

1 University context

The University is committed to considering flexible working requests to support employees by focusing on creatively and flexibly approaching work arrangements in ways that facilitate how colleagues’ balance their work and personal commitments. The University recognises that flexible approaches, where operational requirements allow, can be mutually beneficial. Managers are often presented with a variety of different flexible working requests and this document is intended to offer guidance in considering and responding to such requests. Flexible working requests should be considered within the context of the University’s commitment to equality, diversity and inclusion, with these guidelines providing a framework for considered decision making by managers.

2 A balanced approach

Accommodating flexible working requests can have a positive impact on employee well-being and engagement, supporting work-life balance and the ability for employees to play an active part in family life or other personal commitments. It is also important to balance this with due consideration of the operational and associated implications of any proposed flexible working pattern.

3 Examples of flexible working

Flexible working refers to any working schedule that is outside of a normal working pattern, examples of which include;

- Job Share
- Reduction/change in hours
- Flexi time (using agreed core hours with some flexibility outside of these)
- Staggered working (coming to work at different times on different days)
- Change to working patterns during the week
- Compressed hours/working week
- Working at home/home working

4 Benefits and implications of flexible working

You are encouraged to review the potential benefits and implications of the flexible working request before approving/declining or proposing alternative arrangements to it.

Type of flexibility	Examples of Potential Benefits	Examples of Potential Implications
Job Share	Skills and capabilities of two employees rather than one Minimise disruption of holidays/absences	Balancing work priorities and objectives between the job sharers Ability to attend scheduled meetings Increased line management responsibilities
Reduction/change in hours	Potential to offer hours to other part-time staff Retention of staff who might otherwise leave	Budget implications Ability to back fill hours Potential impact on colleagues’ workload

Type of flexibility	Examples of Potential Benefits	Examples of Potential Implications
	Increased engagement	Setting a precedent over start/finish times could impact on team morale
Flexi time (using agreed core hours 10.00 am – 4.00 pm with flexibility outside of these)	Extending office cover (eg early starter or late finisher) Increasing likelihood of staff flexing hours when the work requires it	Maintaining service delivery standards/office cover arrangements Ensuring fairness and consistency in application
Staggered working (coming to work at different times on different days)	Improved staff morale and ability to focus on work when at work More availability through the week than conventional part-time (full or half days)	Supervision levels, maintaining service delivery standards/office cover arrangements Ability to attend scheduled meetings
Compressed working weeks (alternative work arrangements where a standard working week is reduced to fewer than five days and employees make up the full number of hours per-week by working longer hours on working days)	Improved staff morale and ability to focus on work when at work Retention of staff who might otherwise leave	Ensuring fairness and consistency in application Maintaining service delivery standards / office cover arrangements Ability to attend scheduled meetings Setting a precedent over start/finish times could impact on team morale No budget remaining to fund cover on the employee's non-working day(s)
Home Working (having your home as your normal place of work rather than being based in the office/on campus). Formal process	Increased productivity through improved focus and time on task Cost savings on space/resources required at work	Supervision levels Maintaining service delivery standards Health and safety ¹ Ability to interact with colleagues/attend scheduled meetings Additional cost recognising that where the home is the main place of work travel to and from a University office (e.g. to attend meetings) may be claimable as a travel expense
Working at home (having your normal place of work in the office/on campus but working on	Increased productivity through improved focus and time on task Retention of staff who might otherwise leave	Supervision levels Maintaining service delivery standards Health and safety ²

¹ Where home working is a formal arrangement which means the employee's normal base of work is at home there maybe implications under DSE regulations, the provision of equipment and insurance. Refer to the Home working checklist and consult with your HR Employment Relations Team.

² Where working at home is at the discretion of the employee, the School/Department is not required to ensure the workstation is compliant with the DSE regulations but it is recommended that employees are advised to ensure their set-up is as ergonomic as possible, e.g. suitable work surface, adjustable chair, good positioning of keyboard and pointing device and reasonable working environment.

