

 West Mercia POLICE		POLICY
Security Classification	OFFICIAL	
Disclosable under Freedom of Information Act 2000	Yes	

POLICY TITLE	Flexi-Time (Working Hours) Scheme (Police Staff)
POLICY REFERENCE NUMBER	WMP070
Version	2.0

POLICY OWNERSHIP	
DIRECTORATE	BUSINESS SERVICES
BUSINESS AREA	PEOPLE & ORGANISATIONAL DEVELOPMENT

INITIAL IMPLEMENTATION DATE	May 2020
NEXT REVIEW DATE:	August 2026
RISK RATING	LOW
EQUALITY ANALYSIS	LOW

West Mercia Police welcome comments and suggestions from the public and staff about the contents and implementation of this policy.
Please e-mail policiesandprocedures@westmercia.police.uk

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1.0 INTRODUCTION

West Mercia Police and the Offices of the Police and Crime Commissioner for West Mercia operate a Flexi-time scheme to ensure that individuals can achieve a healthy work life balance and the organisation can provide the widest period of service delivery and efficiently manage temporary peaks and troughs in workload.

The Scheme provides individuals with the opportunity to work flexibly within their contracted hours, subject to the needs of the service and in agreement with line managers.

2.0 PRINCIPLES OF THE SCHEME

Heads of Department will establish and publish their normal office opening hours.

Managers must ensure that the needs of the service always have priority and that they are adequately staffed throughout normal working hours. Managers will inform their staff of the required staffing levels during the services opening hours, including the lunch period. This may include remote cover from another location.

Subject to the Scheme rules and with their line manager's approval, individuals may vary their start and finish times or extend the length of their lunch break to manage their personal work-life balance needs. For example, to

- attend medical/personal appointments;
- accept a scheduled delivery or deal with an urgent domestic issue;
- attend meetings/ events concerning their dependents.

However, this flexibility does not mean that individuals can unilaterally determine the hours they will work and any variance outside the agreed start and end times must be agreed in advance with line managers.

Individuals in some departments may be expected to start and finish work at set times (as determined by the line manager) to ensure optimum service delivery, again this may include remote cover. There may also be occasions where individuals are asked to start and finish work at set times within the periods covered by the Scheme in order to deal with increased demands in workload or attend specific work-related events, again this may include remote cover.

Managers will monitor working hours to ensure that individuals do not routinely work beyond their contracted hours. Additional hours should only be worked by exception and with prior approval.

Individuals must ensure that they manage variations in their working hours to minimise the accrual of credit or debit hours and must not deliberately or routinely work excess hours in order to accrue time off.

Individuals who require frequent, regular or long-term variations to normal working hours should obtain approval for a suitable working pattern through a flexible working request application.

3.0 ELIGIBILITY

The flexi-time scheme is available to full-time and part-time employees except:

- those working on shift patterns or fixed hours;
- where the local management has determined that operational and/or service demands do not support flexi-time working.

An individual's Written Statement of Particulars and relevant job profile will state if the flexi-time scheme applies.

4.0 OPERATION OF THE FLEXI-TIME SCHEME

The Scheme operates between 0600 hours and 2000 hours from Monday to Friday.

Where an individual chooses to work between 0600 hours and 0700 hours, or 1830 hours and 2000 hours as part of their flexi-time working, they will not be eligible for irregular hours payments.

Any hours worked outside these times may be classed as overtime or unsocial hours and must be agreed in advance with the line manager.

As we move towards being a more flexible and agile organisation, you may have a preference to work hours that help you to better balance your home and work. This may include working outside of the Flexi-time Scheme hours but still be part of your 'working day/hours'. You must check with your line manager to ensure this does not negatively impact on the needs of the service, your health and wellbeing and record these hours in the usual way.

Department Normal Service Hours

Department managers must set the times during which the service will be open to the public and/or other members of staff ('normal service hours').

Department Core Working Hours

Department managers will also set the core working hours i.e. the busiest periods of demand for the team/ department. These are the times when all individuals are expected to be working unless they have requested a period of approved leave. Managers may also require a minimum staffing

level to be maintained during non-core hours (e.g. at lunch/break times). This can include remote working as long as the service needs can be met.

