1.0 Policy

1.1 The School recognises that flexible working arrangements may assist some staff to combine the demands of employment with those of family or other personal commitments and responsibilities. Flexible working arrangements may include number of hours worked, the times at which hours are worked, and provision for home-working. The School is committed to considering and agreeing requests for flexible working wherever reasonably possible.

1.2 This document outlines the process for staff to apply for flexible working arrangements. Annex 2 outlines some examples of flexible working arrangements which the School is prepared to consider. The arrangements under this procedure are not intended to cover ad hoc variations in the normal working pattern, for example, where someone works from home on an occasional basis.

1.3 This process also applies to new starters, therefore flexible working agreements can only be made, before commencement in a role, after formal sign off.

1.4 Staff applying for and undertaking flexible working arrangements will be treated fairly and consistently to ensure equality of opportunity, and to ensure that no discrimination occurs. The policy will be applied in a non-discriminatory way, in line with the School’s Equality and Diversity Policies.

1.5 Any changes to terms and conditions of employment resulting from the revised working arrangements may apply on a pro rata basis, depending on the nature of the arrangements.

1.6 Flexible working requests that have been agreed will be reviewed periodically i.e. every 3 to 6 months, or as part of the annual PDR process, and in response to any changes in business requirement as necessary. This is to allow the School to review such arrangements periodically and to ensure they do not have a detrimental impact on service delivery. The review periods are therefore important.

2.0 Eligibility

2.1 In line with current legislation, the right to request flexible working arrangements is extended to all employees with at least 26 weeks of continuous service.

2.2 Following submission of a flexible working request, an employee does not have a statutory right to make a further request for a period of 12 months. This normally applies irrespective of the outcome of the earlier request.

2.3 In exceptional circumstances, discretion may be applied by the staff member’s line manager, to consider a further request within a 12-month period. If a member of staff wishes to reduce their working hours and their salary decreases as a result, this may have implications for staff with visa restrictions. Before making an application for flexible working, all staff with a visa should contact a member of the HR Partner Team.
3.0 Procedure and Timetable

3.1 Staff wishing to apply for flexible working arrangements should discuss their proposals with their line manager in the first instance.

3.2 The member of staff should complete the Flexible Working Arrangements Form and send this to their line Manager and any other individual(s) involved in their line management. The Line Manager may contact the HR department for advice as necessary. The application should include specific information explaining what if any impact they think the proposed change will have on the School, and how in their opinion any such effect might be dealt with.

3.3 The Line Manager should arrange to meet with the member of staff within 28 days of the receipt of the application. Another relevant manager may be in attendance (i.e. grant holder or Faculty Operating Officer). The meeting will provide an opportunity to explore the desired working pattern in depth, and to discuss how best it might be accommodated. It will also provide an opportunity to consider other alternative working patterns should there be problems in accommodating the proposal outlined in the application. Staff have a right to bring another member of School staff or a Trade union representative to the meeting. Where a member of staff is on maternity or shared parental leave, this meeting may be conducted by telephone.

3.4 Requests for flexible working arrangements require the approval of the line manager and Dean of Faculty / Head of Service. For Professional Services staff, approval from the Chief Operating Officer is also required. Flexible working requests that have been approved locally, and do not adhere to this policy and approval processes will be reviewed and can be ceased where required.

3.5 Following review by all approvers, the line manager should write to the member of staff. This should be within 28 days of the date of the meeting, either to agree a new work pattern and a start date, or to notify the member of staff of the refusal of their application. In the case of a refusal the Line Manager is required to explain which of the business grounds for a refusal apply, with a supporting statement to demonstrate how those grounds apply. The Line Manager must also inform the employee of their right to appeal.

3.6 The possible grounds for refusal include:

- burden of additional costs;
- detrimental effect on ability to meet the demands of students or other stakeholders;
- inability to reorganise 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, or
- planned structural changes.

3.7 Records of individual requests for flexible working and the outcome of those requests should be maintained by departments, and notified to the HR Department. If a staff member’s FTE is affected due to a Flexible working request, then the Faculty/Department should send an approved payroll form to Human Resources.
4.0 Appeals

4.1 A member of staff has the right to appeal against any decision to refuse an application. Appeals must be lodged with the Line Manager’s manager within 14 days of the date they receive written notice that their request has been refused. When appealing against a refused request the member of staff will have to set out their grounds for making the appeal and ensure that the appeal is dated. There are no constraints on the grounds under which the employee can appeal.

4.2 The appeal meeting will be held within 14 days of receiving notification of appeal. The member of staff may bring another member of School staff or a trade union representative to the meeting. The appeal will be heard by the line manager’s manager.

4.3 The member of staff will be informed of the outcome of their appeal in writing within 14 days of the date of the appeal hearing.

Further information on this procedure is available from the HR Department.

