

CHAPTER 36

FLEXIBLE WORKING AND FLEXIBLE SERVICE

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CHAPTER 36

FLEXIBLE WORKING AND FLEXIBLE SERVICE

3601. Introduction to Flexible Working and Flexible Service

The NS is committed to ensuring that Service Personnel have opportunities to balance work and personal responsibilities. Full-time, Regular Service Personnel are liable for duty twenty-four hours per day, seven days per week (24/7) (within reason) but, where Flexible Working is agreed, when and how an individual works can be varied. Flexible Service is distinct from Flexible Working. Flexible Service is a new opportunity which permits Regular Service Personnel to apply to reduce their commitment level so that they effectively work part time and/or restrict their geographic separation for defined periods. It may not always be possible to accommodate requests either for Flexible Working or Flexible Service, but personnel can expect that all applications will be considered fairly. It is important to understand the difference between Flexible Working and Flexible Service, as follows:

- a. **Flexible Working.** Flexible Working (FW) is provided for by MOD policy and permits service personnel to make (by agreement with LM/CO) changes to working patterns and/or to use paid and unpaid leave options to balance work and personal responsibilities; JSP 750 Chapter 1 and JSP 760 refer. Anyone from the Regular or Reserve (FTRS, ADC and VeRR) Forces may apply.
- b. **Flexible Service.** Flexible Service (FS) is provided for in law and MOD policy and gives opportunities for full-time Regular Service Personnel to apply to temporarily reduce their commitment levels and so vary the way in which they serve - either by working part-time and/or by restricting their levels of geographic separation for a defined period; JSP 750 Chapter 2 refers. FS arrangements must be approved by an appropriate authority and are not available to Reserve Forces who may achieve the same effect eg. part-time working, by moving to different commitments where there is a Service requirement.

3602. Eligibility for Flexible Working

Any individual on the trained strength may apply to their CO/LM for FW. In exceptional circumstances, the CO/LM may agree to support an application for some form of FW to personnel who have been in service for less than 26 weeks.

3603. Application for Flexible Working

Ad-hoc requirements to work flexibly may be agreed with the DO/LM/CO as required. Application for enduring FW arrangements should be made on JPA¹. Personnel seeking to apply are advised to discuss their proposals with their DO/LM before formally proceeding.

3604. Types of Flexible Working

- a. **Variable Start and Finish Times.** Variable start and finish times allow an individual to work full-time, but potentially start and finish at times other than the norm. See JSP 750 Chapter 1.

¹ Further guidance on application can be found in JPA Self Service User Guides: Absences (Flexible Working).

- b. **Home Working.** Home working allows personnel to work from home, or another MOD location closer to home, for an agreed number of days per week. See JSP 750 Chapter 1.
- c. **Compressed Hours.** Compressed hours allow an individual to work full time hours within a compressed period (eg. four long days Monday - Thursday and a half day Friday). See JSP 750 Chapter 1.

3605. Types of Leave That Support Flexible Working

Chapter 26 Para 2607 lists all types of Leave and Absence. The following types can also be used to support an individual to balance their work commitments and personal responsibilities:

- a. **Unpaid Leave.** Personnel may request to take up to three months unpaid leave, without sacrificing any Conditions of Service. See JSP 760 Chapter 4.
- b. **Career Intermission.** A Career Intermission may last between 3 months and 3 years away from work. This is unpaid. See JSP 760 Chapter 5.
- c. **Call Forward of Leave.** Personnel can request to call forward up to 10 days' ALA from their allocation for the forthcoming leave year for use in the present leave year. See JSP 760 Chapter 6.
- d. **Enhanced Leave.** Personnel can request to forfeit 30 days ALA to take a block of 50 days paid leave upon reaching 15 years of service. See JSP 760 Chapter 7.
- e. **Transfer of Leave.** Personnel may request to transfer up to 10 days leave to their serving spouse or serving civil partner irrespective of whether the spouse/civil partner is a member of the same Service. See JSP 760 Chapter 8.

3606. Flexible Service

FS is available for a defined period and is therefore considered to be a temporary arrangement within a Regular, full-time career. Any agreement that permits an individual to move to FS will be limited to a maximum of 3 years at a time and a maximum of 4 years in a rolling 12-year period. In determining whether an application to move to FS can be permitted, the effect upon the ability of the Service to maintain OC will be the primary consideration. The Service will retain the ability to recall personnel immediately to full service ie. terminate the FS arrangement, where it is necessary on the grounds of operational effectiveness and may terminate a FS arrangement in other circumstances. Those on FS will receive a proportionate reduction in pay, leave and associated pension entitlement. Personnel considering applying for a FS arrangement are strongly advised to read JSP 750 Chapter 2, the relevant DIN² and discuss the request with their Chain of Command and CM before proceeding. Personnel are also advised to take appropriate financial advice on the implications of reductions in pay.

² Further guidance on how FS impacts pension and other Conditions of Service including pay are detailed in 2019DIN01-003, 2019DIB01-005 and 2019DIN01-008.

