



Derbyshire Constabulary

POLICE STAFF JOB SHARE POLICY

POLICY REFERENCE AIA

This policy is suitable for Public Disclosure

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2. Introduction

- 2.1 Derbyshire Constabulary recognises that many people are unable to undertake full-time work. Job-sharing gives people the opportunity to continue to pursue a career by increasing the opportunities to work reduced hours.
- 2.2 Derbyshire Constabulary feels that there are potential benefits both to the organisation and to individuals in allowing opportunities for job-sharing. Each case will be considered on its own merits.
- 2.3 This document should be read in conjunction with the Flexible Working Policy.

3. Policy Statement

- 3.1 The aim of the policy is to allow existing and potential employees who are unable to work on a full time basis to retain their skills and expertise within the Force and provide for progression and career opportunities. It also aims to enable people who are unable to work full-time the opportunity to pursue a career by increasing the opportunities to work reduced hours

4. Procedures

- 4.1 Job-sharing is a form of part-time employment where two people share between them the work of one full-time post. The salary, leave and fringe benefits of the full-time post are divided between them according to the number of hours each person works. Each job-sharer has an individual contract with the employer. The post remains a full-time function where the responsibilities and duties are divided equally between two people and it can, if necessary, revert to a full-time post. In contrast, part-time posts are separate jobs with self-contained duties. A job-sharing situation can come about in a variety of ways:
- a vacant full-time post may be advertised as suitable for job-share;
 - an existing employee may request that the job be converted to a job-share;
 - a new recruit may request that the appointment be made on a job-share basis.
 - Where a member of police staff is unable to undertake duties on a full time basis as a result of a disability as defined under the Disability Discrimination Act 1995, the offer of job sharing may be regarded as reasonable adjustment.
 - There will be occasions where job sharing is not possible due to operational requirements. There must be valid, relevant and accurate grounds for refusal. (See Flexible Working Policy).The potential benefits to both the organisation and member of staff are identified in the Flexible Working Policy.

4.1 Procedure for application to job share:

The opportunity to apply for job-sharing is available to all potential and existing employees of Derbyshire Constabulary, unless the job has previously been identified as unsuitable for job-share for organisational reasons.

As part of the on-going commitment to work life balance, all vacancies will be advertised with a commitment to considering part-time working and job share applications for positions. Where line managers consider that a request for job share would not be agreed, the post will not be advertised until a business case is provided and approved. All business cases will be reviewed by the Head of Resource Planning and Services.

Where an existing employee requests a job-sharing arrangement, a decision in writing will be made in accordance with the Flexible Working Policy.

Applications for job share should be made in line with the Flexible Working policy. The application will be considered by the appropriate line manager who, together with the relevant HR Manager, will consider the application in line with the Flexible Working policy and procedure.

4.2 Applications for more than one job share role

The Force recognises that to prevent an employee holding more than one job within the Force may prevent potential for internal career development and progression. Consequently, employees will be allowed to hold more than one job-share or a part-time and a job-share post within the Force. However, in order to take account of the organisational difficulties that may occur where one person holds or wishes to hold more than one job, the following will apply:

- before an application for the additional post is made, the employee must discuss the possible implications with their line manager;
- the line manager will consider whether or not the existing job is suitable for job sharing.
- if the line manager recommends that the existing job may be shared, and the employee is successful in their application for an additional post, the appropriate line managers will discuss the working arrangements/patterns to be followed. Once a working pattern has been agreed, each line manager will have primacy in respect of the time they manage. This may, therefore, have implications in respect of training requirements and any flexibility required; *example*; a person works in two posts, both on a job-share basis. The first job requires attendance at a training course which is full-time and which the person is prepared to attend. Before the person may attend the course, the line manager of the first job must consult with the second line manager who must decide, on the basis of the requirements of the job, which they manage, whether or not agreement may be given for absence from the second job.
- if the business case is set out that the existing job may not be shared and the decision is ratified as set out in this section, the employee may only proceed with their application on the basis of a full-time commitment.

4.3 Recruitment and Selection

All job vacancies will be advertised with a commitment to considering job share applications. Where particular working patterns have been identified as necessary, these will be stated in the advertisement. Any requirement of the job which may affect the job-share status; for example, where a full-time training input will be provided requiring attendance at times outside the working pattern or where flexibility within the working pattern will be required, these should be identified and included within the advertisement and job overview.

Applications from potential job-sharers will be considered on an equal basis with those from other candidates (unless a post has been deemed unsuitable for job-sharing) and the decision made solely on each candidates' suitability to meet the requirement of the job description, person specification and skills profile. At no point in the assessment and decision making process must a stated wish to job-share be taken into account.

