



Flexible Working Policy and Procedure

Introduction

LSE acknowledges that effective flexible working can lead to improved employee wellbeing, engagement and job satisfaction. As an employer, the School also recognises that enabling employees to satisfactorily balance their work and personal lives may have a positive impact on staff productivity, retention and delivery of LSE's strategic objectives. This policy sets out the ways in which LSE will strive to positively support all employees, whether they are working parents, carers or simply seeking an alternative working pattern to improve their own work-life balance.

Flexible working can vary in shape and form. Effective flexible working is dependent upon both the employee and employer working together to meet the mutual needs of the individual and LSE. Good communication, planning and trust are all key components to developing successful flexible working arrangements.

All flexible working requests will be treated positively and in a constructive spirit. At the same time, it is recognised that not all flexible working patterns will be able to be accommodated. Where a formal request cannot be confirmed, the employee will receive written confirmation and, providing that the request is made under the statutory provisions, they will have the right to appeal the decision. Managers should consult with their HR Partners for information and support on flexible working.

This policy supports the work-life balance of LSE staff through arrangements agreed individually between employees and line managers. Such flexible working arrangements are separate from working practices under LSE's [Blended Working Policy](#) although they may complement each other, i.e. an employee may have an individual flexible working arrangement in place in addition to working in a blended way at a team level.

This policy is supported by a Flexible Working Toolkit which provides in-depth guidance about the process for requesting and approving flexible working requests.

Policy Aims

This policy and procedure aim to ensure that:

- LSE continues to develop a working culture which is flexible about the ways in which work is delivered, whilst supporting employees to balance their work and home life.

- Where individual requests for flexible working are made, that these are handled in a fair, reasonable and timely manner.
- In LSE's approach to flexible working, it is a diverse, inclusive, fair and flexible employer that attracts and retains diverse and high calibre talent, whilst also supporting the career progression of all staff during their employment with the School.

Scope of Policy

This policy applies to all LSE employees. The section below (Statutory Provisions) sets out the statutory context for formal flexible working requests. As part of its commitment to support better work-life balance, LSE has removed the 26 weeks' continuous service requirement for staff – i.e. employees can submit a flexible working request from their first day of employment. In addition, managers are encouraged to consider flexible working opportunities during the recruitment process, including using the 'Happy to Talk Flexible Working' logo when advertising roles, incorporating flexible working options into job design, and having discussions about flexible working possibilities with both internal and external candidates.

While LSE will endeavour to consider all requests for flexible working from individuals who do not meet the statutory criteria (including from offer holders), it may not always be possible to keep to the statutory timescales as set out in the Flexible Working Procedure.

Statutory Provisions

This policy and procedure is written in accordance with the Acas Code of Practice '[Handling in a reasonable manner requests to work flexibly](#)'.

Under The Children and Families Act (2014), and the subsequent Employment Relations (Flexible Working) Act 2023, all employees are able to apply for flexible working, which is defined as a permanent change to their terms and conditions, providing:

- They have worked for the same employer continuously for 26 weeks at the time the request is made. From 6 April 2024, employees are able to request flexible working from their first day of employment (please note that as part of its commitment to support better work-life balance, LSE removed the 26 weeks' continuous service requirement for staff as of 1 January 2023).
- They have not made two applications in the previous twelve months

Under the Equality Act 2010, it is considered unlawful discrimination to decline a flexible working request due to a protected characteristic (race, disability, age, sex, sexual orientation, gender reassignment, religion or belief, marriage and civil partnership, pregnancy and maternity).

In line with its obligations under the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, LSE will ensure that part-time workers do not receive less favourable access to flexible working or unfavourable treatment as a result of a flexible working request, unless it can be justified on wholly objective grounds.

Definitions

To ensure clarity, the following definitions apply to terms found in this policy and procedure:

Flexible working: a non-standard work pattern which is requested by an individual employee and agreed with their line manager. Flexible working may be requested for a wide range of reasons, typically with the overall aim of supporting the employee's work-life balance. A flexible working arrangement may be informal or formal.

Informal flexible working: may be agreed locally without reference to HR. Informal flexible working typically applies to temporary (rather than ongoing) arrangements that do not affect an employee's pay, e.g. an agreement for the employee to start and finish later for a relatively brief period of time to accommodate a temporary change of circumstances.

Formal flexible working: a non-standard work pattern which is requested by an employee using the formal request form (see the Flexible Working Procedure). Where agreed, the new work pattern constitutes a permanent (i.e. ongoing) and contractual change to the employee's conditions of employment with LSE. The Flexible Working Procedure should be followed where formal flexible working is requested; the procedure includes a formal meeting (where required) so that the request can be discussed in more detail and a right of appeal if the employee wishes to appeal against a decision made under the procedure.

Blended working: refers to LSE's approach to enabling a working culture which is more responsive to the specific activities of a particular role and to work-life balance of staff by taking advantage of more efficient technologies and workspace design. In practice, this means a mixture of on-campus and remote working for many staff, in line with the requirements of their role.

