

## STAFF NOTICE 2 FLEXIBLE WORKING

<b>FOR</b>	ALL FC STAFF
<b>DATED</b>	REVISED November 2009 (Original Notice-MARCH 2004)
<b>CONTACT</b>	HR MANAGERS, HR SERVICES, HR POLICY

### 1. Purpose of the Notice

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This revised notice, first issued in 2004, has been updated to reflect changes to the legislation on the right to request a flexible working arrangement.

This Staff Notice also sets out:

- The FC's policy on flexible working;
- How flexible working can bring business benefits;
- The range of flexible working options, all of which are currently being used in the FC;
- How to deal with flexible working applications.

### 2. Action

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- Staff Notices are sent out by email and copies are placed on the Human Resources (HR) eConnect site. Managers should ensure that all people who do not have access to email receive a personal copy of staff notices.
- Managers need to be aware of the statutory rights but can contact HR for further advice.
- An application form for requests to work flexibly and guidance on which people are covered by the statutory framework is available on the [HR Intranet site](#). This includes guidance on the timetable for dealing with applications from parents or carers who fall within the statutory framework.

### **3. Information on Flexible Working**

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Detailed guidance on each flexible working option, including the pros and cons and issues to consider, is available on the [HR Intranet site](#).

Many flexible working options are used in the FC.

**Jean Lindsay**  
**Director HR**  
**November 2009**

## STAFF NOTICE 2: FLEXIBLE WORKING

### 1. What is 'Flexible Working'?

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The term 'Flexible Working' covers the different types of arrangements for organising working time, whether it be the hours worked, the numbers of days attended or the location of work.

Many people in the Forestry Commission work flexibly. Indeed, most of the work of the FC could not be done without many people working outside what might be seen as the traditional '9 to 5', Monday to Friday working pattern.

Flexible working is now common and is recognised by many employers as making a positive contribution to the effectiveness of their business.

### 2. The FC Flexible Working Policy

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Although there is a statutory framework covering some individuals, **the FC policy is to give the opportunity to apply for flexible working to all individuals**, regardless of whether he/she has children or caring responsibilities. Applications from anyone will be considered against the criteria outlined in this notice.

The Commission recognises the importance of helping its employees to balance work and home and personal life by offering flexible working arrangements. It also recognises that employees across the UK are becoming increasingly diverse and the workforce includes a high number of parents and individuals with other caring responsibilities, as well as those whose interests and aspirations impact on their time. These include activities such as life long learning, charity or voluntary work, leisure and other interests.

We will aim to extend opportunities for flexible working as far as possible within reasonable limits set by the operational needs of the business.

This means that the full range of flexible working options will not be suitable for all jobs across all areas of our business. Managers can reasonably decide not to use an option that prevents the priorities of the business being met. However, many options are already being used successfully in a range of FC roles and this notice aims to highlight their positive impact.

The FC does not impose any arbitrary barriers to flexible working based on pay band, age, marital status, gender or seniority. Nor will opportunities to work flexibly be based on whether a person is on a permanent or fixed term contract or whether or not he/she has children.

There is no automatic 'right' to use any flexible working option. Since the range of jobs is wide in the FC, each application will be considered by managers on its merits, in discussion with the individual, and by considering the job's priorities, cost implications, the impact on colleagues, the business unit/the team.

### 3. The Legal Changes

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**From 6 April 2009**, employees with parental responsibility for children under the age of 17, up from the previous cut-off of 6, will be covered by the legislation. New statutory rights are being introduced for carers. **These legal changes add a new group of employees to those covered by the earlier legislation.**

From April, the 'statutory framework' will therefore cover:

Employees with **26 weeks continuous employment**, who have one of the following responsibilities:

- Parents of children aged under 17; or
- Parents of a disabled child aged under 18 (i.e. those entitled to Disability Living Allowance); or
- Carers of certain adults.

These individuals have a statutory right to apply for (but not demand) a flexible working option.

'Working flexibly' includes variations to the number of hours worked, the place worked or the working pattern (times worked).

The statutory definitions for '**parent**' and '**carer**' are given in the Flexible Working Request form available on the [HR Intranet site](#). For the purpose of the Regulations:

- **A parent** must also have responsibility for the upbringing of the child and be making an application to enable them to care for the child.
- **A carer** must be or expect to be caring for a spouse, partner, civil partner or relative or live at the same address as the adult in need of care. The definition of 'relative' is set out in the Regulations and HR can provide further information.

#### 4. The Right - Providing Care for an Adult

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The types of 'care' that the employee will be providing for an adult, set out in the legislation, includes:

- Help with personal care, such as bathing and dressing;
- Help with mobility;
- Nursing;
- Giving medicines;
- Escorting to medical appointments;
- Emotional support or providing company;
- Practical household tasks;
- Help with financial tasks/paperwork.

