

## **FLEXIBLE WORKING POLICY**

It is the Company's view that the promotion of flexible working arrangements increases employee motivation, performance and productivity, reduces stress and encourages employee retention by enabling employees to balance their work life with their other priorities. The purpose of this policy is to give employees an opportunity to formally request to work flexibly in accordance with the statutory procedure for such requests. Employees who make a request for flexible working will not be subjected to any detriment or lose any career development opportunities as a result.

This policy, which applies to employees only, is non-contractual and does not form part of an employee's contract of employment and may be amended at any time.

### **The statutory right**

Employees have a statutory right to request to work flexibly and to have their flexible working application dealt with in a reasonable manner. The statutory right entitles an employee to request to work flexibly from day one of their employment with the Company. Under their statutory right, an employee can make a maximum of two requests within a twelve-month period, to work flexibly.

### **Flexible working generally**

You may wish to apply for flexible working to accommodate caring arrangements, charity work, leisure activities, external study or indeed for any other purpose. All employees are eligible to apply for flexible working regardless of their seniority, current working pattern, age, sex, race, religion, sexual orientation, whether they have a disability or whether they are employed on a permanent or fixed-term basis.

Under the statutory provisions, you can apply to vary the number of hours you work, the times you work or your place of work (between your home and the Company's place of business). Flexible working can therefore incorporate a number of possible changes to working arrangements, such as:

- reduction or variation of working hours
- reduction or variation of the days worked
- working from home (whether for all or part of the week).

The possible changes to working arrangements may also involve:

- starting a job share
- working annualised hours, i.e. working a set number of hours a year, rather than hours being fixed on a weekly basis
- working compressed hours, i.e. working the same total number of hours but over fewer working days
- part-year working, e.g. working only during term time
- working flexitime, e.g. having flexible start and finish times.

Although the Company is committed to being flexible on working patterns for its employees, you must recognise that the requirements of the business are paramount, and it may not be appropriate or possible for flexible working arrangements to apply to all jobs across all areas of the business.

When applying to vary your place of work, please note that your "home" for these purposes means your primary UK-based residence. You cannot apply to work from an overseas residence and any such requests for overseas remote working will be declined.

## **The flexible working application procedure**

The following procedure will apply where you make a formal application for flexible working arrangements:

- you must make your formal request in writing setting out the flexible working arrangements you seek. Your application should be submitted in good time and ideally three months before you would like the changes to your working arrangements to take effect. You might first wish to speak informally with your line manager to discuss your eligibility and the different flexible working options before submitting your application
- where necessary, the Company will arrange a meeting with you to discuss the working arrangements you have proposed (and how they will accommodate your needs), the impact of your proposed working arrangements on your work and that of your work colleagues and, if the Company cannot accommodate the working arrangements you have requested, any possible alternative working arrangements that might suit. You may, if you wish, be accompanied at this meeting by a work colleague of your choice. Your companion will be entitled to speak during the meeting and confer privately with you, but they may not answer questions on your behalf. Please note that, in some cases, the Company may be able to approve your application without the need for a meeting
- the Company will then consider your request and will make a practical business assessment on whether and, if so, how it could be accommodated. This may also include a proposal to start the new working arrangements under an initial trial period to ensure that they meet your needs and the needs of the Company
- the Company will notify you of its decision in writing as soon as possible. If the Company needs more time to consider and make a decision on your request, it will discuss this with you, and may seek your agreement to an extension of the two-month flexible working decision period (see further below)
- if the Company accepts your request, or where you have agreed to alternative working arrangements to those you originally requested, it will write to you detailing the new working arrangements, establishing a start date and providing a written note of the contract of employment variation. If the new working arrangements are to be under an initial trial period, details of that trial period will be set out and it will be made clear that any variation to your contract of employment will only be temporary at this stage. You will be asked to sign and return a copy of the letter to signify your acceptance of its terms
- unless otherwise agreed (and subject to any trial period), where your request is accepted, it constitutes a permanent change to your terms and conditions of employment. This means you do not have the right to revert to your previous working arrangements at a future date. You may not make more than two formal flexible working requests within a twelve-month period. However, depending on the circumstances of the case, at its absolute discretion, the Company may be willing to agree to a temporary change to your working arrangements (and hence also a temporary change to your terms and conditions of employment) for a specified period only. In that case, you would then revert to your previous working arrangements after the specified temporary period comes to an end
- if the Company is considering rejecting your request, you will be invited to a consultation meeting to further discuss the proposal. During this meeting the Company will explain the business grounds for considering to refuse your application.
- if the Company is unable to agree to your request, it will write to you explaining the business grounds for refusing your application and setting out the internal appeal procedure
- you may appeal against a refusal of your flexible working request within five working days starting with the day after the date on which you received the written decision. Appeals must be made in writing, be dated and state the grounds for your appeal. The Company may then arrange a meeting with you to discuss your appeal

and you may again be accompanied at this meeting by a work colleague of your choice. Whether or not an appeal meeting is held, the Company will write to you to notify you of the outcome of your appeal

- if your appeal is upheld, the Company will detail the new working arrangements, establish a start date, set out any trial period and provide a written note of the contract of employment variation. You will be asked to sign and return a copy of the letter to signify your acceptance of its terms
- if your appeal is rejected, the Company will provide the business grounds for its decision. You can make a maximum of two formal flexible working requests within a twelve month period
- the Company will notify you of its decision on your flexible working application within two months beginning with the date on which your application is made, or such longer period as may be agreed between the Company and you. This decision period includes dealing with any appeal against a decision to refuse your flexible working request. Where an extension of time is agreed with you, the Company will write to you to confirm the extension and the date on which it will end
- if you withdraw a flexible working request, you are still eligible to make a maximum of two formal requests within a twelve month period. In certain circumstances, a flexible working request may also be treated by the Company as withdrawn, i.e. where, without good reason, you fail to attend a meeting and a re-arranged meeting to discuss your request, or fail to attend an appeal meeting and a re-arranged appeal meeting. In such circumstances, the Company will write to you confirming that your request has been treated as withdrawn.

### **Grounds for refusal**

The Company may refuse your flexible working application on one or more of the following business grounds:

- the burden of additional costs
- the detrimental effect it would have on the Company's ability to meet customer demand
- the Company's inability to re-organise work amongst existing employees
- the Company's inability to recruit additional employees
- the detrimental impact it would have on quality
- the detrimental impact it would have on performance
- the insufficiency of work available during the period when you propose to work
- the Company's planned structural changes.

Should the Company be considering refusal of an application, the Company will invite you to a consultation meeting to discuss the request. They will provide details relating to why they are considering refusing the request and which particular ground applies in the circumstances.

Each request for flexible working will be dealt with individually, taking into account the likely effects the changes will have on the Company, your work, the work of the department in which you are employed, your work colleagues and the particular circumstances of the case. This means that if the Company agrees to one employee's request, this does not set a precedent or create a right for another employee to be granted the same or a similar change to their work pattern. For example, having approved one flexible working request, this may mean that the business context has changed, and this may be taken into account when considering a second request from another employee against the above business grounds.

It should be remembered that the Company has right to run its business and that the right to request flexible working arrangements is just that, a right to ask.