WORK LIFE BALANCE

FLEXIBLE EMPLOYMENT ARRANGEMENTS AT KETTERING BOROUGH COUNCIL

Introduction

The world of work is changing - new technology, new opportunity, new pressures. We must ensure that the way we work today reflects the present and the future, not the past. That is what we seek to address in our policies on work life balance.

We are keen to develop working practices that benefit both our business and our employees. It is our view that our service objectives can be met by making the best use of our most valuable resource – the ability and skills of our people.

Work life balance is about common sense and good practice in management. We as an organisation are committed to identifying with our workforce how both the organisation and its employees can benefit from a more imaginative approach to working practices. The results should see an improvement in service delivery and a better quality of life for those who work with us. There is often no perfect solution to balancing the demands of work and life. Tough choices may still have to be made. Our aim is to give our employees more options to assist in achieving a better balance.

David Cook
Chief Executive
How to Access

Employees will need to make a written request to their Head of Service for time off under these arrangements or submit a constructive case to the Head of Service for consideration of a change in contracted hours / career break. Requests will receive a response within 10 working days, which may be an explanation when a decision may be expected.

Service Heads will need to demonstrate solid business reasons if they decide to refuse a case under any of these arrangements (unless there is a statutory or local requirement to grant the request). The business reasons that may lead to a refusal are from the 2003 Employment Act:

- Additional costs
- Detrimental impact on ability to meet customer demand
- Inability to reorganise work amongst existing staff
- Detrimental impact on quality
- Detrimental impact on performance
- Insufficiency of work during the periods the employee proposes to work
- Planned structural changes

Options

Options 1 – 4 provide for changes to contractual working hours; options 5 – 8 provide for leave to meet special circumstances and options 9 – 10 provide for breaks in work.

1. Compressed working

Within the ‘working window’ scheme, where practical, an employee may opt to work their weekly contractual hours over fewer days thus gaining themselves extra free time which could mean a four day week or nine day fortnight. This policy will be operated within the spirit of the European Working Time Directive.

2. Reduction of Contractual hours

There are already legal provisions that apply in this respect to staff with young children, as set out in the Employment Act of 2002.

Under a local agreement any member of staff who has completed at least twelve months service may apply for a permanent reduction of their working hours. All requests will be dealt with sympathetically but it should be recognised that in circumstances where it will be necessary to recruit another staff member, to ensure adequate service provision, the reduction may have to be substantial e.g. from 37 to 20.
3. **Job Share**

All full time posts will be considered suitable for job share unless there are specific operational or business reasons why this is not possible (e.g. where a particular post relies on continuity by one person throughout the week).

Normally job sharing will involve no more than two employees and both must meet the requirements of the person specification and be able to undertake the full duties of the post. In some cases it may be appropriate to pay job share partners at different rates, e.g. to reflect different levels of experience.

The working arrangements for a particular post will be decided after consultation. Job sharing could include split day or split week working with each employee working a consistent pattern. Hours of work will be split in accordance with the needs of the service unit and need not be restricted to a 50:50 split.

**Because of the detailed consideration required to introduce a job share arrangement (including, for example, action to be taken when one partner leaves) a separate guide to job share is available from Human Resources.**

4. **Statutory right to Flexible working**

Flexible working arrangements were introduced by the Government in April 2003. They provide the following minimum provisions:

- All employees who have six months service and a child aged under six have a right to request a change to their contractual arrangements.
- Employers will have a duty to formally consider the request at a meeting at which the employee is entitled to be represented.
- If the request cannot be accepted a full business reason in writing must be given.
- The employee has a right of appeal (under the grievance procedure).
- The employee has the right to take the request to the Employment tribunal, where an order for compensation may be made.

A local agreement is available; recognising that childcare issues will still arise after that age, whereby the facilities under the legislation are extended to include children aged 11 or under.
5. Maternity Support, Parental Leave and Statutory Paternity Leave

Maternity Support

Maternity support leave of 5 days with pay will be granted to the child’s father, or partner/nominated carer of an expectant mother at or around the time of the birth. A nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother.

Parental Leave

- Employees (both male and female) with at least one year of continuous service are legally entitled to take a total of up to 13 weeks unpaid parental leave up to the child’s fifth birthday.
- Where a disabled child is involved the parental leave is enhanced to 18 weeks.

A local agreement is available whereby employees with at least five years of service with Kettering Borough Council, prior to the birth of the child are entitled to take up to 18 weeks unpaid parental leave up to the child’s seventh birthday. Where a disabled child is involved the enhancement will be 20 weeks up to the child’s seventh birthday. (These provisions apply to same sex couples and others with parental responsibilities.)

Statutory Paternity Leave

This is available to employees who have 26 weeks of continuous service leading into the 15th week before the expected week of confinement. The employee must:

i) have, or expect to have responsibility for the child’s upbringing;
ii) be the biological father or the mother’s husband or partner (ie. not the child’s father).

