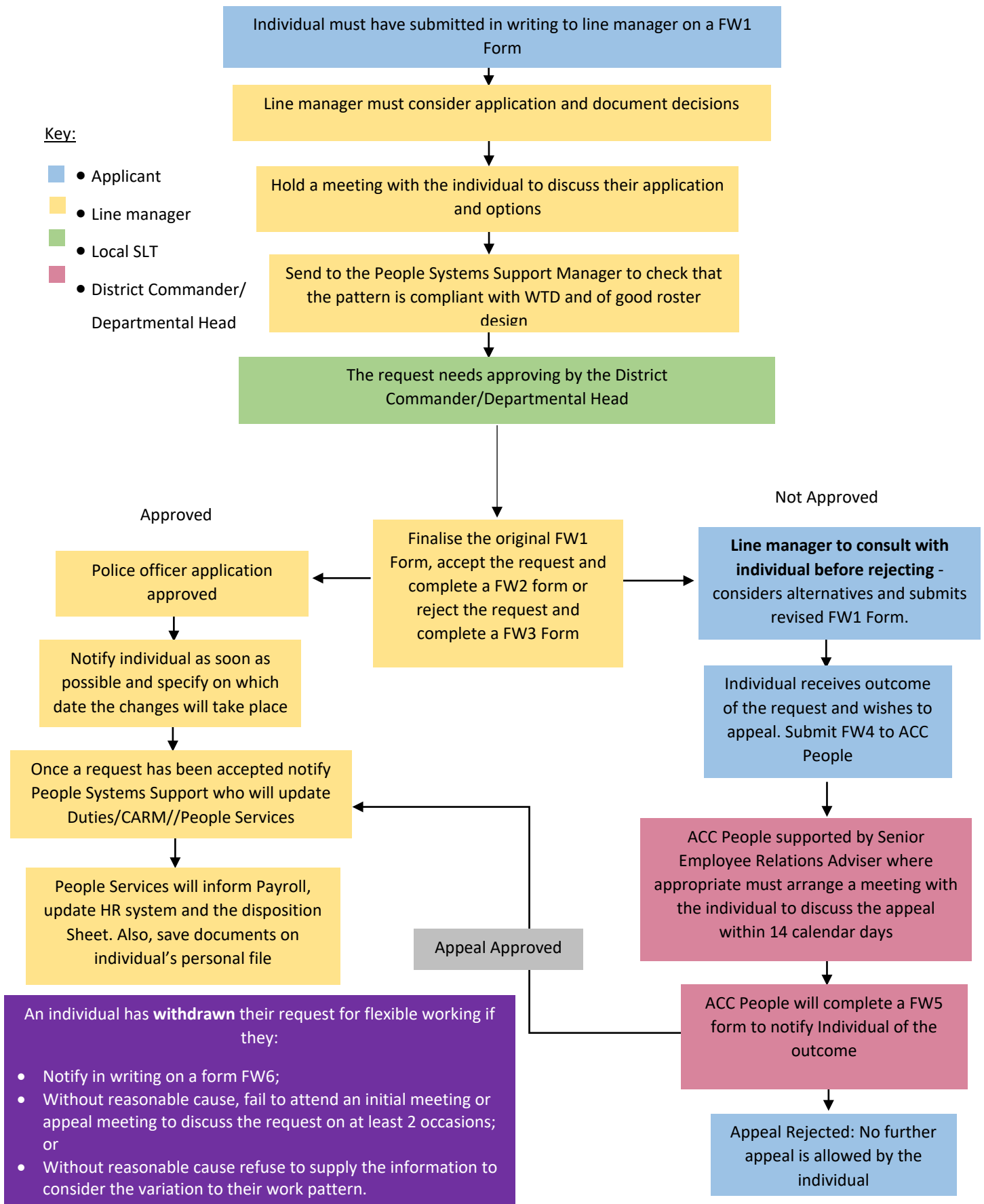


Flexible Working Arrangements – Police Officers

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Flowchart – Flexible Working Arrangements



Policy Statement

Summary

West Yorkshire Police (WYP) recognises the benefits of developing policies which assist police officers in improving their home and work life balance. The flexible working policy supports the Force talent management strategy in attracting and retaining a highly skilled workforce through supporting individuals who want to work more flexibly.

