

FLEXIBLE WORKING POLICY AND PROCEDURE

Policy Statement

St Catharine's College is committed to providing equality of opportunity and supporting colleagues to have a work and home life balance. We recognise the benefits of flexible working arrangements and are committed to considering such requests, provided that the needs and objectives of both the organisation and the applicant can be met.

It is the college's policy to encourage open discussion with applicants. In the event an applicant wishes to apply for flexible working, they are encouraged to contact their line manager to arrange an informal discussion to talk through options at the earliest opportunity.

The purpose of this policy is to advise and guide all non-academic contracted employees on their rights regarding formal flexible working requests and to outline the application process. Due regard will also be given to the ACAS Code of Practice on requests for flexible working.

Flexible working requests will be considered within two calendar months of the line manager or HR first receiving the request unless both parties agree to extend this period. If an extension is agreed, the employer will confirm the arrangements in writing.

This policy is non-contractual and may be amended at any time.

Eligibility

Any employee, regardless of length of service, has a statutory right to request flexible working in accordance with this policy, provided they have not made a formal request to work flexibly more than twice during the last 12 months (each 12-month period runs from the date when the most recent application was made).

Types of Flexible Working

Flexible working can incorporate a number of changes to working arrangements, for example:

- reduction or variation of working hours/working pattern;
- reduction of the number of days worked each week; and/or
- working from a different location (for example, from home).

Informal Flexible Working Requests

Employees who wish to make an informal request for flexible working should follow the below guidance and submit the request to their line manager who will consider it alongside business and operational requirements.

Informal Application Process

- Applicants should complete Parts A & B of the application form and forward it to their line manager.
- The applicant will be invited to attend a meeting with their line manager to discuss the request.
- The applicant will receive a written response to their request within two calendar months of it being received, unless a different timeframe is agreed.

Informal Flexible Working Arrangements - Duration

Informal arrangements will be for a maximum of 12 months in the first instance at which time, they must be reviewed (see Trial Periods). At that point, the line manager may decide one of the following:

- Arrangements cannot be sustained long term and the arrangement will cease with one month's notice (See Reasons for Refusal) and the previous terms and conditions of employment will apply. The individual retains the right to submit a formal request.
- Arrangements cannot be sustained long term but may be extended by up to six months with no further extension possible under the informal stage. After which time the previous terms and conditions of employment will apply. The individual retains the right to submit a formal request.
- Arrangements can be sustained and both parties agree it will become permanent.

Formal Flexible Working Request Process

- Applicants should complete Parts A & B of the application form and forward it to their line manager.
- The applicant will be invited to attend a consultation meeting with their line manager to discuss the request.
- The applicant will receive a written response to their request within two calendar months of it being received, unless a different timeframe is agreed.

In the event a request for flexible working is accepted under the formal procedure, employees will have a permanent variation made to their contract of employment to reflect the new working arrangements.

If temporary / short term changes are sought, an applicant should request this informally with their line manager in the first instance.

Withdrawing Flexible Working Requests

If the applicant withdraws a formal request, they **are eligible to make one further flexible working application within 12 months** from the date of the original request.

In certain circumstances, a formal request will be treated as withdrawn if the applicant fails to attend a meeting to discuss their application, or an appeal meeting, without good cause. In such circumstances, the HR Manager will write to confirm that the request has been treated as withdrawn.

Formal Application Process

- Applicants should complete Parts A & B of the application form and forward it to their line manager.
- The applicant will be invited to attend a consultation meeting with their line manager to discuss the request. They may be accompanied by a companion¹.
- The applicant will receive a written response to their request within two calendar months of it being received, unless a different timeframe is agreed.

Considerations

The applicant is encouraged to explain the reasons for their request, particularly if it concerns childcare or other family commitments, religious or cultural requirements, or adjustments because of a disability so that the full facts of the case, including obligations under other relevant legislation, can be considered.

In the event an application for flexible working is received from an individual in a senior and/or significant student/customer facing role is submitted, the line manager reserves the right to consult with members of the HR Committee to consider the implications, prior to reaching a decision.

Trial Periods

If, following a consultation process, it remains unclear whether or not a requested flexible working arrangement in a particular post would be a workable option, both parties may agree to a trial period, which should usually be for no longer than three months.

A trial period enables both parties to consider how the proposed flexible working arrangement might work in practice and whether or not it is likely to create any practical difficulties. Consideration can then be given to whether or not these can be addressed to identify the feasibility of the arrangements, long-term.

