

**Flexible Working
Policy and Procedure
April 2024**

Flexible Working Policy and Procedure

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1. Policy

- 1.1 This policy and procedure aims to enable line managers and staff to consider fairly, carefully and lawfully any request for flexible working. Queen Mary University of London (QMUL) aims to offer practical and flexible ways of working which will meet the needs of QMUL, its customers and staff.
- 1.2 An employee may request a permanent change in their working arrangements at any time (from their first day of service).
- 1.3 QMUL has a legal duty to deal with all requests in a reasonable manner.
- 1.4 QMUL will ensure that the policy and the procedure are carried out in a non-discriminatory manner, taking account of individual circumstances and respecting confidentiality. The policy will be implemented in accordance with QMUL's statements on equality and diversity, health and safety and other relevant policies and legislation in force at the time.
- 1.5 Line managers are responsible for managing issues and should be competent in managing, investigating and dealing with requests in an effective and sensitive way, taking advice from Human Resources (HR) as necessary.

2. Procedure - General

- 2.1 Timeframes given in this document serve as a standard for an average case. In reality no case is standard, each requiring assessment and judgement and it is entirely proper if the situation demands to take either a longer or shorter time than recommended in the procedures.
- 2.2 Employees have a right to be represented at all stages of a flexible working request. However, meetings should not be deferred or delayed just because an individual cannot secure a particular named representative on a given day or necessarily because of sickness. The right of the employee to be accompanied is balanced by the responsibility they have for securing any such representative.
- 2.3 This policy and procedure is designed to help employees' requests to be dealt with fairly. In this regard it is usually better if issues can be dealt with as speedily as possible. A long drawn out process – rather than properly resolving the issue for the employee – can in itself be stressful.
- 2.4 Given the importance of dealing with these issues, quickly, fairly and efficiently, it is important that QMUL manage the parts of the process they are responsible for effectively, this includes writing up notes, determining and communicating decisions and next steps without undue delay.

3. Responsibilities

3.1 Line managers are responsible for:

- ❖ determining, with HR advice as necessary, in a reasonable manner if the request can be accommodated
- ❖ meeting the employee within 14 days of receipt of the request (unless an extension is mutually agreed)
- ❖ ensuring the employee is given adequate notice of any meeting, typically not less than 5 working days
- ❖ ensuring that all requests, including any appeals are considered and decided on within three months of receipt of the request (unless an extension is mutually agreed)
- ❖ adhering to this policy and procedure

3.2 Employees are responsible for:

- ❖ submitting any request at least 2 months before the date on which they want the changes to commence
- ❖ confirming the details of the permanent change(s) to their working arrangements
- ❖ considering the impact, effects on service, etc. any change would have and how these could be dealt with and detailing this in writing on the request form
- ❖ securing a representative if they wish to be accompanied at any meetings
- ❖ continuing with their normal working arrangements until a decision on the request has been made

3.3 The employee may be accompanied by a Trade Union representative or work colleague. The chosen representative or companion can:

- ❖ take notes
- ❖ address the meeting
- ❖ confer with the employee

The chosen representative or companion may not:

- ❖ answer questions on behalf of the employee
- ❖ address the meeting if the employee indicates that they do not wish the companion to do so
- ❖ use their powers in a way that prevents the employer from explaining their case

It is the employee's responsibility to ensure that their chosen companion is willing to act and is available to attend the meeting.

3.4 HR Partners are responsible for:

- ❖ briefing and advising managers on the implementation of these policies and procedures

4. The Request

4.1 Staff should complete the 'Request for Flexible Working' Form in order to formally request a permanent change to their working arrangements.

An employee may submit, up to, two requests for such a change in any 12-month period.

Any request should be submitted at least 2 months before the date on which the proposed changes are due to commence.

Working arrangements relates to:

- ❖ the hours an employee is required to work
- ❖ the times an employee is required to work
- ❖ whether an employee is working in the workplace or at home

Any change to working arrangements will be permanent unless the change is conditional on the success of a trial period.

The request will be discussed in further detail at a meeting arranged by the line manager, to be held within 14 days of receipt of the request.

4.2 Flexible working requests can only be rejected on one or more of the eight specified business grounds below:

- ❖ the burden of additional costs
- ❖ a detrimental effect on the ability to meet customer demand
- ❖ inability to reorganise work among existing staff
- ❖ inability to recruit new staff
- ❖ a detrimental impact on quality
- ❖ a detrimental impact on performance
- ❖ insufficiency of work during period of work proposed by the employee
- ❖ planned structural changes

4.3 The request can be considered as withdrawn if the employee, without good reason, fails to attend two consecutive meetings to discuss the request or an appeal.

5. Outcomes following the meeting

5.1 The decision should be confirmed in writing within 5 working days. The decision letter should include confirmation of the decision and implement date of changes or the grounds on which the request was rejected and details of their right to appeal.

6. Appeals

6.1 An employee may appeal if not satisfied that the grounds for rejection meet the statutory terms outlined in 4.2 above.

- 6.2 An appeal must be submitted in writing by the employee, setting out the grounds for appeal and sent to HR without unreasonable delay and normally within 14 days of the receipt of the written outcome.
- 6.3 The appeal hearing will be convened without unreasonable delay and normally within 14 days of receipt of the written appeal (unless an extension is mutually agreed).
- 6.4 The employee may be accompanied at the hearing by a Trade Union representative or work colleague and will have the opportunity to state the grounds for their appeal.
- 6.5 Appeals will normally be heard by a manager senior to the one who dealt with the initial request. They will:
 - ❖ conduct the meeting to establish the relevant facts
 - ❖ explore any options which may permit the issue to be resolved
 - ❖ determine a fair and proportionate course of action taking into account the interests of QMUL and the employee(s)
- 6.6 The manager hearing the appeal will decide to uphold or reject the appeal and will notify the employee(s) in writing of their decision and the reasons for it without unreasonable delay and normally within 5 working days of the hearing (unless an extension is mutually agreed). No further right of appeal will be available.

7. Revision or termination of this policy and procedure

- 7.1 The operation of this policy and procedure will be periodically reviewed.

8. Equality Impact Assessment

- 8.1 This policy applies to all staff employed by QMUL.
- 8.2 Statistics will be compiled and monitored on numbers of cases by type and at an organisational level and by Faculty/Schools/Institutes/Departments covering all grade groups and subdivided by equality monitoring categories as determined by the Equality Committee. These will be reported to Council and the Joint Consultative Forum no less than on an annual basis.