



University of  
St Andrews

## Flexible working

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2.4	Scope changed to become a day one right to make a flexible working request.  Link added to Home Working Risk Assessment	Published	Lisa Stewart HR	25/08/2022

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## 1. Statement

- 1.1 The University is committed to providing equality of opportunity and developing work practices and policies that encourage a healthy work-life balance. This policy has been developed to support flexible working arrangements to help employees achieve more balance between their work and personal lives.

## 2. Purpose

- 2.1 The purpose of this policy is to set out how employees can request a change to their working arrangements which is mutually beneficial for the University and the employee. For instance, an employee may request (but not limited to):
- an adjustment in the weekly hours or days worked
  - a change to the start/finish times
  - to work from home or equivalent other premises (permanently or a combination of homeworking and office-working). The [Hybrid Working Interim Guide](#) sets out the University's current approach to hybrid working.
- 2.2 [Appendix B](#) provides further examples of flexible working requests.
- 2.3 An application for flexible working is an application for a variation to an employee's hours, time or place of work. There is no automatic right for employees to work flexibly, or for the University to insist on an employee to change their working arrangements. Instead, employees are entitled to request a change to their working arrangements.
- 2.4 Any permanent changes agreed will constitute a contractual change to the employee's terms and conditions of employment and cannot be altered without the agreement of both parties.
- 2.5 This policy is not intended to address temporary changes to working arrangements i.e. phased return after a period of absence, or a short-term home working arrangement to complete a specific task. For informal/temporary adjustments, the employee should speak to their line manager or their [HR Business Partner \(HRBP\)](#) for guidance.

## 3. Scope and eligibility

- 3.1 This policy applies to all University employees regardless of length of service.
- 3.2 For home working requests, the employee must:
- agree that they can be contacted at home during working hours via telephone, email or other communication method i.e. Microsoft Teams.
  - adhere to the conditions outlined in the [IT working from home guidance](#) which includes watching the below IT training sessions:
    - [Working from home with Microsoft 365](#)
    - [Remote teaching through Panopto and Teams](#) (if applicable)
  - adhere to the guidance outlined in the [University's Home workspace equipment policy](#).

## **4. Procedure to apply for flexible working**

### **4.1 Application form**

- 4.1.1 Employees should discuss their request informally with their line manager prior to making a formal application as the line manager may be able to approve the request without the need for a formal meeting particularly in non-complicated scenarios, for example, an employee wishes to make a permanent change to their start time to commence 30 minutes later each morning in order to take their child to school. If the line manager cannot agree to the arrangement informally, then a formal process will be required.
- 4.1.2 If the request cannot be agreed informally, employees should complete the [flexible working application form](#) (ideally electronically). The completed form should be submitted via email to their line manager, copying in their [HRBP](#).
- 4.1.3 For homeworking requests, the employee should also complete the attached [home working risk assessment](#) (ideally electronically), and submit this via email along with the application form. Guidance on the Risk Assessment process can be sought from a member of the [EHSS](#) team.
- 4.1.4 Once the flexible working application is submitted, it will be dealt with as soon as possible. However, all requests will be dealt with within 3 months, from the submission of the application, including any appeal outcome (unless an extension to this has been jointly agreed).
- 4.1.5 [Appendix A](#) provides guidance for line managers on how to reasonably manage flexible working requests.

### **4.2 Flexible working meeting**

- 4.2.1 The line manager will invite the employee to a meeting to discuss and review the application. The aim of this meeting is to explore the suggested working arrangement, discuss how the request might work in practice, and consider any alternative options.
- 4.2.2 This meeting must take place within 28 days of receipt of the application form. If this timeline cannot be achieved, for example, due to annual leave, the line manager can request an extension which must be agreed by all parties.
- 4.2.3 A member of HR will usually attend this meeting to provide procedural guidance and advice to both parties.
- 4.2.4 Employees are entitled to be accompanied at this meeting by either a trade union representative or a work colleague.
- 4.2.5 After the meeting, the line manager will consider the proposed working arrangements, carefully weighing up the potential benefits of the request, and any adverse impact of implementing the changes. Each request will be considered on a case-by-case basis and assessed on its own merits.