Applications for a flexible working arrangement will be considered on an individual basis, within a reasonable timeframe and in accordance with ACAS guidelines, and must be balanced against organisational demand in terms of service delivery to the communities of West Yorkshire.

There are other provisions to support police officers and these are referred to under separate policies or procedures such as career breaks, special leave, parental leave and unpaid leave.

Scope

This policy applies to all police officers.

Eligibility

Principles

Each application will be carefully considered based on individual circumstances and must be balanced against any organisational impact of the proposed request.

When determining whether a pattern can be accommodated, line managers must take account of the following:

- Resilience of the whole team and current agreed working patterns to ensure that there is adequate cover for every shift on each day of the week.
- For managers, whether the proposed pattern impacts their team in terms of access to their line manager.
- Whether any of the above impacts service delivery and how this is balanced.
- All roles can be considered for flexible working.
- Applications for flexible working arrangements must be considered on an individual basis.
- All individuals, regardless of rank or length of service, can apply.

- A flexible working arrangement is only agreed for the posting the individual is in when they apply. If an officer's posting changes, they must submit a new application.
- Flexible working patterns will be reviewed where a role is impacted as a result of organisational change.
- A review will be conducted annually to ensure that the current working pattern continues to meet organisational need.
- Requests will be dealt with, including any appeal, within two months from receipt of the application.
- Disabled police officers may ask for flexible working as a reasonable adjustment.
- Individuals may submit two requests in a 12-month period, unless there is a significant change in their circumstances.

**Working
pattern criteria**

Working patterns in West Yorkshire Police must:

- Contain a continuous 24-hour rest period each week; **or**
- Contain a minimum uninterrupted rest period of 48 hours in any reference period of 14 days.
- Have at least an 11-hour break between shifts. The recommended break between working periods is 13 hours or more.
- Support the delivery of local operational demand.
- Allow for the circumstances where travelling time may form part of the working day.
- Have a maximum of four consecutive nights in a shift pattern, unless the individual is a dedicated night worker.

Part Time Working and Job Share

**Enforced
change to
working pattern**

- Officers will receive a minimum of one month's notice of a change to a working pattern.
- If, for whatever reason, the officer cannot commence their new shift pattern on the suggested date, then their new pattern will commence in line with the publication of the next 3-month roster or an earlier date by mutual agreement.
- If the officer does not agree with the change of working pattern, they may appeal the decision to the ACC People.
- If for any reason a job share partner leaves their post, all reasonable steps must be taken to find a new job share partner within three months.
- If a new job share partner is not found within that period and the post must be filled on a full-time basis, the remaining job share partner will:
 - Be offered the opportunity to undertake the full time role; or

- Be considered for an alternative part time posting.
 - A part time officer can request to return to full time duties. This will be arranged within one month of them submitting a written request to do so, provided that there is a suitable vacancy.
 - If there is no suitable vacancy, they will be allowed to revert to full time within three months of making the request and this may be into a different role if it cannot be accommodated within their current team.
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Variable shifts, additional hours and overtime

- If an officer works a variable shift arrangement, plain time will be paid unless the officer has worked more than 40 hours in any week, after which the overtime rate will be paid (see Guidance).
 - Any additional hours worked below 40 will be paid in plain time.
 - The 40-hour rule does not apply to any hours worked in a rostered rest day or bank holiday.
 - For inspector and superintendent ranks, any additional hours worked up to 40 will be paid at plain time. Any overtime worked in excess of 40 hours will not be compensated (see Guidance).
 - Part time officers must not be treated differently to full time officers when required to work additional hours. Working extra hours must not be regarded as the norm.
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Training and probation

