

## Flexible Working Policy & Procedure

### Purpose

This policy sets out the University's approach to flexible working arrangements which is in accordance with the ACAS Code of Practice on requests for flexible working and meets the statutory requirements of the Employment Rights (Flexible Working) Act 2023.

### Scope

The statutory right to request flexible working is available to all members of staff regardless of length of service. A member of staff can make two statutory requests in any 12-month period.

Any changes agreed apply to an individual's current post only and are not applicable to promotions or internal recruitment opportunities where new applications would be required.

---

## 1 Introduction

- 1.1 The University is committed to assisting all members of staff to achieve work-life balance.
- 1.2 The University's service to students and other clients must remain paramount, however, it is recognised that flexible working offers many benefits including improved wellbeing, enhanced productivity and better recruitment and retention of staff which in turn helps the University maintain the quality of its services.
- 1.3 Not all jobs within the University are suitable for flexible working however all members of staff irrespective of the area or level of job they are employed in are entitled to submit a considered application.

## 2 Procedure

- 2.1 Any request which is accepted will represent a permanent change to the member of staff's terms and conditions and will remain in place until either another request is made by the member of staff or organisationally there is a requirement to review the needs of the service and consult regarding change. Therefore prior to making an application, members of staff should ensure they fully understand any implications the proposed changes would have on their terms and conditions of employment, including their salary and any effect on pensionable service.
- 2.2 Members of staff who wish to request a change to their terms and conditions under this procedure should complete a flexible working request form, available from the Human Resources Website.

The member of staff should complete the form as fully as possible to include the following information.

- Specify their preferred flexible working pattern.
- State the date on which it is proposed the change should become effective. This should allow for sufficient time for the application to be considered and, if agreed, for the change to be implemented.
- Be signed and dated.

- 2.3 The member of staff must submit the completed form to their line manager for consideration in the first instance. All requests must be considered as quickly as possible. This will normally be within a calendar month of the manager receiving the request. The whole process, including any possible appeal against the decision, must be completed 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.
- 2.4 Should the manager wish to accept the request as it is set out in the application, a meeting will not be necessary. The line manager should complete the relevant sections of the form and return this to Human Resources who will provide confirmation of the agreed changes to the member of staff in writing.
- 2.5 The University has to fully consult with members of staff before declining a flexible working application. Should the manager determine that they may not be able to accommodate the request as set out in the application then advice should be sought from Human Resources and a formal meeting will be arranged in line with the timescales outlined in Section 2.3. A representative from Human Resources will attend the meeting and the member of staff is entitled to be accompanied by a trade union representative, colleague or friend.
- 2.6 The meeting should be held at an appropriate time and place that is convenient to both parties. In most cases, this will probably be the usual place of work however an alternative location can be agreed if appropriate. The meeting provides an opportunity to fully discuss any considerations and concerns and to explore the request in more detail including proactively considering any alternative arrangements such as alternative working pattern proposals or trial periods.
- 2.7 Following the meeting the manager will confirm their decision to the member of staff in writing, a copy of this letter will also be sent to Human Resources.

The letter will either

- Confirm agreement to the new working pattern, the start date and the variation to the member of staff's terms and conditions of employment.
- Confirm any arrangements for an agreed temporary period or
- Confirm that the request has not been accepted, provide clear business ground(s) as to why and the reasons why the ground(s) apply in these circumstances and provide the right of appeal.

## Temporary Period

- 3.1 The manager and the member of staff may mutually agree to any changes being implemented initially on a temporary basis. This will allow both parties to regularly review how the arrangements work in practice and the viability of continuing the arrangement(s) permanently. In these circumstances, the manager may agree to a trial period of up to three months to assess the impact of the arrangement.
- 3.2 At the end of any agreed temporary period, if both parties agree that the arrangements should continue on a permanent basis, a meeting will not be necessary. The line manager should notify Human Resources who will provide confirmation to the member of staff in writing.
- 3.3 Should the manager determine that the request cannot be accommodated following the temporary period, a formal review meeting will be arranged with the member of staff. The meeting provides an opportunity for the manager to fully explain the business grounds for this decision and allows an opportunity to discuss any alternative working pattern proposals. A representative from Human Resources will be present at this review and the member of staff has the right to be accompanied by a Trade Union Representative, colleague, or friend.
- 3.4 The manager reserves the right at the end of the agreed temporary period to require the member of staff to revert to their substantive working pattern, based on the relevant business ground(s) or to propose adjustments to allow the arrangement to continue. Where it is determined that the new working arrangements will not continue following the temporary period, the member of staff has the right of appeal.
- 3.5 The outcome of the review meeting will be confirmed to the member of staff in writing.

