

# Hope for the Future flexible working policy

## Contents

- Introduction
- What is flexible working?
- Types of flexible working
- The needs of the organisation
- Eligibility
- Submitting a flexible working request
- Meetings regarding flexible working
- Responding to a flexible working request
- Right to appeal decision
- Trialling of new working arrangements
- Varying an employee's contract
- Complaints and further information

## Introduction

This policy aims to encourage staff to consider flexible working arrangements. The organisation recognises that a better work-life balance can improve employee motivation, performance and productivity, and reduce stress. Therefore the organisation wants to support its employees achieve a better balance between work and their other priorities, such as caring responsibilities, leisure activities, further learning and other interests. The organisation is committed to agreeing any flexible working arrangements, provided that the needs and objectives of both the organisation and the employee can be met.

It is the organisation's policy to encourage open discussion with employees. An

employee that thinks they may benefit from flexible working is encouraged to contact their line manager to arrange an informal discussion to talk about the options.

It should be read alongside HFTF's Time off in Lieu Policy

## What is flexible working?

Flexible working is any type of working arrangement that gives some degree of flexibility on how long, where and when an employee works.

The following flexible working options are considered to be the typical arrangements that employees will request but the organisation recognises that there may be alternatives or a combination of options which are suitable to both the organisation and the employee:

- Annualised hours
- Compressed hours
- Flexitime
- Home-working
- Job-sharing
- Part-time working
- Term-time working

## Types of flexible working

- Annualised hours where an employee's contractual working hours are calculated as the total number of hours to be worked over the year, allowing flexible working patterns to be worked throughout the year. Usually the hours will be divided into rostered hours, which are set, and unallocated hours, when an employee can be called into work as demand dictates (and to cover unplanned work and employee absence). Payment will be in 12 equal instalments (although arrangements may be permitted where the pay for the work actually done is in the period to which

the payment relates).

- Compressed hours is where an employee works their usual full time hours in fewer days by working longer blocks meaning that there is no reduction in their pay. For example, a 5-day week is compressed into four days, or a 10-day fortnight into 9 days.
- Flexitime allows an employee to choose, within certain limits, when to begin and end work. An employee is required to work during a core time and must work an agreed number of hours during the accounting period of a month. Their hours of attendance will be recorded and added up at the end of each accounting period. An employee can carry over an excess of up to 14 hours or a deficit of up to 14 hours from one accounting period to another. A deficit of hours should be made up in the following accounting period. Excess hours may be used to either reduce attendance outside of core hours or, take additional leave (flexi-leave), subject to a maximum of 4 full days in any accounting period. Additional leave should be requested and agreed with the employee's line manager in the same way as annual leave.
- Home-working is when an employee regularly carries out all, or part of, their duties from home rather than the employer's premises. The organisation can consider home-working being an occasional agreed day, a mix of home and office based work each week or a full time arrangement.
- Job-sharing is an arrangement where a full-time post is divided into two part-time roles. The two job holders then share the overall duties and responsibilities. Their skills and the hours each employee wishes to work must be compatible, and meet the needs of the organisation. Pay and benefits are shared in proportion to the hours each works. Job sharing can be considered where the creation of a single part-time post is difficult, or where two individuals wish to work part-time. The suitability of posts for job-sharing will be stated in any internal or external advertisements.
- Part-time working covers any arrangement where an employee is contracted to work anything less than typical full time hours for the type of work in question. For example, an employee who only works Monday to Wednesday. The organisation believes that all posts will be available on a part-time basis, except where a critical examination by line management proves this to be impracticable. The suitability of posts for part-time working will be stated in any internal or external advertisements.
- Term-time working is where an employee reduces their hours or takes time off during any school holidays. Any weeks above their annual leave entitlement will

be unpaid. Salary can be paid in 12 equal monthly instalments (although arrangements may be permitted where an employee is only paid for the time worked and receive no pay during the holidays apart from their entitlement to annual leave).

## **The needs of the organisation**

The organisation is committed to providing a range of appropriate working patterns. However employees and management need to be realistic and to recognise that not all flexible working options will be appropriate for all roles.

Where a flexible working arrangement is proposed the organisation will need to take into account a number of criteria including (but not limited to) the following:

- the costs associated with the proposed arrangement
- the effect of the proposed arrangement on other staff
- the need for, and effect on, supervision
- the existing structure of the department
- the availability of staff resources
- details of the tasks specific to the role
- the workload of the role
- whether it is a request for a reasonable adjustment related to a disability
- health and safety issues

## **Eligibility**

Any employee with at least 26 weeks of employment service has a statutory right to request flexible working. However, Hope for the Future has taken the view that employees in all areas, and at any level, are entitled to submit a request for flexible working regardless of their length of service.

