

Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	Flexi Time and Time of in Lieu (TOIL) Policy		
Directorate	Resources & Transformation		
Service	HR Strategy & Planning		
Responsible Officer	Nicola Rickhuss / Rebecca Lloyd		
Proposal planning start	September 2021	Proposal start date (due or actual date)	April 2022

1	What is the purpose of the proposal?	Yes / No	New / revision
	Policy	Yes	Revision
	Procedure	No	N/A
	Guidance	No	N/A
	Is this a service to customers/staff/public?	No	N/A
	If yes, is it contracted or commissioned?	No	N/A
	Other - give details	N/A	N/A
2	What is the business case for this proposal? Please provide the main purpose of the service, intended outcomes and reasons for change?		
	<p>The purpose of the flexi time and TOIL policy is to provide a framework for the council to meet both customer and employee needs in a flexible way and supports blended ways of working, offering employees flexibility to help manage their personal demands and workload requirements by varying working hours with management agreement.</p> <p>The Flexi Time Scheme was last reviewed in 2017 with the Terms and Conditions review that changed the amount of flexi days in a 13 week period from 2 days to 3 days and removed the lunchtime / core working hours.</p> <p>The purpose of the review was to explore a more flexible operation of the scheme that better complements the new blended ways of working principles and supports both business needs and promotes employee well-being and engagement.</p> <p>The 2017 document included a section on TOIL, however to make it clear that this included the policy title has been changed to Flexi Time and Time off in Lieu (TOIL) Policy.</p> <p>Overall the main changes to the policy are:</p> <ul style="list-style-type: none"> • Flexi parameters (currently 7:30am-7pm) increased to 6am-10pm. • Reference to Working Time Regulations and the requirements to ensure adequate daily/weekly breaks. • Removal of ATAR references - replaced with WALTER. • Further strengthening the message that operation of flexi/TOIL is based on the needs of the service and is always at management discretion/approval. 		



- 5 day workers may claim TOIL when working Saturday/Sunday if working between 6am-10pm.
- Increase in flexi debit carry over from 4hr to 8hrs, to allow for one day's leave to be taken if needed in an emergency where flexi credit may not have been accrued or time has been insufficient to repay debit hours where the day was close to the end of the 13 week period.
- That access to flexi working can be removed if not used appropriately or abused/ fraudulent recording, and also disciplinary action may be taken.

What remains the same from the current scheme is:

- The accounting periods - 4 x 13 week periods a year (for flexi and TOIL)
- maximum 3 days flexi leave may be taken in the 13 week accounting period
- Flexi carry over maximum 3 days (pro-rata part time)
- TOIL carry over maximum 5 days
- No core hours for lunch
- Flexi and TOIL not interchangeable
- Reference to the standard office working hours where the council is required to provide a service to the citizens of Walsall (08:45 to 17:15 hours Monday to Thursday and 08:45 to 16:45 hours Friday) and that some service areas may have local agreements for work times which will be driven by the needs of the service.
- All flexi working time, and Flexi/TOIL leave is in line with the needs of the service and agreed at management's discretion.

3 Who is the proposal likely to affect?

People in Walsall	Yes / No	Detail
All	No	The flexi time element of the policy applies to all council employees and workers who in agreement with their manager work flexi time. The TOIL element of the policy applies to all council employees who work additional hours in agreement with their manager, depending on the circumstances and agreement in place within the service area.
Specific group/s	No	
Council employees	Yes	
Other (identify)	Yes (Workers)	

4 Please provide service data relating to this proposal on your customer's protected characteristics.

As of 31 March 2021 the total number of Walsall Council employees (excluding Schools) were 3079.

The Council's workforce is made up of 67.55% females. 22.22% of the workforce are classified as under-represented ethnic groups (i.e. those excluding White British ethnicity). In total there were 137 employees (4.45% of the workforce) who declared they had a disability, as defined by the Equality Act 2010.

Of Walsall Council employees 3.12% are in the age group under 25, 24.42% in age group 25-39, 25.43% are in the age group 40-49, 43.30% are in the age group 50-64, and 3.73% are in the age group 65 and over.

5 Please provide details of all engagement and consultation undertaken for this proposal. (Please use a separate box for each engagement/consultation).

Initial scoping consultation was undertaken with Directors in Sept/Oct 2021. With the majority of Directors wanting more flexibility than the current scheme offers. In general the Directors were supportive of the increased flexible parameters but want to ensure the need for management agreement is emphasised.

An initial redraft of the flexi time scheme was consulted on with trade unions and the senior managers group between 14/01/22 – 01/02/22.

Feedback from senior manager led to a number of minor changes / clarification of wording. Managers wanted reiteration that the any operation of the flexi time in practice must be in line with the needs of the service; and be agreed at the discretion of local management, the same as the existing principles.

Both managers and the trade unions wanted clarification that the flexi time parameters defined between 6am – 10pm relates to the option for employees to work flexibly (i.e. flex in and out between these times) with management agreement, but does not change the standard operating hours of the Council, which are still defined in the policy, where managers require a service to be provided between these hours or any other service specific hours. The intention is not to change the councils standard operating hours.

