



Flexible Working Policy (Surrey and Sussex) (816/2025)

Abstract

This policy and procedure sets out the approach by Surrey Police and Sussex Police to flexible working arrangements and requests from police officers and police staff to work flexibly. Any queries regarding this policy should be directed to the People Resolution Centre in the first instance.

Policy

1. Introduction

1.1 Under UK legislation individuals have the right to request flexible working from the first day of employment.

1.2 Flexible working is any type of working arrangement that gives some degree of flexibility on how long, where and when any police officer or police staff works.

1.3 This flexible working policy sets out the agreed expectations and approach Surrey Police and Sussex Police have in place for requests for flexible working to be made, considered, and reviewed. This includes some agreed variations which exceed legislative requirements.

1.4 Surrey Police and Sussex Police are committed to developing modern working practices which assist staff to balance their personal and professional lives whilst maintaining a high quality of service to the communities that we serve.

1.5 Surrey Police and Sussex Police want to give individuals more choice in how, when and where work is carried out within the framework of roles and as far as is operationally possible.

1.6 Both individuals making requests and line managers considering requests are expected to consider a variety of factors such as the effect on the business, other staff and service provision, costs, resources, workloads, and supervision.

1.7 Police officer flexible working requests are governed by the Police Regulations 2003 and associated Determinations. Police staff requests are governed by the Employment Rights Act 1996, as amended by the Employment Relations (Flexible Working) Act 2023 and the Flexible Working (Amendment) Regulations 2023. The Working Time Regulations 1998 (as amended) apply to both.

1.8 Please note that throughout this document the terms Force(s) / organisation(s) will refer to Surrey Police and Sussex Police and the term individual will refer to student officers, police officers and police staff.

2. Scope

2.1 This policy and supporting procedures / documents set out the Forces' agreed approach to flexible working, including:

- Surrey Police and Sussex Police expectations.
- The procedure, flexible working request process to be followed when making and considering requests for flexible working arrangements.
- Links to a Flexible Working Toolkit with additional supporting material, to inform decision making.

3. Policy Statement

3.1 Both Surrey Police and Sussex Police recognise that flexible working practices offer benefits both for the individual and the organisation and want to support individuals in the achievement of a better balance between work and their other priorities such as caring responsibilities leisure activities, further learning, and other interests.

The Forces are committed to facilitating flexible working arrangements where possible, provided that the needs of the organisation and the individual can be met.

Each flexible working request will be considered with reference to the business and operational needs of the team / department as well as the needs of the individual. A flexible working request can be refused if there are good business or operational reasons for doing so. There is no percentage of time set by the Force of how much time must be worked alongside a rota but factors such as training and accreditation requests will need to be considered.

Line managers will give appropriate consideration to all requests for flexible working and decisions should be made within 2 months of the request (or longer if agreed with the applicant). Line managers must also ensure accurate records are kept of decision making and outcomes which should consider organisational values, professional judgement (on the context and circumstances of each situation) and 'policing principles'. Decisions and subsequent action taken should be proportionate, legitimate and ethical as informed by the National Decision Model (NDM) and all associated documentation must be fully and accurately completed.

3.2 The use of tape recording by an electronic device (e.g., mobile phone etc.) will not be permitted during any informal or formal workplace meetings between an individual and their manager(s). However, if an individual requests this as a requirement for a reasonable adjustment in the context of disability, as defined by the Equality Act 2010, this may be considered.

Procedure

1. Introduction

1.1

• Please note that throughout this document the terms Forces(s) / organisation(s) will refer to Surrey Police and Sussex Police and the term 'individual' will refer to student officers, police officers and police staff.

• Part-time working is defined as being less than 36 hours (Surrey) and 37 hours (Sussex) per week for police staff and less than 40 hours per week for police officers.

1.2 Flexible working can incorporate a number of possible changes to working arrangements, on a short or long term basis, including but not limited to:

• Specific working days, e.g., Monday, Tuesday, Wednesday.

• Set start and finish times.

• Longer meal-breaks.

• Specific shifts, e.g., evening, night shifts.

