**[organisation name] Flexible**

**Working Policy**

*NB This template need to be tailored to the specific circumstances of each organisation. It is intended as a framework for discussion and planning, with suggestions for areas you may need to consider. There may be other areas that are specific to your type of work.*

*You will also need to check reliable health and government sources for any further updates as information is changing rapidly.*

**1. Introduction**

This policy aims to encourage staff to consider flexible working arrangements. [organisation name] recognises that a better work life balance reduces stress, improves physical health and mental well-being and improves motivation and performance. [organisation name] is committed to agreeing flexible working arrangements, where this meets the needs and objectives of both the organisation and the employee.

[organisation name] is committed to promoting a working culture that is open and flexible. To support this we already have some flexible working arrangements in place that everyone employed at [organisation name] benefits from automatically. This includes:

[give some examples of any things you already do, for example and say where staff can find more information Examples could include:

* Flexi-time system
* Support for staff when both planned for and unexpected events occur in their lives that require more flexibility at work in the short term.
* Bank holiday swop scheme for staff whose religious celebrations do not fall on statutory bank holidays. (annual leave policy)

This Flexible Working policy is therefore one of a number, which promotes [organisation name] approach as a flexible and supportive employer and employee health and well-being. See also: [if you have any other policies that support flexible working list them here, for example:

* Working from Home Policy
* Maternity, paternity, adoption leave, parental leave policy
* Health and Well Being Policy
* Annual leave policy

If you want to request flexible working as a formal and permanent change to your terms and conditions then you should use this policy. If the change will be temporary, for a short period have a look at some of the policies listed above which may fit your circumstances better. In either case you are encouraged to have an informal discussion with your line manager about the options.

**2. What is flexible working?**

Flexible working is any type of working arrangement that gives some degree of flexibility on how long, where and when an employee works.

Flexible working could mean shorter working hours, or a shorter working week, a system of compressed or annualised hours, job sharing, and part-time work, term time working, and working from home (long-term). There may be other alternatives or a combination of options that are suitable to both the employee and [organisation name]

For an explanation of what these terms mean see definitions in appendix. [note this is not an exhaustive list, customise this for your organisation- see [Acas](https://archive.acas.org.uk/media/661/Advisory-booklet---Flexible-working-and-work-life-balance/pdf/Flexible_working_and_work_life_balance_Nov.pdf) guide to flexible working for more definitions if you need them]

**3. Balancing needs of [organisation name] and the needs of the employee.**

[organisation name] is committed to providing a range of appropriate working patterns. However not all flexible working options will be appropriate for all roles.

When a flexible working arrangement is proposed [organisation name] will need to take into account a number of things including, for example:

* Effect of the proposed arrangement on other staff
* The existing structure of the team
* The availability of staff resources
* Details of tasks specific to the role
* Nature of the work / peak demand times
* Costs associated with the proposed arrangement
* The need for, and effect on supervision
* Is it a request for a reasonable adjustment related to a disability or long-term health condition?
* Health and safety issues.

**4. Eligibility**

As from 30 June 2014, the Employment Act 2002 and regulations made under it gives the right for all employees with 26 weeks continuous service, to request flexible working. However, [organisation name] has taken the view that all employees at any level, are entitled to submit a request for flexible working regardless of their length of service.

1. **Making a flexible working request**

Employees can submit one flexible working request in any 12-month period. (You will be entitled to additional requests if they relate to a statutory entitlement e.g. the Equality Act 2010 right to request reasonable adjustments)

If you are only looking for an informal change for a short period to your working hours or conditions, for instance to cope with a bereavement or to pursue a short course of study. [organisation name] will consider arrangements where you can go back to your old conditions after a specified period, say three months, or after the occurrence of a specific event, such as the end of a course of study.

If [organisation name] approves your application, you do not have a statutory right to request another variation in contractual terms for a period of 12 months although you may still ask without the statutory right to request.

To make your request fill in the flexible working request form available from your line manager. Make sure all parts of the form are completed.

If your application does not contain the required information your line manager will explain what additional or amended information we need and ask you to resubmit the form.

1. **Meetings about flexible working**

When we receive your written request for flexible working, it may be necessary to arrange a meeting with you to:

* Discuss the request
* find out more about the proposed working arrangements
* explore how it could benefit both employee and [organisation name]

Where a request can be approved from your flexible working request form without further discussion or clarification, it won’t be necessary for a meeting to be arranged. In this case, you will be informed by letter (see below) as soon as possible and within 28 days of making your request.

If a meeting is arranged it will happen within 28 days of [organisation name] receiving your request.

If it is difficult to arrange a face to face meeting and both [organisation name] and the employee agree, we can arrange a telephone meeting.

You can ask a trade union representative or [organisation name] colleague to accompany you if you wish.

