

PROTECT



Flexible Working policy and procedure

Document Control	
Date of Last version	2009
Latest review	2022
Name of Reviewer	D Taylor
Consultation	
Approved by	
Review due on:	2025

Flexible Working Policy.....	2
1. Introduction	2
2. Who does this policy apply to?.....	2
3. Types of flexible working.....	3
4. Hybrid Working Policy.....	3
Flexible Working Procedure.....	3
1. Procedure overview – Making a request for flexible working	3
2. Procedure overview – manager workflow	4
3. Meeting to discuss a flexible working request.....	4
4. Considering your request.....	5
5. Notifying you of the decision	5
6. Reasons for rejecting a request	5
7. Your right to appeal; Appeal outcome.....	5
8. Flexible working requests that are granted	6
9. Revisions to Flexible Working Policy.....	6
10. Associated Policies.....	6
11. Appendices	6
Appendix A: Request for flexible working	7
Appendix B: Letter to arrange meeting.....	9
Appendix C: Letter agreeing extension to time periods	10
Appendix D: Outcome of request	12
D1: Agree to request; with option for up to 12 week trial.....	12
D2: Refusal of request.....	13

Flexible Working Policy

1. Introduction

We believe that flexible working can increase staff motivation, promote work-life balance, enrich employee wellbeing and improve performance and productivity.

This policy sets out our approach to flexible working requests under the statutory procedure.

2. Who does this policy apply to?

All employees who have a minimum of 26 weeks' continuous service have the statutory right to request flexible working. Under the statutory procedure, you can make one request in every 12-month period.

However, we recognise the importance of providing flexible working for all employees. Therefore, if you are not eligible to make a formal request for flexible working under the statutory procedure, you may submit an informal request and we will consider this on an informal basis.

3. Types of flexible working

Examples of flexible working include:

- reducing the number of hours that you are working;
- changing your start and finish times;
- compressing your working hours into fewer days (for example moving to a nine-day fortnight).

4. Hybrid Working Policy

We have a separate hybrid working policy, which sets out our approach to hybrid working. Hybrid working is already available within the following teams:

- Any roles which are defined with Cambourne as the location of work on the Contract of Employment.

Hybrid working is unavailable for Operatives working out of the Waterbeach Depot, and some Housing Operatives (such as Cleaners). Some team members that are fully Office-based at the Depot may be able to request to work either from home or another work location. If you are unsure whether you can request flexible working as part of your role, you can speak to your line manager or HR.

5. Timescales

Once you submit your flexible working request, it will be dealt with as soon as possible. However, all requests will be dealt with within three months, from receipt of the request to notification of any appeal decision.

The timescales within this policy may be extended where this is mutually agreed.

If you fail to attend a meeting to discuss your flexible working request, including an appeal meeting, and then fail to attend a rearranged meeting without good reason, your application will be deemed to have been withdrawn.

Flexible Working Procedure

1. Procedure overview – Making a request for flexible working

All requests must be made by filling in our form for submitting a flexible working request, which is available via iTrent. Please see [Appendix A: Request for flexible working](#). When you submit this on iTrent, this is sent directly to your line manager.

In the following procedure, “you”/”your” relates to the employee making the request.

Any request made under this policy must include:

- the date of the application;
- the changes that you are seeking to your terms and conditions of employment;
- the date on which you would like the terms and conditions to come into effect;
- what effect you think the requested change would have on our organisation;
- how, in your opinion, any such effect might be dealt with;
- a statement that this is a statutory request;
- whether or not you have made a previous application for flexible working; and
- if you have made a previous request, when you made that application.

Where a request for flexible working does not contain all the required information, you will be asked to resubmit your request with the necessary additional information. Requests that are incomplete or contain errors will be automatically rejected.

2. Procedure overview – manager workflow

Note that the following dates refer to business days, and the longest time frame for the whole process. Meetings can be scheduled with shorter time frames, and decisions can be made in less than 5 business days.

