

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 employees and the University and aims to support employees where possible 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 from the first day of employment 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 or care commitments. For example, employees may seek flexible working to undertake training, 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 and associated policies and procedures do not form part of any employee's contract of employment and may be updated at any time.
- 2.5 This policy is not to be used for the purpose of employees who are requesting to work abroad. For such requests, employees and line managers are advised to consult the [Staff Working Abroad guidance](#) document and application form.

3. Roles and Responsibilities

- 3.1 It is the responsibility of the manager to liaise with their People and OD Partner upon receipt of a flexible working request and consider requests in accordance with this policy and any associated guidance documents.
- 3.2 It is the responsibility of the manager to respond to the employee within the prescribed timescales outlined in the principles below.
- 3.3 It is the responsibility of the employee 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. Requests for Hybrid Working

- 4.1 If an employee, or a team wish to explore the possible option of hybrid working, please see the [Hybrid Working Framework](#) for more information.
- 4.2 In situations whereby a line manager receives flexible working requests for hybrid working from within their team/department/unit, then they are advised to consider these requests in line with the [Hybrid Working Framework](#) in the first instance.

5. Eligibility for Flexible Working

- 5.1 In order to make a request under this policy an employee must:
 - Be employed by the University (inclusive of all grades).
 - Eligible employees can make two requests within any 12-month period. If an employee has submitted a flexible working request within this period they must wait until that one has been considered, a decision has been made, and any appeal has been dealt with, before submitting another.

6. Principles

- 6.1 An employee 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 employee in order to reach a mutually beneficial arrangement.
- 6.2 All requests will 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, in which case the employee will be kept updated by their manager.
- 6.3 Any subsequent appeal made by an employee against the decision must be concluded within a **maximum period of two 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. If an extension is agreed, this should be confirmed in writing to the employee.
- 6.4 Once approved, changes to working patterns will normally amount to a permanent change to the employees contract of employment, unless otherwise agreed.
- 6.5 Employees have the right to be accompanied by a trade union representative or work colleague at all formal stages of this process.
- 6.6 When faced with competing flexible working requests, managers will consider each case based on its own merits and in the order in which they were received.

7. Definitions

- 7.1 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, or days of work

- to work from home permanently
- 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.

8. Temporary Working Arrangements

8.1 It is recognised that 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. As such needs may arise quickly, in these circumstances employees 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 three months, they should be formalised through this policy.

8.2 At the end of any temporary changes, the employee will revert to their normal working pattern.

8.3 Managers are required to inform People and OD of any temporary agreed changes to ensure that any necessary changes to salary are made. This can be done by completing and submitting a [FW1 Form](#) to the relevant Employment Services Faculty or Professional Service email:

- 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

9. Flexible Retirement

- 9.1 If you are aged 55 or over then you may be eligible for flexible retirement. Flexible retirement allows you to access a proportion of your pension benefits whilst continuing to work at the University.
- 9.2 In order to apply for flexible retirement you will need to submit a flexible working request that encompasses a reduction in your hours/salary, which is in accordance with the amounts set out in the flexible retirement provisions of your pension scheme.
- 9.3 If your request for flexible working is declined then you would not be eligible to apply for flexible retirement.
- 9.4 For further details please contact [the pensions team](#).

10. Application Process for Flexible Working

- 10.1 Before submitting a request to work flexibly, employees are encouraged to discuss their request informally with their manager in the first instance.
- 10.2 Applications should be put in writing to the line manager using the [FW1 Form](#) .
- 10.3 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.
- 10.4 If the manager can approve the request immediately, although there is no need to have a consultation meeting (as per Section 11), 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.
- 10.5 If the manager has been able to approve the request immediately, they should notify People and OD of any changes, and this will be confirmed in writing to the employee. This notification should be sent to Employment Services email address as confirmed in 8.3.

11. Consultation Meeting

- 11.1 Where the manager requires further information or discussion, they should arrange a consultation meeting with the employee to discuss the flexible working request in more detail and to ensure that all relevant information is understood before a decision is made. The meeting should be held without unreasonable delay and confirmation of the time and place of the meeting should be provided in advance.
- 11.2 This meeting 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 or potential modifications to the original request that may be suitable for both parties should there be any challenges in accommodating the desired work pattern outlined in the application. The manager may be accompanied by a member of People and OD Directorate if they wish
- 11.3 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 in writing.
- 11.4 If there is likely to be any delay in considering the request, the manager will keep the employee informed.

