

ELIM HOUSING GROUP

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WORKING FLEXIBLY AT ELIM

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## **POLICY**

### **1. Scope**

This procedure covers all Elim employees and outlines how staff might work flexibly at Elim in agreement with their line manager and subject to customer service and business delivery requirements.

Staff based at schemes and projects are subject to attending these schemes and projects in accordance with the rota. Staff who are not able to deliver their roles from any location, will be encouraged to discuss with their line manager whether there is scope for some flexibility of location and hours, where it may be suitable for specific tasks or responsibilities.

For emergency caring responsibilities or short notice personal requirements for time off, please continue to use the Family Leave Policy and Procedure and the Annual and other leave Policy and Procedure

There are two types of working flexibly available at Elim:

#### **Informal agreement**

This is an informal agreement for up to 2 months on changing your working pattern (your hours and / or location) and therefore it is not a change to your terms and conditions (it does not constitute a contractual change). Staff should be available to attend their contractual base of work during their contractual working days and hours and for emergency or business critical situations, if necessary, attend at short notice.

#### **Formal Flexible working request**

The right to request flexible working is a statutory right (under the Flexible Working Regulations 2014 – Employment Rights Act 1996). This is a statutory right to formally request to change your contractual terms and conditions and subject to a trial period, is likely to lead to a permanent change in your terms and conditions

## **COVID-19**

***During the COVID-19 pandemic, the following should be noted:***

- ***Elim will follow Government guidance during any lockdown or tiered restrictions.***
- ***Supported Housing Officer, Project Workers, Assistant Team Leader, Team Leader and Area Managers roles are classed as essential workers.***
- ***Our workplaces will be risk assessed regularly and health and safety guidance complied with.***
- ***Staff should let their managers know of any personal circumstances, health or other issues that may impact on their workplace attendance, and / or delivery of their role.***
- ***Staff who wish to attend the workplace and do not wish to work from home should discuss this with their line manager and wherever possible, subject to COVID safety measures and rota requirements, their attendance supported.***
- ***Annual leave, regular rest breaks and ensuring time off from work are important and staff should book leave regularly even if they are unable to travel.***
- ***Elim will pay a working from home allowance of £6 per week during the tax year 2020-2021 to support staff in their home working costs and to save staff time and resources that they would spend providing evidence to HMRC to reclaim tax relief.***

- **All staff must complete a [VDU assessment form](#). Elim will provide essential equipment including a laptop and other safe working equipment that has been identified in this form. You should request additional equipment, for example chairs or desks if there are no spares available and you do not have the furniture at home already.**
- **Elim wants to support staff wellbeing and mental health during the global pandemic. Please talk to your line manager, HR or a Mental Health First Aider (Hannah Amor, Hayley Young and Chantel Hatherall). We also provide Healthshield to all staff that includes a confidential 24-hour counselling service.**
- **Staff will be communicated with ahead of changes to current Covid lockdown working from home arrangements.**

## 2. Purpose

The overarching aim of the policy is to ensure staff understand the arrangements relating to how they might work flexibly and their responsibilities to deliver Elim's business plan and strategy and services. This policy incorporates the previous 'Flexible Working' Policy that covered the statutory right to request flexible working. It now includes a second type of working flexibly – an informal agreement.

It has been introduced following staff feedback around our approach and management of the COVID-19 pandemic and analysis of the lessons learnt from this experience.

### Informal Agreement

For the purpose of this Policy, the informal agreement on working flexibly is defined as, being able to work some of your working week from the location of your choice and/or the hours that suit you during the day. There may also be occasional opportunities to choose the days you work. The agreement will be for a fixed duration and any new informal agreement is likely to vary from month to month, subject to your personal needs and Elim's customer and business delivery requirements.

### Formal Flexible Working Request

For the purpose of this Policy, the formal flexible working request on working flexibly is defined as the statutory right to request a contractual change to your terms and conditions that changes your current working pattern permanently.

### Objectives

- To deliver our Elim CARES values and demonstrate how much we value our staff, their hard work and commitment to Elim.
- To deliver great customer service and Elim services.
- To deliver our vision and business plan.
- To enable and support staff to work flexibly where possible.
- To recognise the changing nature of work and the workplace.
- To support staff in balancing their work and home life and caring responsibilities.
- To support staff to deliver their role in the most effective way and where possible at the location and during hours to suit them and their working style.
- To recognise the importance of collaboration, team working and social interactions.

### Values and principles

Elim Housing staff, customers, Board, and stakeholders have developed Elim CARES values that determine how we work together to deliver our services and achieve our business plan objectives and vision.



