



Guidance name	Flexible Working Guidance for Managers
Responsible team	Human Resources
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Purpose

This guidance is an associated document of the Flexible Working Code of Practice and intends to equip managers with the necessary support to consider and respond to flexible working requests, using a fair and consistent approach.

This guidance document should be read in conjunction with the Flexible Working Code of Practice.

Introduction

Flexible working arrangements can provide mutually beneficial results for both the University and employees, offering longer-term gains for us as an employer by making us more attractive to potential new talent, whilst also prioritising retaining existing talent by accommodating requests where possible. It enhances employee motivation and accommodates the diverse needs and preferences of employees by promoting better work-life balance and increasing job satisfaction. Enriching employee wellbeing also improves organisational performance and productivity.

The University is committed to accommodating flexible working requests where operationally possible. It is important that thorough consideration is given to any implications of implementing an arrangement.

Examples of flexible working

It is important to remember flexible working refers specifically to an individual contractual agreement which differs from an agile working approach which refers to other arrangements to work flexibly which are more typically applied week-by-week, based on operational needs.

Formalising a flexible working arrangement provides consistency for both the employee and employer by having an ongoing definitive arrangement.

Examples of types of flexible working arrangements which could be submitted as a formal request and the potential benefits, implications and practical considerations can be viewed in the table shown below.

Type of flexibility	Examples of potential benefits	Examples of potential implications	Practical considerations
Job share	<p>Skills and capabilities of two employees rather than one</p> <p>Minimise disruption of holidays/absences</p>	<p>Balancing work priorities and objectives between the job sharers</p> <p>Increased line management responsibilities</p>	<p>Effective communication channels should be established to ensure robust handover process eg shared email box</p> <p>Whilst it is not mandatory to cover the vacant hours of work due to a job share partner's absence, there is scope for this to be mutually agreed in exchange for additional pay during this time</p>
Reduction/ change in hours	<p>Potential to offer hours to other part-time employees</p> <p>Retention of employees who might otherwise leave</p> <p>Increased engagement</p>	<p>Budget implications</p> <p>Ability to back fill hours</p> <p>Potential impact on colleagues' workload</p>	<p>Give consideration to workload distribution and task prioritisation; for example, adjustments to work deadlines may need to be made to ensure important tasks are prioritised, but there is no negative impact on other colleagues' workload</p>
Staggered working (having a formal agreement to work at different times on different days)	<p>Improved employee morale and ability to focus on work when at work</p> <p>More availability through the week than conventional part-time (full or half days)</p>	<p>Supervision levels, maintaining service delivery standards/office cover arrangements</p>	<p>Establish clear channels of communication to maintain seamless collaboration among colleagues; for example, the use of shared calendars may be helpful</p>
Compressed working weeks (work arrangements where it has been agreed 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)	<p>Improved employee morale and ability to focus on work when at work</p> <p>Retention of employees who might otherwise leave</p> <p>Promotes better work-life balance so employees could pursue an individual interest during this time</p>	<p>Maintaining service delivery standards/office cover arrangements</p> <p>Budget implications where cover required on employee's non-working day(s)</p>	<p>Requirement to set expectations to ensure employees do not work over their hours; for example, line managers should monitor employee well-being, considering the potential impact of longer working days on work-life balance</p> <p>Where working hours per day exceed the standard amount, ensure time for <u>sufficient</u> rest break</p>

