

BRISTOL CITY COUNCIL

HUMAN RESOURCES COMMITTEE

Thursday 9th July 2009

Report of: (Designate) Service Director - Strategic HR & Workforce Strategy

Title: Revisions to the existing Corporate Flexitime Scheme

Ward: N/A

Officer Presenting Report: Bryn Williams, HR Adviser

Contact Telephone Number: 0117 9222655

RECOMMENDATION

That the revised Flexitime Scheme be approved, as set out in Appendix B, with an implementation date of 1st November 2009.

Summary

Recent restructuring of the Council, has further highlighted differences in the way in which the Council's current Flexitime Scheme has been implemented between different departments and work groups. Accordingly this report presents revisions to the existing Corporate Flexitime Scheme, which harmonises its provisions council-wide. Appendix A shows the wide range of variation in flexitime provision for staff across a wide range of services.

The significant issues in the report are:

The need to address current inequalities between work groups by introducing the following changes:-

- It is proposed that the key issues of “core hours”, “bandwidth hours”, “credit/debit hours” and “flexitime” will be harmonised.
- This will in turn require the current local variations in flexitime provision to be removed through appropriate consultation with staff.

- Employees who require flexible working arrangements outside the provisions of this scheme would need to make a request using the Work-life Balance Policy.
- The extension of 'bandwidth' hours means that the 'gap' between the hours not covered by either the Working Arrangements Policy, and the current Flexitime Scheme, has been removed.

1. Policy

- 1.1 This report details proposed revisions to the existing Corporate Flexitime Scheme.
- 1.2 The proposed extension of bandwidth hours, means that this scheme covers all working hours which currently fall outside those covered by the Working Arrangements Policy (WAP). These proposals now give 24/7 cover throughout the week.

2. Consultation

2.1 Internal

- Strategic HR Group
- The Self Organised Groups (Disabled, LGB, BME, young people and womens' groups)
- Trade Unions

The views of the Unions and the SOGs have been considered, and some amendments are incorporated into the new scheme. It is unlikely that agreement will be reached with them regarding the harmonisation of lieu days. A further consultative meeting is proposed prior to today's Human Resources Committee, the outcome of which will be reported verbally.

2.2 External

N/A

3. Context

- 3.1 The Strategic HR Group (formerly Workforce Development

Management Group) requested a review of the Council's Corporate Flexitime Scheme. This was in response to problems that have arisen in relation to staff moving to different teams or directorates exposing inconsistencies around the number of flexi-leave days entitlement, core hours, band widths, entitlement to carry over flexi hours accrued, and differences in provision among part time and job share employees. Appendix A shows details of the range of flexitime provisions across sections and directorates.

- 3.2 These changes date from historic differences in schemes between Bristol District Council and Avon County Council, which existed at the time of local government reorganisation in 1996. Further variations in directorate practice have arisen since.
- 3.3 The proposed revisions to the scheme are intended to harmonise provision of flexitime for employees across the Council, and to provide greater clarity and consistency of application for managers, and for employees.
- 3.4 Employees who require flexible working outside the provisions of the scheme would need to make a request using the Work-life Balance Policy. Working hours which are undertaken outside the revised bandwidth hours of 07:00 to 20:00 hours, will fall within the provisions of WAP.
- 3.5 The proposed changes to the existing Corporate Flexitime Scheme (highlighted in the revised scheme in Appendix B for ease of reference) represent the removal of inconsistencies in the scheme which have resulted in managers varying provisions of the scheme in some work groups i.e. the explicit provisions of the revised scheme in relation to band widths, core times, number of days flexi-leave allowed per accounting period and carry over of flexitime credit hours would be applied to all staff who are eligible for the scheme. These are:-
 - i) Harmonising core hours as being 10:00 to 15:00 hours. Some departments currently have core hours which commence at 09:30 hours, which can cause starting time difficulties for employees with children;
 - ii) Extending the bandwidth hours, to cover the 'gap' in hours which also fall outside WAP;
 - iii) Harmonise flexi-leave ("lieu days") on the basis of a maximum of 1

day per 4 week period. Additional credit hours up to a maximum of 15 hours can be carried over from one accounting period to the next. Currently some directorates/sections operate a maximum of one lieu day (in accordance with the existing provisions of the scheme), whereas others permit two lieu days per accounting period.

- iv) The 'carry over hours' will continue to be a maximum of 15 credit hours and 7.5 debit hours.
- v) On a one off basis, and for a specific operational reasons, a line manager may authorise the accrual of hours in excess of 15 hours and the carry forward of these hours for a further 3 accounting periods within which the excess credited time must all be taken, in line with the provisions of the flexi scheme. Managers also have discretion to pay additional hours in line with the Working Arrangements Policy.
- vi) Greater clarity has been provided regarding the application of the scheme for part time workers, where the flexitime provisions should be applied on a pro rata basis, council-wide.
- vii) The revised policy addressed the existing ambiguity between 'flexi leave and time off in lieu', with both being included with the revised arrangement for credit and debit hours.
- viii) Where an employee elects to work flexible arrangements under the Worklife Balance Policy, the agreed arrangements will supercede the provisions contained within the flexi policy.

3.6 Following on from the above point, insertion of a new paragraph to the effect that employees who for personal reasons require more than the maximum one working day flexi-leave (or 'lieu day') in the accounting period (4 weeks) should make an application for flexible working under the Work Life Balance Policy.

3.7 It was not intended that the Flexitime Scheme should be used for ongoing/semi-permanent changes in employees' working hours: hence the use of Work Life Balance.

3.8 Inserted links to other policies/procedures where appropriate (eg WAP, Work Life Balance).

- 3.9 Inserted a firm requirement to record hours on the flexitime recording sheet (Appendix D), appended the sheet and provided links to an electronic version on the intranet (para 4.5). (NB: Managers may authorise the use of another equally appropriate system e.g. Project management system for managing and recording time). Reinforced the need for managers to authorise all flexitime accrued and flexi-leave taken. This recording system may be computerised in the future.
- 3.10 Revised section referring to jury service and pay arrangements to be in line with the Leave Policy and reflect latest government guidelines (para 5.4).
- 3.11 Stripped back the section on overtime (section 6) to leave only essential information and refer reader to the Working Arrangements Policy, which deals with overtime payments where flexi-leave cannot practicably be taken.
- 3.12 Strengthened the wording of section 7 concerning potential abuse of the scheme, and the responsibilities of both employee and manager.
- 3.13 Concern has been expressed that the proposed harmonisation of lieu days (at 1 day per 4 week period), will affect employees with children (eg sickness). The Council has an Emergency Carers Leave Policy which can be used in some situations.
- 3.14 Update of nomenclature (e.g. Job titles, Directorate names) to current conventions and general tidy up of inaccuracies /inconsistencies (e.g. Making terminology consistent throughout the scheme).