Although applications from potential job-share "partners" are welcomed, each application will be considered separately against the requirements of the job, which may result in one and not both "partners" being selected.

Shortlisted candidates will be interviewed separately in accordance with normal recruitment practice.

If the successful applicant for a full-time vacancy is a potential job-sharer and there are no other candidates to appoint to the remaining half of the job-share, it may be necessary for the post to be re-advertised on a job share basis.

When a job-share is agreed for an existing member of staff, the normal recruitment and selection procedures must be followed in order to fill the remainder of the post. It may be that the present postholder identifies a potential partner but in any circumstances the normal advertising/equal opportunities procedures must be followed.

The Interviewing Panel should ensure that the proposed working arrangements meet the full requirements of the job set out in the job overview and role profile prior to confirming appointment.

4.4 Working Patterns

As job-sharing involves the sharing of a full-time post by two people, the number of hours and the workload for a job-share arrangement should not exceed those prescribed for the full-time post.

Where possible or relevant it will be necessary for job-sharers to attend work at the same time for a short period (overlap period) to discuss matters concerning their work. The period will be arranged within the confines of the jobs established hours.

Job-share can be arranged in various ways; however, whilst the way in which a particular job will be covered will take into account the requirements of the two partners, organisational requirements will dictate the type of working arrangements necessary.

4.5 Contract of Employment

Each contract of employment issued to job-sharers will contain the following conditions:

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"You are employed by the Derbyshire Constabulary as a job-sharer and you are required to work to the following work pattern (specify the days of the week or job-share arrangements).

"Should the other part of your job-share arrangement become vacant you may opt for one of the following:

- to convert to full-time working in the post;
- to remain in post where it is practicable with a further appointment being made to the vacancy occurring. Where contractual change is necessary, this will be mutually agreed."

"Where it is not possible to fill the vacant part of the job-share, you may be required to either change your hours of work and/or the way in which you work them, or be re-deployed, under the Management of Change policy."

4.6 Conditions of Service

General: Unless otherwise stated in this document, job-sharers will be subject to the appropriate national and local terms and conditions of service. Where statutory employment rights are affected by part time/job sharing arrangements, these legislative and contractual conditions will be communicated to part-time/job-sharing staff.

Probationary Period: Where a member of staff within a job-share arrangement is subject to the satisfactory completion of a probationary period, the method, the timetable and the reporting of assessment will be the same as for a full-time member of staff.

Rate of Pay and Progression: The grade/rate of pay to be applied will be the authorised grade for the particular job and the rate of pay for each job-sharer shall be pro rata to the salary grade for the nominated hours worked. Commencing salary and increments will be determined in accordance with existing Conditions of Service. Commencing salary points for each job-sharer of the agreed salary scale for the post should be settled before the job share arrangement commences. Partners will not necessarily be on the same point on the same scale. Normal incremental progression shall apply in line with local and national agreements.

Overtime: As a general rule, job-sharers will not need to work overtime. In the exceptional circumstances where overtime is necessary, the appropriate overtime payments will be made only when the job-sharers have jointly or individually exceeded the appropriate full-time equivalent hours for their employment category or post. Additional hours worked by job-sharers, either individually or jointly, which do not exceed the full-time equivalent hours per week, will be paid at the appropriate plain time rate. Alternatively, time may be taken as time off in lieu at plain time. Where one of the job-share posts is vacant or a postholder is on approved absence from work, overtime rates are not payable in any week to the remaining job-sharer until the full-time equivalent hours per week have actually been worked.

Arrangements for Cover: In circumstances where this is short-term sickness or annual leave, no cover will be provided. However, in cases of long-term sickness, (that is, in excess of four weeks), the partner continuing to work may voluntarily cover most of the total contractual hours or may agree to work the total number of hours with payment at plain rate. If this is not possible, acting cover arrangements may be introduced or a temporary part-time employee recruited to cover the remaining hours. The line manager or the Head

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of Department/Divisional Commander and the remaining post-holder must mutually agree any arrangements.

Flexi-Time: Job-sharers may be entitled to work flexi-time in accordance with the terms of the Force flexi-time scheme. Due to the exigencies of the service, certain groups of employees have been excluded from the scheme.

Shift Allowances: Where a job attracts a shift allowance, the allowance will be paid in accordance with national agreement on the basis of the hours worked. The shift allowance may not always be the same for each job sharer, depending upon the hours worked and span of hours covered. Shift allowances are based on an individual working pattern and will be paid in accordance with the Police Staff Handbook terms and conditions.

