

## Flexible Working

The purpose of these notes is to provide guidance for managers on how to handle flexible working requests made by their staff members, provide additional sources of information and advice, and answers to typical questions about flexible working.

Flexible working arrangements can be beneficial to both employees and the University. Finding the right work-life balance is important for all of us in terms of motivation and commitment to our work.

### **General advice on handling requests**

The decision to accept any request for flexible working is at the discretion of the manager, taking into account all of the relevant factors.

Try to keep an open mind and view requests positively and objectively, as they may open up new possibilities in the way that the service is provided.

Once a request is made, the manager should arrange a meeting with the member of staff as soon as practicably possible. The aim of the discussion is to explore the potential benefits of the request, the impact it may have on the service or the rest of the team, and how it might be accommodated.

Remember that this procedure deals with formal flexible working requests. Not all forms of flexible working will be, or need to be, raised through this policy. For example, you may reach an informal arrangement with a member of staff that they work from home on an occasional basis or minor alterations to normal hours of work. In these cases, it is not always necessary to have a formal process or change to terms and conditions of employment.

Alternatively, flexibility may not necessarily be about changes to working hours, but working practices. For example, a member of staff with caring responsibilities may need to have access to a phone or to take calls during working hours. It would however be good practice to record such agreements.

## **Managing flexible working meetings**

If a request can immediately be agreed, there is no requirement to hold a formal meeting. A commencement date can be agreed, and Human Resources should be notified to ensure that any contractual and benefit changes are applied.

The flexible working meeting provides an opportunity for the manager to explore with the member of staff exactly what changes they are seeking and how these might be accommodated. The discussion allows them to explain the reasons that they are seeking the change, if they choose to. The meeting should also provide the opportunity to ensure that the proposal put forward is the best solution – and explore options.

As the nature of the discussion is confidential and potentially sensitive, meetings should always be held in private at a mutually convenient time.

The purpose of the meeting is to engage in practical dialogue about the request, explore options, to ensure that there is sufficient information to fully consider the request and enable a decision to be made.

Prior to the meeting, it is recommended that the manager consider the following:

- how the request could be accommodated
- whether any specific advice is required from Human Resources
- any potential benefits or challenges that will result from the request if it is approved
- consider what questions if any you need to put to the individual about their proposal
- assessment of future staffing plans, forthcoming projects or workloads.

Managers are free to explore alternative suggestions in order to find a compromise solution. It is also advisable to agree temporary changes or trial periods if it is not immediately clear whether the flexible arrangements will work.

Remember that a work based colleague or trade union representative may accompany the member of staff to any formal meetings.

It is good practice to take notes at the meeting to ensure an accurate record of the discussion.

## Decisions

Before making a decision, it is important to consider the following:

- the impact the decision will have on the member of staff if the request is rejected
- the staff member's individual circumstances and their needs, as well as the needs of the University
- the impact of the potential changes on the University, students or staff
- if applicable, how the work will be covered or managed
- whether a trial period is appropriate
- any budget implications.

It is okay for you to explore alternative options with the member of staff. For example, if they have requested certain hours of work that may not be suitable, you can propose different hours that may work for both parties. It might also be necessary to explore the options before making a decision. Where a member of staff requests a job share or to work part time, you may wish to explore the possibility of recruitment or even advertising for a job share partner.

Having considered the changes requested and weighing up the advantages, possible costs and potential logistical implications of granting the request, the manager must let the member of staff know their decision

as soon as possible. This must be done in writing but a face to face meeting is also recommended. The decision will be one of the following:

- accepting the request and establishing a start date / any other actions.
- commencing a trial period in order for a decision to be made in due course.
- rejecting the request, setting out clear business reasons and the appeals process.

If the request is accepted, the member of staff and manager can agree a mutually acceptable start date for the new arrangements. Once accepted the new arrangement becomes a contractual change to terms and conditions of employment.

If a trial period is agreed, it is important to determine the length of the trial at the outset. This should also be agreed between both parties, and should be long enough to accurately determine whether the arrangements will work longer term and can therefore be approved. The new arrangements should be reviewed on an ongoing basis during the trial. Trials normally last between one and three months, but if this isn't long enough (for example, a request needs to be judged over a whole semester, or the individual takes some sick leave) then a longer period may be agreed.

