

## **FLEXIBLE WORKING CHILDCARE POLICY**

Author: Gill McInnes	Review group: Partnership Policy Review Group
Review date: September 2008	Last update: 11 Sept 2006
	Version 1.0

# FLEXIBLE WORKING CHILDCARE POLICY



## 1. INTRODUCTION

It is the organisation's intention to support, where possible, applications from parents/employees who wish to work more flexibly to accommodate their childcare responsibilities.

## 2. ELIGIBILITY

In order to be eligible to make an application employees need to be:  
the parent of a child under age 6 (18 if the child has a disability) and

- Have a contract of employment with the organisation (if an agency worker he/she should apply to them) and
- Have been employed continuously for 26 weeks or more
- Have not made an application for flexible working for at least 12 months

He/she must be either

1. The biological / adoptive parent, guardian or foster carer of the child
2. Married to a person within 1 above and live with the child
3. The partner of a person within 1 above

And

Have, or expect to have, responsibility for bringing up the child.

## 2. APPLICATION PROCESS

The application for flexible working must be made on the '**Request to Change Current Work Pattern Form**' (Appendix A), after a discussion with your line manager and must state the following;

- That the application is for flexible working
- Specify the working pattern applied for and a proposed date for the arrangement to become effective.
- Explain what effect the arrangement will have on the employer and how this might be dealt with.
- Explain how the employee meets the conditions as to the relationship to the child.
- Whether or not a previous application has been made and if so when. Only one application is allowed within a 12 month period, however, additional applications may be considered in exceptional circumstances.
- Be signed and dated.

### 3. **CONSIDERING AN APPLICATION FOR FLEXIBLE WORKING**

When an employee wishes to make an application for flexible working they should follow the same procedure as a request to change current work pattern. The employee must have a meeting to discuss their application with their line manager before submitting an application to the Central Resource Team.

When an employee requests a meeting to discuss an application for flexible working, the line manager **must** arrange a meeting with the employee to discuss the application within 28 days of the request. Applications of an urgent nature will normally be considered as soon as possible.

The following factors need to be considered when reviewing an application for flexible working;

1. Additional costs
2. Ability to meet patient demand
3. Re-organising work amongst existing employees
4. Potential back-fill strategy
5. Impact on quality
6. Impact on performance
7. Type of work available during proposed working hours
8. Planned structural changes
9. Any other factors you believe to be relevant

### 4. **RIGHT TO BE ACCOMPANIED**

Employees have a right to be accompanied at the first discussion meeting and the appeal meeting. This person may be either;

- a) A full-time official employed by a trade union, or an accredited local representative, or
- b) another member of staff from the workplace

This can be classified as a supporting friend/employee and therefore is only there to ensure that the organisation follows the due process. They do not have an automatic right to represent the member of staff involved, with no right to answer/ask questions

### 5. **TIMESCALES\***

The following timescales have been set within the Employment Act 2002 and as such provide statutory maximum time limits within which we are obliged to work.

- Request by employee to line manager to discuss an application for flexible working received on day 1.
- Meeting with applicant and line manager normally within 28 days of receipt of request.
- Application completed and sent to Central Resource Team. The application form can be found on the Knowledge Web under 'Process & Scripting Documents', then 'Operational Processes'  
<http://anhs24gw2k14/knowledgeweb/files/processesoperational.htm>
- Decision on application normally within 14 days of application being sent to the Central Resource Team. Decision to be given in writing.

- Appeal (if not agreed) period normally within 14 days of receipt of decision. Appeals to be made by employees using the form in, **Appendix B**
- Appeal meeting to be held normally within 14 of having received appeal.
- Decision on appeal normally within 14 days of appeal meeting. Outcome of appeal to be made in writing using the form in **Appendix C**

Extension of time limits:

This may be done providing that

- a) it is recorded in writing by the employer
- b) it specifies the time limit/extension
- c) it specifies the date on which the extension is to end
- d) it is signed and dated
- e) it is sent to the employee.

## **9. GRIEVANCE PROCESS**

- 9.1 Employees who feel that they have been treated unfairly by this process may raise a grievance through the NHS 24 grievance process.

## **10. REVIEW**

- 10.1 This policy will be reviewed in Partnership on a two-yearly basis.

## **11. EQUAL OPPORTUNITIES**

- 11.1 The Policy will be impact-assessed and monitored for its effects in terms of equality and diversity.

I would like to apply to work a flexible working pattern that is different to my current working pattern under my right provided in law. I confirm I meet each of the eligibility criteria as follows:

- I have responsibility for the upbringing of either a child under six or a disabled child under 18
- I am the biological/adoptive parent of the child
- I am married to or the partner of the child's biological/adoptive parent
- I am making this request to help me care for the child.
- I am making this request no later than two weeks before the child's sixth birthday or 18<sup>th</sup> birthday where disabled.
- I have worked continuously as an employee of the company for the last 26 weeks.
- I have not made a request to work flexibly under this right during the past 12 months.

I you are unable to tick all of the boxes then you do not qualify to make a request to work flexibly in law.

**FLEXIBLE WORKING APPEAL FORM**

**Appendix B**

**Note to the Employee**

If your application has been refused, you may appeal against your Line Managers decision. You can use this form to make your appeal. You should set out the grounds on which you are appealing, and do so within 14 days of receiving written notice that your application for flexible working has been turned down.

**Note to the Line Manager**

This is a formal appeal made under the legal right to apply for flexible working. You have 14 days following receipt of this form in which to arrange a meeting with your employee to discuss their appeal.

Flexible Working Appeal Reply Form to be used when responding to this appeal.

Dear: .....

**I wish to appeal against your decision to refuse my application for flexible working. I am appealing on the following grounds:**

[Large empty box for providing grounds for appeal]

<b>Name:</b>		<b>Date:</b>	
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**NOW RETURN THIS FORM TO YOUR LINE MANAGER**



