

FLEXIBLE WORKING POLICY

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FLEXIBLE WORKING PRACTICES PROCEDURES

POLICY STATEMENT

Scottish Borders Council (The Council) recruits and retains high quality employees who can ensure that the organisation performs to high standards. The Council greatly values the loyalty and capability of employees, their ability to work hard and deliver demanding targets. The Council recognises that all employees need to achieve a balance between their home and their work in order to live and work healthily. This policy aims to provide ways of achieving that balance through flexible working practices.

The Council is committed to promoting equal opportunities and to ensuring that there is no discrimination on the grounds of race, sex, disability, sexual orientation, age, religion or belief, gender reassignment or pregnancy or maternity. Managers and employees are responsible for operating this Flexible Working Practices Policy and Procedures in line with the Council's Equality, Diversity and Human Rights Policy.

The Council is committed to reflecting the diverse population of the Scottish Borders and to the integration of equal opportunities into all aspects of employment. This Flexible Working Practices Policy aims to help attract and retain a diverse workforce, valuing the differing needs of individuals, some of whom would be unable to work without flexible working practices.

For individuals from particular protected characteristic groups (such as people with disabilities), flexible working can increase their suitability for employment with the Council and there is a potential for existing employees to remain in work if they become disabled. This is welcomed by the Council as it expands the pool of suitable candidates for jobs and enables the skills and experience of existing employees to be retained.

The Council is committed to operating flexibly by making a number of alternative working patterns available to employees. These flexible working practices are open to all employees who are directly employed by the Council. All employees have a right to be treated fairly and with dignity and respect. Where employees can work efficiently and effectively and customer service is maintained or improved, applications for flexible working will be considered favourably.

The Covid 19 pandemic showed that many roles can be performed successfully through home working or working elsewhere outwith Council offices, and that equally many roles can be undertaken at different times to what have traditionally been regarded as "working hours".

The nature of work in different Departments and in different jobs varies to the extent that a request for a working pattern in one area may be approved whilst, in another area, it cannot be approved. Individuals will be given the reason why a request is not approved and can appeal against it.

However, managers should adopt an open mind to the possibility of hours being worked flexibly.

For many people in the Council, flexible working practices represent a new way of working and of managing employees' work. Managers and employees will be supported in the implementation of flexible working arrangements and should contact Human Resources Case Management Team telephone 01835 825015 or e-mail: askhr@scotborders.gov.uk for guidance.

Policy Review

The outcomes of this Policy will be reviewed at least every two years. If any trends emerge these will be analysed and appropriate steps taken, potentially including a full review of the policy. Changes to this document and related procedures are the responsibility of the Director People Performance and Change.

Additionally, as a minimum an integrated impact assessment of the policy will be carried out every two years in accordance with the Council's HR Policy Review programme or as required by legislative requirements in order that the Policy remains relevant and fit for purpose.

1 SCOPE, AIMS AND PRINCIPLES

1.1 Scope

These procedures apply to all employees, whether on full-time or part-time contracts and whether on permanent or temporary contracts.

The procedures exclude Agency staff, freelance or self-employed people and anyone else who is not directly employed by the Council under a contract of employment.

The procedures deal with the process of applying for flexible working practices and, where it is approved, making it work.

1.2 Aims

The Council supports the principle of enabling employees to achieve a work/life balance. This includes giving employees the opportunity to work more flexibly wherever practicable.

The Council will review the proportion of the work force who adopt flexible working patterns to monitor the impact and uptake, based on race, sex, sexual orientation, age, religion or belief, gender reassignment, disability and pregnancy and maternity.

Flexible working practices can bring benefits to both the Council and employee, including:

- providing greater flexibility in employees' working lives

- providing greater flexibility for the Council to deliver customer-focussed services
- increasing scope to meet the Council's commitment to equal opportunities e.g. it may enable a person with disabilities to do a job they otherwise would not be able to do
- broadening the traditional recruitment market and gaining access to alternative labour markets
- attracting and retaining staff
- providing a working environment which enables work to be carried out effectively and efficiently
- Reducing energy consumption and pollution from unnecessary car journeys
- Reducing the Council's property footprint

Employees who adopt a flexible working pattern should not be disadvantaged financially or in terms of job satisfaction or career prospects. They are entitled to the same training, personal development and job opportunities as other staff.