• Part-time working.

• Compressed hours.

• Working at alternative locations.

• Change in start and finish times.

• Flexible start and finish times.

1.3 Individuals may wish to work flexibly for any reason, including but not limited to:

• Caring for a child or adult dependant.

• To spend time with family and friends.

• To pursue a hobby or interest.

• To study.

• To improve health by reducing stress or to meet more readily the needs / wishes of protected characteristics (a workplace adjustment).

1.4 Surrey Police and Sussex Police are committed to providing a range of flexible working options. Individuals and managers are encouraged to discuss possible alternatives to achieve a workable arrangement if the initial request cannot be agreed – being realistic about meeting both the needs of the individual and the organisation.

2. Eligibility to request flexible working

2.1 Surrey Police and Sussex Police support individuals applying for flexible working from day 1 of service. Individuals with an initial full-time or defined training requirement need to consider when they submit a request, factors that may impact on agreement being possible during training may not be relevant after training has been completed.

2.2 More than two flexible working requests may be submitted within a 12-month period for example due to a change in job or a review of the existing agreement is needed due to the needs of the individual or the Force or if it relates to a workplace adjustment.

3. Further support

3.1 Flexible working requests may be made for any number of reasons. If an individual or a line manager requires further support when requesting, considering, or reviewing a flexible working arrangement the following are available and can also be accessed for support before a request has been submitted:

- When considering flexible working, please contact the Flexible Working Advocates.
- For the management of a medical condition, information about workplace adjustments may be found in the Attendance Management Policy (Surrey and Sussex) (950), Performance and Gross Incompetence Management Policy (Surrey and Sussex) (1228) and/or via Staff Networks, Disability Toolkit, or Adjustments in the Workplace.
- For caring or parenting reasons please contact the support networks including Parenting Single Point of Contacts (SPOCs).
- UNISON, Police Federation and Superintendents Association are also happy to support members.

4. Timescales

4.1 All requests, including any appeals, must be considered, and determined within 2 months of first receipt of the request, unless an extension is agreed between the individual and line manager in writing.

5. Conditions of flexible working

5.1 Student police officers.

There is no minimum number of hours which a part-time officer can work (although there are likely to be significant considerations and impacts related to requests from student officers particularly if a pattern of less than 24 hours is requested. Each request will be considered on a case-by-case basis full consideration will be given to practicalities and realities of how it could be accommodated during the initial training (35 weeks) and for any further classroom-based training.

Where a student officer works part-time hours, Police Regulations make provision for the extension of the probation period where needed, to allow for the requirements to be met. Cases will be reviewed on an individual basis.

5.2 Police officers.

Police officers are required to perform the role of police officer as required and as directed. This does not change if they alter their hours.

Police officers working under a flexible working agreement can still be required to stay on after their agreed hours if there is an exigency of duty.

They may also be subject to the cancellation of rest days and free days, in the same way as an officer not working under a flexible working agreement.

Part-time Constables and Sergeants are not entitled to enhanced pay for overtime working unless they have worked the equivalent of full-time hours (40 hours) in a particular week and on the day in question.

Full-time or part-time Inspectors and Chief Inspectors and Superintendents and Chief Superintendents are not entitled to enhanced pay for any hours worked in excess of 40 hours per week. Part-time Inspectors and Chief Inspectors and Superintendents and Chief Superintendents can claim for additional hours worked up to 40 hours as outlined in the Part-time Inspector, Chief Inspector, Superintendent and Chief Superintendent Claims for Additional Hours Flowchart.

An officer giving written notice to return from part-time to full-time working, must be appointed within 2 months if the Force has a suitable vacancy, and within 4 months of the notice being received in accordance with Regulation 5 (4) of the Police Regulations 2003. Unless they were initially employed on a part-time basis as whilst they can request full-time hours there is no right to move to full-time working.

The right to return to full-time working does not include the right to remain in the same post. It may be necessary for the officer to be transferred to another post (of the same rank) within the organisation in order to accommodate the additional hours.