### **4.3 Outcome**

- 4.3.1 The outcome of the meeting will be issued to the employee in writing within 10 working days of the meeting taking place.

- 4.3.2 **Any agreed changes to terms that will alter pay and conditions, for instance, reduction in weekly hours/days, must be submitted to [HR Support & Advice](#), copying in the HRBP.** HR will process the changes and confirm the arrangement in writing to the employee within the timescale stated in 4.3.1. Successful applications are usually subject to a [trial period](#) to assess the suitability of the change.
- 4.3.3 Any agreed changes that will **not** alter pay and conditions should be confirmed in writing by the line manager and sent to the HRBP to save the agreed arrangement in the employee's electronic file.
- 4.3.4 If the application is unsuccessful, the employee will be notified in writing detailing the [business grounds](#) why the request cannot be accommodated and details of the [appeals procedure](#).
- 4.3.5 Each agreed arrangement is specific to the individual and does not set a precedent for any future requests from other employees.

#### **4.4 Trial periods**

- 4.4.1 The line manager will usually implement a trial period (usually 3 months) to assess the suitability of the change for both parties. The commencement of the trial period should not coincide with any quieter periods in the School/Unit, as this may not provide an accurate reflection of the potential effect of the new pattern of working. If at the end of this period, it is deemed that the new pattern is not suitable by either party, the employee will revert to their original working pattern. If it is deemed suitable, the terms and conditions will be made permanent.

#### **4.5 Grounds for refusal**

- 4.5.1 The business grounds under which the University may reject a request for flexible working are:
- An inability to recruit additional staff, or reorganise work among existing staff.
  - A planned structural change to the University's business operation.
  - Insufficient work during the periods the employee proposes to work.
  - The burden of additional costs is unacceptable to the University.
  - The University considers that the change would have a detrimental effect on ability to meet customer demand.
  - The University considers that the change would have a detrimental impact on quality or performance.

#### **4.6 Right to appeal**

- 4.6.1 An employee has the right of appeal against a refusal to grant flexible working, or only agreed in part. The appeal should be made in writing to the Director of Human Resources within 10 working days of being notified of the decision i.e. the date on the outcome letter. The appeal will be acknowledged and passed to a member of HR to progress.
- 4.6.2 An HR representative will arrange for an appropriate person to manage/hear the appeal. This person will be the appeal manager and will have no conflict of interest and have had no prior involvement. A member of HR will usually attend the meeting to provide procedural

guidance and support to participants. The appeal manager will review the circumstances and respond with an outcome based on the findings.

- 4.6.3 The appeal hearing will be held with the employee as soon as possible; however, employees should be aware that it can be a time-consuming process to arrange for an appeal manager to manage/hear the appeal. The meeting will be convened by sending an invitation to the employee. The invitation letter will be sent by HR who will detail the date, time and location of the meeting. The employee will be informed in the letter that they have the right to be accompanied by a work colleague or a Trade Union representative during the meeting.
- 4.6.4 The appeal manager will receive copies of any relevant paperwork including the flexible working application form, outcome letter and the appeal letter. The person who rejected the application may be invited to the appeal hearing to present their rationale for the decision, although this may not always be required.
- 4.6.5 The employee will be invited to attend the appeal hearing to explain the reasons for their appeal. The appeal manager may carry out further investigation after the appeal hearing based on what was discussed. The employee will be informed if any further investigation is required.
- 4.6.6 The employee will be notified of the outcome of their appeal in writing, without unreasonable delay, normally within 10 working days of the appeal hearing, unless further investigation is required. The decision following appeal is final and there will be no further internal right of appeal.