Type of flexibility	Examples of Potential Benefits	Examples of Potential Implications
occasion from home). Normally an informal occasional request	Increased engagement	Ability to interact with colleagues/attend scheduled meetings

To consider: Some roles may be less suitable for working at home/home working arrangements, such as those using specialist equipment, those where sensitive data may be being processed (unless suitable safeguarding of work arrangements are able to be agreed) or student/customer facing roles. Where the employee has to be on University premises in order to discharge their work responsibilities home working will not be appropriate. Managers are encouraged to seek guidance from the HR Employment Relations Team, Health & Safety Team and Financial Services where appropriate to make an informed decision about whether particular roles may be suitable and/or potentially unsuitable for working at home/home working. While it is important to establish if working at home/home working can be accommodated, it is vital to make sure working at home benefits the University as well.

Please note - it is expected that requests to 'work at home' on an occasional basis would be treated as an informal request and managed as part of normal operating practice. Request for 'home working' which involve a permanent change to the place of work should be managed through the formal Flexible Working Request process.

Compressed Working Weeks

Compressed working weeks normally comprise of circumstances where approval has been given for an employee to work full-time hours over less than 5 days per week. It should be recognised that this arrangement does not negate the term in many employees contract of employment which states 'You are expected to work such hours as are necessary to fulfil your role, with 36.25 being the notional requirement for the full-time working week, normally spread over 5 days ... You will be expected to work such hours as the job demands without overtime payment or time off in lieu.' Where a request for compressed working hours is being considered it should be recognised this should not be in place of the employee being reasonably required to work the hours required for fulfilment of the role.

5 Formal employee requests

Employees wishing to formally change their working patterns should submit their request using the University's application form. To be eligible, employees must have at least 26 weeks' continuous employment with the University and have not made a prior request during the previous 12 months at the date the application is made.

Formal requests, once accepted by the University, will mean a permanent change to the employee's terms and conditions and employees should be encouraged to seek advice about all the implications of these changes through HR and/or Payroll Services prior to the formal request being confirmed.

5.1 Formal requests not covered by the Flexible Working Regulations

Where an employee who is not eligible (ie they do not have the 26 weeks' continuous service and/or they have made a flexible working request in the previous 12 months) makes a formal request for flexible working, you may wish to consider the request in line with the guidance below, however, these employees are not protected by the same statutory right.

Similarly, candidates for recruitment could make flexible working requests which you may wish to consider in line with these guidelines, however, they are not protected by the Flexible Working Regulations.

5.2 Informal employee requests

There may be occasions where informal requests for flexible working are appropriate, for example, a short-term arrangement to alter a working pattern. Requests for informal flexible working should be discussed and agreed in line with the principles outlined within this document. Early conversations between employee and manager are encouraged to discuss the options available. Informal arrangements should normally have a clearly defined end point (usually within months), after which time the employee will usually either revert back to their normal working pattern or apply formally for flexible working.

6 What to do when receiving a formal flexible working request

On receipt of a formal flexible working request, you should arrange to meet with the employee as soon as possible and within 28 days of the request being received.

7 How to prepare for the meeting

Ahead of the meeting, consider what is being asked and put thought into whether the request may be accommodated. If you feel the request may be complex then reviewing whether there are potential alternatives at this stage may be useful.

Flexible working arrangements usually work well when they are planned for as a team or a unit rather than on an ad hoc basis as and when individuals request flexible working arrangements. To assist with the planning process it may be useful to consider:

- The benefits for the University, the team/unit, the individual and customers/students.
- Team members who might be affected, with a team working pattern review including workload and cover arrangements before making any decision.
- Any implications to team members where the requester is a manager/supervisor of others.
- Whether other staff would be expected to absorb workload due to a colleague's flexible working pattern and the impact on morale and other factors.
- What minimum operational cover is required to provide an effective service.
- The individual's line management/supervisory responsibilities.

7.1 Managerial considerations for flexible working applications

To help ease concerns around introducing flexible working arrangements you are encouraged to consider the following:

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- You should consider formal requests to work flexibly on the presumption that you approve them unless there is a good business reason for not doing so. Business reasons are detailed in section 9.4.
 - The decision to accept a request is at your discretion with an evaluation as to the effects it may have on the department. When a request is made, the most important thing to consider is that the work gets done to an appropriate standard.
 - Not every request has to be agreed. Each case should be considered on merit, taking into account factors such as whether the proposed arrangement will be of neutral/mutual benefit to the University as well as the individual.
 - The relationship between you and the employee working flexibly is key to the success of any flexible working arrangement. This can be supported by setting mutually clear and realistic expectations from the outset (which can be completed during any trial period), by using regular one to ones, department meetings and PDPRs to review and ensure employees who are working flexibly have access to these.
 - Good team and departmental communication will ensure that all employees are aware when (and where, if applicable) their colleagues are working.
 - Flexible working arrangements should not mean more work for other employees.
 - Workload should be able to be managed fairly/reasonably within the new working arrangements.
 - Flexible working is circumstantial so not everyone will want or will be able to work flexibly.
 - There may be circumstances where temporary/informal arrangements or trial arrangements can be agreed.
 - Where flexible working requests are made as part of a reasonable adjustment, advice can be sought through the EDI web pages (<https://www.nottingham.ac.uk/edi/characteristics/disability.aspx>), with further assistance available from the HR Employment Relations Team.

8 During the meeting

The purpose of the flexible working request meeting is;

- To engage in practical dialogue about the request;
- To enable further consideration of the request;
- To explore flexible working options and the implications of these;
- To enable a balanced decision to be made based on the needs of both the University and the employee.

9 Decision making:

Before any decisions are made, you are encouraged to;

- Fully consider the flexible working case put forward by the individual and seek clarification/expansion should anything be unclear.
- Fully consider the impact the decision may have on the employee if you turn down the request.
- Carefully consider the employee's circumstances and their needs, as well as the needs of the University.
- Base decisions on the case's own merit where possible. It may not be appropriate to turn down a request based on the outcome of a similar request made by another

employee(s). It is also not necessary to accept a request simply because another individual is already working a similar flexible working arrangement.

- Gain advice within the department and outside this by supporting professional services teams (Finance/HR/Health & Safety)
- Offer the employee a trial period ahead of the arrangement becoming permanent. This will enable both parties to determine whether the flexible working arrangement may be accommodated on a permanent basis (where the employee has confirmed the trial has worked and it is demonstrated there is no operational impact and productivity has not suffered then the formal arrangement will normally be approved).
- Consider whether any other provision, as contained within other University Policies, would be more appropriate eg long-term carer's leave. Copies of policies are available on the HR web site within the [Work Life Balance](#) section.

To consider: Where a number of staff are already working flexibly within the department or unit, it may be helpful to consider whether others may wish to review and change their working arrangements, thereby creating the capacity to grant a new flexible working request. Under these circumstances, managers should also consider who has made flexible requests within the last 12 months to enable effective decision making to take place.

9.1 Dealing with multiple requests

On occasion, where more than one request is received, close together and from two different employees, it is important to recognise that if the first request is approved, the business context will have changed. As such, the second request should take into account this change to the workforce. Normally requests should be managed as they are received, ie dealing with the first request first. Whilst in some circumstances it may be possible to approve both requests, before making the decision, you may wish to have a discussion with both staff. This may be helpful to explore if there is any room for adjustment or compromise in relation to their requests and an exploration of whether a trial period could be accommodated for both requests if appropriate.

To consider: If more than one request is received, the legislation does not require you to make value judgements about which member of staff is most deserving of their request. Each case should be considered on its own merits, looking at the business case and the possible impact of refusing a request. Where things are not straight forward, please seek guidance from the HR Employment Relations Team, email: hrer@nottingham.ac.uk.

9.2 Budget implications

Important: Please note that if a member of staff reduces their hours through flexible working there will be implications to your departmental budget(s), this should be considered if employees request to increase their hours under the flexible working policy and the need to make a financial assessment and business case. A discussion with your Financial Management contact is advisable to consider the implications.

- In the short-term, departments would retain the budget to replace the staff hours created by the reduction or they could use this to put towards departmental cost saving;
- In the longer-term, if not utilised to replace staffing hours, this budget could disappear during the recalculation process.

9.3 Trial periods

It may be appropriate for you to discuss and agree a trial period for flexible working arrangements to ensure the effectiveness and suitability of the arrangement for both the department and the employee, trial periods should be;

- Short-term, not normally extending beyond 6 months;
- based on agreement by all parties to undertake a trial
- based on agreement in advance of the measures for the success of the trial period;
- based on agreement by all parties about extending the timescales of the trial period if felt necessary.

If the flexible working arrangements require a change to the employee's employment contract and are subject to the completion of a trial period, this condition will be included within the staff member's contract amendment letter.

