

# Flexible Working

## Guidelines

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# Introduction

The University of the West of Scotland is committed to supporting employees to achieve a greater work life balance. One of the support mechanisms available to employees is our 'Flexible Working Procedure'.

The procedure is governed by legislation and therefore we do have to fulfill our statutory obligations from the initial request through to the confirming the decision. These guidelines are designed to give some practical help on dealing with flexible work requests.

The following legislation governs flexible work requests:

- Children & Families Act 2014
- Employment Rights Act 1996
- Flexible Working Regulations 2014

In April 2003, the government introduced the 'right to request flexible working' which has historically applied to parents and certain other carers. The legislation was extended from 30 June 2014 to include all employees with at least 26 weeks' continuous employment, regardless of parental or caring responsibilities.

Through consultation with the trades unions, we have removed the statutory qualifying service and employees can now apply to work flexibly from day one.

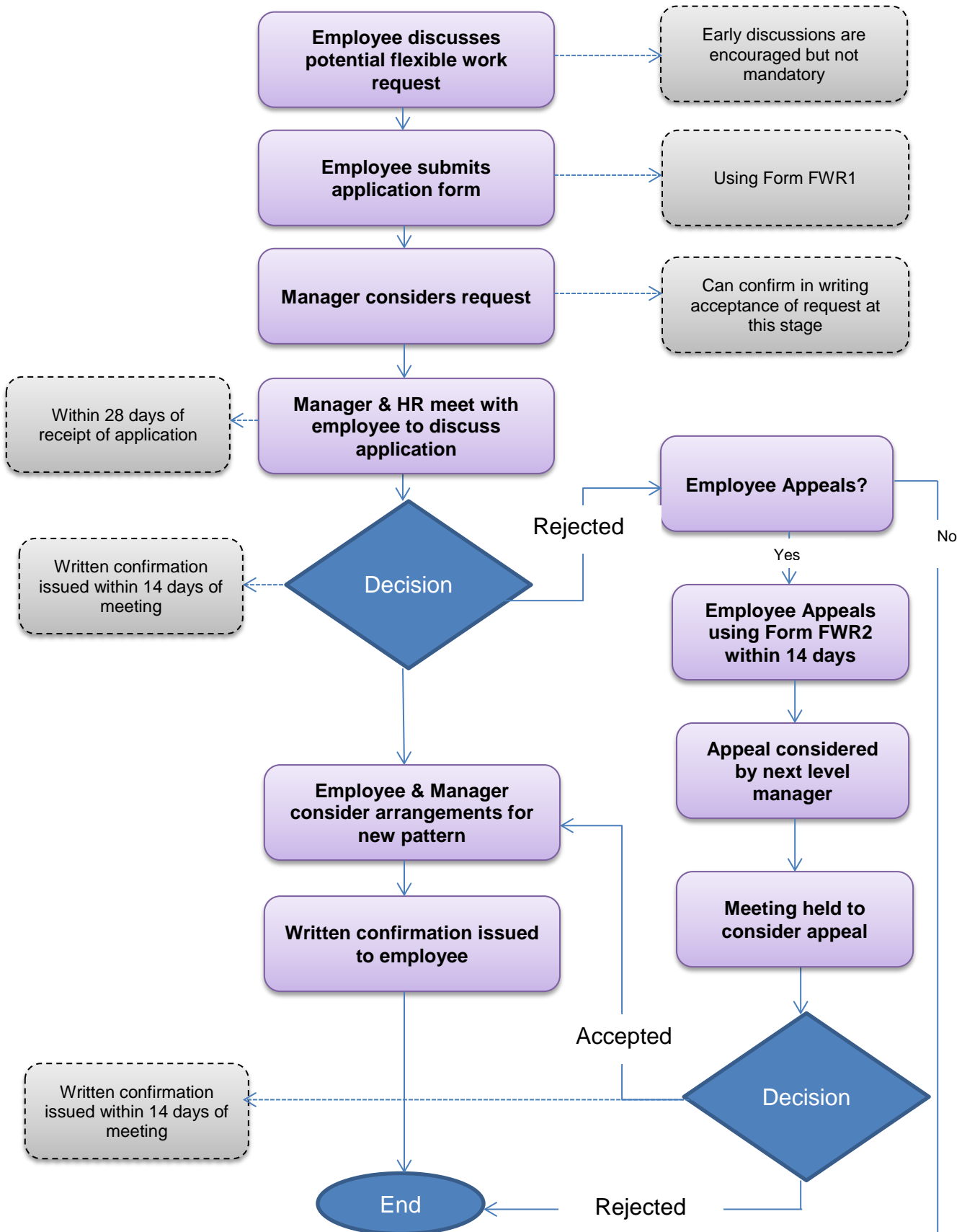
Employers have a duty to consider a request in a reasonable manner and can only refuse a request for flexible working if they can show that one of a specific number of grounds apply. Guidance on this is included in this management pack.

