

WILTSHIRE POLICE FORCE PROCEDURE



FLEXIBLE WORKING PROCEDURE FOR ALL MEMBERS OF WILTSHIRE POLICE & THE OPCC

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PROCEDURE OVERVIEW

The Work and Families Act 2006 and the accompanying Flexible Working (Eligibility, Complaints and Remedies) (Amendment) Regulations 2006 enables parents of a child under sixteen (under 18 if the child is disabled) and carers of relatives of any age to make a request for flexible working.

Wiltshire Police have extended this right to include all individuals who work for either the Chief Constable of the Police Crime Commissioner. This procedure details what an individual needs to do to be able to work flexibly.

RELATED POLICIES, PROCEDURES and OTHER DOCUMENTS

[Agile Working and Mobile Computing Policy](#)

[Career Break Procedure](#)

[Flexible Working Policy](#)

[Flexible Working Guidance](#)

[Flexitime Scheme - Police Staff Procedure](#)

[Leave Procedure](#)

[Maternity Adoption Support and Parental Leave Policy](#)

AUTHORISED PROFESSIONAL PRACTICE

There are no directly related areas of Authorised Professional Practice linked to this Policy and Procedure.

DATA PROTECTION

Any information relating to an identified or identifiable living individual recorded as a consequence of this procedure will be processed in accordance with the Data Protection Act 2018, General Data Protection Regulations and the Force [Data Protection Policy](#).

FREEDOM OF INFORMATION ACT 2000

This document has been assessed as suitable for public release.

MONITORING and REVIEW

This procedure will be reviewed every two years in the light of any national policy or procedural change or due to changes to law or Force strategy or at such other times as may become necessary.

WHO TO CONTACT ABOUT THIS PROCEDURE

The Head of HR Operations is responsible for this procedure. All queries relating to this procedure should be directed to the [People Services Centre](#) or the Resource Management Unit.

1. FLEXIBLE WORKING

Flexible working provides an opportunity to achieve a balance between work requirements and home life. Enabling a work life balance is a good management practice as it can reduce absenteeism, increase effectiveness and morale, improve commitment and help retain skilled staff. Individuals that work flexibly can be long serving, highly productive and loyal members of staff.

Both the Chief Constable of Wiltshire Police and the Police Crime Commissioner are committed to facilitating flexible working and whenever possible accommodating an individual's requirements. It does need to be remembered that it may not always be possible to meet the exact needs requested. Individuals do not have an absolute right to work specific hours and/or days of their choosing; working patterns must be compatible with the operational requirements of the Force.

Individuals should also be aware of the potential impact upon their salaries, particularly where they are in receipt of any allowances, as to move to an agreed personal working pattern will mean they would no longer attract any Unsocial Hours allowance for example.

Any rejection of an application for flexible working is likely to be a result of being unable to accommodate the request due to business / operational reasons and requirements.

Individuals working a flexible arrangement will normally be required to carry out the same breadth of duties as any other colleague occupying that post. An exception might be where it is agreed that individuals within a job share arrangement divide responsibilities for tasks.

Individuals may request a flexible working arrangement / change to their terms and conditions of employment. Examples of possible flexible working arrangements include:

- changes to their hours and times of work
- changes to places of work
- part-time working
- job sharing
- working variable or fixed shifts
- compressed hours
- temporary reduction or change in working hours

Each application received will be considered on its own merits.

2. ELIGIBILITY

The eligibility to apply to work flexibly is open to all individuals providing you have at least 26 weeks continuous service at the date an application is made.

You must be flexible in your approach to times and patterns. If a request is agreed, it must be accepted that there may be occasions due to the exigencies of the service when you may be required to work additional or different hours.

For PEQF Entry Routes, requests will be considered on a case by case basis after 26 weeks continuous service. Successful completion of the initial training is mandatory. If Flexible Working is granted, the HEI can adapt the courses accordingly, but the course must be completed within x2 the original course length.

3. APPLICATION PROCESS

To apply to work flexibly, you must:

1. Apply using the standard [Flexible Working Application Form FW1a](#) (form 1120). You should specify:
 - the change applied for
 - the date on which it is proposed the change should become effective
 - the effect, if any, you think the change would have on the Force
 - how, in your opinion, any such effect might be dealt with

This form should be handed to your line manager.