#### 5. Statutory Request Process

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The statute covers proper consideration of a request and a process and timetable for dealing with requests. See **Appendix 1** on how to apply for flexible working and deal with the request if you are a manager.

Further information on the statutory timetable is provided on the [HR Intranet site](#), Flexible Working Folder.

## 6. The Business Benefits

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Research shows that offering flexible working can increase the commitment that people feel towards their employer. Commitment to an employer can lead to improved performance and motivation. Other benefits are:

- Retaining skilled staff;
- Attracting new employees;
- Re-organising working hours in ways that help the business;
- Reducing absenteeism linked to stress or conflicting personal demands;
- Making the best use of people and capital resources.
- Helping to create a workplace where women particularly (who provide most care for children and dependent adults) can progress their career.

An HR survey on flexible working, (e HR Connect *Flexible Working folder*) carried out in 2003 with 300 people in the FC across a range of jobs and PBs found:

- 66% felt that more flexible working would help with the management of their workloads.

The people who contributed to the survey suggested many ways in which flexible working could improve business effectiveness, including better organisation of work and time.

## 7. Flexible Working Options

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**Appendix 2** provides a summary of the different types of flexible working, most of which are currently used in the FC. Full descriptions of each option, including when to use each and guidance on issues that you should consider first, is available on the [HR Intranet site](#) in the Flexible Working folder, alongside the case studies.

### 'Quick Hits'

'Quick Hits' are changes that can be introduced fairly easily but with **potentially high, positive impact** for individuals that do not have access to them currently. These are:

- flexi time schemes;
- removing any 'set hours' which are not necessary for the effective performance of the job and therefore allowing people to vary their start and finish times;
- occasional home working when it suits the job and person;
- time off in lieu when excess hours are worked (above contracted hours).

Even arrangements arranged informally should be recorded in writing so both manager and employee both understand what has been agreed. Agreed flexible working changes can constitute a permanent change to the contract of employment.

**Human Resources**  
**November 2009**

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## APPENDIX 1: Making a Request for Flexible Working and Managing a Request

### 1. How to Apply

Many requests to work flexibly can be agreed with your manager through discussion. However, if this is not successful, or you would prefer to make a written application because you have a statutory right to make the request, a Flexible Working Request Form is available on the [HR Intranet site](#). Your manager may also ask that you submit a written application before a discussion so that he/she is aware of all the factors involved.

It is your responsibility to provide a carefully thought out application and that it is made well in advance of when you would like to start your different working pattern. Think about the pros, cons, potential problems and **solutions**.

Even if you expect to be able to reach agreement through discussion, you should use the form as an 'checklist' for what you will need to think about before meeting your manager.

Remember that your 'ideal' option may not be possible and you may have to compromise. Smaller units are likely to have less scope to use the full range of options than larger ones and some options will suit some roles better than others.

Issues such as remote working, health and safety considerations and customers are important factors.

Remember also that a new working pattern will normally be a permanent change to your contract of employment unless otherwise agreed in writing.

### 2. What will a manager consider when you want to work flexibly?

- Cost
- Impact on other staff or the team
- Organisation of work/timescales/time input needed for the job
- Cover
- Impact on internal and external customers.

### 3. When can a manager reasonably turn down a flexible working request?

Decisions on flexible working requests are taken locally. A manager can reasonably turn down a request on one or more of the following valid business grounds:

- Burden of additional costs;
- Detrimental effect on ability to meet customer demand;
- Inability to reorganise work among existing staff;
- Inability to recruit additional staff;
- Detrimental impact on quality;
- Detrimental impact on performance;
- Insufficiency of work during the periods the individual proposes to work;

## 4. What can a manager reasonably expect from you when you work flexibly?

A manager is right to expect that you:

- meet the standard for the job, including meeting reasonable deadlines and priorities;
- co-operate in scheduling work and sharing responsibilities when the team deals with unexpected pressures and crises;
- co-operate when team work needs to be re-organised or extra cover needed;
- keep colleagues advised of your working hours;
- continue to participate in team work activities;
- carry out training/development/learning needed for the job.
- if you work part time hours, that you arrange personal appointments (e.g. dentist etc) in your non-working time, wherever possible.

## 5. Appeals

In some cases, there may be very reasonable business reasons why the flexible working option that you have asked for cannot be accommodated. However, if you feel that the rejection is unreasonable, or the reason is not related to any of the factors described above, then you can appeal.

The appeal is made to the manager above the one who took the original decision- in writing.

## 6. Dealing with requests for flexible working: the Manager's role

Under the law, a manager has a duty to consider any application that falls within the legal framework.

There is a fixed time-scale for a manager to follow when dealing with requests from people who fall into the statutory procedure. Information on this is available on the [HR Intranet site](#).