#### **4.7 Conflicting requests**

- 4.7.1 Where more than one employee within a team requests flexible working, all requests will be given fair consideration. Care will be taken not to inadvertently discriminate against employees because of any protected characteristic and it is understood that flexible working may well be a reasonable adjustment for a disabled employee.
- 4.7.2 Requests will normally be considered in the order they are received. Each case will be judged on its merits and the line manager will consider the effect on the business case and the possible impact of refusing a request. Employees should note that where one or more employees within a team have already been granted a flexible working request, the business context in which the second request is made will be different, and this will be considered in view of further requests. If the line manager is unable to agree to a request because a number of other employees are already working flexibly and any further flexible working arrangements will impact adversely upon the business, the line manager may choose to discuss the situation with employees already working flexibly in case anyone is willing to change their arrangements (any such change would only be at the employees consent), thereby enabling the University to grant new requests to work flexibly.

#### **4.8 Withdrawing a request**

- 4.8.1 A request to work flexibly can be withdrawn at any time before it has been accepted, and any new terms and conditions agreed and put in place. An employee who withdraws their application will not be eligible to make another flexible working request for a further 12 months.

4.8.2 If an employee fails to attend more than one meeting arranged to discuss the request and does not provide a reasonable explanation, the University may assume that the application has been withdrawn and will inform the employee accordingly.

## 4.9 Documents

4.9.1 All documents relating to a flexible working request must be scanned to HR to store securely. Under no circumstances must documents be held locally within Schools/Units. Any documentation such as notes taken in the meeting must be destroyed once submitted to HR.

## 5. Support and advice

5.1 Any employee who has questions about this policy and its application should discuss them with their line manager or HRBP in the first instance. Additional internal support contacts can be accessed in [Appendix C](#).

## 6. Version control

6.1 This policy will be reviewed regularly. Any feedback on the policy content should be directed in the first instance to the [HRBP team](#), who will consider this as part of the review.

Version number	Purpose / changes	Document status	Author of changes, role and school / unit	Date
1.0	Migration of policy to the Governance Zone.	Published	Lisa Stewart, Human Resources	12/06/2019
2.0	Policy review: New Covid-19 section.	Published	Lisa Stewart HR	02/09/2020
2.1	Tweak to 4.2. HRBP does not need to be sent any approved FW applications.	Published	Lisa Stewart HR	29/10/2020
2.2	Broken link @ 5.1.3 and Trade Union contact (Appendix D)	Published	Lisa Stewart HR	11/03/2021
2.3	Removed Section 4: Covid-19 - Temporary update	Published	Lisa Stewart HR	13/10/2021
2.4	Scope changed to become a day one right to make a flexible working request.  Link added to Home Working Risk Assessment	Published	Lisa Stewart HR	25/08/2022

*This policy is not contractual and may be amended by the University from time to time.*

## Appendix A: Guidance for line managers

This guidance is intended to help line managers deal with written requests made by employees to change their working hours or place of work under the statutory right in the Employment Rights Act 1996 to request flexible working.

### Handling requests in a reasonable manner

The law requires that all requests, including any appeals, must be considered and decided on within a period of 3 months from first receipt, unless there is an agreement to extend this period with the employee.

Once a formal flexible working request has been received, the line manager must:

#### Prepare

- Seriously consider the application i.e. assess the advantages and disadvantages of the application; the impact the change will have on the role, employee, colleagues.
- Discuss the application with their HRBP if support or procedural guidance is required;
- If the line manager can accommodate the request > Confirm with the employee and notify [HR Support & Advice](#);
- If the line manager requires further information or is unsure if the request can be accommodated > Invite the employee to a meeting as soon as possible (no later than 28 days from the date of the application);

#### Set up a formal meeting

- Ensure the meeting takes place in a private setting where all parties can speak openly;
- Ensure to give the employee the right to be accompanied as this is a formal meeting;
- A member of HR may attend these meetings to provide support and procedural guidance;
- Discuss the request with the employee; review the application form together and ask questions for clarity;
- Consider alternative options with the employee if there are better ways to accommodate some or all of the request (if applicable).