1.3 Principles

The following principles apply:

- Any flexible working arrangements must operate in accordance with the requirements for service delivery.
- Employees who have a flexible retirement arrangement in place cannot apply for phased retirement or vice versa.
- All flexible working arrangements should be reviewed regularly, and at least annually. This can be undertaken as part of the annual Appraisal process.
- The needs of all employees will be respected. Differences in the type of work requirements for different jobs and Departments will mean that there will be local variation in how flexible working practices can be adopted. However, requests for flexible working practices will be considered fairly in line with this policy and procedures and reasons given if they cannot be accommodated.
- The commitment to flexibility is two-way. Employees and managers need to work creatively together to be responsive to the needs of employees and the workplace
- The Council will promote and support a culture of delegation and empowerment as one means of achieving flexibility and responsiveness
- The Council is committed to enabling employees to achieve a work life balance and managers will lead by example in the way they manage their own work life balance
- Managers will work with employees to achieve their full potential, irrespective of their working pattern
- Work will be planned and resourced adequately so that employees are not required to work additional hours on a regular basis.
- It should be noted that employees with a disability may benefit from flexible working. The flexible working arrangement may constitute a reasonable adjustment in terms of the Equality Act.

2 LINKS WITH OTHER COUNCIL POLICIES

This policy is associated to the following key policies and where applicable should be cross referenced to gain further detail:

- Attendance Management Policy
- Equality Diversity, and Human Rights Policy
- Employee Travel and Mileage Policy
- Family Friendly Policy
- Health & Safety Policy
- Information Security Policy
- Leave
- Managing Work Performance Policy
- Reasonable Adjustments Policy
- Recruitment and Selection
- Retention and Redeployment Policy and Procedure
- Strategic People Plan
- Working Time Regulations

3 INTRODUCTION TO FLEXIBLE WORKING PRACTICES

3.1 The purpose of flexible working practices

The UK Government, the Scottish Government and society in general requires employers to give greater consideration to work life balance. This is evident through national directives and a wide range of legislation which supports, in particular, the role that parents and carers play in society.

3.2 The availability of flexible working practices in the Council

The Council fully supports flexible working practices and will continue to develop its working practices in parallel with the development of its management practices, the needs of employees and the operational requirements of the organisation.

The following flexible working practices can be applied for by employees and will be monitored, reviewed and revised in the light of experience:

- Blended/ Agile working
- Flexible working patterns e.g. compressed hours
- part-time
- job share
- home working
- phased retirement
- flexible retirement
- wind down/phased retirement - teachers

As a public body, the Council has particular aims in increasing flexible working practices across the organisation:

- to retain skilled, experienced employees
- to respect all employees' right to a work life balance
- to enable employees to come back to work after maternity leave
- to attract new employees from a wider pool of applicants
- to increase recruitment of under-represented groups, such as people with disabilities
- to optimise the efficiency and effectiveness of the Council through utilising different working patterns
- to avoid work-related stress by avoiding long hours working
- to create a responsive and flexible organisation.
- To decrease the Council's property footprint
- To reduce the Council's carbon footprint

3.3 The statutory right to request flexible working practices

All employees have a statutory right to request a permanent change to their working pattern. This statutory right applies to all employees who are directly employed by the Council.

4 PROCEDURE FOR APPLYING FOR FLEXIBLE WORKING PRACTICES

4.1 Applying for flexible working practices

This procedure applies to all employees who wish to make a request for their working pattern to be changed. The procedure is summarised [here](#).

The HR Case Management Team are available to provide confidential advice to employees and managers on all aspects of flexible working practices.

Employees should note that any change in the number of working hours will have an impact on their pension and Annual Leave allowance.

Applications for all forms of flexible working can be made by writing to their line managers using the [forms](#).

