

Flexible Working Policy

St Peter's, Colchester

Adopted by the PCC: [tbc]

Review date: [annually]

Policy owner: The Parochial Church Council

1. Purpose

St Peter's seeks to be a church where people are treated with dignity, fairness, honesty and care. This includes the way we support, manage and relate to employees.

We recognise that employees may have responsibilities, pressures and circumstances outside work, including family life, caring responsibilities, health, disability, study, Christian service and other commitments. We also recognise that wise flexibility can help sustain wellbeing, motivation, effectiveness, retention and good working relationships.

This policy explains how employees may request flexible working, how St Peter's will consider requests, and how decisions will be made.

St Peter's will seek to consider flexible working requests generously, fairly and carefully. We will listen properly, avoid unnecessary rigidity, and look for workable arrangements where these can be achieved.

At the same time, flexible working must be considered alongside the needs of the church, the requirements of each role, the effect on other staff and volunteers, safeguarding and confidentiality responsibilities, and the effective delivery of St Peter's ministry, worship, administration and operations.

This policy does not form part of any employee's contract of employment and may be amended by the PCC from time to time.

2. Scope

This policy applies to employees of St Peter's.

It does not apply to the Vicar in respect of his office as an office-holder under Church of England terms of service. Where the Vicar also has a separate employment relationship with the PCC, or where the Vicar has a conflict of interest in relation to an employee's request, the Chair of the Human Resources and Remuneration Governance Group, or another person appointed by the PCC, may act in place of the Vicar.

Volunteers, office-holders, clergy, licensed ministers, elected PCC members and others who are not employees do not have a statutory right to request flexible working under this policy. However, St Peter's may still consider appropriate flexibility in relation to voluntary service, ministry roles or office-holder responsibilities where this is pastorally and practically appropriate.

3. Principles

In handling flexible working requests, St Peter's will seek to:

- treat employees with dignity, fairness and respect;
- listen carefully to the employee's circumstances and request;
- consider whether flexibility may support health, disability, caring responsibilities, family life or sustainability in role;
- avoid unnecessary barriers or assumptions about how work must be organised;
- be honest about the practical needs and limits of the role;
- consider the effect on other employees, volunteers, church members and church operations;
- give clear reasons for decisions;
- handle personal information sensitively and confidentially;
- seek a constructive outcome wherever possible.

A request for flexible working should not result in unfair treatment, resentment, pressure, criticism or victimisation.

Equally, employees are expected to make requests honestly and responsibly, recognising the needs of the church, the requirements of their role, and the effect of any proposed change on colleagues and ministry.

4. What flexible working means

Flexible working is any working arrangement that gives some degree of flexibility over when, where or how an employee works.

Examples may include:

- annualised hours;
- compressed hours;
- hybrid working;
- job sharing;
- part-time working;
- remote working;
- staggered hours;
- term-time working;
- working from home;
- a change to working days, working hours, start times or finish times;

- another pattern agreed between St Peter's and the employee.

Not every form of flexible working will be suitable for every role. Some roles require presence at particular times, attendance at meetings or services, access to church systems or buildings, supervision of others, contact with church members, or availability during office or ministry hours. Each request will therefore be considered on its own facts.

5. Informal discussion

Employees are encouraged to speak informally with their line manager before making a formal flexible working request, especially where they are uncertain what arrangement might be suitable.

An informal conversation may help clarify:

- what change the employee is seeking;
- whether the request is temporary or permanent;
- how the proposed arrangement might affect the role;
- whether a trial period might be helpful;
- whether the request may relate to a disability, caring responsibility, health matter or other pastoral issue;
- whether the matter should be treated as a request for a reasonable adjustment rather than, or as well as, a flexible working request.

An informal discussion does not remove the employee's right to make a statutory flexible working request.

6. Statutory right to request flexible working

All employees have a statutory right to request flexible working from the first day of employment.

An employee may make up to two statutory flexible working requests in any 12-month period. An employee may only have one live statutory flexible working request with St Peter's at any one time.

