



## Flexible Working

Employees of Bath Spa University who meet the eligibility criteria detailed below have the right to make an application for flexible working. Bath Spa University has a duty to consider any application made in accordance with the provisions of this policy.

Bath Spa University recognises that flexible working patterns can be of benefit both to the University and the employee in terms of enhancing job satisfaction and effectiveness, reducing stress and absenteeism and retaining employees.

This policy describes the process that managers need to adhere to when receiving requests from employees for flexible working patterns in accordance with the relevant legislation and the ACAS Code of Practice on handling requests to work flexibly in a reasonable manner.

### Scope of the policy

The Policy applies to all employees, across all grades and groups including academic and professional services, fixed term and part time hourly paid lecturers, part time and full time, permanent and temporary. It can also apply to those temporarily associated with the University (e.g., wardens, Students Union, Agency Workers) if appropriate. It does not apply to agency workers, consultants or self-employed contractors.

### Responsibilities

#### Employee

- Ensure they are eligible to make a Flexible Working Application under this policy
- Comply with the Flexible Working Policy and procedure for making a Flexible Working application
- Complete the Flexible Working Application in full providing as much detail as possible
- Cooperate with the line manager throughout the process and provide additional information if requested

#### Manager

- Understand the Flexible Working Policy, and related procedures, attending

training as required

- Ensure employees are aware of the Flexible Working Policy and procedures
- Receive, record, consider and respond to any requests received in accordance with this policy
- Treat employees fairly, consistently and in a reasonable manner
- Notify the employee, Human Resources and, where a change has been agreed, any relevant interested parties (e.g. colleagues, internal or external customers), of the decision and outcome of any Flexible Working application made under this policy
- Write to the employee to confirm the decision and outcome where appropriate

### Human Resources

- To provide training, coaching, advice, guidance and support as necessary
- Monitor requests and provide additional information as appropriate
- Ensure the policy, and related procedures, are regularly reviewed, kept up to date and legally compliant
- Process any contractual changes arising from a Flexible Working application and ensure personal records are up to date

### Eligibility

In order to apply for flexible working arrangements under this policy, employees must meet the following criteria:

- Be an employee of Bath Spa University
- Be continuously employed for 26 weeks or more at the date of application
- Not have made an application for flexible working within the last 12 months

### Flexible working arrangements

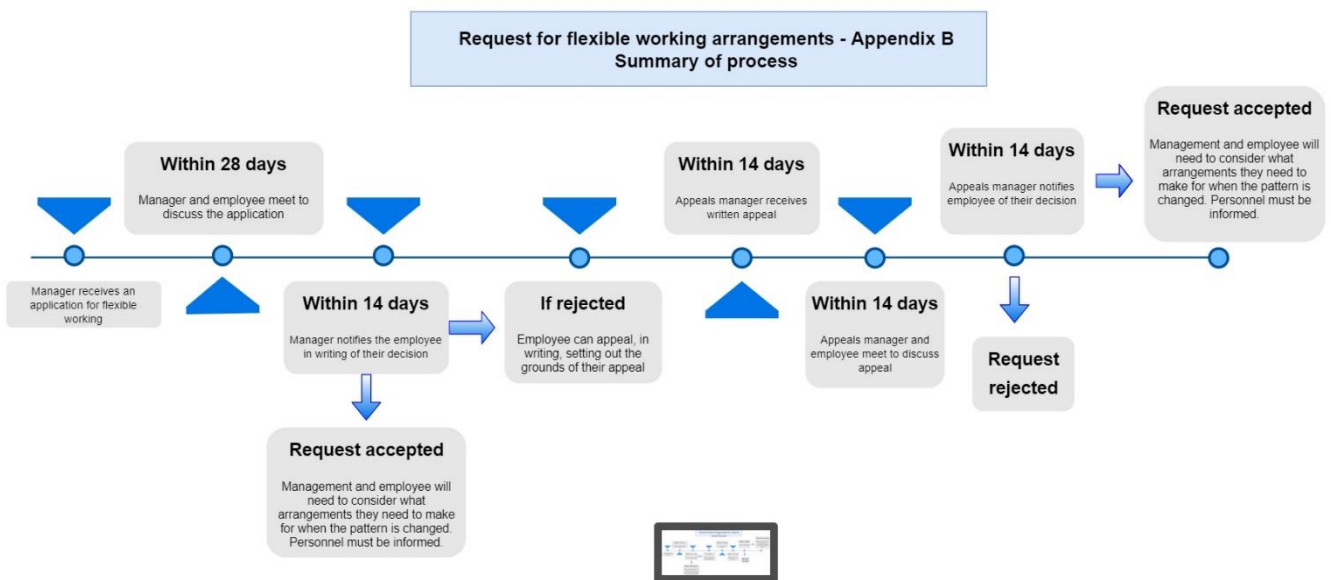
Any request that an employee makes and is accepted represents a permanent change to the employee's contractual terms and conditions.

