



PrivateEdge

## Flexible Working Policy

This policy is for use by employers to provide practical assistance with responding to requests from employees for flexible working. The policy provides an overview of the working arrangements employees can request and the steps employers ought to take to respond to this. Following this policy will help to reduce the risk of successful claims by employees.

### About this policy

This policy sets out how we implement the statutory right to request flexible working arrangements.

The right allows employees who qualify to request changes to their working arrangements. The legislation requires both us and our employees to follow certain procedures in order for a request to be considered.

Because this policy reflects the statutory provisions it does not form part of your contract, and may be amended at any time to reflect any changes in the law.

### Who qualifies for the right to request flexible working?

In order to qualify for this right you must be an employee with at least 26 weeks' continuous service at the date you make the application.

You are only allowed to make one application every 12 months.

### What changes to my working arrangements can I ask for?

You can ask:

- to reduce the hours you work;
- to change the times you work; or
- to work from home for all or part of the week.

You should be aware that if we agree to any change, the change will be permanent. You have no right to change back to your previous arrangements, for example when your child starts school.

### How do I make my request?

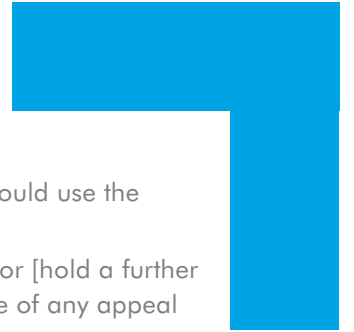
The legislation requires a written application and requires employees to provide certain information so that their eligibility can be checked and their request can be considered properly. To assist employees a form is available from [the Human Resources Department]. You should send your application to [name or description].

### What happens next?

We will normally consider your application within 28 days. Within that time we can either:

- accept your application without a meeting; or
- hold a meeting with you to discuss your application.

If a meeting is needed, we will inform you in writing of the outcome within 14 days of the date of the meeting. We will also inform you of your right of appeal.



If your application is rejected, you can appeal to [insert name] within 14 days. [You should use the form available from [the Human Resources Department] for this purpose.]

Once an appeal has been received, we will within 14 days either agree to the request or [hold a further meeting with you to discuss your appeal]. We will inform you in writing of the outcome of any appeal within 14 days of the [meeting].

We will allow you to be accompanied at any of these meetings by a colleague of your choice.

[Overall, we will aim to deal with your application, including any appeals, within three months, subject to any extension agreed between you and us.]

## How we decide whether to grant requests

We will only refuse your request if we have a business reason for doing so. The business reasons which would allow us to refuse your request are as follows:

- burden of additional costs;
- detrimental effect on ability to meet customer demand;
- inability to reorganise work among existing staff or to recruit additional staff;
- detrimental impact on quality or performance;
- insufficiency of work during the period you propose to work;
- planned structural changes; and
- any other reasons that are recognised by the relevant legislation.

If your request is refused we will provide you with a written, dated, notice of our decision, stating which of these business reasons we are relying on and explain why it applies.

If your request involves working from home for some or all of your working hours, you should be aware that we will not be able to agree to your request without checking, amongst other things, that the working arrangements in your home comply with health and safety requirements.

We will treat your application as withdrawn if without good reason you fail to attend two successive meetings we have arranged to discuss your request or to discuss any appeal.

## What happens if my request is granted?

If your request is granted at any stage in the process, we will write to you giving details of the new working arrangements, including any necessary changes to your terms and conditions, and will also tell you when the new arrangements will take effect.

There will be no trial period for the new arrangements, so you will need to think out carefully what you want to do before making your application. You should remember that you will have to wait a year before you can make another application and you have no right to revert back to your previous arrangements.

**Kennedys**

Legal advice in black and white

**MILLS & REEVE**



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