

## **Report to Joint Consultative and Safety Committee**

**Subject:** Flexible hiring and working practices

**Date:** 21 February 2017

**Author:** Service Manager – Organisational Development

### **1. Purpose**

To notify the Joint Consultative and Safety Committee (JCSC) of the general principle approved by Senior Leadership Team (SLT) to adopt a more structured approach to the application of flexible employment practices, particularly at the point of job advertisement, and to invite comment prior to the implementation by the Chief Executive.

### **2. Introduction and background**

The paper presented to the Senior Leadership Team in January outlines a number of practical measures that are proposed for implementation that are intended to make job opportunities with the Council more accessible to a wider range of applicants by more overtly supporting flexible working practices whenever possible. The full report to SLT is shown at Appendix A.

The principle of more flexible recruitment and employment is one that has been promoted by the Timewise Foundation which has worked with all district councils in the county together with the City and County Councils through the Chief Executives' Forum with the aim of each council adopting a statement of support. It is about this statement (at Appendix 2 of the attached report) in particular, together with the other general operational changes proposed, that the committee is invited to make comment.

### **3. Proposal**

The report at Appendix A outlines the proposals in detail but in summary they are as follows:

- To put the statement (shown at Appendix 2 in the original report) together with the practical measures proposed to this committee for consultation and comment, and that following this, the Chief Executive is to authorise a final version of the document as a general protocol to be applied.
- The vacancy management pro forma is redesigned to require a service manager to identify suitability for flexible hiring arrangements and to give SLT the opportunity to explore any recommendation and determine what arrangements are to apply.
- For jobs that are deemed suitable for flexible hiring, a copy of the statement and a version of the practical measures appropriately targeted for external job candidates will

be included with recruitment information. This “candidate version” of the internal protocol is proposed at Appendix 4 of the original report.

- When a job is suitable for flexible hiring then this is shown in the advertisement in the “banner information”. An example is shown at Appendix 5 of the original report.

#### **4. Financial Implications**

Any additional financial cost should it arise from the provision of bespoke equipment to allow a flexible delivery of work will be met from existing budgets. Additional costs would be taken into account when considering whether or not a request for particular flexible working arrangements could be supported or not.

#### **5. Appendices**

Appendix A - Original report to Senior Leadership Team.

#### **6. Background Papers**

There are no other background papers to this report.

#### **7. Recommendations**

It is recommended that the JCSC considers the statement (shown at Appendix 2 in the original report) together with the other practical measures proposed and offers comment to the Chief Executive who will implement the final arrangements in the form of an internal guidance protocol.

## **Report to Senior Leadership Team**

**Subject:** Flexible hiring and working (internal processes)

**Date:** January 2017

**Author:** Service Manager- Organisational Development

### **1. Purpose**

To ask SLT to support the proposed changes to documentation and process in order to better embed the principles of flexible working and in particular, flexible hiring.

### **2. Background**

The Nottinghamshire Chief Executives' Forum has given collective support to the broad principles of flexible working and flexible hiring introduced through the Timewise Foundation.

This support follows detailed group work with all other districts in the county as well as the City and County Councils. From an HR perspective, this work was led by the Timewise Foundation and resulted in a number of recommendations to the Forum which, in summary, included:

- Preparing our own Council statement on flexible hiring;
- Identifying 2-3 internal case studies which showcase how flexible working works in your Council;
- Developing an implementation plan for how to launch this statement and embed flexible hiring in your current practices and materials.

Case study examples have already been sent to Timewise to help promote what is already being done locally. These are shown at Appendix 1. The implementation plan is, in essence, this report.

Although not the subject of this paper, this county-level work also encouraged each organisation to consider how the principles of flexible hiring might be promoted to local businesses and this is something to be progressed separately through the Nottinghamshire Economic Prosperity Committee in January to try to engage further support and commitment to taking the campaign forward.

Already in our own council we have policy that promotes flexible working for existing employees which reflects the legislative requirement to consider such requests. However, what we have not perhaps done so well is to identify posts at the point of advertisement that might be suitable for "non-standard" working arrangements and to actively advertise them as such.

The Timewise Foundation suggests that the underlying principle about why we should open up our jobs to flexible working is two-fold; firstly, by making jobs more accessible to a wider pool of people helps us to better meet our social duty as potentially people with care responsibilities (often women) or people with certain disabilities who through their circumstances may not be able to undertake a job because of the location, the number of hours or the timing of office opening, are able to apply for work more easily. Secondly, in terms of business advantage, by opening up jobs to competition from a much wider pool of people then we will have more choice about the best candidate for the job. The overriding principle is still that any working arrangement should meet the business needs of the council and its customers.

If these principles are accepted then we will need to develop our local policies and processes in ways that will create practical and meaningful change.

