

Flexible Working Policy

Introduction

The Company recognises the benefits of a flexible workforce to allow employees to balance their commitments and interests outside of work, whilst enabling the effective operation of the business.

The Company may also require employees to work flexibly on a temporary basis in the event there is a requirement to support emergency planning and business continuity activities.

Scope

All UK employees, providing they have 26 weeks' continuous service. This policy does not apply to casual or agency workers, consultants or self-employed contractors.

Statement

This policy gives eligible employees an opportunity to formally request a change to their working pattern in accordance with the statutory procedure for such requests. It also provides managers with sufficient guidance to implement flexible working where appropriate.

This policy covers the statutory provisions that are in place to make permanent changes to an employee's terms and conditions of employment, in addition to a line manager's ability to agree short term or ad-hoc flexible working arrangements.

This policy does not form part of any employee's contract of employment and the Company may amend it at any time.

Definitions

Part-Time Working

An employee works by mutual agreement to a pattern and number of hours which are less than the full time contracted hours of an employee in the same staff group.

Home Working

An employee works from home for all or part of their hours with a computer and/or telecommunication link to their organisation.

Roles and responsibilities

Employees

Employees are responsible for:

- If making a permanent request to change terms and conditions Employees are responsible for informing their line manager of their request for flexible working, which must be made in writing using the Formal Request for Flexible Working Form and ensuring all sections of the form are completed
- If making an informal, temporary or ad-hoc request for flexible working, they must discuss this with their line manager providing sufficient notice

Line Managers

Line managers are responsible for:

- ensuring employees are aware of this policy.
- considering employee requests properly in accordance with the procedure contained in this policy.
- ensuring adherence to the time limits contained within the procedure or if agreed, varied time limits.
- ensuring any variation to the procedure is notified to/agreed with (as applicable) the employee and recorded.
- ensuring any change to an employee's hours is actioned through payroll.
- Ensuring that when any flexible working is agreed, employees have adequate resources, the tools to perform their role and any required risk assessment has been carried out.
- Documenting any informal agreements relating to flexible working arrangements

Procedure

Flexible working can incorporate a number of possible changes to working arrangements, including those defined above.

Eligibility

Any employee can request flexible working on permanent, short-term or ad-hoc bases.

If employees wish to make a formal request for flexible working, which would also constitute a change in terms and conditions, they should first check whether they have the statutory right to make such a request. To be eligible to make a statutory request for flexible working employees must:

- Be an employee, but not a casual or agency worker.
- Have worked for the Company for 26 weeks continuously before applying.
- Not have made another formal application to work flexibly under the right during the last twelve months.

Employees have no automatic right to change their working pattern, only to make a request, but the Company is committed to considering any such requests seriously.

Any employee, regardless of length of length of service, can make an informal request for short term or ad-hoc flexible working.

General Principles

Informal Flexible Working Requests:

- Managers may approve requests for temporary or ad-hoc requests for flexible working
- Employees should ensure they discuss their request in a timely manner giving no less than 48 hours' notice of the request
- There is no limit to the number of informal flexible working requests that can be made by an employee
- When approving informal requests managers should consider the appropriateness of the flexible working arrangement and the impact on other team members, having due regard for maintaining quality service delivery.
- Caution should be exercised if an employee requests a regular pattern of flexible working (i.e the same day of the week), or one which is expected to continue for more than 3 months as this may constitute a change of terms and conditions which should be considered under the formal flexible working procedure
- When considering either an informal or formal flexible working request, it is important to ensure access to equal opportunities for all. Flexible workers should have the same access to opportunities as non-flexible workers to include:
 - Access to training for the development of their skills and expertise.
 - Access to career and job opportunities

Formal Flexible Working Requests:

- Employees are encouraged to consider carefully any requests to make a change to their working arrangements because if an application is approved, this will usually result in a permanent change to their contract of employment (unless agreed otherwise).
- It is possible for either the line manager or the employee to request a trial period of an amended working pattern, in the case where either party has concerns about the impact/sustainability of the change. In this instance, a review date will be agreed and an assessment made as to whether the new arrangement has been successful and should continue or not.
- Employees are only entitled to make one formal flexible working request in a 12 month period.
- Each request for flexible working will be dealt with individually, taking into account the likely effects the changes will have on the Company, the work of the department in which the employee is based, their work colleagues and the particular circumstances of the case. This means that if the Company agrees to one employee's request, this does not set a precedent or create a right for another employee to be granted the same or a similar change to their work pattern.

'The Business Need'

Where an employee makes either a formal or informal request to work flexibly both the employee and the line manager will need to consider the possible effects on the Company.

To aid the discussion, the manager and the employee can together undertake an analysis of the tasks specific to the role, including their frequency and duration and/or a general analysis of the workload of this role.

