



Document name	Flexible Working Code of Practice
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1) Purpose

1.1 Flexible working

“Flexible Working” should empower employees to have more autonomy over working arrangements, where they have a specific need to adapt their working pattern, hours, or location. Flexible Working refers to an agreement which allows employees to have more control over when, where, and how they work, to better suit their individual needs and circumstances. The University believes that flexible working enhances staff motivation and accommodates the diverse needs and preferences of employees by promoting better work-life balance and increasing job satisfaction. Enriching employee wellbeing also helps improve performance and productivity. This procedure strives to accommodate the needs of the employee where operationally possible.

Employees may request changes to working arrangements for reasons that include, but are not limited to, a change in personal circumstances (e.g. caring responsibilities), or aspirations relating to a career development or lifestyle goal. The University promotes inclusivity by supporting employees balance professional responsibilities with individual requirements. The University recognises the importance of tailored arrangements and aims to remain responsive to the evolving needs of its employees where possible.

While this procedure does not provide an automatic right to work flexibly, it does afford employees the right to formally request flexible working.

A formal request for flexible working should be made following the process outlined in this document. This procedure sets out the University’s approach to flexible working requests under the statutory procedure. Requests for short-term flexible working arrangements are outlined in the procedural steps.

This procedure does not form part of employee’s contract of employment, and the University reserves the right to amend or withdraw the procedure at any time.

1.2 Agile working

A commitment to informal flexibility is offered and naturally afforded across many roles throughout the University, providing mutual benefits for both the University and the employee. The [University’s Agile Working Framework](#) covers informal arrangements between line managers and employees which are typically an implicit part of a job role, applied flexibly week-by-week, based on operational goals and service delivery needs.

The University acknowledges the diverse needs of its workforce where employees may seek adjustments which extend beyond the scope of the University’s approach to agile working such as requests for a change in hours. This will, therefore, require a formal contractual agreement through a Flexible Working Request. Terms agreed under flexible working requests differ from standard contractual terms.

2) Scope

This procedure is applicable to University of Nottingham UK employees from the first day of employment. It does not apply to workers, contractors, consultants or any self-employed individuals working for the organisation. [Flexible retirement](#) is not covered within the scope of this procedure, but appropriate information can be accessed on the web site. Additionally, this procedure does not apply to requests to work overseas, please contact the Global Mobility team (BR-Global-Mobility@exmail.nottingham.ac.uk) for further information.

2.1 Eligibility

All employees have the statutory right to request flexible working from day one of employment. Under the statutory procedure, employees can make two requests in every 12-month period.

Examples of flexible working arrangements include, but are not limited to the following:

- A change to the number of hours of work
- A change to the times of work
- To work total contracted hours over fewer working days (compressed hours)
- To work remotely for an agreed number of days per week or month

3) Roles and responsibilities

Role	Responsibilities
Line Manager	<ul style="list-style-type: none"> • Consider flexible working requests by assessing and evaluating the potential business implications of implementing flexible working arrangements • Make every effort to accommodate requests where feasible or discuss any alternative proposals that may be available • Adhere to the required timescales and agree extensions with employees • Confirm any arrangements in writing • Seek advice from Human Resources where necessary • Provide Human Resources the outcomes of all flexible working requests • Complete 'change in hours' request where necessary
Head of School/ Department/ Service or designated individual	<ul style="list-style-type: none"> • Evaluate the potential benefits and risks of the flexible proposal on the overall service • Seek advice from Human Resources where necessary
Appeal manager	<ul style="list-style-type: none"> • Organise and oversee appeal process, supported by a HR Employee Relations Partner
Employee	<ul style="list-style-type: none"> • Fully understand any implications on financial, pension or personal circumstances i.e. work permit or visa requirements • Make an informed decision before making a request for flexible working, which may result in a permanent change to terms and conditions • If required, seek additional clarification from Human Resources on the application of this code • Continue agreed current working arrangements until a decision on a request has been made
Human Resources (HR) Business Partners	<ul style="list-style-type: none"> • Provide advice, guidance and support in relation to the application of this code to line managers, Schools and Departments and employees, where necessary • Check and challenge any reasons for refusal to ensure compliance with regulations
HR Employment Relations Team	<ul style="list-style-type: none"> • Support in identifying another manager to oversee the appeal, who has had no previous involvement in the case • Provide HR support throughout the appeal process
HR Employment Services	<ul style="list-style-type: none"> • Confirm arrangements which affect employee terms and conditions in writing • Record all flexible working request outcomes
Trade union representative	<ul style="list-style-type: none"> • Provide advice and guidance for members where required, including attending meetings where requested

Work companion	• Accompany employee to meetings where requested
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4) Procedural steps

4.1 Making a request for flexible working

Employees are encouraged to have an informal initial discussion with their line manager or designated individual when considering any flexible working options.

