## FLEXIBLE WORKING POLICY – HR06

#### 1. INTRODUCTION

The organisation believes that flexible working can increase staff motivation, promote work-life balance, reduce employee stress and improve performance and productivity. From 30 June 2014, all employees who have a minimum of 26 weeks' continuous service have the statutory right to request flexible working and to have their request considered seriously by their employer. This policy describes the procedure for handling such requests and, for reasons of clarity, is defined within the legal framework for Flexible Working.

**2. POLICY STATEMENT**

This policy aims to set out the ways in which flexible working can increase staff motivation, build better relationships between the organisation and its employees, increase the rate of retention of staff, reduce absence, attract new talent, promote work-life balance and reduce employee stress. In doing so improve the efficiency, productivity and quality of service delivery. We recognise the possible benefits of each kind of flexible working to both employees and the organisation. If a request made under the statutory provision is, after consideration, rejected the procedure defines how the feedback will be given, the timescales and how any alternatives may be taken into account. Managers who receive a request will have regard to the organisation's equal opportunities and diversity policy when considering the request.

**3. DEFINITION**

The term ‘flexible working’ describes a type of working arrangement which gives some degree of flexibility on how long, where, when and at what times employees work. The flexibility can be in terms of working time, working location or the pattern of working. This could include part-Time working, job sharing or flexitime and any other arrangement that can be made to alter a person’s normal hours of work to accommodate a personal need. Any arrangement will be made only if it is appropriate for operational reasons and does not affect service provision unreasonably

**4. PURPOSE**

Phoenix Support recognises the importance of helping its employees balance their work and home life by offering flexible working arrangements that enable them to balance their working life with other priorities, including parental and other caring responsibilities, life-long learning, charity work, leisure activities and other interests. In turn we recognise that staffing levels must at all times remain in line with the demands of the business and needs of service users.

**5. CONTEXT**

Whilst we recognise the vast amount of legislation that may affect the terms or context of this policy the main considerations for its production and maintenance are the Children and Families Act 2014, Flexible Working Regulations 2014 (SI 2014/1398) and The Equality Act 2010

**6. IMPLEMENTATION**

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**6.1 REQUESTS FOR FLEXIBLE WORKING**

6.1.1 Phoenix Support recognises that flexible working opportunities benefit everyone: Phoenix Support, our staff and their families. Therefore, Phoenix Support will consider requests from any member of staff who wishes to operate within an alternative work pattern

6.1.2 A request for flexible working could include a request for a change to the number of hours that the employee works, a request for a change to the pattern of hours worked, a request to job share or a request to perform some or all of the work from the employee's home.

6.1.3 All requests must be made in writing and any request made under this policy must include:

1. the date of the application;
2. the changes that the employee is seeking to his/her terms and conditions;
3. the date on which the employee would like the terms and conditions to come into effect;
4. what effect the employee thinks the requested change would have on the organisation;
5. how, in his/her opinion, any such effect might be dealt with;
6. a statement that this is a statutory request;
7. whether or not the employee has made a previous application for flexible working; and,
8. if the employee has made a previous request, when the employee made that application.

6.1.4 Where the request is being made by a disabled person as part of a request for a reasonable adjustment to his/her working arrangements, the employee should state this in the written application.

6.1.5 The manager must not reject out of hand a request that does not contain the required information. The manager must explain to the employee what additional or amended information he/she needs to provide and ask the employee to resubmit the request.

**6.2 MEETING TO DISCUSS A FLEXIBLE WORKING REQUEST**

6.2.1 Once the manager receives the request, it will be dealt with as soon as possible, but no later than the deadline set out below (see 6.6 Timescales). The manager will usually arrange a meeting to deal with the request. Where a request can without further discussion be approved in the terms stated in the employee's written application, a meeting will not be necessary.

6.2.2 An employee should be given the right to be accompanied by a work colleague at any flexible working meeting.

6.2.3 The meeting should take place in a private meeting room so that the discussion is kept away from other employees. The aim of the meeting is to find out more about the proposed working arrangements and how they could be of benefit to both the employee and organisation.

**6.3 OUTCOME OF A FLEXIBLE WORKING REQUEST**

6.3.1 After the meeting, the manager will consider the proposed flexible working arrangements carefully, weighing up the potential benefits to the employee and to the organisation against any adverse impact of implementing the 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 his/her working pattern.

6.3.2 The employee will be informed in writing of the decision as soon as is reasonably practicable after the meeting, but no later than the deadline set out below. The request may be granted in full or in part: for example, 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.

6.3.3 The employee will be given the right to appeal the decision if the employee's request is not upheld or is upheld in part.

**6.4 REASONS FOR TURNING DOWN A FLEXIBLE WORKING REQUEST**

6.4.1 The line manager will give reasons for the rejection of any request. Those reasons must be for one or more prescribed business reasons, which are:

1. the burden of additional costs;
2. an inability to reorganise work among existing staff;
3. an inability to recruit additional staff;
4. a detrimental impact on quality;
5. a detrimental impact on performance;
6. a detrimental effect on ability to meet customer demand;
7. insufficient work for the periods the employee proposes to work; and
8. a planned structural change to the business.

6.4.2 The line manager must not reject a request for any other reason. Any rejection will have wording as stated above and will make reference to the relevant section of this policy for support.

**6.5 FLEXIBLE WORKING REQUESTS THAT ARE GRANTED**

6.5.1 If the request is upheld, the employee and the line manager will discuss how and when the changes will take effect. Any changes to terms and conditions will be put in writing and sent to the employee as an amendment to his/her contract of employment as soon as is reasonably practicable.

6.5.2 Flexible working requests are granted with operational discretion and senior management. Once granted flexible working arrangements will be in place for a period of 12 months to safeguard the operational provision of the company, and cannot be changed without the written permission of the General Manager

**6.6 TIMESCALES**

6.6.1 All requests will be dealt with within a period of three months from first receipt to notification of the decision on appeal. The line manager should hold the meeting within 28 days of receiving the request and notify the decision to the employee within 14 days of the meeting, so that there is enough time for any appeal to be concluded.

6.6.2 Employees who are dissatisfied with the outcome of their request are allowed to lodge an appeal within 14 days of the notification, with the appeal to be heard within 14 days. The employee will be informed of the outcome of his/her appeal within 14 days of the appeal meeting.

6.6.3 These time limits may be extended where both the employee and employer are in agreement. For example, the relevant manager and the employee may agree to extend the time limit to give the employee a trial period on the flexible working arrangements.

**6.7 RAISING A GRIEVANCE**

6.7.1 If an employee is dissatisfied or unclear at any stage throughout the process, he/she should contact their line manager in the first instance or the manager’s line manager if the issue is not resolved.

6.7.2 If an employee is dissatisfied with the way in which his/her request has been handled, he/she should raise a grievance under the organisation's grievance procedure.

6.7.3 If an employee fails to attend a meeting, including an appeal meeting, and then fails to attend a rearranged meeting without good reason, his/her application will be deemed to have been withdrawn.

**6.8 REVIEW OF POLICY**

6.8.1 The policy shall be reviewed by the Registered Manager to meet any necessary changes in legislation.