



*Dunbartonshire and Argyll & Bute  
Valuation Joint Board*

# Right to Request Flexible Working

## RIGHT TO REQUEST FLEXIBLE WORKING

**Key Driver for Change/Policy Development:**

Introduction of Children and Families Act 2014 has extended the statutory right for all employees with 26 weeks continuous service to be able to make an application for Flexible Working

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# DUNBARTONSHIRE AND ARGYLL & BUTE VALUATION JOINT BOARD

## RIGHT TO REQUEST FLEXIBLE WORKING

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# **DUNBARTONSHIRE AND ARGYLL & BUTE VALUATION JOINT BOARD**

## **RIGHT TO REQUEST FLEXIBLE WORKING**

### **1. INTRODUCTION**

- 1.1 On 30 June 2014, the Flexible Working Regulations were amended. The changes extend the right to request flexible working to all employees after 26 weeks' service, rather than only those with children aged 16 or under (or 18 if the child is disabled) and certain carers.
- 1.2 The Valuation Joint Board is committed to providing the opportunity for employees to achieve a balance between their caring obligations and work requirements. Working flexible hours is particularly valuable for parents of young children and people who are caring for elderly or disabled dependants.
- 1.3 The Joint Board is committed to equal opportunities for all employees and requests for flexible working will be fully considered. The right to request flexible working is available to men or women who meet the eligibility criteria.
- 1.3 This scheme has been designed to enable eligible employees to make a request for flexible working and for managers to consider the request.

### **2. SCOPE**

- 2.1 This document applies to all employees of Dunbartonshire and Argyll & Bute VJB.
- 2.2 The Joint Board will ensure that good equal opportunities practice underpins the operation of this policy irrespective of age, disability, gender, gender reassignment, race/ethnicity, religious faith/beliefs, sexual orientation, marital status or pregnancy/maternity. The policy and procedure has been impact assessed.

### **3. KEY PRINCIPLES**

- 3.1 Under the Children and Families Act 2014, all employees with 26 weeks continuous service have the statutory right to request flexible working irrespective of caring responsibilities.

### **4. ELIGIBILITY**

- 4.1 To be eligible to request flexible working the applicant must:
  - Be an employee of Dunbartonshire and Argyll & Bute Valuation Joint Board (DABVJB)
  - Have worked with DABVJB continuously for 26 weeks at the date the application is made

- Not have made another application to work flexibly under the right to request flexible working during the previous 12 months

4.2 Eligible employees have the right to request flexible working arrangements which may include the following:-

- a change to the hours they work
- a change to the times when they are required to work
- the facility to work from home
- a combination of the above

## **5. APPLICATION OF POLICY AND PROCEDURE**

5.1 Prior to making an application for flexible working the employee should give careful consideration to any financial implications the change might have on them. Consideration should also be given to any effects it will have on service delivery, the office and/or work colleagues.

5.2 Approved applications will normally mean a permanent change to the employee's contractual terms and conditions of employment. However, in some circumstances a permanent change to an employee's contract may not be the best solution. It may be possible to agree on a temporary change of contract for a trial period to assess the demands for care. An example of when this might be appropriate would be when caring for a terminally ill person or for a person whose care needs fluctuate. At the end of this period a review should be undertaken to confirm or alter the arrangement as appropriate.

5.3 The employee will be required to make an application for flexible working in writing to their Manager. The Request for Flexible Working Form (Appendix 1) can be used for this purpose.

5.4 The Manager will arrange to meet with the employee within 28 days of receipt of the application, to discuss the practical implications of the desired working pattern and how best it might be accommodated. The meeting may also provide an opportunity to consider alternative working patterns should there be problems in accommodating the requested work pattern. (Note the Manager must be authorised to approve requests. If not then the request must be dealt with by a Manager at the appropriate level. Authority to approve such requests will be delegated to the Management Team and the Administrative Manager).

