



**FLEXIBLE  
WORKING  
POLICY**

**2010**



## PURPOSE

The Flexible Working right was introduced by the Employment Act 2002 and became law from 6<sup>th</sup> April 2003. From April 2007, employees who act as carers may also have the right to flexible working. From April 2009, regulations extend the right yet further, to those with parental responsibility for children aged up to 17.

### Who Can Make a request?

To be eligible to make a request, employees must have 26 weeks' continuous employment and not have made a request in the previous 12 months. The request must be made to allow:

A parent (or parent's spouse, partner or civil partner) to care for a child of the prescribed age;

Or, for the employee to care for an adult who is his/her spouse, partner or civil partner, a relative or someone who lives at the same address as the employee.

Employees can request:

- A change to the hours they work;
- A change to the times when they are required to work;
- To work from home.

## PROCEDURE

- Employees must make a considered application in writing.
- One application per employee per year.
- An accepted application will mean a permanent change to the employee's own terms and conditions of service.
- The college can request a specified trial period first.
- After receiving a written application the college has 28 days to arrange a meeting with the member of staff. This provides the opportunity for discussion and to consider all options. The employee has the right to be accompanied at this meeting by a fellow employee or trade union representative.
- Within 14 days of this meeting the college will respond in writing to either agree a new work pattern or start date; or to provide a clear business reason(s) as to why the application cannot be accepted.

## Grounds for Refusal

For the college to refuse a request one or more of the following consequences must apply:

- The burden of additional costs;
- Detrimental effect on ability to meet student demand;
- Inability to re-organise work amongst existing staff, or recruit additional staff;
- Detrimental impact on quality or performance;
- Insufficient work during periods employee proposes;
- Planned structural change.

## Appeals

The employee has the right to appeal with 14 days notification.

This should be in writing and a meeting with the Principal should be arranged as soon as possible. The employee has the right to be accompanied by a fellow employee or union representative.

The meeting should be informal to enable both parties to reach satisfactory outcomes.

If satisfactory agreement cannot be reached then the College Grievance Procedures come into force if the employee so wishes.

Approved by the Policy Committee    February 2010

Approved by the Corporation                      March 2010

*“This policy has been impact assessed to ensure it complies with all aspects of Equality and Diversity. Members are reassured that this policy is compliant with current equality legislation”.*

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