

Flexible Working Guidance – Summary of Evidence

At the start of the review of the current Smarter Working – Flexible Working in Aberdeen City Council Guidance (version 4, January 2015), a Working Group was set up in 2020 along with a dedicated Steering Group made up of Senior Managers from People & Citizen Services, Digital & Technology, Legal, Health & Safety and Corporate Landlord reflecting the cross Cluster input required.

The following engagement has taken place over the course of the Flexible Working Review between 2021 and 2024:

- Future of Work Survey
- Senior Management Teams across all Clusters
- Initial Focus Group
- Leadership Forum events
- Meeting individually with Managers across the organisation
- Equality Groups both internal and external
- Trade Unions
- Team Plans and Test and Trial Period data
- Benchmarking with other Local Authorities
- Research (CIPD, RGU and Audit Scotland)

The Project has involved further research and consideration of the following themes:

- Aberdeen City Council Workforce Data
- Legislative Changes that came into effect April 2024
- Hybrid Working including managing hybrid teams
- Types of flexibility (temporary changes to working patterns, more flexibility in flexi time and core hours)
- How and when to make contractual changes
- Mental Health and Wellbeing
- Office Space and Configuration and Aberdeen City Council workplace locations data
- DSE, First Aid and Fire Safety and Lone Working
- Recruitment and Onboarding
- Digital & Technology needs
- Working From Abroad

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Legislation	<p>Changes to legislation came into effect from April 2024.</p> <p>Employment Rights Act 1996 and Flexible Working (Amendment) Regulations 2023</p>	<p>In line with current flexible working legislation. Our current guidance already accounts for some of the changes e.g. the time for employers to respond to a request. However, employees can only make 1 flexible working request in a 12 month period unless they can show a substantial change in circumstances.</p> <p>The current guidance also states: It should be noted that employees with 26 weeks of continuous service with Aberdeen City Council have a statutory right to request flexible working.</p>	<p>Legislative changes accounted for in new policy and guidance:</p> <ul style="list-style-type: none"> • The Act requires employers to consult with the employee when they make a flexible working request before rejecting it. • It also means the time employers have to respond to a request is reduced to two months, from the three months they are allowed under previous rules. • Employees are be able to make two requests within a 12-month period, compared to the single request they were previously allowed. • There is also no longer be any requirement for the employee to explain what effect their request will have on the employer or how the impact might be dealt with. • New policy and guidance to reflect the council recognises employees have a statutory right to request flexible working, regardless of length service.
Greater Flexibility	<p>The test and trail in particular showed that employees and managers were looking for more flexibility.</p>	<p>Statutory Flexible Working Requests can be submitted for various options such as Compressed Working, Part Time and Annualised Hours.</p>	<p>In addition to the Statutory entitlement, the Policy and Guidance is looking to enable employees to work as</p>

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	<ul style="list-style-type: none"> Overall managers felt working hours should not be prescribed or mandated. A need for more flexibility in number of flexi days per period Relaxed core hours or no core hours Ability to have temporary changes to working patterns <p>Many services trialled some of these areas for example, more than 1 flexi day in a reporting period, not using core hours, being flexible with core hours and reported their findings so the data could be used for the new policy and guidance.</p>	<p>Flexi Time Scheme is a contractual arrangement which allows an employee to vary their hours of work with agreed limits. Within the scheme there are core hours and 1 flexi day per reporting period. The recognised Core Hours are 10am to 12pm and 2pm to 4pm.</p>	<p>flexibly as possible in line with service delivery in line with Council's Flexible Working ethos and principles.</p> <p>The Policy sets out the Statutory entitlements and the process for making and dealing Statutory Flexible Working requests. Approved Statutory Flexible Working Requests will result in a permanent contractual change.</p> <p>The Guidance also sets out the wider flexibility available around how and where an employee works, in line with service requirements. The benefits of this are seen throughout the employee lifecycle from attracting candidates are recruitment stage through to different life events and stages e.g. family, medical and equalities. This flexibility allows for informal arrangements for temporary or occasional changes to how or where an employee works and would not result in any contractual change.</p> <p>Removed Coreless Flexi as an option as this has now been embedded in the Council's ethos to implement greater flexibility and work outwith set core hour in line with the Council's ethos of Flexible Working being beyond Core hours. However, Core Hours can still be recognised for those roles and services that need to have these in place</p> <p>Introduced the ability to request more than 1 flexi day in a reporting period. Employees will be able to take a maximum of 2 flexi days (or 4 half flexi days) in a 4 week</p>