Formal requests for flexible working arrangements may be refused for one or more of the following reasons:

- The burden of additional costs
- Detrimental effect on ability to meet customer demand
- Inability to re-organise work among existing staff
- Inability to recruit additional staff
- Detrimental impact on quality
- Detrimental impact on performance
- Insufficiency of work during the periods the employee proposes to work
- Planned structural changes

Informal Flexible Working Applications

Informal requests for flexible working should be made directly to the employee's line manager, allowing a minimum of 48 hours' notice.

Requests may be made verbally but a record should be kept of any agreed flexible working arrangements for reporting and monitoring purposes.

When making the request the employee may be required to demonstrate to their line manager that they have given due consideration for the impact the flexible working will have on their role, colleagues and department.

The line manager will advise the employee what steps will be taken to consider their request, which may include inviting them to attend a meeting, before advising them of the outcome of their request.

Formal Flexible Working Applications

A formal flexible working request should be made using the **Request for Flexible Working Form** (see appendix), which must be completed in full in order for the application to be considered valid. Employees will need to submit this form if they would like their flexible working request to be considered under the formal procedure.

An application should be submitted to the employee's line manager in good time and ideally at least two months before they would like the changes to take effect.

In most cases the line manager will set up a meeting to discuss the proposed changes, the effect of the proposed changes and any possible alternative work patterns that might suit. An invitation to the meeting will be sent to the employee outlining the date, time, and venue. The employee may be accompanied at this meeting by either a fellow employee or a trade union representative. The meeting may also be attended by a member of the Human Resources Department. Any companion will be entitled to speak during the meeting and confer privately with the employee, but may not answer questions on the employee's behalf.

If the Company cannot accommodate the arrangements the employee has requested, discussion at the meeting also provides an opportunity to explore possible alternative working arrangements.

The Company will notify its decision in writing to the employee as soon as possible, usually within 7 days of the meeting. If the Company accepts the request, it will write to the employee, establishing a start date and providing a letter confirming of the contract of employment variation. The employee will be asked to sign and return a copy of the letter. Unless otherwise agreed (and subject to any agreed trial period) changes to terms of employment will be permanent. The employee will not be able to make another formal request until 12 months after the date of their most recent request.

If the application is refused, the Company will hold a meeting to explain the grounds for refusal and confirm this in writing along with details of the appeal procedure. The eight reasons for which an application may be refused are set out above.

The Company aims to deal with a flexible working request application within 3 months (to include any appeal hearing). However, there may be exceptional occasions when it is not possible to complete consideration of the request within the expected time limits. Where an extension of time is agreed, the line manager will write to the employee confirming the extension and the date on which it will end.

Appeal Procedure

The appeals procedure is only applicable to Formal Flexible Working Applications. Employees can appeal in writing against a refusal within 7 days of receipt of the rejection letter. The appeal must set out the grounds on which the employee is appealing. The Company will then set up a meeting to discuss the appeal usually within 7 days after receiving the appeal letter. An invitation to the meeting will be sent to the employee outlining the date, time, and venue. The employee may be accompanied at this meeting by either a fellow employee or a trade union representative.

The appeal will be dealt with impartially and wherever possible, by a manager who has not previously been involved in the request. In the event that there is no other manager then the appeal should be raised with the line manager who considered the request initially.

The outcome of the appeal will be confirmed in writing, usually within 7 days.

Withdrawal of an Application

The Company can treat an application as withdrawn where the employee has:

- Notified their 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 their manager with information required in order to assess whether the flexible working request should be agreed

The Line Manager will confirm the withdrawal of the application to the employee in writing unless the employee has already provided written confirmation of the withdrawal.

Types of Flexible Working

This section of the policy provides some further explanation and guidance on different types of flexible working. The Company stresses that whilst it will give due consideration to requests for these types of arrangements, such requests may not be approved. Furthermore, whilst this section provides information on what terms would typically apply in different types of arrangements, this is not binding and contractual terms will be agreed with the employee on a case by case basis if a flexible working request is agreed with them.

Part-Time Working

Part time working covers any arrangement where an employee is contracted to work anything less than typical full-time hours for the type of work in question. Part time hours can accommodate peaks of workload, whether they occur on a daily basis (i.e. heavier workloads in the mornings, midday or afternoons) or over the week (i.e. heavier workloads at the start, middle or end of the week).

Pay will be prorated for the number of hours worked. Additional hours worked by each sharer up to the hours of a full-time post will be paid in plain time.