- Part time officers must not be treated less favourably and must have the same access to training opportunities as their full-time colleagues.
 - Entitlement to study leave is pro rata for part time officers.
 - Wherever possible, every effort must be made to deliver training which is compatible to the officer's hours of work. However, some training courses may require full time attendance.
 - Initial training prior to independent patrol must be undertaken on a full time basis.
 - Officers who work part time during their probationary period must have their probation extended on a pro rata basis before the end of the probation period is reached and will be required to work shifts.
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Annual Leave and Free Days

Principles

- A part time officer's annual leave will be calculated pro rata, based on a full-time officer.
- An officer must only be asked to work on a free day in exceptional circumstances.
- Part time officers, up to and including chief superintendent, will be compensated as per the Police Regulations 2003, Annex H, Section 2.

- An inspector or chief inspector will be entitled to immediately re-allocate their full free day if a full day has been worked.
 - Where an officer has credit or debit hours, these must be re-allocated immediately to the duty rota.
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Responsibilities

Individual

To apply for flexible working arrangements, individuals are responsible for:

- Submitting in writing to their line management on form FW1;
 - Specifying the change applied for, giving details of:
 - The proposed flexible working pattern requested and how it could be made to work (See pattern design);
 - The location (where applicable);
 - The date when it would be suggested the proposed change to become effective;
 - Whether the request is for consideration as a reasonable adjustment owing to a disability; and
 - Any previous applications that have been made;
 - Signing and dating the form;
 - Submitting any appeal against the decision to the ACC People within seven calendar days of receipt of the written response; and
 - To withdraw a request for a Flexible Working Arrangement, notifying their line manager in writing on form FW6.
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Line manager - process

Line managers are responsible for:

- Considering and making a recommendation on all requests, within 28 days of the initial request unless an extension is agreed with the individual;
- Ensuring the form has been fully completed;
- Checking whether the individual has submitted their current working pattern;
- Ensuring the individual has submitted a copy of their proposed working pattern;
- Arranging a meeting within 14 calendar days of receiving the application, allowing the individual to be accompanied by a work colleague or Federation representative, to discuss the request and how the proposed working pattern can be accommodated alongside business needs;
- Contacting the People Systems Support Manager to ensure the proposed working pattern is a good roster design for the relevant district/department team;
- Using the National Decision Model when considering a request to:

- Determine whether there are any cost implications to the proposed working pattern.
 - Identify any potential impact in terms of service delivery.
 - Identify whether the proposed changes will have any adverse impact on colleagues.
 - Ensure the proposed working pattern complies with the Working Time Directive.
 - Identify whether there are any planned organisational changes.
 - Identify if a compromise to the proposed flexible working pattern can be reached.
 - Consider any potential discriminatory issues.
 - If unable to accommodate, consider if the pattern could be accommodated elsewhere in the organisation subject to recruitment and selection processes;
 - Providing a detailed rationale of their decision and submitting to the District Commander/Departmental Head; and
 - Reviewing approved flexible/part time working requests every 12 months.
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**District
Commander/
Department
Head**

The District Commander/Departmental Head is responsible for:

- Approving/rejecting the request and sending the approved application form to the People System Support Manager;
 - Determining if the arrangement will be permanent or temporary and timescales;
 - Considering an alternative posting if required; and
 - Providing a clear and detailed rationale outlining the business reasons why the application cannot be accommodated and returning the application form to the line manager.
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**People Systems
Support
Manager**

The People Systems Support Manager is responsible for:

- Working collaboratively with the line manager to fully consider the proposed flexible working arrangement;
 - Considering the proposed flexible working pattern and ratifying/rejecting in line with working time and working pattern design;
 - Informing the line manager as soon as practicable; and
 - Providing a clear and detailed rationale outlining the reasons why the shift pattern cannot be accommodated.
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Process

