



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 via HR service request in the Help Desk.
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
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 has been made on an effective date agreed
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"> • Process and confirm arrangements which affect employee terms and conditions in writing • Record all flexible working request outcomes for reporting purposes
Trade union representative	<ul style="list-style-type: none"> • Provide advice and guidance for members where required, including attending meetings, where requested

Work companion	<ul style="list-style-type: none"> • Accompany employee to meetings, where requested
Appeal manager	<ul style="list-style-type: none"> • Organise and oversee appeal process, supported by a HR Employee Relations Partner

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, the outcome of the discussion, including details of the agreed arrangement, such as the working pattern and the duration of the request, must be confirmed in writing by the line manager or another designated individual and shared with the employee. Line managers must also submit these details to HR via a service request through the Help Desk in [UniCore](#) for processing and reporting purposes. The end date of the arrangement must be communicated to HR in a timely manner to ensure records and salary payments accurately reflect the hours worked.

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 their line manager, or appropriate designated individual.

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 e.g. honorary contracts for clinical staff who work with an 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, as well as seek any relevant budgetary approval where applicable.

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 must 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.

Line managers must provide HR with the following documents via a service request, through the Help Desk in [UniCore](#)*, for processing and reporting purposes:

- a copy of the outcome letter sent to the employee, detailing the agreed working pattern and the duration of the request
- the flexible working application form

Submitting the above information to HR confirms that the arrangement has been approved by the line manager **and** Head of School/Department/Associated Director, or another designated individual and that any necessary budgetary approvals have been obtained.

*Service requests should include the title "Flexible Working".

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.

Details of the trial period, such as the working pattern and the duration, must be confirmed in writing by the line manager or another designated individual and shared with the employee as outlined in section 4.5. Line managers must also provide a copy of the original request and outcome to HR via a service request through the Help Desk in [UniCore](#) for processing and reporting purposes.

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.

Following the review, the line manager must issue an outcome letter to the employee using the template letter and provide a copy to HR via a service request through the Help Desk in [UniCore](#) for processing and reporting purposes.

Where the trial arrangement is deemed successful, it will be made permanent.

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.

Line managers must provide a copy of the outcome letter confirming the declined request, alongside the flexible working application form and any relevant notes to HR via a service request through the Help Desk in [UniCore](#) for reporting purposes.

4.9 Appeal

Employees have the right to appeal if their formal flexible working request 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](#). Appeals 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.

Since the Head of School/Department/Associate Director or designated individual receiving the appeal will already have been consulted in the original decision, the appeal must be handled by an alternative independent manager who has 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. If there are any delays, the appeal manager must inform the HR Employee Relations Partner who will update the employee with the reason. 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 appeal outcome will be confirmed to the employee in writing **within five working days** of the meeting. If more time is needed to investigate before a decision can be made, the appeal manager must keep the employee informed.

Details of the appeal outcome, including the agreed arrangement, such as the working pattern and the duration of the request and any relevant notes, must be submitted to HR via a service request through the Help Desk in [UniCore](#) for processing and reporting purposes.

The written outcome 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 any withdrawn requests, alongside the application form and any letters and/or notes should be submitted to HR via a service request through the Help Desk in [UniCore](#) for reporting purposes. If the withdrawal relates to a previous service request, the notification should be included within the same service request.

4.11 Reasonable adjustments

The University is both committed and legally obliged under the Equality Act 2010 to implement reasonable adjustments to remove or reduce barriers, ensuring all staff can thrive and achieve their full potential.

Line managers supporting employees who require changes to their working arrangements as a reasonable adjustments should refer to the [Reasonable Adjustments Process](#). While employees may use the flexible working process if they choose, the University recommends that reasonable adjustment requests are directed through the dedicated Reasonable Adjustments Process to ensure they are handled appropriately.

Employees seeking support with reasonable adjustments can find further information on the University's Reasonable Adjustments [webpage](#).

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)• Outcome of decision, including details of agreed arrangement, must be confirmed in writing by line manager and submitted to HR via a service request through Help Desk in UniCore for processing and 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
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 line manager or designated individual• Line manager holds consultation meeting within 10 working days of receiving request

		<ul style="list-style-type: none"> • Manager must discuss with Head of School/ Department/Associate Director or other designated individual, including seeking any relevant budgetary approval where applicable • 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 provides copy of the outcome letter, including the working pattern, duration of request, alongside the flexible working application form to HR via HR service request through Help Desk in UniCore for processing and reporting purposes • HR will update the employee record in UniCore and will issue a letter confirming changes to terms & conditions
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 must provide a copy of the outcome letter confirming the declined request, alongside the application form, any relevant notes to HR via HR service request through Help Desk in UniCore 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 • Details of appeal outcome, including the agreed arrangement such as working pattern and duration of request and any relevant notes, must be submitted to HR via HR service request through Help Desk in UniCore for processing and reporting purposes