

FLEXI-TIME SCHEME (POLICE STAFF) POLICY

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NORFOLK
CONSTABULARY



SUFFOLK
CONSTABULARY

FLEXI-TIME SCHEME FOR POLICE STAFF

Owning Department: People Directorate

Department SPOC: HR Policy Manager

Risk Rating: Medium Low

Legal Sign Off: Nichola Thatcher, 17 December 2024

JNCC: December 2024

Published Date: 24/01/2025 (v3.2)

Review Date: 18/12/2027

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Legal Basis

Legislation specific to the subject of this policy document:

- None identified.

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](#)
- Working Time Regulations 1998
- [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](#)

1. Statement of policy

- 1.1 This policy sets out the conditions under which police staff may use the Constabularies' flexi-time scheme to manage their working hours.
- 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 policies and procedures are non-contractual. We can change them at any time following consultation with UNISON. Our policies may also be periodically updated to reflect changes in legislation.

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- 1.3 The Constabularies will review this policy periodically to ensure that it reflects appropriate standards and continues to meet our needs.
- 1.4 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.
- 1.5 This policy has been formally agreed via the approved policy development/review process. It will be maintained by the People Directorate in conjunction with the Central Policy Unit.
- 1.6 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.
- 1.7 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.

2. Key principles

- 2.1 This policy applies to police staff employees only.
- 2.2 The flexi-time scheme provides staff with the flexibility to manage their own working time within their contracted hours, subject to the needs of the Constabularies and in agreement with their line manager.
- 2.3 Participation in the flexi-time scheme requires a conscientious attitude of staff and the success of the scheme relies on following the parameters laid down in the policy and upon line managers regularly monitoring the records of hours worked by their staff.
- 2.4 The flexi-time scheme can provide flexibility for both staff and the Constabularies in dealing with peaks and troughs in workloads. The accruing of flexi-time hours is only available to the individual when they have sufficient work to carry-out in the additional hours.
- 2.5 Participation in the flexi-time scheme is entirely voluntary. Staff who do not wish to participate will be expected to work their standard contractual day.
- 2.6 The scheme is not open to specific areas of the Constabularies due to the nature of their work and service to the public. These staff already have recognised working practices and this policy will not overrule those practices (see section 3 below for further detail).
- 2.7 The Constabularies reserve the right to suspend flexi-time arrangements in any area or department to meet operational requirements. Reasonable notice (dependent upon the circumstances) will be provided should this be necessary.

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- 2.9 The ability to vary start and end times under the flexi-time scheme does not mean that staff can unilaterally determine the hours they will work; even those staff who do not work on a fixed shift pattern may be expected to work set start and end times as may be determined by the line manager with due regard to the needs of the business.

3. Eligibility for the flexi-time scheme

- 3.1 Staff of all pay bands, both full-time and part-time, are eligible to participate in the flexi-time scheme, unless it is specifically inappropriate to their role or department.
- 3.2 The operational effectiveness of the Constabularies will preclude some roles and departments from the flexi-time scheme. This includes those roles which operate under a shift pattern or a set working pattern (and the job-holders are in receipt of allowances to compensate this). Examples include the control room and custody detention officers, however, this list is not exhaustive. Staff will be notified whether they are eligible to participate in the flexi-time scheme upon commencement in a role.
- 3.3 Staff who are paid at an hourly rate, e.g. casual workers, are not eligible to participate in the scheme.

4. Working hours definition

- 4.1 Working hours are those that contractually apply to each individual member of staff. Full-time hours are 37 hours per week, or 148 hours per four-week accounting period. This gives a notional working day of 7 hours 24 minutes and a notional half-day of 3 hours 42 minutes.
- 4.2 Part-time working hours are calculated on a pro-rata basis.

5. Parameters of the flexi-time scheme

- 5.1 For full-time staff who work standard full-time 'office' hours, i.e. Monday to Friday with no fixed working pattern, the following parameters apply:
- **Accounting period:** Four weeks.
 - **Maximum band width:** 7.00am - 7.00pm. This is the period during which staff may record their working time. Any hours worked outside of this period will not be recordable without prior line management authorisation.
 - **Core time:** 9.30am - 3.30pm. This is the period during which staff must be at work, with the exception of a lunch break or where there are special circumstances and agreed with the line manager. These core times may however be adjusted where linked to a flexible working request.
 - **Lunch break:** 12.00pm - 2.00pm. Staff must take their lunch break between the above times. Staff who work more than six hours in a day

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are required to take a break of a minimum 30 minutes, and usually no more than one hour.

- 5.2 Should there be a period of exceptional demand, the above parameters may be adjusted in consultation with Chief Officers and UNISON.
- 5.3 Where participation in the flexi-time scheme has been approved, this does not mean that an individual can unilaterally determine the hours they will work. Hours worked must still be in accordance with business need.
- 5.4 If an individual has a specific and on-going requirement for set start and finish times which they cannot flex, for example caring responsibilities, they should refer to the Flexible Working Policy. An approved flexible working request will result in a contractual change to that individual's working time which, unlike flexi-time, cannot be flexed without their agreement.
- 5.5 For staff making a flexible working request, flexi-time parameters will need to be personalised according to the individual's working pattern, which must be determined in agreement with their line management.
- 5.6 In some departments there may be a need to have reduced core times due to the nature of the work and service to the public. In these circumstances, the line manager may agree 'job' core times. Managers should consult their HR Advisor before putting reduced core times in place.
- 5.7 Appropriate transition arrangements must be made when a department amends any local flexi-time arrangements.

