

FLEXIBLE WORKING (POLICE STAFF) POLICY

Official



NORFOLK
CONSTABULARY



SUFFOLK
CONSTABULARY

FLEXIBLE WORKING (POLICE STAFF)

Owning Department: People Directorate

Department SPOC: HR Policy Manager

Risk Rating: Medium Low

Legal Sign Off: 19/06/2023

JNCC: June 2023

Published Date: 08/01/2025 (v1.4)

Review Date: 09/03/2027

Official

Version Number: 1.4

Page 1 of 10

FLEXIBLE WORKING (POLICE STAFF) POLICY

Official

1	Statement of Policy	3
2	Key principles that guide our flexible working practices	3
3	The right to request flexible working	4
4	The benefits of flexible working.....	4
5	Flexible working options.....	4
6	Making a flexible working request	5
	Informal discussion	5
	Formal request.....	5
7	Timescales.....	6
8	Considering your request.....	6
	Meeting to discuss your application	7
9	Notifying you of the decision	8
10	Flexible working requests that are granted	8
11	Trial periods	8
12	Reasons for rejecting a request	9
13	Appealing the decision	9
14	Reviewing Flexible Working	10

Legal Basis

Legislation specific to the subject of this policy document:

- Employment Rights Act 1996
- Flexible Working Regulations 2014
- Employment Relations (Flexible Working) Act 2023
- The Flexible Working (Amendment) Regulations 2023

Other relevant legislation which you must check this document against (required by law)

- [Human Rights Act 1998 \(in particular A.14 – Prohibition of discrimination\)](#)
- [Equality Act 2010](#)
- [Health and Safety at Work etc. Act 1974 and associated Regulations](#)
- [UK General Data Protection Regulation \(UKGDPR\) and Data Protection Act 2018](#)
- [Freedom Of Information Act 2000](#)

Other documentation which you must check this document against:

- [College of Policing – Code of Ethics](#)
- [Norfolk and Suffolk Constabularies' Standards of Professional Behaviour](#)
- [College of Policing – Authorised Professional Practice](#)
- Acas Code of Practice on Handling Flexible Working Requests

Official

Version Number: 1.4

Page 2 of 10

FLEXIBLE WORKING (POLICE STAFF) POLICY

Official

1 Statement of Policy

- 1.1 Norfolk and Suffolk Constabularies' approach to flexible working is to give all staff as much agility with their working arrangements as possible whilst still meeting organisational needs. Requests for flexible working will be accommodated unless there are genuine operational or business need why they cannot be. The policy sets out the procedure for making a flexible working request.
- 1.2 Norfolk and Suffolk Constabularies (together 'the Constabularies') are committed to ensuring this policy complies with relevant legislation and that consultation has been undertaken with all relevant staff groups. Unless we have expressly stated that a policy is contractual all our police staff policies and procedures are non-contractual. We may change them at any time following consultation with UNISON. Our policies may also be periodically updated to reflect changes in legislation.
- 1.3 The Constabularies will review this policy periodically to ensure that it reflects appropriate standards and continues to meet our needs.
- 1.4 All our policies promote equality, eliminate unlawful discrimination and actively promote good relations regardless of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, economic or family status. Managers have a specific responsibility to ensure the fair application of this policy and all staff are responsible for supporting colleagues and ensuring its success.
- 1.5 The Director of People has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. Day-to-day responsibility for operating the policy and ensuring its maintenance and review has been delegated to the HR Managers, HR Delivery.

2 Key principles that guide our flexible working practices

- 2.1 Flexible working is a variation to an individual's contractual terms and conditions as to the number of hours worked, the days and times of work, or place of work.
- 2.2 More and more people want or need flexible working arrangements in order to meet the changing demands and priorities in their lives and support their health and wellbeing. The Constabularies care about the health and well-being of their staff and wish to support this through flexible working. It is also recognised that social changes have shaped the future of work and promoting and supporting flexible working within the Constabularies will help to continue to attract and keep the best talent.
- 2.3 The general presumption is that flexible working will be accommodated unless there is a genuine operational or business reason which means it would have a detrimental impact on the Constabularies. All requests will be considered reasonably, fairly and sympathetically.