A request remains live until:

- St Peter's has made a decision;
- the request is withdrawn;
- the employee and St Peter's agree an outcome;
- the statutory decision period has ended;
- or any agreed extension to the decision period has ended.

7. Making a flexible working request

A flexible working request must be made in writing to the employee's line manager.

The request should include:

the date of the request;

a statement that it is a statutory flexible working request, if the employee wishes it to be treated as such;

the change the employee is seeking;

the date on which the employee would like the change to start;

whether the request is intended to be permanent, temporary or for a trial period;

whether the employee has made any previous flexible working requests to St Peter's;

the dates of any previous requests;

whether the request relates to a disability, health condition, caring responsibility or other relevant personal circumstance.

The employee is encouraged, though not required, to explain how they think the proposed arrangement might work in practice and whether any difficulties could be addressed. This may help St Peter's consider the request constructively.

If a request does not contain enough information to be considered properly, the line manager may ask the employee to clarify or resubmit it.

8. Requests for reasonable adjustments

St Peter's is committed to making reasonable efforts to remove unnecessary barriers for employees who are disabled or who have health conditions affecting their work. This reflects both our legal responsibilities and our Christian commitment to treat people with dignity, patience and care.

A request for flexible working may also be, or may include, a request for a reasonable adjustment under the Equality Act 2010.

If an employee is seeking a change to where, when or how they work because of a disability, they should make this clear in their request. However, a request does not have to use any particular legal wording for St Peter's to consider whether reasonable adjustments may be needed.

Requests for reasonable adjustments will be considered separately from, and where appropriate alongside, the flexible working process. An employee does not need to make a statutory flexible working request in order to ask for a reasonable adjustment.

St Peter's is committed to considering reasonable adjustments carefully and sensitively.

9. Considering a request

St Peter's will consider each flexible working request fairly and reasonably.

In considering a request, St Peter's may take account of:

- the nature and responsibilities of the role;

- the needs of St Peter's ministry, worship, administration, governance and operations;
- the effect on other employees, volunteers, church members and service users;
- the availability of staff resources;
- the impact on workload, supervision, communication and management;
- the effect on safeguarding, confidentiality, data protection, health and safety, lone working or building security;
- the cost of the proposed arrangement;
- the suitability of the proposed working location, where remote or hybrid working is requested;
- the employee's circumstances, including any disability, health issue or caring responsibility;
- whether a trial period or alternative arrangement may be appropriate.

Agreeing one flexible working request does not create a precedent requiring St Peter's to agree another request. Each request will be considered on its own circumstances.

10. Consultation meeting

If St Peter's can agree the request in full, it may do so without holding a consultation meeting.

If St Peter's is not able to agree the request in full without further discussion, the employee will normally be invited to a consultation meeting before a decision is made.

The purpose of the meeting is to discuss:

- the request;
- how the proposed arrangement might work;
- any benefits for the employee and for St Peter's;
- any practical concerns;
- possible alternatives;
- whether a trial period may be helpful.

The meeting may be held in person, by video call or by telephone.

The employee may be accompanied at the meeting by a work colleague or trade union representative.

11. Failure to attend a meeting

If the employee cannot attend the proposed meeting, they should tell their line manager as soon as possible. One further meeting date will normally be offered.

If the employee fails to attend both the original meeting and a rearranged meeting without good reason, St Peter's may treat the request as withdrawn. This will be confirmed in writing.

12. Decision period

St Peter's will make and communicate a decision within two months of receiving a statutory flexible working request, unless the employee and St Peter's agree an extension.

This two-month period includes any appeal.

Where an extension is agreed, this should be confirmed in writing.

13. Possible outcomes

St Peter's may decide to:

- agree the request in full;
- agree the request in part;
- propose an alternative arrangement;
- agree a temporary change;
- agree a trial period;
- refuse the request for one or more statutory business reasons.

If a request is agreed, St Peter's will confirm the decision in writing, including:

- the agreed working arrangement;
- the date on which it will begin;
- whether the arrangement is permanent, temporary or a trial;
- any review date;
- any effect on pay, hours, duties, place of work or other terms and conditions.

