

PERSONNEL COMMITTEE – 13TH OCTOBER 2020

Report of the Head of Strategic Support

Part A

ITEM 13 GUIDANCE ON JOB SHARE ARRANGEMENTS

Purpose of Report

Personnel Committee to consider and agree the revisions to the Guidance on Job Share Arrangements.

Recommendation

That the proposed Guidance on Job Share Arrangements be agreed by Personnel Committee.

Reason

The purpose of the policy is to provide managers and employees with information and a process relating to job share.

Policy Justification and Previous Decisions

The proposed Guidance on Job Share Arrangements and relevant contract document have been reviewed and updated. The current policy has not been reviewed since at least 2010 and therefore it was necessary to ensure the policy is operating in accordance with best practice and legislative requirements.

Implementation Timetable including Future Decisions

It is recommended that the Guidance on Job Share Arrangements be published on the intranet, following the Personnel Committee meeting.

Financial Implications

There are no immediate financial implications arising from this decision.

Risk Management

There are no specific risks associated with this decision.

Appendix: Guidance on Job Share Arrangements

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Part B

Background

1. The Guidance on Job Share Arrangements has been reviewed and redrafted to make the process for job share clearer for all involved in that process.
2. The current policy is very detailed but has not been reviewed since at least 2010.
3. Key changes include:

3.1 Definition of Job Sharing

This section clearly outlines the definition of job sharing and the difference between working under a part time arrangement to that of working under a job share arrangement. Additionally, it clarifies that whilst a job share arrangement would ordinarily apply to 2 employees, there could occasionally be more involved in that arrangement.

3.2 Job Share Arrangements

Information is comprehensively outlined around terms and conditions in the current policy. Some of this information duplicates other relevant policies. Therefore, the proposed policy focuses on the key information that needs to be made available for those involved in a job share arrangement or the process.

3.3 Procedure

The proposed policy seeks to build on the existing policy in terms of the procedure to follow. It also makes reference to the policy on the Statutory Request for Flexible Working as some employees may wish to apply for job share by exercising their statutory right to request flexible working.

The current policy considers the following options:

- Job sharing by an existing employee
- Job sharing a vacant post

The proposed policy has expanded on these areas by developing the information available to employees further and outlines the following options:

Existing employees who wish to job share:

3.4 With a job share partner in mind

The policy outlines that two or more employees may wish to submit a request to job share.

The partners must be in an identical or substantially comparable post in terms of duties, responsibilities, skills required and grade.

3.5 Without a job share partner

Clarifies that the job share position will be advertised in accordance with normal recruitment procedures. If no suitable candidate can be found, the job share arrangement will not proceed.

External applicant – request to job share in response to an advertised vacancy

This section outlines the process to follow in this circumstance. This includes a manager's responsibility to consider job sharing before advertisement and if a request is received from a candidate.

Where only one of a number of job share applicants is shortlisted or suitable

Applicants must be informed and asked whether they intend to continue with the application as a single job share applicant, if no other job share applicant is shortlisted or suitable.

In this circumstance it may not be possible for the manager to progress the job sharers application and this section outlines that process.

If a request or application to job share is declined.

Appendix A of the policy highlights some example factors for managers to consider to enable them to objectively assess the suitability of a post for job sharing, before determining that a job share arrangement is unsuitable.

4. The policy was submitted to SLT for consideration on 23rd June 2020 and JMTUM on 27th August 2020.



Guidance on Job Share Arrangements

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Scope

This Guidance applies to all employees of Charnwood Borough Council with the exception of casual workers.

Although many posts will be apt for job sharing, it must be noted that not all posts will be suitable to job share at any particular time, and managers have the right to refuse requests if there is evidence which indicates that job sharing would adversely affect service provision.

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Purpose

The purpose of this Guidance is to provide managers with information about the Council's Job Share scheme, which supports the development of a flexible and engaged workforce that is able to respond effectively to the needs of the service while balancing the requirements of the labour market.

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Equalities

Through its [Equality and Diversity Strategy](#), Charnwood Borough Council has set out its vision to promote equality and eliminate discrimination.

The Council's commitment to equality of opportunity will be observed at all times during the application of the Job Share scheme. This ensures that employees are treated fairly and without discrimination on any of the grounds of: disability, age, race, nationality, ethnic or national origins, sex, gender identity or gender re-assignment, marital or civil partnership status, sexual orientation, trade union membership or activity, political belief, religious belief, maternity or pregnancy, and irrelevant criminal convictions.

