



Flexible Working Policy

St Helens Borough Council

Effective from: 01/04/2026



Flexible Working Policy

Policy Information

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Version Control

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01/04/26	S Rigby	2	Updated template and ERA 2025 consultation

Our Vision and Values

The Council has co-designed a clear vision for workplace culture and worked together with employees to identify values and behaviours for everyone. These will be at the core of how we work together to deliver our services. Employees will be empowered to deliver new ways of thinking and new ways of working, encouraging innovation and creativity in a learning environment.

Our vision, values and behaviours are underpinned by our Bonds for Working Together at St Helens which outline what employees can expect from working at the Council and what is expected of them.

Our Culture, vision, values, behaviours and Bonds for Working Together at St Helens



Introduction and Purpose

This Policy and Procedure applies to all employees of St Helens Council.

The purpose of this policy is to inform employees of their statutory and contractual rights in relation to the right to request flexible working. The policy also provides relevant information relating to the process to be followed in connection with applications for flexible working.

A request for flexible working comes about when an individual wishes to vary their current contractual work pattern. For example, this can include, but is not limited to, part time working, a reduction in hours or days and term time only working.

On 18 December 2025, the Employment Rights Act 2025 received Royal Assent.

The Act provides that an employer may refuse a flexible working request on one of the current grounds only if it is reasonable to do so. Further, where the employer refuses a request, the employer must state the ground(s) for refusing the application and the reason(s) it considers its refusal reasonable.

Policy

Applications will be considered from any employee regardless of length of service. The legal right is to 'request' flexible working and managers are obliged to consider any application whilst also considering Service need.

All requests for flexible working will be dealt with in accordance with the ACAS Code of Practice.

To qualify to make a flexible working request, an employee must not have submitted two applications within the previous 12 months. Additionally, an employee cannot make a further application if they already have an application in progress.

Accepted applications will generally mean a permanent change to the employee's terms and conditions of employment unless otherwise agreed between both parties. It is important that, before making an application, the employee gives careful consideration to which working arrangement they are requesting; any financial implications it might have on them in cases where the desired working arrangements will involve a reduction in salary; and any effects it will have on the service and how these might be accommodated.

The Council recognises a right of appeal for employees as good practice, in line with ACAS guidance.

Procedure

Submission of a Flexible Working Application

The onus is on the employee to make a considered application in writing, using MyView.

Management Response Upon Receipt of a Flexible Working Application

Normally within 28 days of receiving the request, the Manager must arrange to meet with the employee. This provides the Manager and the employee with the opportunity to explore

the proposed working arrangement in depth, and to discuss how best it might be accommodated. It also provides an opportunity to consider other alternative working arrangements should there be difficulties in accommodating the proposal outlined in the employee's application. The employee can, if they wish, be accompanied by a trade union representative or Council employee of his/her choice.

Normally within 10 days of the date of the meeting, the Manager must write to the employee to either agree to a new working arrangement (which must clearly specify adjustments to working hours, days agreed and so forth) and start date; or to provide clear business grounds as to why the application cannot be accepted and the reason why the grounds apply in the circumstances and set out the appeal procedure.

There are eight business reasons upon which an application can be refused. These are:

1. The burden of any additional costs is unacceptable to the organisation
2. An inability to reorganise work among existing staff
3. An inability to recruit additional staff
4. The employer considers the change will have a detrimental impact on quality
5. The employer considers the change would have a detrimental effect on the business' ability to meet customer demand
6. Detrimental impact on performance
7. There is insufficient work during the periods the employee proposes to work
8. Planned structural changes e.g. where there are plans to reorganise or change the business, and flexible working changes may not fit with these plans

Time Period for Full Consideration of an Application

All time periods can be extended where the Manager and the employee agree. Any extensions must be recorded in writing by the Manager and copied to the employee. However, it should be borne in mind that any request, including any appeal, must be dealt with within a maximum period of 3 months from receipt of the request, in accordance with the Employment Rights Act 1996 and associated Regulations.

Management Led Proposals Relating to Flexible Working Arrangements

Proposals from Managers to introduce any of the flexible working arrangements, where such changes affect large groups of staff, should be subject to consultation and Council approval via the normal decision-making mechanisms. All proposals to change working arrangements must be discussed and agreed with the Human Resources Section.

Right of Appeal

Where any disagreement arises over issues covered by this policy the employee has a right of appeal to the relevant Chief Officer. Any appeal should be submitted in writing within 10 working days of receipt of the flexible working decision letter.

The Chief Officer, or nominated officer, will hear the appeal normally within ten working days of receipt of the notification. The format of the appeal hearing can be found at appendix 1. The written decision of the outcome of the appeal meeting should be delivered to the employee normally within ten working days of the meeting.

Further Information

Any questions relating to this Policy or Procedure, or further guidance on issues connected

with Flexible Working applications, can be obtained from the HR Section.

Review of Policy and Procedure

This policy will be reviewed three years following implementation, or earlier in the event of further changes in legislation.

Appendix 1 - Order Of Presentation at Appeal Hearing

1. Hearing Officer to outline purpose of the meeting and the background to appeal
2. Employee, or TU Representative, invited to indicate basis of appeal
3. Questions/Clarification from Hearing Officer / HR Adviser
4. Response from Manager
5. Questions/Clarification from Hearing Officer / HR Adviser
6. Summary by Manager
7. Summary by Employee / TU Representative
8. Consideration and decision by Hearing Officer
9. Hearing Officer advises both parties of the decision which will be confirmed in writing