

Policy



Flexible Working

URN: J-P-186

Version: 1.0
Effective Date: 06/04/2024
Version Date: 06/04/2024
Review Date: 06/04/2025

Host Force: Dorset Police
Host Policy Unit: Dorset Police Legitimacy Team
Policy Owner: Alliance Head of Employee Relations
Policy Author: HR Strategy & Policy Lead (ER)

Associated Procedure(s): [J-Pr-318 Flexible Working Step by Step](#)

Applicable to

Devon & Cornwall Police	<input checked="" type="checkbox"/>
Dorset Police	<input checked="" type="checkbox"/>
OPCC Devon & Cornwall	<input checked="" type="checkbox"/>
OPCC Dorset	<input checked="" type="checkbox"/>
Officers	<input checked="" type="checkbox"/>
Staff	<input checked="" type="checkbox"/>

PRINTED VERSIONS SHOULD NOT BE RELIED UPON. THE MOST UP TO DATE VERSION CAN BE FOUND ON THE [FORCE DOCUMENT LIBRARY](#).

1.0 Introduction

- 1.1 Devon & Cornwall Police and Dorset Police ('The Force') are committed to maintaining effective operational capacity, allowing the Force to deliver service at a consistently high standard, whilst at the same time embracing sustainability and commitment to creating a fully inclusive working environment that values the differences a diverse workforce can bring.
- 1.2 The Force is committed to providing opportunities for individuals to achieve flexibility in their working arrangements and a good balance between their working lives alongside personal responsibilities and preferences and will consider a range of flexible working options whilst ensuring operational resilience and business continuity.
- 1.3 The Force recognises the benefits that flexible working arrangements bring, improving routes into employment as well as the progression and retention of individuals with valuable experience and skills, leading to enhanced engagement, job satisfaction, loyalty, and well-being.
- 1.4 The aim of this policy is to ensure a fair approach to flexible working and that a consistent process is applied when requesting, considering, and processing statutory flexible working requests. While the process is consistent, the operating procedures in each force vary, as a consequence of different governance and approval routes. Separate procedures for each force are provided.
- 1.5 This policy applies to officers and staff (employees) including those on fixed term contracts and apprenticeships. Agency workers, as employees of the agency, will be managed in line with the relevant agency's flexible working policy / procedures.

2.0 Flexible Working

- 2.1 "Flexible working' describes a type of working arrangement which gives a degree of flexibility on how long, where, when and at what times employees work.'
(Source: Chartered Institute of Personnel and Development, 2023).
- 2.2 A flexible working arrangement is usually to the mutual benefit of the individual and the organisation. Not all work patterns will be suitable for all roles, however, the starting point is to consider what may be possible. Section 11.0, Appendix One, sets out the types of flexible working arrangements that may be accommodated.
- 2.3 Whilst there are differences in relation to the legislation and regulations that govern flexible working arrangements for officers and staff, this policy and its associated procedures will, insofar as is possible, adopt a single approach for all, which is compliant with legislation and regulations. Where a single approach is not possible, any difference will be clearly stated.
- 2.4 Where an individual with a disability requires reasonable adjustments to support their participation with any element of the flexible working process, these will be explored, and provided, where appropriate.

- 2.5 Flexible working arrangements are subject to review, at least on an annual basis.
- 2.6 The Force has two months (the ‘statutory timeframe’) to consider a flexible working request, which starts when the individual submits their formal flexible working request to their line manager and ends at the conclusion of an appeal, as applicable.
- 2.7 Timescales set out within this policy and associated procedure must be adhered to, in line with legislative requirements. These timescales are applied to officers and staff alike, in the interest of a fair and consistent approach.
- 2.8 All flexible working requests will be subject to levels of approval in line with the governance / approval routes in each force. For the purpose of this policy, the terms referred to are:
 - a. Line manager – individual’s line manager (both forces)
 - b. Approving manager – Senior Leadership Team (SLT) or Flexible Working Panel, as applicable (D&C) / second line manager (Dorset)
 - c. Legitimacy Manager (Dorset only)