4. Proposal

- 4.1 The recommendation is that the revised Scheme be adopted and implemented from 1st November 2009.
- 4.2 The new arrangements will apply to all employees who are within the scope of the flexitime scheme with effect from 1st November 2009.
- 4.3 If an individual has an exceptional reason why they cannot comply with the new scheme, they must notify the HR Pay & Benefits Team before 1st September. Subject to agreement between HR and the employee concerned, it may be possible to delay their inclusion in the new arrangements for up to 3 months.

5. Other Options Considered

5.1 The following options have been considered and rejected:

- i) Keep the existing scheme as it is and manage any variations locally where these conflict with effective service provision.
- ii) Remove the scheme altogether and encourage managers to use a combination of discretion around informal flexitime provision in their areas and work-life balance requests where more formal arrangements are required.
- iii) Promote use of work-life balance policy exclusively to deal with requests for flexible working.

5.2 In addition, the harmonisation of lieu time is considered essential in removing historical differences in the current arrangements. The Council's Strategic HR Group considered the alternative of harmonising up to 2 lieu days per 4 week period, but on balance rejected this proposal given the need to increase operational efficiency across the Council.

6. Risk Assessment

6.1 There is a risk that the proposed changes, and harmonisation of the scheme may not be welcomed by all employees, particularly as there will be perceived 'winners' and 'losers'.

7. Equalities Impact Assessment

7.1 An Equalities Impact Assessment (EqIA) has been carried out on the current scheme as part of this report (Appendix C). The EqIA considers the current scheme and indicates that if changes are going to be made then these may have a differential impact on certain equality groups - particularly gender groups, disabled employees, young employees and those who have caring responsibilities or who undertake regular religious observance during the working day.

Legal and Resource Implications

Legal

“This report highlights proposed changes to the Flexitime Scheme in order to ensure consistency in treatment of all Council employees. Any changes to an employee's entitlement under the Flexitime Scheme as proposed within the Report should be undertaken in accordance with the Council's Policy on Managing Change.”

Legal advice from Husinara Islam for Head of Legal Services

Financial

(a) Revenue:

“There are no Financial implications arising directly from this report.”

(b) Capital:

N/A

Advice from Stephen Skinner, Head of Finance - Resources, Transformation and Deputy Chief Executive

Land

Not Applicable

Personnel

As shown in Sections 3 and 4 above.

Appendices

Appendix A - Data on variations in flexitime provision across the Council

Appendix B - Revised Corporate Flexitime Scheme

Appendix C - Equalities Impact Assessment

Appendix D - Flexitime Sheet

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
Background Papers:

None

Dir/ Dept	Team	Core Hours		Bandwidth		No of hours Carried Forward		Policy Application				Max. no. flexi days to be taken/month	Notes
		AM	PM	AM	PM	Credit	Debit	FT	PT	JS	Workgrps excluded		
BT	ICT	10:00-12:00	14:00-15:00	07:00	19:00	15 Hours	7.5 Hours	Y	Y	Y	Ltd scheme for Telephone Centres	1 Day	Some work groups have shift patterns, rotas, regular out-of-hours work - managed locally through overtime or time off in lieu
C&L	C & L	10:00-12:00	14:00-15:00			15 Hours	7.5 Hours	Y	Y	Y	See Notes	2 Days	Not applicable to Museums (front of house and operations work to rotas), Crems and Cems (standard hours), Library frontline and branch library staff (though applies to admin staff), Docks.
C&L	Property Services	09:30:00	14:00:00			15 Hours	15 Hours	Y	Y	Y	No	2 Days	
CD	PTSD	10:00-12:00	14:00-15:00			15 Hours	7.5 Hours	Y	Y	Y	See Notes	2 Days	Applies to office-based employees. Does not apply to Parking Services (rotas), Licensing (rotas), some employees in Street Lighting.
CD	Regeneration (1)	09:30-12:00	14:00-16:30	see notes	19:00	15 Hours	7.5 Hours	Y	Y	Y	No	1 - 2 Days	Some staff work later fairly regularly, until approx 19.00 - dealt with through flexi
CD	Regeneration (2)	10:00-12:00	14:00-16:00	see notes									Occasional evening meetings dealt with by either TOIL or flexi system
CYPS	CYPS	09:30-12:00	14:00-15:30			15 Hours	7.5 Hours						
DCX	CX	10:00	15:00	07:00	19:00	15 Hours	7 Hours	Y	Y	Y	No	2 Days	
DCX	External Relations	09:30	15:00	07:00	18:00	15 Hours	7.5 Hours	?	?	?	?	2 Days	Operate more flexibly to meet Councillors needs. Some staff travel, work w/es or have frequent evening meetings. May be allowed to carry forward more than 2 days. Distinction between flexi and TOIL becomes blurred.
DCX	Performance & Improvement	08:30	17:00	07:00	19:00	7.5 hours	7.5 Hours	Y	Y	Y	No	1 Day	
HSC	ACC	9:30-12:00	14:00-15:00			15 Hours	7.5 Hours	Y	Y	Y	No	2 Days	
HSC	ACC Visiting Team	10:00	15:00			37 Hours	7.5 Hours	Y	Y	Y	No	n/k	
HSC	ACC ICT	09:30	15:00	07:30	18:00	15 Hours	7.5 Hours	Y	Y	Y	No	2 Days	
HSC	Bristol Care Direct	9.30am-3.30pm		07:30	18:00	15 hours	7.5 Hours	Y	Y	Y	No		

Flexitime variations - responses from teams. Report updated with additional detail 13/1/09