- Managers' should make every attempt to accommodate flexible working requests and only where there is legitimate reason, should requests be refused. The statutory reasons are outlined in your pack.
- ACAS have produced a Code of Practice: Handling in a reasonable manner requests to work flexibly. You can access this by clicking on the link below:

<http://www.acas.org.uk/media/pdf/f/e/Code-of-Practice-on-handling-in-a-reasonable-manner-requests-to-work-flexibly.pdf>

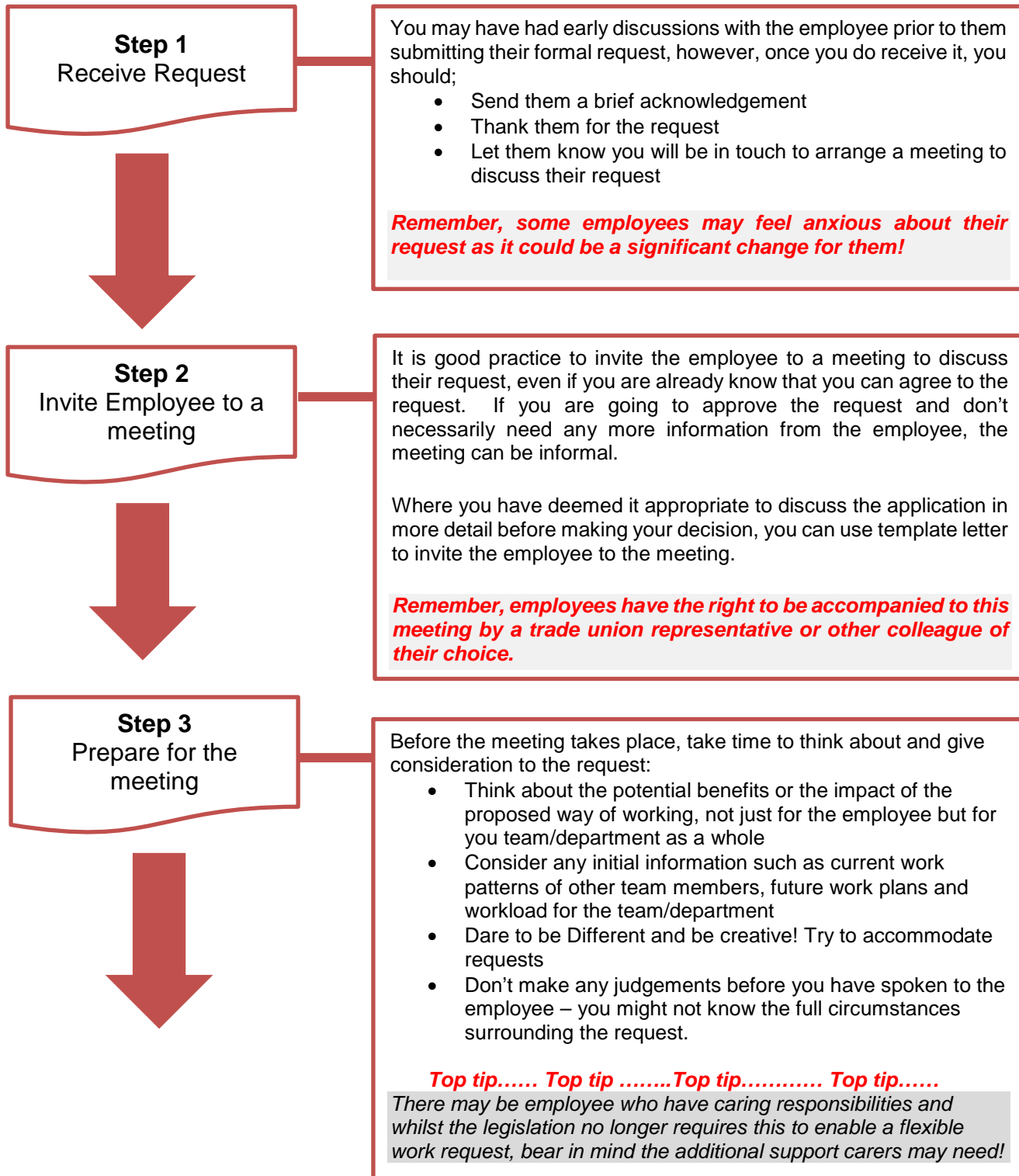
The Children & Families Act 2014 states that requests, inclusive of appeals, must be dealt with within 3 months.

# The Process at a Glance



# Step by Step Guide: Dealing with Flexible Work Requests

Here is a summary of the step by step guide that you should follow to make sure the flexible work requests are dealt with:



**Step 4**  
During the meeting



The purpose of the meeting is to:

- Have practical discussions with the employee regarding their request
- To give full consideration of the request and any implications to the employee and team/department/school
- Fully explore flexible work options or alternative proposals
- Enable a balanced decision to be made based on the needs of the University and the employee

**Step 5**  
Things to consider when making your decision



Before you make and communicate your decision, you should:

- Fully consider the impact the decision will have on the employee
- Be confident that you have fully considered the employees circumstances and their needs, as well as those of the team/department/school
- Considered the request on its own merit
- Consider any budgetary impact if for e.g. an employee is reducing their hours
- If you are in doubt, consider the application on a trial basis, this will give you and the employee the opportunity to see how it works in practice.

**Top tip..... Top tip .....Top tip..... Top tip.....**  
*There may be other employees already working flexibly, you could consider team flexible working and propose alternative arrangements that could accommodate the team. Remember though, you can't force anyone to work a new work pattern!*

**Step 6**  
Communicate the decision

You should confirm your decision as soon as possible and try not to leave the employee waiting for an outcome. The legislation states requests must be dealt with within **3 months** of receipt, but be careful as this includes the appeal procedure too.