3.0 Legislation

- 3.1 The Equality Act 2010 applies to all individuals and exists to ensure that no one receives any less favourable treatment on the grounds of any of the nine protected characteristics.
- 3.2 Where an individual seeks a reasonable adjustment for their disability through a request for flexible working, the Force must consider this in line with its legal obligations under the Equality Act 2010.
- 3.3 **Staff only:** The Employment Relations (Flexible Working) Act 2023 provides employees the statutory right to make up to two flexible working requests in any 12-month period, with a statutory duty upon the Force to consider all requests for flexible working in a reasonable manner.
- 3.4 **Staff only:** Where an approved statutory flexible working request is in place, the employee has no automatic right to revert to their previous working arrangement. Employees are encouraged to discuss all requests with their line manager, especially where a short-term or temporary trial basis may be beneficial, prior to any permanent change being implemented.
- 3.5 **Officers only:** Police Regulations 2003 allow for part-time officers to request to return to full-time duties at any time. There is no limit to the number of times an officer may request flexible working.
- 3.6 **Officers only:** There is no automatic right for an officer to work full-time duties in the part-time post they occupy, within the same department / team, where the hours are not available. This may mean taking up an alternative post (in the same rank), in a different role / department / team, as appropriate.

3.7 **Officers only:** Where an officer working part-time submits a request to return to full time working, and a suitable vacancy exists, the Force will post the officer within two months. Where a suitable vacancy is not available, the Force will return the officer to full-time duties no later than four months after the request was made.

4.0 Eligibility

4.1 To request to work flexibly an individual must be an officer or employee of Devon & Cornwall Police or Dorset Police.

4.2 Only one request for flexible working may be 'live' at any time. A request will be considered live until any of the following occur:

- a decision about the request is made by the Force,
- the request is withdrawn,
- an outcome is mutually agreed between the relevant manager and the individual, or
- the statutory two-month period (see 2.6) for deciding requests ends.

(Source: ACAS, 2024)

A request continues to be live during any appeal or mutually agreed extension period.

4.3 **Staff only:** to be eligible under 3.2, employees must have submitted no more than one flexible working request within the previous 12 months.

4.4 **Officers only:** a student officer may request to work part-time, however, a minimum average of 24 hours per week must be worked. Where a student officer requests to work part-time, this will be subject to completion of initial training and independent patrol (D&C) / street duties training (Dorset), all of which must be completed on a full-time basis.

5.0 Submitting a Flexible Working Request

5.1 Requests to work flexibly are welcome from individuals for any reason, in an effort to aid their 'work-life balance' or to undertake additional studies or training. This does not affect an individual's statutory rights. While all individuals have the right to request flexible working, there is no automatic entitlement for this request to be granted.

5.2 Where an individual is absent from the workplace i.e., maternity leave, sickness absence etc., and wishes to submit a request to work flexibly, the line manager is responsible for providing the appropriate support.

5.3 The individual should discuss their wish to alter their working pattern with their line manager in the first instance, prior to submitting their formal request, to identify any potential implications their request may have, as well as possible alternative solutions at an early stage. Managers should emphasise a positive

approach to flexible working and must not deter any individual from making a request to work flexibly.

5.4 All requests for flexible working must be made in writing, stating that it is a statutory request, using the Flexible Working Request Form, and must set out:

- the date of the request,
- the change the individual is requesting in relation to their hours or times or place of work,
- the date the individual would like the change to come into effect, and
- if, and when, any previous flexible working request has been made.

(Source: ACAS 2024)

Where the individual is making their request in relation to the Equality Act 2010, for example, as a reasonable adjustment for a disability, this should also be stated. An individual is not required to justify the impact their flexible working request will have on the Force.

