

Flexible working policy

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1. Introduction

Flexible working is any type of working arrangement that gives some degree of flexibility on how long, where and when an individual works. We recognise the mutual benefits that a better work-life balance can bring including improved motivation, performance, productivity, and in reducing stress. King's wants to support staff to achieve a balance between work and other priorities, such as caring responsibilities and further learning.

Applications for flexible working are welcome from any King's employee. We are committed to agreeing to flexible working arrangements provided both the needs and objectives of the individual and university can be met.

While we accept applications from all employees, those employees with more than 26 weeks' service have the legal right to request flexible working. Details of these statutory rights can be found on the [Government website](#).

For short-term changes to a working pattern, the individual should speak to their manager. It may be possible to make changes to working hours or days for a short period of time without needing to follow the formal approach. Requests for longer term or permanent changes to a working pattern will need to be made formally using the flexible working request form.

[Examples of flexible working arrangements](#) can be found in section 7 of this policy.

This policy sets out the steps for making a flexible working request, the process of considering the application, how the outcome is communicated, and putting the changes into place.

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2. Short-term changes to working pattern

If the member of staff requires a change to their working pattern for a short period of time, up to a few months, then they should talk to their manager:

- Giving the reason for the request;
- What changes they wish to make to their working pattern?
- How long that they wish the changes to be in place?

The manager should carefully consider the request and if it is not possible, make alternative suggestions. When flexible working arrangements are agreed it is suggested that the manager emails the short-term changes to the member of staff including the working pattern and the dates that the adjustment will start and end.

A short-term change should not require a change to the individual's employment contract, however if there are changes that will affect pay, such as a reduction in hours, [Payroll](#) will need to be informed.

The manager should consider regularly checking in with the member of staff and reviewing how the adjusted working pattern is working for both the individual and King's.

The university reserves the right to cease the flexible working arrangement and return the individual to the previous working pattern after giving adequate notice. This will be in exceptional circumstances and only when the arrangement is having an impact on the running of the university.

3. Long-term/permanent changes to working pattern

Formal flexible working requests are welcome from all King's employees regardless of service. We allow individuals one request for flexible working in any 12-month period. A member of staff is entitled to additional requests if they relate to a statutory entitlement, for example the Equality Act 2010 right to request reasonable adjustments. All requests must be seriously considered, and the procedure set out in this policy followed.

Staff need to be aware that if their request for flexible working is approved, this may result in a change to their contract of employment, for example, if working hours are reduced. Where the agreed arrangement is to work flexibly on an indefinite basis, there is no automatic right to revert to previous working arrangements.

Individuals may wish to consider how changes to their working pattern will impact on their pension scheme. Any enquiries should be made to the [Pensions Team](#).

Before submitting a formal request, we would suggest that the individual discuss potential flexible working arrangements with their manager. Applicants are encouraged to think through any potential barriers to the approval of their request and possible solutions. This will help their manager to consider the issues and find potential solutions.

All formal requests should be made using the [flexible working application form](#) and must include:

- the date of the application;
- the changes that the applicant is seeking to their terms and conditions;
- the date on which the member of staff would like the terms and conditions to come into effect;
- what effect the individual thinks the requested change would have on the organisation;
- how, in their opinion, any such effect might be dealt with;
- If over 26 weeks' service, a statement that this is a statutory request;
- whether or not the member of staff has made a previous application for flexible working; and
- where applicable, the date the applicant has made a previous application.

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

Staff should forward completed applications to their manager for consideration copying in [HR](#). If an application does not contain all of the required information their manager will explain to the member of staff what additional or amended information they need to provide and ask the applicant to resubmit the request.

4. Considering applications for flexible working

Timeframe

Once the line manager receives the request, it will be dealt with as soon as possible and a decision made within three months of receiving the application form. In that time:

- the request must be considered;
- a response issued;
- any appeal concluded, if applicable.

If for some reason the request cannot be dealt with within three months (e.g. if the line manager is on annual leave or absent due to sickness), the time limit may be extended. This is where both the university and the member of staff agree and should be confirmed in writing.

Deciding on a request

Holding a meeting

The manager should arrange a meeting with the individual to explore the proposed working arrangements and how they could be accommodated. This meeting will be conducted using appropriate technology such as MS teams or be in-person.