### **3. Proposals**

It is proposed that to achieve the ambitions supported by the Chief Executives' Forum the following local changes are implemented:

- The statement shown at Appendix 2 together with the practical measures proposed is put to the Joint Consultative and Safety Committee for consultation and that following this, the Chief Executive authorises the use of the document as a general protocol to be applied. This protocol would be used as an internal document and used as a reference when SLT consider suitability of a post for flexible hiring arrangements.
- The vacancy management pro forma is redesigned to require a service manager to identify suitability for flexible hiring arrangements and to give SLT the opportunity to explore any recommendation and determine what arrangements are to apply. A proposed draft is shown at Appendix 3.
- For jobs that are deemed suitable for flexible hiring, a copy of the statement and a version of the practical measures appropriately targeted for external job candidates will be included with recruitment information. This "candidate version" of the internal protocol is proposed at Appendix 4.
- When a job is suitable for flexible hiring then this is shown in the advertisement in the "banner information". An example is shown at Appendix 5.

There is no proposal to seek accreditation from the Timewise foundation.

### **4. Financial Implications**

Other than officer time required to set up a "non-standard" working practice (for example management and IT officers' time), there should be limited additional cost. If the proposed method of work does carry cost then this would need to be assessed as part of the decision to allow the proposed method of working put forward by the candidate.

### **5. Appendices**

- Appendix 1- Case study examples
- Appendix 2 - Protocol including statement
- Appendix 3 - Vacancy management pro forma
- Appendix 4 - Candidate information sheet- protocol and statement
- Appendix 5 - Example of advert wording

## **6. Recommendations**

It is recommended that Senior Leadership Team:

6.1 Supports the proposals in principle

6.2 Authorises the progression of the proposed protocol to the JCSC for consultation and subsequent implementation by the Chief Executive (as an agreed working protocol to be adopted, not as a policy of the Council).

## **Case studies- Gedling Borough Council**

The following two case studies demonstrated the preparedness to consider non-standard ways of working in some of our most senior posts. Service manager posts in the organisation are the lead officers in specific professional disciplines and are employed under JNC for Chief Officers' terms and conditions.

### **Case study 1:**

A service manager whose personal circumstances changed some years ago. The post holder found it difficult to commit to a full-time role and agreed a reduction of hours on a flexible basis. This meant that most weeks are worked over a four day period. As a senior officer the post holder recognises that on those days there may be a need to work beyond contracted hours. There is also a shared recognition on the parts of employer and employee that the fifth day of each week is normally not worked, however, if there is a specific business need that arises or there is a peak in workload (which does occur with this job around financial year end) then the post holder will attend work and will be paid on a "five day basis" for that week. Budget is set aside to accommodate this period arrangement. The benefit in this arrangement is that at busy times work is covered effectively whereas at other times in the year, financial savings can be made. More importantly, the measures help to retain the services of an experienced officer who is valued by the organisation.

### **Case study 2:**

A new service manager post was recently created in the organisation as part of a management restructuring exercise. The exercise also proposed deletion of a number of existing posts. Two of the post holders who were affected by the proposals applied for this service manager post as a redeployment opportunity on a job-share basis. They were successful in securing the post under this arrangement. Part of the selection process focussed on how each would carry out the role of service manager; each responded positively to this challenge. The interview panel was left in no doubt that the job share arrangement at this very senior level would be effective and that that the arrangement would help us to retain experienced staff in a professional area that is currently difficult to recruit to because of market forces.

## Statement of flexible hiring and flexible working

### Statement:

Our support of flexible hiring increases the range of talented people able to apply for work with us which in turn helps us build a high-quality, engaged workforce to deliver the best services to our residents and customers.

### Practical measures:

- ~ At the point of a vacancy being approved to be filled, our Senior Leadership Team will determine if it is suitable for flexible working arrangements.
- ~ If SLT determines that the vacancy is generally suitable for flexible hiring arrangements then the following statement will be included in the job advert header: "Flexible working options considered".
- ~ Flexible working arrangements might include, but are not limited to:
  - ~ Job share
  - ~ Part time work below the hours advertised
  - ~ Flexible hours of work beyond the flexitime scheme and outside traditional working days or hours.
  - ~ Non-standard work patterns including term-time working, annualised hours etc.
  - ~ Working from locations other than the normal work base for some or all of the week.
- ~ Not all jobs will be suitable for flexible hiring arrangements. Whether or not a job is considered generally suitable for flexible hiring will be made clear in the information provided at the advertisement stage of the recruitment process.
- ~ For jobs that are suitable for flexible hiring arrangements, the flexible arrangement proposed by an applicant will be considered at the point of a job offer. Not all arrangements proposed by a candidate may be suitable. If an applicant's preferred option for work cannot be supported because of a particular business need, other options will be explored and where possible an alternative arrangement agreed. Ultimately a service manager will determine the suitability of any arrangement proposed.
- ~ The Council's general support of flexible working arrangements whenever possible is in addition to the recognised duty to consider reasonable adaptations to working practice or work environment that might arise due to an applicant's or an employee's disability.
- ~ Existing employees wishing to work in flexible ways will receive the same consideration as job applicants. Requests for changed ways of working will be considered under the Flexible Working Regulations 2014 and determined by a service manager with a periodic report on decisions made to Senior Leadership Team.