5.5 The individual must ensure all sections of the form have been fully completed, prior to submitting their request to the line manager, copying in HR Operations – Admin.

5.6 On submitting their formal flexible working request, the individual is responsible for ensuring the line manager is aware that the request has been submitted, for it to be promptly considered within the legislative timeframe.

6.0 Considering a Flexible Working Request

6.1 The Force will give serious consideration to all requests to work a flexible working arrangement in a reasonable, fair and open manner, and will not unlawfully discriminate. Each request received will be carefully considered, assessing the effect of the requested change on the needs of the organisation and the individual.

6.2 As set out at 5.3, managers are reminded to take a positive approach when considering all requests to work flexibly.

6.3 Requests to work flexibly will be considered for all roles, except where, in exceptional circumstances, the line manager discusses the role with HR Operations – Admin (D&C) / Legitimacy Team (Dorset), as appropriate, and can objectively justify the role as being unsuitable for flexible working.

6.4 Where a request to work flexibly is submitted as a reasonable adjustment or in response to a Health & Safety risk assessment, this will be considered on a case-by-case basis. The line manager should refer to HR Operations – Admin (D&C) / Legitimacy Team (Dorset), as appropriate.

6.5 The line manager is responsible for monitoring the process locally, ensuring the request is handled effectively and timescales are adhered to, with all parties kept

informed of progress, and that all appropriate documentation is forwarded to HR Operations – Admin for processing.

- 6.6 The line manager must arrange to meet with the individual at a mutually convenient time and location, to discuss their flexible working request. The meeting may be held in person or via Teams, however, to avoid any unnecessary delays, the meeting can take place by telephone, where both parties are in agreement. The meeting will provide an opportunity for the line manager to listen, engage meaningfully and explore with the individual exactly what changes they are seeking and how these might be accommodated, to ensure the proposal put forward is the best solution to satisfy both individual and organisational needs. The line manager should keep a written record of the discussion.
- 6.7 The individual can request to be accompanied by a work colleague, trade union (or an official employed by a trade union) or staff association representative, as appropriate, and is responsible for arranging their companion's attendance.
- 6.8 The line manager will consider the request carefully, in conjunction with the advice of HR Operations – Admin (D&C) / Legitimacy Team (Dorset), to support with any equality considerations / issues etc., as appropriate. The line manager will consider the benefits of the suggested change in working conditions for the individual and the business area, weighing these against any adverse operational, organisational, or financial impacts.
- 6.9 **D&C only** - The line manager will forward the request to the approving manager for their approval, copying in HR Operations - Admin. Where the approving manager has any concerns regarding the flexible working request, they must meet with the individual to discuss and explore any alternative approaches, prior to rejecting the request. The approving manager will consider the request carefully, in conjunction with the advice of HR Operations – Admin (D&C) to support with any equality considerations / issues etc., as appropriate. The approving manager will notify the line manager of their decision, copying in HR Operations - Admin. It is the line manager's responsibility to update the individual.
- 6.10 **Dorset only** - The line manager will forward the request to the approving manager for their approval, copying in HR Operations - Admin. Where the approving manager has any concerns regarding the flexible working request, they must meet with the individual to discuss and explore any alternative approaches, prior to rejecting the request. The approving manager will consider the request carefully, and will notify the Legitimacy Team of their decision, in principle, copying in HR Operations - Admin. The Legitimacy Team will make the final decision regarding the request and notify the line manager. It is the line manager's responsibility to update the individual.
- 6.11 Where the request is for a change to allowances / increase in hours, evidence / confirmation of budgetary approval will be provided by the line manager within the request form and the approved flexible working request forwarded to HR Operations – Admin for processing. Where the budget or HR Change

confirmation are not available, the line manager is responsible for notifying the individual of the decision.

