



BISHOP GROSSETESTE UNIVERSITY

Document Administration

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BISHOP GROSSETESTE UNIVERSITY

FLEXIBLE WORKING POLICY

1. Introduction

'Flexibility' and 'flexible work' are terms used to describe a wide range of work styles and employment practices. Broadly speaking, they include any employment which differs from the traditional nine to five full-time job. Getting the work-life balance right is increasingly becoming high on the agenda for many colleagues who have personal responsibilities and interests outside of work, and many people now want increased flexibility over other benefits. As a result, flexibility in the way that colleagues undertake work can have a real and positive impact on the performance of individuals and teams.

The 'flexible' aspect of work can in different instances relate to the employee, the employer, or both. From the employee's point of view, flexible work may allow more freedom to organise their employment to fit in with other parts of their life. For the employer, flexibility may come with the ability to organise people resources more in line with the varying needs of 'customers', or with peaks and troughs of demand. Flexibility can have a positive impact for all.

The University is committed to offering equality of opportunity to all employees and to increasing diversity in the workforce. Specific actions to increase diversity and to support employees at work include offering flexible working opportunities such as job-sharing, both when recruiting to a vacant post and when considering flexible working applications from employees. The University believes that flexible working can increase staff motivation, promote work-life balance, reduce employee stress and improve performance and productivity.

2. Eligibility

The University supports the #FlexFrom1st campaign (<https://www.cipd.co.uk/news-views/campaigns/flex-from-first#gref>) to make requesting flexible working as day-one right!

To be eligible to make a statutory flexible working request, a person must:

- be an employee - agency workers do not qualify
- not have made another statutory request during the past 12 months

3. Scope of a Request

If you are an eligible employee you have a legal right to request:

- a change to the number of hours that you work
- a change to the pattern of hours worked
- to work from another location of the University and/or from home (whether for all or part of the week)

Any change to your terms and conditions made as a result of a flexible working request will be permanent, unless a temporary variation is agreed. Any amendments must be confirmed in writing and signed/agreed by both parties.

4. Content of the Request

Flexible working can incorporate a number of changes to working arrangements such as a reduction or variation in working hours, reducing the number of days worked each week and/or working from a different location.

You may, therefore, request a variation of your employment contract in respect of, for example:

- The hours you are required to work
- The times when you are required to work
- Annualised hours
- Part-time working
- Job-sharing
- Working term-time only
- Working shifts
- Where you are required to work (as between your home and places of business of the University)
- Phased Retirement

You have the right for the request to be dealt with reasonably, but this does not give you a right to a contract variation.

Where the request is being made by a disabled person as part of a request for a reasonable adjustment to their working arrangements, the employee should state this in the written application.

5. Procedure

If you decide to make a flexible working request you must follow this procedure. Before making an application you should think carefully about your desired working pattern when making a request which could include;

- What working pattern will help you best achieve your aims;
- The financial implications a change might have on you;
- What effects, if any, the change will have on the University business and how these might be accommodated

Your application must be made on the Appendix 1, Flexible Working Request Form and submitted to your manager and must;

- Be made in writing and dated
- State that it is an application under the statutory right to apply for a flexible working arrangement;
- State whether a previous application for flexible working has been made by you to the University and, if so, when.
- Specify the changes you are seeking to your terms and conditions; and the date on which you would like the changes to come into effect;
- Explain what effect, if any, you think the requested change would have on the University, and how, in your opinion, any such effect might be dealt with;
- Where the request is being made by a disabled person as part of a request for a reasonable adjustment to their working arrangements, the employee should state this in the written application.

Line managers should not reject an application if it does not contain the required information. The Line manager should explain to the employee what additional or amended information they need to provide and ask the employee to resubmit the request.

Your manager may agree to the formal request without discussing it with you (for example, if the details of your request have already been discussed informally).

In most cases, your manager will arrange to meet with you after receiving the application. This meeting could be face-to-face or via telephone and will be within 28 days of receiving the request.

6. Meeting to discuss a flexible working request

Once the line manager receives the request, it will be dealt with as soon as possible. The line manager will usually agree a meeting to discuss the request. The time and place of the meeting will be convenient to both you and your manager. A work colleague or trade union representative may accompany you at the meeting.

The aim of the meeting is to find out more about the proposed working arrangements and how they could be of benefit to both the employee and University. The impact of the change, and your ideas for how any adverse impact could be minimised, will be considered. The meeting also provides the opportunity to discuss any alternative variations which would be acceptable.

7. Outcome of a flexible working request

After the meeting, the line manager will consider the proposed flexible working arrangements carefully, weighing up the potential benefits to the employee and to the University against any adverse impact of implementing the changes. Each request will be considered on a case-by-case basis: agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working pattern.