Car Allowance: Entitlement to a casual or to an essential car user allowance will be determined in accordance with current practice. Where an essential car user allowance is allocated to a specific post, the lump sum payment will be paid to both members of staff on a pro rata basis.

Annual Leave: Leave entitlement under existing Conditions of Service will apply pro rata to the hours worked. Sharers will not be precluded from taking annual leave at the same time, subject to the requirements of the service.

Public Holidays: All public holidays will be shared on a pro rata basis. Arrangements with the job-sharer should be agreed in April at the beginning of the leave year. In any week in which a statutory holiday falls, then the actual hours of work in that week must be shared in line with the usual proportions in any normal week. This may involve the job-sharer(s) working days other than those, which are specified as normal working days, following consultation with the individuals.

Example: The workplace is closed on Monday where a five day week is in operation, therefore 4/5ths of the normal hours are to be worked (Tuesday, Wednesday, Thursday, Friday). One job-sharer works 20 hours per week resulting in 16 hours to be worked that week ($4/5\text{ths} \times 20 = 16$). The other sharer works 17 hours per week resulting in 13 hours 36 minutes to be worked that week ($3/5\text{ths} \times 17 = 13.6$).

However, there may be working patterns where staff are unable to re-arrange their working hours. In these circumstances the following arrangements should apply –

Calculate the public holiday entitlement in hours at the beginning of each leave year:
Hours per week divided by 37 x 8 public holidays x 7.4 hours.

Where the public holiday coincides with a working day and the member of staff is required for duty, compensation will be made as per Police Staff Handbook. Where the member of staff is not required for duty, the public holiday is taken and the pro-rata entitlement debited from their weekly hours.

Where the public holiday coincides with an authorised rest day the rest day is re-rostered.

Where the public holiday coincides with a free day the free day is taken and the pro rata public holiday entitlement is credited to the member of staff.

It should be agreed at the beginning of each year with line managers where the public holidays will fall and if there is going to be a shortfall in the individuals working hours the

working pattern amended to correct this. Any shortfall may also be covered by the use of flexitime, time off in lieu or swapping of days. This should be agreed with the line manager.

Sick Leave/Attendance: The provisions of the scheme of Conditions of Service shall apply pro rata to the number of hours worked. For staff members who have two job share or job share/part time roles, the attendance criteria will be applied jointly for both roles.

Superannuation: Prospective job-sharers are strongly advised to check the effects on their superannuation provisions before committing themselves to working less than the normal working week as this may well affect their superannuation entitlements.

Training: Job-sharers will have the same access to, and be required to participate in, training and development opportunities as any other full-time employee. However, there may be a requirement for the post-holders to alter or increase their hours in order to attend a training event. For example, a post holder may be required to attend training on days not normally worked. Any additional hours worked may either be claimed for payment or time off in lieu. It may also be possible for line managers to re-arrange working patterns on a temporary basis so that post holders can attend formal training events.

Disciplinary Procedures: The conduct and efficiency of each individual job-sharer will be subject to the conditions in the Police Staff Disciplinary Procedure. Where a member of staff has two job share or job share/part time roles and is the subject of disciplinary action, it will be necessary to clearly identify the allegation and if it is specific to both roles.

Change Management: The Force Management of Change policy will apply to all police staff. Where as a result of operational decisions, Best Value or organisational reviews and financial constraints changes are made which necessitate a reduction in staffing levels, the service/job ceases to exist or the nature of the post is changed significantly the provisions of the policy will apply to the contractual hours for each member of staff.

5. Diversity Compliance

5.1 The legal basis for the policy complies with the:

Part Time Workers Regulations 2000
Sex Discrimination Act 1975
Employment Rights Act 2002
Disability Discrimination Act 1995

5.2 The content of this policy has been tested against Derbyshire Constabulary's Diversity Compliance test.

6. Monitoring and Review

6.1 All applications for flexible working are maintained for monitoring. Job share arrangements may be reviewed when vacancies become available. Regular monitoring of part time and job share staff is undertaken on a quarterly basis.

7. Appeals Process

7.1 Any appeals under this policy will be in accordance with the Appeals Procedure set out in the Flexible Working Policy.

8. Certificate of Compliance

8.1 This document was audited in August 2008 by Nicola Smith within the guidelines of the Human Rights Act 1998. The audit was carried out on the assumption that the guiding legislation is itself compliant with the Human Rights Act 1998.

8.2 Where there are areas of potential interference with individuals' rights under the Act due regard has been given to the issues of legality legitimate aim proportionality and fairness.

8.3 Subject to any new legislation or changes in case law which require immediate amendment this document next requires reviewing in August 2010 by the Head of Department Personnel.