- 6.12 The Force must provide the individual with their decision, within the statutory timeframe, as set out at 2.6. Where a longer time period is required, the line manager and individual may agree an alternative date, in writing, with a copy sent to HR Operations – Admin, for retention on the individual’s HR record.
- 6.13 In exceptional circumstances, where a delay in considering a request results in working outside of the statutory two-month timescale, temporary arrangements should be put in place to allow consideration of the flexible working request to continue. Where temporary arrangements are put in place, the temporary nature must be made clear to the individual.
- 6.14 Where, prior to a permanent change being implemented, flexible working is requested on a short-term or temporary trial basis, this should be for a reasonable time, with a review date set, and agreed between the individual and line manager, with the decision recorded on the request form. The line manager is responsible for ensuring the duration of any short-term or temporary trial request is managed.
- 6.15 Where an individual fails to attend any scheduled meeting(s) on more than one occasion or fails to provide information required to properly assess their request without reasonable explanation, this may result in the line manager treating the request as withdrawn. The line manager will confirm this in writing to the individual, ensuring HR Operations – Admin are copied in for information.
- 6.16 Where an individual decides to withdraw their request to work flexibly at any point during the process, this must be confirmed in writing to the line manager, who will ensure HR Operations – Admin are informed.
- 6.17 Having given serious consideration to the request, the Force must agree to a flexible working request unless there is a genuine business reason not to. A decision to reject a request must be for one or more of the following legitimate business reasons:
- the burden of additional costs,
 - an inability to reorganise work amongst existing staffing,
 - 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 available for the periods the individual proposes to work,
or
 - planned structural changes to the organisation.

(Source: ACAS, 2024)

The Force apply these reasons to officers and staff, in the interest of ensuring good practice and a fair and consistent approach.

6.18 Where a flexible working request cannot be accommodated, even though alternative options have been explored, and is rejected, the manager rejecting the request (D&C) / Legitimacy Team (Dorset) will provide written notification of the decision to the line manager. The line manager is responsible for informing the individual of the decision and their option to appeal, how to submit an appeal and to whom. The line manager will ensure the HR Operations – Admin team are advised, to update the individual's HR record.

7.0 Flexible Working Appeals

7.1 The appeal process allows the individual the opportunity to present any new information or raise any concerns relating to the way their request has been handled.

7.2 The individual has the option to appeal against a decision not to allow all or part of their request, where the flexible working process has been concluded.

7.3 Appeals will be handled impartially, and will be considered by the appeals manager:

- for **D&C**, this will be an appropriate senior manager identified locally within the department / BCU the individual works,
- for **Dorset**, HR will allocate a senior HR Manager.

7.4 Appeals must be made in writing, to the appeals manager and copied to HR Operations – Admin, clearly setting out the grounds for appeal.

7.5 Where an appeal is received, the appeals manager will acknowledge receipt of the appeal with the individual and arrange an appeal meeting without unreasonable delay.

7.6 The individual can request to be accompanied during the appeal meeting by a work colleague, trade union (or an official employed by a trade union), or staff association representative, as appropriate, and is responsible for arranging their companion's attendance.

7.7 The appeal meeting may be held in person or via Teams, however, to avoid any unnecessary delays the appeal can take place by telephone, where both parties are in agreement.

7.8 Where an appeal is upheld, the appeals manager will inform the individual of their decision in writing, setting out:

- a) a description of the agreed working pattern and
- b) the date from which the new working pattern is to take effect.

7.9 Where an appeal is refused, the appeals manager will inform the individual of their decision in writing, setting out:

- a) the grounds for the refusal,

- b) an explanation as to why the grounds for refusal apply under the circumstances, and
- c) where applicable, part of the request that can be implemented or, where the department can offer some flexibility but are not able to agree the requested pattern.

7.10 Following the appeal, the appeals manager will inform the line manager and the approving manager of the outcome, copying in HR Operations – Admin, for the individual's HR record to be updated.