Official

Version Number: 1.4

Page 3 of 10

FLEXIBLE WORKING (POLICE STAFF) POLICY

Official

3 The right to request flexible working

- 3.1 All police staff employees have the right to request flexible working from day one of their employment.
- 3.2 The statutory right under the Employment Rights Act 1996 allows two requests in any 12 month period. As an advancement however, the Constabularies undertake to accept all reasonable and serious requests and give them proper consideration notwithstanding a high number of repeated applications.
- 3.3 The Employment Rights Act 1996 and Flexible Working Regulations 2014 also cover what needs to be included in the application, the right to have your request considered reasonably, timescales for reaching a decision, and reasons an application can be turned down. These are reflected in our policy as below.

4 The benefits of flexible working

- 4.1 The benefits for the Constabularies of flexible working include:
 - retention of valuable staff;
 - wider diversity of recruits attracted and retained;
 - reduced recruitment and training costs;
 - can help meet peaks and troughs in operational demands;
 - reduced overtime and improved attendance;
 - improved morale and commitment
- 4.2 Managers must ensure that the benefits of flexible working are made known across their teams, and all staff must be supportive of all those who work flexibly.

5 Flexible working options

- 5.1 Flexible working provides a range of options that support delivery of policing services. In many instances the needs of the Constabularies and the requirements of staff will fit together.
- 5.2 A request could, therefore, be for fewer working hours, a shorter working week, different patterns of hours, job sharing, part-time work, or to work from home all or part of the time. There is no minimum number of hours required or to drop from full-time hours to have flexible working.
- 5.3 You may request flexible working for any number of reasons, such as caring responsibilities for children or other dependants; as a reasonable adjustment to accommodate a disability or health condition; preparing for retirement; or simply for a better work-life balance. Requests are no longer limited to those related to disability, parental or caring responsibilities.
- 5.4 You do not need to give your reason(s) when making a flexible working request, however, this does not mean the reason is irrelevant. You may have added protection under the Equality Act if your request relates to a protected

Official

Version Number: 1.4

Page 4 of 10

FLEXIBLE WORKING (POLICE STAFF) POLICY

Official

characteristic and it may also be helpful when having discussions about any possible options with your manager.

- 5.5 Any request for flexible working can be made can be for an indefinite (i.e. permanent), or a defined temporary period.
- 5.6 If you require some form of flexibility for a very short period (weeks rather than months), it may be more appropriate to agree with your line manager to deal with the request informally. The basis of the arrangement will then be an informal agreement with your line manager rather than a formal contractual change. If you are a parent you may also, or as an alternative, like to consider parental leave as a short-term option. Parental leave may now be taken in days as well as full weeks and could be combined with flexible working. Please see the Leave and Time Off Policy for information.
- 5.7 As well as hours of work, a flexible working request can also be made to request a change in your normal place of work. We have a separate Hybrid and Homeworking Policy which sets out our approach to hybrid and home working. If you do not currently have hybrid or home working but would like to request it, you should make a request under the Flexible Working Policy.

6 Making a flexible working request

Informal discussion

- 6.1 You are encouraged to speak to your line manager informally about flexible working before making a formal request. This can provide an opportunity to discuss potential options and what might work before submitting your formal request and aid the process in terms of timescales.
- 6.2 Managers must understand the demand profile for their team and be able to provide guidance to officers and staff on the way in which flexible working applications could be best accommodated, in view of known demand and nature of the work.
- 6.3 If you are going on maternity leave, adoption leave, or shared parental leave and are considering flexible working for when you return, you may like to speak to your line manager before you start your leave. You could also request a KIT day when on leave to come into work to complete your application and/or meet with your line manager. Line managers must understand the added difficulty for a member of staff completing a flexible working application whilst away from work and should assist them as much as possible with their application.

Formal request

- 6.4 All formal requests must be made by completing an on-line flexible working application form accessed via the intranet. Your line manager will receive an email once your form has been submitted, asking them to formally consider your request.
- 6.5 When making your request you will be asked to state:

Official

Version Number: 1.4

Page 5 of 10

FLEXIBLE WORKING (POLICE STAFF) POLICY

Official

- the changes that you are seeking, for example to the number of hours you work, the days/times you work, or the location of where you work (which could include hybrid or home-working);
- the date on which you would like the changes to come into effect; please bear in mind that it may take up to two months to make a decision on your application (this timeframe may be extended if necessary, subject to your agreement).

