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**PART-TIME AND JOB-SHARE**

**WORKING PROCEDURE**

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**1. Introduction**

1.1 The Council is introducing a range of flexible work options that will benefit staff and the Council as a whole and recognises the important role that part-time staff can play in the workforce.

1.2 The Council will take all reasonable steps to accommodate staff requests for part-time working/job share, particularly where the request is due to childcare or other caring commitments.

1.3 All requests will be considered but will be subject to the needs of the service.

**2. Definition and Benefits**

2.1 As a result of the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, as a part-time worker you will enjoy the same statutory employment rights as a full timer, regardless of the hours you work.

2.2 A part-time worker is anyone who works less than the normal working hours of a full-time employee in the same employment. For statistical purposes, Tower Hamlets regards part-time workers as those staff working less than 30 hours in a normal week (excluding overtime, breaks etc).

2.3 Job-sharing is an arrangement whereby two staff share responsibilities of a full time post. Job sharers will be individually responsible to their immediate line manager for their own duties and attendance. There will be no contractual requirement to cover when their sharer is sick, on leave or when the other part of the post is vacant.

2.4 The benefits of job-sharing have come to be recognised in respect of a wide range of jobs and in respect of both duties and responsibility levels. Some of the advantages to the Council include:

* A greater range of skills and experience being available at little or no extra cost
* Increased retention of experienced and trained employees, with the avoidance of the loss of skills, knowledge, etc.
* Cover being available during annual leave, sickness and other periods of absence
* Additional cover for peak periods being available.

**3. Making a request**

3.1 You should apply using either:

 The Flexible Working form available here: 

 [Staff services](http://towernet/staff_services/) > [HR and workforce development](http://towernet/staff_services/hr_workforce_development/) > People management > Flexible working

 or

 The electronic form available through the HR Self Service portal, here:

 https://myview.towerhamlets.gov.uk/dashboard/

3.2 In order to make a request under the statutory provisions you should be employed directly by the Council, have worked for the Council continuously for 26 weeks at the date the application is made and not have made a request during the previous 12 months.

3.3 However all requests for flexible working arrangements will be considered.

3.4 Your manager will consider the request and submit this to a third tier manager or above for approval. They will then consider your manager’s comments and feedback to your manager.

3.3 Your manager will notify you of the outcome of your application within 28 days of receiving your request and forward a copy of your application to HR & WD Central Services for placing on your personal file.

3.4 Under the Flexible Working Regulations, your manager can only consider one statutory request to work flexibly every twelve months. However the Council will consider all requests when received including requests for other types of flexible working options. You will only be entitled to have one application per annum heard in accordance with your statutory rights.

**4. Declined requests**

4.1 The Council aims to deliver responsive and high quality services and your manager therefore, has to consider any potential impact that your absence may have on service delivery. Managers will need to decline requests where there is likely to be a detrimental effect on the ability to meet customer demand, quality, performance or some other business reason such as the ability to re-organise work. In circumstances where you believe that your request has not been properly considered, you may wish to appeal.

4.2 If you have submitted a statutory request under the Flexible Working Regulations, you will be entitled to a two stage appeal process.

4.3 The first stage will be to make your appeal in writing within 14 days after receiving written notice that your request has been declined. When appealing, you will have to set out the grounds for your appeal and ensure that it is dated. Your appeal will be then be heard by a more senior manager to the one that originally considered your application, within 14 days. You are entitled to be accompanied by a colleague or a trade union representative. Where the decision is taken by a third tier manager, an independent third tier manager can hear your appeal and likewise for a Service Head. You will receive written notice of the outcome of the appeal. You also have a further right of appeal, which will be considered under the final stage of the Grievance Procedure.

4.4 Should you not have a statutory right under the Flexible Working Resolutions, and you wish to appeal, you can seek resolution through the Final Stage of the Grievance Procedure. You must put your appeal in writing to your Corporate Director (and also send a copy to your HR & WD Business partner. The Corporate Directorate (or her/his nominated deputy) will then convene a meeting. The reply from the Corporate Director (or her/his nominated deputy) will then be the final response by the Council.

