

Staff and Pensions Committee

9 September 2019

New Starters – Flexible working

Recommendation

That the Staff and Pensions Committee agrees to amend the Council's standard terms and conditions of employment for staff new to Warwickshire County Council such that flexi time is not included in the contract of employment.

1.0 Key Issues

- 1.1 The Council has developed a How We Will Work programme which is about changing the way the Council's employees work so that the needs of the business can be met in the most effective way. The shift to Microsoft 365, approved by Cabinet in June 2019, is also part of this wide ranging programme aimed at ensuring our workforce is equipped to meet our future business needs. In support of this, a set of organisational principles have been developed, attached at Appendix A.
- 1.2 A key aspect of the programme is a move to a more flexible style of working with a workforce of flexible workers focussed on delivering the Council's outcomes and meeting customer need. This means having different approaches to where, how and when employees work driven by customer and business need and within the parameters set, corporately and agreed more locally as relevant to each team.
- 1.3 The Council has existing flexible working arrangements, the most common one being the flexi-time scheme which has been in place across the Council for over 20 years. Under the scheme, hours are worked between fixed core hours with staff allowed to accrue hours worked above their contracted hours and to take those hours at a different time, as whole or half days of "flex leave". If staff accrue one day per flex period, this amounts to 13 days per year for a full time member of staff.
- 1.4 Whilst the flexi-time scheme has served as an attractive benefit to staff over time, with the changing requirements for service delivery, agility and flexibility, it is becoming restrictive and outdated and a revised approach to flexible working is required.
- 1.5 Flexi-time is written into Warwickshire County Council's local contractual terms of employment of staff who are covered by the NJC National Agreement on Pay and Conditions of Service (known as the Green Book). Strategic Directors have discretion over whether the scheme applies to accommodate, for example, local team business needs, however the scheme

is available to the majority of green book staff. Flexi-time does not apply to staff on the Hay management band.

- 1.6 One of the organisational principles of the 'How We Will Work' Programme is that flexible working will replace the flexi-time scheme over time, in order to achieve the flexibility needed for the future.
- 1.7 Staff who currently benefit from flexi-time arrangements will be given the choice as to whether they wish to continue with this arrangement or whether they wish to take advantage of flexible working arrangements envisaged by the How We Will Work programme. If so, this would amount to a variation of their terms and conditions of employment. Staff who choose to continue on flexi-time may retain it if they change posts within the Council, subject to local business needs and the requirements of the role.

2.0 Options and Proposal

- 2.1 The purpose of this report is to propose that flexi-time is removed from the terms and conditions of employment offered to new staff appointed to the County Council. The date from which this change will take effect will be determined following the introduction of Microsoft 365 and after further engagement with Assistant Directors and Managers to ensure a smooth implementation.
- 2.2 New employees to the County Council appointed following the implementation of this proposal will join as flexible workers, with a specified number of contractual hours but no core hours (times when they must be present in the office), or fixed place of work where possible, and so with greater flexibility than they would have had under the flexi-time scheme over where, how and when they deliver their outcomes. This will be subject to any team requirements that are relevant to the post to ensure that business needs are met.
- 2.3 The aim of the new way of working is to ensure that our workforce is equipped to deliver the services we need into the future. This includes having a more flexible approach to where, how and when employees work and is aimed at delivering service outcomes whilst at the same time promoting an effective work-life balance. The implementation of Microsoft 365 enables this greater level of flexibility.
- 2.4 It is an option to continue to offer the flexi-time scheme to new starters, however, this is not recommended as the current scheme does not enable the Council to keep pace with the increasing demand for change required by the transformation agenda.
- 2.5 Not offering flexi-time to new employees will support the achievement of the Our People vision of making "Warwickshire County Council, a great place to work with outstanding leadership, and a talented, agile workforce".

- 2.6 This change may also help to address the Council's gender pay gap. Currently, as is the case in most local authorities, the lower graded posts tend to be occupied by female staff. One explanation for this is the prevalence of part time and flexible working opportunities in lower graded posts which has historically benefited those with domestic responsibilities. One of the actions arising from the gender pay gap action plan is to improve workplace flexibility, positioning it as an opportunity for men as well as women, and as much for senior as for junior roles. It is hoped that by integrating the new approach to flexible working, this will enable more women to progress to more senior posts in the organisation as well as achieving more consistency.
- 2.7 Likewise, a genuinely flexible work environment may also remove barriers to opportunities and progression for the growing number of staff who manage caring responsibilities (e.g. for elderly relatives) alongside their job.
- 2.8 The new arrangements do not affect the statutory right to request flexible working to agree specific permanent working patterns or arrangements, for example, term time or other part time working. These requests would continue to be considered on a case by case basis in line with statutory requirements.
- 2.9 The trade unions have been consulted on this new approach at the Joint Consultative Committee for non-teaching unions. Those that have responded to the consultation are supportive of it.

3.0 Financial Implications

- 3.1 None.

4.0 Timescales associated with the decision and next steps

- 4.1 Subject to agreement of the recommendation, practical steps (for example, updated contracts of employment, communication of the change to recruiting managers) will be taken to implement the amendment to our standard terms and conditions of employment to remove flexi-time for staff new to Warwickshire County Council. The implementation date will be determined following the introduction of Microsoft 365, and after further engagement with Assistant Directors and Managers to ensure a smooth implementation.

Background papers

N/A

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The report was not circulated to members prior to publication.

How we will work



People



Process



Technology



Space

Organisational principles

Meeting our service requirements is everyone's first priority

Performance is managed by outcomes with regular reviews

Working flexibly means working in any place and any space

An employee can not be both off sick and working from home, normal absence reporting procedures apply

It is important to have face to face contact on a regular basis

Flexible working will replace the flexi-time scheme over time