If you are accepting the request, you can use template letter: **(Letter confirming Flexible Working Request).**

If you are refusing the request, you can use template letter: **(Letter Confirming Outcome of Meeting – Refusal).**

If you are refusing, remember they have a right to appeal and the details of this are contained within the letter.

# Employee Rights & Responsibilities

## Employee Rights

- To be accompanied at any formal meeting (or informal meeting if they wish)
- To have the right of appeal if the request cannot be accommodated

## Employee Responsibilities

- To consider various flexible working arrangements in making an application and to set out how the request can be accommodated within the needs of the department/school.
- To be willing to compromise over possible solutions
- To consider full the financial implication of any change

# Benefits of Flexible Working

There are a number of benefits of flexible working, some of which are highlighted below:

- The retention of skilled and experienced employees
- Improve employee engagement, morale, commitment and motivation
- Enhanced recruitment by appealing to a more diverse workforce
- Reduced levels of absence
- Higher levels of productivity
- Enhanced reputation, leading the way on becoming an employer of choice.

# Types of Flexible Working

Flexible working describes any work pattern adapted to suit individual needs, some of the more common types are listed in Table 1 below:

**Table 1: Examples of Flexible working**

Type of Flexible Working	What this means
Part-time Working/Reduced Hours	Working less than the normal hours by possibly working less days per week
Staggered Hours	This can provide flexibility where it is possible to vary normal starting, finish and break times.
Job Sharing	Part time working where two people share the responsibility for the same job.
Compressed Working	This is the working hours are allocated to possible working more hours per day but fewer days in the week.
Term-time	Working only during University semesters.
Annualised hours	Working an agreed number of hours over the course of the year, but those hours can be spread unevenly throughout the year. This allows for increased hours to be worked at busiest periods and fewer hours at quieter times.

<b>Homeworking</b>	Undertaking work from home on agreed days. This requires work to be outcome based and encourages the employee to manage their own workload.
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Further definitions of flexible working are available through [ACAS website](#).

## Statutory Grounds for Refusing a Request for Flexible Working

If you receive a request that you cannot accommodate, it is your responsibility to ensure that refusal of the request can be justified and must relate to at least one of the 9 statutory reasons as follows:

1. The burden of additional cost
2. Detrimental effect on ability to meet customer needs
3. Inability to re-organise work amongst existing employees
4. Inability to recruit additional employees
5. Detrimental impact on quality
6. Detrimental impact on performance
7. Insufficiency of work during the periods that the employee proposes to work
8. Planned structural change
9. Such other grounds as may be specified by regulations

Your HR Business Partner will be able to provide you with support and assistance if required when determining the reason for the refusal to ensure we meet the required legislative standard.



# Frequently Asked Questions.....

## **Q1. If an employee withdraws his or her statutory application for flexible working can he or she make another request for flexible working?**

A1. An employee who withdraws his or her application for flexible working will not be entitled to make another application under the statutory procedure for a period of 12 months from the date of the original request. The same is true where, pursuant to s.80G(1D) of the Employment Rights Act 1996, an employer treats an application as having been withdrawn because the employee has failed, without good reason, to attend two meetings to discuss his or her request.

Despite the restriction on making another application within 12 months, an employee may choose to make an informal request. The employer will not be required to consider it under the statutory procedure, but it can decide to consider the request on an informal basis, or under its own procedure. Employers should be aware of the risk of an indirect sex discrimination complaint if they ignore a request for flexible working, or reject it without giving it serious thought, even where the request does not come under the statutory procedure.

## **Q2. What should an employer do if an employee raises a complaint about the way in which his or her statutory flexible working request has been handled?**

A2. If an employee has a complaint about the way in which his or her flexible working request has been handled, the employer should try to resolve it in the course of dealing with the request. For example, if the employee complains that the employer is taking too long to respond to his or her request, the employer should inform the employee of the reason for any delay and ensure that it provides a response as soon as possible.

There is no statutory duty on employers to allow employees to appeal a flexible working decision, but employers must be able to show that they have handled the request in a reasonable manner. The [Acas code of practice for handling in a reasonable manner requests to work flexibly](#), which will be taken into account in relevant employment tribunal cases, states that employers should allow an employee to appeal a decision to reject a request.

Whether or not an employer includes an appeal stage in its procedure for handling requests, if the employee is unhappy with the decision once the procedure has been concluded, the employer should advise him or her to raise a formal grievance using its grievance procedure. If possible, the grievance procedure should be conducted by someone unconnected with the flexible working request process.

If a grievance or appeal is upheld, the employer should ensure that the issue uncovered is rectified and the flexible working request reconsidered. For example, if the grievance or appeal procedure highlighted that the employer had used incorrect facts to make the original decision, the application should be re-examined using the correct information.

An employee can complain to an employment tribunal on the grounds that his or her employer:

- reached a decision in relation to a flexible working request based on incorrect facts;
- failed to deal with the request in a reasonable manner, within the required timescale;
- treated the request as having been withdrawn when it was not entitled to do so; or
- refused the request other than on one of the specified grounds.

The employer should attempt to avoid a tribunal claim by dealing thoroughly with the employee's complaint and rectifying any errors that are identified.