Individuals should consider that any change in working hours / patterns will have an impact upon their pay (including any unsocial hours' allowances), pension and annual leave entitlement. Advice regarding this can be sought from the Pay and Duties Teams.

It is also important that individuals consider the impact of changes to working patterns on pay and allowances (including unsocial hours allowance) during the flexible working request process to ensure they are clear on the impact changes will have.

It is recommended that individuals check their pay slips regularly and particularly after any change to flexible working pattern that may have affected pay or allowances to ensure that changes are showing as expected.

5.3 Police staff.

Police staff should note that any approved flexible working arrangement will be a permanent change to their employment contract (e.g. if reducing hours there is no automatic right to return to full-time hours), following a three-month trial period, unless otherwise stated in their agreement. There will be no automatic right to revert back to a previous working pattern or working hours, unless the change has been agreed for a temporary period of time only.

Individuals should consider that any change in working hours / patterns will have an impact upon their pay (including any unsocial hour's allowances), pension and annual leave entitlement. Advice regarding this can be sought from the Pay and Duties Teams. It is also important that individuals consider the impact of changes to working patterns on pay and allowances (including unsocial hours allowance) during the flexible working request process to ensure they are clear on the impact of changes. Guidance for

checking the correct unsocial hours allowance for police staff working patterns can be found in the Flexible Working Toolkit.

It is recommended that individuals check their pay slips regularly and particularly after any change to flexible working pattern that may have affected pay or allowances to ensure that changes are showing as expected.

5.4 An individual may have only one live request for flexible working with the employing Force at any one time. Once a request has been made, it remains live until any of the following occur:

- a decision about the request is made by the employer.
- the request is withdrawn.
- an outcome is mutually agreed.
- the two-month period for deciding requests ends.
- A request continues to be live during any appeal or any extension to the decision period that an employer and employee may have agreed.

6. Submitting a flexible working request - application process for police officers and police staff

6.1 The Flexible Working Toolkit is provided for use to guide individuals and line managers through the flexible working process. The Toolkit contains further information, links to useful documents and flexible working templates.

6.2 Surrey Police and Sussex Police are committed to providing flexible working to individuals, however before each request can be approved, managers will need to consider a variety of factors such as the effect on the business, other staff and service provision, costs, resources, workload, and supervision. They should consider these factors when submitting their flexible working request.

7. Discussion with line manager

7.1 It is advisable for the individual to have an informal discussion with their line manager to discuss the working arrangements they are considering. The informal discussion does not remove the individual's right to make a statutory flexible working request.

7.2 Following any informal discussions with their line manager, the individual should complete a flexible working request letter ensuring that all the required information is included. Failure to complete all the fields may mean that important information is missing, and the request cannot be considered. The Flexible Working Toolkit contains further information and letters required.

8. Completing the flexible working request letter and process for review

8.1 Individual completes the flexible working request letter and submits to line manager. Any request must include:

- the date of the request.
- the changes that the individual is seeking.

- the date from when the individual would like the proposed change to come into effect.
- whether a previous request for flexible working has been made.
- the dates of any previous requests.
- Should be compliant with the Working Time Regulations, Police Officer Regulations and Police Staff Terms and Conditions (see section 5 conditions of flexible working).

8.2 Individuals who have both a Surrey duties account and a Sussex SAP account are required to complete both a Surrey shift pattern template and a Sussex one and send them both to the relevant Surrey and Sussex email accounts to get their patterns corrected. The Flexible Working Toolkit contains further information and letters required.

8.3 The individual should provide as much information as they can about the desired working pattern to enable consideration of their request to be given. If possible, attach copies of the current and proposed working patterns using the available templates in the Flexible Working Toolkit.

8.4 If the request is approved, templates detailing the current and proposed working patterns will have to be completed before changes can be made so it is advisable to complete them at the beginning of the process.

8.5 If a request does not contain all of the required information the line manager should explain what additional or amended information they need to provide and ask the individual to resubmit the request. All required information needs to be provided before the 2-month timescale for review can start.

8.6 The flexible working request letter should be submitted to the individual's first line manager, who will send an email acknowledging receipt of the flexible working request letter.

