



Flexible Working	
Reference: GN07	Effective date: 1 June 2012
Page no: 1 of 2	Approved: 7 June 2022
Last revision date 9 May 2022	Next revision due June 2024

Flexible Working

Flexible working is a way of working that suits an employee's needs, eg being able to work certain hours or work from home. Anyone can ask their employer to work flexibly. Employees who care for someone (eg a child) have the legal right to ask for flexible working. This is also known as 'making a statutory application'. However, you have to qualify and your employer doesn't have to agree to the request.

Types of flexible working

There are different ways of working flexibly, for example

- ◆ Job sharing - 2 people do 1 job and split the hours.
- ◆ Working from home - some or all of the work from done at home or anywhere else other than the normal place of work.
- ◆ Part time - Working less than full-time hours (usually by working fewer days).
- ◆ Compressed hours - Working full-time hours but over fewer days.
- ◆ Flexitime - The employee chooses when to start and end work (within agreed limits) but works certain 'core hours', e.g 10am to 4pm every day.
- ◆ Annualised hours - The employee has to work a certain number of hours over the year but they have some flexibility about when they work. There are sometimes 'core hours' which the employee regularly works each week, and they work the rest of their hours flexibly or when there's extra demand at work.
- ◆ Staggered hours - The employee has different start, finish and break times from other workers.
- ◆ Phased retirement - Default retirement age has been phased out and older workers can choose when they want to retire. This means they can reduce their hours and work part time.

Making a statutory application

The application starts with the employee writing to the employer to outline their request. The employer should request a meeting within 28 days to discuss the application. The employer must make a decision within 14 days of the meeting and tell the employee about it. If the employer agrees to flexible working they must give the employee a new contract. If they don't agree the employee can appeal.

Employees can only make a statutory application if they have worked continuously for the same employer for the last 26 weeks. Employees can only make 1 statutory application each year.

Consideration of the request to work flexibly

The organisation will consider all requests for flexible working sensitively in the hope of achieving a work pattern appropriate to the employee's needs and the requirements of the business. If the manager cannot agree the flexible working application within 28 days of receipt, a meeting will be arranged to discuss this and consider alternative options. The employee will be entitled to be accompanied at this meeting by a work colleague. If the organisation cannot meet the employee's request it will be on one or more of the following grounds:

- ◆ The burden of additional costs.
- ◆ The detrimental impact on meeting customer or service demands.



Flexible Working	
Reference: GN07	Effective date: 1 June 2012
Page no: 2 of 2	Approved: 7 June 2022
Last revision date 9 May 2022	Next revision due June 2024

- ◆ An inability to re-organise or re-distribute work among other existing staff.
- ◆ An inability to recruit additional staff.
- ◆ A detrimental impact on quality or performance.
- ◆ There is insufficient work available during the hours the employee is requesting to work.
- ◆ Other structural changes are planned.

Following the meeting, the manager will confirm in writing if the application for flexible working has been accepted or not. If so, the contract variation and the effective date of the new working pattern will be confirmed. Accepted change will mean a permanent change to the employee's terms and conditions of employment. If the decision is to reject the request for flexible working, the manager must include an explanation of the business grounds for rejecting the application and details of right to appeal the decision.

Appeals Procedure

If the employee wishes to appeal against the decision of their flexible working application they must appeal in writing, within 14 days stating the grounds for their appeal to the Office Manager. A meeting should be arranged to hear the appeal. This meeting will be heard by a more Senior Manager to the one who originally considered the application. The employee has the right to be accompanied to this meeting by a work colleague or trade union representative.

Notification of the appeal decision will be given in writing within 10 days of the meeting, stating the appropriate contract variations if the application for flexible working is accepted. Or if the application is rejected, the letter should state the grounds for the decision.