**CUSTOMERS FIRST**

Customers are at the heart of our services and decision making.



**ASPIRATIONAL & ACCOUNTABLE**

We are ambitious for our customers, staff and stakeholders. We work with integrity, learn from mistakes and do what we say we will.



**RESULTS DRIVEN**

We work hard and deliver great results for our customers and for Elim.



**EVERYONE'S VIEW MATTERS**

We listen to understand, improve and build our services.



**SUPPORTIVE**

We tackle challenges head on and inspire each other to achieve our potential.

The Elim CARES values outline how we communicate, interact, and behave with each other, our customers and stakeholders. They should be demonstrated in how we deliver our services, and all staff should role model and embody these values and the behaviours and culture they represent. At Elim we value and trust our staff to deliver their roles to a high standard and would like to provide more flexibility for them to do so.

**3. Policy & Procedure breach**

All breaches may be subject to formal procedures under the disciplinary or capability procedures. This would include staff providing false information and not completing their tasks to deadline and standards required. Staff should not accept other employment or complete tasks for other employers or their own business during their contracted hours except with prior written agreement of their line manager and if the time is taken as annual or other leave (or worked at an agreed alternative time).

**4. Policy owner**

The Head of HR & OD is responsible for this Policy and Procedure.

**5. Policy date and review**

This Policy was created in October 2020 and will be reviewed every 2 years or if legislation and/or government guidance requires it.

**6. Approval**

The SLT approved this Policy on 2 March 2021.

## **PROCEDURE**

### **1. Informal Agreement Procedure**

You should discuss with your line manager at your next one to one if you would like to explore working flexibly at Elim. You should plan to agree one month in advance of the working pattern changing (changes to hours/location/days) from your normal working pattern. For example, if you would like to informally agree a change to your working pattern to commence on the 1 February, you should be discussing this with your line manager to reach agreement by the 1 January.

The agreement should be for up to 2 months on the locations and hours you will be working, to be agreed 1 month in advance and confirmed by email. In exceptional cases you may be able to agree short notice changes to your working pattern, times or location but these would only be agreed for up to 2 weeks.

You will need to informally agree by email future changes to your working patterns on a monthly basis if you would like to continue working flexibly as you will automatically revert to your normal working pattern at the end of the agreement duration.

Your line manager may wish to discuss this request with HR, other team members or staff.

Any agreement to work flexibly is an informal agreement for the agreed duration and does not constitute a contractual change in working hours or base. Arrangements should be agreed monthly in line with business and staffing requirements. Staff should be available to attend their contractual base of work during their contractual working days and hours and for emergency or business critical situations, if necessary, attend at short notice.

Your line manager may come back to you with suggested modifications to your proposed working pattern (to include location and hours). These should be discussed in full and the final proposal will then be considered. Agreement will be subject to business needs and customer service delivery.

Following this discussion, your line manager will email you (copying in HR) to let you know if they are able to support this working pattern for the month. You will be expected to agree at the start of each month in writing with your line manager any changes to your work pattern or location. The agreement can be for a period of up to 2 months.

If you are not able to mutually agree monthly changes to your working pattern, please contact HR for advice and support. You may wish to use the informal or formal stages of the grievance procedure. All staff have the right to raise a complaint through the grievance procedure about any aspect of their employment with Elim at any time.

#### **Please note**

Any agreed changes are not to be considered as a contractual change and may be changed subject to one week's notice if business needs or cover is required. In emergencies, you may be asked at shorter notice to alter your arrangements. It would be appreciated if you can be flexible in these circumstances. You may also be required to attend the workplace to meet, work collaboratively and for effective team working and building. Managers will be required to be available for their team management delivery requirements and be willing to be flexible about meeting locations and times.

### **2. Formal Flexible Working Procedure**

If you would like to change your contractual hours or days, you should do so formally by completing this [form](#) as all staff have the statutory right (under the Flexible Working Regulations 2014 -Employment Rights Act 1996) to ask for a change to their contractual terms and conditions of employment to enable them to work flexibly. This right applies provided you have 26 weeks continuous employment at the date the application for flexible working is made. Only one statutory request can be made in any twelve-month period.

Flexible working examples typically include (but are not limited to):

- part-time working,
- annualised hours,
- compressed hours,
- staggered hours,
- home-working,
- job-sharing,
- phased retirement.

### **3. Formal Flexible Working request - Making an application**

To make a request to formally change your hours, location or days, you should complete the [Flexible Working application form](#). One formal application per rolling year can be made.

