



## **Flexible Working Policy and Procedure**

### **1. Introduction**

- 1.1 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.
- 1.2 The University recognises that flexible working can provide benefits to both members of staff and the University, and aims to support staff where possible to manage the balance between work and home life.

### **2. Scope**

- 2.1 All members of staff 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 staff with family or 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 also 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. Roles and Responsibilities**

- 3.1 It is the responsibility of the manager to consider requests in accordance with this policy, and respond to the member of staff in a reasonable period.

- 3.2 It is the responsibility of the member of staff to ensure that they following the process outlined in this policy, and to provide as much information as possible to ensure that their request can be fully considered.

#### **4. Eligibility**

- 4.1 In order to make a request under this policy a member of staff must:
- Be employed by the University.
  - Not normally have made another statutory request under this policy in the preceding 12 month period. Managers may however use their discretion in exceptional circumstances.
  - Have worked at the University continuously for 26 weeks at the date the application is made.
  - At their discretion, managers may accept requests sooner than 26 weeks continuous service when they consider it is appropriate to do so.

#### **5. Principles**

- 5.1 A member of staff does not have a right to work flexibly but has a right to request to do so. The University will try to accommodate requests where possible and may also, if appropriate, explore alternative flexible arrangements with the member of staff in order to reach a mutually beneficial arrangement.
- 5.2 All requests will 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 conducted 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 if there are some concerns as to whether any new arrangements will work.
- 5.3 Once approved, changes to working patterns will normally amount to a permanent change to the staff member's contract of employment, unless otherwise agreed.
- 5.4 Staff have the right to be accompanied by a trade union representative or work colleague at all formal stages of this process.

## **6. Definitions**

6.1 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 standard practice. This includes but is not limited to the following:

- a change to the number of hours of work
- a change to the times of work
- to work from home either permanently or for an agreed number of days per week or month
- a reduction in the working week
- a shorter working year
- a job share arrangement. 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, and other benefits are split pro rata to the hours each work. Normally each job sharer should work exactly half time.
- work patterns such as, annualised hours, compressed hours, flexitime, shift working, staggered hours and term time working.

## **7. Temporary Working Arrangements**

7.1 It is recognised that occasionally, staff 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. As such needs may arise quickly, in these circumstances staff should approach their manager informally in the first instance, outlining their request and the likely duration. 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.

7.2 At the end of any temporary changes, the member of staff will revert to their normal working pattern. The manager should inform Human Resources of any agreed changes to ensure that any changes to salary are made.

## **8. Application Process**

- 8.1 Before submitting a request to work flexibility, staff are encouraged to discuss their request informally with the manager in the first instance.
- 8.2 Applications should be put in writing to the line manager using form FW1.
- 8.3 Upon receipt of a request, the manager will consider it carefully, taking into account the potential benefits and weighing them up against any adverse impact of the proposed changes. Decisions will be based on whether or not a request can be granted on business grounds. The University's ability to provide an effective service will be paramount.
- If the manager can approve the request straight away, there is no need to have a meeting unless the manager chooses to do so. The manager will notify HR Services of any changes and this will be confirmed in writing to the member of staff.
  - Where the manager requires further information or discussion, they should arrange to meet with the member of staff at a mutually convenient time to discuss the request in more detail. 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 application. The manager may be accompanied by a member of Human Resources if they wish.
- 8.4 Should the member of staff 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.
- 8.5 If there is likely to be any delay in considering the request, the manager will keep the employee informed.

## **9. Trial Periods**

- 9.1 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 member of staff, department and colleagues.
- 9.2 The trial period will normally last between one and three months. The length of the trial period will be specific in advance.

- 9.3 During the trial period, the changes to the staff member's terms and conditions of employment will be regarded as temporary.
- 9.4 At the end of the trial period the member of staff and manager should meet to discuss and review it, and consider the continuance of the arrangements. Outcomes of this meeting may include:
- the new working arrangements will be approved and become permanent and contractual
  - the arrangements are not approved and the member of staff will be required to revert to their previous working arrangements
  - the manager may propose an alternative working arrangements which will ensure that the departmental objectives are met whilst still providing flexibility.
- 9.5 The outcome of the trial period will be confirmed in writing.

## **10. The Decision**

- 10.1 Once a decision is reached the manager will inform the member of staff of the outcome in writing, which may be to:
- agree to a new work pattern and a start date
  - agree a trial period of proposed working arrangements
  - confirm a compromise agreed with the member of staff
  - provide a clear business reason as to why the application cannot be accepted. This reason must be one of those listed below.

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

- 11.1 The manager should carefully consider the advantages, possible costs and potential logistical implications of any request. Advice is available from Human Resources.
- 11.2 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 several staff members in the same area. Each case will be considered on its own merits in the order in which it was received.
- 11.3 An application may only be rejected for one of the following business reasons:
- the burden of any additional costs is unacceptable
  - an inability to reorganise work among existing staff
  - an inability to recruit additional staff

- the University considers the change will have a detrimental impact on quality
- the University considers the change would have a detrimental effect on its ability to meet customer, student or service demand
- the University considers the change would have a detrimental impact on performance of the individual, the team or the University
- there is insufficient work during the periods that the employee proposes to work
- where the requested changes will not fit in with planned structural changes

## **12. Appeals Procedure**

- 12.1 The member of staff may appeal the decision within 10 working days of the original decision being notified to them. The grounds for the appeal should be put in writing to the appropriate Faculty/Directorate Head of Human Resources who will appoint a suitable manager to hear the appeal, which will normally be a manager more senior to the person who made the initial decision.
- 12.2 A representative from Human Resources (not previously involved with the application) will provide guidance and support to the appeal manager. The appeal manager may, as they feel necessary, request further information and/or evidence, and may wish to meet with the employee and/or the manager. The appeal manager will make a final decision on whether the appeal should be allowed or rejected.
- 12.3 The appeal manager will notify the employee of the outcome of the appeal in writing within 20 working days of the appeal decision. Their decision will be final.

## **13. Terms and Conditions**

- 13.1 Where a flexible working request which results in a reduction in working hours is approved, salary and benefits will be pro-rated to reflect the new working hours. In the case of the shorter working year, the pro-rated salary will be paid over a 12 month period.
- 13.2 Other benefits, for example holiday, will be also be pro-rated.
- 13.3 The University's ability to offer and continue a job share arrangement depends on finding a suitable job share partner through the normal recruitment processes. If one partner in a job share arrangement leaves the University 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 University will make all reasonable efforts to redeploy the remaining job share partner.

## 14. Monitoring

- 14.1 The policy will be reviewed regularly and may be amended as appropriate following consultation with the University recognised Trade Unions. The policy does not form part of any contract of employment.

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