**5. Manager’s Issues**

5.1 Decisions on whether to grant requests will take account of the needs of the service. Temporary variations to hours may be considered at the outset to accommodate individual circumstances, where there is no detriment to the services being provided.

5.2 Job shares will arise when a post falls vacant, when individual staff request to share their existing job or there is joint request from staff carrying out the same or similar jobs to share either of their existing jobs. The initial job share request therefore, is not dependent on a partner being found.

5.3 Where an individual request from an existing member of staff to job share their present job is agreed, the resultant part of the job should be advertised. In some instances a job share arrangement may be agreed in principle on the understanding that the job share can only take place if a suitable job share partner can be recruited.

5.4 Applicants for an advertised job share post should be considered within the normal selection process and in line with the Council’s equal opportunity policy.

5.5. Joint requests from existing staff wishing to reduce their hours by sharing one of their jobs can only be agreed where this would not involve a promotion. Where an existing member of staff moves to a lower graded position on a job share basis, the former salary is not protected.

5.6 It is necessary to ensure that before an offer of employment is made the conditions of the job as defined in the job description are fully met. To this end when job sharers are selected to the same post they should be given the opportunity to meet, together with the line manager to agree working arrangements.

5.7 Managers considering splitting a full-time job into part-time jobs to be done by two job sharers or faced with a request from one staff member to work part-time must:

* Meet with the member of staff to discuss the request as soon as is reasonable practicable and ensure they are fully aware of the implications of moving to part-time work; in particular any effect on their terms and conditions of employment, e.g. pay, pension rights.
* Identify the hours to be worked, whether a part-time worker needs to attend every day (e.g. mornings only) or whether two or three full days a week are more appropriate.
* Consider the type of job share arrangement that works best for the individuals and the Council by agreement wherever possible. Possibilities include split-day e.g. one works each morning, whilst the other works each afternoon, split-week e.g. one works the first half of the week, whilst the other works the reminder, alternate week e.g. one works one week, the other works the next.
* In consultation with the member of staff, decide on the nature of the job sharing arrangements in terms of length of work periods, the degree of overlap between the two staff and supervision arrangements.

5.8 Managers should consider carefully whether the job can be done satisfactorily on such a basis, taking into account such factors, as impact on service delivery, ability to re-organise work, effects on performance, additional costs, ability to find additional staff and any other specified reasons.

**6. Other Considerations for Managers**

6.1 Managers need to be aware that in certain circumstances, actions taken in respect of part-time workers could be considered indirectly discriminatory and should therefore be avoided. For example:

* changing the location or working times of part-time staff in preference to full-time staff
* giving preference to full-time staff for (e.g.) acting/honoraria
* having part-time staff undertaking a different range of duties within their job description without good reason

6.2 Managers should treat staff equally regardless of the number of hours worked. For example if a different location or different working hours are required, volunteers should first be requested, and if there is no positive response then a selection process based upon other relevant factors needs to be considered**.**

6.3 It should be noted that in certain circumstanceswhere there is clearly defined and written objective justification, it may be lawful for part-time staff to operate slightly differently from full-time staff. For example where there is a clear need for a full day of interaction between a member of staff and a client, then a part-time worker may not be appropriate. However these occasions are unlikely to occur with any great frequency and managers are strongly advised to seek advice from their HR & WD Business Partner before taking this type of decision.

**7. Employee Issues**

7.1 Within teams there is normally a mixture of staff who will naturally choose to work early/late and therefore cover is maintained. If this is not the case, the needs of the service come first and you may have to start/finish later or earlier than you would otherwise choose. It will be up to the manager to arrange times and some flexibility will be required.

7.2 You must ensure that your new work pattern will not be detrimental to the achievement of your work tasks.

**8. Further Information**

8.1 For further information or advice on any aspect of this procedure please contact your HR & WD Business Partner.

HR & WD Strategy

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