

Family Friendly UK Resource

Sample policy: Flexible Working Policy

1. **COMPANY NAME** recognises the importance to staff of meeting family responsibilities and personal commitments and the need to balance these with working life. Promoting a healthy work life balance is integral to **COMPANY NAME'S** commitment to improving the working lives of staff. The policy defines flexible working as an agreed set of working arrangements which will be agreed contractually and does not include ad hoc arrangements for one-off situations. The policy does not provide employees with the automatic right to change their contracted hours but managers will provide fair and proper consideration for each request to see if they can be accommodated without compromising business needs. The policy references legislation such as Employment Relations Act 2004, Employment Act 2002, Work and Families Act 2006, Equality Act 2010, and Children and Families Act extending the right to request flexible working to everyone from 30 June 2014.
2. Any employee regardless of personal circumstances, length of service, terms of current employment contract (including fixed term contracts) or position in the organisation can apply to work flexibly as long as they have at least 26 weeks of continuous service with the organisation and have not previously applied for flexible working in the last 12 months. Flexible working options are available to all employees but preference may be given to those with child (under 17 or up to the age of 18 if they have a disability) or adult caring responsibilities (for a spouse, partner, relative or someone residing with them).
3. Examples of flexible working are listed below (but are not exhaustive or limited to)
 - a. Job sharing – full time hours for one job role are split between two (or more) employees.
 - b. Part time working – employees reduce their hours from full time and pay is then pro-rata.
 - c. Term time working – employees are paid monthly but do not work during set school holidays. Pay is pro-rata to reflect the 13 weeks holiday per year.
 - d. Annualised hours – employees are contracted to work a certain amount of hours per year but they are not set a weekly or monthly amount. Annual leave and pay will be pro rata .
 - e. Home working – employees are allowed certain hours or days to complete their work at home.
 - f. Flexitime – core hours are set each day but an employee can chose to start or finish at variable times so long as their contracted hours are completed each week.
 - g. Voluntary reduction in contracted hours – employees can request a reduction in hours and their pay and annual leave will be pro rata.
 - h. Unpaid leave – employees are able to have shortened weeks by taking unpaid leave.
 - i. Compressed working – employees are able to work their weekly contracted hours over fewer days by working longer hours per day.

- j. Overtime – employees may be required to work overtime when deemed necessary by the organisation, however unless they have completed an opt-out form their working week cannot amount to more than 48 hours.
 4. Requests should be made by completing the Flexible Working Application Form (Appendix 1) and submitted to the employee's line manager. All requests should include a proposed start date, new working pattern, hours, reasons for the request and what affect the employee feels this change would have on their team, department and the organisation as a whole. This should be made as early as possible, preferably 12 weeks before the proposed start date to allow time for consideration. Consideration will be given to the cost, effect on other staff, departmental structure, any other departmental issue, business needs and analysis of the employee's role and duties. Each request will be considered individually therefore agreeing to one employee's request will not set a precedent or create a right for another employee to be granted a similar change to their working pattern.
 5. Once a written request has been received the employee's line manager will discuss the arrangement with HR and **SENIOR MANAGER** and decide whether to approve or reject the request. A meeting with the employee to discuss the changes will be arranged within 28 days of receiving the request. This time period can be extended as long as both employee and employer agree to the extension and the employer must record the new agreed time frame in writing to the employee. If the request is approved a review will be set at 3 months, if the new arrangements are deemed satisfactory they will continue to remain in place (unless a fixed time period has been set). Any subsequent changes must be requested in the same manner, including reverting back to the initial contracted hours.
 6. In all cases, continuation of the flexible working is conditional upon:
 - The business needs of the organisation; any flexible working arrangements should not affect the organisation's ability to meet its organisational objectives
 - Satisfactory work performance under the arrangements agreed
 - Attendance at meetings as and when required within core hours
 - Participation in appraisal, training and supervision
 - Satisfactory completion of the initial 3 month review period
 - Consideration of the reasonable expectations for home and flexible working on the part of colleagues
- If the request is rejected the manager will write to the employee within 15 days setting out the business reasons why the application was rejected, an explanation as to why it is relevant to the employee's application and information on how to appeal the decision if they do not agree with the reasons given.
7. 48 hour working week. Working Time Regulations 1998 state that no employee should work in excess of 48 hours per week. However, if the organisation requires an employee to work overtime that will mean working hours exceed this limit, an opt-out form will need to be signed by both the employee and employer. The employee has

the right to refuse this request if it takes their average hours to over 48 hours, and as a result will not be required or expected to work beyond those 48 hours.

8. If an employee works for more than one employer, or is employed in two roles with the same employer: If at any point their working hours exceed 48 a week an opt-out form must be signed and submitted to both employers by the employee to ensure they are aware of the situation.
9. Organisational change. All policies may be subject to consultation and review as a result of organisational change. They may be revoked at any time subject to the employee's contractual notice or with one month's notice if the conditions upon which the flexible working was agreed are not met.
10. Should an employee wish to raise a grievance regarding a procedural concern they can do so at any time by following the process set out in the Grievance Policy.
11. Review. The organisation will review this policy every 3 years. The next review will therefore be held on **DATE**.

Flexible Working Request Form:

Name of
employee.....Post
title.....
.....Department.....
.....Date request
completed.....Date request received by
manager.....

Please state the pattern of working you are seeking, by providing information under one or both of the following headings:

1. A reduction in contractual working time. Details should be included of both the current contracted time worked and the proposed new working time

2. A change to the days worked or timing of work. Details should be included of both current and proposed working patterns.

I would like this change to be permanent / temporary (if temporary please state proposed

length of
duration).....I would like the changes to take effect
from.....

Please state the effect that you think that these changes will have on the running of the department. If a gap will be left at any point by the changes, how do you think that this gap could be covered?

.....
.....
.....
.....
.....
.....

Employees

signature.....