4.2 Short-term changes

If the working arrangement being considered covers a short-term period only (three months or less), a local decision can be made without the need to submit a flexible working application form.

Whilst this remains an informal agreement, following the discussion, the outcome must be provided in writing by line managers or another designated individual.

Where there is an impact on the number of hours worked, a change to the specific working days, or a change of location, a request to change working hours must be raised by the line manager or another designated individual via [UniCore](#). Where a short-term agreement has been made, the individual raising the change request should ensure they complete a second change request to enter the date in which any arrangements will revert to the original pattern at the end of the temporary period. Details of the short-term arrangements, with copies of any written outcomes should be sent to the HR Employment Services for reporting purposes.

If the request cannot be accommodated following careful consideration, alternative options should be explored before rejecting the informal request.

Employees can opt to proceed with a formal statutory request at any time during the process.

4.3 Formal changes (statutory request)

Where an arrangement extends beyond a three-month period, or informal conversations have not reached an outcome locally, the formal process must be followed.

Employees can make an application via the Flexible Working application form. Employees should send the completed form to the HR Employment Services Team. Human Resources will check if previous applications have been made and submit the form to the employee's line manager, or appropriate designated individual. A journey will also be assigned with prompts, for both, employee and manager, to navigate their way through the formal flexible working process.

The employee's line manager or designated individual should arrange a consultation meeting to discuss the employee's formal flexible working request. The consultation meeting will be held within 10 working days of receiving the application form. However, if this is not possible, the employee will be informed of the reason for any delay.

The consultation meeting is an opportunity for the employee to explain how the proposed working arrangements would benefit them and for the line manager to consider the request and where appropriate discuss any alternative flexible working options that may be available, keeping operational needs in mind. Where necessary, it may also be suitable to discuss the possibility of a trial period (see below). At the consultation meeting, it is important for employees to be as open as possible about their needs so that a constructive discussion about what is feasible can take place.

Employees may wish to be accompanied by a workplace companion or Trade Union representative and should be given the opportunity to do so.

Employees must be given sufficient opportunity to re-arrange the consultation meeting if they are unable to attend.

4.4 Considering flexible working requests

After the meeting, the manager will consider the proposed flexible working arrangements carefully, considering:

- the potential benefits to both the employee and the organisation
- any adverse impact of implementing the changes in line with the permitted refusal reasons as outlined in section 4.8
- additional considerations such as any contractual obligations required by associated organisations eg honorary contracts for clinical staff who work with a NHS Trust or Knowledge Transfer Partnership associates

Managers must consult with the Head of School/Department/Associate Director or another designated individual following the consultation meeting. On occasions where managers are unsure whether they can accommodate the request, or are considering not accommodating the request, they must consult with their relevant HR Business Partner.

4.5 Notifying employees of the decision

Managers will inform employees in writing, usually within 10 working days from the consultation meeting, of their decision and provide a rationale. [Template letters](#) are available.

4.6 Where the request is granted

Flexible working application requests may be granted in full or in part; for example:

- the manager may propose a modified version of the employee's request
- employee request may be granted, but only after successful completion of a trial period (see below)

Where the request is granted in full or in part, the line manager should meet with the employee to discuss how and when the changes might be implemented. Where requests are accepted for changing hours of work, managers should revise the goals and targets within the Appraisal and Development Conversation (ADC) process to reflect such changes.

The line manager or designated individual will need to raise a change to working hours request via [UniCore](#). Upon approval of the change request, the HR Employment Services Team will write to the employee to confirm the arrangements, detailing whether pay and other terms and conditions will be affected.

Details of the formal arrangements, with the application form and any letters and/or notes should be sent to the HR Employment Services Team for reporting purposes.

4.7 Trial periods

Trial periods may be utilised to provide both the employee and line manager with an opportunity to make an informed decision on the practicality of any new arrangements. The University reserves the right to introduce a trial period before deciding on the outcome of the employee's flexible working request.

Trial periods must be detailed in the manager's outcome letter which provides confirmation of the temporary variation to the employee's terms. The start and end dates of the trial period should be noted in this letter. Where applicable, a change to working hours request will need to be raised via [UniCore](#) and the 'business case for change' must be entered in the additional comments section to confirm to HR that a trial period will occur as part of the flexible working request.

The University can reduce or extend a trial period with agreement of the employee. Trial periods may be agreed up to three months but cannot extend beyond this.

Upon completion of the trial period, a final review will take place and employees can request a reversion to their previous working pattern, if appropriate. The University will reserve the right, at the end of the agreed trial period, to require the employee to revert to their previous working arrangement. Where applicable, a change to working hours request will need to be raised via [UniCore](#) to revert the employee back to the original pattern.

