

Policy C16 - Flexible Working

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1. Introduction

- 1.1 The Trust understands that flexible working arrangements enable employees to achieve a healthy work-life balance. In recognition of this, the Trust supports employees to work flexibly provided this meets the needs of both the organisation and the employee.
- 1.2 The Trust encourages open discussion and consideration of informal flexible working arrangements. Agreements can be made giving due consideration to the principles of this policy.
- 1.3 This policy relates to statutory flexible working requests and applies to all employees of the Trust regardless of length of service.
- 1.4 Throughout this policy the term 'Trust' refers to all Academies and Central Services.

2. Types of Flexible Working

- 2.1 Flexible working is any type of working arrangement that gives some degree of flexibility of how long, where and when an employee works. There are many different arrangements as detailed below.
- 2.2 Part time working – applies to any situation where an employee works less than full time hours. They receive a pro-rata accrual of salary and holiday allowance.
- 2.3 Term time working – an employee is contracted to work during term time only. They receive a pro-rata accrual of holiday allowance and are paid for the weeks worked and accrued only. These payments are distributed into 12 monthly installments.
- 2.4 Flexible hours – an employee works their contracted hours with flexibility of the times in which they are worked. This includes compressed hours, where contracted hours are worked over a few number of days.

- 2.5 Home working – all or part of an employee’s duties are worked from home rather than on the Trust’s premises. This may be an occasional agreed day, a mix of being at home and on Trust premises each week or a full-time arrangement.
- 2.6 Job sharing – an arrangement where two people share one position. The post remains full time, with the salary and holiday being distributed to both people on a pro-rata basis.

3. Submitting a Statutory Flexible Working Request

- 3.1 An employee is able to make one formal statutory working request within a 12-month period.
- 3.2 A request must be submitted using the Trust’s pro-forma. This requires the employee to state:
- The date of their application, the change(s) to the working conditions they are seeking and when they would like that change to come into effect
 - What effect, if any, they think the requested change would have on the business and how, in their opinion, any such effect might be mitigated
 - Whether this is a statutory or non-statutory request
 - Whether they have submitted a previous application for flexible working, and if so the date the application was submitted

If the request is being made in connection with any protected characteristic as defined by the Equality Act, this must be noted on the form.

- 3.3 The completed Flexible Working Application should be submitted to their line manager.
- 3.4 If the application requires discussion, the Manager will arrange a meeting with the employee to discuss the request within 20 days of receiving the application. The employee will be given 5 working days’ notice of the meeting. The employee has the right to be accompanied by a workplace colleague or trade union representative. If the initial meeting time is not suitable for either the employee or their representative, one postponement of up to 5 working days is permitted. If this cannot be arranged, the meeting may proceed in the employee’s absence.
- 3.5 The whole procedure to consider the request including an appeal should not exceed 3 months unless an extension is agreed by both parties.

4. Considering a Statutory Flexible Working Request

- 4.1 During the meeting, the employee and Manager should discuss the request carefully and explore how it can be accommodated.
- 4.2 In considering the request, the manager will need to take into account a number of criteria including but not exclusively:
- The costs associated with the proposed arrangements
 - The effect of the proposed arrangement on other staff
 - The structure of the department
 - The availability of staff resources
 - Details of the tasks specific to the role
 - The workload of the role
 - Whether it is a request for a reasonable adjustment related to a disability
 - Health and safety issues
- 4.3 Consideration will include whether the change can be made on a permanent or temporary basis; this may include agreeing a trial period.

4.4 It may be necessary for the employee and manager to have more than one meeting to discuss the request. This may include consideration of alternative arrangements if the proposed change is unworkable.

5. Outcome

5.1 An approved flexible working request may be granted in full, in part or with modifications.

5.2 If the request is rejected, this must be on the grounds of one of the following reasons:

- The burden of additional costs
- An inability to reorganise work
- An inability to recruit additional staff
- A detrimental impact on quality
- A detrimental impact on performance
- Detrimental ability to meet customer demand
- Insufficient work for the periods the employee proposed to work
- A planned structural change to the business

5.3 Where possible, the Manager should verbally inform the employee of their decision at the meeting. If they are unable to do this, they should advise the employee of the date they intend to make a decision. The outcome should be confirmed in writing within 10 working days.

6. Appeal

6.1 If an employee is dissatisfied with the outcome of their flexible working request they can submit an appeal. This should be made in writing to HR within 10 working days of receipt of the outcome and must clearly state the grounds for the appeal.

6.2 HR will arrange for the appeal to be heard by a designated Senior Manager within 10 working days of it being received; the employee will be given 5 working days' notice of the meeting. They have the right to be accompanied by a workplace colleague or trade union representative. If the initial meeting time is not suitable for either the employee or their representative, one postponement of up to 5 working days is permitted. If this cannot be arranged, the meeting may proceed in the employee's absence.

6.3 Where possible, the Senior Manager should verbally confirm the outcome of the appeal at the meeting. If this is not possible, they should advise the employee of the date they intend to make a decision. The outcome should be confirmed in writing within 10 working days.

6.4 The whole procedure to consider the request including an appeal should not exceed 3 months unless an extension is agreed by both parties.

7. Policy Status and Review

Written by	HR Manager
Owner	HR Director
Status	Approved
Equality Impact Assessment	Initial Impact Assessment Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Full Impact Assessment Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
JCC Consultation date	15 th May 2018
Approval date	HR&R 13 June 2018
Review date	June 2021
Comments	This policy is applicable to all University of Brighton Academies Trust employees and replaces previous East Sussex County Council and West Sussex County Council Documents

Flexible Working Application Form

- This form should be returned to your manager once it is completed.
- To help your manager consider your request you should provide as much information as possible.
- Once you have submitted your request, your manager will arrange to meet and discuss your application within 20 working days of receipt of this form.
- Please note that it may take some time to consider a request before it can be implemented and possibly longer if difficulties arise. You should therefore ensure that you submit your application well in advance of the date you wish the request to take effect.

Personal Details	
Academy/Department	
Name	
Job title	
Signature	
Date	
If applicable, date of any previous flexible working application	
Is this a statutory flexible working request	Yes <input type="checkbox"/> No <input type="checkbox"/>

Application Details

Flexible Working option:
Please describe your preferred work style

When would you like this working option to commence from?	
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What are the benefits of this option:
Please describe both personal benefits and the benefits to the Academy

Impact of the new working option:

It is important to consider how this request may affect your team and service delivery so that any deterioration in standards does not occur. Please describe what specific issues may arise.

Accommodating the new working option:

Please describe how these issues could be dealt with.

Manager's authorisation

I confirm this application is agreed.

Yes (unamended)

Yes (amended)

No

If the application is amended or refused, please give reasons for your decision.

Line Manager's Signature		HR Signature	
Position		Position	
Date		Date	