Flexible working at LSE

LSE endeavours to create a working culture which is positive about flexible working. Information about flexible working will be made available to new starters as part of their induction and regular discussions are encouraged throughout employment with the School (e.g. as part of a line-manager's catch-ups with staff).

Flexible working arrangements may be formal or informal. Where an employee wishes to request a permanent (i.e. ongoing) and contractual change to their working pattern, location and/or hours, they should submit a formal request under the formal Flexible Working Procedure. Alternatively, informal flexible working arrangements can be agreed locally between the line manager and employee. Informal arrangements do not constitute a contractual change to the employee's terms and conditions, and are typically agreed where a change is for a temporary period or is relatively minor.

A number of good examples of flexible working arrangements exist in LSE, both formal and informal. The School's introduction of blended working may mean that individual staff are working a flexible arrangement (e.g. part-time hours) alongside a blended approach in their team (i.e. a mix of on-campus and remote working).

Managers are encouraged to be open to the prospect of employees working flexibly and all parties should be creative in thinking about ways in which flexibility can be achieved without a negative impact upon the work of the individual or the wider team. Managers should appreciate that employees can face challenging decisions about how best to balance their work with outside commitments.

Employees must not feel pressured to request sub-optimal arrangements in lieu of flexible options that would better suit their circumstances, and managers should be aware of such factors when considering requests. For example, a request for part-time working from a parent or carer may be motivated by the employee's desire to have greater control over their working hours rather than a desire to work less. In such situations, informal discussions have an important role to play by giving employee and manager the opportunity to freely discuss potential solutions.

Informal flexible working

Where an employee is not seeking to permanently alter their working arrangements but a situation arises that requires a degree of flexibility, they should speak with their line manager about informal (temporary) arrangements.

While informal flexible working may be agreed locally without reference to HR, line managers are also welcome to discuss the implications of an informal flexible working request with their HR Partner.

Formal flexible working

LSE will consider all formal flexible working requests in a fair and consistent way. All employees who submit a formal request will have the opportunity of a meeting to discuss the implications of their request and to which the employee may be accompanied, except where their request is approved without the need for such a meeting.

Managers can only consider a request in the context of how readily it can be accommodated at that point in time and in the immediate future. As such, approved requests will not set a precedent that all similar future requests will also be accommodated. Where it is not possible for a request to be approved, a business reason will be provided and the right to appeal will be offered (where the request being made is covered by the statutory provisions).

It is advisable that all formal flexible working arrangements should have a trial period built into the agreement, usually of up to six months. Once the arrangements have been confirmed, they will become a permanent change to the individual's terms and conditions of employment.

The Formal Flexible Working Procedure accompanies this policy and outlines the statutory requirements for considering such requests.

Flexible working procedure

Introduction

This procedure details the steps necessary to apply the Flexible Working Policy so that staff can make formal requests for flexible working.

Formal flexible working decisions should be made by the line manager in a timely manner, and, at the latest, within two months of the request being made unless an extension is mutually agreed. Line managers should seek the advice of their HR Partner if they have any questions or concerns about the implications of a flexible working request.

Types of flexible working

'Flexible working' refers to any type of non-standard working arrangement that is agreed between an employee and their line manager, and which constitutes a change to the employee's contracted hours and/or location of work. There are a number of flexible working options, or combinations, which can be considered. The following list, though not exhaustive, summarises some of the most common arrangements. Further details about flexible working options can be found in the Flexible Working Toolkit.

- **Compressed hours:** an employee works their usual full-time hours in fewer days. There is typically no reduction of pay or pension contributions under a compressed hours arrangement, although there may be implications for the employee's annual leave entitlement.
- **Flexitime:** an employee requests to vary their start and/or finish times. While a reasonable level of flexibility regarding start/finish times is feasible for many jobs, employees and managers should be mindful that any proposed arrangements are not likely to negatively impact on wellbeing or service delivery.
- **Homeworking:** where an employee carries out their usual work at home. Requests to work from home made under the Flexible Working Procedure should be distinguished from teams working remotely for part of the working week under LSE's Blended Working Policy. Employees who wish to request to work from home on particular days of the week may do so under a flexible working request. Guidance on remote working can be found here which may be useful for staff who are homeworking under a flexible working arrangement.
- **Job sharing:** where a full-time post is divided into two (or more) part time roles and duties and responsibilities are shared.
- **Part-time working:** when an employee reduces their contracted hours to work e.g. Monday – Wednesday. This has implications for salary, pension and holiday entitlement.
- **Term-time working:** where an employee reduces their hours to take time off during school holidays.
- **Transition to retirement:** a reduction in the hours worked but involves the same or very nearly the same job responsibilities, to help support an employee's transition to retirement. Please see the Retirement Policy for further information.

Steps for making a formal flexible working application

How to apply

Employees are encouraged to discuss the implications of a potential flexible working arrangement informally with their line manager before submitting a formal request. This is an opportunity to discuss the expected benefits of the proposed arrangement as well as to explore alternatives if appropriate. An employee and line manager can also agree a more informal flexible working arrangement on a temporary basis (see Section 7. Informal flexible working of the policy), e.g. to see the impact of an arrangement before a formal request is made.