For consistency, any member of staff can use the application procedure if they wish, including those who are making a request for non-child/adult care reasons. However, as a manager, you will be better able to reach workable solutions if you encourage a **'discussion and consensus' approach** with your people, rather than only dealing with requests using the formal procedure.

As a manager faced with a request, you will need to consider the time input required for a role:

- How vital is it to have the same person in the office for the whole week or at fixed hours?
- What are the periods of heaviest workload?
- Would there be difficulties if a member of staff was absent at a particular time?
- How much flexibility would be required?
- Consider the impact on the team as a whole.
- Decide whether there might be potential bottlenecks, or whether someone working a flexible pattern could provide a better balance within the team.
- Weigh up potential extra costs, such as provision of laptops or home working costs, against potential savings such as reductions in business travel or improved motivation and focus.

If there are no insurmountable problems, the presumption is that the request will be granted. If there are clear business reasons that prevent it, you must meet the individual to explain these. Further discussion may well lead to a compromise solution that is workable.

## 7. Managing a flexible team

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Further information on the following management issues is available on the [HR Intranet site](#).

- Planning work
- Gaining Co-operation from your Team
- Workplace Culture
- 'Smart' Working

**Human Resources**  
**November 2009**

## APPENDIX 2: FLEXIBLE WORKING OPTIONS

	<b>Benefits for Managers/Unit</b>	<b>Benefit for Employee</b>	<b>Issues to consider</b>
<p><b>Full time hours with some flexibility</b></p> <p>37 hours net (or longer for operational contracts).</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>➤ Time off in lieu arrangements</li> <li>➤ Informal 'flexible hours': people vary their start and finish times</li> <li>➤ Removing set office hours that everyone must stick to</li> <li>➤ Staggered hours</li> <li>➤ Self Rostering in teams</li> </ul>	<p>Most people work full time in the FC but flexibility is given in where, when and how the job is performed.</p> <p>Helps attract and retain skilled staff at all levels.</p> <p>Hours can reflect job priorities and demands, which vary.</p> <p>Autonomy is known to have a positive impact on motivation and levels of stress related illness.</p> <p>Increased job satisfaction, motivation and commitment = increased productivity.</p>	<p>Flexibility in starting and finishing times helps individuals balance work and personal responsibilities.</p> <p>Varying hours of work to reflect the changing demands and improve management of workloads- greater personal autonomy in management of work.</p>	<p>Changes can be major or minor.</p> <p>Need to consider customer needs to ensure service is maintained.</p> <p>Use flexi time schemes where practical.</p> <p>May not be possible to meet the preferences of each team member.</p> <p>Team must co-operate.</p> <p>Major changes in shift patterns will need variation to contract of employment.</p>
<p><b>Part time/ reduced hours</b></p> <p>Less than full time hours per week</p>	<p>Helps attract and retain skills that may otherwise be lost due to personal circumstances.</p> <p>Can be used to target periods of peak demand in production or services.</p> <p>Can help an ill employee back from sick leave as part of rehabilitation plan.</p> <p>May reduce absence levels.</p>	<p>Helps individuals balance work and personal responsibilities or outside interests. Increased job satisfaction, motivation and commitment can arise, leading to increased productivity.</p> <p>Ability to combine work with study or family</p> <p>Part time working is open to men and women</p>	<p>Enormous variation in working patterns possible.</p> <p>The individual should seek advice from HR on impact on terms and conditions.</p> <p>Communication and team meetings.</p> <p>Equality of access to training to be assured.</p> <p>New contract of employment.</p>
<p><b>Compressed Hours</b></p> <p>Contractual hours are worked over a shorter period. Usually the 5 day week is compressed into a '4.5 day week' or fortnight into a '9 day fortnight'</p>	<p>May improve productivity or reduce travelling costs.</p> <p>Longer working day can coincide with peak demands of work and therefore be more efficient.</p> <p>Staff cover can be extended beyond the normal working day.</p>	<p>Frees up a non-working day or half day for people during normal working week. This can be used for family, outside interests, personal business or study.</p> <p>No reduction in basic pay.</p> <p>Increased job satisfaction, motivation and commitment = increased productivity.</p>	<p>Long days can cause fatigue and affect performance.</p> <p>For team based staff, changes to hours will need to be agreed across the whole team. Consult by team discussion.</p> <p>Will need variation to contract of employment.</p>

