



Human Resources  
Goireasan Daonna

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# **Flexible Working Arrangements Guidance for Managers**

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# Introduction

Managers must ensure they review and apply the [Flexible Working Arrangements Policy](#), [Flexible Working Guidance](#) and [Hybrid/Mobile Working Guidance](#) in a fair and consistent manner when considering Flexible or Hybrid/Mobile Working arrangements or completing Team Agreements.

## Guidance

Managers should adopt a whole team approach and actively listen to employees when setting and agreeing Flexible Working Arrangements. This approach helps maintain effective connectivity and communication by ensuring that team members are contactable during agreed working hours. It also allows availability to be clearly visible and accessible to others through Microsoft Teams and Outlook Calendar. By agreeing on these expectations collectively, teams can work more efficiently and stay connected regardless of individual working patterns.

Flexible Working Arrangements should be considered as a reasonable adjustment which may support an employee in continuing work or returning to work.

Managers should reinforce expectations regarding working hours and the [Right to Disconnect](#).

## Flexible Working

### Legislative requirements for Flexible Working applications

There is **strict legislation** around Flexible Working applications and managers **must** give consideration to the 8 legislated business grounds for refusal and follow the [Flexible Working Application Process](#) to ensure they:

- apply all related policies and guidance in a fair, open and consistent manner
- consider the operational impact the request will have and how the request may be accommodated and implemented
- inform the employee of their right to be accompanied by a colleague or Trade Union representative to any meeting during this process

- arrange a meeting with the employee once the formal request has been received to discuss the request in depth and how it may be implemented in the workplace
- consider a trial period where there is concern that the proposed changes may impact service delivery
- consult with employee to discuss and consider suitable alternatives if the original request is not achievable
- respond in writing using the Flexible Decision Form **within 10 working days**.
- Send a copy of the decision form to [HR](#).

The 8 legislated business grounds for refusal are detailed in the [Flexible Working Arrangements Policy](#).

Please also see the [Flexible Working Scenarios](#) below for practical examples of how to apply the 8 statutory business grounds.

## Handling Flexible Working applications in a fair way

Managers must consider each Flexible Working application fairly and objectively. Managers may receive several Flexible Working applications at once. These should be reviewed in the order they are received, using a first-come, first-served approach, taking into account:

- service needs
- any impact on the wider team
- the ability to maintain effective service delivery.

When considering, ensure that approving an application does not negatively affect team performance or place undue pressure on other colleagues.

If further requests are received after changes have already been made, managers should assess how these adjustments affect current operations. Where additional requests could disrupt service delivery (especially if flexible arrangements are already in place), managers should discuss with existing flexible workers whether they are open to adjusting their arrangements.

Before refusing any application, managers **must consult** with the employee to explore possible alternatives or compromises that could lead to a workable solution.

Please see below for examples of exploring possible alternatives and creating capacity within the wider team.

<b>Example: Exploring alternatives</b>	
<b>Scenario:</b>	2 customer service employees submit Flexible Working requests for compressed hours so they can pursue further education.
<b>Consideration:</b>	Their manager initially believes approving both requests would impact the customer service helpline due to reduced cover. The manager must consider if there are any suitable alternatives.
<b>Action:</b>	The manager meets with each employee individually to establish how flexible their study commitments are. One employee's course is distance learning with flexible deadlines, while the other needs a fixed half-day off each week to physically attend college.
<b>Suitable alternatives:</b>	By adjusting the team rota and staggering their non-working time, the manager can accommodate both requests without compromising service delivery.
<b>Outcome:</b>	Both Flexible Working requests are approved with minor adjustments. The team remains fully operational, and both employees are supported in their development.