APPENDIX A

HSC	Care Brokerage Team			07:30	18:00	14 hours	14 hours	Y	Y	Y	No		
HSC	Central & East Office, AWP	Flexible core	hours	07:30	18:00	No	No	Y	Y	Y	No	None	Office covered 0900-1700 M- F
HSC	Finance	10:00-12:00	14:00-15:00	07:00	19:00	37 Hours	7.5 Hours	Y	Y	Y	Not in C & CFs	2 Days	Bandwidth fitted within times the accommodation is available
HSC	North Office, AWP	Flexible core	hours	07:30	18:00	No	No	Y	Y	Y	No	None	Office covered 0900-1700 M- F
HSC	Resources	9.30-12	14:00-15:00	07:30	18:00	15 Hours	7.5 Hours	Y	Y	Y	No		
HSC	Safeguarding Adults			07:30	18:00	14 hours	14 hours	Y	N	N	No		
HSC	South Office, AWP	Flexible core	hours	07:30	18:00	No	No	Y	Y	Y	No	None	Office covered 0830-1700 M-Th & 0830-1630 F
NH	N&HS	10:00-11:30	14:30-15:00			15 Hours	7.5 Hours	Y	Y	Y	See Notes	2 Days	Not applicable to Emergency Control, Scheme Managers in services to Older People, Caretaking, some of Waste Ops. Limited application in A2B and CSPs.
NH	Safer Bristol	09:30	15:00			15 Hours	7 Hours	Y	Y	Y	No	1 Day	
NH	YOT			07:00	19:00	15 Hours	7.30 Hours	Y	Y	Y	See Notes	2 Days	Not practitioner staff - work requires some working outside bandwidth
RES	HR Advice & Support (HSC)	9:30-12:00	14:00-15:00		19:00	15 Hours	7.5 Hours	Y	Y	Y	No	2 Days	Rarely work till 7pm but sometimes till 6.15/6.30pm. Should take into account NWOW/WLB and NB delivering a service responsively - need flexibility not rigid cut off point
RES	HR Admin	10:00-12:00	14:00-16:00			15 Hours	7.5 Hours	Y	Y	Y	No	2 Days	
RES	HR Health and Safety	10:00-12:00	14:00-15:00	06:30	19:00	15 Hours	7.5 Hours	Y	Y	Y	No	2 Days	
RES	HR Occupational Health	09:30	15:00	see notes		15 Hours	7 Hours	Y	Y	Y	No	2 Days	Some staff do start work before 7-7 30 am. This flexibility is helpful to our service. Clients often ring up and cancel their appointments after 7am.
RES	HR Payroll	10:00-12:00	14:00-15:00			15 Hours	7.5 Hours	Y	Y	Y	No	2 Days	
RES	HR Recruitment	10:00-12:00	14:00-16:00	07:30	18:00	15 Hours	7.5 Hours	Y	Y	Y	No	2 Days	Corporate scheme bandwidth applies but manager encourages staff to work 8.30am to 5pm (4.30pm on Fridays) to meet SLA with managers to cover the service

Flexitime variations - responses from teams. Report updated with additional detail 13/1/09

APPENDIX A

RES	Legal Services	10:00-12:00	14:00-15:00			15 Hours	7.5 Hours	Y	Y - pro rata	Y	No	2 Days	
RES	Local Tax	09:30-11:45	14:30-15:00	07:30	19:00	15 Hours	7.30 Hours	Y	Y	Y	No	2 Days	Not staff with fixed WLB arrangement
RES	Property & Local Tax			07:00	19:00	15 Hours	7.5 Hours	Y	Y	Y	Security & other shift workers	2 Days	
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amended 29 June 09

CORPORATE FLEXITIME SCHEME

Correct at: 12 October 2006

Author & Owner: **Employee Relations**

Contact: employee.relations@bristol.gov.uk
0117 92 22165 / 22215

Date Adopted: August 2001

History of most recent Policy Changes – **Must be completed**

Date	Page	Change	Origin of Change (e.g. TU request, change in legislation etc)
August 01	All	Revised	
August 06		Time off for medical appointment updated	
12 October 06	All	Reviewed	
2009	All	Currently Under review (JUNE09)	

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1. Statement of Intent

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This scheme is an integral part of the council's declared intention of having a flexible approach to employment practices, linked to service improvements. It must be read in conjunction with the [Work-life Balance policy](#), New Ways of Working and other policies which deal with flexible working.

2. Principles of Scheme

- 2.1 The flexitime scheme can be applied throughout the Council, where flexitime is worked on the basis that it is compatible with or supplements, other flexible working arrangements.
- 2.2 Management must ensure that work is carried out effectively and service delivery maintained. At times it will be necessary to vary the attendance hours of employees to meet the needs of the section/directorate within the standard day, and this condition is implicit in the flexitime scheme. It may even be necessary to operate a rota to maintain cover on a regular basis.
- 2.3 Any queries or requests for further information on flexitime working arrangements should be addressed to the Directorate Human Resources Business Partner, and from December 2009 the Shared Transactional Services Centre.

3. Eligibility and Exemption

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3.1 Eligibility

In principle, every post in the City Council, whether existing or new, will be considered suitable to be covered by flexitime working, subject to meeting service needs.

~~Part-time and job share employees may be eligible for flexitime working subject to the requirements of the service and the agreement of their line manager.~~

~~of the service and with the prior agreement of their line manager. Where a part-time or job share employee's contract of employment includes working during core hours as agreed by the employing directorate, the employee may be eligible for the flexitime scheme subject to the~~

3.2 Exemption

The City Council's support of flexitime is based on the premise that there will be no loss of efficiency or decrease in the level of service provided. On this basis, there may be genuine operational reasons for excluding certain posts.

Examples include:-

1. shift workers;
2. ~~employees whose contract requires them to work where an employee's contract requires them to work~~ specific hours for operational reasons and these cannot be varied without detriment to the service;
3. where an employee elects to work flexible arrangements under the Work-life Balance Policy ~~which are incompatible with this scheme. for employees to continue to benefit from the flexitime scheme.) The introduction of non standard hours under the work life balance policy may mean that it is neither appropriate nor possible~~ Any variation in working hours or flexitime arrangement must be specifically agreed with their line manager and will be subject to operational requirements. These arrangements supersede the provisions of the flexi policy.
4. ~~For example, where if~~ the number of employees available at specific times ~~may be~~ reduced below the required level for effective service delivery, managers must review arrangements and advise employees of any changes to flexitime and flexi-leave provisions that are necessary to maintain service provision;
- 5.
6. ~~posts dealing directly with the public, where staffing levels do not allow flexitime working without eroding the service provision;~~
7. JNC 1st and 2nd tier staff;
- 8.
9. employees in locally managed schools.

