



October 2021

Flexible Working Policy

Introduction

The service's flexible working policy complies with its statutory obligations under the Employment Rights Act 1996, the Work and Families Act 2006, and the Flexible Working Regulations 2014.

All employees who have at least six months' continuous service with the organisation have the right to apply for "flexible working". The request can cover hours of work, times of work and place of work and may include requests for different patterns of work.

The right to request flexible working applies equally to male and female employees.

Policy Statement

The organisation recognises the contribution of all its employees and also understands that, at some time in their working lives, employees may wish to work more flexibly. All employees with at least 26 weeks' continuous service have the statutory right to apply for flexible working.

Flexible working is about reviewing employees' working patterns to see whether it is possible to implement different arrangements: any arrangements must, however, always take into account the need for the organisation to achieve its core business purpose as efficiently as is possible.

There are a variety of flexible working options. A request for flexible working can be a request to change:

- the number of hours the employee works
- the times at which the employee is required to work
- where the employee works, usually a request to work fully or partly from home.

Employees should be aware that if they request and are granted flexible working, this represents a permanent variation to their contract of employment (unless the organisation agrees otherwise). In certain circumstances, however, the organisation may agree to the change on a trial basis. If an employee's circumstances subsequently change in relation to the need for flexible working, there is no statutory right for a return to the terms and conditions that applied prior to flexible working being granted.

The organisation will:

- consider requests for flexible working by eligible employees who put in a written request
- treat each request in a reasonable manner

- reject an application where it is considered that granting flexible working would be detrimental to the business needs of the organisation.

No employee will be treated less favourably, suffer detriment, or be dismissed because they request flexible working or move to flexible working.

Procedure

Eligibility

To be eligible to make a request for flexible working, a person must satisfy the following conditions. They must:

- be an employee
- have worked for the organisation continuously for at least 26 weeks as at the date the application is made
- not have made another application to work flexibly during the previous 12 months.

Making a request

An application for flexible working must be in writing (which includes email) and include the following information.

1. The date of the application.
2. The change to working conditions the employee is seeking and when they would like this change to come into effect.
3. The effect, if any, the employee thinks the requested change will have on the organisation and how, in their opinion, any such effect might be dealt with.
4. A statement that it is a statutory request, and if and when they have made a previous application for flexible working.

The application should be signed and dated.

Meeting and discussion

1. Following receipt of a valid written request for flexible working, the employee's line manager will arrange a meeting with them to discuss their request and will consider the request reasonably within a reasonable timetable.
2. All requests will be decided, including any appeal, within three months of first receipt of the request, unless an extension of time is agreed.
3. The employee has the right to be accompanied at any meeting set up to discuss their flexible working request by a colleague of their choice.
4. The employee's request will be considered carefully weighing the benefits of the requested changes in working conditions against any adverse business impact of implementing the requested changes.
5. Once the employee's manager has made a decision on the request, the employee will be informed of this in writing as soon as is reasonably possible.

6. If the request is successful, or subject to certain modifications, the manager will discuss with the employee how and when the changes might best be implemented.

Rejection of the request

If the request for flexible working is rejected it will be for one or more of the following reasons that are set out in the legislation.

1. The burden of additional costs.
2. An inability to reorganise work amongst existing staff.
3. An inability to recruit additional staff.
4. A detrimental effect on quality.
5. A detrimental impact on performance.
6. A detrimental effect on ability to meet customer demand.
7. Insufficient work for the periods the employee proposes to work.
8. A planned structural change to the business.