<b>Example: Creating capacity in the team</b>	
<b>Scenario:</b>	A manager of a cleaning team has several employees already working flexibly. A new Flexible Working request is submitted, but the manager finds it difficult to accommodate due to a complex rota and increasing pressure on staff working standard hours.
<b>Consideration:</b>	The manager considers the impact on service delivery and team morale. They recognise that some employees may now prefer standard hours due to changes in their personal circumstances.
<b>Action:</b>	The manager speaks with existing flexible workers and invites them to express interest in adjusting their work pattern. They explain that this could help balance the rota, ease pressure on the team and create capacity to approve new requests.
<b>Suitable alternatives:</b>	3 employees volunteer to adjust their work pattern in exchange for more predictable shifts.
<b>Outcome:</b>	The manager is able to approve the new Flexible Working request, improve team morale and manage the rota more effectively.

## Different types of Flexible Working

Different types of Flexible Working will require different considerations such as the examples shown below:

Flexible Working type	Managers should consider, where applicable:
<b>Part-time working (reduction of hours)</b>	Does the proposed work pattern meet service needs? How will remaining work be covered (e.g. team redistribution, recruitment)?
<b>Compressed hours</b>	Is the role suitable for a longer working day? Does the arrangement comply with working time regulations? What is the impact on the wider team? How will the employee be supported to meet role requirements?
<b>Variable hours</b>	Does the arrangement comply with working time regulations? What is the impact of working outside core business hours? Has a risk assessment been undertaken for lone working?
<b>Homeworking (permanent contractual change)</b>	What equipment is needed to support homeworking? How will the employee be supported to meet job requirements? Has the Homeworking Agreement and Checklist* been completed with agreed arrangements and protocols?
<b>Term-time working</b>	How will school holidays and in-service days affect the arrangement? Can the unpaid leave element be adjusted if needed? Will paid annual leave need to be taken during school holidays? Will the employee be paid term-time only or on an annualised basis? How will the employee be supported to meet job requirements? How will their work be covered during school holidays?

## Flexible Working Decision Form

Managers must complete the [Flexible Working Decision Form](#) for all outcomes of a Flexible Working application: approved, amended, refused or trial period. This must be

sent to the employee **within 10 working days** of receiving the application to ensure legislative timescales are met, and a copy should be sent to [HR](#).

## Flexible Working Application – approved

After meeting with the employee, if the application is **approved** the manager must notify the employee of their decision in writing, **within 10 working days** of receiving the application, using the Flexible Working Decision Form. Managers should also send a copy of this form to [HR](#) for recording.

The form must include:

- the start date of the new Flexible Working arrangement
- the agreed work pattern
- the basis of the agreement (permanent, trial)
- the review date, if required.

If the employee's base or contractual hours are changing, the manager should complete an Employee Change Form in [MyView](#). The effective date of any change must be communicated to Payroll no later than the deadline for the applicable month. Please see [Payroll deadline dates](#).

Where homeworking has been approved, the manager should review the section on [Homeworking](#) below and complete the [Homeworking Agreement and Checklist](#) with the employee. This should be retained securely by the manager.

### Amended applications

If the original request cannot be approved but a suitable alternative is agreed with the employee, this should be recorded on the Flexible Working Decision Form. Managers should clearly state that the original request was declined and detail the agreed alternative.

### Trial period

There may be instances where the manager is unsure if the requested arrangements will be sustainable, or how the request may impact colleagues. In such cases a trial period can be mutually agreed. This should be detailed on the Flexible Working Decision form, which should be sent to the employee and copied to HR for recording. Before the trial period has concluded, the manager and employee should meet to determine if the trial has been successful. The manager should confirm the outcome of the trial in writing using the Flexible Working Decision Form and a copy sent to [HR](#).

## Flexible Working Application – refused

Flexible Working applications can only be **refused** after consultation with the employee to exhaust all suitable alternative arrangements **and** where at least 1 of the legitimate business grounds apply. The Flexible Working Decision Form must be completed to include:

- the legislative business ground(s) for refusing the application
- sufficient explanation as to why the business ground(s) for refusal apply
- the deadline submission date for appeal, which is 10 working days from the date the employee will receive the Flexible Working Decision Form.