The employee will be informed in writing of the decision as soon as is reasonably practicable after the meeting. The request may be granted in full or in part: for example, the University may propose a modified version of the request, the request may be granted on a temporary basis, or the employee may be asked to try the flexible working arrangement for a trial period. The employee will be given the right to appeal the decision if the employee's request is not upheld or is upheld in part.

Once the University has agreed to the changes requested in your application, a permanent variation of your contract will result, unless your manager agrees otherwise. Once a change has been made, you cannot revert to the previous terms and conditions of your employment.

8. Refusal

If your request is refused, you will receive written confirmation within 14 days which will identify on which of the permitted grounds (listed below) the application was refused. The letter will also provide an explanation as to why those grounds apply, and set out the appeal procedure.

The application may be refused on one or more of several grounds, these being that the proposed changes will result in:

- A burden of additional cost
- A detrimental effect on ability to meet customer demand
- An inability to re-organise work among existing staff
- An inability to recruit additional staff
- A detrimental effect on quality
- A detrimental effect on performance
- An insufficiency of work during the periods you propose to work
- A planned structural change
- Any other ground allowed by regulations

In deciding whether the above grounds are met, a wide range of criteria will be taken into account, including (by way of example only) the following:

- The University's business needs
- The suitability of the job for the flexible arrangements proposed, e.g. the nature of the work, the hours needed and the need for continuity and consistency
- The current balance of full-time and part-time employees and other flexible working arrangements within the department or team
- The feasibility of covering the remaining hours

You may make further applications for variations (whether your first application was successful or not) provided they are made at least 12 months after the previous application.

9. Withdrawal of Application

The University can treat an application as withdrawn under the statutory provisions where you have:

- Notified your manager, orally or in writing, that the application is withdrawn.
- Without reasonable cause, failed more than once to attend a meeting or appeal meeting.
- Without reasonable cause, refused to provide your manager with information required in order to assess whether the contract variation should be agreed to.

Your manager will confirm the withdrawal of the application to you in writing unless you have already provided written notice of the withdrawal. You will not be entitled to make another formal application until 12 months after your original request.

10. Appeal

If an employee is dissatisfied or unclear at any stage throughout the process, they should contact the HR Department.

It is the University's policy to allow an appeal against a decision to refuse an application for flexible working. If you wish to appeal you should do so within seven days after the date on which you were notified of the decision. The notice of appeal must be in writing to the Director of HR, setting out the grounds for appeal.

A meeting will then be arranged, normally within 10 days, to discuss the appeal at a time and place convenient to both you and the University. You have the right to be accompanied by a work colleague or trade union representative.

After the appeal meeting you will be advised of the decision in writing, within 14 days. If the University upholds the appeal, the letter will specify the contract variation agreed to and state the date on which it is to take effect. If the University dismisses the appeal, the letter will state the grounds for the decision and an explanation as to why those grounds apply.

If an employee fails to attend a meeting, including an appeal meeting, and then fails to attend a rearranged meeting without good reason, their application will be deemed to have been withdrawn.

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I would like this working arrangement to commence on:

Date

(If applicable) I would like this working arrangement to cease on:

Date

(Please leave blank if request is permanent)

Anticipated Business Impact

It is important to consider the possible business implications associated with adopting flexible working arrangements. Please provide details of the following considerations, to help you to better explore and discuss the proposed changes with your manager.

How will the change benefit your department and the University?

EXAMPLE:

- *What are the business benefits of your proposed way of working?*

What impact will the change have on the University?

EXAMPLE:

- *Cost (save or increase)*
- *Will my department need to employ someone else?*
- *Will there be an impact on the service my department provides?*
- *Will there be an impact on the department's ability to support the University's strategic objectives?*

How will the change impact my colleagues/team?

EXAMPLE:

- *Will it put more pressure on others?*
- *Will there be enough cover?*

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| Personal Declaration | |
| <ul style="list-style-type: none"> • I confirm I have read and understood the University's Flexible Working Policy. • I am eligible to make a request (see guidance). • (If applicable) I confirm that the conditions of my visa do not prevent me from making a permanent change to my employment (see HR Department for further guidance). | |
| Formal Arrangements Only | |
| <ul style="list-style-type: none"> • I confirm I have considered the impact of any adjustments which will be made to my salary to reflect this change in working pattern and I am aware that this change will be permanent (unless a temporary arrangement has been agreed). | |
| Signature | |
| Date | |

Please send completed form to your manager for consideration.

Please note for agreed formal arrangements you will receive an amendment to contract, however, for informal arrangements there is no change to your contract and therefore no amendment will be issued.