### **Q3. Which employees are eligible for the statutory right to request flexible working?**

A3. To be eligible to make a statutory request for flexible working, an employee must have at least 26 weeks' continuous service with the employer at the date of the application. However, through consultation with the trades unions, the University of West of Scotland has removed this qualifying criteria and it is now a day 1 right.

Prior to 30 June 2014, employees were eligible to make a statutory request for flexible working only if the purpose was to carry out certain caring responsibilities. This requirement no longer applies.

### **Q4. If an employer agrees to a flexible working request, does it have to issue a new contract of employment to the employee?**

A4. If an employer agrees to a flexible working request, since the parties will be agreeing a change in terms and conditions of employment, the employer should issue a written statement of the change under s.4 of the Employment Rights Act 1996. Where the change is an extensive one, the employer may decide to issue a revised contract to the employee to avoid any confusion about what the new terms are, but there is no legal requirement to do this.

### **Q5. What is a statutory flexible working request?**

A5. A statutory flexible working request is a request that satisfies the requirements of s.80F of the Employment Rights Act 1996. It is a request from an employee to make a change to his or her terms and conditions of employment relating to:

- the hours that he or she is required to work;
- the times when he or she is required to work; or
- the place where he or she is required to work (as between his or her home and the employer's place of business).

The request must state that it is a request under s.80F, specify the change being sought and the date when the employee proposes that it should take effect. The request must also explain what the employee thinks the effect of the change will be on the employer's business and how that effect may be dealt with.

Employees are allowed to make only one request in any 12-month period.

# How To..... Lead an effective meeting

Leading meetings is an important aspect of a manager's role. Whether your meetings are formal and structured, or informal and flexible, following the advice in this guide will help you lead them effectively.

## Make the necessary arrangements

- Try to hold the meeting at a **time and date** that is convenient for all participants. If you use shared calendars in your organisation, it is a good idea to take a look at your attendees' schedules to make sure that your proposed meeting time doesn't clash with any of their other appointments. If anyone is dialling in to the meeting from another country, **be considerate of any time difference** there may be.
- Think carefully about **how long** your meeting will take, allowing an extra 15-20 minutes for questions and answers.
- Identify the best **medium** for your meeting (e.g. face-to-face, teleconference, video call) and make sure an appropriate **location** for the meeting is booked for the necessary amount of time well in advance.
- Make sure your chosen meeting location has all the **equipment and facilities** you might need (e.g. flip chart, projector etc).

## Be prepared

- Create an **agenda** for your meeting. Even if you choose not to follow it rigorously at the time, having a written note of all the items you want to discuss will help you stay on track.
- Agendas should clearly indicate the **nature** of each item to be discussed in the meeting, the required **outcome**, the **time** allocated for it, and the **name** of the attendee who will be introducing it.
- **Prioritise the agenda points** so that the most urgent and/or critical items are discussed first.
- If appropriate, **invite attendees to suggest their own agenda points** and **submit their questions for the meeting** a few days before the meeting. This will help to ensure all the necessary items are discussed and that attendees are engaged and feel involved with the meeting.
- Circulate the agenda to all attendees **two to three days** before the meeting, to allow them to prepare. It is also a good idea to send the **attendees any other documentation** that you intend to use in the meeting (e.g. reports, spreadsheets) along with the agenda.
- All key issues, decisions and action items should be captured in **concise, accurate minutes**. If another attendee is acting as minute-taker, spend some time with them before the meeting to explain how you would like the minutes to be recorded.

## Choose the right style

- As part of your preparation, **consider how formal your meeting should be**.
- Informal meetings can be particularly effective for holding regular group discussions, for discussing non-critical issues or for leading meetings with fewer than 10 participants. Formal meetings, however, are more appropriate for addressing serious or critical issues (e.g. the organisation's performance or finances) or for leading meetings where there are several (i.e. 10 or more) attendees.
- In formal meetings, the agenda is **closely followed** and attendees tend to participate at pre-defined points of the meeting, or **when invited to do so** by the chair.
- In informal meetings, the agenda is used as a **loose guide** to help everyone in the meeting stay on track. An appointed meeting leader or chair opens up the discussion but attendees are generally able to contribute to the conversation **more freely** than they can in formal meetings.

## Get the meeting off to a good start

- At the start of less formal meetings, you may wish to consider allowing a couple of minutes to allow attendees to **settle down and gather their notes together**. However, for more formal occasions, such as board meetings, or when time is in short supply, it may be more appropriate to get the meeting under way as soon as possible.
- **When you are ready to start the meeting**, thank the participants for attending, and **set some** context before addressing the first agenda point: remind everyone **why** you are meeting and what the **anticipated outcomes** of the session are.

## Adopt a clear communication style

- As the leader of the meeting, it is important to articulate messages, ideas and opinions **clearly and succinctly**, and encourage others to do the same.
- Avoid relying too heavily on **technical terms, jargon or slang**.
- Always address participants **politely and respectfully**, and respond sensitively to their ideas and suggestions.
- Use **positive language** during the meeting. This involves phrasing requests, ideas and questions in a positive way, e.g. suggesting solutions to problems, helping and encouraging others and focusing on what can be done, rather than what can't. This will help to foster a positive environment within the meeting, and will encourage attendees to participate more actively.