6.6 Please note that you no longer need to explain what effect (if any) you think making the change requested would have on the department or how, any such effect might be dealt with. However, it may be helpful when making the application if you give your reason(s) for the request (if you are comfortable doing so, as mentioned at paragraphs 5.3-5.4 above), to include any benefits to the Constabularies that the change could have and to specify any benefits to colleagues (eg if someone would like a job share). This will help us to give your request proper consideration and, if we are unable to accommodate the request in full, we may be able to identify an alternative way of assisting you.

7 Timescales

- 7.1 Once you submit a flexible working request it will be given prompt consideration, but we recommend you submit your application well in advance of when you wish the new arrangements to start.
- 7.2 All requests will be considered and decided upon within two months from when we receive your fully completed application. If more time than this is needed to consider your application and provide you with a decision, for example we need to explore alternative options with you, we may ask you to agree to an extension.

8 Considering your request

- 8.1 Your application will normally be considered by your line manager or another manager with authority to consider your request. Your Head of Department will be required to give overall approval.
- 8.2 Your line manager will carefully consider your proposed arrangements, weighing up the potential benefits to both you and the organisation and any adverse impact of implementing the changes. In so doing they may consult with other managers within your department, the Resource Management Unit, Work Force Planning, and HR.
- 8.3 Every flexible working request will be considered on a case-by-case basis taking account of individual circumstances and operational demands at the time. There will be no restrictions because of the number of officers or staff already working flexibly in your team or elsewhere.
- 8.4 Agreeing to one request will not set a precedent or create the right for another officer or employee to be granted a similar change to their working patterns. All requests will be considered fairly and fully and without discrimination.

Official

Version Number: 1.4

Page 6 of 10

FLEXIBLE WORKING (POLICE STAFF) POLICY

Official

- 8.5 An individual's sickness absence record or PDR will only be taken into account if relevant to the application. Attendance and performance may indeed improve if the individual is able to work flexibly.
- 8.6 Line managers must also take into account if an officer's request relates to a protected characteristic as defined by the Equality Act 2010. If a number of applications are received simultaneously in one area, priority will be given to those applications supported by equality legislation, for example related to caring responsibilities (since more carers are women than men) or reasons related to a health condition which amounts to a disability. Managers should contact their HR Advisor for advice should this situation arise.
- 8.7 All police staff are employed in a particular post. A flexible working agreement applies only to the role you are currently in and will not automatically transfer with you to a new role. If you wish to apply for a new role and need to work flexibly you may wish to speak to the recruiting manager in advance of applying to discuss how flexible working may be accommodated, if this will impact your decision to apply for the role. In some cases, the recruiting manager may be able to accommodate your existing flexible working arrangements. In others you may need to submit a new flexible working request.

Meeting to discuss your application

- 8.8 Unless your application is very straightforward, your line manager will arrange a meeting with you to discuss the changes you have requested.
- 8.9 The meeting should take place as soon as possible and always within 28 days of your application. You are entitled to be accompanied at the meeting by a UNISON representative (if you are a member) or a colleague.
- 8.10 If your partner works at one of the same Constabularies and is also submitting a flexible working request, if you let your line managers know this, you can request a joint meeting where your applications can be considered simultaneously.
- 8.11 The aim of the meeting is to understand more about your proposed arrangements, in order that your manager can balance these against the operational/business requirements of your role.
- 8.12 You and your line manager should be prepared to compromise if necessary and be creative about other possible solutions. Your line manager may request a further meeting with you to discuss your application and they may put forward alternative arrangements for you to consider if they are unable to meet your proposed changes as submitted.
- 8.13 Where a request can, without further discussion with your line manager, be approved in the terms set out in your application, a meeting may not be necessary. Your line manager will advise you if this is the case and check that you are still happy to go ahead as submitted in your application.

Official

Version Number: 1.4

Page 7 of 10

9 Notifying you of the decision

- 9.1 Your line manager will notify you of the decision as soon as this has been approved by your Head of Department, and you will receive written notification from HR, within 7 days wherever practicable.

10 Flexible working requests that are granted

- 10.1 If your request is granted, you and your line manager will need to discuss any practical arrangements of how the changes will take effect.
- 10.2 The applicable changes including confirmation of the start date and whether the changes are agreed as permanent or temporary, will be sent to you as an amendment to your employment contract. If your changes are for a temporary period, this will be a temporary amendment to your employment contract.

