

## FLEXIBLE WORKING THE RIGHT TO APPLY

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### 1 INTRODUCTION

- 1.1 The University recognises the benefits from supporting initiatives which may help employees to achieve a balance in their work commitments and their life outside of work.
- 1.2 This scheme sets out the rights, entitlements and obligations of employees who wish to avail themselves of the benefits provided by the University.
- 1.3 Every employee has the statutory right to request to work flexibly after 26 weeks continuous service. It will not provide an automatic right to work flexibly as there will be circumstances in which the University is unable to accommodate the employee's desired work pattern.
- 1.4 The University also recognises its responsibilities to consider flexible working arrangements, where appropriate, for disabled employees. Further details can be found in the Disability Policy for Staff.
- 1.5 The University will sympathetically consider adjustments to working arrangements to enable employees to fulfil the requirements of religious observance. Further details can be found in the Code of Practice on Religion and Belief.
- 1.6 The University also provides benefits for employees under the **Parental Leave Agreement, the Maternity and Paternity Leave Agreement and the Compassionate Leave/Emergency Care of Dependants Agreement.**
- 1.7 The University recognises that all employees need to balance work and home or personal commitments. Although the University has a statutory requirement to consider flexible working arrangements for employees with 26 weeks employment service, it will also consider applications from other members of staff, irrespective of their length of service.
- 1.8 The University will monitor requests for flexible working and the responses given to such requests as part of its Equal Opportunities Monitoring procedures.

- 1.9 When making an application employees have a responsibility to think carefully about their desired work pattern, the impact any changes might have on their work and how this could be managed.
- 1.10 The University has a legal duty to consider all applications from employees who are eligible under the Statute and to establish whether the desired work pattern can be accommodated within the needs of the business. The University will consider each application objectively on this basis, and not attempt to judge whether one applicant's need for flexible working is greater than another's.
- 1.11 Employees are advised to seek advice from their designated HR Advisor to ensure that they are fully informed about all aspects of the scheme. This contact can be made with complete confidentiality if required.

## **2 ELIGIBILITY**

In order to be eligible to make a request under Aston University's policy an individual will:

- have worked for the University continuously for 26 weeks at the date the application is made

## **3 SCOPE OF REQUEST**

Eligible employees will be able to request:

- a change to the hours they work
- a change to the times they are required to work
- to work from home
- a change to the working pattern

## **4 THE PROCEDURE**

- 4.1 You should make an application in writing to your Executive Dean/Head of Department specifying how you would like your pattern of work to be changed. An application form for flexible working is available on the HR web site.
- 4.2 You will only be able to make one application in any 12 month period and it may not be possible to consider further changes during that period. You may make a request for a temporary or permanent change to your pattern of work.
- 4.3 On receipt of your flexible working request, the University has 3 months to consider your request, discuss it with you and notify you of the outcome. This includes an appeal if necessary. Your request will be considered, in the first instance, by your line manager in consultation with the appropriate HR Advisor.
- 4.4 A meeting will be arranged with your line manager as soon as possible but, at the latest, within 28 days of receiving the request. The purpose of the meeting will be to discuss the desired work pattern in detail and how best it might be accommodated. It will also provide an opportunity to consider other alternative working patterns should there be problems in accommodating the desired work pattern outlined in your application. If you so wish, you will be able to bring a trade union representative /companion to the meeting. The companion can address the meeting or confer with the employee during it, but is not allowed to answer questions on the employee's behalf. If the companion is unable to attend the meeting, the employee should re-arrange the meeting for a date within seven days

of the originally proposed time, ensuring the new time is convenient to all parties; or, consider an alternative companion.

- 4.5 Within 14 days following the date of the meeting the School/Department will write to tell you its decision. If there is agreement to your request then it will specify a start date for the arrangements. If the School/Department is unable to accommodate your request, it will give clear grounds as to why the application cannot be accepted and why the grounds apply in these circumstances.
- 4.6 If you are dissatisfied with this response, you will have the right to appeal within 14 days of being notified of the decision. The Appeal will be heard by the Executive Dean or Head of Department (or, where the Executive Dean or Head of Department is your line manager, by another senior member of staff) with the Director of Human Resources. You will be informed of the decision of the Appeal within 14 days of the meeting.

## **5 PAY**

Although a reduction in contractual working hours will result in a reduction of pay there will be no reduction in your current rate of pay.

## **6 TERMS AND CONDITIONS**

If you are successful in your application, this may mean a change to your terms and conditions of employment. If a permanent change is agreed there will be no obligation on the University to restore previous conditions at any point.

HR/03/05(9)

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