Type of flexibility	Examples of potential benefits	Examples of potential implications	Practical considerations
Fractional Contracts (Working 36, 40 or 44 weeks a year. Pay is equated and spread over 12 equal payments in the year)	<p>Effective resource allocation for quieter periods on campus when there may be less demand for staffing, allowing the organisation to adjust its workforce accordingly</p> <p>Employees can achieve better balance between professional and personal lives, reducing stress and increasing productivity at work</p>	<p>Increases in fractional contracts may affect workflow and productivity due to variability for managers and lack of consistency</p>	<p>Managing fractional contracts can be administratively complex for employers</p>
Working at home (having your normal place of work in the office/on campus but working from home on a set day of the week due to individual circumstances)	<p>Increased productivity through improved focus and time on task</p> <p>Retention of employees who might otherwise leave</p> <p>Increased engagement</p>	<p>Supervision levels</p> <p>Maintaining service delivery standards</p> <p>Health and safety considerations</p>	<p>Monitor team compliance with Display Screen Equipment (DSE) use at home including DSE Workstation Assessment and DSE checklist</p> <p>Considerations should be given over home-working spaces, eg availability of a private office, especially when dealing with sensitive or confidential data</p> <p>Managers should seek guidance from their HR Business Partner where appropriate</p>

This list is not exhaustive; examples of flexible working scenarios can be found in Appendix A.

Short-term changes

There may be occasions where employees require short-term changes (3 months or less) to their working pattern. In these instances, a local decision can be made.

Although these arrangements do not require a formal consultation meeting, it is crucial to still consider the following guidance as it helps to ensure that all interactions regarding flexible working are approached thoughtfully and consistently, promoting transparency and fairness.

Any locally agreed short-term arrangements should have a clearly defined start and end date, after which time, employees are expected to revert back to the standard working pattern, or raise a formal flexible working request to make this a permanent arrangement. Line managers or another designated individual must confirm any informal agreements in writing.

Before making a formal request

It is recommended that employees initiate an informal conversation with their line manager before making a formal flexible working request. This initial discussion provides an opportunity to discuss the proposed changes and explore how arrangements might be accommodated, including whether there are any other options to consider if the exact modification is not possible.

This informal exchange enables employees to clearly communicate their needs and employees are urged to be as open as possible about what outcome they are seeking. This will help enable line managers to engage in a constructive dialogue regarding feasibility and potential solutions.

Managerial considerations and preparing for the consultation meeting

This set of managerial considerations outlines key points decision-makers should be aware of when reviewing requests for flexible working.

- Efforts should be made to accommodate formal requests where feasible, and refusals can only be made where there is a valid business reason for doing so. These reasons are outlined in the Flexible Working Code of Practice.
- Embrace the responsibility of facilitating flexible working arrangements by demonstrating a genuine commitment to putting in the effort required to make them possible.
- There may be circumstances where short-term arrangements or trial periods can be utilised.
- Mutually clear and realistic expectations should be set from the outset (which can also be completed during any trial period), by using regular one-to-ones, department meetings, and ADCs to review and ensure employees working flexibly have access to these.
- Workload should be adjusted as required to be managed sufficiently within the new working arrangement.

It is essential that managers prepare for a consultation meeting by reviewing the flexible working request and proactively consider and assess the application. Managers may wish to review the following points prior to a consultation meeting to support a thorough and constructive discussion.

- **Assess the request** - Reflect on the nature of the flexible working request and consider whether it can be accommodated. If there are concerns about aspects of the request, line managers should adopt a pragmatic approach, thoroughly understanding the practicalities involved and proactively find potential solutions from the outset.
- **Consider the benefits** - Evaluate the potential benefits of the flexible working arrangement for the University, the team, the individual employee, and customers/ students. Benefits for the University may be indirect, for example, the employee is more likely to achieve better work-life balance and reduce their stress levels, consequently leading to increases in productivity. Additionally, offering flexibility may prevent employees from seeking employment elsewhere.
- **Impact on team** - Identify team members who may be affected by the proposed change. Conduct a comprehensive review of the team's working pattern, taking into account workload distribution and cover arrangements. This analysis is crucial before making any decision.
- **Managerial implications** - Consider any implications for team members, especially if the requester holds a managerial or supervisory role. Assess how the proposed flexible working arrangement might impact the dynamics of their team.
- **Operational cover requirements and budget implications** - Determine the minimum operational coverage required to sustain an efficient service while acknowledging the potential budgetary implications of any changes. While addressing these challenges through proactive planning is essential, it's equally vital to prioritise overall employee outcomes and deliverables, rather than equating productivity to hours worked.