At all times the accruing of flexitime and taking of flexi-leave are subject to the agreement and authorisation of the line manager who must prioritise service needs as necessary.

If a post is to be designated as 'unsuitable', ~~it should be identified this should be done as such~~ solely on the grounds of operational efficiency/service delivery requirements ~~and prior to advertisement and must be done before it is advertised.~~ The establishment of unsuitability will be the responsibility of Service Managers (except for requests from 3rd tier officers where approval is required from the Service Director) Directors (2nd tier officers) within directorates, who will take into account such factors as the nature of the duties undertaken and the degree of continuity required, service delivery/efficiency, the impact on other members of staff and members of the public, committee requirements and the need to respond to external timetables (e.g. court attendance).

Service [Managers/Directors \(for 3rd tier only\)](#) will advise the staff involved and trade union representatives in advance when a post is not suitable to be covered by flexitime working. In the event of the matter not being agreed or resolved, an appeal may be lodged [by existing employees](#) using the appeals procedure as set out in the [Work-life Balance Policy](#).

4. Provisions of the Scheme

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4.1 Bandwidth and Core Times

[A bandwidth is the span of time a service is available or a work site open.](#)

[The standard bandwidth is 07:00 to 20:00 hours, Monday to Friday, unless there are operational reasons why this bandwidth is not appropriate. Please note that this policy does not apply outside of the standard bandwidth hours and that the Working Arrangements Policy applies.](#)

[Bandwidths:](#)

- [▪Will be from 07:00 to 20:00 hours Monday to Friday which will apply where standard hours are worked.](#)
- [▪Where directorates introduce flexible working, these bandwidths may no longer be applicable](#)
- [▪Where weekend or evening working is introduced, it may be appropriate to determine new bandwidths, appropriate to the service area.](#)

[Core times:](#)

- [▪Are those hours each day when all employees must be present at work.](#)

[▪For employees working a standard day, they are from 10:00 to 15:00 hours \(excluding a minimum 30 minute lunch break normally taken between 12:00 and 14:00 hours.](#)

[Where employees are working a reduced number of days per week/fortnight, core hours will be 9.00-16.30 hours.](#)

- [•Variations to bandwidths or core times must be negotiated under the Work-life Balance Policy.](#)

4.2 Meal / rest arrangements

[▪A minimum of 30 minutes for meal/rest breaks must be allowed for in any working period greater than 4_6 \(revised from 4 hours\) hours, to be taken at a suitable period in the working session to meet operational requirements.](#)

[▪The timing of the break shall be determined by management taking account of](#)

~~the Working Time Regulations, as well as the minimum number of employees that must be present at any one time during the rest breaks for service delivery reasons:~~

-
- Employees should not be expected to be present at the work-station during their break.

4.3 Accounting Period / **Qualifying Contractual Hours**

- The accounting period for the flexitime scheme is four weeks.
- The accounting period is the time within which employees must completework their contractual hours.
- For example, if employees are contracted to work 37 hours per week, they will have to clock-up 148 'qualifying' hours on the flexitime scheme in a four-weekly accounting period:
- ~~hours will be reduced for part time employees, on a pro-rata basis, against a standard 37 hour week.~~qualifyingThe number of
- ~~Employees working a 4 day week/9 day fortnight/voluntary V time, may not be eligible for flexitime within the provisions of this scheme. (pro-rata for part-time employees).~~

4.4 Credit / Debit hours

- Flexi-leave (~~sometimes referred to as 'lieu time'~~) may be taken, providing sufficient in respect of credit time has been built up by the end of the accounting period, for up to a maximum of one working day (or two half days) per four-week period.
- Please also note that debit limits must not be exceeded by the end of the accounting period.
- **Such leave may only be taken at a mutually convenient time, and by prior agreement with the line manager.**
- The maximum flexi-leave for job-sharers/part time employees will be calculated pro-rata (for example, employees working 18.5 hours per week may take a maximum of one half day per accounting period).
-
- ~~On a one-off basis, and for a specific operational purpose, a 2nd tier manager may authorise an employee to take more than one working day flexi-leave within one accounting period. However, if an employee requires more than one working day flexi-leave in one any accounting period (for example, due to personal reasons or child care responsibilities) a formal arrangement should be negotiated under the Work-life Balance Policy subject to service needs and reviewed regularly~~
- The number of hours to be deducted from the total number of hours worked in

the period to cover the flexi-leave taken will be commensurate with the number of hours which should have been worked during that day. (e.g. 7.5 hours Monday-Thursday, 7 hours Friday for employees working a standard 5 day/37 hour week, ~~or 9 hours for someone who was scheduled to work 8.30-18.30 under a work-life balance arrangement.~~).

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- Employees may carry over a maximum of 15 hours credit or 7.5 hours debit from one accounting period to the next, with a pro rata entitlement for part time employees.

On a one off basis, and for a specific operational reasons, a Service Manager may authorise the accrual of hours in excess of 15 hours and the carry forward of these hours for a further 3 accounting periods within which all the excess accrued time must all be taken, in line with the provisions of the flexi scheme (i.e. 7.5 hours in one accounting period). Plain rate overtime may be paid (with the exception of contractual overtime) will only be paid if flexi-leave cannot reasonably be taken (please refer to Working Arrangements Policy for guidance on how overtime must be authorised and payment arrangements).

Please note that all flexitime credit hours accrued in excess of the standard 15 hours (or excess accrued hours by special arrangement) will be lost, except where by prior agreement with Directorate management, these hours are paid at plain rate overtime in line with the Council's Working Arrangements Policy.

- Where an employee requires more than one flexi-leave day in an accounting period for personal reasons then a formal arrangement should be negotiated under the Work Life Balance Policy.

~~Employees subject to the Corporate Flexitime Scheme may carry over a maximum of 12 hours credit or 7.5 hours debit from one accounting period to the next, with a pro rata entitlement for part time employees. Flexitime credit hours in excess of this maximum will be lost or, by agreement with directorate management, paid as overtime (subject to the Council's Working Arrangements Policy).~~

-
- Management and employees are reminded of the Working Time Regulations , and hours in excess of 48 per week will not qualify as accrued hours for flexitime unless a formal opt out agreement is in place.