When using the [Application for Flexible Working](#) form.

The line manager will either approve the application or invite the employee to a meeting to discuss the application, which will take place within 4 weeks of the application being received. Employees are welcome to bring with them a companion, who is either a work colleague or trade union representative.

At this meeting, the line manager will discuss the application with the individual and consider whether the request can be accommodated. Not all employees can have their preferences accommodated but managers are expected to consider ways of doing so before reaching a decision. The discussion should be open and constructive, and take into account the following points, which form an indicative rather than an exhaustive list:

- the needs of the individual
- options for where the work can be carried out
- options for when the work can be carried out
- options for how the work can be carried out
- how much the postholder needs to interact with others
- how much other people (e.g. colleagues, managers, customers) need to interact with the postholder
- the impact on work delivery
- the level of skill mix required in the workplace at particular times
- the needs of other individuals, the team and the wider workplace
- the likely costs and savings of the change
- Whether the request could be accommodated through a job – share arrangement (in which case the employee may be asked to complete a job – share application form
- The implications of the change on the employee’s pay and other conditions of service.

An application for Flexible Working can only be refused legally for reasons based on one or more of the grounds listed below.

The line manager will write to the employee within 2 weeks of this meeting, giving their decision, and if the application is not granted listing the grounds upon which the application has been refused and explaining why they apply to the employee’s circumstances.

- burden of additional costs
- detrimental effect on the ability to meet customer demands
- inability to reorganise work amongst existing employees
- inability to recruit additional employees
- detrimental impact on quality
- detrimental impact on performance
- insufficient work during periods the employee wants to work
- planned structural changes.

If the request is not approved, the line manager will give the employee the right to appeal in writing within 2 weeks of the decision.

Also, if the request cannot be approved for one or more of the reasons listed above, line managers and employees should consider whether there is a workable partial solution. Where there is genuine doubt about a proposed working pattern but a willingness to overcome difficulties, a trial period can be considered for a fixed period (not usually less than 3 months) with regular reviews. The HR Case Management Team can provide further advice on this matter.

If the request is not approved the employee may appeal by writing to the Director People Performance and Change within 2 weeks of the decision. This must set out the employee's grounds of appeal.

The decision of the Director People Performance and Change (or their representative) is final.

Where a change to working practices is agreed, the line manager must advise HR Shared Services in writing by completing a notification of change form without delay

HR Shared Services will write to the employee with the agreement, giving the contractual variations and the effective date.

Flexible working practices can require a different approach to line management. Some guidance for managers is provided [here](#).

4.2. Frequency of applications

If an application has been refused, employees can re-apply, using the above procedure. Only two applications can be made in any 12 month period, and an employee may have only one live request for flexible working at any one time.

4.3 Employees' rights and responsibilities

Flexible working practices affect everyone in the organisation, whether or not they are working a flexible pattern themselves. Employees need to consider the impact on others when making a request for a flexible working pattern.

Employees can expect the following when making a request:

- their request will be considered seriously and fairly
- their manager will discuss their needs with them and have a genuine interest in meeting their needs
- their manager will discuss the impact on the workplace openly and constructively and discuss how to resolve any potential issues
- their manager will balance this request with those of other employees.

Employees are expected to do the following:

- be reasonable and responsible when making a request
- consider the impact of their proposed working pattern on colleagues, on customers and on the workplace
- anticipate any difficulties of working a flexible pattern and think through options and solutions
- respect their manager's decision and also be prepared to compromise, perhaps by working towards their preferred working pattern incrementally or on a trial basis
- be proactive about maintaining effective communication and interaction with colleagues and others when working flexibly
- manage their own workload effectively and ensure that their working pattern does not adversely affect colleagues or customers
- understand and meet their managers' work requirements when working a flexible pattern

- provide support and cover for colleagues in the team.

4.4 The role of HR

HR will promote the organisation's use of diverse patterns of working to meet the needs of current employees, to attract new employees who cannot work to a full-time standard contract and to increase flexibility across the Council.

