

Flexible Working Policy & Procedure

Document Date: January 2022
Purpose: To set out the Union's policy regarding flexible working for all permanent staff and the procedure which should be followed by all parties in formalising any such request.
Audience: Permanent staff

1. Introduction

1.1 Flexible working is a term used to describe a way of working which suits an employee's needs. There are numerous examples which include, but are not limited to:

- Job-sharing
- Part-time working
- Annualised hours
- Term-time working
- Flexi-hours
- Working from home

1.2 In law any employee with at least 26 weeks of employment has a statutory right to request flexible working. However, RHSU prides itself on both its aspiration and its ability to be flexible to help employees achieve a better balance between work and other priorities and to support their wellbeing. As such, all permanent staff, regardless of length of service, are entitled to submit a request for flexible working.

2. Informal Arrangements

2.1 The Covid-19 pandemic has increased our capability to support hybrid working and, generally, for those roles that allow, staff choose a hybrid approach to their work. Where hybrid working is in force it is an informal arrangement between staff members and their line manager (in accordance with the operational requirements of the team). It is the organisation's expectation that full-time staff members will spend a minimum of 3 days per week in the office and 2 days per week may be worked from home. This is to ensure the value we place on our culture of support and connectivity is protected.

2.2 Any staff members who are seeking adhoc working requirements (i.e. to work from home more frequently for a limited amount of time or to flex their working hours for specific one-off reasons) are encouraged to continue to make such arrangements informally with their line manager, who will take operational requirements into account when making their decision.

3. Formal Request Procedure

3.1 If the change you require is a permanent one this would constitute a change to your terms and conditions of employment and would need to be submitted as a formal request.

3.2 You are entitled to submit one flexible working request in a 12 month period (you are entitled to additional requests if they relate to a statutory entitlement, for example to request reasonable adjustments under the Equality Act 2010).

3.3 All requests should be made by email to suhrteam@su.rhul.ac.uk and cc'd to your line manager. Any request must include:

- i. The changes that you are seeking to your terms and conditions
- ii. A statement that this is a statutory request
- iii. The date you would like the proposed change to come into effect
- iv. What effect you think the requested change would have on your team or the wider organisation
- v. If applicable, how, in your view, any such effect could be dealt with
- vi. Whether a previous application for flexible working has been made
- vii. The dates of any previous applications.

3.4 If you are making the request in relation to the Equality Act, e.g. as a reasonable adjustment relating to disability, this should be made clear in the application.

4. Responding to a flexible working request

4.1 Upon receiving a written request for flexible working someone from the HR team will usually arrange a meeting with you and your line manager to discuss the request and understand more about how it could be of benefit to you and the organisation.

4.1.1. If a meeting is arranged it will be held within 20 working days of receiving the request. This time limit may be extended in exceptional circumstances and with your agreement.

4.1.2. If you wish you may be accompanied to the meeting by a work colleague.

4.1.3. If you fail to attend the meeting and then fail to attend a rearranged meeting without good reason your application will be deemed to have been withdrawn.

4.2 Where a request can be approved without a meeting and further discussion, we will write to you to confirm the decision.

4.3 Each request will be considered on a case by case basis, taking into consideration the potential benefits and adverse effects to you or the team / organisation in implementing the proposed changes. 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 pattern.

4.4 You will be informed in writing of the organisation's decision as soon as is reasonably practicable, but not later than 15 working days after the meeting.

4.5 The request may be granted in full, in part or refused. RHSU may propose a modified version of the request, the request may be granted on a temporary basis, or you may be asked to try the flexible working arrangement for a trial period.

4.6 Where your request is denied it would usually be in relation to one of the following reasons:

- i. Extra costs that will damage the organisation
- ii. The work cannot be reorganised among other staff
- iii. People cannot be recruited to do the work
- iv. Flexible working will affect quality and performance
- v. The organisation will not be able to meet member / customer demand
- vi. There is a lack of work to do during the proposed working times
- vii. The organisation is planning changes to the workforce

5. Appeals

5.1 You do not have a statutory right to an appeal if your request is refused or is only agreed in part.

5.2 However, if you feel the decision was wrong or unfair we would encourage you to talk to us informally so we can make sure any information was not missed, explain clearly the reason behind our decision and / or enable you to suggest any compromises you are willing to make.

5.3 If you still feel that your request has not been handled fairly you are entitled to raise it formally as a grievance. Please refer to our Grievance & Appeals Policy for more information.

6. Trial Period

6.1 Where there is some uncertainty about whether the flexible working arrangement is practicable for you and/or RHSU a trial period may be agreed.

6.2 Where this is the case we will allow at least one month to become used to the new working practices before taking any decisions regarding the viability of a new arrangement.

6.3 RHSU reserves the right, at the end of the trial period, to require you to revert to your previous working arrangement.

7. Variation to contract

7.1 Where flexible working practices are agreed as a permanent change, a variation will be made to your contract of employment.

7.2 A new contract of employment will be sent to you for your signature and agreement.

7.3 Where a trial period has been arranged you will receive a temporary variation to your contract, which will set out the start and end date of the trial period and the temporary flexible working pattern.