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			accounting period. The flexi – time scheme otherwise remains unchanged.
Work Styles	<p>Following Covid-19 many employees continued to work from home and from the office which has become known and recognised as hybrid working.</p> <p>Benchmarking and research showed that hybrid working had been introduced by many organisations. Some organisations were specifying the number of days to be worked in the office and the number of days working from home but the majority were leaving this to the individual services/teams to discuss and agree.</p> <p>From the team plans and engagement forums it was clear that employees/teams wanted more flexibility in how they worked and in particular it was clear that</p>	<p>Working from home is a current option. This is either on a permanent, contractually agreed basis as part of a regular work pattern (this is done via a Flexible Working Request). Or this is on an ad-hoc basis where homeworking is a voluntary arrangement and agreed with line manager, in line with service delivery.</p>	<p>We have introduced 2 workstyles</p> <ol style="list-style-type: none"> 1. Hybrid Worker 2. Fixed Location Worker <p>Since Covid-19 many employees have continued to work from home and from the office on varying levels depending on service need. For example, some individuals may have fixed days working from home and the office whilst others vary from week to week. This way of working can be defined as ‘hybrid working’. For hybrid working, there is not a one size fits all and we have not defined the split of working from a Council location and working from home. This is for individuals/ teams/ services to discuss and agree in line with service delivery.</p> <p>We have linked these workstyles to job families which will help teams identify the workstyles appropriate for their roles and team. Also, it will help managers consider if in general terms, roles are suitable for certain flexible working options.</p> <p>With the introduction of Hybrid working, Homeworking as a flexible working option has been removed. Homeworking would now be covered under the Hybrid workstyle. Each employee / job role will be aligned to one of the above workstyles.</p>

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	Hybrid was a style of working many employees wanted to maintain following changes in working due to COVID-19.		<p>The reference to remote / satellite / mobile options has also been removed. This is also now covered under the Hybrid workstyle.</p> <p>The guidance provides further detail of each workstyle.</p>
Managing Hybrid Teams	The engagement and research also identified there was the need to have clear guidance on what hybrid means, the benefits, the need and importance for teams to still come together and keep in regular contact, when and what people have to come into the office for. The impact of hybrid working on other elements such as climate change, data protection, childcare etc.	No workstyles defined in the current Smarter Working – Flexible Working in Aberdeen City Council Guidance.	<p>Guidance on the use of Anchor Days has been introduced. Anchor days are a way to bring the whole team together and aid team connection and employee wellbeing. They are regularly scheduled days where teams come together in the workplace.</p> <p>A manager checklist is also included in the guidance, providing a guide for managers on areas to consider when making decisions around flexible working. This covers areas such as how they will maintain contact and communicate with the employee, Health and Safety requirements e.g. lone working, DSE, Data Protection, Trial Periods, dealing with performance issues, impact upon the employee themselves as well as potential team or citizen impact etc.</p> <p>Guidance to provide greater emphasis on Mental Health & Wellbeing, Health and Safety, DSE.</p>
Terms and Conditions	Question over whether contractual changes need to	N/A	Following discussion with Legal, it was agreed that no contractual changes would be made for existing employees

