

Flexible Working Policy & Procedure

Purpose

This policy sets out the University's approach to flexible working arrangements which is in accordance with the ACAS code of practice and guidance on handling requests to work flexibly in a reasonable manner and meets the statutory requirements of the Employment Act 2002.

Scope

The statutory right to request flexible working is available to all employees who have at least 26 weeks' continuous service at the date the application is made. An employee can only make one statutory request in any 12-month period, this is regardless of the reason for the previous application or whether it was agreed or declined.

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.

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 Not all jobs within the University are suitable for flexible working however all employees who meet the eligibility criteria, irrespective of the area or level of job they are employed in are entitled to submit a considered application.

2 Procedure

- 2.1 Any request which is accepted will represent a permanent change to the employee's terms and conditions, therefore prior to making an application, employees should ensure they fully understand any implications the proposed changes would have on their terms and conditions of employment, including their salary and any effect on pensionable service.
- 2.2 Employees who wish to request a change to their terms and conditions under this procedure should complete a flexible working request form, available from the Human Resources Website.

The employee should complete the form as fully as possible to include the following information.

- Specify their preferred flexible working pattern.
- 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.

2.3 The employee must submit the completed form to their line manager for consideration in the first instance. All requests must be considered as quickly as possible. This will normally be within a calendar month of the manager receiving the request. The whole process, including any possible appeal against the decision, must be completed within a maximum period of three calendar months. This timescale may be extended if necessary with the agreement of both parties, for example to allow for a trial period.

2.4 Should the manager wish to accept the request as it is set out in the application, a meeting will not be necessary. The line manager should complete the relevant sections of the form and return this to Human Resources who will provide confirmation of the agreed changes to the employee in writing.

2.5 Should the manager determine that the request cannot be accommodated as set out in the application then advice should be sought from Human Resources and a formal meeting will be arranged in line with the timescales outlined in Section 2.3. A representative from Human Resources will attend the meeting and the employee is entitled to be accompanied by a trade union representative or friend.

2.6 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 an alternative location can be agreed if appropriate. If the proposed working pattern cannot be accommodated, the meeting provides an opportunity for the manager to fully explain the business grounds for this decision and allows an opportunity to discuss any alternative working pattern proposals or trial periods.

2.7 Following the meeting the manager will confirm their decision to the employee in writing, a copy of this letter will also be sent to Human Resources. The letter will either

- Confirm agreement to the new working pattern, the start date and the variation to the employee's terms and conditions of employment;
- Confirm any arrangements for agreed trial periods or

- Confirm that the request has not been accepted, provide clear business ground(s) as to why and the reasons why the ground(s) apply in these circumstances and provide the right of appeal.

Trial Periods

- 3.1 The manager and employee may mutually agree to any changes being implemented initially on a temporary trial basis. This will allow both parties to regularly review how the arrangements work in practice and the viability of continuing the arrangement(s) permanently. In these circumstances, the manager may agree to a trial period of up to three months to assess the impact of the arrangement.
- 3.2 At the end of any agreed trial period, a formal review meeting will be arranged with the employee, to review the revised working pattern and to reach a decision on whether this arrangement will continue. A representative from Human Resources will be present at this review and the employee has the right to be accompanied by a Trade Union Representative or friend.
- 3.3 The manager reserves the right at the end of the agreed trial period to require the employee to revert to their substantive working pattern, based on the relevant business ground(s) or to propose adjustments to allow the arrangement to continue. Where it is determined that the new working arrangements will not continue following a trial period, the employee has the right of appeal.
- 3.4 The outcome of the review meeting will be confirmed to the employee in writing.

4. Considerations

- 4.1 It is recognised that occasionally, employees may need to request a temporary change to their working arrangements to deal with a temporary or urgent situation. In these circumstances employees should approach their line manager in the first instance to discuss how such arrangements could be facilitated in the short term. Where temporary needs continue for longer than one month, they should be formalised through this policy. At the end of any temporary changes, the employee will revert to their normal working pattern. The manager should inform Human Resources of any agreed changes.
- 4.2 It may not always be possible for an employee to attend a training course within any agreed flexible working arrangement. Therefore, the University reserves the right to provide reasonable notice to the employee of when a training course/learning and development initiative is taking place and expects employees to make suitable arrangements to attend as requested.
- 4.3 Two employees may submit flexible working requests together if they wish to cover the same role.

- 4.4 Where an employee submits a request to reduce their hours but the role requires full time cover, the remaining part of the job will be advertised using relevant channels. If a suitable applicant is not forthcoming after the role has been advertised twice, the University will have no alternative but to reject the request using the relevant business grounds.
- 4.5 In accordance with legislation, the University reserves the right to refuse an employee's request for flexible working using any of the following business grounds:
- The burden of additional costs
 - An inability to reorganise work among existing staff
 - An inability to recruit additional staff
 - A detrimental impact on quality
 - A detrimental impact on performance
 - A detrimental effect on ability to meet customer demand
 - Insufficient work for the periods the employee proposes to work
 - A planned structural change to the business

5. Appeal

- 5.1. An employee has the right to appeal against the flexible working decision if there is new information that was not available to the University at the time they made their original decision, if the employee is required to revert back to their substantive working pattern at the end of a trial period or if the employee thinks the application was not handled reasonably in line with this policy.
- 5.2 The employee should submit the grounds for their appeal in writing to the next level of line management within 10 working days of the decision being notified to them.
- 5.3 An appeal meeting will be arranged as soon as possible after the employee's appeal has been lodged in line with the timescales outlined in Section 2.3.
- 5.4 A representative from Human Resources will attend the meeting and the employee is entitled to be accompanied by a trade union representative or friend. The line manager who considered the flexible working request will be also be present at the meeting to answer any questions relating to their decision and / or outline the procedures which were followed. The appeal process is designed to be in keeping with the overall aim of encouraging both parties to reach a satisfactory outcome for the individual concerned and for the workplace.
- 5.5 The outcome of the appeal meeting will be communicated to the employee in writing within 10 working days of the date of the appeal meeting. The decision taken at the appeal hearing will be final, there is no further right of appeal.

POLICY SIGN-OFF AND OWNERSHIP DETAILS	
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Related Policies/Procedures:	Management of Sickness Absence Recruitment & Selection Maternity Leave and Pay Adoption Leave and Pay Paternity Leave and Pay Shared Parental Leave Policy

REVISION HISTORY			
Version	Date	Revision description/Summary of changes	Author
V2.0	September 2018	Revisions to reflect changes to timescales in line with ACAS guidance and transference to new template.	HR Manager
V2.1	October 2018	Changes made following consultation with Trade Union's at Procedures Meeting.	HR Manager