Employees participating in the Job Share scheme are employed on a part-time basis and are entitled to terms and conditions that are no less favourable than those available for full-time employees in accordance with the Part-Time Workers Regulations 2000. Job Share partners will not be subjected to detriment in connection with their working arrangements.

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Definition of Job Sharing

The Job Share scheme provides an opportunity for employees to work part-time without necessarily compromising on the variety and level of responsibility of work available.

Job sharing is a form of part-time working where two (or occasionally more) employees share the responsibility for one job, i.e. the same job, between them and carry out all of the tasks associated with the job. If one of the Job Share partners is absent for a short period, e.g. annual leave or short term sickness, the other(s) may be invited to increase their hours to cover some or all of their partner's duties. They will be under no obligation to agree, as this would not usually be necessary where a post is covered by one employee.

In comparison, part-time employees occupy discrete posts, which means that they do not share the tasks of the post with another employee.

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Job Share Arrangements

Employment Contract

Each Job Share partner will have an individual contract of employment, on a permanent or fixed-term basis as required.

Duties

The same job profile and job title will apply to both Job Share partners. The specific duties and responsibilities of the post will be determined by the manager and will be as specified in the job description, and the attributes required of the postholder(s) will

be as described in the person specification. Managers must therefore ensure that the job description for the post is kept up to date.

Job Share partners must be prepared and able to carry out all of the duties and responsibilities associated with the shared post.

Working Hours

In most cases the shared post will be full-time, i.e. 37 hours per week. Part-time posts with a substantial number of hours may also be suitable for job sharing.

It is common for the available working hours and days to be divided equally between Job Share partners, but it may be possible for different configurations of working hours to be accommodated. The post may require working hours to be arranged in order to facilitate a short handover between the Job Share partners.

The precise deployment of working hours will normally be determined by the manager in consultation with the Job Share partners; however, working hours must always be arranged giving due regard to the needs of the service.

Contractual Entitlements

Salary, annual leave and other contractual provisions are normally pro-rata to those for full-time working and are calculated in accordance with each employee's individual contract of employment.

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Procedure

Applications to job share will be considered from:

- Existing employees on permanent or fixed-term contracts of employment; or:
- Prospective employees for vacant permanent or fixed-term posts.

An application may be received from:

- One applicant only;
- A pair of applicants; or
- A number of applicants.

Managers should be aware that employees have a statutory right to request flexible working in some circumstances, and may request to job share as part of their application. The Council has a separate procedure for dealing with [Statutory Requests for Flexible Working](#).

Existing Employees Who Wish to Job Share

With a Job Share Partner in mind

An existing employee who wishes to job share their post may put forward an application and may have already identified a potential Job Share partner. In some cases, two or more existing employees may submit a request to job share.

The partners must be in an identical or substantially comparable post in terms of duties, responsibilities, skills required and grade. Where the potential partners are appointed to different levels of a career grade, the manager must be satisfied that both partner(s) are able to carry out the duties required and that any disparity in the allocation of tasks resulting from the difference in grade can be managed without disruption to service provision. Any agreement for such an employee to job share will not lead to fast tracking on the career grade scheme.

The manager must be satisfied that both Job Share partners are suitable to undertake the duties of the post and have the requisite skills. This will mean convening an interview and any associated tests/other selection methods normally used for the selection of applicants to that type of post, unless both Job Share partners are already employed to undertake the role that they intend to share.

Furthermore, it may be appropriate to advertise internally in this circumstance if the post is one that may generate interest from other employees of the Council. Further advice can be sought from HR services in these circumstances.

Without a Job Share Partner

An existing employee may request to work on a job share basis without a partner being available.

If the manager deems the post suitable for job sharing, the vacant part of the post will be advertised and normal recruitment procedures will apply.

If no suitable candidate can be found after the recruitment procedure has been exhausted, the existing employee must be informed that the job share arrangement cannot proceed.

External Applicant - Request to Job Share in response to an Advertised Vacancy

Managers are encouraged to determine whether a post is suitable for job sharing before advertising, and where possible this should be included in the recruitment advertisement and accompanying literature.