The form must be sent to the employee **within 10 working days** of receiving the application, and a copy should be sent to [HR](#) for recording.

## Flexible Working Application – withdrawn

An application may be treated as **withdrawn** where the employee has:

- notified the withdrawal orally or in writing
- failed to attend a meeting more than once during this procedure without reasonable cause
- fails to provide the necessary information to assess the application.

The line manager should confirm the withdrawal to the employee in writing.

## Appeals procedure

Where an employee appeals the outcome, they must submit a [Flexible Working Appeal Form](#) to the next level of management, who should arrange a hearing, ensuring that the timescale does not exceed 2 months from the date of the original Flexible Working application. The meeting should be held with:

- the next level of management
- the line manager who refused the application
- a representative from HR
- the employee.

The employee is entitled to be accompanied to this hearing.

The appeal hearing outcome should be communicated to the employee. This hearing ends the Flexible Working application process.

# Hybrid/Mobile Working and the Team Agreement

It is important that everyone within a team has a shared understanding of how and where work takes place and all employees are actively involved. Managers should complete a [Team Agreement](#) and develop an implementation plan.

## What is a Team Agreement?

A Team Agreement is a practical tool to help managers coordinate Hybrid/Mobile Working arrangements for their team in a way that supports service delivery and individual working preferences.

It is an informal, flexible document that outlines how the team works across different locations, whether in the office, at home or elsewhere. While it does not represent a contractual change, it sets out clear expectations and encourages consistent, effective working practices.

A Team Agreement should be stored securely and treated as a confidential, 'live' document.

## Why use a Team Agreement?

A well-developed Team Agreement ensures that:

- service delivery and use of shared resources remain consistent and efficient
- employees are aware of each other's work patterns and locations
- communication is clear, inclusive and effective
- remote or lone working is safe and appropriately supported
- workloads are managed fairly and transparently
- the team stays connected and collaborative
- expectations around availability, responsiveness and meeting protocols are understood
- flexibility is balanced with accountability and performance.

## Preparing for a Team Agreement

Managers should begin by having an informal one to one conversation with each team member to understand their preferred working arrangements and how they feel they can best contribute to the team's objectives. These discussions should aim to balance individual preferences with the needs of the Service. During these discussions consideration must be given to ensure service delivery is safeguarded. Managers should also consider team dynamics and ensure all team members are able to

contribute to the discussion in a way with which they are comfortable – for example, some individuals may prefer to make their wishes known to a manager in writing rather than speaking in front of colleagues.

Once all team members have been consulted and before confirming any arrangements, managers should consider the following points:

Topic	Managers should consider, where applicable:
<b>Location:</b>	Which tasks are best suited to office-based working (e.g. collaboration, mentoring) and which can be effectively carried out remotely (e.g. focused, independent work).
<b>Workload:</b>	How work will be fairly distributed and monitored to ensure desired outcomes are met.
<b>Performance:</b>	How success will be measured, based on outcomes and contribution, rather than attendance or physical presence in the workplace.
<b>Communication:</b>	How all team members will feel connected, remain informed and are able to contact each other to work effectively and collaboratively.
<b>Equipment &amp; workspace</b>	What equipment is required to support effective working in each location and are there any tools that are only available in the office?
<b>Timing:</b>	When is the best time to implement the agreement (e.g. after a rota cycle or project milestone)?
<b>Right to Disconnect:</b>	How will healthy boundaries between work and personal time be maintained and supported?
<b>Lone or remote working</b>	Updating risk assessments for lone or remote workers, agreeing controls for safety and contact arrangements for emergencies.
<b>Flexibility:</b>	How short-notice changes to working arrangements will be managed, such as attending the office for a meeting or working from home to meet a deadline.

## Developing a Team Agreement

Once discussions with all team members have been completed and operational and practical considerations such as office space and service delivery have been taken into account, the manager should draft a Team Agreement and arrange a team meeting to:

- present the proposed working arrangements
- clarify roles, responsibilities and expectations
- provide an opportunity to raise questions or concerns
- collaboratively identify and agree practical solutions
- detail information security (ICT) arrangements
- confirm how and when the agreement will be reviewed and updated
- ensure everyone understands the process for raising issues or suggesting changes.