HR will provide the following service:

- to promote work life balance amongst all employees at all levels of the organisation
- to advise and coach managers on the interpretation and application of the flexible working practices policy and guide them on making decisions
- to encourage creative thinking and assist managers and employees in finding solutions
- to share good practice and success stories and also draw lessons from experience
- to monitor patterns of working practices in the Council
- to ensure compliance with the Equality Act 2010.

5. FLEXIBLE WORKING IN PRACTICE:

BLENDDED/ AGILE WORKING

Employees and managers are now accustomed to working in different ways, in particular in working remotely without attending the office.

As we move forward, employees' preference for future working arrangements is to spend part of their time in the office and part of their time at home.

Agile working is a way of working in which an organisation empowers its people to work with maximum flexibility and minimum constraints to optimise their performance and to do their best work.

The amount of flexibility does depend on the nature of a role, alongside their customer base and expectations.

However, the overall agile working principle is that work is about outputs rather than the outdated idea that an employee is located in a specific building for a fixed period over a day (typically Monday to Friday, 9am to 5pm).

Employees can make an application for this by completing the [Blended Working Application](#) or the [Application for Flexible Working](#) form.

Employees can detail on the form when they would like to work from home and when they would like to be in the workplace.

They can also detail what hours they would like to work, for example to accommodate caring responsibilities or other domestic arrangements. (see examples below).

The form will be automatically forwarded to the employee's line manager. Who will either approve the application or arrange a meeting as detailed in paragraph 4.1.

Employees working a Blended Working pattern must ensure that any alternative workplace is a suitable working environment with adequate security arrangements (see Section 8: Homeworking).

As an organisation, the Council recognises the benefits of flexible working for both individuals and the organisation. In agreement with their line manager to ensure there is effective service provision in place, staff have the flexibility to work their contractual hours over the calendar month.

It also allows employees to work a full-time week in fewer days than normal; for example, working 35 hours in the space of four days, followed by a three-day weekend; or by working a nine-day fortnight; or by having each Wednesday afternoon off.

This provides staff with the ability to balance their work and home-life commitments.

Example One

Fiona works full-time and has a child at primary school who participates in a sporting activity every second Wednesday. In agreement with her line manager Fiona has the following working pattern:

Week 1

Monday home-working	Tuesday home-working	Wednesday in the office	Thursday in the office	Friday home-working
Start 9.15am	Start 9.15am	Start 9.15am	Start 9am	Start 9.15am
Lunch 12.15pm to 12.45pm	Lunch 12.15pm to 12.45pm	Lunch 12.15pm to 12.45pm	Lunch 12.15pm to 12.45pm	School pick up and lunch 12noon to 1.45pm
School pick up 2.45pm to 3.30pm	School pick up 2.45pm to 3.30pm			
Start 3.30pm	Start 3.30pm			Start 1.45 pm
Finish 5.30pm	Finish 5.30pm	Finish 5.30pm	Finish 5.30pm	Finish 5pm

Total seven hours	Total seven hours	Total 7 hours 45mins	Total eight hours	Total 5 hours 45 minutes
Weekly hours – 35 hours 30 minutes				

Week 2

Monday home-working	Tuesday home-working	Wednesday home working	Thursday in the office	Friday home-working
Start 9.15am	Start 9.15am	Start 9am	Start 9am	Start 9am
Lunch 12.15pm to 12.45pm	Lunch 12.15pm to 12.45pm	Lunch 12.15pm to 12.45pm	Lunch 12.15pm to 12.45pm	
School pick up 2.45pm to 3.30pm	School pick up 2.45pm to 3.30pm	Break to attend sporting activity 2.45pm to 4.45pm		School pick up and lunch 12noon to 1.30pm
Start 3.30pm	Start 3.30pm			Start 1.30 pm
Finish 5.30pm	Finish 5.30pm		Finish 5.30pm	Finish 5,45pm
Total seven hours	Total seven hours	Total 5 hours 15mins	Total eight hours	Total 7 hours 15 minutes
Weekly hours – 35 hours 30 minutes				

Example Two

Stuart works 28 hours per week over four days but has internet challenges on his home broadband and is able to work flexibly to deliver his work output and provide out of hours cover.