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**Request
approved**

- Where the proposed shift pattern has been ratified by the People System Support Manager and the application has been approved by the District Commander/Dept Head, the line manager will confirm this agreement to the flexible working pattern request on form FW2, specifying details of the new flexible working pattern and confirming the date the new pattern will commence.
 - The individual will be informed of the decision within 28 calendar days of the initial request.
 - The line manager will notify People Systems Support of the change in working pattern.
 - People Systems Support will then update the CARM system with the new pattern and inform Duties.
 - They will also notify People Services who will update the HR System, disposition sheet and complete and inform Payroll. All documentation will be stored on the individual's personal file.
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**Request
rejected**

- Where a request for a flexible working arrangement has not been approved by the District Commander/Dept Head, the line manager will consult with the individual, within 28 calendar days of the initial request, on form FW3 and provide a clear and detailed rationale outlining the business reasons why the application has been rejected. See Business Reasons for Refusal.
 - The line manager will submit all Flexible Working Arrangements documentation to People Services for the outcome to be recorded on the HR System for monitoring purposes and the documentation to be retained on the individual's personal file.
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**Compromise or
temporary
arrangement
offered**

- Where the flexible working arrangement pattern requested has not been approved but an alternative pattern as a compromise has been identified, the line manager will confirm the compromise offered and set a date of 14 calendar days for a response from the individual.
 - The line manager will process the request as approved/declined as appropriate once the individual responds.
 - The line manager will offer to agree to the arrangement for a specified temporary period, to evaluate the impact on business need.
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**Individual
withdraws
flexible working
arrangement
request**

- If an individual withdraws their Flexible Working Arrangement request, they must confirm this on form FW6 and submit this to People Services for retention of the individual's personal file.

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Review

Review of flexible working arrangements

- All agreed flexible working patterns must be reviewed annually by the line manager.
 - A new application must be made when an individual who has an agreed flexible working pattern posting changes.
 - A flexible working pattern is only agreed for the individual in their substantive posting.
 - A review of any flexible working pattern will take place if the individual is affected by organisational change.
 - An individual who requires a change to their flexible working pattern must submit a new application.
-

Business reasons for refusal

- Under legislation and in accordance with this policy, flexible working requests may only be declined if there would be a negative impact in one or more of the following ways:
 - There would be a detrimental effect on service delivery and our ability to meet policing demand.
 - It is not possible to re-organise the work amongst existing individuals.
 - WYP is unable to recruit additional staff.
 - There would be a detrimental impact on quality.
 - There would be a detrimental impact on performance.
 - There is insufficient work during the period the individual proposed to work.
 - Structural changes are planned.
 - There would be additional costs incurred.
 - There would be negative impact on colleagues.
-

Appeal Process

Principles

- An individual can appeal a flexible working arrangement request that has been declined.
- All appeals must be submitted to the ACC People on a form FW4 outlining their grounds for appeal within 14 calendar days of receipt of the written response from the line manager.
- An individual may appeal on one or more of the following reasons:
 - The procedure has not been followed properly;
 - The business reason(s) for rejecting the appeal have not been sufficiently explained; or

- A fact in the explanation of the business reasons is incorrect.
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ACC People

The ACC People is responsible for:

- Arranging a meeting within 14 calendar days of receiving the appeal notice;
 - Informing the individual of their right to be accompanied;
 - Determining that the correct process has been followed;
 - Seeking advice from a Senior Employee Relations Adviser (if required);
 - Notifying the individual of the outcome within 14 calendar days of the appeal meeting using form FW5;
 - Providing a rationale and outlining the business reasons for refusal. See Business Reasons for Refusal; and
 - Ensuring that a copy of the FW5 is sent to People Services to be placed on the individual's personal file.
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Additional Information

Compliance

This policy complies with the following legislation, policy and guidance:

- Employment Rights Act 1996
 - Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 (Amendment) Regulations 2002
 - Police Regulations 2003
 - Leave and Hours of Duty policy
 - Data Protection Act 2018
 - Working Time Directives
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