If a request is rejected the manager must write to the member of staff to outline the reasons why the request is rejected. See the Flexible Working Policy and Procedure for the full list of reasons why a flexible working request may be rejected. Human Resources can provide advice on the drafting of any communication.

Once the decision is finalised, complete the manager section on the application form. When flexible working is agreed, notify HR Services who will write to confirm the contractual changes.

## **Managing flexible working**

Where flexible working is agreed, the key to making it a success is effective communication. The most important factor is that the work is completed to the necessary standards – not when and where the work is completed.

When working hours reduce, it will also be necessary to reduce workload proportionately. Consider how the work could be done in a different way. Also consider the impact on other team members, and in the case of academic staff, teaching allocations. Ensure that there is effective and regular dialogue on these points and that they are reflected in objectives.

It is good practice to:

- Discuss with the member of staff how they would like to communicate their new working arrangements to colleagues. Good communication can ensure that all staff are aware when (and where if applicable) their colleagues are working.
- Discuss how the member of staff would like to be kept up to date during any periods they are not working (for example, during term time only arrangements).
- Set clear and mutual expectations between both parties about how the flexible working arrangements will work in practice.

## Frequently Asked Questions

*One of my team has asked for the same flexible working arrangement that one of his colleagues is already undertaking. Do I have to say yes?*

No. You are required to consider the request based upon the factors set out in this guidance, but you do not have to approve a request because others have previously had an approved request for the same or similar flexible working arrangements.

*I am concerned about the potential operational impacts of a flexible working request. Can I say no?*

Yes. The Flexible Working Policy sets out the reasons that you may turn down a request for flexible working. If you are not sure what the impact might be, you can consider a trial period without any commitment to make this a permanent arrangement. A trial period may provide you with the information you need to either reject or accept a request.

*Will I set a precedent by agreeing to a flexible working request?*

No. Every request should be considered on its own merits at the time it is received. Saying yes to one request will not mean that you have to say yes to any future requests.

*One of my team made a request six months ago for flexible working. It was agreed, but he has now made a subsequent request. Do I need to follow the process again?*

Generally speaking, no. Only one request can be made in twelve-month period. This individual will therefore be eligible to make another request in a further six months, unless exceptional circumstances apply and you wish to exercise your discretion to allow a further request to be made. It would be good practice to ask why a second request is being made before making a decision.

*It is going to be very difficult to assess whether or not the flexible working arrangement requested will work. What should I do?*

Consider a trial period. During a trial period there is no formal change to terms and conditions of employment. The length of a trial can be agreed between you and the individual; what is most important is that it is long enough to give you both time to assess the success of the arrangement. If the arrangement is not successful at the end of the trial, the individual will revert to their previous contractual working arrangements. This amounts to a refusal of the request. If the trial is a success, the working arrangements can be confirmed.

*One of my team wants to work from home some of the time. Does this need to be considered as a flexible working request?*

Not necessarily. If the individual simply wants to work from home on an occasional basis for any reason, this can be an informal agreement between the two of you. If this is a permanent request to work from home then it will be sensible to ask them to make a formal flexible working request. You will need to then assess the implications of this request.

*I have had two requests at the same time. How do I approach this?*

Requests should be considered in the order in which they are received. If the first request is approved this will naturally change the context in terms of the second request. There is no requirement on you to make a decision based on the most deserving request, simply consider each request on its own merits in order.

*What if I agree to a request and in the future it causes problems for the department or other colleagues?*

Once a request is agreed, it is a permanent change to terms and conditions of employment. As with any other member of staff, there is nothing to prevent you having open dialogue with anyone to identify if changes can be made to working patterns to accommodate the needs of the University or its students. There is however no automatic right to require members of staff to return to previous working arrangements.

*Can I suggest an alternative arrangement to the one the member of staff has put forward in their request?*

Yes. As part of your meeting dialogue, it is acceptable for you to discuss whether there are any other alternatives.

## **Related Documents**

Flexible Working Policy and Procedure