- Exploring alternatives - Prepare potential alternatives to the proposed working arrangement. Be open to discussions to try to find solutions that meet both the employee's needs and the operational requirements.

During the consultation meeting

Managers may wish to follow these steps to help facilitate a transparent discussion within the consultation meeting.

- Clarify the purpose - Articulate the purpose of the meeting and emphasise that it is an open dialogue aimed at finding a solution that addresses the employee's needs and preferences but is also operationally feasible.
- Active listening - Practice active listening throughout the discussion. Allow the employee to express their reasons for seeking flexible working and any specific preferences they may have.
- Explore any alternatives - Where there may be concerns over approving the requested arrangement, it would be worthwhile to understand the employee's perspective on any alternative arrangements. Discuss whether there are any options which align with the employee's needs.
- Establish clear expectations - Set clear expectations regarding performance goals and targets, communication methods, and availability during core working hours. Ensure that both parties have a shared understanding of what is expected.
- Address any concerns - If there are reservations, address them openly and allow the employee an opportunity to share any responses/suggestions/compromises to these challenges.
- Discuss trial periods - Trial periods can be beneficial to both employees and line managers. Implementing a trial period allows both parties to assess the feasibility of a flexible working request and make adjustments if needed.

Decision making

Before any decisions are made, it is essential 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.
- 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.
- Consult with the [HR Business Partnering and Employment Relations Team](#) before rejecting any flexible request.
- Consider whether any other provision, as contained within other University policies, would be more appropriate eg carer's leave.

Following the meeting

Following the consultation meeting, an outcome must be provided in writing within 10 working days.

Where requests are approved in full, a conversation should occur to discuss how and when the changes will be implemented.

Where requests are rejected in part or in full, a meeting must occur to provide an opportunity to discuss the reason for the decision. Employees may wish to appeal a decision. In these instances, the HR Business Partnering and Employment Relations Team will identify another manager to oversee the appeal, who has had no previous involvement in the case. Please refer to the appeals process in the Code of Practice for further information.

Dealing with multiple requests

On occasion, where more than one request is received in close succession and from two different employees, it is important to recognise that if the first request is approved, the business context will have changed. Therefore, it should be standard practice to manage the requests in the order they are received. This helps to ensure the University assesses each request based on their own individual context.

If a request is approved for one employee, the same request does not need to necessarily be approved for another employee. Approved flexible working requests should not set a precedent within the team or department and each decision should be purely based on whether the requested change can be supported.

Whilst in some circumstances it may be possible to approve both requests, dependent on the requests, this may not be feasible. Where it is appropriate to do so, it may be possible to have a conversation with both employees to understand whether there is any room for adjustment or compromise. It should be noted, sensitivity should be shown during these conversations, and it should be acknowledged that a compromise may not be suitable for an employee. Every effort should be made to consider all alternative options when the requested working arrangement cannot be accepted.

Trial periods

Trial periods can be helpful to determine the impact a flexible working request can have on productivity, teamwork, and communication, before permanently committing to a change.

The statutory 2-month time limit for providing a final decision to the employee may need to be extended when implementing a trial period, particularly where the trial period is agreed up to the maximum period of 3 months. Both parties must agree to any extensions and all responses must be confirmed in writing.

At the end of the trial period, line managers are encouraged to meet with their employees to review the overall trial period and make the final decision on whether to implement a permanent change. This offers an additional chance for an open dialogue regarding any potential adjustments to the arrangement, which could benefit both parties. This is particularly relevant in cases where aspects of the employee's role may have been adversely affected by the new working arrangement. Rather than immediately reverting back to the previous pattern, a conversation should be initiated to explore whether a modification would be beneficial.

Navigating change

Where flexible working arrangements are agreed and implemented, adapting to new patterns can be challenging for both the line manager and employee.