- Day 0 – line manager receives Request.
- Day 5 – Manager responds to employee, either agreeing to request or [Invite the employee to a meeting to discuss the request, if further discussion is required](#)
- Day 10 – hold meeting (latest);
- Day 15 – outcome sent; [If the request is refused, notify the employee of the refusal and the right of appeal](#)
- Day 25 – employee sends appeal
- Day 39 – hold meeting (latest); [Invite the employee to an appeal meeting](#)
- Day 44 – appeal manager sends outcome; [Notify the employee that the appeal is upheld/rejected](#)

3. Meeting to discuss a flexible working request

Where a request can, without further discussion, be approved in the terms set out in your written application, a meeting will not be necessary.

If the line manager wants to discuss your request, they will schedule a meeting. Notice of the meeting will be at least 3 business days. The line manager should aim to hold the meeting within 10 business days of receiving your request. You may, if you wish, ask a work colleague or trade union representative to attend the meeting with you.

The aim of the meeting is to find out more about your proposed working arrangements and how they could be of benefit to both you and the organisation. HR will not usually be present at this meeting.

4. Considering your request

After the meeting, your line manager will consider your proposed flexible working arrangements carefully, weighing up:

- the potential benefits to both you and the organisation; and
- 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 their working patterns.

5. Notifying you of the decision

The line manager should aim to notify you of the decision as soon as possible and no later than 5 business days after the meeting.

Your request may be granted in full or in part. For example:

- we may propose a modified version of your request;
- your request may be granted on a temporary basis; or
- you may be asked to try the flexible working arrangement for a trial period.

6. Reasons for rejecting a request

Your request for flexible working will be rejected only because of:

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

7. Your right to appeal; Appeal outcome

You have the right to appeal if your request for flexible working is rejected or only agreed in part.

To exercise this right, in either instance, the employee must write to the Head of Transformation, HR and Corporate Services within 10 business days of receipt of the letter confirming the decision. The employee must state the grounds for their appeal

Your letter should set out the grounds on which you are appealing. An appeal meeting will be held within 14 business days of you lodging your appeal.

The appeal meeting will be heard by your line manager's line manager, where that manager is at the level of Head of Service or below. If the line manager that made the original decision is a Head of Service, then the Appeal will be heard by another Head of Service.

You may, if you wish, ask a work colleague or trade union representative to attend the appeal meeting with you.

You will be informed of the outcome of your appeal as soon as possible and no later than 5 business days after the appeal meeting.

8. Flexible working requests that are granted

If your request is upheld, you and your line manager should discuss how and when the changes will take effect.

Any changes to your terms and conditions of employment, whether permanent or temporary, will be put in writing and sent to you as an amendment to your contract of employment.

9. Revisions to Flexible Working Policy

This policy and procedure will be reviewed and updated as part of the normal review and consultation processes. In addition, this policy will be updated in line with any relevant statutory changes.

Any amendments proposed because of these reviews will be advised to all staff, as well as the date from which changes are to be implemented.

10. Associated Policies

- Hybrid Working Policy

11. Appendices

- (A) Template Form – request
- (B) Template Letter – manager letter to arrange meeting
- (C) Template Letter – agreeing extension to time period
- (D) Template letter – outcome of request

Appendix A: Request for flexible working

Request for flexible working	
Name of individual:	
Department:	
I confirm I meet each of the eligibility criteria as follows: <ul style="list-style-type: none"><input type="radio"/> I have worked continuously as an employee of SCDC for the last 26 weeks.<input type="radio"/> I have not made a request to work flexibly in the past 12 months.	
Date form submitted:	
I am making this request for the following reason: <ul style="list-style-type: none"><input type="radio"/> To help me look after a dependent<input type="radio"/> To help me care for a Child<input type="radio"/> Other reason	
If Other, please give reason for the application: 	
My current working pattern (days/hours/times worked): 	
The working pattern I would like to work in future (days/hours/times worked): 	
I would like the above change(s) to my working pattern to take effect on:	
Impact of the new working pattern: I think this change in my working pattern will affect my service and colleagues as follows: 	

Accommodating the new working pattern: I think the effect on my Service Area and colleagues can be dealt with as follows:			
Signed:		Date:	

What happens now?