## 4. Considerations

- 4.1 It is recognised that occasionally, members of staff may need to request a temporary change to their working arrangements to deal with a temporary or urgent situation. In these circumstances members of staff should approach their line manager in the first instance to discuss how such arrangements could be facilitated in the short term. Where temporary arrangements need to continue for longer than one month, they should be formalised through this policy. At the end of any temporary changes, the member of staff will revert to their normal working pattern. The manager should inform Human Resources of any agreed changes.
- 4.2 It may not always be possible for a member of staff to attend a training course within any agreed flexible working arrangement. Therefore, the University reserves the right to provide reasonable notice to the member of staff of when a training course/learning and development initiative is taking place and expects members of staff to make suitable arrangements to attend as requested.

- 4.3 Two members of staff may submit flexible working requests together if they wish to cover the same role.
- 4.4 Where a member of staff submits a request to reduce their hours, but the role requires full time cover, the remaining part of the job will be advertised using relevant channels. If it is not possible to find a suitable applicant after the role has been advertised twice, the University may reject the request using the relevant business grounds.
- 4.5 The University has a hybrid working framework which allows professional support colleagues the opportunity (where the needs of the business and their role allows) to informally agree with their managers where and when they work within our University principles whilst still ensuring the campus remains a vibrant community for all and students and business needs are met. Any working patterns established on a hybrid basis are an informal and amendable agreement within the team and are not considered as permanent or formal changes to an individual's contractual terms and conditions. It is also important to note that hybrid arrangements are subject to change as and when the needs of the role may change and therefore are not suitable for consideration as a fixed arrangement under the Flexible Working Policy. Guidance on the University Hybrid Working Framework can be found [here](#).
- 4.6 In accordance with legislation, the University reserves the right to refuse a member of staff's request for flexible working using any of the following business grounds:
- The burden of additional costs
  - An inability to reorganise work among existing staff
  - An inability to recruit additional staff
  - A detrimental impact on quality
  - A detrimental impact on performance
  - A detrimental effect on ability to meet customer demand
  - Insufficient work for the periods the member of staff proposes to work
  - A planned structural change to the business

## 5. Appeal

- 5.1. A member of staff has the right to appeal against the flexible working decision if there is new information that was not available to the University at the time they made their original decision, if the member of staff is required to revert back to their substantive working pattern at the end of a temporary period or if the member of staff thinks the application was not handled reasonably in line with this policy.
- 5.2 The member of staff should submit the grounds for their appeal in writing to Human Resources 10 working days of the decision being notified to them.
- 5.3 An appeal meeting will be arranged as soon as possible after the members of staff's appeal has been lodged in line with the timescales outlined in Section 2.3.

- 5.4 A representative from Human Resources will attend the meeting and the member of staff is entitled to be accompanied by a trade union representative, colleague or friend. The line manager who considered the flexible working request will also be present at the meeting to answer any questions relating to their decision and / or outline the procedures which were followed. The appeal process is designed to be in keeping with the overall aim of encouraging both parties to reach a satisfactory outcome for the individual concerned and for the workplace.
- 5.5 The outcome of the appeal meeting will be communicated to the member of staff in writing within 10 working days of the date of the appeal meeting. The decision taken at the appeal hearing will be final, there is no further right of appeal.

<b>POLICY SIGN-OFF AND OWNERSHIP DETAILS</b>	
<b>Document name:</b>	Flexible Working Policy & Procedure
<b>Version Number:</b>	V.3.1
<b>Equality Impact Assessment:</b>	Completed
<b>Approved by:</b>	Director of HR
<b>Date Approved:</b>	April 2024
<b>Date for Review:</b>	October 2027 or in line with legislation changes
<b>Author:</b>	HR Manager
<b>Owner (if different from above):</b>	Director of Human Resources
<b>Document Location:</b>	HR webpages
<b>Compliance Checks:</b>	HRG SMT regularly review to ensure compliance
<b>Related Policies/Procedures:</b>	Management of Sickness Absence Recruitment & Selection Maternity Leave and Pay Adoption Leave and Pay Paternity Leave and Pay Shared Parental Leave Policy Hybrid Working Framework

<b>REVISION HISTORY</b>			
<b>Version</b>	<b>Date</b>	<b>Revision description/Summary of changes</b>	<b>Author</b>
V2.0	September 2018	Revisions to reflect changes to timescales in line with ACAS guidance and transference to new template.	HR Manager
V2.1	October 2018	Changes made following consultation with Trade Union's at Procedures Meeting.	HR Manager
V3	October 2023	Formal review.	HR Manager
V3.1	April 2024	Updated to reflect legislative changes. Removal of 26-week qualifying period and reduction in consideration timescales and inclusion of hybrid working clarification.	HR Manager