
Flexible Working Regulations Policy

1. Introduction

- 1.1 Newman University has a commitment towards the implementation of work-life balance initiatives for all employees. Work-life balance is about employees having a measure of control over when, where and how they work. It is achieved when an individual's right to a fulfilled life inside and outside paid work is accepted and respected as the norm, to the mutual benefit of the individual, institution and society.
- 1.2 The term flexible working includes flexibility in relation to time (e.g. part-time work, shift work), location (e.g. home-working), the pattern of hours worked or job sharing. It is acknowledged that as a research active institution, some staff are able to adopt flexibility in their working lives in order to fulfil their roles which does not require the implementation of a formal flexible working agreement.
- 1.3 The operational requirements of Newman University must be taken into account when considering the needs of its employees, students and other stakeholders. In order to meet demands and ensure a good standard of service delivery requires greater flexibility in the way our working patterns and practices are designed and implemented.

2. Statement of Intent

- 2.1 Newman University accepts its employment obligations under the Flexible Working Regulations 2014 and in order to achieve mutual benefit for the individual, institution and society, the institution will act in a fair and reasonable manner in considering and approving applications for flexible working in relation to these statutory duties.

3. Policy

- 3.1 The scope of the policy and procedures applies to all employees of Newman University and covers the arrangements for requesting and approving applications for flexible working subject to their eligibility under the Employment Rights Act 1996, Children and Families Act 2014 and Flexible Working Regulations 2014 (SI 2014 / 1398).

3.2 All eligible employees may request to work in a more flexible way or vary their working patterns. Agreement to the request will be subject to the service level demands.

4. Eligibility

4.1 All employees of Newman University who have a minimum of 26 weeks' continuous service have the right to request flexible working and to have their request considered seriously by the institution.

4.2 To make a request an individual will:

- be an employee of Newman University
- have worked with Newman University continuously for at least 26 weeks at the date the application is made
- not be an agency worker

5. What Type of Changes Can Be Applied For?

5.1 Employees will be able to request:

- a change to the hours they work
- a change to the times when they are required to work
- to work from home
- a change to working patterns such as annualised hours, compressed hours, flexitime, job-sharing and term-time working.

5.2 The Policy does not provide employees with an automatic right to work flexibly as there will always be circumstances when the University is unable to accommodate the employee's desired work pattern. The employee has a responsibility to carefully consider their request for flexible working when making an application. The University has a responsibility to act reasonably and follow the procedure specified below to ensure requests are given serious consideration.

6. Procedure

In summary, the procedure is as follows:

- 6.1 The employee makes a considered application in writing to their manager. Only one application per rolling year may be made. Accepted applications will mean a **permanent** change to the employee's own terms and conditions of employment, unless temporary arrangements are specifically agreed between the University and employee. It is important therefore that, before making an application, the employee gives careful consideration to the working pattern and any financial implications. Any request made under this policy must include:
- The date of the application
 - The changes that the employee is seeking to their terms and conditions
 - The date on which the employee would like the terms and conditions to come into effect
 - What effect the employee thinks the requested change would have on the University
 - How, in their opinion, any such effect might be dealt with
 - A statement that this is a statutory request
 - Whether or not the employee has made a previous application for flexible working
 - If the employee has made a previous request, when the employee made that application
- 6.2 Within **28 days** of receipt of the request, the line manager will arrange a meeting with the employee to explore the proposed work pattern in depth, and to discuss how best it might be accommodated. A representative from Human Resources will be invited to attend the meeting. Alternative working patterns may be discussed should there be problems in accommodating the work pattern outlined in the employee's application. The employee can, if they want, be accompanied by a workplace colleague or a Trade Union Representative to the meeting/s.
- 6.3 Within **14 days** of the meeting, the line manager with support from Human Resources, will write to the employee to either agree a new work pattern and a start date; or to provide business grounds why the application has not been

approved and setting out the appeal procedure. If the request is not accepted, it will be for one of the following business reasons as set out in the legislation:

- The burden of additional costs
- An inability to reorganise work amongst existing staff
- An inability to recruit additional staff
- A detrimental impact on quality
- A detrimental impact on performance
- Detrimental effect on ability to meet student needs or customer demand
- Insufficient work for the periods the employee proposes to work
- A planned structural change to the institution

6.4 There is a three month time limit, starting with the date on which the application is made, within which the University must make a decision about the request but time periods can be extended where both Newman University and the employee agree. Any extensions must be recorded in writing by the employer and copied to the employee.

6.5 Where an employee fails to attend both a first meeting and a rearranged meeting, either at the initial decision stage or an appeal stage, without good reason, the University may treat the application as having been withdrawn by the employee. The University will notify the employee that it has decided to treat their conduct as a withdrawal of the application.

7. Appeal Procedure

7.1 An employee has the right to appeal against the University's decision within 14 days of notification. This appeal should be made in writing to the relevant senior manager (and a copy to Human Resources) and must clearly outline the grounds of the appeal.

7.2 Human Resources will convene an appeals meeting with all parties, with the senior manager (in section 7.1) chairing the appeal meeting.

7.3 The senior manager will hear the appeal and make a final decision, with support from Human Resources, on the request for flexible working; they will outline the reason/s why the application has been approved or rejected. The

decision will be in writing and given to the employee within 14 days of the appeal hearing.

- 7.4 The employee has no further recourse to appeal against the final decision within the University.

8. Policy Review

- 8.1 This policy will be reviewed 3 years from the date of implementation and earlier if circumstances or legislation dictates. Any proposed amendments will be subject to consultation. Such amendments will be notified to employees through the normal communication channels and/or e-mail. The policy will be maintained on the Human Resources site on SharePoint.