6. Flexi-time debit and credit

- 6.1 Although the individual's contractual weekly hours will remain unchanged, flexi-time will normally be calculated over a four-weekly accounting period. The accounting periods are set by the Resource Management Unit (RMU). A list of the current accounting periods can be found on the RMU intranet pages, under the DMS section.
- 6.2 The maximum amount of flexi credit or debit that can be carried over from one accounting period to the next is:
 - Credit: 12 hours.
 - Debit: 8 hours.
- 6.3 Hours worked less than the individual's contracted hours will register on their DMS as a flexi-debit and any hours worked over will be a flexi-credit.
- 6.4 There is no limit to the amount of flexi-credit that can be accumulated during each accounting period, but any accrued flexi-time in excess of the maximum 12 hours credit which remains at the end of an accounting period will be lost. Regularly accrued flexi-time in excess of 12 hours credit at the end of an accounting period should be regarded as a potential concern by line managers, and should be managed in accordance with section 9 below.

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- 6.5 Individuals must ensure that they balance their working hours as far as possible to minimise the accrual of flexi- credit or debit and raise any concerns they may have in doing so with their line manager.
- 6.6 Any debit should be regarded as a potential concern by line managers, and should be managed in accordance with section 9 below, with arrangements being put in place to eliminate the debit. Any debit greater than eight hours must be made up by the end of the next accounting period. In exceptional circumstances, the individual may use annual leave, or any other accrued entitlements such as TOIL or public holiday, to clear excessive debit.
- 6.7 In exceptional circumstances, for example where an individual agrees to a management request to carry out additional work towards the end of the accounting period on flexi-time and will not have the opportunity to take all their accrued time off, additional carry-over above 12 hours to the next accounting period may be authorised by the individual's Head of Department. The Head of Department should contact RMU in such circumstances in order for this to be actioned on DMS.

7. Taking flexi-leave

- 7.1 The purpose of the flexi-time scheme is to provide flexibility in working time rather than providing the opportunity to take regular days off. Individuals may, however, request to take a maximum of one day, or two half days, per four-week accounting period as 'flexi-leave'. Flexi-leave must be authorised by the line manager and requested through the DMS system.
- 7.2 Any flexi-leave request will only be authorised where there is adequate cover, there is no detrimental impact on service provision, and it will not result in additional hours being worked by other staff which will have a cost implication for the Constabularies.
- 7.3 Hours taken as flexi-leave will be shown on DMS as a debit against hours worked for that day.

8. Recording time worked

- 8.1 Staff who participate in the flexi-time scheme are responsible for recording their working time on DMS. Working time must be recorded in minutes and not rounded up or down.
- 8.2 If no lunch break is recorded by the individual, DMS will deduct the break that is set up against the work pattern for the individual. This may be 36 minutes, 45 minutes etc.
- 8.3 Line managers should routinely monitor DMS records for the effective management and auditing of time worked.
- 8.4 Any deliberate falsification of records of hours worked may lead to disciplinary action up to and including dismissal in accordance with the Police Staff Disciplinary Policy.

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9. Line management monitoring

9.1 Line managers should monitor their staff's flexi-time records at the end of each accounting period to ensure they are aware of and can take action where necessary in relation to:

- staff working regular additional hours which are beyond the expectations of the role;
- staff with a debit balance of flexi-time;
- staff regularly working outside of their normal working pattern without appropriate authorisation.

10. Grounds for temporary withdrawal of flexitime

10.1 In the following circumstances, an individual may not, on a temporary basis, be eligible to participate in the flexitime scheme:

- where they have continued to build-up excessive amounts of flexitime credit or debit, and all reasonable management support has been provided to the individual to manage and reduce this (see section 6 and 9 above);
- where they are subject to unsatisfactory performance, attendance or disciplinary procedures, which is connected wholly or in part to their use of flexitime;
- where training or supervision is required to deliver a satisfactory quality or quantity of work.

10.2 Line managers must contact their HR Advisor for advice before taking any decision to temporarily withdraw an individual's eligibility to the flexitime scheme.

11. Sickness absence during flexi-leave

11.1 If an individual is sick during a period of planned flexi-leave, they may make a request to their line manager to have their flexi-leave reinstated, and the relevant time recorded as sickness absence instead. This is subject to the individual reporting their sickness in accordance with the Sickness Absence Management Policy.

12. Overtime

12.1 Flexi-time and overtime are not inter-changeable. Additional hours worked as flexi-time cannot subsequently be claimed for overtime payment, nor can payment or time-off arrangements for working additional hours 'on a day not originally scheduled' be claimed where the hours were worked as flexi-time. Likewise, any additional hours agreed to be worked as overtime to be claimed for payment must not be recorded as flexi-time.

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- 12.2 Where management have a business need to request a member of staff to work additional hours on any given day, they should be clear if this is offered as flexi-time (with the accrued time worked to be taken at another time) or whether overtime payment can be claimed. Where the additional time is to be taken as flexi-time, there should be an understanding reached with the line manager to enable the individual to take the accrued time at another time.

13. Leaving the Constabulary

- 13.1 Staff should use any excess flexi-credit prior to their last day of employment or alternatively any excess hours, subject to the line manager's agreement, may be used against the last working day to enable an early departure. Any outstanding flexi-credit remaining after their leaving time on the last working day will not be paid.
- 13.2 Any hours in debit should be worked prior to the individual's date of leaving. Any remaining flexi-debit hours on the last date of employment will be recovered as a debt through Payroll.

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