Employees eligible to apply under this policy can request:

- A reduction or variation to the hours they work

- A reduction or variation to the times or days they are required to work
- To work from a different location (for example, at home)
- The types of different working arrangements that could be requested include:
- Annualised hours - hours worked calculated over a year rather than a week
- Compressed hours - total agreed hours to be working over a shorter time period i.e. days reduced to four longer days
- Flexitime - already in place in a number of departments
- Homeworking, either on a full or part time basis
- Job-Sharing
- Shift working
- Staggered hours i.e. employees starting and finishing at different times of the day.

## How to apply



All applications must follow the procedure as detailed in the above flexible working flowchart. To apply for a flexible working pattern, employees, having satisfied themselves

that they meet the criteria to apply, should complete the application form. All applications must be made to either the Dean of School (Academic) or the senior manager (Professional Services), or to their delegated representative, responsible for the functional area.

The application should be submitted to the employee's line manager in good time and ideally at least one month before the changes are proposed to take effect.

Having received the application, the manager should, in the first instance, acknowledge receipt of the application, in writing, to the applicant. They must then consider the application and in most cases meet with the employee to discuss the application within 28 days of receiving the application. The employee may bring with them another worker employed by Bath Spa University as a companion if they wish.

In some cases it may be possible to approve the application without a formal meeting, although it will usually be helpful to the manager to discuss the request with the employee to ensure it is the best solution.

Having discussed the application, the manager will inform the employee of their decision, in writing, within 14 days of the meeting. If the decision is that the application is accepted, then the notification must contain:

- A description of the new working pattern
- The date that the change is effective from
- Details of any trial periods that might have been agreed and review dates
- The date of the notification

The manager must inform Human Resources immediately of any agreed changes so that contractual changes and any adjustments to pay can be made, if required. They must also consider who else needs to be informed of the change in working arrangements and notify them accordingly.

In some cases a manager may need longer than 14 days to reach a decision. If this is the case, the manager should discuss an extension with the employee.

If the decision is that the application is rejected, the notification must contain:

- The business reasons for the refusal of the application
- The date of the notification

- Details of the process for appeal

## Reasons for refusal

When managers receive an application, they will be considering it on the basis of business reasons. If an application is refused, the reason must fall into one of the following categories:

- Burden of additional costs
- Detrimental effect on the University's ability to meet customer demand
- Inability to reorganise work among other employees
- Inability to recruit additional employees
- Detrimental impact on quality
- Detrimental impact on performance
- Insufficiency of work during the periods the employee proposed to work
- Planned structural changes. In refusing the application, the manager will provide both the business reason and an explanation of how the business grounds apply to the application.

## The appeal process

The employee may appeal within 14 days of the notification date of the refusal of the application. The employee must write to the Human Resources Department, to appeal and detail the grounds upon which the appeal is based. An appeal may be brought on the following grounds:

- There is new information that was not available to the line manager at the time they made their original decision
- The employee thinks that the request was not handled reasonably in line with the University's policy

Appeals against the business reasons given for the refusal will not normally be allowed.

An alternative manager must hear the appeal to the one who refused the original

application. This can be a manager either of the same or a more senior grade. The appeals manager will arrange for the appeal meeting to be convened within 14 days of receiving the application for appeal. The employee may be accompanied, on the same basis as the first meeting.

The appeals manager will inform the employee of the outcome of the appeal in writing within 14 days of the appeal meeting. If the decision is that the appeal is accepted, then the notification will contain:

- A description of the new working pattern
- The date that the change is effective from
- Details of any trial periods that might have been agreed and review dates
- The date of the notification

The appeals manager must inform Human Resources immediately of any agreed changes so that contractual changes and any adjustments to pay can be made, if required. They must also consider who else needs to be informed of the change in working arrangements and notify them accordingly.