~~Time off will be allowed prior to having been accrued subject to the credit or debit limits not having been exceeded by the end of the accounting period.~~

- Where employees transfer from one directorate to another, eg employment agency staff, or through promotion, they will not normally be permitted to carry forward credit or debit time from one placement or directorate to another, unless this has been authorised by the new manager. Credit hours must be used before the transfer date, or paid as overtime , and all debit hours must also be cleared before the transfer date.

4.5 Time recording

- All employees using the flexitime scheme must record their hours of work on the flexitime recording sheet (see appendix A, also available electronically under HR forms) [or by any other suitable recording method in agreement with management](#).

- Management will be required to monitor non standard working arrangements, sign-off timesheets at the end of each accounting period and authorise flexi-leave, variations to core hours and any other non standard working arrangement.

5. Accounting for authorised absences within the scheme

5.1 Annual Leave / Sickness / Day Release for College Attendance and Training Courses

- Employees who are absent on annual leave, sickness, courses and meetings relevant to the City Council's operations or otherwise authorised to be absent, will be credited with the standard hours for each day of absence (or part thereof) in accordance with their **contracted** hours of work, [normally 7.5 hours Monday to Thursday and 7 hours on a Friday](#).

- ~~E.g. if an employee is contracted to work 0830 to 1700 hours (Monday – Thursday) and 0830 to 1630 (Fridays) but has a flexible working arrangement to work 37 hours in 4 days, e.g Monday to Thursday 08.00 to 18.15, they will be credited with 7.5 hours for absences which take place Monday to Thursday. Any additional working hours lost will need to be worked at a later date within the accounting period.~~

- If the employee's contracted hours are other than the standard 37 hour week, the number of hours credited for absence will be in accordance with those stated on their contract for that particular period – [e.g. Pro-rata](#).

- ~~Where sickness results in a pre-booked flexi-leave day not being able to be taken by the end of the accounting period, the employee can, with the approval of the section head, carry forward the hours to the next accounting period in addition to the normal 15 hours' credit maximum.~~

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5.2 Appointments

[Please refer to Managing Attendance \(insert link\) for further information.](#)

[A distinction should be drawn between routine and non-routine medical appointments \(see below\).](#)

[Routine appointments are, for example, with a doctor, dentist, optician \(the list is not exhaustive\), and are generally appointments you can book in advance outside of core time\). Employees will be expected to make up time taken to attend them, including Disabled employees.](#)

Non-routine appointments are generally for treatment, whether at a hospital, clinic or the doctor's surgery (the list is not exhaustive). Treatment may include minor surgery, the definition depending on the nature of the procedure and the anticipated recovery time. Employees do not have to make up time taken to attend them.

- ~~Employees will make up time taken for medical appointments eg doctors, dentists, opticians etc.~~
- ~~These should be made outside of 'Core' time wherever possible for non-emergency situations.~~
- ~~Where this is not possible the agreement of the section head should be obtained.~~
- ~~It is recognised that emergency appointments and those which require hospital attendance may necessitate attendance anytime during the working day.~~
- ~~Attendance at health and/or cancer screening which form part of the Council's initiative or any other Council policy (eg Maternity Scheme) will be permitted during the working day as paid time.~~
- ~~Where employees have opted to work specific hours under the Work-life Balance Policy and are not able to arrange such non-emergency appointments outside of working hours, they should discuss with their manager an alternative arrangement to enable them to work the time lost.~~
- ~~Disabled employees who have to attend medical appointments relating to their impairment may take the appointment during working hours and be credited with the equivalent flexitime hours as normal.~~

There are also specific arrangements for disabled employees (please refer to the Managing Attendance Policy).

5.3 Trade Union Meetings

- Where time off is permitted for accredited staff representatives and shop stewards to attend trade union meetings/trade union training courses, the employees concerned will be allowed to record the standard hours for the day (or part thereof) as stated in paragraph 5.1 above.
-
- Where employees (whether trade union members or non-trade union members) are required authorised by management to attend meetings outside standard hours by management/committees as part of the formal consultative/negotiating arrangements, the hours will be credited under the flexitime scheme.

~~5.4~~

~~5.5 Other Authorised Absence (see Authorised /Unauthorised chapter of the leave policy)~~

~~Where national conditions of Council policies prescribe paid time off for such circumstances as public duties (e.g. school governors), election duties, territorial and auxiliary forces, compassionate leave and ante-natal care, the employee concerned will be credited with standard hours as set out in paragraph 5.1 above, or with the hours which would have been worked under any specific arrangement under the Work-life Balance Policy.~~

~~Where an employee undertakes jury service they will be credited with standard day/hours as set out in paragraph 5.1 above, or with the hours which would have been worked under any specific arrangement under the Work-life Balance Policy. The Leave Policy details how the employee will be paid during the period of jury service.~~

- ~~■ **Absence due to Emergencies / Severe Inclement Weather (see Authorised / Unauthorised chapter of the leave policy)**~~

~~Where an employee is unable to attend work or continue at work owing to emergencies (eg bomb/fire alert), standard hours shall be recorded (see 5.1 above).~~

~~Similarly, standard hours will be applied where 'severe inclement weather' is acknowledged by the Head of Paid Service and normal working arrangements set aside.~~

6

5.4 Other Authorised Absence (see Authorised/Unauthorised chapter of Leave Policy)

~~Where national conditions of Council policies prescribe paid time off for such circumstance as public duties (e.g. School governors), election duties, territorial and auxiliary forces, compassionate leave and ante natal care, the employee concerned will be credited with standard hours as set out in paragraph 5.1 above, or with the hours which would have been worked under any specific arrangement under the Work Life Balance Policy.~~

~~Where an employee undertakes jury service they will be credited with standard day/hours as set out in paragraph 5.1 above, or with the hours which would hve been worked under any specific arrangement under the Work Life Balance Policy. The Leave Policy details how the employee will be paid during the period of jury service.~~

6. Overtime Working – Outside of Provision of Scheme back to contents

- 6.1 Overtime (with the exception of contractual overtime) will only be paid if flexi-leave (or 'time off in lieu') cannot reasonably be taken within this scheme. Please refer to the Working Arrangements Policy for guidance on how overtime must be authorised and payment arrangements

~~6.2— There may be periods when the demands of the service require hours of work which would result in excess carry forward of hours. In such exceptional cases, and with the approval of the relevant Service Director, (2nd tier post) additional carry forward of hours from one four-week period to another may be allowed, provided these are properly recorded.~~

7. Abuse of the Scheme

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- It is the responsibility of employees to accurately record their working hours and aggregated flexitime credit hours on the 'flexitime recording sheet'.
- An employee's manager is responsible for authorising (or 'signing-off') the employee's flexitime recording sheet at the end of each four week accounting period.
- Any employee who fails to record their working hours, will forfeit his/her entitlement to flexitime during the period for which recording has not taken place.
- Employees will be subject to disciplinary action where there is evidence of fraudulent misrepresentation of working hours, or of flexi-leave taken or accrued.
- Employees who consider that this scheme is not being fairly applied to them will have recourse to the appeals procedure as specified in the Work-life Balance Policy.