If the line manager is in agreement this was successful, the flexible arrangement will be made permanent for as long as the employee remains in post.

4.8 Where the request is declined

While the University is committed to encouraging flexible working patterns, in some cases, it may not be possible to accommodate a request. In line with legislation, the University is permitted to refuse a request due to the following reasons:

- the burden of additional costs
- an inability to reorganise 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 employee proposes to work, and
- a planned structural change to the business

Employee's requests will not be rejected for any other reason.

Line managers must consult with their relevant [HR Business Partner](#) before rejecting any requests. HR will check and challenge any reasons for refusal to ensure it is compliant with regulations. This also applies to circumstances following an unsuccessful trial period.

The manager must meet with the employee to discuss the reasons for the decision and subsequently confirm this in writing within 10 working days. Employees may wish to be accompanied by a workplace companion or Trade Union representative and should be given the opportunity to do so. [Template letters](#) are available.

Details of declined requests, with the application form and any letters and/or notes should be sent to the HR Employment Services Team for reporting purposes.

4.9 Appeal

Employees have the right to appeal if their formal request for flexible working is rejected or only agreed in part.

Appeals should be dated and made in writing to the Head of School/Department/Associate Director or designated individual, with a copy sent to the [HR Employment Relations Team](#). The appeal should be made within five working days of the employee receiving written notice of the rejection. The employee should set out the grounds for the appeal.

As the Head of School/Department/Associate Director or designated individual receiving the appeal will have been consulted by the manager following the consultation meeting, the appeal must be organised and overseen by an alternative independent manager. This appeal manager should have had no previous involvement in the case. Further advice in relation to identifying the appeal manager can be sought from the [HR Employment Relations Team](#). The appeal process will be supported by a HR Employee Relations Partner.

The appeal meeting should be arranged normally within 10 working days after receiving notification that the employee wishes to appeal. Should there be any delay in arranging the appeal, the appeal manager must inform the HR Employee Relations Partner who will then inform the employee and explain the reason for the delay. Employees must be given sufficient opportunity to re-arrange an appeal meeting if they are unable to attend the first.

Employees may wish to bring a workplace companion or trade union representative to accompany them to their appeal meeting and should be given the opportunity to do so. If the employee and/or companion is unavailable to attend the meeting, the employee should either secure an alternative companion or inform the appeal manager as soon as possible that they will be unable to attend and request a suitable alternative meeting date within seven working days of the original meeting date.

The employee will be informed of the outcome by the appeal manager in writing within five working days after the date of the meeting. Where further investigation is required, which may cause a delay to the final outcome, the employee will be kept informed by the appeal manager. The written decision constitutes the final decision and is the end of the formal procedure.

Following the appeal, the appeal manager should inform the original line manager or designated individual of the outcome. This also offers an opportunity for the appeal manager to provide any recommendations to the area who originally responded to the flexible working request.

4.10 Treating the application as withdrawn

An application can be treated as withdrawn in the following circumstances:

- The employee withdraws the application, preferably in writing. Where an employee does not confirm their withdrawal in writing, the manager should confirm the withdrawal in writing. In either case, the request will still contribute to the two applications within 12 months.
- If the employee fails to attend without reasonable cause and explanation, both the first and second meeting to discuss the application, or both the first and second meeting to discuss the appeal. An employee should inform their manager as soon as possible if and why they are unable to attend a meeting.
- If employees have submitted a formal flexible working request, they must wait until that one has been considered and any appeal has been dealt with, before submitting another formal request.

Details of requests withdrawn, with the application form and any letters and/or notes should be sent to the HR Employment Services Team for reporting purposes.

4.11 Reasonable adjustments

The University is both committed and legally obliged under the Equality Act 2010 to make reasonable adjustments to enable disabled staff to carry out their role successfully by removing any disadvantages as far as possible.

Line managers and employees should refer to the [University's reasonable adjustment guidance](#) to consider what changes could be made.

Agreeing flexibility in working hours may be one option which could help support disabled staff. Where an employee requires changes to working patterns and/or hours to be formally recognised as part of their terms and conditions, line managers should advise employees they need to submit a flexible working request via the application form. Employees can indicate the application is related to a reasonable adjustment using the box provided. Where discussions have already taken place between both parties as part of the reasonable adjustment process, and a working pattern has been agreed, the required consultation meeting can be waived and the usual process should then follow.

Although employees are always encouraged to have an informal initial discussion with their line manager when considering any flexible working option, flexible working requests may still be submitted as part of a reasonable adjustment without an initial discussion previously taking place. Upon receipt of these applications, line managers should proceed to discuss the request with the individual as soon as possible, using the process outlined.

Further information on [reasonable adjustments](#) can be found on the University web site.