Where the change is permanent and affects the employee's contract, the contractual variation will be confirmed in writing.

14. Trial periods

A trial period may be appropriate where St Peter's and the employee need to test whether the proposed arrangement is workable.

Where a trial period is agreed, St Peter's will confirm in writing:

- the arrangement being trialled;
- the start date;
- the expected end date;
- how and when the trial will be reviewed;
- what will happen at the end of the trial;
- whether the employee may be required to return to their previous working arrangement.

A trial period does not automatically make the arrangement permanent unless this is confirmed in writing.

15. Refusing a request

St Peter's will not refuse a statutory flexible working request without first consulting the employee, unless the request has already been agreed in full.

A statutory flexible working request may only be refused for one or more of the business reasons permitted by law. These are:

- the burden of additional costs;
- a detrimental effect on ability to meet demand;
- an inability to reorganise work among existing staff;
- an inability to recruit additional staff;
- a detrimental impact on quality;
- a detrimental impact on performance;
- insufficiency of work during the periods the employee proposes to work;
- planned structural changes.

If St Peter's refuses a request, the employee will be given the decision in writing. The written decision will explain the reason for refusal and will confirm the employee's right of appeal.

16. Appeal

An employee may appeal if their request is refused or only agreed in part.

An appeal should be made in writing within five working days of receiving the decision. The appeal should explain why the employee disagrees with the decision.

The appeal will normally be heard by someone who was not responsible for the original decision, where this is practicable. This may be the Vicar, the Chair of the Human Resources and Remuneration Governance Group, a Churchwarden, or another person appointed by the PCC.

The employee may be accompanied at the appeal meeting by a work colleague or trade union representative.

The appeal outcome will be confirmed in writing. The appeal decision will be final.

The whole process, including appeal, will normally be completed within two months of the original request unless an extension is agreed.

17. Withdrawal of a request

An employee may withdraw a flexible working request at any time by confirming this in writing.

St Peter's may also treat a request as withdrawn where:

- the employee confirms that they no longer wish to proceed;
- the employee fails to provide necessary information without good reason;
- the employee fails to attend both an original and rearranged consultation or appeal meeting without good reason.

Where a request is treated as withdrawn, this will be confirmed in writing.

18. Remote, hybrid and home working

Where flexible working includes remote, hybrid or home working, St Peter's may need to consider additional matters, including:

- safeguarding and confidentiality;
- secure access to church systems;
- data protection;
- appropriate storage of church documents and devices;
- health and safety of the working environment;
- insurance;
- availability for meetings and communication;
- supervision and support;
- boundaries between work and personal life;
- arrangements for church equipment.

Employees working remotely or from home must continue to follow St Peter's policies, including Data Protection, IT Acceptable Use, IT Security, Safeguarding, Social Media, Confidentiality, Health and Safety, Lone Working where relevant, and any other policies applicable to their role.

19. Record keeping and confidentiality

St Peter's will keep appropriate records of flexible working requests, meetings, decisions, appeals, agreed arrangements and any contractual changes.

Records will be handled in accordance with St Peter's Data Protection Policy, Data Retention and Records Management Policy, and Data Privacy Notice.

Information about an employee's personal circumstances, health, disability or caring responsibilities will be handled sensitively and shared only where necessary for proper management, HR, safeguarding, legal or governance purposes.

20. Concerns or complaints

An employee who has concerns about the handling of a flexible working request should first raise them with their line manager where appropriate.

If the concern cannot be resolved informally, the employee may raise the matter under St Peter's Grievance Policy and Procedure.

An employee should not be treated unfairly because they have made, or considered making, a flexible working request.

21. Further information

Employees may seek further information from their line manager, the Vicar, or the Chair of the Human Resources and Remuneration Governance Group.

External guidance is available from Acas and GOV.UK.

22. Review

This policy will be reviewed annually, or sooner if required by changes in employment law, statutory guidance, Acas guidance, St Peter's staffing arrangements, or PCC policy.