5.5 The employee may be accompanied to the meeting by a Trades Union representative, or colleague.

5.6 The Manager will confirm to the employee, in writing, within 14 days of the meeting either:

- (a) agreement on the new work pattern and start date, or,
- (b) that the request has been refused and provide clear business reasons for this decision

## **6. APPEALS PROCEDURE**

- 6.1 The employee will have the right to appeal any decision taken by their Manager to a Senior Officer nominated by the Assessor within 14 days of the date on which notice of the decision is given.
- 6.2 Appeals must be in writing and the Flexible Working Appeal Form (Appendix 2) can be used for this purpose. A copy of the form is available on the DAB VJB intranet. Completed forms should be sent to the relevant Secretary for the attention of the Assessor.
- 6.3 As part of the Joint Board's equality monitoring process the employee should complete the Equalities Monitoring Form which is attached to the Appeal Form and submit this for monitoring purposes.
- 6.4 The employee will be notified within 5 days of the date on which the Appeal Form was received advising of the arrangements for the Appeal Hearing. The Hearing will be heard by the nominated Senior Officer. The employee has the right to be accompanied by their Trades Union representative or colleague at this meeting.
- 6.5 The employee will be notified in writing of the decision within 5 days of the date of the concluded Appeal Hearing.
- 6.6 If the employee remains dissatisfied with the outcome of the Appeal they have the right to a further Appeal to the Assessor. The employee should complete a further Appeal form detailing the outcome of the previous Hearing and forward this to the relevant Secretary. An Equalities Form need not be completed at this stage. All appeals must be submitted within 14 days of receipt of the original appeal decision.
- 6.7 As the Assessor has delegated responsibility for staffing levels there is no further right of appeal in relation to the flexible working request. Should there be any concerns relating to the procedure followed these may be raised through the normal Grievance procedure.

## **7. REVIEW AND MONITORING**

The policy and procedure will be reviewed in line with employment legislation and employment practice. Any amendments to the policy will be implemented after consultation with the trades unions.

REQUEST FOR FLEXIBLE WORKING APPLICATION FORM			
<b>EMPLOYEE DETAILS:</b>			
SURNAME		FIRST NAME(S)	
DESIGNATION		EMPLOYEE REF:	
		LOCATION	
<b>FLEXIBLE WORKING REQUEST</b>			
I wish to apply to work a flexible working pattern that is different to my current working pattern under my right provided under the Children and Families Act 2014.			
I confirm that I meet the eligibility criteria (see below).			
<b>WORKING ARRANGEMENT:</b>			
<b>Describe your current working pattern (days/hours/times worked):</b>			
<b>Describe the working pattern you would like to work in future (days/hours/times to be worked):</b>			
<b>IMPACT OF NEW WORKING PATTERN:</b>			
<b>I think this change in my working pattern will affect my employer and colleagues as follows:</b>			
<b>ACCOMMODATING THE NEW WORKING PATTERN:</b>			
<b>I think the effect on my employer and colleagues can be dealt with as follows:</b>			
<b>COMMENCEMENT:</b>			
<b>Requested date for commencement:</b>			

**DECLARATION:**

- I am an employee of Dunbartonshire and Argyll & Bute Valuation Joint Board and I have at least 26 weeks continuous service.
- I have not made a request to work flexibly under this right during the past 12 months.

**Signed****Date**

**PASS COMPLETED FORM TO A SECRETARY FOR THE ATTENTION OF THE ASSESSOR**



DUNBARTONSHIRE AND ARGYLL & BUTE VALUATION JOINT BOARD - APPENDIX 2

<b>NOTIFICATION OF FLEXIBLE WORKING APPEAL CONFIDENTIAL</b>			
<b>EMPLOYEE DETAILS:</b>			
Surname		First Name(s)	
N.I. No.		Date of Birth	
Designation		Grade	
Contact No.		Employee Ref	
		Location	
Trade Union		T.U. Representative	
<b>STAGE OF FLEXIBLE WORKING APPEAL (Please tick)</b>			
<b>STAGE 1 – Senior Officer</b> [ <input type="checkbox"/> ]			
<b>STAGE 2 – Assessor &amp; ERO</b> [ <input type="checkbox"/> ]			
<b>NATURE OF FLEXIBLE WORKING APPEAL:</b>			
<b>Resolution:</b> Please indicate how you think the appeal might be resolved.			
<b>Submissions</b> : Please indicate any submissions made with this form			
Notifications of previous outcomes: (Please tick below)			
Initial decision	<input type="checkbox"/>	Appeal decision	<input type="checkbox"/>
Other submissions: please specify and other submissions/attachments			
1.			
2.			
3.			
<b>Signed</b>		<b>Date</b>	