If the employee decides that they wish to make a formal flexible working request, they should do so via the 'flexible working request form'.

After the employee has completed their section of the request form, they should submit the form to their line manager, who may contact the relevant HR Partner to discuss the proposal and to seek advice. The line manager should then arrange a formal meeting with the employee, unless the manager intends to approve the request in which case a meeting is not needed. Where a meeting is required, this should happen as soon as reasonably possible and at the latest within 28 days of receiving the request, unless both agree that this time can be extended. While an HR representative (typically the relevant HR Partner) will not ordinarily attend the meeting, they may do so if requested by the line manager and/or the employee. The employee may, if they wish, be accompanied by a work colleague or trade union representative.

The meeting gives the manager and employee the opportunity to discuss the request itself in more detail, find out more about the proposed working arrangements and the benefits and possible challenges.

Each flexible working request should be considered on a case-by-case basis and will not create a precedent within a team, i.e. a decision made concerning one request may not necessarily be repeated for subsequent requests if doing so would present operational or other difficulties.

HR will write to the employee within 14 days of the meeting taking place, to confirm whether or not the flexible working request has been agreed.

If the flexible working request is successful

It is recommended that a trial period, usually of around six months with an agreed start and end date, is built into any flexible working arrangement, to see how the arrangement works in practice. The flexible working arrangement should be regularly discussed during one-to-one meetings and any concerns should be considered and documented well in advance of the end of the trial period. If the flexible working arrangement cannot be agreed after the trial period, the employee will revert back to their previous working arrangement unless both employee and manager agree a suitable alternative.

If the manager and employee agree the original flexible working request or a variation thereof, the manager should write to their HR Partner and send across a summary of the agreed changes. The HR Administrators team will then issue a letter confirming the relevant changes.

A formal flexible working arrangement constitutes a permanent change to an employee's terms and conditions of employment. Normally, an employee can make up to two flexible working requests during any 12-month period.

If an employee's flexible working arrangement means a reduction in hours, this will have an implication on their salary and benefits such as pensions. Employees can contact their HR Adviser if they have any questions about this.

If the flexible working request is unsuccessful

Before rejecting a flexible working request, if there are difficulties agreeing to the original request, managers are required to consult with the employee to explore and discuss alternative patterns or arrangements and to consider compromise options.

Where a request cannot be agreed, a written business reason must be given to the employee and will relate to one or more of the following reasons:

- the burden of additional costs;
- an inability to reorganise work amongst existing staff;
- an inability to recruit additional staff;
- a detrimental impact on quality;
- a detrimental impact on performance;
- detrimental effect on ability to meet customer demand;
- insufficient work for the periods the employee proposes to work;
- a planned structural change to LSE.

Where it is not possible to agree to a request to work flexibly, a letter will be sent to the employee confirming the decision, the business reason(s) and the employee's right of appeal.

Right of appeal

Employees can appeal a decision related to a formal flexible working request by submitting an appeal in writing within 14 days of being notified of the decision. The appeal should be sent to the manager of the line manager who made the original decision and should clearly state the grounds on which they are appealing.

The appeal meeting should convene within 14 days and will usually be chaired by the line manager's manager; in some cases, an appropriate alternative manager may chair the meeting, e.g. if the manager who received the appeal is unavailable. The employee's line manager will attend the meeting to explain the reasons for their decision. There will also be an HR representative, typically the relevant HR Partner.

Employees should make every reasonable effort to attend the appeal meeting and be prepared to discuss their application in an open and constructive manner. They have the right to be accompanied by a work colleague or trade union representative at any meetings connected with the appeal.

The manager hearing the appeal will have the right to uphold or reject it. The outcome of the appeal should be confirmed to the employee in writing within 14 days of the appeal meeting. If it is upheld, a letter issued by HR will confirm the new working pattern and the date from which the new arrangement is to take effect. The line manager will be notified of the reasons and given suggestions regarding what arrangements can be made to accommodate the working practice. Where the appeal is unsuccessful, the letter will advise the employee of the reason(s) for the decision.

The decision following the appeal is final in terms of LSE's internal procedures.

Further information and advice

Staff and managers can contact their HR Partner or HR Adviser if they would like further advice or information about flexible working.

More information about flexible working, including explanations of different types of working pattern and more detail about the formal request process, can be found in the [Flexible Working Toolkit](#). In addition to the Toolkit, LSE also embeds understanding of good practice about flexible working through dedicated training for managers.

Review schedule

Review interval	Next review due by	Next review start
3 years	20/05/2027	20/01/2027

Version history

Version	Date	Approved by	Notes
1	01/11/2016	JNICC	
2	17/11/2022	JNICC	
3	20/05/2024	JNICC	

Links

Reference	Link
ACAS website	https://www.acas.org.uk/acas-code-of-practice-on-flexible-working-requests

Contacts

Position	Name	Email	Notes
Kieran Darling	Senior HR Policy Adviser	k.darling1@lse.ac.uk	

Communications and Training

Will this document be publicised through Internal Communications?	Yes
Will training needs arise from this policy	Yes
If Yes, please give details Training for line managers will be delivered as part of the LSE Manager: Bringing Policy to Life programme	