The nature of the trial period will be set out in writing, including details of any success criteria and how those will be measured. The staff member's working arrangements will be varied for the stated temporary period only; this will not give the staff member the right to work flexibly on a permanent basis. The line manager is responsible for notifying the HR Manager as to what has been agreed.

Towards the end of the trial period, both parties will discuss how the trial has worked and what, if any, difficulties have been experienced. In the event a decision is made to continue the arrangements, that, along with any contractual changes, will be confirmed in writing.

If the applicant considers the trial to have been unsuccessful, the job will revert to its previous status and they will be expected to resume their previous contractual working arrangement.

Refusal of Request

Requests may be refused for one of the following eight operational / business reasons:

- The burden of additional costs
- The detrimental effect on the ability to meet customer demand (for example, the ability to meet student demand)
- The inability to rearrange work amongst existing staff
- The inability to recruit additional staff
- The detrimental impact on quality
- The detrimental impact on performance
- The insufficiency of work during the time that the member of staff proposes to work
- Planned structural changes

If the request cannot be accommodated and no other alternative flexible working arrangements can be agreed, the line manager will notify the applicant of their decision in writing, giving the operational reasons for the refusal and provide details of the right to appeal against the decision.

Appeal Process

An employee has the right to appeal a decision if their request is refused or is only agreed in part. For example, if there is new information they wish to be considered, or if they believe the employer has not handled their request in a reasonable manner.

They should appeal in writing, to their line manager, copying in the HR Manager, setting out their grounds for appeal and stating whether the appeal is in respect of the whole or in respect of any specified part of any finding of fact or decision. They must appeal within 14 calendar days of being notified of the initial decision.

The HR Manager will arrange for an appeal hearing meeting, which will be considered by a senior manager with no prior involvement in the matter.

The meeting may be attended by the HR Manager and the employee (appellant) may be accompanied by a workplace colleague or a trade union representative.

The appellant will be informed of the decision in writing as soon as possible after the appeal meeting.

If the appeal is upheld, the appellant will be advised in writing of the new working arrangements and when they will commence and details of any trial period.

If the appeal is rejected, the written decision will confirm and explain the reasons for the decision.

Implementation, Monitoring and Review of this Policy and Procedure

The HR Manager has overall responsibility for implementing and monitoring this policy.

This policy is effective from 6 April 2024 and will be reviewed every 3 years unless changes in legislation require a review in that timeframe.

Any questions regarding this policy should be addressed to the HR Manager in the first instance.

¹A companion is either a representative from a professional association (e.g. union) or a workplace colleague.

Confidential Flexible Working Application Form

Part A

Type of request (Please tick as appropriate)

I am applying to make a statutory request for flexible working in accordance with the Flexible Working Regulations on a permanent basis

I am applying to make a statutory request for flexible working in accordance with the Flexible Working Regulations on a temporary basis (min of 3 months/max of 12 months)

Personal Details

Name: _____

Job Title: _____

Date you started working at the College: _____

Current hours worked per week, working pattern and place of work: _____

Have you submitted a previous request for flexible working within the last 12 months? **Yes/No**

If yes, please indicate when and whether it was informal or formal?

Details of changes being requested to current working pattern:	
Proposed start date:	
Proposed new hours:	
Proposed working pattern (e.g. days/hours/times/place of work):	
Any proposed reduction in hours to be worked? <i>(Note: reduced hours will result in a reduction in salary and employer pension contributions)</i>	Yes / No
If you will not be able to perform all your duties ² , what duties will be affected?	

² Please refer to your current job description

Part B

Supporting information

We invite you to outline the reasons for your request, particularly if it concerns childcare or other family commitments, religious or cultural requirements, or adjustments because of a disability. Please note you are not obliged to provide this information but it may be helpful for your line manager to understand the context for your application.

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Applicant Declaration

Please sign below to confirm you agree to the statement relevant to your application:

I understand that if my application for temporary flexible working is accepted, it will be reviewed after 12 months unless agreed otherwise and I may revert back to my previous working arrangements; OR

I understand that if my application for permanent flexible working is accepted it, I will not be entitled to revert back to my previous working arrangements. A further flexible working application will be required to consider further change requests.

The information included in this application is correct to the best of my knowledge.

Signed:	
Name:	
Date:	