

Requesting Flexible Working

1. Introduction

- 1.1 The University is required to comply with the statutory regulations under which employees who are the parents of children aged under 17 or of disabled children aged under 18 have the right to apply to work flexibly. From April 2007 this right was also extended to employees who are the main carer for a dependent adult or who are parents of disabled dependents over 18 years of age. The University has a duty to consider these requests seriously.
- 1.2 However, the workforce is constantly changing to reflect the wider population. Over recent years these changes have included an ageing workforce, an increase in the number of female workers (full and part time) and lone workers, and workers with caring responsibilities for children and elderly relatives. As a consequence, the demand for flexible working patterns is increasing and the University acknowledges that flexible working is relevant to many people at various stages of their working life, and that flexible working arrangements can assist all employees in balancing their work and home responsibilities.
- 1.3 Localised flexitime schemes are operated throughout the University to support individual needs as and when they arise. However, there will be occasions when individual needs cannot be accommodated in this way. Therefore, the University has made a commitment beyond its statutory obligations and from 1st May 2007 will consider formal requests for flexible working from any member of staff via this policy.

2. Principles

- 2.1 The University will consider requests seriously and where requests are refused will provide a clear explanation.
- 2.2 All requests will be considered taking into account the genuine needs of the individual, and the business and operational needs of the University
- 2.3 Only one application per year will be considered, unless there are exceptional circumstances in which case the University has the discretion to allow the request to be considered if appropriate.
- 2.4 Requests for flexible working via this policy are agreed on either a fixed term or permanent basis. However, in some circumstances it may be appropriate to implement a short trial period not exceeding three months before either a fixed term or permanent change is implemented. Changes to working patterns or hours required only to accommodate very short term or emergency situations are usually agreed informally at a local level.
- 2.5 The time limits detailed in this policy comply with the statutory requirements. However there is no statutory requirement regarding the number of days a member of staff has to submit an appeal against the initial decision made regarding their application. The University has therefore determined that staff have 14 days to make this appeal (see section 3 'General Requirements' point 6). However, the University and the employee can agree to extend any of the time limits for notification periods referred to in this policy. Such agreements should be confirmed in writing.
- 2.6 There are elements of some job roles that are less appropriate for flexible working and this will be taken into account when considering any request.

- 2.7 In line with other University procedures, where there is a need to meet with an employee to discuss their application for flexible working, the Budget-Holder or their nominee have the delegated authority to conduct such meetings and a representative of the Human Resources Department will also be present.
- 2.8 This policy is not intended to apply in cases where flexible working is recommended by Occupational Health for a member of staff following a referral in accordance with University procedures. Recommendations of this nature will be considered in accordance with the appropriate University procedure.

3. General Requirements

- 3.1 An application for flexible working must be made in writing to your line manager with a copy to the Human Resources Department. Your application must specify the following:
 - 3.1.1 The details of the flexible working pattern being requested.
 - 3.1.2 The date on which it is proposed that the flexible working pattern you are requesting should become effective.
 - 3.1.3 The reason(s) why you are requesting the specified flexible working pattern. If you are making the request in connection with your being a parent of a child under 17 years of age, or as a parent of a disabled dependent, or as the main carer for a dependent adult, then you must also make this clear in your written application.
 - 3.1.4 You must also explain what effect you think the proposed flexible working pattern would have on your post, the department and how, in your opinion, any such effect might be satisfactorily dealt with.
 - 3.1.5 You need to state whether a previous application has been made, and if so, the date it was made and the final outcome.
- 3.2 Your line manager will consult with the Human Resources Department to consider your request. If the application is agreed then this will be confirmed to you in writing by the Human Resources Department within 28 calendar days of receiving the written application. No request can be granted without consultation with the Human Resources Department.
- 3.3 If the written request cannot be agreed as detailed in 3.2 above, a meeting will then be arranged by your line manager within 28 calendar days of the receipt of your written application to provide the opportunity for you to explore your request in depth and to discuss how best it might be accommodated. A representative from the Human Resources Department will also attend this meeting. If there are any problems associated with accommodating your request possible alternatives will also be explored during this meeting.
- 3.4 You have a right to be accompanied to this meeting by a fellow employee or a trade union representative.
- 3.5 You will receive written confirmation from the Human Resources Department within 14 days of the meeting to confirm whether your request can be accommodated and the date it will become effective, or to provide an explanation as to why your application cannot be accepted.
- 3.6 You have the right to appeal against any decision within 14 days of it being notified to you. From this stage of the process, appeals must be made in accordance with the University Individual Grievance Procedure. Example grounds for an appeal are:

- 3.6.1 there was a material procedural irregularity, or
- 3.6.2 there were mitigating circumstances that could not have been known at the time the decision was taken, or
- 3.6.3 the decision was unreasonable in the circumstances

4. Grounds for Refusing a Request for Flexible Working

- 4.1 In rejecting a request for flexible working, the University will provide an explanation for the decision which has been made. Grounds for rejecting a request may include the following:
- the burden of additional costs to the University
 - a detrimental effect on the ability to meet customer demand
 - unable to re-organise work among existing staff
 - the creation of unmanageable workload for 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
 - financial constraints

This list is not intended to be exhaustive.

Further information regarding flexible working can be obtained from the Human Resources Department.

When making a request for flexible working you may choose to complete and submit the attached form. [\[click here\]](#)

**Contact: Director of Human Resources
April 2009**