

Birmingham City Council flexible working policy

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Policy

Every employee has a statutory right to ask for flexible working. Our flexible working policy is wider and more generous than the Flexible Working Regulations 2014 in that we don't prevent an employee making an application within the first 26 weeks of employment and we give a right of appeal.

Every employee has the right to make a request once in any 12 month period.

Who can apply for flexible working?

All employees including those who are fixed or part time can make a formal application. Applications can be made from day one of employment.

The right to request flexible working is now extended to those agency workers who are returning to work following a period of paternity leave.

All requests will be considered and if it cannot be agreed informally, this policy pays down a formal structure to be followed, including an appeal which is in addition to the statutory requirements.

What can an application for flexible work cover?

An application to work flexibility can cover:

- Hours of work
- Times of work
- Place of work (either home* or place of business)

*Home working and should not be confused with agile working.

Applications must be considered by the City Council.

Legislation

Flexible working is governed by both EU and domestic legislation including:

The Flexible Working Regulations 2014 - this extends the right to request flexible working to all employees who have been with the organisation for than 26 weeks.

Employment Rights Act 1996 (S80F gave employees a statutory right to request a contract variation)

Employment Act 2002 (amends Employment rights Act 2002)it also gave parents of children aged 16 years of age or under, or disabled children up to 18 years of age the statutory right to apply for flexible working and requires employers to seriously consider such requests. This was further extended to carers of certain adults.