



## Flexible Working Scheme

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<b>Version Number</b>	<b>Purpose/Change</b>	<b>Date</b>
1	The Procedure has been updated into the standard template. Section 2 has been modified to include home working in alignment with the University's hybrid working, with the addition of hyperlink directing to the Hybrid Working Policy. Appendix B, Flexible Working Application has been made a standalone document to help become more user friendly; the form is linked within this document.	November 2023
1.2	The Procedure has been updated to ensure compliance with new statutory changes which are effective from April 2024 as set out in the Employment Rights Act 01996 (as amended) and regulations made under it.	March 2024



## Flexible Working Scheme

### 1. Introduction

- 1.1 All employees, regardless of length of service, have a statutory right to request a flexible working arrangement from day 1 of employment.
- 1.2 The purpose of this guidance is to outline some of the options you may wish to consider and the process which will be used to consider requests from employees who meet the eligibility criteria detailed below.

### 2. Flexible Work Options

#### 2.1 Non-standard working pattern

2.1.1 This is any variation to the standard working hours for the job and may include (but is not limited to) the following options:

##### 2.1.2 Part-time working

2.1.2.1 When an employee is contracted to work anything less than normal full-time hours for their job. e.g., 3 days per week or term time only.

##### 2.1.3 Non-standard hours/days/weeks

2.1.3.1 When an employee works their normal contractual hours over a different pattern of days and weeks. e.g., 8am- 4pm or 9-day fortnight.

##### 2.1.4 Job share

2.1.4.1 More formalised version of part time hours where the hours of a specific job are split between more than one person, but the job remains a 'whole job'.

Usually, the job is a full time one that is divided between two job-sharers, and sometimes this can be with the total hours required being reduced also. Job share can only be approved if another suitable employee can take on the other part of the role.

#### 2.1.5 Flexible retirement

2.1.5.1 An employee wishes to either reduce their hours of work and/or grade of post, at the same time as accessing their pension benefits, either in part or in full. Subject to scheme rules, the employee can also in some circumstances, continue to pay contributions into the pension scheme and accrue further pension service/benefits once the change in hours and/or grade has occurred.

#### 2.1.6 Unpaid leave of absence for an extended period

2.1.6.1 Where an employee wishes to take an extended period of unpaid leave for whatever reason - employee would need to assess impact on pension, NI etc, and University would need to assess impact on other members of the team and any opportunities it presents.

#### 2.1.7 Remote Working

2.1.7.1 This is permitted through the University's [Hybrid Working Policy](#), where up to 50% of hours may be undertaken in an alternative location, if suitable to the role and departmental needs. Homeworking through hybrid working arrangements is expected to be flexible, therefore, fixed days off campus cannot be guaranteed. The University does not normally permit home working on a full-time permanent basis. If a member of staff wished to have fixed home working days, these would need to be requested through a Flexible Working Application.

### 3. Eligibility Criteria

To make an application for flexible work arrangements, employees must meet certain criteria. This section will outline those criteria and the types of flexible work arrangements for which an employee might apply.

#### 3.1 Who can make a request?

3.1.1 To be eligible to make a flexible working request the individual must:

3.1.1.1 Be an employee of the University.

3.1.1.2 Not have made more than 2 flexible working applications within the last 12 months Each year will run from the date of when the first application is made.

#### 3.1.2 Flexible retirement

To be eligible for flexible retirement, staff must also meet additional conditions under the particular pension scheme rules. See Section 7 'Further Information' for links to the appropriate pension information.

3.1.3 If an employee takes flexible retirement before age 65 scheme benefits may be reduced for early payment. Early payment of benefits may also trigger additional costs for the University. Where continuing recurring costs of employment combined with strain on fund costs are greater than the employment costs which previously applied, the University will not approve the application.

### 4. Making an Application

Employees who wish to apply for flexible working should make an application using the [Flexible Working Application Form](#). Using this formal process allows the university to monitor flexible working applications and ensure all requests are considered fairly and consistently.