The entitlement is to take one week of consecutive paternity leave (not odd days) from the date of the birth or other chosen day and leave should be completed within 56 days of the actual birth. Only one period of leave will be available irrespective of whether more than one child is born as a result of the same pregnancy. During paternity leave employees will receive pay at 90% of their average weekly earnings. (Statutory Paternity Pay - £100 as at 6 April 2003 or 90% of average weekly pay, whichever is the lesser.)

Application for parental leave should be made via Head of Service and the parental leave self certification form completed. Human Resources holds further details concerning the application of parental leave and paternity leave (which must be requested in writing on or before the 15th
week before the expected week of confinement, or as soon as practical to do so).

6. **Statutory Adoption Leave**

Available for parents adopting a child newly placed with them where the employee has worked continuously for Kettering Borough Council for 26 weeks leading into the week in which they are notified of being matched with a child. As far as practical, adoption provisions will mirror those for maternity and paternity leave (though parents can choose which element each will take). Leave will be the same as for maternity and pay will be for the same period as Statutory Maternity pay and paid at the same standard rate (this includes any arrangements under a local agreement).

As with maternity leave, the arrangements for adoption leave are complex, please seek advice from Human Resources. However, employees must inform their Service Head of their intention to take adoption leave within seven days of being notified by their adoption agency that they have been matched with a child, unless this is not reasonably practical. The employee should state when the child is expected to be placed with them and when they want their leave to start.

7. **Carers Responsibilities (including Elder Care and other dependants)**

This Authority recognises the increasing numbers of the population living to a greater age places extra care responsibilities on those on whom they depend upon to assist them. There may, for example, be the occasion when the sudden illness or accident of an elderly parent requires attendance. Time may be required to put in place alternate care arrangements, or to provide temporary care.

A local agreement is available, whereby in an emergency situation all staff are entitled to immediate unpaid leave for up to 48 hours in order to deal with the emergency. Staff with more than 12 months service with the Authority may extend this period of unpaid leave, with the agreement of their line manager, for up to a further 72 hours.

- **Other dependants** – the same arrangements as above will apply also in the case of an urgent need to attend on anyone who normally depends on you.

Where the need arises for care to be provided over an extended period each case must be considered, by the Head of Service, on its merits having a regard for the requirements of the service area. There will be a right of appeal to the appropriate Deputy Chief Executive.

Whilst the provision in this instance is for unpaid leave, employees can agree alternatives with their managers, for example using accrued flexitime, or exceptionally the use of compassionate leave.
8. Pre-retirement leave

- The Authority helps prepare employees coming up to retirement by arranging appropriate training and information for them.
- It may also be possible to assist further in a transitional process, as well as helping the Authority to retain key skills and experience if employees who were planning to retire at 60 could be offered extensions of contract on a part time or “tapering off” basis. This may have implications for individual pension entitlements and appropriate advice would need to be provided in each case.

9. Sabbaticals

This is a local agreement and available to all staff with at least twelve months service with this Authority. After the requisite length of service an application may be made to the Service Head for an extended fixed period of unpaid leave of between three to six months. This could be used, for example, to undertake foreign travel, study leave unrelated to current career development or temporary care of a dependent. It would be possible to ease the financial implications of this by time banking or taking reduced pay over a period ahead of the proposed leave. There would be a guaranteed right of return to the same or equivalent position only. Staff considering this option would need to seek advice as to the effect that this would have on pension entitlements. Business needs may dictate a delay in actioning the request, and employees accessing this option will be ineligible to reapply for this option, or apply for a career break, for seven years. Staff considering this option would need to seek advice as to the effect that this would have on pension entitlements and other benefits, and the impact on continuity of employment as it constitutes a break in service.

10. Career breaks

This is a local agreement and is available to all staff with at least twelve months service with this authority. After the requisite length of service an application may be made to the Service Head for an extended period of unpaid leave in excess of six months, up to a maximum of two years. For operational reasons, the term required would need to be specified at the outset. If the duration of leave is for twelve months or less there would be a guaranteed right of return to the same or equivalent position only. Should the absence of leave extend beyond 12 months there would be no guaranteed right of return, a return could only be facilitated by the formal job application process. Refresher training may be required on return.

Staff considering this option would need to seek pensions advice etc as in 9 above and also note the points concerning delay and ineligibility for a second career break or sabbatical for a period of 7 years.
11. Appeals

The employee has the right to use the Council’s grievance procedure to appeal against a decision to refuse a request under any of these options. The grievance would normally be raised with the employee’s Head of Service who has received the request (stage 1). If not resolved, the grievance would normally be heard at stage 2 by an alternative Head of Service/Head of HR (or representative).