Please note any flexible working, needs to be with the agreement of your line manager.

Individuals, who wish to regularly vary their working hours during the core hours period may, if eligible, request a permanent flexible working arrangement in accordance with the Flexible Working Policy and Procedure.

Approved flexible working arrangements will not exclude individuals from continuing to work within the flexi-time scheme, where the role and service demands permit this.

5.0 REST BREAKS

The Working Time Regulations state that an individual working more than six hours must have one uninterrupted rest break of 20 minutes during their working day, which may be unpaid.

However, West Mercia Police has agreed a standard arrangement for the length of unpaid rest breaks within various working day lengths as follows:

Length of working day	Length of break
More than six hours up to and including nine hours	30 minutes*
More than nine hours up to and including 11 hours	45 minutes
More than 11 hours	60 minutes

** In some instances, a rest break of 36 minutes will be applied in order to achieve an average weekly contracted hours of 37.*

Where an individual wishes to take an extended unpaid rest break of longer than one hour, this should be agreed with the line manager in advance.

6.0 BREAKS, MEDICAL AND OTHER PERSONAL APPOINTMENTS

The line manager should determine what is considered to be reasonable with regard to the availability, length and frequency, of smoking breaks, refreshment breaks, time for personal phone calls and other such short breaks.

The time taken for such breaks must be agreed in advance and deducted from the daily flexi-time hours recorded and noted as a weekly total within the comments box for the week.

Wherever possible, medical, and other personal appointments should be made with your line managers agreement

Additional breaks agreed as part of a formal return to work/ recuperative plan or as a reasonable adjustment will not be deducted from the individual's normal working hours. Where possible staff should make every effort to make appointments outside of work time, avoiding core time. Staff should advise their first line manager at the earliest opportunity of any appointment date and time, providing evidence of the appointment, this will allow for managers to suitably plan, ensuring the required levels of service can be provided.

7.0 CREDIT AND DEBIT BALANCES

An individual's recorded flexi-time balance should not normally exceed a maximum of 12 hours credit or be in debit by more than 4 hours at the end of each 4 week recording period. These allowances should be pro rata for part time staff and example calculations are given below:

- **Credit Calculation:** $12 \div 37 \text{ hours} \times \text{contracted hours per week}$
- **Debit Calculation:** $4 \div 37 \text{ hours} \times \text{contracted hours per week}$

Total credit and debit limits should be rounded up to the nearest 5 minutes.

Where exceptional operational requirements/ extenuating circumstances result in an individual's credit or debit balance being outside these limits, the line manager and individual should agree a working pattern which will return the balance to within the above parameters within a reasonable timeframe (usually not more than 3 months).

8.0 TAKING ACCRUED FLEXI-LEAVE

Individuals may take up to 2 half days or 1 full day flexi-leave per four-week time recording period, (pro rata for part-time staff), subject to line manager approval and sufficient accrued hours.

Flexi-leave may be requested during the current or next flexi recording period or taken retrospectively to replace authorised annual leave. It must not be requested in advance of 2 months.

Where exceptional operational requirements have resulted in an individual's credit balance exceeding the maximum of 12 hours, the line manager may agree to additional periods of flexi leave to return the balance to within the parameters of the scheme within a reasonable timeframe (usually not more than 3 months).

Flexi-leave requests should be made via Origin Self Service in the same manner as booking Annual Leave.

9.0 RECORDING WORKING TIME

Individuals are required to record their working time for the purposes of the Working Time Regulations.

The working day starts and ends when staff actually start and finish their duties at their work station. Times are to be recorded to the nearest 5 minutes. When staff are required to work away from their normal place of work (this doesn't include remote working options) or attend training, the recorded working times must follow the Travel and Subsistence Policy.

The following standard times will apply for the purpose of recording annual leave, sickness and special leave:

- Week = 37 hours
- Day = 7 hours 24 minutes (7.4 hours)
- Half Day = 3 hours 42 minutes (3.7 hours)

For part-time staff, or those who work variations to the standard day (e.g. compressed hours), the standard times will be determined by their individual work patterns.

