

FLEXIBLE WORKING POLICY

AIM

The aim of this policy is to set out the employee's and the Organisation's obligations which must be fulfilled where an employee wishes to make a request to change his/her hours of work and/or working arrangements.

This policy is applicable to all employees of the Organisation who wish to make a request for flexible working and who meet the eligibility requirements as detailed below.

PRINCIPLES

- The Organisation wishes to detail the eligibility requirements and the procedures to be followed should an employee wish to make a request for flexible working.
- The Organisation will carefully and objectively consider any request from an eligible employee to change his/her working hours and/or arrangements.

ELIGIBILITY

In order to make a flexible working request, an employee must:

- have continuously worked for the Organisation for 26 weeks as at the date that an application is made
- not made an application in the preceding 12 month period

PROCEDURE

Making an application

Where an employee meets the eligibility requirements as detailed above he/she can make a request to:

- change his/her hours of work
- change his/her times when he/she is required to work; or
- work from home either for all or part of the week.

Any such request must be made in writing and contain the following information:

- state that the application is being made in accordance with his/her statutory right to make a flexible working request
- specify the flexible working pattern which is being applied for and whether the application is for a temporary or permanent change;
- explain the effect, if any, that the proposed change will have on the Organisation and how he/she thinks any such effect may be dealt with;
- state the date the application is being made and the date on which it is proposed the change should become effective;
- state whether a previous application has been made to the Organisation and, if so when it was made;
- state, if applicable, that the application is in relation to the Equality Act 2010, for example, as a reasonable adjustment for a disability.

It is important when making a flexible working request that the employee provides as much information as possible to the Organisation so as to assist in the consideration of the request.

The Organisation has a responsibility to carefully consider all flexible working applications and will endeavour to establish whether the desired work pattern can be accommodated within the needs of the business.

The Organisation will endeavour to complete the consideration process within three months of first receiving the request, including any appeal.

Once an application has been received, the Organisation may arrange for a meeting to discuss the application with the employee, however if the Organisation intends to approve the request a meeting may not be necessary.

Alternative suggestions may be explored at this meeting. Where a number of employees seek to work flexibly it may be appropriate to consider some form of selection, alternative arrangements or to ask those who are already working flexibly whether they would volunteer to revert to less flexible arrangements.

The employee may be accompanied by a work colleague at the meeting and the manager may also be accompanied.

Following the meeting the Organisation will write to the employee informing him/her of the decision.

- Where a change to hours or working arrangements has been agreed, these changes will be confirmed in writing to the employee and where necessary a revised contract of employment will be issued.
- If a temporary change or a change on a trial basis is agreed the Organisation will confirm the period of the arrangement and, where appropriate, set review point(s) to discuss how the new arrangements are working.
- If at the review date or at any stage during any trial period the Organisation and/or the employee feels that the new arrangements are not working out then a meeting will be arranged to discuss the way forward. The employee may be accompanied at this meeting by a work colleague and the manager may also be accompanied.

The outcome of the meeting may result in:

- a return to the employee's previous contracted hours and/or working arrangements
- a revised change to hours and/or working arrangements
- a extension of the trial period
- Where the employee's flexible working request has been turned down the employee will be given the right to appeal against this decision. If the request to work flexibly has been rejected the Organisation will explain how it is based on one or more of the following reasons:
 - the burden of additional costs
 - an inability to reorganise work
 - an inability to recruit additional staff

- a detrimental impact on quality or performance or to meet customer demand
- insufficient work for the periods the employee proposes to work
- a planned structural change to the business.

WITHDRAWAL OF THE APPLICATION TO WORK FLEXIBLY

Where an employee wishes to withdraw his/her application this must be done in writing to his/her manager. Where an application is withdrawn a further request for flexible working cannot be made for another 12 months.

Where an employee fails to turn up to a meeting on more than one occasion and fails to notify the Organisation as to the reasons for this, the Organisation may treat the employee's application as being withdrawn. In these circumstances the Organisation will write to the employee stating that the application has been withdrawn.

APPEALS PROCEDURE

An employee who wishes to appeal against the decision made in relation to his/her right to request flexible working, should do so within 7 calendar days from receipt of the written decision. The appeal must be made to the manager detailed in the written confirmation. The manager hearing the appeal will be of an appropriate level to, if necessary, overturn the original decision. The Organisation may appoint a third party to hear the appeal. An appeal will usually be made on the following grounds:

- that the business reasons were not sufficiently explained
- there were facts which the Organisation was not aware of when the decision to reject the request was made

The employee will be invited to attend an appeal hearing at which he/she may be accompanied by a work colleague. The manager hearing the appeal may also be accompanied.

If the appeal is upheld then the revised working hours and/or arrangements will be confirmed in writing to the employee and where necessary a revised contract of

employment will be issued. If the appeal is not upheld the Organisation will write to the employee confirming this.

The appeal decision will be final.

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