## Listen carefully

- When others are speaking, it is important to pay close attention and **demonstrate that you are listening** to what is being said. This involves maintaining eye contact with the participant who is speaking, nodding to show understanding, and not becoming distracted by anything else around you.
- Further advice is available in [Top Tips for Successful Virtual Meetings](#).
- **Keep an open mind** when others offer their ideas and suggestions. Even if you feel confident you know what particular participants are going to say, it is still important to allow them the chance to speak and to give their views due consideration.

## Encourage participation

- As the meeting progresses, it is likely that different attendees will contribute their thoughts and opinions at various intervals. However, some participants may not feel comfortable with offering their thoughts unprompted. It is therefore a good idea to ask from time to time **whether anyone has anything to add or suggest** before progressing on to the next agenda point.
- Encourage attendees to **ask questions** and test their understanding as the meeting progresses.

## Drive the meeting forward

- **Be firm, but flexible**. As each agenda point is discussed, new issues or topics of discussion are likely to arise. If these are relevant to all the attendees and are pertinent to the objectives of the meeting, it is a good idea to explore these new topics, if you have time. However, it is also important to ensure that the discussion does not stray too far from the planned agenda. If this happens, suggest that you discuss these issues with the relevant individuals after the meeting.
- Ensure that there is a logical process for **making decisions** during the meeting. If decisions are to be reached by mutual consent, check that everyone is in agreement with a proposed solution before moving on to the next agenda point.

- As the leader, you should **manage time within the meeting effectively**. Refer to the timeframes you included in the agenda to make sure that each point is addressed within the time allocated. If a particular agenda item is in danger of running over time, encourage the participants to draw the conversation to a close and, if appropriate, start to reach some decisions.

### Close the meeting effectively

- Once the agenda points have been covered and any questions have been answered, it is important to bring the meeting to a **logical conclusion**.
- Try to ensure that a set of **clear outcomes** can be identified at the end of every meeting.
- Aim to distribute **action items** logically and fairly.
- If any issues cannot be resolved within the meeting's allocated timeframe, make sure these points are **at the top of the agenda** for the group's next meeting.
- Finally, **thank participants** for attending and contributing to the meeting.
- Be sure to **send any follow-up documentation to attendees promptly**; you might want to ask your minute-taker to do this on your behalf.

### Identify improvements for next time

- After the meeting has taken place, spend some time **reflecting** on how effectively you led the discussion, and whether you would do anything differently in the future. It is a good idea to make a note of these points to remind you of what worked well, and what you might improve next time you lead a meeting.
- You might also find it helpful to solicit some **feedback** from your attendees from time to time to find out how productive they find your meetings, and how effectively they feel you lead group discussions.

# How To..... Manage Homeworkers

## Summary

- Bear in mind the potential advantages to both employers and employees of homeworking arrangements.
- Consider starting off as a trial period on the homeworking arrangement.
- Make sure the employee agrees to new terms and conditions of employment before commencing homeworking.
- Clearly specify the hours of work, and the days that the employee is permitted to work from home.
- Set out the equipment that you will provide to the homeworker and ensure that he or she knows how to use it.
- Agree who will bear any costs arising from the homeworking arrangement.
- Specify who is responsible for insuring the equipment used by the homeworker.
- Arrange for a risk assessment of the homeworker's environment and activities.
- Provide appropriate information and systems security protection.
- Consider the issue of any caring commitments that the employee has.
- Make sure that systems are in place to communicate with the homeworker and to provide information and support.

## Introduction

In the past, homeworkers tended to be casual piece-rate workers. However, developments in information and communication technology have provided more opportunities for employees in a wide variety of roles to work from home some or all of the time. This enables employers to control office space and reduce overheads. It can also assist with staff recruitment and retention, and increase productivity. Employees benefit from increased flexibility and job satisfaction and a better work-life balance.

This article looks at the practical and legal issues surrounding homeworking that employers need to consider.

## Trial periods

Before an employer permits an employee to work from home, it is advisable for it to arrange a trial period, so that it can assess whether or not the arrangement works from a business perspective.

Some jobs are more suited to homeworking than others. The success or otherwise of a homeworking arrangement may also depend on whether or not the particular employee holds the right personal qualities - such as self-motivation and reliability - and the skills and experience to be relatively self-reliant. Not all employees are suited to working for long periods of time on their own.

The employer should, therefore, agree a trial period of, for example, three months. The agreement should provide that if, at the end of the trial period, the employer decides that the homeworking arrangement has not been a success - whether because of business reasons or the employee's performance levels - the employee will return to being office based.

## Right to request flexible working

An employee has the right to request flexible working. This includes a request to work from home. Employers are under a duty to handle such requests in a reasonable manner. The requirement for the employee to be the parent of a child or the carer of an adult was removed on 30 June 2014.

Where homeworking is agreed under the right to request flexible working provisions, the change to the employee's terms and conditions is permanent, unless the parties agree otherwise.

## Contractual arrangements

Employees should be asked to agree to new terms and conditions of employment before commencing homeworking. The new contract should contain the appropriate provisions and protections to make the new arrangement work, although the terms and conditions on general issues such as pay and holiday will remain the same. The provisions that will usually need to be considered are set out below.

## Place and hours of work

The employee's contract may need to specify a new place of work.