[organisation name] will withdraw your application if you fail to attend the meeting, and then fail to attend a rearranged meeting without good reason. [organisation name] will inform you that we have done this.

1. **Responding to a flexible working request**

To ensure fairness and transparency in our response to flexible working requests a panel from the management team will consider all proposals. This will be your Line Manager, HR manager, one other manager

[organisation name] gives careful consideration to the potential benefits and any adverse effects to both the employee and the organisation.

[organisation name]will consider each request on a case-by-case basis. This means agreeing to one request will not set a precedent or create the right for other employees to have a similar change to their working pattern made.

[organisation name] will inform you in writing of the decision about your request as soon as possible (and no later than 14 days after a meeting) Your request may be agreed in full, in part or refused.

Where your request is agreed in full a confirmation letter will contain details of the new arrangements and a start date. If you have any concerns contact your line manager within 14 days.

In some circumstances (e.g. phased return to work after illness) the request may be agreed on a temporary basis to meet the needs of both the employee and the organisation.

[organisation name] or the employee can ask to try the arrangement for a trial period, to ensure it meets both organisational and employee needs. If a trial period is arranged [organisation name] will allow enough time for you and your line manager to implement and get used to the new working practices before taking any decisions on how they are working.

[organisation name] will explain clearly in writing why we are asking for any modifications to your request and if the request is refused give clear reasons for this.

[organisation name] will only refuse an application for flexible working if one or more of the following grounds applies:

* Burden of additional cost to the organisation
* Not able to reallocate work among existing staff
* Not possible to recruit additional staff (e.g. for job share)
* Negative impact on quality or performance
* Negative effects on [organisation name]ability to meet service demand
* Not enough work during the periods the employee proposes
* Planned structural changes

You have the right to appeal if your request is refused or only agreed in part. Details will be sent in your letter.

1. **Right to appeal a decision**

You can appeal in writing within 14 days saying why you want to appeal.

The HR/other Manager will arrange an appeal hearing within 14 days. The appeal will be considered by the Chief Executive and another Manager or Trustee of [organisation name]. You can bring a Trade Union representative or a [organisation name] colleague with you.

[organisation name] will give a decision on the appeal within 14 days of the appeal hearing.

The whole request, including the outcome of any appeal will be considered by [organisation name] within a three-month period, unless an extension is agreed with the employee.

**9. Varying an employees contract**

A variation to your contract of employment is needed when flexible working practices are agreed as a permanent change. [organisation name] will send a new contract to you within 28 days of the agreeing the change in your working patterns.

If you have any questions or concerns about your new contract talk to your line manager or the finance and facilities manager.

If a trial period is agreed [organisation name] will provide you with a document making it clear this is only a temporary change to the terms of your contract. You will have the start and end dates of the trail period in writing. [organisation name] will have the right at the end of the agreed period to require you to go back to your original working [organisation name] arrangement. may also reduce or lengthen the trail period if you agree.

**10. Complaints and further information**

[organisation name] is strongly opposed to any form of victimisation of individuals who work or request to work under flexible working arrangements.

Employees will not be dismissed, selected for redundancy, victimised or subjected to any disadvantage by [organisation name] for applying for flexible working arrangements, having flexible working arrangements, asserting an employee’s right to apply for flexible working, or for challenging, or questioning any alleged infringement of those rights.

If you feel that you have been treated unfairly or are dissatisfied with any stage of this process, or aspect of flexible working at [organisation name] you should raise your concerns informally with your line manager.

If informal discussions do not resolve the matter to your satisfaction, you should raise a grievance under [organisation name] grievance procedure.

This policy has been written with reference to:

[Employment Rights Act 1996](https://www.legislation.gov.uk/ukpga/1996/18/part/8A) (Flexible Working Regulations 2014)

[Acas Guide](https://www.acas.org.uk/media/3923/The-right-to-request-flexible-working-an-Acas-guide/pdf/The-right-to-request-flexible-working-the-Acas-guide.pdf)

[Acas Code of Practice](https://www.acas.org.uk/media/3977/Code-of-Practice-on-handling-in-a-reasonable-manner-requests-to-work-flexibly/pdf/11287_CoP5_Flexible_Working_v1_0_Accessible.pdf)

Equality Act 2010

For further information refer to the information listed below and or contact the HR/other manager.

[Equality Act 2010 and reasonable adjustments](https://www.equalityhumanrights.com/en/multipage-guide/employment-workplace-adjustments)

[organisation name] Policies

List as appropriate e.g:

Grievance Procedure

Equality and diversity policy

Dignity at work (harassment and bullying)

Working from Home

**Policy Checklist**

**Flexible Working Policy**

**Date First Adopted:**

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| --- | --- | --- | --- |
| Date of review | Amendments/Updates made | Reviewed & accepted as is | Proposed next review date |
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