It is vital line managers and employees maintain open conversations throughout the course of a flexible working arrangement. This way, managers can be made aware of any challenges which may arise and, where possible, should proactively try to address these.

Formal flexible working patterns are typically considered permanent changes (except where a short-term agreement has been communicated). However, there may be instances where reverting or amending the arrangement is possible, but this must be mutually agreed. Flexible working arrangements cannot be reversed without employee agreement.

This highlights the importance of informal, regular catch-ups between line managers and employees, as they provide opportunities to discuss and assess the effectiveness of the current arrangement, and explore potential adjustments to help employee well-being and operational requirements.

Supporting employees when an application is refused

The University understands that requesting a change to a working arrangement is an important decision which requires careful thought and consideration. It can, therefore, be disappointing when a decision is made to reject the request, whether this is because the request cannot be facilitated by the University due to one of the permitted refusal reasons, or whether the rejection has been made following the completion of a trial period.

Further support facilities are available at the University and it may be beneficial to inform employees of the following:

- The University's Employee Assistance programme which provides free confidential support via telephone 24 hours a day, seven days a week
- University Counselling Service
- Occupational Health referrals
- University Chaplaincy and Faith Service

This page offers examples of requests for flexible working, manager considerations when dealing with the request, and possible compromise arrangements. This list is not exhaustive, and each request would need to be considered within the individual circumstances.

Manager examples – Requests and considerations

Example 1

Request

In a team of 3, a full-time employee makes a flexible working request to work 36.25 hours over 4 days instead of 5 days (compressed working week). They have indicated they would like their day off to be a Friday or a Monday. The other members of the team are part-time, and one does not work Fridays and the other does not work Mondays.

Considerations

The manager needed to consider factors such as the individual's role, the level of cover required in the office and the hours of cover required each day.

In looking at this, the manager recognised there has recently been increased demand to support employee phone queries outside of the University's core hours. As such, having someone who works a longer period across four days each week will be beneficial in providing a longer period of phone cover.

However, the requested non-working day would clash with the days in which the remaining members of the team are not working. The manager considers the impact this would have on the service provided if only one employee was available and working on these days.

Compromise

The manager concluded that the impact on the service would be too great on either day where only one employee was working. Therefore, the manager needs to ask the employee if they would consider having another day of the week as their non-working day, which would not clash with the remainder of the team.

Outcome

The manager had a discussion with the employee to discuss their request, and advised they would be happy to approve their request to work compressed hours, however, they asked if the employee would be happy to have their non-working day as a Wednesday, rather than Monday or Friday, as this would then enable two members of the team to be in on this day. The employee decided overall, they would rather have part of their request granted as it still provided them with the opportunity to utilise time during a non-working day for other personal commitments. On this occasion, they agreed to compromise, with the caveat that the line manager would review the employee's non-working day, if anything was to change within the team.

Example 2

Request

Two individuals applied for a post which was advertised as a full-time role (36.25 hours) and the manager specified they were 'Open to discussing flexible working' on the advert. During the application process, both individuals specified their preference was to work 3 days (21.75 hours) per week and, therefore, would be looking for a job share to cover the full-time hours. Both individuals scored highly in their interview and were appointable.

Considerations

The manager needed to give consideration as to whether they could facilitate the request from both individuals, given both candidates had asked to work 3 days a week which equates to more than the full-time role that was advertised. The manager needed to consider the extra costs this would bring and was required to consider this alongside the benefits of having an increased number of hours dedicated to the role such as having the skills and capabilities of two individuals rather than one.

Possible outcomes

The manager believed a job share arrangement would be beneficial, but could not justify the cost of the post 6 days a week. A compromise was offered where the employees were asked to consider working 2.5 days each. In this situation, the individuals were unable to agree to the reduced hours arrangement to work 2.5 days per week and ultimately the manager needed to reluctantly turn down the request to job share.