Once you have submitted a valid application for flexible working, we will either approve the request without a meeting, or arrange to meet with you to discuss the request. The meeting will be arranged within 10 business days of receiving your request.

In this meeting, we will discuss how the pattern of working you have requested might be made to work. If your request is granted, it will mean a permanent change to the terms and conditions of your employment, unless agreed otherwise.

It will help us to deal with your application if you provide as much information as you can about your desired working pattern. It is also important that you complete the questions about the effects that you think the changes you are requesting will have on the organisation and your colleagues.

Appendix B: Letter to arrange meeting

Dear NAME

Your request for flexible working

Thank you for your request for flexible working dated [date]. We would like to discuss with you the changes outlined in your request in more detail, at TIME and Date. This meeting will be held virtually (over Teams) OR in person.

It will help us to know more about the benefits for you of the changes and if you have any suggestions on how we can overcome the practical difficulties for our organisation of the changes. We can discuss if there are possible alternatives to the changes you have requested that would be acceptable for both you and our organisation.

Meeting details

We will consider if we can agree to your request and inform you of our decision no later than 5 business days after the meeting. You may ask a work colleague or trade union representative to attend the meeting with you.

Next steps

Please confirm that you can attend the meeting by [DATE] and let me know the name of the work colleague/trade union representative you wish to attend the meeting with you. If the time and date of the meeting are not suitable, please let me know and we will arrange an alternative time and date.

Yours sincerely

MANAGER NAME, POSITION.

Appendix C: Letter agreeing extension to time periods

Dear NAME

Extension of time period for considering your flexible working request

I refer to your [form/letter/email] dated [date] in which you made a request for flexible working. As you are aware, the process reached [set out what stage the process has reached], but has now been delayed because [state reason for delay].

The meeting to discuss your request for flexible working would have taken place by [10 business days after the date on which the application was made], but this will be put on hold until [date].

- AND/OR You would have been informed of the outcome of your application for flexible working by [5 business days after the date on which the flexible working meeting was held], but this will now be put on hold until [date].
- AND/OR The deadline for submitting your appeal against our decision in relation to your request for flexible working would have been [10 business days after the date on which the employee was informed of the employer's decision], but this will now be put on hold until [date].
- AND/OR The meeting to discuss your appeal against our decision in relation to your request for flexible working would have taken place by [14 business days after the date on which the employee appealed], but this will be put on hold until [date].
- AND/OR You would have been informed of the outcome of your appeal against our decision in relation to your request for flexible working by [5 business days after the date on which the appeal meeting was held], but this will now be put on hold until [date].
- OR [Name of individual/the line manager] would normally consider your application for flexible working, but they were absent from work on annual leave on the day on which the application was made. As a result, we have had to put on hold the normal timetable for dealing with your request. [Name of individual/the line manager] [is due to return/returned] from holiday on [date] and [the 10 business day time limit for holding a meeting to discuss your request] will therefore begin on [date] and last until [date]. [Name of individual/the line manager] will be in touch with you in due course.
- OR [Name of individual/the line manager] would normally have considered your application for flexible working but, as they were absent from work on annual leave on the day on which the application was made, we put on hold the normal timetable for dealing with your request. It was originally planned that [the 10 business day time limit for holding a meeting to discuss your request] would therefore begin on [date] and last until [date]. As a result of [state reason for delay], we will

have to put your date on hold again and the meeting will now be put on hold until [date].