11 Trial periods

- 11.1 If your line manager is unsure as to whether a particular flexible working arrangement will work, they may request that you trial the proposed arrangements. You may also request a trial period for your own reasons. A trial period will provide the opportunity to see how the arrangements work in practice and whether they are likely to create any practical difficulties.
- 11.2 A trial period will be by exception, rather than as standard practice. Line managers must be aware that a trial period may not be practical for their member of staff in all cases, for example if the proposed flexible working arrangement relies on the individual making new care arrangements it may not be feasible for them to do this on a short-term basis. Line managers should therefore always seek HR advice to establish whether a trial period may be appropriate if they are considering this for any particular request.
- 11.3 The length of a trial period, start and end dates, and work expectations must be agreed before the trial period begins. There is no set amount of time that a trial period has to be, but 3 to 6 months may be a useful guide.
- 11.4 If a trial period is agreed, the new working arrangements will be confirmed to you in writing as a temporary variation to your employment contract. You will be expected to agree an extension to the period we have to accept or reject the proposed arrangements where a trial period will apply, in order to allow sufficient time for a final decision to be reached.
- 11.5 Before the end of the trial period (at least 4 weeks prior to the end date depending on the overall length of the trial period) the line manager will hold another meeting with their member of staff to review how the arrangements have worked out and whether or not to make the arrangement permanent.
- 11.6 If the line manager concludes that the proposed arrangements are not working (for example, some parts of the job are suffering), they should consider and discuss with you if there is an alternative arrangement rather than reverting to the previous way of working.

FLEXIBLE WORKING (POLICE STAFF) POLICY

Official

11.7 If your flexible working arrangement cannot be confirmed following the trial period and no compromise on an alternative arrangement can be reached, this will be confirmed to you in writing and you will have the right to appeal. Please see section 14 below.

12 Reasons for rejecting a request

12.1 If your request is rejected your line manager will notify you verbally and explain the reason(s) why. The decision will be confirmed to you in writing and you will be notified of your right to appeal.

12.2 The Flexible Working Act sets out the reasons a flexible working request can be refused. A request cannot be refused for any other reason.

- the burden of additional costs;
- an inability to reorganise work among existing staff;
- an inability to recruit additional staff;
- a detrimental impact on quality;
- a detrimental impact on performance;
- a detrimental effect on ability to meet customer demand;
- insufficient work for the periods you propose to work; or
- a planned structural change to the business.

12.3 If you are a line manager who has rejected your member of staff's request you must have concrete evidence to support your decision. You will need to explain to them why the arrangement requested is not possible.

13 Appealing the decision

13.1 If you feel the decision to turn down your request was wrong or unfair, you are encouraged to talk to your line manager informally at first. It can help to explain to them why you feel the decision was wrong or unfair, listen to the reasons for the decision, share any information that may have been missed or wasn't available when the decision was made, and suggest any further compromises you may be willing to make.

13.2 If you wish to submit a formal appeal, you should do so in writing and should send this to the HR Advisor for your business area within 14 days of receiving the decision not to grant your request. You will need to set out in your appeal why you feel the decision should be looked at again, and include any new information or considerations that might affect the decision.

13.3 An appeal meeting will be arranged with you, led by a manager independent of the original decision. You have the right to be accompanied by a UNISON representative (if you are a member) or a work colleague. An HR representative may also attend for procedural advice.

Official

Version Number: 1.4

Page 9 of 10

FLEXIBLE WORKING (POLICE STAFF) POLICY

Official

13.4 Following the appeal meeting you will be notified of the outcome of your appeal and the decision will be confirmed to you in writing. Where the appeal is rejected, the reason for refusal (as set out at paragraph 12.2 above) will be specified. There is no further right of appeal.

14 Reviewing Flexible Working

14.1 Unless otherwise agreed, a change to your working hours, pattern or location is permanent and your contract of employment will be amended to reflect the agreed flexible working arrangements.

14.2 It is good practice to review your flexible working arrangements annually with your line manager as part of your PDR. If you wish to request any changes, please discuss with your line manager in the first instance before making a new formal request.

14.3 For any request for minor changes to your flexible working, your line manager/Head of Department may be able to authorise this without you having to submit a new flexible working application. Line managers can seek advice from their HR Advisor or People Transactions Team as necessary. Any agreed such changes must be notified to the People Transactions Team by submitting an online notification.

14.4 If you are appointed to a different role or shift pattern within the Constabulary, you may need to reapply for your flexible working arrangements but can discuss this with the recruiting manager first to see if it is acceptable.

Official

Version Number: 1.4

Page 10 of 10