



Flexible working policy

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1. Background

1.1 Flexibility is seen by the IS as a strategic tool to support improved individual and business performance through developing greater diversity and increasing levels of job satisfaction and commitment from our people. Furthermore, we care about increasing wellbeing and encourage flexibility and a healthy work-life balance. Employees to make flexible working requests on day 1 of their employment.

1.2 Over the last few years the IS has developed a range of flexible working practices to aid effective working and promote a culture of flexibility, agility and resilience. Flexible working patterns and informal home and remote working arrangements have been in place for a number of years and generally operate well. As the company has grown and matured there is a need to ensure continuous and effective planning as well as a need to ensure sufficient office/team cover is in place.

1.3 This policy is for the benefit of both management and staff and determined staffing levels within individual teams must be maintained within the scope of the policy.

1.4 This policy also covers the IS approach to hot desking.

2. Factors to be taken into account

2.1 Generally, some roles are more suited to flexible working than others. Factors to be taken into account include the following:

- staff roles - a supporting role may require more time spent in the office than a role that primarily involves report writing
- degree of interaction - the requirement for face to face interactions with colleagues, managers and stakeholders
- satisfactory contact arrangements including appropriate IT connectivity

2.2 The IS has a statutory obligation to consider flexible working requests. The policy for handling requests for flexible working is documented in the remainder of this guidance note and should be followed by all staff and managers. It will cover:

- how employees should make the application, including who the application should be made to and what should be covered in the application
- a statement to the effect that the employer will consider the request and will only reject it for one of the eight business reasons
- who can accompany the employee at any meeting regarding the request
- what arrangements there are for appeals
- the time limits on dealing with requests

2.3 It should be noted that whilst employees do not have the right to work flexibly, many employees have a right to formally request more flexible working arrangements.

2.4 As a responsible employer, the IS has a duty to consider the requests in a reasonable manner. A request which is refused may also give rise to a claim for breach of the flexible working legislation or for sex discrimination or potentially for age discrimination. Handling a request correctly is therefore extremely important for the organisation and for the employee(s) in question. The IS seeks to manage flexible working requests by creating the right environment where employees can be sure decisions regarding their requests will be handled objectively and fairly and that employees will not be treated badly because they asked for flexible working arrangements.

2.5 The IS policy ensures that it reflects the statutory provisions and complies with the <https://www.acas.org.uk/flexible-working>.

3. Eligibility criteria

3.1 All individuals requesting the right to request flexible working/reduced working hours must meet the following qualifying requirements:

- have employee status

- have not made two applications to work flexibly under the right during the past 12 months
- are not agency workers (unless they are returning from a period of parental leave)

4. Flexible working and reduced working hours

4.1 Employees who meet the eligibility criteria are entitled to request an adjustment to the terms and conditions of their employment relating to, for example:

- changes to their hours and times of work
- changes to places of work
- part-time working
- job sharing
- working from home
- working term-time only
- working shifts
- increased holiday entitlement.

4.2 Flexible working and reduced working hours arrangements could be offered to employees who experience severe menopause symptoms. For example, where the role permits, allowing staff to work around their symptoms, allowing them to rest when they are tired and make the time up later. Some women experiencing the menopause will find that they have times of the day where symptoms are more or less problematic and start and finish times could be adjusted to take this into account. For example, women with disturbed sleep patterns may find they are more productive with a later start time.

4.3 A quick guide to managing menopause at work can be found in the manager resources folder in the staff handbook SharePoint site.

5. Dealing with applications for flexible working and reduced working hours

Role of employees

5.1 An application for flexible working must be made in writing by completing the flexible working request form which is available from hr@improvementservice.org.uk.

Role of managers

5.2 On receipt of an application, the line manager is obliged to make an assessment of the viability of the request.

5.3 In order to do this, the line manager could arrange to meet the employee to discuss. This should be done within 28 days of receipt of the application. The employee is entitled to be accompanied at this meeting by a colleague.

5.4 The line manager must fully consider the employee's representations and must be able to demonstrate the basis on which they have arrived at their decision. All applications must be assessed in relation to the criteria set out in paragraph 6 below.

5.5 The IS is committed to ensuring all decisions are objective, fair and transparent.

5.6 A checklist for managers considering flexible working requests is available in the manager resources folder in the staff handbook SharePoint site.

6. Criteria against which requests should be considered

6.1 Care must be taken when considering an application for flexible working/reduced working hours. Options should be explored with the employee prior to any decision being made.

6.2 Reasons for rejecting an application must be objective and demonstrable, rather than an opinion. Rejecting an application will only be valid under the terms of the legislation if the reason falls under one of the following categories:

- the burden of extra cost to the IS
- granting the request will make it impossible to organise work within the existing staff resources
- the IS is unable to recruit to cover the hours vacated
- the flexible working pattern will have a detrimental impact on quality of service
- granting the request will have a detrimental effect on service provision
- the flexible working pattern will have a detrimental impact on performance
- insufficient work during the periods when the employee proposes to work
- it is not possible to accommodate the employee's request due to planned structural changes

7. Agreement to applications for flexible working

7.1 Where a request is agreed, the employee will receive a copy of the signed form.

7.2 Under the terms of the Flexible Working Regulations, agreed changes to terms and conditions, such as a reduction in hours, are deemed to be permanent contractual changes. The employee does not have the legal right to revert to the previous working pattern, hours or location of work, although the IS will consider any such requests as they arise.

7.3 It is recognised that in some circumstances it may be beneficial to both parties to agree a trial period before a final decision is taken in relation to granting or refusing a request. Where both parties agree to a trial period the working

arrangements should be reviewed at the end of the trial period and the employee should then be given a formal decision on their request.

8. Refusal of application for flexible working

8.1 Where an application is refused on the basis of one of the grounds listed in paragraph

6 above the employee must be informed in writing of:

- the grounds on which their request has been refused
- the reasons why the particular ground applies in their circumstances
- their right of appeal as set out in paragraph 9 below within 14 days from the date of the meeting to discuss the application

8.2 If a request is refused under one of the above headings the employee must also be informed of the reasons why the heading applies. For example, it will not be sufficient to say that an application cannot be granted because it will have a detrimental effect on service provision, the employee must also be informed of how/why it would be detrimental.

It is required by the law that line managers consult with their employees before refusing an application for flexible working arrangements.

9. Right of appeal

9.1 Employees may appeal against a decision not to grant their application by writing to their head of service (or chief executive if the head of service is the line manager) within 14 days of being advised of the outcome of their application. The head of service/chief executive must arrange an appeal hearing within 14 days of receipt of the appeal.

9.2 The employee will be entitled to be accompanied at the appeal hearing by a colleague or union representative.

9.3 The head of service/chief executive must provide a written decision within 14 days of the hearing, unless an extension is mutually agreed.

9.4 If the appeal is rejected the head of service/chief executive must provide a written explanation for the grounds for dismissing the appeal. As with the initial request this must be on one of the grounds listed in paragraph 6 above and the employee must be provided with the basis of the decision.

10. Hot desking provision

10.1 The approach to hot desking is part of the IS overall approach to encouraging flexibility in the workplace for staff. It also means the IS will have the capacity to grow in number without having to grow office space.

10.2 We do not take a prescriptive approach, as we prefer to leave staff / teams to organise and work it out together. Our clear desk approach will apply to all desks.