It should also specify on which days the employee is permitted to work from home and whether or not he or she needs to obtain line-manager approval before changing those days, either permanently or temporarily. If the employee is expected to work at home at times that differ from the office-based work arrangement, the hours should be clearly set out in the contract. If the employee is required to be available by telephone or email during working hours this should be stated. Equally, the employee needs to know on what basis his or her line manager is contactable. The employer should also ensure that the employee has put in place adequate arrangements for the coordination of work, including the collection and delivery of work between the employee's home and the office where this cannot be done electronically.

The employer should advise the employee of any specific holiday and sick leave arrangements for homeworkers, such as the notification and reporting procedures.

## Provision of equipment and costs incurred

If the employer provides the employee with office and systems equipment, such as a computer, desk and chair, telephone and printer, it should ensure that he or she has been trained to use it properly. The employer should stipulate that the employee use the equipment only for business purposes, and make it clear that the employee is under a duty to take reasonable care of the equipment and to report any faults as soon as reasonably practicable.

It is advisable for the employer to ask the employee to sign an agreement that identifies the equipment on loan and states that he or she will return it to the employer on termination of the employment, for whatever reason.

There will need to be agreement about which party will bear any costs arising from the homeworking arrangement, such as telephone and broadband charges, and increased electricity costs. From a tax perspective, employers are able to pay up to £4 per week towards the additional household costs of an employee who works from home without any supporting evidence of the costs that the employee has incurred. Above that level, the exemption is still available, but the employer must provide supporting evidence that the payment is wholly in respect of additional household expenses incurred by the employee in carrying out his or her work duties at home.

## Insurance

The contract of employment should specify who is responsible for insuring the employer's equipment when it is in the employee's home.

The employee should also be required to check whether or not he or she needs to inform the household insurer of the new homeworking arrangements. A general household insurance policy is unlikely to cover expensive business equipment or the employee's liability if someone is hurt while visiting his or her home for business

reasons. If higher premiums are payable because the employee's home is being used for business purposes, the parties should agree who will bear this additional cost.

Employees using their own equipment for work purposes should check whether or not such use is covered by their household insurance policy.

## Health and safety

Employers have a general duty regarding the health and safety of employees, whether they are working on site or at home. The general duty is qualified by the principle of "so far as is reasonably practicable". Employees must take reasonable care of their own health and safety and that of others who may be affected by what they do or do not do (for example, family members and visitors in the case of homeworkers). They must also cooperate with the employer on health and safety issues. It is an employee's responsibility to report employment-related hazards to his or her health, but the employer is responsible for equipment that it supplies.

The employer has an obligation to carry out a risk assessment of the employee's work environment and activities at home. This can be done by the employee, but he or she will need to be trained. The risk assessment will usually involve completion of a form. It should include identification of the hazards that are present, assessment of the extent of the risks, and decisions on how to manage the risks to comply with health and safety law.

It is, nevertheless, advisable for the employer to retain the contractual right to visit the employee's home in certain circumstances, for example to resolve any issues identified in the risk assessment or if the employer has other health and safety concerns.

Ideally, the homeworker should have a separate study or an area of a room set aside for his or her work that is sufficiently large to accommodate all the necessary furniture and equipment. Where the employee is to provide items of office equipment, the employer will need to ensure that they are encompassed by the risk assessment.

## Confidentiality, security and data protection

Employees who work from home are likely to have access to a large amount of computer- and paper-based confidential information that belongs to their employer. Such information needs to be properly protected in the contract of employment. There should be clear rules on the use of, for example, company computer systems, locked filing cabinets/fireproof safes and shredders to dispose of sensitive paperwork. The employer should make it clear that such information should not be accessible to the family or visitors of the homeworker, and that it is his or her responsibility to take reasonable care to ensure the safety and security of the employer's confidential information. The homeworker will be bound by any confidentiality clause in his or her contract of employment.

The employer should ensure that the contract specifies what will happen to company information held at the employee's home on termination of the employment, for whatever reason.

The employer will also need to ensure that: computer network and back-up systems are safe for homeworkers; data is backed up on a regular basis; and appropriate anti-virus software is installed on computers and mobile devices and kept up to date.

The employee should be made aware of his or her data protection obligations in the management of personal information and, if necessary, provided with appropriate training. The employer will be responsible for taking the appropriate measures to ensure the protection of personal data processed by the employee, so should inform him or her of company rules concerning data protection.

## Caring commitments

Homeworking should not normally be an opportunity for employees to care for their children or other dependants - homeworkers must be able to separate domestic and work activities. An employer may wish to provide in the contract that the employee must not have any caring responsibilities within his or her stated working hours, or that caring responsibilities must not conflict with work activities. The employee should also be asked to inform family



and friends about his or her homeworking arrangements to ensure that interruptions during the day are kept to a minimum.

## Communication, support and monitoring

Homeworkers should be involved in the business to the same extent as office-based workers. While email, conference calls and online meetings are useful forms of communication, employers should not overlook the importance of face-to-face meetings. It is therefore essential that line managers continue to involve homeworkers in team meetings, performance appraisals and staff training. They should also be invited to attend events such as office parties.

The workload and performance standards of a homeworker should be equivalent to those of comparable office-based workers. Monitoring and checking facilities should not be used without the homeworker's knowledge. The homeworker should be informed of the objective of any monitoring facility, and the measures taken should be proportionate to meet that objective.

