



## **Flexible Working Policy**

The Policy does not provide an automatic right to work flexibly and the ability for the College to provide an efficient service will be paramount. It is also recognised that not all roles are suitable for flexible working options, particularly if there are requests from several members of a team or department.

The term Flexible Working describes any working arrangement where the number of hours, or the time or place of work that is undertaken, varies from the standard practice. Common examples of flexible working are as follows:

- Compressed working week
- Term-time working
- Part-time working
- Working from home
- Job Share arrangements
- Flexi-time working
- Annualised hours (usually a group of employees to meet fluctuating demand for work around the year)

Employment legislation relating to flexible working states that employers must consider requests for flexible working from all staff provided they meet the statutory minimum criteria. These rights are detailed below:

### **Statutory Rights**

Anyone can ask their employer for flexible work arrangements, but the law provides some employees with the statutory right to request a flexible working pattern, as follows:

- They must be an employee, but not an agency or casual worker
- They must have worked for the employer for 26 weeks' continuously before applying
- They must not have made another application to work flexibly under the right during the past 12 months

The employer must seriously consider an application made, and only reject it if there are good business reasons for doing so. The employee has the right to ask for flexible working - not the right to have it. Employers can reasonably decline the application where there is a

legitimate business ground.

## **Scope**

The Policy sets out the College's approach to flexible working arrangements and details the application process.

The Policy provides a framework for developing individual working arrangements that meet the requirements under current employment legislation and enable the College to meet its commitment to promote equality and diversity amongst employees.

The Policy does not apply to:

- Individuals who are not currently employed by the College, but who are applying for a position within the College
- Existing employees applying for alternative positions within the College who should do so based on the advertised terms and conditions and not assume that it will be possible to maintain any existing flexible working arrangements.
- Agency or casual workers

## **Aims**

The College recognises that flexible working arrangements can provide benefits to both employer and employees and is committed to enabling employees to achieve an appropriate work-life balance. The Policy also aims to support managers in developing a more flexible workforce in line with service requirements.

## **Procedure**

Any staff member who wishes to request flexible working arrangements should take the following steps:

1. Make a written request to their line manager stating the following:
  - The date of their application, the change to working conditions they are seeking and when they would like the change to come into effect.
  - What effect, if any, they think the requested change would have on the College and/or Department and how, in their opinion, any such effect might be dealt with.
  - A statement that this is a statutory request and if and when they have made a previous application for flexible working.
2. On receipt of a written request, the individuals line manager will discuss the request with the relevant College Officer and arrange to meet with the employee to discuss the

request, normally within 10 working days. The employee has the right to be accompanied at this meeting by a fellow employee. The employee may ask for this meeting to be postponed if the person who they wish to accompany them is not available on the date proposed.

3. Should the request be agreed, it is likely that a trial period may be required, to be agreed with the relevant College Officer.

4. An application can be refused where there are clear operational reasons which must be at least one of the following:-

- the burden of additional costs
- an inability to reorganise work amongst existing staff
- an inability to recruit additional staff
- a detrimental impact on quality
- a detrimental impact on performance
- detrimental effect on ability to meet customer demand
- insufficient work for the periods the employee proposes to work
- a planned structural change.

5. Whatever the outcome of the written request, a full response will be given to the requesting member of staff normally within 10 working days . All employees have the right to appeal if they feel that their request has been unfairly refused.

6. Should a request for flexible working not be agreed, the employee will have the right of appeal.

## **Appeal**

The appeal should be made in writing to the individual named in the outcome letter. The employee should clearly state the grounds of appeal, i.e. the basis on which they say that the decision taken was wrong. This should be done within 10 working days after the written notification of the outcome. An appeal meeting will be arranged to take place normally within 10 working days of the submission of the formal appeal, unless an extension to the appeal hearing date has been agreed.

The employee should ensure that they attend the meeting at the specified time. If they are unable to attend because of circumstances beyond their control, they should inform their line manager of this as soon as possible. If they fail to attend without explanation, or if it appears that they have not made sufficient attempts to attend, the hearing may take place in their absence.

The appeal hearing will be conducted by the individual named in the outcome letter. This may be a panel of the Governing Body chaired by the Rector or by an alternate acting on his or her authority. In the case of an appeal panel, the appeal chairperson will be assisted by two Governing Body Fellows appointed by the Chairperson. The appeal panel or individual will consider the grounds that have been put forward and assess whether or not

the decision reached was appropriate.

Following the appeal meeting, the employee will be informed of the outcome normally within 10 working days. The outcome of this meeting will be final.

The entire process will take no longer than 3 months from the date of the initial flexible working request, unless an extended time period is agreed.

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