This collaborative approach fosters transparency, builds trust and ensures that everyone is clear on how the arrangements will operate in practice.

## What to include in a Team Agreement

Section	Details
<b>Team Objectives</b>	What the team is aiming to achieve and how progress will be reviewed.
<b>Work Locations</b>	Where each team member will work and on which days.
<b>Work Patterns</b>	What each team member's working hours and availability is.
<b>Communication</b>	How and when the team will connect (e.g. weekly check-ins, online or in-person meetings).
<b>Equipment &amp; Workspace</b>	What equipment or resources are needed in each location and if any specialist equipment is required.
<b>Team Members</b>	The names of all team members included in the agreement.
<b>Review Date</b>	When the agreement will next be reviewed (e.g. every 6 months) ensuring any changes to an individual's circumstances are updated.

## Reviewing a Team Agreement

It is important to recognise that Hybrid/Mobile Working arrangements are informal and subject to ongoing review. Managers should review Team Agreements regularly, ideally

every 6 months, or sooner if there are changes to team structure, service requirements or individual working patterns.

In exceptional cases, current arrangements may need to be adjusted or withdrawn where an employee makes a new request, if the arrangements begin to negatively affect service delivery, team collaboration or performance, or where there is a change in business needs or the employee's role.

Reasonable notice should be provided to modify or terminate Hybrid/Mobile Working arrangements.

## Homeworking (Flexible and Hybrid/Mobile Working)

### Completing a Homeworking Agreement and Checklist

Once a **Flexible Working application** for homeworking has been approved, managers should arrange a meeting with the employee to discuss the key considerations outlined in this section and complete a [Homeworking Agreement and Checklist](#).

This discussion should cover areas such as:

- work pattern (days and hours)
- suitability of tasks for homeworking
- communication methods
- equipment requirements
- arrangements for health and safety
- plan for continuity of internet connection
- risks associated with data legislation and security.

All arrangements must be clearly documented in the Homeworking Agreement and Checklist. Managers are responsible for ensuring that all Checklist items have been reviewed and completed.

Once finalised, the Homeworking Agreement and Checklist must be signed and a copy retained by both parties. If circumstances change or concerns are raised, managers should promptly address these with the employee to facilitate any required adjustment. Maintaining open communication ensures that the agreement continues to support both operational needs and employee wellbeing.

A Homeworking Agreement and Checklist is not required for Hybrid/Mobile Working arrangements, as these topics should be covered in the [Team Agreement](#).

## Managing employees who work at home

Managing employees who work at home or at another location requires a different approach to those in traditional face to face management. Managers must ensure that any changes to an employee's home location are reviewed for potential implications. Managers should:

- know the whereabouts of any employee and how they should be contacted in case of an emergency
- establish protocols for when the internet connection is restricted or unavailable
- manage performance based on outcomes and results and ensure that employees are aware of the objectives and processes which will measure performance
- remind employees that the normal rules on reporting sickness or any other type of absence will still apply
- hold regular reviews and discussions with team members to ensure the arrangements are still appropriate
- check in regularly with all team members
- actively listen to the employee, provide support/advice and signpost to any of the support mechanisms available, for example the [Employee Assistance Programme \(EAP\)](#).

A module for managers called 'Hybrid Working in the Highland Council' is available on [Traineasy](#).

## Employee refusing to attend the office

Requesting employees to attend the office to work or for meetings is deemed a reasonable management request and employees are therefore expected to attend the workplace when asked. Where an employee refuses to attend the office:

- discuss their concerns, the difficulties they face and what they need
- listen attentively to their concerns, empathise and offer support
- be aware of adding to the employee's complaints or fostering negativity as it may fuel resentment
- think about what a solution for the employee might be, whilst still fulfilling the requirements of the role. A minor compromise may be all that is needed to demonstrate that you are on the same page, with a shared desire to achieve common goals
- be collaborative and look for creative solutions to enable them to attend the workplace.