## **Submitting a flexible working request**

An eligible employee is entitled to submit up to three flexible working requests in a 12 month period (an employee is entitled to additional requests if they relate to a statutory entitlement, for example the Equality Act 2010 right to request reasonable adjustments).

All requests must be made by sending an application form to their line manager. The template email can be found at the end of this policy. This template includes all information required to make a flexible working request and must be completed in full. If an application does not contain all of the required information the employee's line manager will explain what additional or amended information they need to provide and ask the employee to resubmit the request.

If the employee is making the request in relation to the Equality Act, e.g. as a reasonable adjustment relating to a disability, this should be made clear in the application.

## **Meetings regarding flexible working**

Upon receiving a written request for flexible working the line manager will usually seek to arrange a meeting with the employee to:

- discuss the request
- find out more about the proposed working arrangements
- how it could be of benefit to both the employee and organisation

If a meeting is arranged it will be held within 28 days of the organisation receiving the request. This time limit may be extended with the agreement of both the employee and line manager.

The employee will be given advance notice of the time, date and place of the meeting. If the initial date is problematic then one further date will be proposed. If a face to face meeting is difficult to arrange then, if agreed by the employee and line manager, the meeting may be held over the telephone. At the meeting the employee may, if they wish, be accompanied by a workplace colleague or a trade union representative.

If the employee fails to attend a meeting and then fails to attend a rearranged meeting without good reason, their application will be deemed to have been withdrawn.

Where a request can, without further discussion, be approved as stated in the employee's written application a meeting to discuss the request may not be necessary. The employee will be informed of the organisation's agreement to the request by a confirmation letter as outlined in the section 'Responding to a flexible working request' within 28 days of the organisation receiving the request. This time limit may be extended with the agreement of both the employee and line manager.

## **Responding to a flexible working request**

The line manager will consider the proposed flexible working arrangements, looking at the potential benefits and adverse effects to the employee and to the organisation in implementing the proposed changes.

Each request will be considered on a case-by-case basis. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working pattern.

The employee will be informed in writing of the organisation's decision as soon as is reasonably practicable, but no later than 14 days after the meeting.

The request may be granted in full, in part or refused. The organisation may propose a modified version of the request, the request may be granted on a temporary basis, or the employee may be asked to try the flexible working arrangement for a trial period. If the request is agreed then the employee will be sent a confirmation letter which will include details of the new arrangements. The employee should contact their line manager within 14 days if they wish to discuss the new arrangements further, or have any concerns.

The request and outcome will be kept on the staff members file and a contract variation letter will be issued if the request is successful.

## Trialling new working arrangements

Where there is some uncertainty about whether the flexible working arrangement is practicable for an employee and/or the organisation a trial period may be agreed. If a trial period is arranged the organisation will allow sufficient time for an employee and their manager to implement and become used to the new working practices before taking any decisions on the viability of a new arrangement.

## Appeals

The organisation is strongly opposed to any form of victimisation of individuals who work, or request to work under flexible working arrangements. The employee has the right to appeal the decision if their request is refused or is only agreed in part. If an employee feels that they have been treated unfairly or are dissatisfied with any stage of the flexible process, they should refer to the Hope for the Future's grievance procedure.

## Further information

Law relating to this document: Employment Rights Act 1996; Equality Act 2010; Flexible Working Regulations 2014.

Agreed by: Governance and Evaluation Subcommittee 16 December 2020	Review date: December 2023
---	----------------------------

Dear [Name],

## Re: Flexible Working Request

This letter is a flexible working request. It is sent, in exercise of my statutory rights, as an application under section 80F of the Employment Rights Act 1996 for a change of my terms and conditions of employment.

I have been continuously employed by Hope for the Future since [Date] in the following role: · [Role]

My current working arrangements are:

· [Fill as appropriate]

- I am eligible to make this request because:
- I have the status of employee in my employment with Hope for the Future
- I have been continuously employed by Hope for the Future for more than 26 weeks
- I am not an agency worker
- I have not made any other flexible working requests [Nb: If a previous request(s) for flexible working has been made, then this must be stated along with the date of the previous request(s)]

My request is that my terms and conditions of employment be altered so as to change my hours of work so that I work:

· [Details of flexible working arrangement requested]

I would like this change to take effect on [Date].

My purpose in making this request is:

· [Reasons for making the request]

I believe the requested changes to my terms and conditions of employment would have the following beneficial effects on Hope for the Future:

· [Benefits for the employer]

The requested changes to my terms and conditions of employment could give rise to certain issues for Hope for the Future:





· [Potential issues arising as a result of the request]

However, I believe that these issues could easily be addressed and overcome through the following measures: · [Proposed measures]

Yours sincerely

[Name]