# DUNBARTONSHIRE AND ARGYLL & BUTE VALUATION JOINT BOARD

## FLEXIBLE WORKING EQUAL OPPORTUNITIES

*DABVJB is committed to ensuring that fair practices are adhered to during the course of employment. Without accurate data on these compositions we are unable to monitor the effectiveness of our Equal Opportunities policy and identify and address potential discriminatory practices and barriers. To help us do this, we ask you to complete this form and submit it with your Appeal. The information will be used solely for monitoring purposes and will be treated and stored in confidence and be used to provide a profile of the Joint Board's employees.*

Disability							
Disability is described by the Equality Act 2010 as a physical or mental impairment that has a substantial long term adverse effect on an individual's ability to carry out normal day to day activities.							
Do you consider yourself to have a disability?				Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
I prefer not to disclose my disability information to the Valuation Joint Board							<input type="checkbox"/>
Gender							
Male		Female		Other		Prefer not to say	
Race							
<b>White</b>		<b>Mixed</b>			<b>Asian &amp; Asian British</b>		
British	<input type="checkbox"/>	White & Black Caribbean		<input type="checkbox"/>	Indian		<input type="checkbox"/>
Scottish	<input type="checkbox"/>	White & Black African		<input type="checkbox"/>	Pakistani		<input type="checkbox"/>
English	<input type="checkbox"/>	White & Asian		<input type="checkbox"/>	Bangladeshi		<input type="checkbox"/>
Welsh	<input type="checkbox"/>	Other Asian background		<input type="checkbox"/>	Prefer not to say		<input type="checkbox"/>
Other White	<input type="checkbox"/>	Other Mixed		<input type="checkbox"/>			
<b>Black &amp; Black British</b>		<b>Chinese or other group</b>					
Caribbean	<input type="checkbox"/>	Chinese		<input type="checkbox"/>			
African	<input type="checkbox"/>	Any other background		<input type="checkbox"/>			
Other Black background	<input type="checkbox"/>	Please indicate other ethnic background			<input type="text"/>		
I prefer not to divulge my ethnic origin to the Valuation Joint Board							<input type="checkbox"/>
Religion or Belief							
No Religion		Christian		Muslim		Hindu	
Buddhist		Jewish		Sikh		Other	
I prefer not to divulge my religion or belief to the Valuation Joint Board							<input type="checkbox"/>

<b>Sexual Orientation</b>							
Heterosexual				Transsexual			
Gay				Lesbian			
						Bisexual	
						Other	
I prefer not to disclose my sexual orientation to the Valuation Joint Board							
<b>Gender Reassignment</b>							
At birth were you described as				Male		Female	
				Intersex		Prefer not to say	
Which of the following best describes how you think of yourself				Male		Female	
				In another way		Prefer not to say	
Have you gone through any part of a process (including thoughts or actions) to change from the sex you were described as at birth to the gender you identify with, or do you intend to?						Yes	
						No	
<b>Pregnancy and Maternity</b>							
Are you pregnant?		Yes		Have you given birth in the last 26 weeks?		Yes	
		No				No	



**DUNBARTONSHIRE AND ARGYLL & BUTE VALUATION JOINT BOARD – APPENDIX 3**

**FLEXIBLE WORKING APPEAL RECORDING FORM FOR USE BY MANAGERS**

This form is designed to be used to document all Stages of the Flexible Working Appeals Procedure. Please use the section below to record the outcome of each stage of the flexible working appeal where applicable.

<b>EMPLOYEE DETAILS:</b>			
<b>Surname</b>		<b>First Name(s)</b>	
<b>N.I. No.</b>		<b>Date of Birth</b>	
<b>Designation</b>		<b>Grade</b>	
<b>Contact No.</b>		<b>Employee Ref</b>	
		<b>Location</b>	
<b>Trade Union</b>		<b>T.U. Representative</b>	

<b>STAGE 1 – Request to Manager</b>			
<b>Date Flexible Working Request submitted:</b>			
<b>Name of Manager</b>		<b>Date of Meeting</b>	
<b>What answer was provided at initial request stage:</b>			
<b>STAGE 2 – Appeal to Senior Officer</b>			
<b>Date Flexible Working Appeal submitted:</b>			
<b>Name of Snr Officer</b>		<b>Date of Meeting</b>	
<b>What answer was provided following Flexible Working Appeal:</b>			
<b>STAGE 3 - Appeal to Assessor &amp; ERO</b>			
<b>Date Further Appeal submitted:</b>			
<b>Name Assessor &amp; ERO</b>		<b>Date of Meeting</b>	
<b>What answer was provided following Further Appeal:</b>			