8.0 Approved Flexible Working Requests

- 8.1 Where a flexible working request is approved, the line manager will forward the fully completed and endorsed request, together with confirmation of budget and HR Change approval, to HR Operations – Admin for processing.
- 8.2 HR Operations – Admin will process the request, sending the individual a variation to terms and conditions (officers) / variation to contract (staff) letter, within one month of the effective date, for the individual to sign and return to the Force. A copy of this letter will be retained on the individual's HR record.
- 8.3 Where a flexible working request is approved and an individual reduces / increases their hours part way through the year, their annual leave entitlement will be recalculated accordingly.
- 8.4 Where a flexible working request is approved and processed by the Payroll team, the salary adjustment will be made in the next available pay run. The individual's national insurance, tax and pension contributions will be adjusted accordingly, as appropriate.
- 8.5 Approved flexible working requests will be subject to review by the line manager on a regular basis (where the request is a reasonable adjustment or a short term / temporary arrangement) and at least annually, to ensure they continue to meet the needs of the organisation and individual, and to ensure that when circumstances change, appropriate action is taken.
- 8.6 The line manager should hold the review (see 8.5) in person or via Teams with the individual, with both parties afforded the opportunity to raise issues, concerns, or benefits as a result of the working pattern, recording details of the completed review on the appropriate form.
- 8.7 Where the pattern is identified as ineffective either for the Force or the individual, this should be addressed at that time, and the working pattern re-negotiated between the line manager and individual to identify a suitable alternative arrangement that is agreeable between both parties, without waiting for the annual review.
- 8.8 Where an individual moves role, either through application or a direct posting, they will be required to submit a new flexible working request to continue their existing arrangement, where practicable, or to request an alternative flexible working pattern.

9.0 Additional Support and Information

9.1 Equality advice and support is available through HR Operations – Admin (D&C) / Legitimacy Team (Dorset), as well as the Corporate Equality, Diversity & Human Rights team (D&C). Individuals may wish to contact their recognised trade union, Police Federation or Superintendents Association, as appropriate, who are available to provide ongoing support to their members. Local staff support groups are also available to provide advice and support. The Employee Assistance Programme (EAP) offers confidential advice and support 24/7, to help individuals deal with personal and professional problems that could be affecting their home life, work life and general wellbeing.

10.0 Legal Basis / Regulatory Background / Standards

Both Forces are obliged to abide by all relevant legislation and other guidance as appropriate:

- [Authorised Professional Practice](#)
- [Code of Ethics](#) (DCP)
- [Code of Ethics](#) (DP)
- [Equality Act \(2010\)](#) including the Public Sector Equality Duty
- [Freedom of Information Act 2000 \(FOIA\)](#)
- [Human Rights Act \(1998\)](#)
- [National Decision Model](#)
- [Records Management](#) (DCP)
- [Records Management](#) (DP)
- [The Health and Safety at Work Act \(1974\)](#)
- [UK General Data Protection Regulation / Data Protection Act \(2018\)](#)
- [Our Purpose](#) (DCP)
- [Vision, Purpose & Priorities](#) (DP)
- [Standards of Professional Behaviour – Police Officers](#)
- [Standards of Professional Behaviour – Police Staff](#)
- [Employment Rights Act 1996](#)
- [Police Regulations 2003](#)
- [ACAS Code of Practice on Flexible Working Requests](#)
- [The Employment Relations \(Flexible Working\) Act 2023](#)
- [Children and Families Act 2014](#)
- [Flexible Working in the Police Service, College of Policing, May 2013](#)
- [Working Time Regulations 1998](#)

11.0 Monitoring, Review, Enquiries and Feedback

Review and amendments will be coordinated by the Policy Unit.

The Alliance Head of Employee Relations is responsible for overseeing this policy to ensure a consistent Force approach is maintained. Monitoring will be primarily carried

out subject to force processes of continuing review and in line with force governance requirements.

This policy will be reviewed annually subject to legislation / process changes.

