

### **1. Introduction.**

The University supports the principle of flexible working and undertakes to consider all requests fairly using the following policy framework. While a flexible approach to considering applications is encouraged, the University also acknowledges that there will be occasions where it is not possible to agree to requests where it impacts detrimentally on business needs.

### **2. Eligibility.**

This policy applies to all employees of the University. A maximum of one application may normally be made within any 12 month period.

However, in order to be eligible to request statutory flexible working (Employment Rights Act 1996 & Flexible Working Regulations 2014); you must have worked continuously with the University for 26 weeks at the date you make your application.

Requests can be made for a temporary or permanent change to contracted hours, work schedules and/or work location.

### **3. Responsibilities.**

It is the responsibility of the employee and line manager to fully understand the nature and impact of their request.

The University recognises the positive impact of flexible working arrangements to:

- improve business efficiency and productivity;
- improve the balance between life and work;
- create a positive and inclusive environment.

The Institute or Professional Services Department will consider all requests for flexible working on their own merits and assess each request based on the needs of both the business and the employee.

The Institute or Professional Services Department's agreement to one employee's request (either within the same Institute or Professional Services Department), will not set a precedent or create a right for another employee to be granted the same or a similar change to their working pattern.

It shall be the responsibility of both the line manager and the employee to consider, assess and evaluate the potential business implications of implementing flexible working arrangements, for instance, but not limited to, the potential impact on costs, supervision, staff, services and the university's ability to meet its objectives.

It shall be the responsibility of both the line manager and the employee to proactively manage flexible working arrangements, regularly review existing flexible working arrangements (at least annually) to ensure that these continue to be effective in meeting the needs of both the university and the employee.

#### 4. Making an application.

From making an application, the university has a legislative duty to consider a flexible working application within 3 months. The process for making an application is detailed below:

4.1 Employee completes and submits flexible working application request and returns to HR Operational team with their line manager's comments;

4.2 HR to liaise with Institute Director/Institute Manager or Head of Professional Services Department and obtain comments on the application. If the request is approved by both Line Manager and Institute Director or Head of Professional Services a meeting may not be required;

4.3 ACAS best practice advises that a meeting should take place between the employee, the line manager and HR to discuss the application. The employee is entitled to be accompanied by a work colleague or trade union representative;

4.4 HR to present application for flexible working to the weekly Post Approvals Group;

4.5 HR formally contacts the employee with the outcome from the Post Approvals Group, issuing an addendum of contract letter where an application of flexible working is approved.

#### 5.0 Examples of Flexible Working.

**The following table contains examples of flexible working options. Please note this list is not exclusive or exhaustive.**

	Example of Flexible Working	Definition
5.1	Part-Time Working	Changing the number of hours worked or switching to term time only
5.2	Job Sharing	Two members of staff request to work part-time to share responsibility for one position.
5.3	Compressed hours	Useful for employees who wish to continue to work current total hours and retain current benefits but would prefer to compress the hours into a shorter working week or fortnight, thereby allowing some 'free time' during the normal working week. An example is a 'nine-day fortnight' with 10 days' worth of hours worked over nine slightly longer days, allowing one day off per fortnight.
5.4	Working from home	This option involves some of the work being carried out from home. Technology has made this a viable option as employees can use their computer and telephone to keep in touch with the department. Employees wishing to explore this option of flexible working would be required to complete and return an AU Home Working self-assessment checklist.

#### 6. Review and Further Requests.

Approval by the Post Approvals Group and implementation of flexible working arrangements are subject to a trial period, to ensure the effectiveness and suitability of the arrangement for both the department/institute and the member of staff.

Trial periods will be on the basis that they are short term, not normally extending beyond 3 months. Key Performance Indicators (KPI's) must be agreed by both the

employee and line manager to assist in identifying the effectiveness of the flexible working arrangement. A meeting will take place before the end of the trial period to review the working arrangement. Should the arrangement not be suitable, a discussion will take place with your line manager to determine if an alternative arrangement can be proposed. The arrangements should also be regularly reviewed, 6 monthly or at least annually.

## **7. Reaching a decision.**

If the request is not supported by Post Approvals Group or following the 3 month review unsatisfactory effectiveness of the flexible working pattern, current legislation states that it may only be declined on the basis of one or more of the following reasons:

- The burden of additional costs;
- Detrimental effect on the ability to meet customer demand;
- Inability to re-organise work amongst existing staff;
- Inability to recruit additional staff;
- Detrimental impact on quality;
- Detrimental impact on performance;
- Insufficiency of work during the periods you propose to work;
- Planned structural changes.

## **8 Appeals.**

There is no statutory right to appeal against the decision of a flexible working application however ACAS recommend that an appeals process should be implemented as best practice. The University will adopt a desk top appeal process.

Notification of an intention to appeal must be submitted within 5 working days of receiving an outcome. The appeal must be sent to the Director of Human Resources.

The appeal will be considered by the Director of Human Resources (or his or her nominee) and a nominated Institute Director or Head of Professional Services Department within 10 working days of being informed and having received the evidence in support of the appeal.

If the appeal is from a member of the Human Resources Department, the appeal will be considered by the Pro-Vice Chancellor, Chief Operating Officer (or his or her nominee) and a nominated Institute Director or Head of Professional Services Department.

The appeal will be a desk top exercise where all the paperwork and processes followed will be considered.

The decision of the Appeal will be confirmed in writing within a further 2 working days.

There will be no further right of appeal under the Flexible Working Policy.

## **9. Policy Review.**

9.1 The Director of Human Resources will co-ordinate a review of the university's Flexible Working Policy every 12 months to maintain compliance with legislation and good practice.

9.2 The review will be undertaken in liaison with the recognised trade unions and any proposed amendments will be submitted to Professional Development Staffing and Equality Committee for approval.

## **10. Equality Impact Assessment.**

10.1 The University is committed to embedding the Equality Scheme into its policies, procedures and practices. This policy has been equality impact assessed in accordance with this scheme.