Satisfactory individual performance i.e., achievement of tasks/targets
- The workload of the individual/team
- Level of attendance in the previous 4-week period was as expected.

#### **4.6 Part Time Employees**

Part time employees who can participate in the Scheme must first seek guidance from their line manager as to what credit and debit hours that will apply pro rata in their individual case. For example, an employee who works 18½ hours per week will only be allowed to take a maximum of 7 hours 24 minutes flexi leave per flexi period and carry over a maximum of 7 hours credit or a maximum of 3.5 hours debit balance i.e., half the allowance of a full-time employee.

## **5. Time Recording**

### **5.1 Recording of hours-worked**

All working time should be recorded on the flexitime recording spreadsheet or manual form provided by each service. Employees must record accurately on this form the actual time they are at work. Flexi Sheets for each settlement period should be submitted to the employee's line manager at the end of each period for review.

## **5.2 Breaks**

The open nature of this flexitime scheme requires all breaks, for whatever reason, to be recorded on the Flexi sheet. For example, this includes lunch breaks, smoking breaks, mid morning shopping or fitness training breaks and medical appointments. n/b the exception to this is for employees attending antenatal appointments or cancer screening appointments in these instances employees should inform their line manager and will be credited for the actual time away from work.

## **5.3 Recording of Authorised Absence**

Employees who are absent from work due to authorised absence such as sickness or annual leave should record the reason on the flexitime recording form. A ½ day will count as 3 hours 42 minutes and a full day as 7 hours 24 minutes (pro rata for part time employees).

## **5.4 Travel Time**

On occasions where an employee is required to travel to a meeting at the request of their manager, the time taken to travel to and from the meeting may be included as part of the time during which flexitime can be accrued (i.e., part of the 'working day') even if this means extending the bandwidth hours on such days. This is providing that;

- There is a legitimate reason for that employee to attend the planned meeting.
- The amount of 'travelling time' claimed is reduced by the total amount of time that an employee would have spent travelling to and from work had they been attending the normal place of work.
- Should the meeting times require an employee to travel the day before and stay overnight the accrual of flexitime is restricted to the actual time spent travelling to the place of overnight stay.

## **5.5 Training**

The maximum number of hours that can be credited for attendance on a college course, other training course or conference is 7 hour 24 minutes. If the absence is for a ½ day then the maximum that can be recorded is 3 hours 42 minutes.

# **6. The Relationship with Overtime and Standby**

## **6.1 The relationship between Flexible Working Hours and Overtime**

Employees must have worked a minimum of 37 hours per week to qualify to receive an overtime payment for work conducted outside the standard bandwidth hours of 06.00 a.m. and 10.30 p.m. For part time employees working less than 37 hours, additional hours will be paid at the rate of plain time until 37 hours is exceeded.

Overtime will normally only be authorised for time worked before 06.00 a.m. and after 10.30 p.m. Monday to Friday, but a Chief Officer is able to authorise overtime to commence (as an alternative to the accrual of flexitime) from 06.00 p.m. in circumstances where this can be justified. These occurrences are expected to be rare rather than the norm, and in all such cases the Chief Officer is expected to record the reasons for taking this course of action.

As an alternative to claiming overtime, officers graded SCP 28 and below have the option to have the bandwidth times extended on the working day(s) in question. The effect of this is that these employees will have the option to be paid overtime for the work carried out or to accrue additional flexitime time outside the normal bandwidth.

In all cases the Chief Officer is directly responsible for ensuring that there is budgetary provision for the costs associated with the authorisation of overtime. The Council reserves the right to consider whether posts for which there is a regular requirement to work beyond the bandwidths provided for in this Scheme are suitable for participation in it.

## 6.2 The relationship between Flexible Working Hours and Standby and Call Out

On a working day when an employee is participating on a Standby and Callout rota, the opportunity to accrue flexitime will be limited to the hours of 08.00 a.m. and 06.00 p.m. (*rather than 06.30 a.m. and 10.30 p.m.*). On such days, employees having 'clocked off' at or before 06.00 p.m. will continue to be paid a standby allowance at the agreed rate from 06.00 p.m. The standby payment will continue through the evening or night (depending on the in-service arrangement) until 08.00 a.m. the following morning, regardless of whether an employee has been called on to perform work.

It is the responsibility of managers to ensure that where extended working is planned or necessary that those employees participating in that work take the appropriate rest breaks.

## 7. Misuse of the Flexible Working Hours Scheme

7.1 Under no circumstances must an employee abuse or misuse the flexible working hours scheme. This includes signing in or signing out for a colleague. Nor should any record be made in advance of starting and finishing times.

7.2 Misuse of the Flexible Working Hours Scheme will be treated very seriously as it is potentially gross misconduct and may result in the consideration of disciplinary action including dismissal. In addition, some incidents of misuse of the Scheme may constitute fraud.

## 8. Suspension of the Flexible Working Hours Scheme

8.1 Chief Officers (in consultation with Human Resources) are authorised to suspend the Flexible Working Hours Scheme for any of the following reasons:

- (i) Where an employee is finding it difficult to manage their time under the Scheme.
- (ii) Where an employee is found to be misusing the Scheme.
- (iii) Where the workload in their Service demands that fixed hours are introduced for a temporary period, because of either an increase or decrease in workload.

## 9. Review

9.1 This scheme will be reviewed every 3 years or earlier in the event of changes in legislation.

### Document Control:

Version no.	Effective Date	Reason	Review due
1.0	31.05.2005	Revisions agreed by Personnel Committee	31.05.2007
2.0	27.07.2020	Revisions Agreed by Personel Committee	27.07.2022
3.0			