Weekly working pattern

Monday home-working	Tuesday home-working	Wednesday Non -work Day	Thursday in the office	Friday home-working
Start 10am	Start 10am		Start 9:15am	Start 10am
Not working 1pm to 5pm	Not working 1pm to 5pm		Lunch 12.15pm to 12.45pm	Not working 1pm to 5pm
Start 5pm	Start 5pm			Start 5pm
Finish 9pm	Finish 9pm		Finish 5.15pm	Finish 9pm
Total seven hours	Total seven hours		Total seven hours	Total seven hours
Weekly hours – 28 hours				

Health Implications

In order to protect the health and wellbeing of employees, the Working Time Regulations restrict the number of hours that employees can work per day and state minimum periods of rest overnight. Confidential advice is available to employees from the HR Case Management Team. Line managers who have received an application for compressed hours, may wish to discuss any implications with the HR Case Management Team before reaching a decision.

Even where the Working Time Regulations are being met, managers have a responsibility for ensuring that working patterns are not overly onerous for employees. Should they believe that employees’ health or performance is being adversely affected, they can, after consultation with employees and due consideration, recommend an alternative. An occupational health referral may be required.

6 PART-TIME WORK

Any consideration of part-time work by employees and managers as a flexible working pattern must be given in the context of this policy and the Council’s terms and conditions of employment.

Principles of part-time work

Part-time work is a contractual arrangement where employees work fewer than full-time hours. It is particularly useful in areas where there is either insufficient work for a full-time post or where there is a greater need for employees at particular times or days of the week than at others.

For employees, it is useful where they are not able to work all day for five days per week, for a variety of reasons, for example returning from maternity/paternity/adoption leave.

All employees at the Council are eligible to apply either for part-time work or to vary their part-time hours by using the [form](#).

Employees who wish to return to work after maternity leave on a part-time basis, need to give their manager at least 8 weeks' written notice (28 days for teachers) of their request prior to their return to work date. If the job is unsuitable for part-time working, the manager will check the availability of other part-time posts in the Council for which the employee can apply.

Legislation gives part-time employees the right to be treated the same as their full-time colleagues, for example in being given access to a wide range of pro rata benefits, such as pay, annual leave, public holidays, sick pay, pension, maternity/parental leave.

Part - time employees may work more than their contractual hours when this has been agreed in advance with their line manager.

Overtime payments are made in accordance with the Council's normal practice: i.e. the employee must work in excess of the agreed full time working week before overtime rates apply.

Part-time work and job-share work are key ways of achieving work life balance and of attracting a range of new employees who would not otherwise be able to work.

Implications of part-time work

Care needs to be taken that part-time employees are fully included in all necessary communications and learning activities. In order for employees to be able to contribute fully, managers should arrange their team meetings at convenient times as far as possible, with a formal arrangement for keeping them up-to-date on occasions where attendance is not possible. The same applies to performance management, personal development plans and access to learning activities.

Employees on part-time contracts should take a proactive approach to communications and ensure, as far as possible, that they seek out the information they need and book meetings in advance with the people they need to interact with, including their line manager.

7 JOB-SHARE

Any consideration of job-share work by employees and managers as a flexible working pattern must be given in the context of this Policy.

Principles of job-share work

Job sharing will be considered for any full-time post unless it is deemed unsuitable for sharing by the relevant Director, in conjunction with the Director People Performance and Change (or their representative).

Job-share work is a contractual arrangement where two employees split a full-time job between them, each working fewer than full-time hours. The two employees do not need to work equal hours but they will normally cover the whole working week, sometimes with a short overlap for a hand-over.

Employees are eligible to either apply for job-share posts, to convert their current post into job-share, or to vary their job-share hours by using the [Job Share Form](#).

Employees working on job-share contracts are entitled to pay and benefits on a pro-rata, basis as with part-time employees. The grade for the post is the same for each job-share partner. The salary and annual leave entitlements, however, are determined on an individual basis, taking into account such factors as length of service and incremental dates.