The employer may wish to reserve the right to visit the employee at home at agreed times for work-related purposes. Such visits might be for the purpose of delivering and collecting work, performance monitoring and feedback, or general discussions about work issues.

The employer should ensure that there is a contractual right to insist that the employee come into the office as and when required. This might be for the purpose of: training; performance appraisal; disciplinary or grievance hearings; client, team or other business meetings; or other reasonable operational reasons. The employer should clarify who will bear the travel and other costs incurred. This will usually be the employee.

# External Sources of Guidance

There are a number of external sources of information and guidance that you might also find useful, here are some websites for you to look at!

## **ACAS**

ACAS is an organisation that provides information, advice, training, conciliation and other services to employers and employees to help prevent or resolve workplace issues. They have developed specific code of practices in relation to flexible working and they can be viewed by accessing the web link below:

<http://www.acas.org.uk/flexibleworking>

## **Working Families**

Working Families is the UK's leading work-life balance organisation. The charity helps working parents and carers and their employers find a better balance between responsibilities at home and work. They provide a range of advice and guidance to both employees and managers on flexible working. A link to their site is below:

<http://www.workingfamilies.org.uk/?s=flexible+working>

## **CIPD**

The CIPD is the membership body for HR practitioners. They too have a range of advice and guidance in relation to flexible working at <http://www.cipd.co.uk/hr-topics/flexible-working.aspx>

# Forms & Letters

## Form FWR 1 Application for Flexible Working

Flexible Working Application		
Name:		
Job Title:		
Department:		
Date form submitted		
<b><i>You can only make one request every 12 months and if accepted, your contract of employment will be amended</i></b>		
Section A: Previous Applications		
Have you ever submitted a previous request for flexible working? (if yes, please answer next question):	Yes	No
When did you submit your last request for flexible working?		
Please indicate if you are making your request under the Equality Act 2010, e.g. as reasonable adjustment for disability:	Yes	No
Section B: Details of Request		
Describe your current work pattern (days/hours/times worked etc)		
Describe the working pattern you would like to work in future (days/hour/times etc)		
I would like the above changes to my work pattern to take effect on:		
I think the change in my working pattern will affect the University and my team will be:		
I think the effect on the University and my team can be dealt with by:		
<b>I wish to submit a statutory request for flexible working as detailed in section B</b>		
<b>Signed:</b>	<b>Date:</b>	
<b>Line Manager Signature:</b>	<b>Date:</b>	
<b>Notes</b> Your line manager will invite you to attend a meeting to discuss your application within 28 days of receipt of your application, unless your application is approved in writing prior to this.		

Please return this application form to your line manager and a copy to your HR Business Partner

## Template: Flexible Working Discussion

Name:

Job title:

Date:

What are the working arrangements that you would ideally like to change to?

What are the reasons?

What do you think would be the impact on:

... your colleagues?

... your customers?

**How do you think any difficulties might be overcome? What would you need to do differently?**

**What do you think would be the impact on your job?**

Potential advantages:

Potential disadvantages:

**Do you have any flexibility regarding hours/days/location (that would limit the impact on the business)?**

## **Next steps**

Areas to consider include:

- changes to ways of working?
- trial period?

- any contractual changes?
- review dates?
- team meetings/communication?
- advising colleagues?

## Form FWR 2

# Appeal against decision of application for Flexible Working

### Section A: Your Details

Name:	
Job Title:	
Department:	
Date received notice that flexible working application was refused?	
Date form FWR 2 submitted?	

### Section B: Details of Your Appeal

Please advise who refused your application for flexible working?	
Please detail the grounds of your appeal (continue on separate sheet if necessary)	
<b>Signed:</b>	<b>Date:</b>

#### Notes

- If your application for flexible working has been refused, you may appeal against this decision. Use this form to make your appeal.
- You should set out the grounds on which you wish to appeal, and you must do so within 14 days of receiving notice that your application for flexible working has been refused.
- Return this form to the Director of People & OD
- The appeal meeting will normally be arranged within 14 days of receipt of the appeal and will be heard by manager senior to the line manager who turned down the requested, supported by an HR Business Partner.
- Employees have the right to trade union representation during the appeal meeting.
- Employees will normally be notified within 14 days of the appeal hearing of the outcome.

- The outcome of the appeal is final and there is no provision for further appeal

***Please submit this form to the Director of People & OD***

**Letter confirming Flexible Working Request**

Dear **insert name**

Thank you for submitting your form FWR1 on **insert date** requesting a change in your **work pattern and I** am delighted to confirm your request has been granted.

We confirm that, as from **insert date** the terms of your employment contract will change. Your new terms will be as follows:

**INSERT NEW WORK ARRANGEMENTS**

These new agreed terms represent a permanent variation to your contract of employment. Formal requests for flexible working cannot be made more frequently than once every 12 months, so you may not make another request until **insert date**.

We are confident that the new working arrangements pattern that has been agreed for you will be of benefit both to yourself and to the University.

Please sign the attached copy of this letter and return it to me and send a copy to your HR Business Partner to signify your agreement to the changes detailed above.

Employee's signature.....

Manager's signature.....