If you require any document in an alternative format, for example, in larger print, please contact the HR Department.

Sep / 2018
ANNEX 1 – Frequently Asked Questions

Line Manager

Q. How quickly must I make a decision as to whether to agree to flexible working?

Timelines are advised in the policy which the School expects managers to adhere to wherever possible. Legally, employers have up to 3 months to deal with an application from submission up to and including any appeal stage.

Q. I have just received a number of requests from my team, all very similar. I cannot agree to all requests. How do I deal with this?

You should consider each case on its merits. Looking at the business case consider if individuals have a protected characteristic and the possible impact of refusing a request. For example: if the request is from an employee with a disability and the flexibility is requested as a reasonable adjustment, then the employer is obliged to take this into consideration under the Equality Act.

Q. I have granted one member of staff flexible working. Another member of staff would like the same flexible working arrangements which I cannot accommodate. Can I refuse?

Yes. Agreeing to a flexible working request for one member of staff does not mean that other members of staff are entitled to the same arrangements. Each case has to be decided on the grounds of the business requirements at the time of the request.

Employee requesting flexible hours

Q. If I change my working hours is the change permanent or can I revert back to my normal hours?

The change is a permanent contractual change, unless it has been agreed by your line manager that it is for a temporary period.

Q. I am due to start maternity leave, when should I submit my flexible working request?

It is a good idea to discuss your proposal with your line manager as soon as possible. You can submit your application when you choose, however you should bear in mind that it could be refused and so you should make your application as early as possible as it could take up to a maximum of 3 months for a final decision. In the event that a request is still pending upon your return to work you would be expected to return on your contracted hours until a decision is reached and an effective start date agreed.

Q. My funding stream is increasing / decreasing. Do I request a change in FTE through this process?

No. If your hours of work are changing due to a funding situation this is not a personal request covered by this policy. In those instances, your Faculty / Department will instigate the changes through the HR department.
Q. Who do I need to discuss my application with, and should I discuss it before applying formally?

Depending on your role at the School, for example, teaching duties and PhD supervision, there may be a number of individuals affected by a change in your working hours. It would be helpful to have a preliminary discussion with your line manager to allow them to consult with staff who may be affected prior to coming to a decision. This consultation would take the form of a broad discussion about workload capacity etc. Your line manager would not disclose your request to other team members.

Q. I would like to request differing work patterns each day – what happens to my annual leave entitlement?

If you have an agreed change to your working pattern which results in you working a different number of hours on different days, then your annual leave entitlement will be converted into hours.
ANNEX 2 - Examples of Flexible Working Arrangements

Part-time work
Part-time work is defined as any arrangement where the member of staff works for any period less than 35 hours per week. In many cases, this will provide the flexibility needed for individuals to undertake family and other personal responsibilities. Part-time work may entail working for certain hours each day, or for part of the week only. The pay and benefits offered to part-time employees will be on a pro rata basis calculated from the full time provisions. Staff opting to work part-time should make themselves aware of the consequences in terms of national insurance, pension benefits, and unemployment benefit.

Flexible working hours
Flexible working hours describes an arrangement where the member of staff works a pattern of hours which varies from the usual 9am to 5pm working pattern. The variation could be to accommodate family and other personal responsibilities. For example, to travel outside the ‘rush hour’ for medical reasons.

Job sharing
Job sharing is a system whereby two or more people share a full time job, and share the pay and benefits in direct proportion, whether on a daily basis, weekly or bi weekly.

Home-working
This involves staff contractually undertaking to carry out their work from their own homes, visiting the School's premises to collect and/or deliver work, or to attend meetings. Staff who are permitted to carry out their duties on a home-working basis do so under arrangements approved by the School. When considering requests for home-working line managers consider the impact of the request on the wider team. Requests will not be granted where an unfair burden in terms of teaching, administrative and other duties would be placed on colleagues as a result. In some instances, it may be possible to provide home computing facilities. Where appropriate members of staff who are home-working will require a risk assessment of their homeworking environment to be undertaken, and there should be no expectation that any office space would be retained for them on School premises (except for “hot-desk” arrangements).

Working from home
This is where a member of staff, with the prior agreement of their line manager, works from home to complete a particular project or piece of work on an exceptional (but not frequent) basis. It would not be a contractual entitlement and the member of staff would still have the School premises as their base.

Term-time working
This could be a request to reduce the hours of work to reflect as far as possible a child’s attendance at School. Staff would have to identify the exact number of weeks that would be worked per year i.e. a request may be for 32 weeks per year. Salary payment would be made in equal monthly instalments across the year. The exact dates may vary year to year and this would have to be agreed through discussion and negotiation with the line manager. The number of weeks required to be worked each year would be fixed on agreement, and reflected on a variation of contract of employment.

This list is not exhaustive. If you would like to have an informal discussion about flexible working options then please contact Human Resources.