Following receipt of an application:

2. Your manager must meet with you to discuss your application within 28 days of receipt of application at a time and place convenient to both. You have the right to be accompanied by a colleague, Union or Federation representative. If your representative cannot attend, the manager must defer the meeting to a new time, within 7 days of the original date.
3. For PEQF Initial Entry Routes, the manager will discuss the request with the HEI to ensure that they can support the individual taking the course part-time.
4. The line manager may recommend an acceptance of your application. The application must then be authorised by a member of SLT or your senior manager.
5. Within 14 days of the meeting taking place, the manager must provide you with formal written notification of the decision.
6. Where agreement has been reached, a letter must be sent to you detailing the new working arrangement, clearly stating the changes to your current terms and conditions and the effected date of the change. A copy should be sent to HR.
7. If the manager is considering rejecting the application, they will seek advice from their HR Team.
8. The HR Team will review the application and facilitate further discussions between you and your manager in order to attempt to bring about an agreed working pattern.
9. Where the application has been rejected, you will be informed in writing detailing the grounds for the rejection, with an explanation as to why those grounds apply. Refusal will be based on one or more of the following:
 - Inability to organise the work amongst existing staff
 - Burden of additional costs
 - Detrimental effect on the ability to meet customer demand
 - Inability to recruit additional staff
 - Detrimental impact on quality
 - Detrimental impact on performance

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- Detrimental impact on being able to complete the course for PEQF Entry Routes.
 - Insufficiency of work when the individual proposes to work
 - Planned structural changes

10. In the event of an application being rejected, you will be informed of your right to appeal against this decision.

11. Wiltshire Police will consider an application withdrawn where the applicant has:

- Notified their line manager in writing that the application has been withdrawn
- Failed more than once to attend a meeting or appeal meeting without good reason
- Refuses to provide information which can be used to assess the request.

Timescales outlined within this procedure may be varied by mutual agreement.

4. APPEAL PROCEDURE

Where an application has been rejected:

1. You will have the right to appeal against the decision by completing form 1121 [Flexible Working Appeal Against Decision FW2](#) to the Head of HR Operations clearly stating your grounds for appeal within 14 days of receipt of written notification of the rejection.
2. The Head of HR Operations will appoint the most appropriate person to hear the appeal.
3. Within 14 days of receiving the appeal, the parties will meet at a mutually acceptable time for the appeal meeting and you may be accompanied by your representative.
4. Within 14 days of the appeal meeting, the Head of HR Operations must give a written appeal decision. A rejection must contain the grounds and an explanation as to why the grounds apply.
5. The Appeal Procedure is in lieu of the grievance procedure within this context, therefore there is no further right of appeal.

A further application to work flexibly can be made at a later date, but you must wait 12 months from the date on which your last application was made before making any further requests.

5. REVIEW

Flexible working arrangements will be reviewed after an initial 12 week trial period to ensure that your needs are being met and that there is no detrimental impact to the organisation.

When applying for a change to your working hours, it may require the organisation to seek additional resource to accommodate your required working pattern. It needs to be reminded that if you find that your flexible working arrangement no longer meets your needs, we cannot guarantee that we will be able to accommodate a move back to your original working arrangement.

The flexible working procedures can be varied where the parties agree. The agreement must:

- Be recorded in writing by the manager
- Specify any time-limits that have been agreed
- State the date on which any extension is to end
- Be dated
- Sent to the individual and copy to HR

DOCUMENT ADMINISTRATION

Ownership:

Department Responsible: People Services – Human Resources
Procedure Owner/Author: Head of Human Resources Operations
Technical Author: Sarah Harding
Senior Officer/Manager Sponsor: Director of People and Change

Revision History:

Revision Date	Version	Summary of Changes
25.05.2018	2.0	Data Protection section amended to reflect implementation of GDPR and new DPA.
04.08.2021	3.0	Impact of PEQF Initial Police Officer Entry Routes. Broaden the scope for all PEQF entry routes Draft v2.2 published as substantive version 3.0

Approvals:

This document requires the following approvals:

Name & Title	Date of Approval	Version
Force Policy Officer	08.04.2021	3.0
Head of Human Resources Operations	21.03.2021	3.0
JNCC	08.04.2021	3.0

Distribution:

This document has been distributed via:

Name & Title	Date of Issue	Version
E-Brief		
Email to relevant affected Staff/Officers		
Other: <i>(state method here)</i>		

Diversity Impact Assessment:

Has a DIA been completed? An EIA for PEQF has been written. If no, please indicate the date by which it will be completed. If yes, please send a copy of the DIA with the procedure.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date:
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Consultation:

List below who you have consulted with on this procedure (incl. committees, groups, etc):

Name & Title	Date Consulted	Version
David Eddy (RMU Co-ordinator)	August 2019	2.1
Cliff Fuller, Unison	March 2021	2.2
Suzie Thompson HR Manager	March 2021	2.2
Mark Andrews, Police Federation	March 2021	2.2

Implications of the Procedure:

Training Requirements

No additional training requirements required.

IT Infrastructure

No additional IT infrastructure required.