

## Flexible Working Policy and Procedures

### 1. Purpose

- 1.1 This policy sets out the University of Manchester Conferences Ltd (UMC Ltd) (“the company”) 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.
- 1.2 The company recognises that flexible working can provide benefits to both the employee and the workplace, and aims to support employees where possible/practical to manage the balance between work and home life.

### 2. Scope

- 2.1 All employees have a statutory right to request a change to their contractual terms and conditions of employment to work flexibly subject to the eligibility conditions set out below.
- 2.2 Requests for flexible working may be for any reason and are not restricted to employees with family care commitments; employees may seek flexible working in order to undertake training, reduce commuting time, reduce their working hours on the run up to retirement or to take up a hobby or interest.
- 2.3 Requests for reasonable adjustments to working hours associated with ill health or disability may be dealt with under the Sickness and Absence Policy and Procedures in appropriate cases.
- 2.4 This policy is non-contractual and may be amended at any time.

### 3. Eligibility

- 2.1 In order to make a request under this policy an employee must:
  - i. Be employed by UMC Ltd and therefore this policy does not include individuals who are agency workers
  - ii. Have worked at UMC Ltd continuously for 26 weeks at the date the application is made

- iii. Not normally have made another statutory request under this policy in the preceding 12 month period.

2.2 At their discretion, managers may accept requests sooner than 26 weeks continuous service when they consider it is appropriate to do so.

#### **4. Principles**

- 4.1 An employee does not have a right to work flexibly but has a right to request to do so.
- 4.2 The company will try to accommodate requests where possible and may also, if appropriate, explore alternative flexible arrangements with the employee in order to reach a mutually beneficial arrangement.
- 4.3 All requests will be considered as quickly as possible. This will normally be within a calendar month of the line manager receiving the request. The whole process including any possible appeal against the decision must be conducted within a maximum period of 3 calendar months. This timescale may be extended if necessary with the agreement of both parties, for example to allow for a trial period if there are some concerns as to whether any new arrangements will work.
- 4.4 The term “flexible working” describes any working arrangements where the number of hours worked or the time or place that work is undertaken vary from the standard practice. This includes but is not limited to the following:
  - i. A change to the number of hours of work
  - ii. A change to the times when an employee is required to work
  - iii. To work from home
  - iv. A reduction in the working week
  - v. A shorter working year
  - vi. A job share arrangement (see 4.5)
  - vii. Work patterns such as, annualised hours, compressed hours, flexitime, shift working, staggered hours and term time working.
- 4.5 Job-sharing is quite different from part time work where the employee is individually responsible for the work. Job-sharers share all of the responsibilities of the post which they hold jointly. Pay, leave, etc. are split pro rata to the hours each work. Ideally each job sharer should work exactly half time.

- 4.6 Once approved, changes to working patterns will normally amount to a permanent change to the employee's contract of employment, unless otherwise agreed.
- 4.7 Employees have the right to be accompanied by a trade union representative or work colleague at all formal stages of this process.

## **5. The Decision**

- 5.1 Decisions will be based on whether or not a request can be granted on business grounds. The company's ability to provide an effective service will be paramount. The manager should always consult with Human Resources in cases where the application may be refused.
- 5.2 Not all working patterns or flexible working options will be suitable for all departments or units. It may also be difficult to accommodate flexible working requests from a number of employees in the same area.
- 5.3 Once a decision is reached the line manager will inform the employee of the outcome, which may be to:
- i. Agree to a new work pattern and a start date...
  - ii. ...or confirm a compromise agreed with the employee...
  - iii. ...or provide a clear business reason as to why the application cannot be accepted. This reason must be one of those listed below (see 8.2).
- 5.4 Decisions will be confirmed in writing (for details see application form and Guidance Notes for Managers).

## **6. Trial Periods**

- 6.1 Where it is not clear if a flexible working arrangement will be effective, or if both parties feel it would be beneficial, a trial period of new working arrangements may be offered to enable a full assessment of the impact of the request on the employee, department and colleagues.
- 6.2 The trial period will normally last between one and three months, but the length of the trial period will be specific in advance.
- 6.3 During the trial period, the changes to the employee's terms and conditions of employment will be regarded as temporary.
- 6.4 At the end of the trial period the employee and manager should meet to discuss and review it, and consider the continuance of the arrangements. The employee may, if they wish, be accompanied by either their Trade Union representative or a work place colleague.

6.5 Outcomes of this meeting may include:

- i. the new working arrangements will be approved and become permanent and contractual
- ii. the arrangements are not approved and the employee will be required to revert to their previous working arrangements
- iii. the manager may propose an alternative working arrangements which will ensure that the departmental objectives are met whilst still providing flexibility.

6.6 The outcome of the trial period will be confirmed in writing.

## **7. Temporary Working Arrangements**

7.1 Occasionally employees may need to request a temporary change to their working arrangements for a short period, for example to enable them to deal with a temporary or urgent situation.

7.2 As such needs may arise quickly, in these circumstances an employee should approach their manager informally in the first instance, outlining their request and the likely duration.

7.3 Managers should endeavour to respond to these requests as quickly as possible, applying the principles of this policy. Where temporary needs continue for longer than one month, they should be formalised through this policy.

7.4 At the end of any temporary changes, the employee will revert to their normal working pattern, and the manager must inform Human Resources of any agreed changes to ensure that any changes to salary are made.