## **Establishment Management**

Complete this form and submit to your Director who will put the proposal to SLT for decision. If supported, the Director will authorise this form and send to the Personnel Team to action.

### **Proposal to:**

Fill the vacant post of: (Post title/ref)

Create/ extend a temporary post of: (Post title)  
For: (Hrs per wk/ how long for)

Make other change (detail):

### **Why it is necessary to fill this post:**

### **The consequences of not filling the post are:**

### **Apart from filling the vacancy the other options open are to (at least one):**

### **Why have you ruled out these other options/what is the risk or potential outcome if they are implemented?:**

**Is flexible hiring proposed for this post (see statement overleaf): Yes/ No**  
**If not, why not:**

**Name of Service Manager recommending proposal:**  
**Service area:**

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**Action agreed by SLT is to:**

**Flexible hiring to be applied to this post: Yes/ No**

**Authorised by Director (name):**

**Date:**

# Statement of flexible hiring and flexible working

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  - ~ Non-standard work patterns including term-time working, annualised hours etc.
  - ~ Working from locations other than the normal work base for some or all of the week.
- ~ Not all jobs will be suitable for flexible hiring arrangements. Whether or not a job is considered generally suitable for flexible hiring will be made clear in the information provided at the advertisement stage of the recruitment process.
- ~ For jobs that are suitable for flexible hiring arrangements, the flexible arrangement proposed by an applicant will be considered at the point of a job offer. Not all arrangements proposed by a candidate may be suitable. If an applicant’s preferred option for work cannot be supported because of a particular business need, other options will be explored and where possible an alternative arrangement agreed. Ultimately a service manager will determine the suitability of any arrangement proposed.
- ~ The Council’s general support of flexible working arrangements whenever possible is in addition to the recognised duty to consider reasonable adaptations to working practice or work environment that might arise due to an applicant’s or an employee’s disability.
- ~ Existing employees wishing to work in flexible ways will receive the same consideration as job applicants. Requests for changed ways of working will be considered under the Flexible Working Regulations 2014 and determined by a service manager with a periodic report on decisions made to Senior Leadership Team.

## Flexible hiring and flexible working

### **Statement:**

Our support of flexible hiring increases the range of talented people able to apply for work with us which in turn helps us build a high-quality, engaged workforce to deliver the best services to our residents and customers.

### **Our commitment to you:**

This post is considered potentially suitable for flexible working arrangements. What this means practically is described below. If you do wish to propose working arrangements that are “non-standard” you should include details of these in a covering letter. Although the business needs of the Council may mean that it is not possible to agree to the change in working arrangements that you propose, our commitment to you is that the manager responsible for the service will work with you to try to identify a workable arrangement.

### **Practical measures:**

The range of flexible working arrangement might include, but not be limited to:

- ~ Job share
- ~ Part time work below the hours advertised
- ~ Flexible hours of work beyond the normal flexitime scheme (annualised hours, week on/week off etc.)
- ~ Working outside traditional working days or hours.
- ~ Non-standard work patterns including term-time working etc.
- ~ Working from home or remote location for all or some of the week

Not all of these may be suitable for this particular vacancy and this list is given as example only.

### **Additional flexibility:**

The Council’s general support of flexible working arrangements whenever possible is in addition to the recognised duty to consider reasonable adaptations to working practice or work environment that might arise due to an applicant’s or an employee’s disability. If the need to make adjustment arises from a disability you are not expected to detail this at an application stage but only once a job offer is made. If you require particular adaptation to the application or interview process, you should make this known so that appropriate arrangements can be put into place.

Example advert wording

**Solicitor (Litigation and Licensing) – Legal Services**

**22.5 hours per week**

**£39,660 – 41,551 p.a. (pro rata)**

**Flexible working options considered**

We are looking for a qualified solicitor to join our busy, forward thinking, Legal Services team to deal with all contentious aspects of local government law, with particular emphasis on litigation and licensing. You will be required to provide high quality legal advice to officers and elected members across the Council and represent the Council in courts, tribunals and inquiries. Previous local government experience is not essential, but applicants should have at least two years' PQE and have previous experience in litigation and licensing.

The caseload is varied, from environmental prosecutions and anti-social behaviour injunctions to advising members on licensing panels and committees. With the support of a Legal Executive you will deal with a range of contentious legal matters from beginning to end. Good advocacy and communication skills are essential to the post.

You will be required to attend evening meetings and must be willing to travel within/outside the Borough when necessary to carry out your duties.

The Legal Services team strive for continuous improvement in service delivery and this post is key to the provision of an effective and efficient legal service and to the delivery of the Council's plans and priorities.

For an informal discussion about the post please contact Francesca Whyley, Service Manager – Legal Services on 0115 9013907.

Closing date is noon on 16 November 2016.

Interviews will be held in the week commencing 21 November 2016.