#### Consider the request

- Review what has been discussed in the meeting considering the benefits of the requested change in working arrangements for the employee and the School/Unit and weighing these against any adverse business impact of implementing the changes.
- Ensure that when considering the application that the decision is fair, equitable and does not discriminate against individuals.
- Once a decision has been made, the line manager must first discuss the application with their HRBP.

#### Confirm the outcome

- The employee should be informed of the decision as soon as possible (no later than 10 working days from the formal meeting);
- If the line manager can accommodate the request > Confirm with the employee and notify [HR Support & Advice](#) and copy in the HRBP;
- If the line manager cannot accommodate the request or offers an alternative option > Confirm the outcome in writing using the business grounds (at least one) to explain the decision and offer the right to appeal;
- Decision makers may be asked to attend the appeal meeting to explain their rationale for the outcome.



## Appendix B: Types of flexible working requests

The table below provides examples of the types of flexible working arrangements that employees may request. These are examples only and does not reflect the only requests that the University will consider.

Types of flexible working	Description	Advantages	Disadvantages
<b>Job sharing</b>	Two people do one job and split the hours.	<p>Improve recruitment by attracting employees who do not want/cannot work full time.</p> <p>Demonstrates flexibility and provides employees time to deal with family and other personal responsibilities as well as continuing to work.</p>	Reliance on employees working well together and thorough hand overs completed to ensure employees are equipped with information to work.
<b>Working from home</b>	It might be possible to do some or all of the work from home or anywhere else other than the normal place of work.	<p>Can be a cost saving for the employee and the University i.e. cost of fuel, building costs and is therefore environmentally friendly.</p> <p>Less interruptions at home can lead to greater productivity.</p> <p>Offers flexibility i.e. working start/end times may vary to fit in with personal responsibilities.</p>	<p>Reliance on technologies to ensure efficient and effective communication i.e. employee would need WiFi connection, laptop and screens to work.</p> <p>Health and Safety concerns: requirement for risk assessment to be completed to ensure the working environment is fit for purpose.</p> <p>Security concerns i.e. paperwork.</p>
<b>Part time</b>	Working less than full-time hours (usually by working fewer days).	<p>Can recruit another person to fill the remaining hours offering greater flexibility and greater range of skills.</p> <p>Potential cost saving if the post can be undertaken in fewer hours.</p>	<p>May be difficult to recruit cover if only a few hours available.</p> <p>Gap in service if vacant hours cannot be filled.</p> <p>Loss of specific expertise.</p>
<b>Compressed hours</b>	Working full-time hours but over fewer days. Examples of compressed hours are to work 4 days a week or 9 days over a fortnight. This can be accommodated by starting work early, and/or finishing late, so that the employee builds up additional hours which can then be used to take a half day or full day from work.	<p>Can suit the operational needs of the School/Unit.</p> <p>Reduced commuting time and costs.</p> <p>Additional day off affords employees with a greater work/life balance.</p>	<p>Could cause understaffing at some time periods.</p> <p>Employees may become tired working longer hours and, therefore, potentially less productive.</p> <p>Potentially less supervision at some time periods.</p> <p>May not be suitable for some roles due to work demands i.e. tasks need to be completed daily.</p>

<p><b>Varied hours</b></p>	<p>For full-time employees, the normal working week is 36.25 hours giving a notional working day of 7 hours and 15 minutes. Employees may request to vary the time that they start and finish work on particular days or throughout the week. Managers should consider which hours, if any, the employee can vary and also if any should be core hours, these being the times that the employee must be present and available for work (subject to routine authorised absences).</p>	<p>Boost morale as it may be a better fit for the employee to work and manage personal circumstances i.e. taking child to school.</p> <p>Demonstrates flexibility and agility.</p> <p>May allow for extended office hours.</p>	<p>Could cause understaffing at some time periods.</p> <p>May not be feasible for certain roles i.e. customer facing roles where the reception must be manned each day at the same time.</p>
<p><b>Term-time only</b></p>	<p>The employee would only work during term-time (either school terms or University semesters), taking unpaid leave during the holidays.</p>	<p>Employees can spend time at home during the holidays.</p> <p>Employees work at busier times, saving costs during holidays.</p>	<p>Difficult option for any unit that is busy all year round.</p>

