

## Flexible Working Policy

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### Introduction

The School is committed to the promotion and advancement of equality of opportunity for all employees. It also recognises the positive impact that flexible working can have on an individual, their wellbeing, engagement and productivity, which is reflected in this policy.

The School strives to positively support all employees, whether they are working parents, carers or simply seeking an alternative working pattern to suit their own work-life balance.

Flexible working can vary in shape and form, from a formal change in contracted hours to a change of work location, and is dependent upon both the employee and employer working together to meet the mutual needs of the individual and the School. Good communication, planning and trust are all key components to developing successful flexible working arrangements.

### Policy aims

The School seeks to sustain a strong track record as 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 at the School.

This policy aims to enable greater employee wellbeing, job satisfaction and retention which can all be a positive by-product of flexible working. It is also recognised that applying a flexible approach to the way that work is delivered, whilst supporting employees to balance their work and home life, can have a positive impact on productivity and organisational effectiveness.

This policy intends to foster a supportive environment where flexibility is available to all employees who want this and is supportive of, but not limited to, parents, carers, those with commitments outside work and/or staff who are transitioning to retirement.

### Policy scope

This policy applies to all employees across the School.

Where the request for a change to working pattern, location or hours is intended to be permanent and contractual, the formal Flexible Working Procedure should be followed.

Whilst the School is committed to fostering a supportive environment for flexibility and considering all flexible working requests, 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 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.

Informal flexible working arrangements can also be agreed locally between the line manager and employee. Informal arrangements can be for a temporary period, or operate on a longer term, but non-contractual, basis. The latter is usually more appropriate where the change is relatively minor (e.g. a 15-minute shift in regular

start and finish times), or ad hoc (e.g. occasional home working), and the employee is not reliant on the alternative work pattern to continue in their role.

## **Policy principles**

### *Legislative Framework*

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), all employees are able to apply for flexible working, which is defined as a permanent change to their terms and conditions, providing they meet the following criteria:

- they have worked for the School continuously for 26 weeks at the time the request is made;
- they have not made another application in the previous twelve months,

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

If a part-time flexible working arrangement is agreed, the Part-time Workers (Prevention of Less favourable Treatment) Regulations 2000 state part-time workers must not be treated less favourably than comparable full-time workers unless the employer can justify such less favourable treatment on wholly objective grounds.

### *Flexible working at LSE*

A number of good examples of flexible working arrangements already exist in the School, from creative individual formal and informal arrangements, to flexi-time schemes for whole teams or departments/divisions.

Although a small number of staff may not have a statutory right to request flexible working; the School endeavours to consider all requests from employees, or offer holders, recognising the benefits flexibility can have. Nonetheless, the statutory timescales and other associated rights will not apply to those who do not meet the above requirements.

Where a member of staff is not seeking to permanently alter their working arrangements, they should speak to their manager about temporary arrangements, should a situation arise that requires a degree of flexibility. Managers should seek the advice of their HR Partner, if needed.

### *Considering formal flexible working requests*

The School will consider all flexible working requests in a fair and consistent way. Managers are encouraged to be open to the prospect of flexible arrangements and both 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. Where it is not possible for the School to agree to the request, 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).

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.

It is advisable that all 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.

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## Flexible Working Procedure

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### Introduction

This procedure provides information on the steps necessary to apply the Flexible Working Policy, to allow the School's eligible employees to make formal requests under the statutory requirements.

Formal flexible working decisions should be made by the line manager within three months of the request being made. Line managers should seek the advice of their HR Partner before undertaking this procedure.

### Types of flexible working

Flexible working is defined as any type of working arrangement that is outside the employee's contracted hours and/or location of work. There are a number of flexible working options, or combinations, which can be considered (though this list is not exhaustive):

- **Flexitime:** allows an employee to choose, within given limits, when to begin and end their work.
- **Home-working:** where an employee carries out their usual work at home. Guidance on working from home can be found [here](#).
- **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 salary, pension and holiday implications.
- **Term-time working:** where an employee reduces their hours to take time off during School holidays.
- **Compressed hours:** an employee works their usual full time hours in fewer days, so there is no reduction of pay.
- **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

#### 1. How to apply

Formal applications for flexible working should be submitted on the 'flexible working request form'.

When completing this form, the applicant should carefully consider the information required and the advantages and disadvantages of their request; the potential impact of the request on the manager, team and colleagues; the impact on the service provided; and how potential obstacles could be overcome. By thinking this through at the application stage, it will help with the following steps in this procedure.

The employee should submit their 'flexible working request form' to their line manager, who should contact the relevant [HR Partner](#) to discuss the proposal and to seek guidance. The line manager should then arrange a meeting to discuss the application in detail as soon as possible, but within 28 days of receiving the request, unless both agree that this time can be extended.

At the meeting, the employee may, if they wish, be accompanied by a work colleague or trade union representative. This meeting will give the manager and employee the opportunity to discuss the request itself, find out more about the proposed working arrangements and the benefits and possible challenges.

Each flexible working request will be considered on a case-by-case basis and will not create a precedent within a team.

## **2. If the flexible working request is successful**

The HR Division will write to the individual with 14 days of the meeting taking place, to confirm whether the flexible working request has been agreed.

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. If the flexible working arrangement cannot be agreed after the trial period, the employee will revert back to their previous working arrangement.

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

Flexible working constitutes a permanent change to an employee's terms and conditions of employment. Normally, an employee may not make a further flexible working request for at least 12 months.

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.

## **3. If the flexible working request is unsuccessful**

Every effort should be made by the manager and employee to 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 the School.

Employees have the right to appeal the decision.

#### 4. Right to appeal decision

Where it is not possible to agree to the request to work flexibly, a letter will be sent to the employee confirming the decision, outlining their right to appeal and who to submit their appeal to. An employee may submit an appeal within 14 days of being notified of the decision. The employee’s appeal should be made in writing and 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. The manager that made the decision will also attend to explain the reasons for their decision.

Employees should make every reasonable effort to attend related meetings and be prepared to discuss their application in an open and constructive manner. The employee has 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. If it is upheld, a letter shall be sent to the employee confirming the new working pattern and notifying them of the date from which the new arrangement is to take effect. The manager will be notified of the reasons and given suggestions regarding what arrangements can be made to accommodate the working practice. Where it is rejected, the person hearing the appeal will write to the employee within 14 days of the meeting advising the employee of the reasons for the decision.

The decision following the appeal is final in terms of the School’s internal procedures.

#### Further information and advice

If you would like further advice or information about flexible working, please contact your [HR Partner](#) or [HR Adviser](#).

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