

Flexible Working Policy

Department of Paediatrics

As of the 30th June 2014, Flexible Working has been rolled out to all employees, the process for applying for flexible working will be the same as the previous process. This policy is aimed to outline the process for application of flexible working, advising employees in the Department of Paediatrics the appropriate route for consideration of flexible working requests.

What is Flexible Working:

Under provisions set out in the Employment Rights Act 1996 and regulations made under it, all employees have a statutory right to ask their employer for a change to their contractual terms and conditions of employment to work flexibly provided they have worked for their employer for 26 weeks continuously at the date the application is made. An employee can only make one statutory request in any 12 month period. Employees who have been employed for less than 26 weeks, agency workers and office holders do not have a statutory right to request flexible working.

Examples could include part-time working; compressed hours (for example, working full weekly hours over four rather than five days); job-sharing; staggered hours; term-time only working, or working from home ("teleworking"). Changes to working hours may affect holiday entitlement and salary.

Eligibility:

An employee must meet the following criteria to be eligible to make a request under the right to flexible working under the University's Flexible Working procedure:

- Be an employee i.e. not an agency worker
- Have worked for the University continuously for 26 weeks at the date at which the application is made
- Not have made another application to work flexibly under the right during the past 12 months

Making an application:

In order to make an application the following process should be followed:

- Discuss with your line manager possible flexible working arrangements and see if the application would be feasible in the working team
- Complete the application form to request flexible working – this is available from the Deputy Departmental Administrator
- Submit the completed application form to the Deputy Departmental Administrator
- Within 28 days of the application being received, a meeting will be set up between the employee, their line manager and HR representation to discuss the application and any time frames for the application e.g. if it is a short term change to contract.
- The applicant will be notified of the outcome of the decision within 14 days of the meeting.

The employee should state in the application if they are making their request in relation to the Equality Act 2010, for example, as a reasonable adjustment for a disability.

If the employee is only looking for an informal change for a short period to their working hours or conditions, for instance to cope with a bereavement or to pursue a short course of study, we will consider allowing them to revert back to their old conditions after a specified period, say three months, or after the occurrence of a specific event, such as the end of a course of study.

Employees must be aware that if the employer approves their application under the right to request, they do not have a statutory right to request another variation in contractual terms for a period of 12 months although they may still ask without the statutory right.

The application can be rejected on the basis of Business grounds, as set out in the legislation, these are:

- The burden of any additional costs is unacceptable to the organisation
- An inability to reorganise work amongst existing staff
- Inability to recruit additional staff
- The employer considers that the change will have a detrimental impact on quality
- The employer considers the change would have a detrimental effect on the business' ability to meet customer demand
- Detrimental impact on performance
- There is insufficient work during the periods the employee proposes to work.
- Planned structural changes, for example, where the employer intends to reorganise or change the business and considers the flexible working changes may not fit with these plans

If your application is rejected there is the ability to appeal the decisions of the panel, the process will be set out in your letter regarding the change.

Related topics:

One off changes to hours

If you wish to change your hours to come in late or early on a particular day, for childcare or unforeseen reasons, which is not a change to your normal working hours but a one off event. This should be discussed directly with your line manager.

Working from home:

Working from home/ teleworking may be undertaken by any member of staff with the agreement of the department. It should be voluntary and, generally speaking, reversible at the department's or employee's request. It may be set up on a temporary or ongoing basis, and in either case it may be wise to set up a trial period.

Teleworking has implications for management of staff, and there are likely to be practical arrangements and some contractual changes as well.

There is further guidance available at the following webpage-
<http://www.admin.ox.ac.uk/personnel/during/flexible/homeworking/>

For further information on the changes to the flexible working policy or the application process, please contact the Deputy Departmental Administrator.