A meeting should be arranged before the end of the trial period to review the trial arrangements with a view to confirming whether the trial arrangements should be made permanent or not.

If the trial period is successful, the employee will continue under the arrangement and their revised terms and conditions will be set out in their contract amendment letter.

If the flexible working arrangement is found to be unsatisfactory or business needs significantly change during the trial period, the employee may revert back to their normal working arrangements or discuss alternative options.

You should advise the HR Employment Support Services Team if the trial period is unsuccessful and of any required action.

Before a final decision is made in relation to the request, you and the employee should first explore whether other suitable flexible working options may be accommodated.

9.4 What are the business reasons to consider?

You should consider formal requests to work flexibly on the presumption that you approve them unless there is a good business reason for not doing so. These business reasons are set out in Employment Rights legislation and are:

The burden of additional costs - In considering this, reflect on whether or not the proposed new arrangement allows the department to recoup costs through better coverage of service or increased outputs.

Detrimental effect on the ability to meet customer demand - Consider if you have sufficient resources to respond to the business need and will it be sustainable.

Inability to reorganise work among existing employees - Consider talking to the team about any reorganisation of work where this would be appropriate before coming to a decision. Does it put unreasonable pressure on the other employees?

Inability to recruit additional employees - Consider the cost of recruiting additional employees against the potential cost of losing the existing employee making the request. If the request is to reduce hours or to change the work pattern, can you fill the gaps?

Detrimental impact on quality - Look carefully at the skills and the potential of other employees when considering these reasons. Will there be an impact on the ability to meet customer demand? Can you offer training to new employees or recruit to the shortfall?

Detrimental impact on performance - Performance can mean the individual, the team or the University. Consider if this will be affected.

Insufficiency of work during the periods the employee proposes to work - Ensure that there is a need for the work to be delivered during the period requested.

Planned structural changes - Where there are operational/structural changes planned the flexible working proposal may not work effectively in the new structure without impacting negatively on the business.

You may wish to contact the HR Employment Relations Team to discuss individual cases.

9.5 Other implications

Changes to working hours will have an effect on employee's pension and individuals should be encouraged to seek guidance relating to these implications from Payroll Services. Managers are encouraged to check with their employees they have sought relevant advice.

IMPORTANT: If an employee wishes to reduce their working hours, whereby their salary decreases as a result, this may have implications for employees with visa restrictions. It is the employee's responsibility to ensure they seek advice from the HR International Employment Services Team (email: staff-immigration@nottingham.ac.uk) and managers are encouraged to check the employee has sought advice where relevant to that individual.

10 Confirming the decision

You should notify the employee as soon as possible in writing (including the reasons/justification where requests have not been approved) of your decision and confirm this with the HR Employment Support Services Team, email: hr@nottingham.ac.uk with the details of the request approval or decline.

11 Appeal process & application withdrawal

These are outlined within the Flexible Working Policy document.

12 Other circumstances

There may be occasions during normal recruitment and selection activities, where (internal and external) candidates request particular working patterns/the application of flexibility. Managers are encouraged to discuss individual circumstances with the HR Recruitment Team before decisions are taken.

13 Getting in touch

The HR Employment Relations Team can provide advice and guidance on specific circumstances relating to Flexible Working Requests, tel: 0115 951 5209 or Email: hrer@nottingham.ac.uk.

The HR International Employment Services Team will provide guidance on visa implications, email: staff-immigration@nottingham.ac.uk.

The HR Employment Support Services Team will process changes to terms and conditions, email: hr@nottingham.ac.uk.

For contacts in Finance, please see the [Finance Contacts](#) web pages.

14 Related policy and procedures

- Flexible Working Arrangements Policy – see: <http://www.nottingham.ac.uk/hr/guidesandsupport/worklifebalance/flexibleworking/index.aspx>
- Special Leave Policy – see: <http://www.nottingham.ac.uk/hr/guidesandsupport/worklifebalance/specialleave/index.aspx>
- Job Share Policy – see: <http://www.nottingham.ac.uk/hr/guidesandsupport/worklifebalance/jobshare/index.aspx>
- Long-term Carers Leave Policy – see: <http://www.nottingham.ac.uk/hr/guidesandsupport/worklifebalance/long-termcarersleave/index.aspx>

Flexible Working Flow Chart