Yours sincerely

**INSERT NAME**  
**INSERT JOB TITLE**

## Letter inviting employee to a meeting to discuss flexible working request

Dear **insert name**

Thank you for submitting your form FWR1 on **insert date** requesting flexible working. We would like to discuss your request with you to see how your proposed pattern might work in practice, and also to ensure that you are fully aware of all the implications of changing your working pattern.

I would like to invite you to attend a meeting with myself on **insert date** at **insert time** in. You may, if you wish, bring a fellow worker of your choice with you to the meeting.

Following the meeting, a decision will be made on the feasibility of your request and the decision will be communicated to you in writing no later than 14 days after the meeting. We will endeavour to grant your request for flexible working if it is at all possible to do so, but we will also need to consider the effects of your proposals on the organisation, the work of your department and your team members. It would be helpful if you are willing at the meeting to discuss possible alternatives to the changes you have requested with a view to seeking a compromise arrangement that suits both parties (if this is necessary).

In the event that the organisation refuses your request, we will explain the reason why we believe that your request is not workable for the organisation in writing.

Please could you confirm whether you are able to attend the meeting suggested above or, if not, to suggest an alternative time and date.

Yours sincerely

**INSERT NAME**  
**INSERT JOB TITLE**



## Letter Confirming Outcome of Meeting – Acceptance

Dear **insert name**

Following our meeting held on **insert date** in which we discussed your request for a change to your work pattern I am delighted to confirm your request has been granted.

We confirm that, as from **insert date** the terms of your employment contract will change. Your new terms will be as follows:

### **INSERT NEW WORK ARRANGEMENTS**

These new agreed terms represent a permanent variation to your contract of employment. Formal requests for flexible working cannot be made more frequently than once every 12 months, so you may not make another request until **insert date**.

We are confident that the new working arrangements pattern that has been agreed for you will be of benefit both to yourself and to the University.

Please sign the attached copy of this letter and return it to me and send a copy to your HR Business Partner to signify your agreement to the changes detailed above.

Yours sincerely

**INSERT NAME**  
**INSERT JOB TITLE**

## Letter Confirming Outcome of Meeting – Refusal

Dear **insert name**

I refer to our meeting held on **insert date** at which we discussed your request for a change to your work pattern.

Having given the matter thorough consideration, I regret that the University is unable to agree to your request. The reason for this is set out below.

You requested **insert work pattern proposed**. Unfortunately, we think that agreeing to this change would **insert statutory reason and expand as necessary**.

The reason why this is relevant to your application for flexible working is **explain further why the employee's request is not workable**.

You have the right to appeal against the decision to refuse your request for flexible working. If you wish to appeal, you must do so in writing using form FWR2 within 14 days of receipt of this letter to the Director of People and Organisational Development. Your form requesting an appeal meeting must set out the grounds on which you wish to appeal against the organisation's decision as set out above.

Yours sincerely

**INSERT NAME**  
**INSERT JOB TITLE**

## Letter inviting employee to attend an Appeal Hearing

Dear **insert name**

Thank you for submitting your appeal on the decision to refuse your request for flexible working on form FWR2 on **insert date**.

I would like to invite you to attend an appeal hearing with myself and (insert if HR Business Partner) on **insert date** at **insert time** in. You are entitled to trades union representation at this hearing and should you wish to be represented, you should make the appropriate arrangements with your trades union.

Following the hearing, a decision will be made on the feasibility of your request and the decision will be communicated to you in writing no later than 14 days after the meeting. We will endeavour to grant your request for flexible working if it is at all possible to do so, but we will also need to consider the effects of your proposals on the organisation, the work of your department and your team members. It would be helpful if you are willing at the meeting to discuss possible alternatives to the changes you have requested with a view to seeking a compromise arrangement that suits both parties (if this is necessary).

In the event that the University refuses does not uphold your appeal, we will explain the reason why we believe that your request is not workable for the organisation in writing.

Please could you confirm whether you are able to attend the hearing suggested above or, if not, to suggest an alternative time and date.

Yours sincerely

**INSERT NAME**  
**INSERT JOB TITLE**

## Letter upholding the Appeal

Dear **insert name**

I refer to the appeal meeting held on **insert date** in which we discussed your appeal against our earlier decision to refuse your request for flexible working.

I am pleased to confirm that your appeal has been upheld. I can therefore confirm that, as from **insert date**, the terms of your employment contract will change. Your new terms will be as follows:

### **Insert new working arrangement.**

These new agreed terms represent a permanent variation to your contract of employment.

We are confident that the new working pattern that has now been agreed for you will be of benefit both to yourself and to the University.

Please sign the attached copy of this letter and return it to me and send a copy to your HR Business Partner to signify your agreement to the changes detailed above.

Employee's signature.....

Manager's signature.....

Yours sincerely

**INSERT NAME**  
**INSERT JOB TITLE**

## Letter inviting employee to attend an Appeal Hearing

Dear **insert name**

I refer to the appeal meeting held on **insert date** in which we discussed your appeal against the University's earlier decision to refuse your request for flexible working.

Having given the matter thorough consideration, I regret that the University is unable to uphold your appeal. The grounds for this are that we believe that agreeing to the changes you requested would **list the grounds for refusing the appeal**.

The reason why the above grounds are relevant to your application for flexible working is **explain further why the employee's appeal cannot be granted**.

Yours sincerely

**INSERT NAME**  
**INSERT JOB TITLE**