Home working

Home and remote working can cover a range of agreements including:

- Office-related roles where:
 - some employees work almost entirely at home apart from carrying out regular or occasional duties/meetings at the office or with customers;
 - some employees split their time between working at home a few days a week (depending on the agreement), with the rest of the time spent in the office or with clients
 - some employees work from home only occasionally

- Travel-related roles where the job entails a lot of journeys and the employee's home is used as a base.

Guidelines on the Implementation of home and remote working

All home and remote working (whether regular or occasional) will be subject to the prior agreement of the individual's manager. The manager should be able to contact the person working away from the office at any time of the agreed working day, which in some situations may differ from the usual working times.

Where temporary and ad-hoc home or remote working is requested, the manager may agree to this only where they can be satisfied the employee has adequate IT systems in place (i.e. a computer, phone and internet connection) which can be used for work purposes.

In the case of an agreement to permanent home working a Formal Home and Remote Working Agreement must be issued and signed by the employee.

Occasional Remote Working

The process for employees undertaking occasional homeworking for a temporary business reason, such as to complete specific pieces of work or for business continuity, is as follows:

- Managers may agree to this only where they can be satisfied the employee has adequate IT systems in place (i.e. a computer, remote access, phone and internet connection) which can be used for work purposes.
- Employees must be contactable at home throughout normal working hours by the line manager/supervisor and other employees;
- Employees will be available to attend meetings or training courses as required by their line manager;
- Employees will not invite clients to their home for business meetings;
- Working from home by employees will not create additional workloads for other employees or otherwise affect operational efficiency and effectiveness;
- Absence and sickness reporting procedures will continue to apply
- A risk assessment of the home work environment must be undertaken. Any specific health and safety issues should be identified and dealt with by the Homeworker. If this is not possible the line manager should be informed immediately.

Regular Home Working

Where regular home working is under consideration, in addition to the above, managers will also need to give further detailed attention to the following points:

- The suitability and compatibility of the job, the role and the home;
- The health and safety, security, financial, HR and IT issues involved;
- The impact on the level of service delivery, efficiency or effectiveness;
- How the employee's performance will be monitored, including appropriate output measures;
- Regular Homeworking arrangements will be monitored and reviewed as part of normal supervision and 1:1 meetings at regular intervals by the line manager to ensure their continued effectiveness, particularly in terms of service delivery and impact on colleagues;
- Managers will establish with the employee the specific times when they will be working or contactable, specify the attendance requirements for meetings, supervision sessions and the leave and sickness procedures to be followed. It is not anticipated that employees will work unsocial hours, weekends or bank holidays;
- Employees will not invite clients to their home for business meetings
- How best to maintain regular contact and support, which may include visits from the line manager or meetings in the office or at other venues;
- Ensuring they keep employees informed of all relevant developments which impact on their work and them as employees
- Maintaining formal supervision through management guidance and Staff Development Reviews;
- Providing training, personal development and other opportunities available to office based staff.

Insurance

The Company will be responsible for any necessary insurance of equipment supplied by them and employee liability insurance. However, it is the responsibility of the Homeworker to provide adequate home buildings and contents insurance. We will not accept liability for damage caused to the home or its contents. The Homeworker must inform their insurers, mortgage lender and local authority if they are working from home on a regular basis.

IT Support

Line managers will ensure that each decision to allow regular Homeworking is based on a sound business case. IT advice, equipment and systems will be subject to review in line with policy.

Data security is a particular concern for Homeworking and I.T. will issue formal guidance as part of IT Policy. Adequate security measures must be in place before an employee accesses IT system from home (e.g. Remote access, Firewall and Anti-Virus Protection).

Employees will be held responsible for the loss or damage to equipment where requirements of the Security Policy have not been observed. This may also be dealt with under the Disciplinary Procedure.

Health and Safety

Under the Health and Safety at Work Act 1974, the Company is responsible for employees' safety at work and this applies to Homeworking. However, the employee also has an obligation to ensure that they take reasonable care not to harm themselves or others.

The Company will provide appropriate equipment to ensure the Health and Safety of the individual is adequately safeguarded. A risk assessment of the workplace will be completed prior to regular Homeworking commencing.

We reserves the right to check the employee's home work areas for health and safety purposes. The need for such inspections will depend on the frequency the employee is working at home and the nature of the work undertaken, but will be at no more than 12 monthly intervals.

Security and Confidentiality

Employees are responsible for ensuring the security of company property and all information, files, documents etc. within their possession. Employees must not permit confidential documents or data to be accessed by unauthorised persons. In undertaking the Risk Assessment, consideration must be given to the layout of the workplace to ensure that sensitive or confidential data or documentation cannot be viewed by unauthorised persons.

Costs

The Company will reimburse reasonable expenses incurred and will provide appropriate equipment where Homeworking has been agreed e.g. laptop or phone. However, In the case of temporary or ad-hoc home working requests, we will not normally agree to meeting the cost of additional IT equipment where it is not already required by the position.

