

Flexible Working

Your rights and responsibilities

Police officers are able to work flexible hours on a full or a part time basis. This leaflet gives information about your rights and responsibilities when applying for and when working flexibly in accordance with police regulations and determinations.

Matching demand

Flexible working is particularly valuable if you are a parent and/or you are a carer, but it can benefit a wide range of officers who need or want a better work/life balance at certain times in their career.

As women are more likely to be the primary carers, it is a particularly important option to give you the ability to combine work with your caring responsibilities. It is also useful for your force, helping it to meet the changing demands of policing at different times of the day, the week and the year.

Balancing needs

The key to agreeing a flexible working arrangement is to identify and balance your needs with those of your force. Both parties should give proper consideration to each other's needs so that you arrive at a mutually beneficial arrangement that enables your force to deliver 24/7 policing and you to have a proper work/life balance.

A positive approach

Forces should recognise that flexible working, including part time working, is a benefit to the force. It can help retain experienced officers who might otherwise have to leave and enable it to better match supply and demand and provide greater operational resilience.

Parental leave

Parental or other leave such as dependents' leave, special leave or career breaks can be used in combination with a flexible working arrangement. Currently, police regulations and determinations state that, subject to exigencies of duty and provided you have one year's service:

- You can have up to 18 weeks unpaid leave to look after each child under 5 or, if your child is disabled 18 weeks to look after each disabled child under 18.
- You can take this leave in periods of days with no limit on the number of days that can be taken in any one year.

Following publication of the Children and Families Act 2014, agreement was reached to extend the parental leave provisions.

HOC 11/2015 states that regulations and determinations will be amended to provide for up to 18 weeks unpaid leave to look after each child under 18 but that in the meantime forces are encouraged to apply the extended parental leave provisions.



Right to request flexible working

Unlike the statutory right to request flexible working that is available to police staff colleagues, police regulations place no restrictions on you applying to work flexibly or to reduce your hours. You can apply to work flexibly under police regulations which places different considerations on your request:

- You are recruited to a police officer role, not a post, so it is your individual time commitment that is reduced or changed, not that of your particular post.
- You can be required to work in any post and/or at a place designated by the Chief Officer.
- If you work part time your hours of duty should be reviewed every 12 months.
- You cannot be required to work fewer hours or to increase your agreed hours.
- You can be required to stay on after your agreed hours and you may have your rest days or free days cancelled.
- If you work part time, you can return to work full time at any time, but in any event, within four months of your request to do so (unless you were recruited on a part time basis).

Individual shift arrangements

You can apply and work outside of the shift patterns operated by the force subject to the exigencies of duty. Requests for individual shift arrangements should be treated sympathetically and fairly.

If a force refuses a reasonable request for flexible or part time working, or if a part time officer is treated less favourably than full time, you may be able to challenge the decision under the Equality Act 2010 and/or the Part Time Workers Prevention of Less Favourable Treatment Regulations.

College of Policing guidance

The College of Policing issued guidance on "Flexible Working in the Police Service" in 2013.

It provides advice on how to manage flexible and part time working arrangements. In addition Home Office Circular 16/10 provides guidance on designing variable shift arrangements (VSAs), and includes reference to dealing with individual requests from officers who are unable to work particular shift patterns.

Force policy

Your force should have a policy on flexible working and a procedure for dealing with requests from officers. These should be developed in the light of police regulations and the College of Policing guidance and be equality impact assessed.

Dealing with requests

When considering applications for flexible and/or part time working, managers should show that they have taken into consideration:

- policing needs
- the needs of the role
- your needs
- other limitations or help available
- any alternative solutions.

Forces are not required to provide you with whatever shift arrangement you want but they must be able to provide you with good reasons to justify any refusal.

"Flexible working allows forces to retain staff that may otherwise leave. I am clear that forces should be using College guidance to help them make local operational decisions to maintain a motivated and productive workforce who can give their best at work and at home."

*Theresa May, Home Secretary
in a speech at the British Library
on 2 December 2015.*

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