12. Trial Periods

- 12.1 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.
- 12.2 The trial period will normally last between one and three months. The length of the trial period will be agreed in advance.
- 12.3 During the trial period, the changes to the employees terms and conditions of employment will be regarded as temporary.
- 12.4 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. 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 employee 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.

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

13. The Decision

13.1 Once a decision is reached the manager will inform the employee 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 employee;
- provide a clear business reason as to why the application cannot be accepted. This reason must be one of those listed below.

14. Grounds for refusing a request

14.1 The manager should carefully consider the advantages, possible costs and potential logistical implications of any request. Advice is available from your [People and OD Partner](#).

14.2 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 employees in the same area. Each case will be considered on its own merits in the order in which it was received.

14.3 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 employees
- an inability to recruit additional employees
- 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

15. Appeals Procedure

- 15.1 The employee 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/Head of People and OD 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.
- 15.2 A representative from People and OD (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.
- 15.3 The appeal manager will notify the employee of the outcome of the appeal in writing within 10 working days of the appeal decision. Their decision will be final.

16. Terms and Conditions

- 16.1 Where a flexible working request is approved, which results in a reduction in working hours, salary and benefits will be pro-rated to reflect the new working hours. In the case of the shorter working year e.g. term time hours, the pro-rated salary will be paid over a 12-month period.
- 16.2 Other benefits, for example holiday entitlement, will also be pro-rated.
- 16.3 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.

17. Monitoring

17.1 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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Related policies:	Special Leave Policy Sickness Absence Policy
Related procedures:	
Related guidance and or codes of practice:	Hybrid Working Framework Hybrid Working – Managers FAQ'S Hybrid Working – Staff FAQ'S ACAS Code of Practice
Related information:	
Policy owner:	Directorate of People and Organisational Development
Lead contact:	People and OD Policy Manager

Flexible Working Application Form (part 1) FW1

Please give completed form to your line manager

Employee Name:	
Employee Number:	
Job Title:	
Organisational Unit/School:	
I have made a previous flexible working request in the last 12 months. *Please note that you can make 2 flexible working requests in a 12 month period.	Yes <input type="checkbox"/> No <input type="checkbox"/>
If you have answered yes to the above, please confirm the date that the request was completed (i.e. a decision confirmed, and any appeal process completed).	Date:
Describe your current working pattern (days/hours/times worked):	
Describe the working pattern you would like to work in future (days/hours/times worked):	
I would like this working pattern to commence from:	
Is there any additional information you wish to provide to support your application?	
Flexible Retirement – if you are over 55, are you considering drawing some of your pension if your flexible working request is agreed? (Please note this will not influence the decision regarding your flexible working request, but will help us to provide you with appropriate information.) It is your responsibility to contact the Pensions Office to find out if you are eligible and to obtain estimates. If your flexible working request is agreed, you will need to submit an application to obtain your pension. For details see: Retirement/Employment Options after age 55	Yes <input type="checkbox"/> No <input type="checkbox"/>
Signature:	

Date:

Flexible Working Application Form (part 2)
-Part 2

To be completed by line manager

Employee Name:			
Employee Number:			
Job Title:			
Organisational Unit/School:			
Flexible working arrangements agreed (provide full details of new arrangements):			
Permanent change to contractual terms	<input type="checkbox"/>	Start date:	
Temporary change to contractual terms	<input type="checkbox"/>	Start date:	End date:
If temporary, provide explanation:			
Manager name (print):			
Manager signature:		Date:	
Manager to send this form to Employment Services:			
<p>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 & Cultural Institutions: People.EmploymentServicesPSCI@manchester.ac.uk</p>			
The relevant Employment Services Team will confirm contractual changes in writing to employee and make necessary changes to payroll and employee record			

Flexible working arrangements rejected	
Reason for rejection section (refer to section 14.3 of the Flexible Working Policy).	
Explain reasoning:	

Further comments:	
Manager name (print):	
Manager signature:	Date:
<i>Manager writes to employee giving full explanation. Retain this form on file locally.</i>	