## Health and Safety

Managers should ensure that employees working from home complete the [Homeworking Risk Assessment](#) and the [Display Screen Equipment \(DSE\)](#) module and self-assessment. Further information and advice on working from home can be found on the [Health and Safety Executive website](#). Line managers must ensure that any risks identified via the Risk Assessment are eliminated or reduced sufficiently.

## Workstations – equipment and ICT kit

Managers must ensure that the home workstation meets the needs of the individual employee. Managers should request any additional equipment required via the [ICT Service Portal](#) (for example docking station, monitor, chair, etc.). Any equipment required should be documented for tracking purposes. Managers should arrange for any equipment to be returned if homeworking is no longer applicable.

If attending the office, hot desk facilities will be provided, however devices may need to be transported between the employee's home and office location.

## Information security

Managers should ensure that suitable arrangements are in place at home to mitigate risk of breaches of confidentiality or security. These arrangements should be clarified in the Homeworking Agreement and Checklist or the Team Agreement to ensure:

- security and confidentiality of Highland Council equipment and information
- no access of family and friends to work information
- confidentiality of work conversations via phone/Teams
- provision of secure containers
- protection of home computers and their links
- appropriate use of other communication links
- disposal of classified waste.

For additional information please see [Information Security Guidance](#).

## Wellbeing

Managers have a duty of care to ensure the health, safety and wellbeing of staff and must ensure staff have sufficient support and access to the range of wellbeing resources offered by The Highland Council, such as the [Employee Assistance Programme \(EAP\)](#).

# Quick Links

The Hyperlinks listed here will redirect you to the related guidance, letters, information, and relevant organisations mentioned in this policy.

## [HR Microsite](#)

### [Flexible Working Arrangements Policy](#)

[Flexible Working Guidance](#)

[Flexible Working Application Process Flowchart](#)

[Flexible Working Application Form](#)

[Flexible Working Decision Form](#)

[Flexible Working Appeal Form](#)

[Flexi-Time Scheme](#)

[Homeworking Agreement and Checklist](#)

[Homeworking Risk Assessment](#)

[Hybrid/Mobile Working Guidance](#)

[Team Agreement](#)

### **Additional Resources**

[Code of Conduct](#)

[Display Screen Equipment \(DSE\)](#)

[Employee Assistance Programme](#)

[Homeworking Risk Assessment](#)

[ICT Acceptable Use Policy](#)

[Information Security Guidance](#)

[Right to Disconnect](#)

[Risk Assessment](#)

[Travel and Subsistence Policy](#)



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# Flexible Working Scenarios

Examples on applying the 8 legislative business grounds for refusal when considering Flexible Working Requests.

Scenario	Consideration	Action	Suitable alternatives	Outcome
<b>1. The burden of additional costs</b>				
A full-time Environmental Health Officer requests to work 4 longer days instead of 5 standard days, to have Fridays off (compressed hours).	The manager reviews the impact of the proposed change and identifies that cover would be required on Fridays to meet statutory inspection deadlines. This would require paying overtime to another officer or hiring temporary cover.	The manager meets with the employee to explain the financial implications of covering the Friday workload.	The manager proposes a flexible start/finish time within the existing 5-day pattern, but the employee declines.	The request is refused due to the burden of additional costs associated with covering the employee's absence on Fridays.
<b>2. A detrimental impact on quality</b>				
A Senior Technician who supervises a group of apprentices' requests to reduce their hours from 35 hours to 21 hours / 3 days per week. The apprentices are still developing their technical skills and require regular on-the-job training and supervision.	The manager assesses the impact of the reduced hours on the apprentices. Consistent training, mentoring and supervision is essential to ensure safe and effective service delivery.	The manager meets with the employee to discuss the importance of continuity and oversight in supporting the apprentices' development and maintaining service standards.	The manager proposes a Flexible Working pattern that includes shorter daily hours across more days to maintain presence, but the employee would prefer a condensed 3-day week.	The request is refused due to a detrimental impact on the quality of training and service delivery within the team.
<b>3. A detrimental impact on performance</b>				
A Team Leader who is responsible for managing a team of office-based staff, requests to work from home on a permanent basis.	The manager assesses the impact of the proposed arrangement on service delivery and team performance. The team has recently shown a decline in performance and an increase in errors.	The manager meets with the Team Leader to discuss the importance of visible leadership, real-time support and the need for in-person supervision to improve performance.	A Hybrid/Mobile Working pattern is proposed, allowing the Team Leader to work from home 2 days per week while maintaining office presence for 3 days per week for team oversight and support.	The Flexible Working request is refused due to a detrimental impact on performance; however, a Hybrid/Mobile Working arrangement is agreed as a compromise.