8. Appeal Arrangements

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Appeal arrangements for this scheme are as stated in the Work-life Balance policy

9. Date of Implementation

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TBC

Draft

Equalities Impact Assessment For Policy Review Corporate Flexitime Scheme

Identify the aims of the policy/service/function and how it is implemented

1.1 Is this an existing or a new policy / function?

Answer

- This is an existing policy, adopted in 2001 and last reviewed in 2006
- On the 20th October 2008 the Workforce Development Strategy Group raised the council's Flexitime Scheme as being in need of a review. Problems have arisen in relation to divisions moving to different departments, exposing inconsistencies around such issues as core hours, entitlement to carrying over lieu days, and different arrangements for part time/job share employees.

These changes date from historic differences in schemes between Bristol District Council, and Avon County Council. Further variations in departmental practice have arisen since. The council's Flexitime Scheme covers minimum provision only, and is too loose given more recent flexible working, etc.

- On the 22 Jan 2009 the issue was raised at HRMT. The SLT has also asked for a review. They are concerned about different rules operating in different directorates now that working groups are being brought together under NWoW

1.2 What is the aim, objective or purpose of the policy/ service/ function?

Answer

- This scheme is an integral part of the council's declared intention of having a flexible approach to employment practices, linked to service improvements.

1.3 What outcomes do you want to achieve with this policy / function and for whom?

Answer

For the organisation: Having a flexible approach to employment practices, linked to service improvements. Management must ensure that work is carried out effectively and service delivery maintained. At times it will be necessary to vary the attendance hours of employees to meet the needs of the section/department within the standard day, and this condition is implicit in the flexitime scheme. It may even be necessary to operate a rota to maintain cover on a regular basis

For employees: Flexibility to adapt start / finish / break times to suit ad hoc or long term work life balance needs and to respond to peaks and troughs in workload in a flexible way. There is an acknowledgement that in some parts the flexitime scheme is being used inappropriately to supplement annual leave

For service users: To extend access to quality services by having service cover over longer hours. To experience on going service improvements

1.4 Who is the policy/function being aimed at / who are the main stakeholders?

Answer

- In principle, every post in the City Council, whether existing or new, will be considered suitable to be covered by flexitime working.
- Managers are stakeholders in so far as they manage teams who use the Flexi-scheme
- Chief Officers (check new title) are stakeholders by virtue of the fact that they have discretionary powers to amend bandwidths and core hours within their areas of work to support business objectives
- Trade unions are stakeholders as consultees on proposed variations to the Flexi-time scheme
- Service users - in so far as they should ideally benefit and at worst see no service reduction as a result of the implementation of the scheme
- The City Council's support of flexitime is based on the premise that there will be no significant loss of efficiency or decrease in the level of service provided. On this basis, there may be genuine operational reasons for excluding certain posts.

Action

- Any proposed changes to the scheme must be consulted upon with the SLT and Trade unions on behalf of their members.

1.5 Who defines or defined the policy / function? How much room for manoeuvre is there?

Answer

- The flexitime scheme can be applied throughout the Council, where flexitime is worked on the basis that it is compatible with or supplements, other flexible working arrangements
- This is a corporate scheme, However currently the Strategic Directors can, subject to appropriate consultations with the recognised trade unions and staff involved, vary details of this scheme to meet essential operational/service delivery requirements. In all other circumstances where flexitime is appropriate, the corporate scheme should apply.
- Each Strategic Director currently also has discretion to vary the length of bandwidths and core times set out in this scheme, by agreement with the staff/unions or through special arrangements under the work life balance policy
- The proposal for the revised scheme is to remove the discretion afforded to Strategic Directors to vary the explicit provisions of the scheme in order that all staff covered by the scheme are subject to the same provisions.

Action

- In work areas where teams have been brought together exposing inconsistencies around such issues as core hours, entitlement to carrying over lieu days, and different arrangements for part time/job share employees, service managers will need to review the arrangements in consultation with the trade unions and staff to ensure that any variations are objectively justifiable and support business need. These reviews must also consider the equality of treatment between part time and full time staff and employees working job share. Where agreement can not be reached the corporate flexi-scheme should apply

1.6 Who implements the policy function? Is it possible for bias/prejudice to creep into the process?

Answer

- Service managers and Strategic Directors implement the scheme. Some local variations to the corporate scheme will have been agreed in consultation with trade unions
- It is possible for bias / prejudice to creep into the process where managers use the scheme as a reward tool for staff rather than a business driven scheme. For example, staff should only accrue flexi time where there is an evidenced need for them to work additional hours

within the band range for the achievement of a specific task or piece of work. However, it is recognised that often employees aim to accrue flexi hours in order to supplement their leave entitlement

- Some managers are more 'generous' than others around the issue of carrying +/- hours from one month to the next. Anomalies range from being able to carry over 20+ hours to 7.5 and a debit range from 15 to 7
- Core hours vary from 08:30 to 10:00 hours start time and 15:00 to 16:30 hours finish time

Action

- Following this review of the scheme - managers and employees to be informed of the changes and reminded of the scope of the scheme - via Source article and dissemination via HR managers / Assistant managers and advisers
- Identified anomalies - where current arrangements can not be objectively justified and where there is no business need for the arrangement will be realigned with the corporate scheme