The Pension Scheme, and allowances such as Maternity, Sickness etc. apply as per conditions of service.

Job sharers are paid pro-rata to the number of hours worked. Overtime payments are made in accordance with the Council's normal practice: i.e. each job sharer must work in excess of the agreed full time working week before overtime rates apply.

Payment for night working and standby working, shall be made to a job sharer whose working arrangements qualify for payment as per conditions of service.

The working week can be divided to suit the needs of the two employees and the Department, for example by working Monday to Wednesday and Wednesday to Friday, or by working mornings only and afternoons only.

The two employees can split the job description into two equal parts or can each take a lead role in particular parts of the job description, as long as the grade is not affected.

Job share partners shall have their annual leave entitlement as per conditions of service, pro rata to the number of hours worked. Each receives Public and Fixed Holiday entitlement pro rata for the number of hours worked. Time off for Public and Fixed Holidays shall be split equally between sharers. In order that this be done fairly each year the number of Public and fixed Holidays allowed should be added onto annual leave entitlement and leave deducted to cover any Public or Fixed Holidays which arise when the employee is due to work.

The job-share partners arrange their annual leave, public holidays etc. so that, wherever possible, one partner is at work while the other is away. Job share partners may be required to cover for each other during planned absences and this will be discussed and agreed at the outset by the line manager if it is a requirement.

Part-time work ([Section 6](#)) and job-share ([Section 7](#)) work are key ways of achieving work life balance and of attracting a range of new employees who would otherwise not be able to work.

All vacant posts will therefore be reviewed to see whether they are suitable for part-time or job-share working with a view to increasing the opportunities within the Council.

Job-share can only be approved where two suitable job-share partners can be appointed.

Employees can apply for posts on their own or as job-share partners. During a recruitment and selection process, both partners must be considered suitable for the post.

Employees can also apply for their own job to be converted into a job-share position either on their own or with a proposed job-share partner, who would need to undergo normal selection procedures. If the request to convert a job into job-share is not accepted, reasons will be given in writing by the manager.

Employees who wish to return to work after maternity leave on a job-share basis, need to give their manager at least 8 weeks' written notice (28 days for teachers) of their request prior to their return to work date. If the job is unsuitable for job-share, the manager will check the availability of other job-share or part-time posts in the Council for which the employee can apply.

Procedure

Please note that any reference to Director or Director People Performance and Change should be taken to include "or their representative".

An individual wishing to apply for job sharing should complete the [Job Share Form](#) and submit it to their Director or return it with their application as appropriate.

The job share will then be discussed between the Director and the Director People Performance and Change to decide whether the post is suitable for sharing and the application will be responded to accordingly giving reasons if the post is not considered suitable. Please note that there is no appeal against this decision.

Where the job share is feasible the Director (or representative) will then set up a meeting to discuss allocation of hours/workload etc. and look at the practicalities of the particular case.

The final decision on the job share and how it would operate will be made and will be communicated to the Director People Performance and Change. An advert can then be published for the recruiting of the other job sharer where appropriate. Should the individual withdraw their job share application after this stage they may be liable for costs incurred (see below).

Recruiting the other job sharer

Where only one applicant/employee has indicated that they would like to be considered for job sharing and cannot identify another sharer, the remaining hours will be advertised as

appropriate. Should a suitable candidate not be found the job share will not take place. (In this case the application for job share may be resubmitted after three months).

On the date that the applicant for the vacant hours is offered and accepts their new appointment, the full-time employee who submitted the original job share application will be deemed to have given notice to leave their full time post in order to commence their new job share post.

The applicant's transfer will take effect when the replacement candidate takes up post (or earlier as determined by the Director) and they will be issued with an appropriate contract of employment, maintaining any period of continuous employment.