Where an application to job share an advertised vacancy is received from an applicant(s), the manager must decide whether the post is suitable for job sharing if this has not already been indicated in the advertisement.

Job applicants will not be refused an interview solely on the basis that they have made a request to job share.

If, after the interview and selection process, the job share applicant is the most suitable candidate the manager must consider whether:

- any of the other applicants might wish to job share and seek any expressions of interest
- there are any expressions of interest from existing internal employees
- the resulting vacant part of the post should be advertised, on the understanding that if no suitable Job Share partner can be found, the job share cannot proceed.

Where only one of a number of Job Share Applicants is shortlisted or suitable

The applicant must be informed and asked whether they intend to continue with the application as a single Job Share applicant, with the remainder of the post potentially being filled by someone from a separate recruitment process. Where it is not possible to recruit to the remainder of the post, the original candidate must be notified that it is not possible to progress his/her application to job share.

Before rejecting the applicant, managers must consider whether any alternative working arrangements might be appropriate to the applicant's circumstances. Where Job Share partners are appointed who are not already known to each other, managers must arrange a meeting so that practical working arrangements can be discussed and agreed, e.g. working patterns, hours of work, duties and tasks.

If a request or application to Job Share is declined

The manager should contact the applicant(s)/employee(s) giving details explaining why the requested arrangements cannot be implemented. Some example factors which should be considered by managers when objectively assessing the suitability of a post for job sharing arrangements can be found at [Appendix A](#).

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Where a Job Share Partner leaves the Shared Post

In the event that one Job Share partner leaves the shared post, the manager will invite the remaining partner to increase their hours to cover the duties of the role, but it is not mandatory for the Job Share partner to agree. In the same situation, the remaining job share partner may make a request to vary their hours. If the remaining partner intends to continue with the Job Share, and there are no restrictions on

recruitment to the post e.g. in connection with an ongoing restructure, every effort will be made to fill the vacant part of the post through normal recruitment procedures.

Note - the remaining Job Share partner may request or be asked to vary their hours in order to take on the duties on a temporary basis until the vacant hours are filled.

If the remaining Job Share partner agrees to change their hours on a permanent or temporary basis, this constitutes a change to their individual contract of employment. The manager must submit the [Variation to Contract E-form](#).

If the post cannot be filled through normal recruitment procedures, the manager will again invite the remaining Job Share partner to increase their hours in order to undertake the duties of the post. If the employee does not agree, the manager will make every effort to find suitable alternative work for the remaining Job Share partner through redeployment using the procedure for 'Other' redeployment situations.

If it is not possible to find a suitable alternative post we may terminate the employment of the remaining job share partner if the post cannot be re-organised to suit both the organisation's and the individual's requirements. Managers must therefore explore all alternative working arrangements to see if they might be appropriate to the employee's circumstances, and discuss these with the remaining Job Share partner.

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Monitoring and Review

All types of working arrangements, including Job Share, will be subject to monitoring and periodic review as part of the Council's commitment to continuous improvement of the efficiency and effectiveness of service provision and delivery. Where it becomes evident that any particular working arrangements are no longer effective or efficient, it may become necessary to negotiate changes with the employee(s) concerned.

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Appendix A – Example Factors to Consider

Duties of the Post

- How satisfied are you that the proposed working arrangements will meet the requirements of the service and its customers/clients?
- How will the post be divided between two or more people, ensuring that all Job Share partners undertake work of equal responsibility and volume appropriate to the number of hours worked by each Job Share partner?
- How best can the tasks be allocated to achieve maximum service efficiency? (E.g. by task/project, by time, by client?)
- Are there any duties that can only be carried out by one of the postholders, e.g. for continuity etc.?
- How can any envisaged difficulties be overcome, if at all?
- How will any problems regarding the joint supervision of staff be addressed?
- Are there any special circumstances applicable to the post that would preclude its suitability for job sharing, e.g.:
 - arrangement of working hours necessary to provide sufficient cover,
 - career grade disparity between applicants,
 - a number of job sharing arrangements within the same work area making further such arrangements difficult to accommodate/manage
 - additional costs attached to the post
 - the postholder wishes to undertake a second employment which conflicts with the interests of the County Council.

The Applicant(s)

- How far does each Job Share applicant meet the key skills requirements of the post?
- Is it possible to agree working arrangements that are suitable for the Job Share partners and for the service?

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