Staff will have the right to be accompanied by a companion which can be a trade union representative or a work colleague at any flexible working meeting. The member of staff should inform the line manager that they will be accompanied.

The purpose of the meeting is to:

- discuss the request;
- find out more about the proposed working arrangements;
- how it could be of benefit to both the member of staff and university;
- discuss alternatives if the all or part of the proposal cannot be accommodated.

It is recommended to have a notetaker present to capture the key points discussed. All those present should have the opportunity to see the notes and agree that they are a true record of the meeting.

Where a member of staff fails to attend, they will be given the opportunity to have a rearranged meeting. If an individual does not attend the second meeting without good reason, they will be notified that it is deemed that their application has been withdrawn.

Decision-making

The manager should consider the proposed flexible working arrangements carefully. They should weigh up the potential benefits to the member of staff and to the university against 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 member of staff to be granted a similar change to their working pattern.

Consideration should be given to the following:

- the costs associated with the proposed arrangement;
- the effect of the proposed arrangement on other staff;
- the need for, and effect on, supervision;
- the existing structure of the department;
- the availability of staff resources;
- details of the tasks specific to the role;
- the workload of the role;
- whether it is a request for a reasonable adjustment related to a disability;
- health and safety issues.

If the manager requires advice to assist with the decision making, they should contact their [People Partner](#).

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5. Outcome of a flexible working request

The member of staff should be informed of the decision by their manager, then given confirmation in writing within the [timeframe](#) outlined above.

Flexible working requests that are granted

The applicant and their manager will discuss how and when the changes will take effect. Details of the agreed flexible working arrangements should be recorded locally. Where the new working pattern affects pay, the line manager should notify [Payroll](#). Confirmation of the changes to member of staff's terms and conditions will be sent as an amendment to their contract of employment as soon as is reasonably practicable. This will be within 28 days of the change to the individuals working pattern being agreed.

The request may be granted in full or in part. For example, the university may propose:

- a modified version of the request;
- the request may be granted on a temporary basis;
- the individual may be asked to try the flexible working arrangement for a trial period in order to monitor the operation and suitability of the flexible working arrangement.

If the member of staff has any questions or concerns about the new contract of employment, they should contact their manager to discuss the matter further. If the manager requires advice, they should contact their [People Partner](#).

Special considerations for remote working

King's supports a hybrid approach to working, which means that staff may work a portion of their working week on campus and a portion of their working week remotely. There is a duty to ensure the health, safety and welfare of staff wherever they work. Managers are responsible for ensuring that the particular work-related risks to each individual working remotely are properly assessed and controlled. More details can be found in the [Hybrid and remote working policy](#).

Flexible working requests that are declined

Applications will only be refused only on one (or more) of the eight following grounds:

- due to the burden of additional costs;
- An inability to reorganize 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 applicant proposes to work
- due to planned structural changes.

The university has the can refuse to allow remote working on grounds of health and safety or practicability and the decision to permit or revoke remote working will remain the prerogative of the university.

The decision letter will set out to the individual what grounds for refusal apply and why this has resulted in a declining of their application to work flexibly. The letter should also set out the right to appeal.

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6. Appeals

If the applicant wishes to appeal against the decision concerning their request for flexible working, this must be made in writing within 10 working days after the date on which the written decision was given and set out the grounds of appeal.

Appeals will be considered by a panel consisting of a senior manager and a representative from Human Resources, neither of whom will have been directly involved in making a decision upon the original request. An appeal meeting will usually be convened within 10 working days and will be conducted in-person or by using appropriate technology such as MS Teams.

The appeal panel's decision will be given in writing to the appellant usually within 10 working days after the date of the appeal meeting. The decision of the appeal panel will be final, with no further opportunity to appeal the decision.

At all stages of this procedure the member of staff will have the right to be accompanied by a companion which can be a trade union representative or a work colleague at any flexible working meeting. The member of staff should inform the line manager that they will be accompanied.

If the companion is not available at the time proposed for a meeting it should be postponed to a time proposed by the member of staff, provided that the time is reasonable and falls within a period five working days after the original meeting day.

7. Examples of flexible working arrangements

There is a wide range of flexible working arrangements in practice. Some common examples of flexible working are outlined in this section.