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	<p>be made for employees who changed their working pattern / workstyle i.e. Hybrid as a result of Covid-19? For example employees had to work from home due to the pandemic but since restrictions were lifted, most employees continued to work from home and from the office – hybrid. Were contractual changes needed to reflect this?</p> <p>Benchmarking with other local authorities showed that other authorities were not planning to make contractual changes.</p> <p>Legal advice sought on this area too and agreement reached to make no contractual change for existing employees.</p>		<p>who have continued to carry out their current working patterns since covid 19.</p> <p>For new employees (internal move or external appointments) to the Council it was agreed that new contractual terms would be required to reflect the work style e.g. Hybrid or Fixed at a Council Location.</p>
Working from Abroad	Requirement to consider whether permanent requests to work from abroad will be permitted and parameter for	There was nothing in place for managing requests to work from abroad for either permanent or short term.	New process introduced for requesting to work from abroad for up to 4 weeks in a 12 month period in exceptional circumstances. Clarification that no permanent requests to work from abroad will be

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	working from abroad for short periods of time in exceptional circumstances.		supported due to risks, costs, taxation and legal and IT implications. However, requests to work from abroad under exceptional circumstances for a maximum of 4 weeks in any 12 month period can be made. Guidance, process, checklist and request form developed.
Caring responsibilities	During Covid-19 and the enforced working from home, lockdown, schools closing etc circumstances were different and the engagement events showed there was a need for clear guidance around caring responsibilities and to ensure that childcare is in place during working hours.	Previous guidance stated that employees could not undertake work and caring responsibilities at the same time. Lines were blurred during covid to allow employees to work when schools and care settings were closed.	Clear guidance on caring responsibilities has been provided. Working from home is an extension of the work environment, and it is important that appropriate measures are in place for childcare/caring responsibilities during working time; it is not permissible to be working and caring at the same time.
Mental Health and Wellbeing	Engagement and research showed that hybrid working / working from home has many benefits for individuals but it does not suit everyone for a variety of reasons. One of these being the potential to impact an individual's mental health and wellbeing e.g. isolation. On the other hand,	Nothing specific in the current guidance.	A manager checklist is included in the guidance, providing a guide for managers on areas to consider when reviewing a flexible working request, whether formal or informal. This includes lone working, and mental health and wellbeing considerations. There are also links to further guidance and support on this and around managing hybrid teams, ensuring regular 121s and check-ins.

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	it could also improve an individual's mental health and work life balance.		
Office Space and Configuration	The engagement highlighted office configuration needed to be updated to ensure suitable alternative working spaces such as spaces to take Teams calls, desk booking, team collaboration spaces and use of empty spaces as a result of reduced capacity within buildings.	N/A	Making best use of office space has been added to the Guidance, also the introduction of alternative working spaces and introduction of new IT equipment suitable for hybrid meetings.
DSE and Fire Safety	There was a requirement for further guidance on DSE and Fire and Health and Safety to ensure compliance whilst working from alternative locations, or whilst working out of core hours.	General H&S and DSE guidance and forms.	The policy and guidance highlights the requirement for Health and Safety guidance to be taken into account whilst hybrid working, including ensuring compliance with DSE and ensuring self assessments are carried out for home working desk set up. That consideration of Fire Safety Wardens has been considered and new process in place through H&S to ensure compliance with fire safety requirements including evacuation process etc. Also requirement for managers to consider Lone Working which includes consideration for First Aid provision whilst employees are working outwith Core hours.
Recruitment, Retention and Onboarding	Engagement showed there was a need to ensure there was support/onboarding for new employees / interns / work	Nothing current	The Policy and guidance, highlighted the impact that flexible working has on our Employer of Choice status especially around attracting candidates, in particular to hard to fill posts, by offering greater flexibility this makes

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	<p>placements where many teams were working hybrid.</p> <p>Also the need to promote hybrid working to attract more people to come and work for ACC/ support employer of choice.</p>		<p>us an attractive employer for new employees, and also aids retention of existing employees.</p> <p>Where applicable job adverts promote hybrid working and workstyles can form part of recruitment discussions etc. FAQ's include guidance regarding onboarding and team integration for new employees into a hybrid team</p>
Digital & Technology	Internal research showed that there was a requirement for better options of IT equipment to aid hybrid working e.g. meeting rooms equipped for undertaking hybrid meetings.	N/A	As a result of engagement and with the shift of more employees working in a hybrid way, more IT equipment has been installed in meeting rooms around council work spaces to aid hybrid meeting rooms.