

WEST DUNBARTONSHIRE COUNCIL

Report by Head of Human Resources and Organisational Development

Joint Consultative Forum: 24 March 2011

Subject: Extension to the Right to Request Flexible Working

1. Purpose

- 1.1** This report seeks to update JCF on an amendment to the Council's Flexible Working Scheme for Parents and Carers to incorporate legislative changes which will be effective from 6 April 2011.

2. Background

- 2.1** In May 2008 the Government completed a review of the flexible working regulations. This review had a narrow remit to consider raising child-related age limits. The Government accepted the review's proposals to raise this limit to 16 from April 2009.
- 2.2** Since the introduction of the right to request flexible working, calls for the scope of the law to be extended have continued and the Government now wishes to extend the right to parents of children under 18.

3. Main Issues

- 3.1** Currently employees with caring responsibilities of children aged up to 16 (18 and under where the child is disabled) and carers of adults have the statutory right to request to work flexibly. There is no automatic right for the request to be granted but the request must be fully considered and refusal is permitted only on certain grounds.
- 3.2** From 6 April 2011 the right to request flexible working will be extended to parents of children aged 18 and under. This means that from April more employees will be eligible for this right.
- 3.3** The current Scheme of Flexible Working for Parents and Carers will require to be updated at Section 1.1 and Section 2.1 to amend the age of a child from 16 to 18 to comply with the legislative change.

4. People Implications

- 4.1** The extension to the right to request flexible working for parents and carers provides an intervention to allow parents and carers to remain in employment whilst balancing their caring duties and allows employers to recognise the full benefits of flexible working. The legislative amendment will be circulated to employees via the Core Brief, HR Information Note and the Manager's Guidance will also be updated and available from the intranet.

5. Financial Implications

- 5.1** It is not anticipated that there will be any additional financial implications associated with the legislative change as most requests for flexible working involve either a reduction in working hours or a change to work pattern.

6. Risk Analysis

- 6.1** Failure to update the Flexible Working Scheme for Parents and Carers would mean that the Council was not complying with legislation.

7. Equalities Impact

- 7.1** An Equalities Impact Assessment Screening has been undertaken on the Scheme of Flexible Working for Parents and Carers and no negative impacts were identified in terms of any of the 'protected characteristics'. No negative impacts on the health of employees were identified and the change will have a positive impact on parents on managing employment and caring responsibilities.

8. Conclusions and Recommendations

- 8.1** From 6 April 2011 the right to request flexible working will be extended to parents of children aged 18 and under and the Scheme of Flexible Working for Parents and Carers will be updated to reflect this amendment.
- 8.2** Forum is asked to note the legislative change and the amendment to the Scheme of Flexible Working for Parents and Carers.

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Appendices: N/A

Background Papers: N/A

Wards Affected: N/A