4.12 Data protection

When managing any flexible working requests, the University will process personal data collected in accordance with the University [data protection policy](#). Data collected from the point of receipt of a flexible working request is held securely and accessed by, and disclosed to, individuals only for the purposes of managing their request for flexible working.

5) Internal, statutory or regulatory requirements

5.1 Terms and conditions of employment

Employees must be aware that any accepted applications may result in a permanent change to the employee's own terms and conditions of employment unless otherwise agreed between both parties.

Before making an application, employees should give careful consideration to what working pattern and/or arrangements will be suitable and the financial and pension implications which may occur when the desired working patterns involve a drop in salary.

5.2 Timescales

Once the employee submits their flexible working request, it will be dealt with as soon as possible. The University has a responsibility to consider such requests in a reasonable manner and provide a response to a formal request within a timescale of two months from receipt of the request to notification of any appeal decision.

The timescales within this procedure may be extended where this is mutually agreed between the employee and manager. For example, this applies to cases where there is a requirement for an employee to arrange a suitable alternative meeting date. Any extensions must be recorded in writing by the manager and copied to the employee.

When utilising a trial period, the requirement to respond to a request within two-months may not be feasible. In such cases, before implementing a trial period, employees and managers will need to mutually agree to extend the timescale. This extension should be included in the manager's outcome letter.

5.3 Right to be accompanied

Employees may wish to bring a workplace companion or trade union representative to accompany

them to a consultation meeting and appeal, and should be given the opportunity to do so.

5.4 Handling more than one request

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 employee to be granted a similar change to their working patterns.

6) Associated documents

6.1 Associated guidance

- [Flexible Working Guidance for Employees](#)
- [Flexible Working Guidance for Managers](#)

6.2 Associated policies

- [Special Leave Policy](#)
- [Parental Support](#)
- [Maternity Leave Policy](#)
- [Adoption Leave Policy](#)
- [Career Break Policy](#)
- [Job Share Policy](#)
- [Carer's Leave Policy](#)
- [Shared Parental Leave Policy](#)

6.2 Process flowchart

Step	Route	Process
1	All	<ul style="list-style-type: none"> • Employee has informal conversation with line manager
2	Short-term	<ul style="list-style-type: none"> • Short-term process followed when arrangement lasts 3 months or less
2a	Short-term approved	<ul style="list-style-type: none"> • Final outcome is provided by line manager in writing (e.g. email) • Line manager raises 'change to working hours' request via UniCore, where applicable (change to work pattern, hours, or location) • A second change request should be completed detailing the date in which any temporary arrangements will revert back to the original pattern • Outcome, including any emails or notes should be submitted to the HR Employment Services Team for reporting purposes
2b	Short-term rejected	<ul style="list-style-type: none"> • Request cannot be accommodated after full consideration • Final outcome is provided by line manager in writing (e.g. email) • Employees can opt to proceed with a formal statutory request at any time during the process • Outcome, including any emails or notes should be submitted to the HR Employment Services Team for reporting purposes
3	Formal, statutory	<ul style="list-style-type: none"> • Process followed when arrangement lasts over 3 months, or informal conversations have not reached an outcome locally
3a	Formal, statutory	<ul style="list-style-type: none"> • Employee makes request via application form and provides a completed copy to the HR Employment Services Team • HR Employment Services Team will send the application form to the line manager/designated individual and assign journey with prompts on the formal flexible working process

		<ul style="list-style-type: none"> • Line manager holds consultation meeting within 10 working days of receiving request • Manager must discuss with Head of School/ Department/Associate Director or other designated individual • The University has a responsibility to provide a response to a formal request within a timescale of 2 months from receipt of the request to notification of any appeal decision
3b	Formal, statutory approved	<ul style="list-style-type: none"> • Line manager informs employee of outcome usually within 10 working days of consultation meeting (including any conditions such as trial periods) • Line manager raises 'change to working hours' request in UniCore • Line manager submits outcome, including application form, any letters or notes to the HR Employment Services Team for reporting purposes
3c	Formal, statutory rejected	<ul style="list-style-type: none"> • Line manager must consult relevant HR Business Partner before rejecting any requests • Line manager must meet employee to discuss reasoning for the rejection and provides written confirmation within 10 working days of consultation meeting • Line manager submits outcome, including application form, any letters or notes to the HR Employment Services Team for reporting purposes
4	Appeal process	<ul style="list-style-type: none"> • Employee appeals decision within 5 working days of receiving notice of rejection. Appeal put in writing to Head of School/ Department/Associate Director or other designated individual, with a copy sent to HR Employment Relations • Appeal meeting arranged within 10 working days of receiving appeal notice • Manager who heard appeal will inform employee of final outcome within 5 working days of the meeting