3607. Eligibility for Flexible Service

In order to be eligible to apply, Service Personnel must have completed their Statutory Initial Training Period (SITP), plus the Statutory Return of Service (2½ years), by the time their FS arrangement commences.

3608. Application for Flexible Service

- a. FS applications should be made via the drop-down option on the JPA Self Service Navigator Flexible Service application menu. See the JPA Self Service User Guide (SSUG) or Annex 36A for advice on how to make, suspend, terminate or withdraw an application and how to submit an appeal. An application should be made between a maximum of 12 months and minimum of 90 calendar days before the desired start-date, during a current assignment or for the following assignment. An application for FS will not stop or change a non-preference assignment. Personnel are not obliged to give a reason for applying, but any information provided may assist the decision process.
- b. The DO/LM/CO and CM will be required to comment on and indicate whether they support/do not support the request as part of the JPA workflow. The ultimate decision will rest with the Approval Authority (AA). DACOS CM and DACOS BM are the delegated Approval Authorities for all personnel up to and including OF4³. ACOS(PCap) is the delegated AA for OF5/OF6.
- c. Operational effectiveness must be maintained. Key factors which will be considered during the approvals process will include the effect of the FS arrangement upon other personnel in the Unit/branch/trade etc. the current and future manpower situation (of the relevant branch/trade and more widely) and the role of the applicant's Unit and operational demand including in the Joint arena.
- d. If a FS application cannot be approved, it may be declined or alternative arrangements (including on the same terms but commencing at a date later than requested) may be offered where available, which the applicant may choose to accept or decline.
- e. The individual may appeal against the decision on their FS application. That appeal is made to the Appeal Decision Authority (ADA). The delegated ADA is ACOS(PCap) for all personnel up to and including OF4⁴, while NavSec is the ADA for OF5/OF6. Further guidance on how to appeal is contained in JSP 750 Chapter 2 and the JPA SSUG.

³ With the exception of personnel within their direct reporting chain, whose applications must be determined by the alternative authority.

⁴ With the exception of personnel in ACOS(PCap)'s reporting chain for whom NavSec is the ADA.

3609. Types of Flexible Service

- a. **Part Time (PT).** Part-time working (PTW) means that a person's commitment is reduced by either 20% or 40%; this equates to one or two days less work per week for those undertaking a 5-day working week, plus a proportional reduction in their liability for duty eg. during weekends and leave periods. Pay will be reduced by the same proportion (20% or 40%), which will have consequent effect on future pension. Personnel on FS (PT) cannot normally be required to attend for duty on non-duty days (NDD) or non-liaible for additional duty days (NLADD), and remain subject to Service law at all times. See JSP 750 Chapter 2 for more detail.
- b. **Restricted Separation (RS).** The number of days that an individual can be required to serve away from their normal place of duty is restricted to no more than 35 days per year. Personnel who move to FS (RS) will have their X-Factor reduced by 3% for the period of FS. See JSP 750 Chapter 2 for more detail.
- c. It is possible to apply for a FS arrangement which includes both PTW and RS.

3610. Variation, Suspension and Termination of the FS Arrangement

- a. The Service can vary or terminate the FS arrangement immediately in some circumstances, where it is considered necessary for operational or disciplinary reasons. Also, the Service or individual can vary, suspend or terminate a FS arrangement by giving notice (usually a minimum of 90 days) or where there is agreement to do so between the appropriate Service authority and the individual. A FS arrangement terminates on re-assignment providing the requisite notice has been given.
- b. Service Personnel on FS arrangements are not exempt from manning trawls, but the details of their FS arrangement must be included in the Personnel Support Request (PSR) and will be taken into account in the decision process.
- c. At the end of a FS arrangement, JPA will automatically return the individual to their Full Commitment TCOS (including pay, pension and leave) and they will return to full-time working and/or full liability for separation.

3611. Further information

Further advice on FW and FS policy may be obtained from NAVY NPS-STRATPOL EMPLOY POL SO1.

ANNEX 36A

GUIDE TO APPLICATION FOR FLEXIBLE SERVICE

Occasion	Action	Remarks	Reference
1 yr. - 90 days before start	Consider and discuss options for change to working pattern with LM and/or UPO Check eligibility for FS	Consider financial implications and affordability of FS. Discover My Benefits has a FS calculator.	Para 3604/3605 Para 3607 JSP 750 Ch2 para 12
1 yr. - 90 days before start	If FS is chosen and applicant eligible, decide on option. If PTW, identify working pattern sought and discuss with LM.		JSP 750 Ch2 Sect 2 JSP 750 Ch2 Annex C
1 yr. - 90 days before start	Complete application on JPA	Once application submitted it will workflow to LM, UPO and CO. The application may be work-flowed back to SP to resolve queries. Application must be forwarded to CM for next level of decision within 28 calendar days of submission on JPA.	JPA SSUG JSP 750 Ch2 paras 43-47
Prior to requested Start Date	Decision will be notified by CM to SP by JPA workflow.	Outcome will be notified to LM, UPO and CO. Appeals must be submitted on JPA within 14 calendar days of date of decision.	JSP 750 Ch2 paras 48-49 JPA SSUG JSP 750 Ch2 paras 50-52