Job sharing is dependent on two suitable individuals making up one full-time post. Should one sharer resign the full-time post will be offered in the first instance to the remaining sharer. Should they not wish to work full-time the vacant hours will be advertised in the normal way in order to attract a suitable new sharer. Should this not be possible the post will revert to full-time and every attempt will be made to redeploy the remaining sharer in an alternative post. In the last resort it may be necessary to terminate the remaining job share contract and in this event the provisions of the Employment Rights Act 1996 will apply. Employees should note that this would not be a redundancy situation.

Withdrawal of job share application

If the individual wishes to withdraw their Job Share Application they should inform their Director as soon as possible in order to prevent any further unnecessary costs being incurred. If the application is withdrawn after any costs/outlays (e.g. advertising, recruitment administration costs) have been incurred by the Council, the individual will be liable for these costs/outlays.

If however there are extenuating circumstances (e.g. redundancy of partner) which have made it very difficult for the individual to continue with their Job Share application, their individual circumstances shall be considered by the Director in conjunction with the Director People Performance and Change, who may decide that no claim will be pursued.

Leaving the job share post

If the individual fails to remain in the job share post for 6 months (e.g. due to resignation, retirement or dismissal), they shall be liable for any costs/outlays incurred (as for the withdrawal of an application as noted above) as follows:

- a) the whole of the sum due if leaving within 3 months
- b) a proportionate part thereof, namely the whole less 1/3 for each completed month of service over 3 months, up to 6 months.

Note: if the individual's contract is terminated by reason of redundancy there shall be no liability.

In the event of one job share partner's employment terminating, the other partner will be offered the post full time. If this is not acceptable to them, recruitment procedures will be undertaken in the normal manner to find a suitable replacement. If this is unsuccessful, and a review of the operational needs of the section show that full time cover for the post is still required, we will try to redeploy the remaining partner to another role. If this is not possible their employment will end and recruitment for a full-time replacement for the post initiated

Implications of job-share work

As with other part-time employees, care needs to be taken that job-share employees are fully included in all necessary communications and learning activities. In order for employees to be able to contribute fully, team meetings should be arranged at convenient times as far as possible, with a formal arrangement for keeping them up-to-date on occasions where attendance is not possible. The same applies to performance management, personal development plans and access to learning activities.

Consideration should be given to the possibility that the way the role is carried out may change when moving from full time to job share partners. There may not be discrete areas of work for each job share partner depending on the role.

In order to maintain continuity during the week, the job-share partners must communicate effectively with each other and establish a robust system for doing so.

General

Should you have any queries contact the Human Resources Case Management Team telephone 01835 825015 or skype: askhr / askhr.scotborders.gov.uk for guidance.

8 HOMEWORKING

Principles of Home Working

Employees may work from home as agreed with their line manager where it meets the needs of the service. This may also come about through a [Flexible Working Application Form](#) (see [Section 5](#)).

While an agreement may be made for home working, for example, one day per week, this is subject to work commitments.

Before agreeing that an employee can work from home the manager and employee should ensure that the employee has a suitable environment for home working in that they can work without disturbance or distraction and that there is adequate security for the Council's information and property.

Employees working at home are required to carry out work duties in an undisturbed environment. Any domestic arrangements such as childcare/carer arrangements must remain in place throughout the employee's hours of work.

Any request to formalise home working arrangements should be made by the employee making a request to change their working pattern (See [Section 4.1](#) and [Appendix 4](#)).

The Council is responsible for any equipment provided by them. The employee is responsible for ensuring that the premises and any other equipment used meet health and safety requirements.

All homeworkers are required to complete a Homeworkers' DSE Assessment as per the corporate Display Screen Equipment policy.

The SheAssure DSE Module gives helpful guides and suggestions on equipment set up as the users progress through the assessment. There are also additional modules accessible through [SBLearn](#).

Security and Data Protection

Employees working at home are responsible for ensuring all Council equipment is kept safe and secure from access by others. This should be done in accordance with the Council's Information Security Policy.

Employees are responsible for ensuring all Council information, whether on paper or computer file, remains confidential and is kept secure from access by others. A data backup procedure must take place in accordance with the Council's Information Security Policy.