- OR [Name of individual/the line manager] would normally consider your application for flexible working, but they were absent from work on sick leave on the day on which the application was made. As a result, we have had to put on hold the normal timetable for dealing with your request. [Name of individual/the line manager] returned from sick leave on [date] and [the 10 business day time limit for holding a meeting to discuss your request] will therefore begin on [date] and last until [date]. [Name of individual/the line manager] will be in touch with you in due course.
- OR [Name of individual/the line manager] would normally have considered your application for flexible working but, as they were absent from work on sick leave on the day on which the application was made, we put on hold the normal timetable for dealing with your request. It was originally planned that [the 10 business day time limit for holding a meeting to discuss your request] would therefore begin on [date] and last until [date]. As a result of [state reason for delay], we will have to put your date on hold again and the meeting will now be put on hold until [date].
- OR [Name of individual/the line manager] would normally consider your application for flexible working, but they were absent from work on sick leave on the day on which the application was made. As a result, we have had to put on hold the normal timetable for dealing with your request. [Name of individual/the line manager] is still on sick leave as of the date of this letter and [the 10 business day time limit for holding a meeting to discuss your request] will therefore begin on the day they return to work and last for [10 business days]. If [name of individual/the line manager] is off for longer than we expect, your application for flexible working will be dealt with instead by [name of alternative individual/the line manager]. In that case, [the 10 business day time limit] for holding a meeting to discuss your request will begin on [date] and last until [date]. [Name of individual/the line manager] or [name of alternative individual/the line manager] will be in touch with you in due course.]

Please sign the duplicate of this letter and return it to me to indicate that you have read, understood and accepted its contents.

Yours sincerely

Signed:

Date:

Appendix D: Outcome of request

The outcome options are:

- Agree fully to request, with the option of a trial that is up to 12 weeks.
- Agree partially, with the option of a trial that is up to 12 weeks.
- Reject the request.

D1: Agree to request; with option for up to 12 week trial

Dear []

Your request for flexible working

Following [our discussion on [date] about] your request [for a change to your working arrangement/to continue with [the working arrangement/a similar working arrangement to the one] put in place because of the coronavirus pandemic], I am delighted to confirm that your request can be accommodated.

We are confident that [the new working arrangement that has been agreed for you/continuing your current working arrangement] will be of benefit to both parties.

Variation to your contract of employment

We can confirm that the terms of your contract of employment will change from [date]. [This change will last until [date arrangement will end if it is for a set period of time], after which you will revert to your previous terms and conditions of employment.]

Your [new terms from [date] / terms from [date] until [date]] will be as follows:

Your hours of work will be [state days and hours of work]. This represents a working week of [number] hours.

These new agreed terms represent a [permanent variation to your contract of employment/temporary variation to your contract of employment from [date] until [date]].

Next steps

Please sign the attached copy of this letter and return it to [me/name of individual] to signify your agreement to the changes detailed above.

If you have any queries or concerns, please do not hesitate to contact [me/name of individual].

Yours sincerely

NAME, POSITION

I agree to the variation to my contract of employment to change my working arrangement, as set out in this letter.

Employee's signature: []

Date: []

D2: Refusal of request

Dear []

Your request for flexible working

Following our discussion on [date] about your request [for a change to your working arrangement/to continue with [the working arrangement/a similar working arrangement to the one] put in place because of the coronavirus pandemic], I would like to let you know our decision.

Having given the matter thorough consideration, I regret that we are unable to agree to your request. The reasons for this are set out below.

Why we are unable to accept your request

You requested [a reduction to your working hours/a change to the pattern of your working hours/to move to homeworking on a permanent basis].

Unfortunately, we think that this is not feasible because:

- [Set out why the employee's request is not workable. The employer should ensure that the reasons fall within the statutory list of business reasons that an employer may advance as justification for refusing a request. These are that the flexible working arrangement would:
 - impose an unreasonable burden of additional costs;
 - have a detrimental effect on the organisation's ability to meet its customers' demands;
 - have a detrimental impact on quality;
 - have a detrimental impact on performance;
 - create difficulties because the organisation is unable to make arrangements to reorganise the work among other staff;
 - create difficulties because the organisation is unable to recruit additional staff;
 - create difficulties because of an insufficiency of work during the periods the employee proposes to work; or
 - be inappropriate because of planned structural changes.]

Your right of appeal

You have the right to appeal against the decision to turn down your request for flexible working.

If you wish to appeal, you must do so in writing within 10 days of receipt of this letter to Head of Transformation, HR and Corporate Services.

Your letter requesting an appeal meeting must set out the grounds on which you wish to appeal against the decision as set out above.

If you have any queries or concerns, please do not hesitate to contact [me/name of individual].

Yours sincerely

NAME, POSITION.