8.7 This date will act as a record of the start of the 2-month period in which all decisions, including appeals, should be made in respect of each request.

8.8 The first line manager will arrange to meet with the individual, to discuss the proposal in detail. It is recommended that the line manager considers using the tools available in the Flexible Working Toolkit to help guide decision making. A written record should be kept of any discussion.

8.9 The line manager should invite the individual as soon as is reasonably practicable (with consideration to the overall 2-month period of review) to a meeting to discuss the request. The time limit may be extended with the agreement of both the individual and the line manager.

The purpose of the meeting is to:

- discuss the request.
- find out more about the proposed working arrangements.
- potential benefits to both the individual and team / organisation or other impacts of accepting or rejecting it.

8.10 The individual will be given advance notice of the time, date, and place of the meeting. If the initial date is inconvenient, an alternative date will be proposed. If a face-to-face meeting is difficult to arrange then, if agreed by the individual and the line manager, the meeting may be held virtually.

8.11 If the individual fails to attend a meeting and then fails to attend a rearranged meeting without good reason, their flexible working request will be deemed to have been withdrawn.

8.12 Where a request can, without further discussion, be approved as stated in the individual's written request letter, a meeting to discuss the request may not be necessary; the individual and manager may mutually agree that such a discussion is not necessary. The individual will be informed of the line manager's agreement to the request by a confirmation letter. This time limit may be extended with the agreement of both the individual and the line manager.

8.13 At the meeting discussion will take place regarding the request and how it may be accommodated. The individual should be prepared to be flexible and consider any options put forward by their manager to allow the request to be accommodated whilst also meeting the needs of the business.

This meeting will provide the opportunity to explore the proposed working pattern in depth and to discuss how best it might be accommodated. It will also provide an opportunity to consider alternative working patterns should there be difficulty in accommodating the work pattern requested.

8.14 To provide support and advice during any meeting regarding the request police officers may be accompanied by a police friend (as defined in Regulations). Police staff may be accompanied by a trade union official, certified union representative or a colleague who works for either Surrey Police / Sussex Police. If the representative or colleague is unable to attend a scheduled meeting, the meeting will be deferred to a time within five working days of the original date.

8.15 The use of tape recording by an electronic device (e.g., mobile phone etc.) will not be permitted during an informal or formal workplace meeting between an individual and their manager(s). However, if an individual requests this as a requirement for a reasonable adjustment in the context of disability, as defined by the Equality Act 2010 this may be considered.

9. Compliance with Working Time Regulations, Police Regulations and Police Staff Terms and Conditions

9.1 All flexible working patterns should allow for:

- A minimum of a break of 20 minutes (Surrey) 30 minutes (Sussex) after 6 hours of working.
- For police officers and police staff flexible working requests and agreements should include information about breaks.
- For example: For an officer working 16 hours over 2 days (2x8 hour days), starting at 08.00 and with a 20-minute break would have start and finish times of 08.00-16.00.

- A minimum of 11 hours rest between shifts.
- Sufficient periods of rest i.e., no more than 7 consecutive days of work should be worked in a pattern.

The line manager will review this periodically however, the emphasis will be on the individual to ensure the above is complied with.

9.2 Police officers.

Police officer refreshment breaks are paid.

For example: For an officer working 16 hours over 2 days (2x8 hour days), starting at 08.00 and with a 20-minute break would have start and finish times of 08.00-16.00.

9.3 Police staff.

Police staff Refreshment breaks are unpaid so should not be included as the overall number of working hours.

For example, a member of police staff contracted to work 16 hours over 2 days (2x8 days) starting at 08.00 with an unpaid meal break of 20 minute each day would have start and finish times of 08.00 to 16.20.

10. Line manager's assessment of the flexible working request.

10.1 The line manager will consider the proposed flexible working arrangements, looking at the potential benefits and adverse effects to the individual and to the team / organisation related to the proposed changes. It is suggested that the line manager considers using tools within the Flexible Working Toolkit to help guide decision making and maintains a written record of the rationale.