<p><b>Term time working</b></p> <p>Individual is on a permanent contract but has periods of unpaid leave during school holidays.</p> <p>Alternatively, all paid holidays are taken in one block.</p> <p>See annualised hours.</p>	<p>Helps attract and retain skills at all levels that may otherwise be lost due to personal commitments.</p> <p>Helps managers to plan ahead for some annual leave absences.</p>	<p>Overcomes difficulties in securing childcare during school holidays.</p> <p>Helps individuals balance work and home responsibilities.</p> <p>May be combined with some paid leave.</p>	<p>Period of unpaid leave may be a disincentive.</p> <p>Unpaid leave affects other terms and conditions, including pension and paid leave entitlement.</p> <p>Cover and communications during school holidays.</p>
<p><b>Formal flexitime</b></p> <p>Hours can be varied from day to day subject to some restrictions on core time and requirement to carry out contractual hours over a set period.</p> <p>Limited debits and credits allowed.</p>	<p>Reduces pressure on managers in having to deal with ad hoc requests for time off for personal appointments.</p> <p>Surveys show that staff will leave employers who make it difficult to work flexibly: improved recruitment/ retention/ commitment.</p> <p>May reduce stress and absenteeism by making it easier for people to fit in outside commitments more effectively.</p> <p>Autonomy is known to be a significant factor in reducing stress.</p>	<p>Increased scope to manage work and personal commitments.</p> <p>Enables people to take time off when they have worked extra hours.</p> <p>Enables people to avoid peak commuting traffic in cities.</p> <p>People can manage their workload to reflect actual demands.</p> <p>Managed time off using accrued credits.</p>	<p>Need to have a time recording system, either electronic or manual.</p> <p>Team must co-operate to ensure customer needs are met.</p> <p>Negotiated locally, so core hours may vary across FC cities.</p>
<p><b>Job share</b></p> <p>One job carried out by two part time people</p> <p>May be either</p> <ul style="list-style-type: none"> <li>➤ Shared responsibility job share or</li> <li>➤ Divided responsibility job share</li> </ul>	<p>Skills/experience/energy and ideas from two people rather than one.</p> <p>Helps attract and retain skills at all levels that may otherwise be lost due to personal commitments.</p> <p>Enables more senior posts to be opened up to people working part time hours.</p> <p>Can result in additional cover if the job sharers take their leave at different times. Also enables some cover during periods of sick leave.</p>	<p>Helps individuals balance work and home responsibilities.</p> <p>Increased job satisfaction, motivation and commitment if good partner relationship established.</p> <p>Can be used in run up to retirement.</p>	<p>Increased costs may arise.</p> <p>Shared responsibility JSs must have good working relationship.</p> <p>Communication and timing of meetings needs to be worked out.</p> <p>Access to training to be assured.</p>

<p><b>Annualised hours</b></p> <p>Contractual hours are calculated for the whole year rather than a week.</p> <p>Allows very flexible hours to be worked each week/month to meet business needs.</p>	<p>Use where workloads, and working hours fluctuate widely during the year e.g. visitor centres, some education work, some wildlife roles. Gives maximum flexibility.</p> <p>Can also be used to easier manage longer-term time absences that might otherwise require unpaid leave.</p> <p>Effective way to manage jobs where set hours cannot be fixed</p>	<p>Increased leisure time at certain periods.</p> <p>Payment made in 12 equal instalments regardless of hours worked in month.</p> <p>If used for term time working, ability to take longer periods off without losing pay.</p> <p>In project work, gives the individual more autonomy over times of attendance.</p>	<p>Must get advice from HR on impact on terms and conditions.</p> <p>Not useful when hours from week to week are unlikely to vary much. Use only where considerable changes to hours are needed across the year.</p> <p>Must match annual hours accurately or overpayment of salary could occur.</p> <p>Must have accurate time recording system.</p> <p>Will not remove need for rosters in some areas of work.</p> <p>Working Time Regulations may be breached (if full time hours are annualised).</p> <p>Term time breaks work best if individual is on a part time/reduced hours (annualised).</p>
<p><b>Formal Home-working</b></p> <p>Work carried out regularly or full time at home through a formal arrangement</p>	<p>Increased productivity (e.g. savings in official mileage, reduced commuting time). Helps attract and retain skills at all levels.</p> <p>Can make business sense when work involves high business mileage.</p> <p>Employees who move to outside the vicinity of the office can be retained.</p>	<p>Saves commuting time</p> <p>May increase opportunities for people with disabilities involving lack of mobility.</p> <p>Home working can include flexible hours.</p> <p>Can help with work that requires concentration away from office setting.</p>	<p>Lots of issues, including health and safety, agreements on contact hours, insurance and work monitoring.</p> <p>Possible feelings of isolation from team. Access to training and development.</p> <p>Increased travel expenses/claims if person also works remotely from team.</p>
<p><b>Occasional Home-working</b></p> <p>Work carried out at home on an occasional or ad hoc basis in agreement with the manager</p>	<p>Increased productivity.</p> <p>Enables completion of tasks where deadlines are imminent.</p> <p>Helps to demonstrate business flexibility to meet individual needs.</p>	<p>Useful for carrying out or completing a specific piece of work or research, where the home environment is less prone to interruption. e.g. report writing, case work</p>	<p>As above, though occasional work at home does not need dedicated 'office' space</p>