Please note: Where legislation / guidance changes have occurred / scheduled to occur or operational needs demand it, ahead of the revised review date, Alliance People policies and associated procedures / step by steps will be applied in line with prevailing legislation / guidance.

For day to day enquiries relating to this policy please contact [HR Operations - Admin \(D&C\)](#) or [HR Ops Dorset - Admin](#)

We welcome any comments or suggestions you wish to share about the content or implementation of this procedure. If you would like to make contact to discuss further, please email: .Policies@dorset.PNN.police.uk

12.0 Other Associated Documents

A range of policies, procedural guidance and step by steps are also available in support of this policy available via the following links:

Policy and Procedure

- [J-P-058 Flexitime Policy](#)
- [J-P-060 Flexiplace Policy](#)

SharePoint

- [People Portfolio A–Z](#)

College of Policing

- [National Decision Model](#)
- [Authorised Professional Practice \(APP\)](#)

Other

- Equality Impact Assessment

13.0 Version History

Version:	1.0
Date:	06/04/2024
Reason for Amendments:	Initial document
Amended by:	Initial document
Approved by:	Strategic People Board
Date Approved:	27/03/2024
Quality Assured:	Legitimacy Team

14.0 Governance

Present Portfolio Holder: Head of People (HR Operations)
Present Document Owner: Alliance Head of Employee Relations
Present Owning Department: Alliance People Portfolio

Name of Board: Strategic People Board
Chief Officer Approving: ACO (D&C) and ACO People, Director of People and Support Services (Dorset)
Date Approved: 27/03/2024

Appendix One - Examples of Flexible Working Arrangements

A flexible working arrangement may be full-time or part-time, and the following patterns are considered to be typical arrangements. Not all flexible working arrangements will be suitable for all roles, however, the Force recognises there may be alternatives or a combination of options which may be suitable to the needs of the organisation and the individual. Requests will be considered on a case-by-case basis between the individual and the approving manager, with support from HR Operations – Admin (D&C) / Legitimacy Team (Dorset), where appropriate.

- a) **Part-time Working** refers to any arrangement where an individual is contracted to work less than full-time hours i.e. less than 40 hours per week (officers), or less than 37 hours per week (staff). A part-time working arrangement can include:
 - working fixed hours each day or each week
 - rotating hours or shifts
 - flexible hours according to demand
 - or may be considered as part of a phased retirement (staff only) – refer to the Flexible Retirement guidance located on the People Portfolio pages of the intrant.

- b) **Annualised Hours**, where an individual’s contractual working hours are calculated as the total number of hours to be worked over the year, allows flexible working patterns to be worked throughout the year. Usually, the hours will be divided into: rostered hours, which are set, and unallocated hours (where an individual can be called into work as demand dictates i.e.. to cover high volumes of work or periods of employee absence), with payment of salary in 12 equal instalments.

- c) **Compressed Hours** is where the individual works their usual weekly full-time hours in fewer days, by working a longer period each day. For example, a five-day week is compressed into four days, or a ten day fortnight into nine days.

- d) **Term-time Working** is where an individual works during school term time and either takes time off during the school holidays, works reduced hours or a similar arrangement. Any time taken off in excess of the individual’s full annual leave entitlement will be unpaid. Payment of salary will be in 12 equal instalments

- e) **Job-sharing** is an arrangement where a full-time role is covered by two or more individuals working part-time. The hours worked do not necessarily need to be split 50:50, they can be discussed and agreed between the individuals and line manager, to meet the needs of the department and the individuals.

- f) **Staggered hours** arrangements allow for different start and finish times for individuals within the same workplace, often established at a team level.

Appendix Two – Flexible Working Request Flowchart

This procedure operates in line with the statutory timeframe that individuals must be notified of the final decision (including any appeals process, where applicable) of their flexible working request within two months of submission to the line manager. The relevant manager at each stage responsible for ensuring that the timeframe is adhered to.