Where agreed with the line manager, flexible working can take place:

- on all working days;
- on specific days or shifts only;
- for specific weeks only, for example, working staggered hours (see below for definitions) only during school term-time and working standard hours the rest of the time;
- as a combination of different types of flexible working enabling staff to create a personalised work pattern, e.g. term-time working and part-time hours.

Part-time working

This means working fewer than full-time hours. Part-time working could be achieved by:

- working fewer days in a week, or
- by working the usual number of days, but fewer hours on some (or all) of the days.

Hybrid/remote working

Managers may approve requests from staff to do some or all their work from a suitable location other than the normal place of work. This could be for all or part of the week. It may be appropriate to enter into a formal remote working agreement with the individual.

The following will need to be considered when an agreement is made which allows staff to work remotely:

- Installation, maintenance, servicing, use and ownership of equipment;
- Security of university information and data protection;
- Recovering of university property on termination or during employment;
- Health and safety obligations, for example, relating to fire safety, first aid, working environment and workstation arrangements, including meeting the minimum standards for the work chair, desk space, computer screen and keyboard;
- Communication, meetings and supervision arrangements;
- Childcare. Staff are reminded that working from home is not a substitute for suitable childcare arrangements. Dependents need to be looked after by someone other than the member of staff when the member of staff is working and, if necessary, care arrangements should be in place to cover the time when the member of staff is working.

The university has a duty to ensure the health, safety and welfare of its employees wherever they work. Managers are responsible for ensuring that the particular work-related risks to each member of staff working remotely are properly assessed and controlled.

The [Hybrid and Remote Working Policy](#) sets out some of the matters required for consideration when an agreement is made which allows a member of staff to work remotely.

Jobsharing

Job sharing is a form of part-time working where two (or occasionally more) people share the responsibility for a job between them.

An example might be for one of the job-sharers to work 2.5 days a week, with a short overlap period so that both members of staff can discuss the job and share work. For example, one person works Monday, Tuesday, Wednesday (half-day), the other person works Wednesday, Thursday and Friday (half-day).

Flexible working hours

This enables staff to have flexibility with their start and finish time. Staff can apply to vary when to start and end work (within agreed limits) but must work certain 'core hours', for example from 10:00 to 16:00 every day.

Staggered hours

Working staggered hours allows staff to start and finish their days at different times to the norm. For example, if the individual normally works from 09:00 to 17:00, staggered hours might be 10:00 to 18:00.

Annualised hours

Staff working annualised hours must work a certain number of hours over the year, but the weekly hours vary. There are sometimes 'core hours' which the member of staff regularly works each week, and they work the rest of their hours flexibly. Staff may or may not have an element of choice over working patterns and length of the working day and week over the year.

Term-time working

Term-time working generally means that staff work only during school terms. Term-time workers typically work 39 weeks a year, but the exact arrangement can vary. For example, the member of staff could work during half-term holidays but not during the longer school holidays.

The calculations for pro-rating pay and holiday for term-time workers can be complicated. The feasibility of proposed arrangements may need to be discussed with the Payroll Team in addition to seeking approval from the line manager.

Under some arrangements, staff who only work during term-times must take their paid annual leave entitlement during the school holidays and will be entitled to make up the balance of their time away during school holidays using unpaid leave. Paid annual leave could be designated periods during the school holidays, in which case the member of staff would not usually be required to book any annual leave. Alternatively, term-time workers could be required to book their paid annual leave during school holidays. A third option is that school holidays are taken as designated unpaid leave, and prorated annual leave is to be booked as normal during term-time.

A term-time employee's continuity of service remains unbroken during unpaid leave taken during school holidays by agreement with the university.

Term-time workers are sometimes paid their annual salary in regular monthly or weekly equal instalments over the year. Alternatively, they might be paid during the term-time only (and when using any annual leave during school holidays), based on the number of hours/days worked. This means there will be periods during which they receive no pay.

Where a member of staff is paid in equal instalments over the year, if the contract begins part way through a year, prorated equal payments will need to be calculated to account for this. Where the contract ends part way through a year, the final salary payment will have to be adjusted to ensure that the member of staff has been paid for the days that they have worked up to and including their last day of employment.

Where staff wish to make a request for term-time working, they and their manager should be aware that other staff may also want to take their annual leave during school holidays. Managers will need to ensure that working patterns do not leave the area short-staffed.

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