You will need to consider any impact your flexible working request may have on the business and how these might be accommodated. You are encouraged to discuss your formal flexible working request proposal on an informal basis with your line manager before the formal application. The application must include:

- The date.
- A statement that this is a statutory request.
- Details of how you want to work flexibly and when you want to start.
- An explanation of how you think flexible working might affect the business and how this could be dealt with, for example if you are not at work on certain days.
- A statement saying if and when you've made a previous application.
- If you are making the request in relation to the Equality Act as a reasonable adjustment relating to a disability, this should be made clear in the application.

Once the completed form has been submitted, your line manager will make arrangements to meet with you to discuss the request.

They should arrange to discuss the application with you confidentially within 28 days of receiving the written request. The line manager may ask for HR or another manager to be present for input, support and advice.

You may also request HR attendance and / or be accompanied by a work colleague or trade union representative.

At the meeting, the line manager should discuss the request in some detail with you, including:

- The reasons for the application and specifics of it.
- How you will continue to deliver your role.
- The impact on delivering customer service and Elim CARES values.
- Identified benefits of proposed changes.

#### 4. **Supporting your application**

The line manager will look positively on whether Elim can support your request. They will need to consider a number of factors in making the decision:

- Impact on the customer service delivery.
- Any costs associated with the proposed arrangement.
- Potential impact of the proposed arrangement on other staff.
- Management and supervision issues, including lone working.
- Team and department arrangements and delivery requirements including the working patterns of other staff.
- The availability of staff resources.
- The impact on delivering role tasks and KPIs.
- The workload of the role.
- Health and safety issues.
- Delivering Elim CARES values.
- Whether it is a request for a reasonable adjustment related to a disability.
- Discussing any suggested modifications to the request that might enable it to be supported.

#### 5. **Next Steps**

The line manager will consult with HR and other line managers to discuss the impact of the change as appropriate.

The line manager may partly agree to the request by proposing a modified version of the request if that would meet the business needs, if this hasn't been discussed at the meeting, then further discussions on the modified proposal should be held.

If the line manager is able to agree to the proposal or there is agreement on an amended proposal, it is recommended that there is a minimum of 3 months trial period. This period is designed to help you experience the new working arrangement before it becomes a permanent change. It also helps the line manager to measure whether the variation is working for the team, customers and Elim.

You will receive a letter confirming the temporary changes to pay and conditions during the trial period and the duration of the trial period agreed. You will need to confirm that you accept the change.

Following the trial period, both you and your line manager will need to confirm to HR that the trial period has been successful. If it has been successful and there is agreement it will continue, you will then receive a letter to confirm a permanent change of terms and conditions. You will need to confirm that you accept the change.

If the trial period has been undertaken and was not successful, it may be appropriate to propose a modified version of the original request. If this is not agreed, you will be written to formally revert to their original terms and conditions of employment.

#### 6. **Request not able to be supported**

There may be business reasons why we are not able to support the application.

These business reasons include; for example (but not limited to):

- The burden of additional costs.
- Rota or staffing or work delivery requirements.
- An inability to recruit additional employees.
- A detrimental impact on customer service and delivering Elim CARES values.
- A detrimental impact on performance.
- Detrimental effect on the ability to meet customer demand and customer service and KPIs.
- Insufficient work for the periods the employee proposes to work.
- A planned structural change, for example where the organisation or team intends to reorganise and considers the flexible working request may not fit with these plans.

You will be written to with the decision and the reasons for not being able to support it.

The outcome should be communicated to you within 3 months of your formal application.

## **7. Appealing against the decision**

Under employment law any appeal must be dealt with within three months of the date the application was made. The three month period can be extended by mutual agreement, for example, because of a trial period or holidays and other absences.

You may wish to appeal the decision if:

- There is new information that was not available at the time the original decision was made.
- The decision by the line manager to reject an application was based on incorrect facts,.
- You think the application was not handled reasonably and in line with this procedure.

The appeal process is as follows:

- You will need to state the reasons for the appeal in writing to HR within **14 days** of notification of the line manager's decision.
- HR will then arrange an appeal meeting with you.
- You may be accompanied at the appeal meeting by a work colleague or trade unions representative.
- It may be appropriate for HR to attend the appeal meeting.

## **8. Monitoring**

This procedure will be monitored including for its impact on staff satisfaction, business and KPIs performance and contract delivery.

## **9. Procedure owner**

The Head of HR & OD is responsible for leading on compliance with the procedure and procedure review.

## **10. Procedure date and review**

The procedure was created February 2021 and will be reviewed every three years.