



Flexible Working Policy

This policy has been developed in line with the statutory right to request flexible working under the Children and Families Act 2014.

We will try to accommodate flexible working requests where we can; each request will be considered individually on a case by case basis, taking into account the circumstances existing at the time of the request and business and operational needs.

We will deal with any requests for flexible working in a timely manner and within a 3 month time frame unless it is agreed to extend this.

[We may at our absolute discretion consider a flexible working request on an informal basis outside of this formal procedure.]

This policy applies to employees. It does not apply to agency workers, consultants or self-employed contractors.

1. What is flexible working?

There are different types of flexible working for example: changes to:

- a. the hours/ days you work e.g. reduced or compressed hours or days;
- b. the times you are required to work;
- c. where you are required to work e.g. remote working from home.

2. Who can make a flexible working request?

To be eligible to make a request under the formal procedure, you must:

- a. be an employee
- b. have 26 weeks' continuous service; and
- c. have not made a formal request to work flexibly in the last 12 months

3. How do I make a flexible working request?

To make an application you must:

- a. put your request in writing, signed and dated;
- b. state that you are making a formal request under the statutory procedure;
- c. confirm whether or not you have made a previous request under the statutory procedure and confirm that you have not made a request in the past 12 months;

- d. state also whether you are making your request under the Equality Act 2010 e.g. whether you are making a request for reasonable adjustments because of a disability;

You should send your request to [your line manager **OR** [HR]].

4. What should be covered in the request?

It would be helpful for both you and [your line manager **OR** [HR]] in dealing with your request if you could also provide the following details in support of your application:

- a. the reason for your request, for example: whether this is because of caring responsibilities;
- b. your current working arrangements, the changes you are proposing and the date when you would like the changes to take effect; and
- c. any impact you think the changes to your working arrangements might have on your work, your fellow employees and the business and any suggestions that you have for overcoming any issues that the changes might cause.

5. What is the process followed?

- a. Your [line manager **OR** [HR]] may decide that your request can be agreed without the need to hold a meeting with you. If so they will write to you confirming this and confirming that your contract will be varied to reflect the permanent change to your working arrangements.
- b. Alternatively, where appropriate [your line manager **OR** [HR]] will arrange to meet with you within [14 days] of your request being received at a convenient time and place. You may be accompanied to the meeting by a fellow employee or a trade union representative.
- c. The meeting will give us the opportunity to discuss your application with you and give reasonable consideration to your request or any alternatives.
- d. You will be notified of the decision as to whether your request has been agreed or rejected within [14 days] unless further time is needed to consider this.

6. If your request is agreed

- a. If your request is agreed, or where an alternative to the arrangements you requested has been agreed, [your line manager **OR** [HR]] will write to you confirming this and the start date. Your contract will be varied to reflect the changes to your working arrangements.
- b. If a trial period has been agreed before any permanent change to your contract is to be agreed this will be confirmed together with its duration and start date.

- c. You should be aware that any changes to your contract will be permanent and that you will not be able to make another statutory request in the next 12 months.

7. If your request is rejected

- a. If we are unable to agree to your request [your line manager **OR** [HR] will write to you setting out the business reasons for rejecting this.
- b. The 8 business reasons for which we may reject your request are:
 - i. the burden of additional costs;
 - ii. detrimental effect on ability to meet customer demand;
 - iii. inability to reorganise work among existing staff;
 - iv. inability to recruit additional staff;
 - v. detrimental impact on quality;
 - vi. detrimental impact on performance;
 - vii. insufficiency of work during the periods that you propose to work; and
 - viii. planned changes.
- c. You will have the right to appeal against this decision

8. Appeal

- a. Your appeal should be in writing, signed and dated and should set out the grounds on which you are appealing.
- b. Your appeal should be sent to [HR] OR [POSITION] within [14 days] of the date on which you received the written rejection of your request.
- c. A meeting will be arranged to take place within [14 days] of receipt of your appeal. You may be accompanied by a colleague or trade union representative.
- d. You will be notified in writing of the appeal decision within [14 days] of the appeal meeting.
- e. If your appeal is upheld, [HR] OR [POSITION] will write to you confirming this and the start date for your new working arrangements or any trial period agreed. Your contract will be varied to reflect any permanent changes.
- f. If your appeal is rejected, the written decision will give the business reason(s) for the decision. This decision will be final.
- g. Regardless of whether your appeal is upheld or rejected you will not be able to make another statutory request within the next 12 months.

[This policy does not constitute legal advice. Specific legal advice should be taken where required.]