- 4.1 All applications should be submitted well in advance of when the individual would like the change to take effect. This is to allow the request to be considered in line with the scheme process and does not preclude the change taking place earlier if it is agreed and any consequences have been addressed satisfactorily.
- 4.2 All decisions, including any appeals, will be communicated to the employee within a period of two months from when the Dean of School/Head of Department first receives the request. Where the University and employee agree to extend this timescale, this should be confirmed by the Dean of School/Head of Department in writing to the employee.

## **5. Considering an Application**

- 5.1 An application will be dated on the day it is received by the Dean of School/Head of Department.
- 5.2 The Dean of School/Head of Department will arrange a meeting to consider the request usually within 10 working days of the application being received. This will provide an opportunity to discuss the request in depth and consider how it might be accommodated. Although the employee is not required to offer any solutions or suggestions to how the request will be covered by the University, the form allows for this to be included if the employee wishes to do so. The degree of flexibility permitted will be dependent on a number of factors, but ultimately there must be no deterioration in the service to colleagues and students offered by the department.
- 5.3 Employees can bring a colleague or workplace trade union representative to the meeting. TU reps can talk with the employee and address the meeting, but they cannot answer questions on their behalf. If the TU rep is unable to attend the meeting, the employee should rearrange this within five days of the date of the original meeting.
- 5.4 It may also be in the interests of both parties to agree a trial period to see how the working pattern suits the employee and the department in practice.

## 6. Reaching a Decision

Once the request has been discussed, the Dean of School/Head of Department must consider the application and establish whether the request can be accommodated within the business needs of the University, taking account of the benefits to be achieved, impact and cost. They will then notify the employee of the decision, in writing, usually within 5 working days of the date of the meeting.

### 6.1 Accepting an application

6.1.1 If the Dean of School/Head of Department agrees to the requested change the Human Resources Department will write to the employee confirming the change and any impact on the employee's terms and conditions of employment. The Payroll department will also be informed of any corresponding changes in salary.

6.1.2 In the case of flexible retirement, employees will also be asked to confirm to the pension scheme whether they wish to access their benefits in full or in part before the final confirmation letter is issued to them.

6.2 Any request that is made under this procedure will be a permanent change to the employee's contractual terms and conditions (unless specifically agreed otherwise). There is no right on the part of the employee or employer to revert to the previous working pattern.

### 6.3 Rejecting an application

6.3.1 In circumstances where the Dean of School/Head of Department is unable to accommodate the request due to the business needs of the University, they will write to the applicant detailing one or more of the eight permitted business reasons for refusing the request, as detailed below:

- 6.3.1.1 The burden of additional costs is unacceptable to the organisation.
- 6.3.1.2 An inability to re-organise work amongst existing staff.
- 6.3.1.3 An inability to recruit additional staff.
- 6.3.1.4 The employer considers the change will have a detrimental effect on quality.
- 6.3.1.5 The employer considers the change will have a detrimental effect on the business' ability to meet customer demand.
- 6.3.1.6 Detrimental impact on performance
- 6.3.1.7 There is insufficient work during the periods the employee proposes to work.
- 6.3.1.8 Planned structural changes, for example, where the employer intends to reorganise or change the business and considers the flexible working changes may not fit with these plans.
- 6.3.2 Employees have the right of appeal against the decision if they feel their request has not been properly considered. Appeals should be made in writing to the HR Manager within 10 working days of the date of the decision letter.

## **7. Withdrawal of Application**

An employee who wishes to withdraw their application after the initial meeting has taken place must do so formally in writing. Only two applications every rolling 12 months will be considered.

## **8. Further Information**

- 8.1 Further information on the contents of this guidance can be obtained from the HR department.
- 8.2 Further information regarding the statutory right to request flexible working can be found in the ACAS guide.
- 8.3 LGPS members can also find further information [here](#).
- 8.4 STSS members can find further information [here](#).
- 8.5 L&G members can find further information [here](#)

## **9. Review**

- 9.1 This procedure will be reviewed every three years or as required.



## Appendix A: Requests for Flexible Working

The following flow chart explains the process as set out in section 4 to section 6 of the procedure.