An adequate Internet connection remains the responsibility of the employee to ensure that appropriate networks etc. are available to provide access to company systems.

Equipment provided remains the property of the organisation and must not be used by other members of the household not employed on business (with a current Homeworking agreement in place) and must be returned by employees if the Homeworking arrangement ceases.

Appendix

Application for Flexible Working Form

This form is for employees to make a formal application for flexible working. Please read the Flexible Working Policy and Procedure before completing this form. Any employee interested in flexible working is advised to speak informally with their line manager to discuss their eligibility, the different options and the effect of their proposed work pattern on colleagues and service delivery, before submitting a formal application.

Please ensure to give reasonable notice of the date you wish to commence a new working pattern (ideally 2 months) to ensure your line manager can give full consideration to your request.

Your details – please complete all the fields using CAPITAL LETTERS					
Full name:					
Department:					
Line Manager:					
Employee/payroll number:					
National Insurance Number:					
Flexible working request details					
Your current working pattern (days / hours / times worked):	Day	00:00	to	00:00	Total hours
	Day	00:00	to	00:00	Total hours
	Day	00:00	to	00:00	Total hours
	Day	00:00	to	00:00	Total hours
	Day	00:00	to	00:00	Total hours
	Day	00:00	to	00:00	Total hours
	Day	00:00	to	00:00	Total hours
	Day	00:00	to	00:00	Total hours
Your proposed new working pattern (days / hours / times worked):	Day	00:00	to	00:00	Total hours
	Day	00:00	to	00:00	Total hours
	Day	00:00	to	00:00	Total hours
	Day	00:00	to	00:00	Total hours
	Day	00:00	to	00:00	Total hours
	Day	00:00	to	00:00	Total hours
	Day	00:00	to	00:00	Total hours
	Day	00:00	to	00:00	Total hours
Please highlight which flexible working arrangement you are applying for and include any additional information here:	<input type="checkbox"/> Job share		<input type="checkbox"/> Part time		
	<input type="checkbox"/> Annualised hours		<input type="checkbox"/> Homeworking		
	<input type="checkbox"/> Compressed hours		<input type="checkbox"/> Career break		
	<input type="checkbox"/> Sabbatical				
<hr/> <hr/> <hr/>					
Date you would like the new pattern to commence from:					

<p>Would you like the change to be permanent or temporary? *please circle as appropriate</p>	<p>* Permanent / Temporary</p>	<p>If requesting a temporary change, please also state proposed end date: dd/mm/yy</p>
<p>Impact of the new working pattern:</p>	<p>I think this change in my working pattern will affect my employer and colleagues as follows:</p>	
<p>Accommodating the new working pattern:</p>	<p>I think the effect on my employer and colleagues can be managed as follows:</p>	
<p>Details of any previous flexible working requests</p>		
<p>Please provide details of any previous requests you have made for flexible working, whether in this employment or in the employment of a previous employer (exact dates)</p>		
<p>I confirm that:</p>		
<p>I am applying to work a flexible working pattern that is different to my current working pattern under my right provided under section 80F of the Employment Rights Act 1996.</p>		
<p>I have worked continuously as an employee of the company for the last 26 weeks</p>		
<p>I have not made a request to work flexibly under this right during the past 12 months</p>		
<p>I have read and understood the Flexible Working Request Policy</p>		
<p>I have considered the impact of any adjustments which will be made to my salary / holiday entitlement to reflect this change in working pattern and I am aware that this change will be permanent (unless a temporary arrangement has been agreed)</p>		
<p>Employee Signature</p>		
<p>Employee name (print)</p>		
<p>Employee signature</p>	<p>Date</p>	
<p>Line Manager Declaration:</p>		<p>Please tick as appropriate</p>
<p>I confirm my approval of the change requested above <u>or set out what changes are being approved or</u></p>		
<p>I confirm I would like to approve the change requested above on a trial basis initially.</p>		

I propose the trial to commence on dd/mm/yy and be reviewed on dd/mm/yy or		
I confirm that I am unable to agree the employee's request for flexible working and have completed the section below regarding my reasons for declining the request		
Declined Requests:		
Please provide details of relevant information relating to reasons for declining this request:		
Reason for Declining Request	Please tick as appropriate	
The burden of additional costs		
Detrimental effect on ability to meet customer demand		
Inability to reorganise work amongst existing employees		
Inability to recruit additional employees		
Detrimental impact on quality		
Detrimental impact on performance		
Insufficiency of work during the periods the employee proposes to work		
Planned structural changes		
Line Manager Signature		
Line Manager name (print)		
Line Manager signature	Date	