If the decision is that the appeal is rejected, the notification will contain:

- The reasons for the decision, appropriate to the employee's grounds of appeal
- An explanation for the refusal
- The date of the notification

This constitutes the final decision by the employer and is effectively the end of the procedure within Bath Spa University. All applications, including any appeals, must be considered and decided upon within a period of three months from first receipt unless agreed otherwise with the employee.

## Withdrawal of a request

If the employee withdraws a formal application for flexible working, the employee will not be eligible to make another formal request for 12 months from the date of the original application. In certain circumstances, a formal request will be treated as withdrawn. This will occur if the employee fails to attend a meeting and a re-arranged meeting, or an appeal meeting and a re-arranged appeal meeting, without good cause.

## Additional support

Employees have the benefit of the EAP (Employee Assistance Programme) provider, [Lifeworks](#), for help, advice and support. The username and password are on the membership card you received. Please contact HR for the username and password if you do not have your membership card.

## FAQs

These FAQs are based on questions received in Human Resources and therefore may not cover all of your queries. You are advised to read the policy in full as there may be more information contained within the policy that will answer your query.

### What is the flexible working scheme?

Bath Spa University is a modern, forward thinking university offering family friendly policies and a variety of different full and part time roles to help you find the right work/life balance. Over time as family, work or personal priorities change you may decide that you would like to request a change to the way or the hours you work to help you maintain that balance.

The flexible working scheme allows eligible employees to request a change to their normal working pattern or the hours that they work. This change could include:

- a reduction or variation in the hours you work
- a reduction or a variation in the times you work
- homeworking

Whether you're looking after a child or other family member, or you want to pursue a course of study or other personal interests a flexible working pattern may help you to achieve this.

### Am I eligible to apply?

All employees are eligible to apply regardless of whether you work full or part time provided that you meet the following criteria:

- you are an employee of Bath Spa University

- you have been continuously employed for 26 weeks or more at the date of application
- you have not have made an application for flexible working within the last 12 months

### How do I apply?

Before making an application we would recommend speaking to your line manager informally to discuss your request. This will give you the opportunity to discuss the various options which may be available to you and may mean you do not need to make a formal application for flexible working.

If you wish to apply for flexible working please download and complete a copy of the flexible working application form, The application form will ask you to describe the new working pattern you would like to change to as well as the potential impact on your area of work. Provide as much information as you can about the changes you would like and how you think they will work in practice. This will help your line manager make a decision. Completed forms should be returned to your line manager for consideration.

### What will happen when I apply?

On receipt of your completed flexible working application your line manager may ask to meet with you to discuss your proposed working pattern before making a decision. Your line manager will let you know his/her decision as soon as possible and within 42 days of receiving your application.

### What will happen if my application is successful?

Your line manager will notify you as soon as possible if your application has been successful, and the two of you will agree when the new working pattern will begin. He/she will also notify HR who will write to you to confirm the changes to your normal hours of work, pay and holiday entitlement where applicable. If your request is accepted this will represent a permanent change in your contracted hours and you would not be able to revert to your previous hours.

### What will happen if my application is unsuccessful?

If your application is unsuccessful you will be notified in writing and given the reasons for the refusal. You will also be informed of your right to appeal the decision.



If you wish to appeal please write to HR stating the grounds of your appeal within 14 days of the date of notification of the refusal of your application. Appeals will be made on the grounds of:

- New information
- If you believe that the request was not handled reasonably in line with the University's policy

You will not normally be allowed to appeal against the business reasons for the decision.

If the Director of HR or their nominated representative agrees that there are sufficient grounds for appeal it will be passed to another manager to consider the appeal. This will not be the same manager that made the original decision.

On receipt of an appeal the appeal manager will arrange for the appeal meeting within 14 days of receiving the application for appeal. You may be accompanied at this meeting if you wish by a trade union representative or work colleague. If your appeal is successful the appeal manager will write to you with the details of the decision outlining:

- The new working pattern
- The effective date of the change
- Information about any trial periods and review dates that have been agreed
- The date of the notification

If your appeal is unsuccessful you will be notified in writing. The decision of the Appeal Manager is final and there will be no further right of appeal. All applications, including any appeals, must be considered and decided upon within a period of three months from first receipt unless otherwise agreed with you.

**If my application is unsuccessful, how soon can I make another?**

Eligible employees can make one application for flexible working every 12 months.