## **8. Grounds for refusing a request**

8.1 The line manager should carefully consider the advantages, possible costs and potential logistical implications of any request

8.2 An application may only be rejected for one of the following business reasons:

- a) The burden of any additional costs is unacceptable
- b) An inability to reorganise work among existing staff
- c) An inability to recruit additional employees
- d) The company considers the change will have a detrimental impact on quality

- e) The company considers the change would have a detrimental effect on its ability to meet customer, student or service demand
- f) The company considers the change would have a detrimental impact on performance of the individual, the team or the business
- g) There is insufficient work during the periods that the employee proposes to work
- h) Where the requested changes will not fit in with planned structural changes

## **9. How to apply**

- 9.1 Before submitting a request to work flexibility, employees are encouraged to discuss their request informally with the manager in the first instance.
  - 9.2 Applications should be put in writing to the line manager using form FW1 (attached).
  - 9.3 On receipt of the written application the line manager will arrange to meet with the employee at a mutually convenient time and at the earliest opportunity. This will provide an opportunity to explore the desired work pattern in depth, and to discuss how this might be accommodated. It will also provide an opportunity to consider other alternative working patterns should there be problems in accommodating the desired work pattern outlined in the employee's application.
  - 9.4 The employee may, if they wish, be accompanied by either their Trade Union representative or a work place colleague. The line manager may, if they wish, be accompanied by a representative from Human Resources.
  - 9.5 Should the employee be unable to attend the meeting, a further meeting will be arranged. However if they fail to attend again without good reason then the application will be considered to be withdrawn and the employee will be informed of this decision.
- 10.6 If there is likely to be any delay in considering the request, the manager will keep the employee informed.

## **9. Appeals Procedure**

- 9.1 The employee may appeal the decision within 10 working days of the decision being notified to them. The grounds for the appeal should be put in writing to the UMC-designated HR (Human Resources) Partner.
- 9.2 A representative from the University's HR team (not previously involved with the application) will review the application. They may request further information and/or evidence and also wish to meet with the employee and/or the line manager. The employee may be accompanied by either

their Trade Union representative or a work place colleague at any meeting they are invited to attend.

9.3 The HR representative will review whether the line manager was justified in refusing the request.

9.4 The HR representative will notify the employee of the outcome of the appeal in writing within 20 working days of being asked to review the application. Their decision will be final.

## **10 Terms and Conditions**

10.1 Where a flexible working request which results in a reduction in working hours is approved, the employee's salary and benefits will be pro-rated to reflect the new working hours.

10.2 In the case of the shorter working year, the pro-rated salary will be paid over a 12 month period. Annual leave will be pro rata to complete months worked.

10.3 A successful application will result in a permanent change to the employee's terms and conditions of employment. However, there may be occasions where it may be appropriate to agree either:

- i. an agreed trial period (section 6)
- ii. a temporary change (see section 7.)

10.4 The company's ability to offer and continue a job share arrangement depends on finding a suitable job share partner through the normal recruitment processes.

10.5 If one partner in a job share arrangement leaves the company will offer the post as a whole time post to the remaining job sharer, or seek to recruit a replacement. If this is not possible and the requirement is for a whole time post, the company will make all reasonable efforts to redeploy the remaining job share partner.

## **10. Monitoring**

Where changes in employment legislation occur that directly affect this policy and procedure these will be reflected within the updating of its contents at the earliest achievable time, following consultation with the UMC Board, and communication with UMC employees and any recognised trade unions. The policy does not form part of any employee's contract of employment.

## **Application to Work Flexibly Form**

It will help your line manager to consider your request if you provide as much information as you can about your desired working pattern.

Consider what effect your proposed change in working pattern will have both on the work that you do and on your colleagues, and how this change might be accommodated.

Name: .....

Employee Number: .....

Job Title: .....

Department.....

I have worked continuously as an employee of UMC Ltd for the last 26 weeks. Yes/No

Date of any previous request to work flexibly .....

**Reason for request: (tick appropriate boxes)**

1. Childcare

I have responsibility for the upbringing of either:

- a child 16 or under [ ]
- or a disabled child under the age of 18 [ ]

I am the mother, father, adopter, guardian, special guardian or foster parent of the child [ ]

- or I am married to, or the partner or civil partner of, the child's mother, father, adopter, guardian, special guardian or foster parent [ ]

Or

2. Caring responsibilities for an adult

I am, or expect to be, caring for an adult for whom I am:

- the spouse, partner, civil partner or relative of the adult in need of care [ ]
- or not the spouse, partner, civil partner or relative of that adult, but live at the same address [ ]

Or

3. Other, state reason for request

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**Describe your current working pattern (days/hours/times worked):**

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**Describe the working pattern you would like to work in future (days/hours/times worked):**

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**I would like this working pattern to commence from:**

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**What effect do you think the proposed change would have on the service/colleagues and how do you feel any such effect might be dealt with?**

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Signature:.....Date:.....

Send completed application to your Line Manager.

| Document control box                               |   |
|--|---|
| Policy / Procedure title:                          | Flexible Working Policy & Procedure   |
| Date approved:                                     |   |
| Approving body:                                    | UMC Ltd Board of Directors  |
| Version:   | 2   |
| Supersedes:  | Flexible Working Policy & Procedure , August 2017   |
| Previous review dates:                             | September 2010, August 2014   |
| Next review date:                                  |   |
| Equality impact outcome:                           |   |
| Related Statutes, Ordinances, General Regulations: |   |
| Related policies:                                  |   |
| Related procedures:                                | Shared Parental Leave<br>Maternity / Adoption Leave Policies<br>Paternity Leave Policy<br>Parental Leave Policy<br>Career Break Policy<br>Retirement Policy |
| Related guidance and or codes of practice:         | (University of Manchester)<br>Flexible Working Requests – Guidance for Managers<br>Flexible Working Requests – Guidance for Staff                           |
| Related information:                               |   |
| Policy owner:                                      | Director of Human Resources   |
| Lead contact:                                      | Andrew Stephens, Human Resources Manager  |