1.7 How do these outcomes (see 1.3) meet or hinder other policies, values or objectives of the public authority

Answer

- There are links between the flexi time scheme and the New Ways of Working policy, the Work Life Balance Policy the recruitment and selection policy and retention
- New Ways of Working: the NWOW policy encourages flexible ways of working with particular regard to where the work is being undertaken. Use of the flexitime scheme allows of greater desk sharing and maximisation of available resources where employee's hours span a wider bandwidth rather than concurring over a shorter period of time
- Work Life Balance Policy: This policy focuses on When work is undertaken and in what pattern. The flexi-time scheme allows greater variation of working hours either side of core hours
- Recruitment and Selection Policy: Flexi time is attractive to new recruits as well as acting as a retention tool - as not all employers offer flexi time systems

Action

- Ensure that links exist from the flexi-time scheme to other relevant policies so that managers and employees can identify how the schemes / policies work to compliment each other

1.8 What factors or forces are at play that could contribute or detract from the outcomes identified in 1.3?

Answer

- Manager's wish to retain the flexi-scheme patterns they have agreed could detract from harmonising arrangements
- Potential conflict between the views of the scheme as a business driven versus an employee benefit
- Employees wishing to retain the flexi time scheme arrangements which they are currently operating to
- Loss of 'flexibility' through assimilation of staff onto the corporate scheme
- Potential strategic move towards a 24/7 operating system which would require review of numerous policies including a review of bandwidths and core hours
- One Council' approach to service delivery suggests that similarities in bandwidth and core hours should prevail

Action

- Proposed changes to the scheme to be consulted upon as necessary

1.9 Consider if any of the six equalities groups have particular needs relevant to the policy.

Answer

In principle, every post in the City Council, whether existing or new, will be considered suitable to be covered by flexitime working. However, the scheme excludes certain groups of workers. Examples include: Shift workers, JNC 1st and 2nd Tier staff and employees in locally managed schools

- BME: Unaware of any particular needs with regards to this policy
- LGB: Unaware of any particular needs with regards to this policy
- Age: Young people who join BCC will often have lower levels of annual leave entitlement due to a lack of continuous service. This may make the flexi-time scheme especially attractive to them for the purposes of supplementing their ability to take paid days off work
- Disability: some employees may use arrangements outside core hours as reasonable adjustments - starting later in the day for example to allow more time to get ready or to have longer breaks at certain stages of the day to attend to their specific needs
- Religion & belief: Flexi-time allows greater flexibility around the observation of religious ceremonies and prayer time
- Gender: Women often benefit disproportionately from flexi schemes to attend to child care. Conversely, women are more likely to be in posts (eg caring positions or school based posts) where flexi time does not apply due to service needs.
- Part time and job share posts are often held by women. In one part of HSC flexitime does not apply to job share or part time posts. This could have a disproportionate impact on women

The flexi time scheme does not apply to Culture and Leisure (Neighbourhoods) front of house and operations staff in museums who work to a rota and to cems and crems staff who work standard hours. Library front line and branch library staff are also excluded as are Docks staff. Furthermore it doesn't apply to PTSD staff in parking services, Licensing and some employees in street lighting. Not applicable to NHS staff in Emergency Control, Scheme Managers in services to Older People, Caretaking, some of Waste Ops. Limited application in A2B and CSPs. YOT practitioner staff are also excluded. Or staff with fixed WLB arrangements in local tax

1.10 Taking the six strands of equalities is there anything in the policy that could discriminate or disadvantage any of these groups?

Answer

- BME: Scheme thought to be impact neutral for this equality group
- LGB: Scheme thought to be impact neutral for this equality group
- Age: Restricting the amount of 'carry over' of flexi-time may disproportionately impact on some young people where flexi time has been used to supplement annual leave
- Disability: restricting access to flexi-time scheme for some work groups may impact disproportionately on some disabled employees- although reasonable adjustments may address this outside of the scheme
- Religion & Belief: Some core hour boundaries may conflict with set prayer times
- Gender: The exclusion of some work groups from the scheme will have a disproportionate impact on women and men depending on the work group. Overall, more women are likely

to be excluded from the scheme by virtue of the type of work which they undertake

1.11 From your perspective, how does or will the policy actually work in practice for each equalities group?

Answer

- For the majority of staff across BCC the flexi-time scheme offers the opportunity to enhance work life balance and to respond to ad hoc and ongoing work life balance needs.
- The scheme contains an appeals process which all staff can use if they feel that they are being unfairly treated with regards to the flexi time scheme
- See above for anticipated impact on different equality groups

Action

- Monitor impact through periodic review, appeals process, exit questionnaire responses and staff satisfaction survey. Information provided ad hoc from the self organised groups will be used to inform any review of the scheme in the future and the associated EqIA

Consideration of available data, research and information

2.1 What do you already know about who uses and delivers this scheme?

Answer

- The 2006 exit questionnaire analysis showed that 7.83% of voluntary leavers listed flexible working as the aspect of their job which they enjoyed the most. In 2007 the figure rose to 13%
- See http://intranet.bcc.lan/ccm/cms-service/stream/asset/?asset_id=1718423 for the employee survey results (page 8 relates to work life balance)
- See appendix A (Flexi time scheme variations)

Action

- Investigate the possibility of having flexitime scheme users' information entered systematically against the individual post on the HR database? Identify whether there is there a dedicated field for this in Vision?

2.2 What quantitative data do you already have?

Answer

- See above

2.3 What additional information is needed to ensure that all equality groups' needs are taken into account? Do you need to collect more data, carry out consultation at this stage?

Answer

- Analysis of the 'exempt' groups by equality group to see whether those staff prevented from using the scheme are disproportionately within the equality groups

Action

- Report requested from Business systems team 5/2/09

Assessment of Impact

3.1 Have you identified any differential impact on any group and does this adversely affect any groups in the workforce?

Answer

- Depending on the post women can be both winners and losers under the scheme as they are more likely to need / want flexible working arrangements to fit in with caring responsibilities, but they are also more likely to be in posts which are excluded from using the scheme due to their front line nature / operational needs
- Disabled employees may benefit from the scheme to allow them more flexible start / finish times and break times during the working day.
- Disabled employees will be able to request flexible ways of working - including a flexi time system as a reasonable adjustment under the DDA provision
- The scheme allows for local variations to be applied in response to business need

Worklife Balance options can be sought by all staff.

3.2 Is the policy directly or indirectly discriminatory?

Answer

- No

Action

- N/A

3.3 If there is an adverse impact can it be avoided, can we make changes, can we lessen it etc?

Answer

- There is not necessarily an adverse impact on any specific equality group, but there are current inconsistencies which need to be removed to ensure fair treatment for all

Action

- The implementation of the corporate scheme council-wide and removal of discretion to vary provision locally will remove inequality of treatment/benefit.

