

Green Templeton College University of Oxford

Flexible Working

The Policy does not provide an automatic right to work flexibly and the ability for the College to provide an efficient service will be paramount. It is also recognised that not all roles are suitable for flexible working options, particularly if there are requests from several members of a team or department.

The term Flexible Working describes any working arrangement where the number of hours, or the time or place of work that is undertaken, varies from the standard practice. Common examples of flexible working are as follows:-

- Compressed working week
- Term-time working
- Part-time working
- Working from home
- Job Share

Employment legislation relating to flexible working states that employers must consider requests for flexible working in certain circumstances, known as the statutory minimum. These rights are detailed below:-

Statutory Rights

Anyone can ask their employer for flexible work arrangements, but the law provides some employees with the statutory right to request a flexible working pattern, as follows:

- **They must be an employee, but not an agency worker or in the armed forces**
- **They must have worked for the employer for 26 weeks' continuously before applying**
- **They must not have made another application to work flexibly under the right during the past 12 months**

The statutory right to ask to work flexibly applies to those who:

- **have or expect to have parental responsibility of a child aged under 17**
- **have or expect to have parental responsibility of a disabled child under 18 who receives Disability Living Allowance (DLA)**
- **are the parent/guardian/special guardian/foster parent/private foster carer or as the holder of a residence order or the spouse, partner or civil partner of one of these and are applying to care for the child**
- **are a carer who cares, or expects to be caring, for an adult who is a spouse, partner, civil partner or relative; or who although not related, lives at the same address**

The employer must seriously consider an application made, and only reject it if there are good business reasons for doing so. The employee has the right to ask for flexible working - not the right

to have it. Employers can reasonably decline the application where there is a legitimate business ground.

Employees who do not have the legal right to request flexible working are, of course, free to ask their employer if they can work flexibly. Many employers are willing to consider such requests.

Scope

The Policy sets out the College's approach to flexible working arrangements and details the application process.

The Policy provides a framework for developing individual working arrangements that meet the requirements of relevant employment legislation (currently Employment Rights Act 2002 and Work and Families Act 2006) and enable the College to meet its commitment to promote equality and diversity amongst employees.

The Policy does not apply to:-

- Individuals who are not currently employed by the College, but who are applying for a position within the College
- Existing employees applying for alternative positions within the College who should do so based on the advertised terms and conditions and not assume that it will be possible to maintain any existing flexible working arrangements.
- Agency or casual workers

The College will consider a request for flexible working from a member of staff if:

They have responsibility for bringing up a child under age 17 or a child with a disability who is under 18 and are the mother, father, adopter, guardian, special guardian or foster parent of the child and are making the request in order to care for that child.

Are or expect to be the carer of an adult who is their spouse, partner, civil partner, relative or who lives at the same address and are making the request in order to care for that adult.

The College recognises that some employees outside those categories may also wish to make requests and all requests will be given due consideration, but those cases covered by legislation will take priority.

Aims

The College recognises that flexible working arrangements can provide benefits to both employer and employees and is committed to enabling employees to achieve an appropriate work-life balance. The Policy also aims to support managers in developing a more flexible workforce in line with service requirements.

Procedure

Any staff member who wishes to request flexible working arrangements should take the following steps:

1. Make a written request to their line manager stating the following:-
 - The reason they wish to request flexible working arrangements, particularly if it is for caring responsibilities as covered by legislation
 - Describe the working pattern they would like to work including hours, days, time and place
 - Give the date from which they would like this arrangement to commence
 - What impact they think the change would have on colleagues and service delivery
 - How any negative effects could be mitigated
2. On receipt of a written request, the individuals' line manager will arrange to meet with the employee to discuss the request, within 28 days. The employee has the right to be accompanied at this meeting by a fellow employee.
3. Should the request be agreed, it is likely that a trial period may be required, to be agreed with the individuals' line manager.
4. An application can be refused where there are clear operational reasons which must be at least one of the following:-
 - Burden of additional cost
 - A detrimental effect on ability to deliver services
 - Inability to re-organise work amongst existing staff
 - Inability to recruit additional staff
 - Detrimental impact on quality of service
 - Insufficiency of work at a time the employee proposes to work
 - Planned structural changes
5. Whatever the outcome of the written request, a full response will be given to the requesting member of staff within a reasonable time period.

