Flexible Working Procedure

1. Introduction

1.1. The University is committed to assisting all staff to achieve work-life balance regardless of their personal circumstances.

1.2. The University's service to students and other clients must remain paramount, however, it is also hoped that offering the opportunity for some flexibility will assist in the recruitment and retention of staff which in turn helps the University maintain the quality of its services.

1.3. Whilst this procedure meets statutory requirements of the Employment Act 2002, the provisions for flexible working have been extended to all employees regardless of childcare responsibilities or age of children.

2. Scope

2.1. This procedure is applicable to all employees who have worked for the University continuously for 26 weeks by the date the application is made. It is anticipated that employees will not have made another application to work flexibly under this procedure during the previous 12 months, unless personal circumstances have radically altered.

2.2. Any changes agreed apply to an individual's current post only and are not applicable to promotions or internal recruitment opportunities where new applications would be required.

3. Reasons for requests

3.1. A request for a change in working hours or working arrangements may arise for a variety of reasons. Whilst the procedure applies equally to all staff, regardless of their gender or personal circumstances, it is acknowledged that many requests will follow a period of maternity/adoption leave. Clearly the University will want to do its utmost to assist the employee to return to work on hours/arrangements that suit the service and individual needs. However it should be stressed that the effect on the service must be fully considered and account must be taken of the impact on service needs and other staff.

4. Process for requesting a change in working hours

4.1. Employees who wish to alter their working hours by either reducing or changing the pattern of their work should complete the Flexible Working Request Form, available from the Human Resources website. This completed form should be sent to Human Resources.

Specify the flexible working pattern applied for

- Explain what effect, if any, the employee thinks the proposed change would have on the School/Service and how, in their opinion, any such effect might be dealt with
- State the date on which it is proposed the change should become effective. This should allow for sufficient time for the application to be considered and, if agreed, for the change to be implemented.
- Be signed and dated
4.2. Human Resources will assess the implications of the proposed changes on the employee's terms and conditions of employment, including the effect on pensionable service, and advise the line manager then send the request to the individual's line manager for a decision. Any request that is made and accepted will be a permanent change to the employee's contractual terms and conditions (unless otherwise agreed as a trial period – see 5.3). The employee has no right to revert to the previous working pattern. However, this does not prevent the employee submitting a request in the future for further changes in hours/arrangements or to convert back to original hours/arrangements.

4.3. Once the employee's line manager is in receipt of the request form, they should arrange a meeting with the employee within 28 days, or an agreed reasonable timescale, after the date an application is received to discuss the request for the change and to consider the issues detailed in the Flexible Working Request Form. If required, a formal meeting will be held to discuss the request. Human Resources will attend the meeting and the employee is entitled to be accompanied by a trade union representative. The content of the meeting should also include a discussion about the contractual issues: hours, health & safety issues, training requirements, changes to annual leave entitlement and any other terms & conditions affected following the proposed change. If the proposed working pattern cannot be accommodated, the meeting also provides an opportunity to see if another alternative working arrangement may be appropriate.

4.4. The meeting should be held at an appropriate time and place that is convenient to both parties. In most cases, this will probably be the usual place of work. However, some women who are about to return from maternity/adoption leave may find it difficult to travel to the workplace. In such circumstances the manager will discuss with the employee whether there is an easier place to meet.

4.5. If it is difficult to arrange a meeting within 28 days after the application has been received then the manager should seek the employee's agreement to extend the period.

5. Consideration and decision

5.1. The manager must inform the employee of their decision in writing within 14 days after the day of the meeting. If more time is needed to make a decision then the manager must obtain the agreement of the employee for an extension to the 14 days.

5.2. Upon agreeing a request the manager will detail the new arrangements and confirm the starting date. Any special requirements upon the employee, for example, attendance at work outside the revised hours to attend training sessions/meetings etc. should be discussed and confirmed in writing. A copy of the Flexible Working request will be sent to Human Resources who will confirm any contractual changes.

5.3. In some circumstances the manager and/or employee may have reservations about the potential success of a new arrangement. In these circumstances, the manager may agree to a trial period of up to three months to assess the impact of the arrangement. There should be a midway review to discuss whether:

a) the arrangement is likely to continue at the end of the trial period
b) there needs to be some adjustment to allow the arrangement to continue
c) the arrangement is likely to cease and the employee will revert to their original hours/arrangements at the end of the period. If this remains the outcome of the trial period the request will have been rejected and the manager will need to notify the employee in writing as in paragraph 5.4 below.

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5.4. It will not always be possible to agree a request. In such circumstances the manager must, in writing:

- State one or more of the business grounds (see list in 5.5) why the request cannot be accepted
- Provide an explanation of why the business reasons apply in the circumstances
- Set out the appeal procedures

5.5. The business grounds for refusing an application are:

- Burden of additional cost
- Detrimental effect on ability to meet service demands
- Inability to reorganise work among existing staff
- Inability to recruit additional staff
- Detrimental impact on quality
- Detrimental impact on performance
- Insufficiency of work during the periods the employee proposes to work
- Planned structural changes

6. **Appeal**

6.1. An employee has 14 days after the date of notification of the manager’s decision to appeal in writing. An appeal should be made to the next level of line management and the employee must set out the grounds of their appeal.

6.2. An appeal meeting will be held within 14 days after receiving notification from the employee. The meeting will be attended by Human Resources and the employee is entitled to be accompanied by a trade union representative. The manager making the decision will be called to the meeting to explain the reasons for their decision and/or outline procedures followed. The manager hearing the appeal and the employee will have the opportunity to ask questions.

6.3. The manager hearing the appeal must inform the employee of the outcome of the appeal in writing within 14 days after the date of the meeting. If the appeal is upheld the manager hearing the appeal details the new working pattern and confirms the starting date of the new arrangements. If the appeal is dismissed the written decision must state the grounds for the decision appropriate to the grounds for appeal.

There is no further right of appeal.