Line managers should check flexi-time recording sheets at the end of each recording period to ensure that individuals are:

- Working no more than an average of 48 hours a week over a 17 week reference period.
- Receiving 11 consecutive hours' rest in any 24 hour period.
- Receiving the agreed standard rest break, or the legal minimum of 20 minutes rest break, where the working day is more than 6 hours.
- Receiving one or two uninterrupted rest days in a period of 7/14 days.
- Within the flexi-time debit and credit allowances.

Flexi sheets should be verified by the line manager and stored electronically in your teams agreed shared area for monitoring purposes.

10.0 ADDITIONAL WORKING HOURS/OVERTIME

There may be occasions when individuals will be required to work additional hours outside of the Flexi-time scheme parameters to meet business demand. For example, undertaking work which requires adherence to a deadline or attending an event outside the normal working day.

These additional working hours must be approved in advance and may qualify for enhanced rates of pay and/or compensatory rest breaks, as outlined in the Police Staff Handbook.

Where there is a requirement to work additional hours outside of the flexi-time scheme, the manager and individual may agree that time-off will be

given in lieu of payment (TOIL). The individual must record these hours separately from their flexi-time through ORIGIN Self Service in the TOIL Submission area.

Staff can not claim overtime payments or TOIL and flexi-time for the same period and no enhancement will be paid without prior authorisation from the individual's line manager.

11.0 STAFF LEAVING THE ORGANISATION OR CHANGING ROLES

Individuals must clear their credit/ debit flexi-time balance to zero prior to leaving the organisation or if moving to a new role within the force.

Individuals will not be paid for any outstanding balances of accrued flexi-time at the end of their employment. However, where the employee is prevented from using their credit balance due to exceptional exigencies of duty, the Head of department may authorise the payment of the credit hours balance. Excessive debit hours may be recovered through deductions from the final salary.

Individuals who transfer to another role should ensure that their flexi-time balance is cleared to zero unless agreement can be reached between their existing and new line manager to transfer any balance.

12.0 COURSE/COLLEGE ATTENDANCE

Individuals attending approved college courses for career development purposes may be absent during the core hours period and should record their actual leaving time on their flexi sheet. The individual must ensure that their balance at the end of each 4 week recording period remains within the parameters of the scheme.

13.0 ABUSE OF THE SCHEME

Where it is established that an individual has abused the flexi-time scheme, they will be subject to disciplinary action which may include the removal of their entitlement to participate in the scheme or, in more serious cases, a formal sanction (including dismissal).

<i>Business Lead/ Chief Officer Consulted</i>	<i>Date Consulted</i>
Julie Darby/Rachel Hartland-Lane	Dec 2022/ Sep 2023

14.0 DOCUMENT HISTORY

Date	Author / Reviewer	Amendment(s) & Rationale	Approval / Adoption
		Previously approved at JNCC meeting	JNCC 13/06/2018

May 2020	Jasmine Penn	Reviewed – no changes, reverted to West Mercia Policy v1.0	May 2020
December 2022	Emma Knowles/ Julie Darby	Reviewed – Expansion of hours in which the scheme operates.v2.0	JNCC Exec Board meeting 09/05/2023

15.0 ASSESSMENT AND ANALYSIS

A 'Health and Safety, Risk and Equalities Assessment' has been conducted and is available on a separate document.

16.0 GUIDANCE AND PROCEDURES

- ACAS Code of Practice for Handling Requests to Work Flexibly in a Reasonable Manner 2014
- College of Policing Flexible Working in the Police Service Guidance for Managers
- Flexible Working policy
- Flexible Working Procedures (Force Document Search)
- Flexible Working Requests form
- Flexible Retirement Guidance
- Working Time Regulations
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000).
- Agile Working policy

17.0 DATA PROTECTION IMPACT ASSESSMENT

- Is a DPIA required? – Awaiting Audit, Risk and Compliance on 20/02/2023