10.2 Each request for flexible working will be assessed and determined on its own merits, considering the needs of the individual balanced with the operational requirements of the Force.

10.3 The line manager will give full and fair consideration to the request as evidenced via the tools within the Flexible Working Toolkit.

10.4 The line manager will need to consider a number of criteria including (but not limited to) the following:

- the costs associated with the proposed arrangement.
- the effect of the proposed arrangement on other staff.
- the need for, and effect on, supervision.
- the existing structure of the department.
- the availability of staff resources.
- details of the tasks specific to the role.
- the workload of the role.
- whether it is a request for a reasonable adjustment related to a disability.

- health and safety issues.
- data security.

10.5 The line manager will give full and fair consideration to the request, taking into account both the individual's reasons for needing flexible working and balancing these against the business's needs and potential risks. No request should unreasonably be refused. It is recommended that an alternative / next best option that the organisation could support should be proposed. Additional tools when considering a flexible working request can be found in the Flexible Working Toolkit.

11. Agreement of flexible working request

11.1 If a flexible working arrangement is agreed, the individual will be sent the flexible working request agreement letter setting out the new working arrangements. For police staff the explanation will confirm the permanent change to their contract of employment and the date this variation commences and, for Surrey police staff, confirm if there are any changes to unsocial hours payments as a result of the change. Further information and letter templates may be found in the Flexible Working Toolkit.

11.2 The People Resolution Centre should be contacted if assistance is needed to determine if the pattern should attract any unsocial hour's payments and if so, the level of payment. The individual will be asked to sign and return a copy of this notification which will be held on their electronic personnel file.

11.3 It is important that the flexible working arrangement is discussed during the 3 months from the commencement date so that there is an opportunity to highlight any practical difficulties for the individual, the department, or the Force as a whole.

11.4 All flexible working arrangements should be discussed at 3 months. For police staff this is a formal trial period giving the opportunity to test whether a working pattern request is workable in practice (which can be extended with the agreement of both parties). For police staff the arrangement becomes contractual at the end of the 3-month period unless issues have been raised and discussed and it is evidenced in writing that the working pattern is not workable in practice in accordance with one of the possible reasons for refusal as outlined below.

12. Refusal of a flexible working request

12.1 The request for flexible working must meet the service needs of the unit / role, as well as the preferences of the individual. For police staff, a flexible working request to work flexibly may be refused for one or more of the following business reasons which are set out in the Employment Rights Act 1996:

- the burden of additional costs.
- an inability to reorganise work amongst existing staff.
- an inability to recruit additional staff.
- a detrimental impact on quality.
- a detrimental impact on performance.

- a detrimental effect on ability to meet customer demand.
- insufficient work available for the periods the employee proposes to work.
- planned structural changes to the employer's business.

12.2 For police officers, grounds for refusal of a flexible working request are not limited to the above grounds and may include any other grounds specified by the Secretary of State in Regulations.

12.3 Before formalising any rejection, it is recommended that the line manager seeks advice from the People Resolution Centre.

12.4 The individual will be notified of the decision in writing by their line manager, as soon as is reasonably practicable, with consideration to the overall time period for reviewing a flexible working request of 2 months.

12.5 The request may be granted in full, in part, or refused. The line manager may propose a modified version of the request, the request may be granted on a temporary basis, or the individual may be asked to try the flexible working arrangement for a trial period. If the request is agreed, then the individual will be sent a confirmation letter which will include details of the new arrangement.

12.6 Where a flexible working request is refused, the reasons for refusal will be clearly stated in writing to the individual in the flexible working request refusal letter. This notification advises the individual of their right to appeal. Further information and letter templates may be found in the Flexible Working Toolkit.

13. Appeals

13.1 The individual has the right to appeal against a decision if their request is refused or is only agreed in part.

13.2 The individual may lodge an appeal after being notified of a decision on their flexible working request, which should be submitted with consideration to the overall review period of 2 months. This should be done in writing clearly stating the grounds on which they are appealing and should be submitted to their line manager. Further information and letter templates may be found in the Flexible Working Toolkit.