The policy will be submitted to CMT on 07 April 2022 followed by Personnel Committee for approval on 19 April 2022.

Notification of the launch of the new Flexi time and TOIL policy will be publicised on Inside Walsall, and managers will be asked to cascade it to employees / workers, especially those without access to the intranet.

Consultation Activity.

Type of engagement/consultation	Consultation with Directors via email / MS Teams	Date	Sept/Oct 2021
Who attended/participated?	The majority of Directors.		
Protected characteristics of participants	A range of protected characteristics including, gender, race, age, disability.		
Feedback			
<ul style="list-style-type: none"> The majority of Directors wanted more flexibility that the current scheme offers. In general the Directors were supportive of the increased flexible parameters but want to ensure the need for management agreement is emphasised. 			

Type of engagement/consultation	Consultation with wider council via email.	Date	14/01/22 to 01/02/22
Who attended/participated?	The Senior Managers Group		
Protected characteristics of participants	A range of protected characteristics including, gender, race, age, disability.		
Feedback			
<ul style="list-style-type: none"> Managers wanted reiteration that the any operation of the flexi time in practice must be in line with the needs of the service; and be agreed at the discretion of local management, the same as the existing principles. A number of minor changes / clarification of wording. Clarification that the flexi time parameters defined between 6am – 10pm relates to the option for employees to work flexibly (i.e. flex in and out between these times) with management agreement, but does not change the standard operating hours of the Council (this was also commented on by the unions). Overall supportive of the increased flexibility, particular in some service areas who operate in this way, it will also help support some individuals, with mental health and stress issues, as well as those with carer responsibilities. 			

Type of engagement/consultation	Consultation with Trade Unions via email, briefed at ERF and virtual meeting.	Date	14/01/22 to 01/02/22
Who attended/participated?	Trade Unions representatives (Unison, GMB and UNITE)		
Protected characteristics of participants	A range of protected characteristics including, gender, race, age, disability.		
Feedback			
<ul style="list-style-type: none"> They were keen for it to be clear that whilst the parameters are 6am – 10pm that this did not change the expectation of current and set working patterns for individuals. Similar feedback to that from the managers. The policy wording was amended to re-include the standard operating hours. 			

6	Concise overview of all evidence, engagement and consultation			
	Formal consultation with senior managers across the council and trade unions raised no concerns in relation to protected characteristics and the proposed changes to the policy.			
7	How may the proposal affect each protected characteristic or group? The effect may be positive, negative, neutral or not known. Give reasons and if action is needed.			
	Characteristic	Affect	Reason	Action needed Yes / No
	Age	Neutral	The policy applies to all employees – no impact foreseen.	No
	Disability	Negative	Potential impact on employees who require reasonable adjustments for communication who do not understand the policy e.g. employees with learning disabilities.	Yes
	Gender reassignment	Neutral	The policy applies to all employees – no impact foreseen	No
	Marriage and civil partnership	Neutral	The policy applies to all employees – no impact foreseen	No
	Pregnancy and maternity	Negative	Potential impact for people who are on maternity or paternity leave and are not updated about the revised policy.	Yes
	Race	Negative	Potential impact on employees where English is not their first language as they may not understand the policy.	Yes
	Religion or belief	Neutral	The policy applies to	No

			all employees – no impact foreseen	
	Sex	Neutral	The policy applies to all employees – no impact foreseen	No
	Sexual orientation	Neutral	The policy applies to all employees – no impact foreseen	No
	Other (give detail)	Positive	The policy allows a more flexible working approach which may support those with caring responsibilities, mental health / stress issues, and those who might have reasonable adjusts in place to work flexibly.	No
	Further information			
8	Does your proposal link with other proposals to have a cumulative effect on particular equality groups? If yes, give details.			(Delete one) No
9	Which justifiable action does the evidence, engagement and consultation feedback suggest you take?			
	A	No major change required		
	B	Adjustments needed to remove barriers or to better promote equality		
	C	Continue despite possible adverse impact		
	D	Stop and rethink your proposal		

Action and monitoring plan				
Action Date	Action	Responsibility	Outcome Date	Outcome
Day of launch	The policy to be explained/made available to all	Employee's line manager should make themselves available to explain the	As and when required	

	employees / workers (including those on maternity / paternity leave and long term absence).	policy to ensure understanding and offer support to allow individuals to achieve the requirements.		
Day of launch	The policy to be explained/made available in other languages on request for employees whose first language is not English.	Appropriate liaison as required with the council's Interpretation, Translation, Transcription and Easy Read (ITTE) service provider.	As and when required	
Day of launch	Alternative formats (audio and Easy Read) for disabled employees to be made available on request.	Liaison as required with the appropriate council procured services; audio formats from Walsall Society for the Blind and Easy Read from the Community, Equality and Cohesion team.	As and when required	

Update to EqIA	
Date	Detail

Contact us

Community, Equality and Cohesion
Resources and Transformation

Telephone 01922 655797

Textphone 01922 654000

Email equality@walsall.gov.uk

Inside Walsall: [http://int.walsall.gov.uk/Service information/Equality and diversity](http://int.walsall.gov.uk/Service_information/Equality_and_diversity)