## Appendix C: Internal support contact details

Name of Department	Contact details	Service provided
<b>Chaplaincy</b>	<a href="https://www.st-andrews.ac.uk/chaplaincy/">https://www.st-andrews.ac.uk/chaplaincy/</a> <a href="mailto:chaplaincy@st-andrews.ac.uk">chaplaincy@st-andrews.ac.uk</a> 01334 462866 or 462492	Offers pastoral care and support for any employee, regardless of religion or belief (including non-belief). This includes sympathetic, confidential listening and a safe place to talk to someone about any issues affecting health and wellbeing.
<b>EHSS</b>	<a href="https://www.st-andrews.ac.uk/ehss/">https://www.st-andrews.ac.uk/ehss/</a> <a href="https://www.st-andrews.ac.uk/ehss/staff/">https://www.st-andrews.ac.uk/ehss/staff/</a>	EHSS is the unit primarily responsible for the administration and implementation of the University's health & safety policy.
<b>Equality, Diversity &amp; Inclusion (EDI)</b>	<a href="https://www.st-andrews.ac.uk/hr/edi/">https://www.st-andrews.ac.uk/hr/edi/</a> <a href="mailto:diversity@st-andrews.ac.uk">diversity@st-andrews.ac.uk</a> 01334 461649	If an employee considers that they are being harassed or bullied because of a protected characteristic, the University's Head of Equality and Diversity will be able to provide confidential help, support and advice. <ul style="list-style-type: none"> <li>• Support networks</li> <li>• Guidance and links to external website support.</li> </ul>
<b>Human Resources</b>	<a href="https://www.st-andrews.ac.uk/hr/">https://www.st-andrews.ac.uk/hr/</a> <a href="https://www.st-andrews.ac.uk/hr/hrstaff/">https://www.st-andrews.ac.uk/hr/hrstaff/</a> <a href="mailto:hr.general@st-andrews.ac.uk">hr.general@st-andrews.ac.uk</a> (general email enquiries) 01334 463096	Provide support to employees of University of St Andrews <ul style="list-style-type: none"> <li>• Mon-Fri – 9am-5pm</li> <li>• Online self-help guides</li> <li>• Dedicated <a href="#">HR Business Partner</a> team for each School &amp; Unit</li> </ul>
<b>Mediation</b>	<a href="https://www.st-andrews.ac.uk/hr/edi/mediation/">https://www.st-andrews.ac.uk/hr/edi/mediation/</a> <a href="https://www.st-andrews.ac.uk/hr/edi/mediation/mediation/">https://www.st-andrews.ac.uk/hr/edi/mediation/mediation/</a> <a href="mailto:mediation@st-andrews.ac.uk">mediation@st-andrews.ac.uk</a>	The Mediation Service is a service for all staff and students and members of the public who are connected to the University who want to resolve disagreement informally. The service is also available for groups or teams seeking a collaborative, inclusive framework for problem solving issues.
<b>Occupational Health</b>	<a href="https://www.st-andrews.ac.uk/ehss/occupationalhealth/">https://www.st-andrews.ac.uk/ehss/occupationalhealth/</a> 01334 462750 <a href="mailto:occhealth@st-andrews.ac.uk">occhealth@st-andrews.ac.uk</a>	Employees can refer themselves to OH for confidential health advice at any time. <ul style="list-style-type: none"> <li>• One-to-one consultation/appointments</li> <li>• Expert support and advice provided</li> <li>• Recommended adjustments to support the employee</li> <li>• Partnership with external health practitioners i.e. counselling services and CBT.</li> </ul>
<b>Trade Union Representatives</b>	<a href="https://www.st-andrews.ac.uk/staff/wellbeing/workplace-wellbeing/">https://www.st-andrews.ac.uk/staff/wellbeing/workplace-wellbeing/</a>	Trade union representatives are trained to deal and support employees with any workplace related matters of concern.