Employees are required to adhere to the requirements of data protection legislation and ensure confidential files and sensitive information which are no longer required are destroyed appropriately through confidential waste.

9 RETIREMENT

Any consideration of phased/flexible retirement by employees and the Council as a flexible working pattern must be given in the context of this Policy.

The proposed phased/ flexible retirement arrangement must also be in alignment with the business needs of the Department.

All applications for phased/ flexible retirement require to be supported by the relevant Director and approved by the Director People Performance and Change (or their representative).

Employees who are working under a phased/ flexible retirement arrangement are ineligible for any other form of exit arrangement which has a financial cost, such as Early Retirement/ Voluntary Severance or redundancy.

A phased/ flexible retirement arrangement can only be considered when the employee has confirmed an intended retirement date.

Principles of Phased Retirement

The purpose of phased retirement is to enable employees to make a smooth transition from work to leisure by allowing employees to reduce their working hours in the last month before retirement whilst continuing to receive full basic pay.

Example

4 th week before retirement	4 days worked per week
3 rd week before retirement	3 days worked per week
2 nd week before retirement	2 days worked per week
1 st week before retirement	1 day worked per week

All employees are eligible to apply as long as they are approaching retirement age. Employees should complete the [Phased Retirement Application Form](#) and arrange to meet with their line manager at least 6 months before retirement age to discuss this.

Employees can only be approved for phased retirement if they will have no annual leave accrued but not yet taken on the date when they start phased retirement.

If the application is approved by the line manager, they should complete Part B of the form and pass to their Director for consideration. They should also complete a Leavers' Form and attach that to the application.

If the Director approves the application, they should sign the form, including completion of a business case, and pass to the Director People Performance and Change.

The decision of the Director People Performance and Change (or their representative) is final.

HR Shared Services will advise the line manager of the outcome of the application. They will also confirm in writing to the employee their leaving date.

Flexible Retirement

The Local Government Pension Scheme (LGPS) operates a flexible retirement option for its members. If you reduce your hours or move to a less senior position at or after age 55 you can, provided your employer agrees, draw the pension benefits you have already built up – helping you ease into retirement - although your benefits may be reduced for early payment.

If you would like more details of flexible retirement, or a quotation in respect of your pension benefits you can contact the HR Shared Services Pensions Team on:

HR Shared Services, Pensions Team, Old School Building, Newtown St Boswells, Melrose, TD6 0SA. Tel: 01835 825205 or 01835 826577/ e-mail: pensions@scotborders.gov.uk or complete the [Information Request Form](#).

Employees who wish a flexible retirement arrangement should complete Part A of the [Application for Flexible Retirement Form](#).

The employee must state their intended retirement date which must not be more than 3 years from the start of the flexible retirement arrangement.

The proposed flexible retirement arrangement must also include a reduction in working hours of at least 20%, or a reduction in grade by at least one grade.

The employee should then discuss this with their line manager at least 4 months prior to the proposed start of the arrangement.

If the application is approved by the line manager, they should complete Part B of the form, including completion of a business case, and pass to their Director for consideration.

If the Director approves the application, they should sign the form and pass to the Director People Performance and Change for consideration.

The decision of the Director People Performance and Change (or their representative) is final.

A request for Flexible Requirement constitutes formal notice of your intention to retire on the date stated in your application.

If the application is accepted by the Council, there is a binding agreement between you and the Council that you will retire on that date and your employment with the Council will end.

HR Shared Services will advise the line manager of the outcome of the application, and they will write to the employee confirming the new employment details.

In exceptional circumstances only, for example a substantial change in personal circumstances, an application can be made by an employee to postpone their retirement date.

Any such application must be made in writing to the Director and this must be approved by them and the Director People Performance and Change, whose decision (or the decision of their representative) on whether to grant the application is final.

Wind Down/Phased Retirement – Teachers only

The Flexible Retirement policy is not available to teachers, but the Scottish Public Pensions Agency (SPPA) operate a Wind Down/ Phased Retirement scheme. The SPPA determines eligibility.

For details please contact SPPA at www.sppa.gov.uk