Scenario	Consideration	Action	Suitable alternatives	Outcome
<b>4. A detrimental effect on the Service's ability to meet customer demand</b>				
A contact centre advisor requests to change their working pattern from 9am–5pm to 7am–3pm.	The manager reviews call volume data and identifies that the highest volume of customer calls occur between 3pm and 5pm, particularly for council tax and housing services.	The manager meets with the employee to discuss the impact of reduced coverage during peak demand hours and the importance of experienced staff being available to resolve complex queries.	The manager offers a flexible start time of 8am with a finish at 4pm to retain some late afternoon coverage, but the employee declines.	The request is refused due to a detrimental effect on the Service's ability to meet customer demand during peak periods.
<b>5. Inability to re-organise work among existing staff</b>				
A Social Worker with a caseload of complex child protection cases in a rural area, requests to reduce their hours from 35 hours to 21 hours per week. The team is already under pressure.	Due to the rural location, the manager is aware that recruitment for the vacant 14 hours will be difficult. The manager assesses the impact of redistributing the caseload among the remaining team members, who are already managing high-risk cases and statutory deadlines.	The manager meets with the employee to explore the feasibility of the request and consults with the wider team to assess capacity for redistributing the existing workload.	There are no viable alternatives identified as redistribution would negatively impact service delivery, staff wellbeing and team resilience.	The Flexible Working request is refused due to the inability to re-organise work among existing staff.
<b>6. Inability to recruit additional staff</b>				
A full-time Enforcement Officer requests to reduce their hours to 0.5fte. The role involves patrolling designated areas to enforce regulations and respond to complaints from the public.	The manager assesses the impact of the reduced hours and confirms that the remaining workload cannot be absorbed by the current team. Recruitment is not possible due to a recruitment freeze.	The manager meets with the employee to explain the operational challenges and the inability to recruit cover for the remaining hours.	There are no suitable alternatives identified that would maintain service coverage and enforcement levels.	The request is refused due to the inability to recruit additional staff.

Scenario	Consideration	Action	Suitable alternatives	Outcome
<b>7. Insufficient work during proposed working times</b>				
A Clerical Assistant requests to change their working hours from 9am–5pm to 12pm–8pm.	The manager reviews service demand and identifies that the majority of customer enquiries and internal communications occur between 10am and 4pm.	The manager meets with the employee to explain that there is insufficient work during the proposed late afternoon and evening hours.	The manager offers a later start time of 10am or for the employee to reduce their hours, however the employee cannot afford to reduce their hours.	The request is refused due to insufficient work during the proposed working times.
<b>8. Planned structural changes to the business</b>				
A Facilities Management Assistant requests to change their working pattern to start at 11am and finish at 7pm.	The manager is aware of planned structural changes to the Service. These changes are part of a wider service redesign.	The manager meets with the employee to advise that their requested working pattern will not align with the new Service model.	The manager offers a temporary adjustment to the working pattern until the new structure is in place, but the employee is seeking a permanent change.	The request is refused due to planned structural changes which will standardise working hours across the Service.