



Flexible Working – Guidance for Managers

Purpose of Notes

The purpose of these notes is to provide guidance for managers on how to handle flexible working requests made by their employees, 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.

Managers should 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, if a manager believes that they can agree to the request, it is good practice to offer the employee a meeting which can help ensure all relevant information is understood so that an appropriate arrangement is agreed and implemented effectively.

If a manager is unable to agree to the request immediately, the manager should arrange a consultation meeting with the employee as soon as practicably possible and communicate a decision within a month of receiving the request. 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 an employee for 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, especially if it only for a temporary period of time.

Alternatively, flexibility may not necessarily be about changes to working hours but working practices. For example, an employee 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, whilst there is no requirement to hold a formal consultation meeting, it is good practice to offer the employee a meeting which can help ensure all relevant information is understood so that an appropriate arrangement is agreed and implemented effectively.

If it can be agreed, a commencement date should be agreed, and Employment Services should be notified to ensure that any contractual and benefit changes are applied. Managers can do this by emailing the appropriate contact:

- Science and Engineering: People.EmploymentServicesFSE@manchester.ac.uk
- Biology, Medicine and Health: People.EmploymentServicesFBMH@manchester.ac.uk
- Humanities: People.EmploymentServicesFHUM@manchester.ac.uk
- Professional Services and Cultural Institutions:
People.EmploymentServicesPSCI@manchester.ac.uk

The Employment Relations (Flexible Working) Act 2023 places an obligation on the University to consult with the employee before refusing a flexible working request. Therefore, unless a manager decides to agree to the employee's written request in full, managers must consult the employee before a final decision is made. In such cases, managers should invite the employee to a consultation meeting to discuss the request. The employee can be accompanied by a trade union representative or work colleague.

The consultation meeting provides an opportunity for the manager to explore with the employee 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 all relevant 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 a member of the People and OD Directorate
- 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 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.

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

All requests should be considered as quickly as possible, with a decision reached and communicated ideally within one calendar month of the manager receiving the request, unless there are exceptional circumstances for why this is not possible.

From April 2024, all requests, including any appeals, **must** be decided within a period of **two months** from when managers first receive the request, unless it has been mutually agreed to extend this period. If an extension is agreed, this should be confirmed in writing to the employee.

Decisions

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

- The impact the decision will have on the employee if the request is rejected
- The employees 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 and encouraged for managers to explore alternative options with the employee. For example, if they have requested certain hours of work that may not be suitable, the manager can propose different hours that may work for both parties. It might also be necessary to explore the options before making a decision. Where an employee requests a job share or to work part time, the manager 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 employee 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 action.
- 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 employee 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 employee 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. A member of People and OD Directorate can provide advice on the drafting of any communication.

Once the decision is finalised, managers must complete the manager section on the FW1 application form. When flexible working is agreed, notify Employment Services who will write to confirm the contractual changes. Notes of the meeting should be retained.

The employee has the right to appeal the outcome of a flexible working request. All requests, including any appeals, must be decided within a period of two months from when the manager first receives the request, unless it has been mutually agreed to extend this period.

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 employees 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 employee how they would like to communicate their new working arrangements to colleagues. Good communication can ensure that all employees are aware when (and where if applicable) their colleagues are working.
- Discuss how the employee 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 their 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, however as per Section 11 of the Flexible Working Policy, you must hold a consultation meeting and you should explore all potential options and alternatives with the employee. Section 14 of 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 they have now made a subsequent request. Do I need to follow the process again?

Employees can make two flexible working requests in a 12-month period. If you are able to accommodate the further request immediately it is best practice to have a meeting with the employee to agree the request and finalise all the necessary changes as a result of the request. If you are unsure whether you can accommodate the new request, then you should follow the formal process and hold a consultation meeting with the employee. Employees will not be able to make another request if one is still in process **unless** any of the following occur:

- a decision about the request has been made and this has been confirmed to the employee
- the request is withdrawn
- an outcome is mutually agreed and confirmed
- the statutory two-month period for deciding requests ends

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 and made a permanent change.

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. PS staff can informally discuss with you what home working options may be available, taking into consideration the nature of their role, via the [Hybrid Working Framework](#)

For our non-PS staff, 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 employee, 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 employees to return to previous working arrangements.

Can I suggest an alternative arrangement to the one the employee 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.

I have received a request from a new starter with less than 26 weeks service, can I decline on this basis?

No, every eligible employee has a statutory right to request flexible working. This right applies from the first day of employment.

Does the employee have to explain how the request may affect the University/department?

No, further to the Employment Relations (Flexible Working) Act 2023, employees will no longer have to explain in their written application how the request will affect the business and how these effects can be mitigated.

Related Documents

[Flexible Working Policy and Procedure](#)

[ACAS Code of Practice 2024](#)