13.3 The line manager will forward the appeal to an independent manager (which could be the 2nd line manager if they were not involved in the decision making of the initial request).

13.4 The original request, the initial decision and the grounds of the appeal will then be reviewed by the independent manager. In the event that further information is required, the individual will be invited to an appeal meeting (which should be held as soon as is reasonably practicable with consideration to the overall review period of 2 months) to discuss their reasons for appeal in more detail using the flexible working appeal meeting letter. Further information and letter templates may be found in the Flexible Working Toolkit.

13.5 The individual will receive written notification of the appeal outcome as soon as possible.

13.6 An appeal may be rejected because the request for flexible working does not meet one or more of the following business reasons which are set out in the Employment Rights Act 1996 (as detailed below). For further support when considering relevant factors please see the Flexible Working Toolkit.

13.7 A request to work flexibly may be refused for one or more of the following grounds

- the burden of additional costs.
- an inability to reorganise work amongst existing staff.
- an inability to recruit additional staff.
- a detrimental impact on quality.
- a detrimental impact on performance.
- a detrimental effect on ability to meet customer demand.
- insufficient work available for the periods the employee proposes to work.
- planned structural changes to the employer's business.

13.8 For police officers, grounds for refusal of a flexible working request are not limited to the above grounds and may include any other grounds specified by the Secretary of State in Regulations.

13.9 If the appeal is rejected, this will be the end of the appeals process. There is no further right of appeal.

13.10 The individual will receive an outcome notification in relation to their appeal. If the appeal is rejected, the notification will provide a detailed rationale for the decision. If the appeal is upheld the flexible working request outcome of appeal letter, will state the working arrangements and for police staff an explanation of the changes to their contract of employment. Further information and letter templates may be found in the Flexible Working Toolkit.

13.11 To provide support and advice during any meeting regarding the request police officers may be accompanied by a police friend (as defined in Regulations). Police staff may be accompanied by a trade union official, certified union representative or a colleague who works for either Surrey Police / Sussex Police. If the representative or colleague is unable to attend a scheduled meeting, the meeting will be deferred to a time within five working days of the original date.

13.12 The use of tape recording by an electronic device (e.g., mobile phone etc.) will not be permitted during an informal or formal workplace meeting between an individual and their manager(s). However, if an individual requests this as a requirement for a reasonable adjustment in the context of disability, as defined by the Equality Act 2010 this may be considered.

13.13 Paid time off work will be provided for the individual and their representative to attend the meeting.

13.14 If the individual is unable to attend the meeting another meeting will be arranged. However, if the individual does not attend a meeting once arranged and does not provide a reasonable reason for this then the manager may consider the appeal as being withdrawn.

14. Monitor and review

14.1 All paperwork relating to a flexible working request including dates of meetings, notes of extensions, note of the meetings, letters, must be sent to People Resolution Centre retention on an individual's electronic personnel file.

14.2 All flexible working arrangements are reviewable to ensure that they are still meeting the requirements of both the individual and the Forces using the tools provided in the Flexible Working Toolkit. Line managers are responsible for ensuring these reviews are completed and recorded by sending a record to the appropriate People Resolution Centre, if concerns with an existing flexible working pattern are identified advice should be sought from the People Resolution Centre.

14.3 It may be necessary for a review to take place when operational or other circumstances dictate, such as following an organisational or structure change; or where an increase or decrease in staffing levels are required. In such situations it is likely that a new flexible working request will need to be submitted.

14.4 Existing flexible working agreements do not automatically transfer from one role to another. If individuals are promoted, or transfer to a new role, they must discuss flexible working fully with their new line manager and submit a new flexible working request.

15. Employment data

15.1 Surrey Police and Sussex Police collect and process personal data relating to police officers and police staff to manage the employment relationship. It is important that individuals understand that data is collected and used in order to meet the Force's data protection obligations. Further details can be located on the Force intranet by searching for Privacy Notice.

16. Supporting documents

16.1

Agile Working Team Charter

Flexible Working Toolkit

Team: People Services Department