3.4 Does the policy meet any particular needs identified for any of the equalities groups?

Answer

- Flexibility for women and men with caring duties and flexibility for disabled employees. Potentially, flexibility for those wishing to carry out religious observations during the working day

Action

- N/A

3.5 Are there additional measures that could be adopted to further equality of opportunity in the context of this policy/service/function?

Action

- Ensure regular review of posts excluded from the flexi time scheme to ensure that the justifications are still valid

- Review scheme and local variations regularly to ensure that discretions are being applied appropriately and consistently

Formal Consultation

4.1 Who do we need to consult with

Answer

- Strategic HR Group
- Trade unions
- Self Organised groups

Action

- Report to SHRG May 2009
- Report to TUs June 2009
- Report to Self Organised Groups June 2009

4.2 What method / form of consultation can be used?

Answer

- Reports / meetings as appropriate

Monitoring

5.1 Who will carry out monitoring?

Answer

- Employee Relations
- HR managers
- Corporate consultation

Action

- Periodic review

5.2 What needs to be monitored?

Answer

- relevance of the scheme's objectives in line with corporate business drivers
- any disproportionate dissatisfaction / appeals from equality groups
- staff satisfaction

Action

- See answer above

5.3 What method(s) of monitoring?

Answer

- Monitor suitability of the scheme in line with changing business needs and alignment with other policies such as the WLB policy and NWoW
- Monitor appeals submitted under the WLB policy
- Monitor staff satisfaction with flexible working

Action

- Periodic review of policy
- Analysis of appeals against flexi time scheme issues by equality group

- Analysis of staff satisfaction survey
- Analysis of exit questionnaire responses

5.4 How will the monitoring information be published?

Answer

- Through the equality impact assessment and periodic reports to HRMT and / or TU officers meetings / WDMG etc

Action

-

Key changes in the flexi time scheme

6.1 What are the key changes between the existing policy and the proposed one

The changes are summarised as follows:

- i) Harmonising core hours as being 10:00 to 15:00 hours. Some departments currently have core hours which commence at 09:30 hours, which can cause starting time difficulties for employees with children;
- ii) Extending the bandwidth hours, to cover the 'gap' in hours which also fall outside WAP;
- iii) Harmonise flexi-leave ("lieu days") on the basis of a maximum of 1 day per 4 week period. Additional credit hours up to a maximum of 15 hours can be carried over from one accounting period to the next. Currently some directorates/sections operate a maximum of one lieu day (in accordance with the existing provisions of the scheme), whereas others permit two lieu days per accounting period.
- iv) The 'carry over hours' will continue to be a maximum of 15 credit hours and 7.5 debit hours.
- v) On a one off basis, and for a specific operational reasons, a line manager may authorise the accrual of hours in excess of 15 hours and the carry forward of these hours for a further 3 accounting periods within which the excess credited time must all be taken, in line with the provisions of the flexi scheme. Managers also have discretion to pay additional hours in line with the Working Arrangements Policy.
- vi) Greater clarity has been provided regarding the application of the scheme for part time workers, where the flexitime provisions should be applied on a pro rata basis, council-wide.
- vii) The revised policy addressed the existing ambiguity between 'flexi leave and time off in lieu', with both being included with the revised arrangement for credit and debit hours.
- viii) Where an employee elects to work flexible arrangements under the Worklife Balance Policy, the agreed arrangements will supercede the provisions contained within the flexi policy.

6.2 Is there any anticipated disproportionate impact on any of the six

equalities groups from these specific changes?

BME: TBC

LGB:

Age:

Disability:

Religion& Belief:

Gender:

Action

EIA Draft Action Plan (based on 1.9 - 1.11 & 3.1 & 3.5)

Action	Lead	Timescale	Notes
<ul style="list-style-type: none"> SH, BW and HC to prepare draft report for Head of HR to consider 	BW, SH, HC	23 February 2009.	done
<ul style="list-style-type: none"> Paper to WDMG to review flexitime policy, addressing: primary purpose(s) of flexitime scheme relationship between WLB and flexitime scheme whether we need one Council-wide flexitime scheme whether we need scheme with standardised core hours; and consider common bandwidth, and business-driven exceptions implications of recent regulatory/statutory changes re employees' right to ask for flexible working implications where contracts currently provide for flexitime 	BW, SH	by 2 March for meeting on 10 March 2009	done
<ul style="list-style-type: none"> Any proposed changes to the scheme must be consulted upon with the Trade unions on behalf of their members. 	BW/ AS	Report to TUs 19June 09	
<ul style="list-style-type: none"> Consult on any proposed changes with the relevant equality groups 	BW/ AS	Report to Self Organised Circulated w/c1June09. For comments by 19 th June.	

<ul style="list-style-type: none"> Any staff who are working to variations of the corporate flexitime scheme will need to be consulted on the implications of councilwide reversion to the provisions of the corporate scheme (eg. Reversion to 1 day per month maximum flexi leave, from 2 days discretionary) 	<p>This will need to be performed at local level through collaboration of Management, HR, TUs and staff.</p>	<p>Future consideration</p>	
<ul style="list-style-type: none"> If a post is to be designated as 'unsuitable', this should be done solely on the grounds of operational efficiency/service delivery requirements and must be done before it is advertised. The establishment of unsuitability will be the responsibility of Heads of Service (2nd tier officers) within departments who will take into account such factors as the nature of the duties undertaken and the degree of continuity required, service delivery/efficiency, the impact on other members of staff and members of the public, committee requirements and the need to respond to external timetables (eg court attendance). 			

<ul style="list-style-type: none"> Analyse available data to assess actual work group diversity 			
<ul style="list-style-type: none"> Monitor impact through periodic review, appeals process, exit questionnaire responses and staff satisfaction survey. Information provided ad hoc from the self organised groups will be used to inform any review of the scheme in the future and the associated EqIA 			
<ul style="list-style-type: none"> Investigate the possibility of having flexitime scheme users' information entered systematically against the individual post on the HR database? Identify whether there is a dedicated field for this in Vision? 			
<ul style="list-style-type: none"> Ensure regular review of posts excluded from the flexitime scheme to ensure that the justifications are still valid 			

