

HUMAN RESOURCES POLICY Flexible Working Policy and Procedure

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Contents

1	Policy Statement	2
2	Scope.....	2
3	Equality and Diversity.....	2
4	Disability and Workplace Adjustments.....	2
5	Types of Flexible Working	3
6	Flexible Working and the Work Location Framework.....	3
7	Flexible Working Procedures	3
8	Additional Support.....	4
9	Related Policy and Guidance	4
10	Appendix A – Flexible Working Procedures	5
11	Appendix B - Statutory Request for Flexible Working Application Form.....	10

1 Policy Statement

- 1.1 Imperial College London is committed to providing a supportive environment and recognises that flexible working can be of benefit to both employees and Imperial. Flexible working can help staff to feel more emotionally engaged, and more satisfied with their work. The ability to consider flexible working options can also be attractive when recruiting new staff to ensure we are able to recruit the best and diverse workforce.
- 1.2 The Flexible Working Policy and Procedure sets out our approach to flexible working requests.
- 1.3 **Part one** of the procedure sets out how to make an informal flexible working request.
- 1.4 **Part two** of the procedure sets out how to make a statutory (formal) flexible working request.
- 1.5 All flexible working requests will be considered on a case-by-case basis, and staff are reminded that making an application does not automatically mean that the request will be agreed.
- 1.6 Any decision not to agree to a flexible working request will be made with reference to the eight fair business reasons as detailed in the procedure below.
- 1.7 Employees wishing to make a flexible working request should carefully consider the potential impact on their terms and conditions including the impact on their pay, pension and benefits.
- 1.8 Line managers, supervisors and members of staff are required to familiarise themselves and understand this procedure.
- 1.9 All staff are expected to undertake their role in line with Imperial's Values and Behaviours. Imperial's [Values](#) are at the very centre of our work and guide our behaviour as a community, across all levels. This policy aims to protect and promote our Values of Respect, Collaboration, Excellence, Integrity and Innovation.

2 Scope

- 2.1 This policy applies to all employees of Imperial College London. It does not apply to casual staff, agency workers or volunteers.

3 Equality and Diversity

- 3.1 Imperial is committed to equality, diversity and inclusion. Implementation of this policy must be clear and transparent and not subject to any unfair discriminatory practices.
- 3.2 This policy is inclusive and applies to all staff irrespective of any protected characteristic.

4 Disability and Workplace Adjustments

- 4.1 Imperial is both committed and legally obliged under the Equality Act 2010 to make reasonable adjustments to enable disabled staff to carry out their duties successfully.
- 4.2 The overall aim should be, as far as possible, to remove or reduce any disadvantage faced by a disabled member of staff.
- 4.3 Staff requiring a flexible working pattern or adjustment to work location to accommodate a need arising from disability should first refer to the workplace adjustment guidance.
- 4.4 Line managers are responsible for considering requests for workplace adjustments and for ensuring that appropriate reasonable adjustments are put in place, as soon as reasonably possible.
- 4.5 The Equality, Diversity and Inclusion Centre (EDIC) may also be contacted for advice on workplace adjustments.

5 Types of Flexible Working

5.1 Any type of flexible working can be considered, and examples may include:

- Part-time hours - reducing the number of hours you work.
- Staggered hours - changing your start and finish times.
- Compressed hours – condensing your working hours into fewer days.
- Hybrid working - where you split your time between attending the workplace and working remotely. See the section about the Work Location Framework for more information on the approach to hybrid working.

6 Flexible Working and the Work Location Framework

- 6.1 The Work Location Framework is a framework for determining 'where' an individual works, whether that be onsite or hybrid. The Work Location Framework should be referred to in the first instance when discussing work location arrangements.
- 6.2 As set out in the framework, the overall parameters of work location arrangements will be determined by the Head of Department/Senior manager and implemented by the line manager locally. Hybrid working arrangements are considered a flexible and non-contractual arrangement and may be subject to change depending on operational requirements.
- 6.3 The Flexible Working Policy is a separate policy which sets out the right to request flexible working.
- 6.4 The Flexible Working Policy remains available to staff who wish to request permanent and structured adjustments to their contractual working arrangements which may also include working part-time, hybrid working or changing their work pattern.

7 Flexible Working Procedures

- 7.1 The procedures for requesting flexible working are set out in Appendix A.
- 7.2 **Part One** sets out the procedure for requesting a flexible working pattern informally.
- 7.3 **Part Two** sets out the procedure for making a statutory (formal) flexible working request.
- 7.4 You or your line manager may seek advice from your HR Partner at any stage of either procedure.

8 Additional Support

- HR Staff Hub
- Strategic HR
- Employee Relations (ER) Team
- Occupational Health Service (for support with active health/medical conditions)
- Equality, Diversity and Inclusion Centre (EDIC) (for support with implementing workplace adjustments)
- Joint Trade Union Representatives
- Confidential Care

9 Related Policy and Guidance

- Disability Support
- Workplace Adjustments
- Work Location Framework

10 Appendix A – Flexible Working Procedures

1. Part One – Informal request for flexible working

- 1.1 To make an informal request for flexible working, you should arrange an informal meeting with your manager to discuss your proposal for flexible working. It is helpful if you set out your proposed by email in advance of your meeting.
- 1.2 When you discuss your request, you should explain the changes you would like to be considered and when you would like them to take effect. It is helpful if you can be as open as possible and explain the reasons why you want to make the changes. You should also make it clear that you understand this is not a statutory request.
- 1.3 Following the discussion, your line manager will carefully consider your request and will consider:
 - the potential benefits to both you and Imperial;
 - and any adverse impact of implementing the changes. This can include the impact on others and the prospect and reasonableness of securing additional or alternative cover for any outstanding hours or shifts.
- 1.4 There is no defined timescale to respond to an informal request, however it should be acknowledged, and a decision made within a reasonable timescale.
- 1.5 If your request is not granted, you and your line manager may consider possible alternative working patterns and/or trial a new arrangement for an agreed fixed period of time.
- 1.6 Where your request is granted in full or in part, your line manager will meet with you to discuss how and when the changes might be implemented.
- 1.7 If the request results in a change to your contract of employment, your line manager will complete a contractual change form (see contract change requests) and submit this to the HR Staff Hub.
- 1.8 Your line manager will also inform the HR Staff Hub if your TeemSeer record should be updated following a change to your work pattern.
- 1.9 Any changes to your terms and conditions of employment, whether permanent or temporary, will be sent to you in writing by the HR Staff Hub as an amendment to your contract of employment.
- 1.10 In most circumstances, the agreed change/s will be on a long-term basis. However, in circumstances where the flexible working request is agreed for a shorter time or for a trial period, the written notification will include confirmation of the new arrangements, and the period during which the change will apply.
- 1.11 At any point during an informal request, you may decide to change your application to a statutory request (see Part Two). A statutory request will be considered as a new application.

2. Part Two – Statutory (formal) request for flexible working

Eligibility

- 2.1 All employees have the statutory right to request flexible working, regardless of length of service.
- 2.2 You are able to make two statutory requests in every 12-month period.
- 2.3 If you have submitted a flexible working request, you must wait until that one has been considered and any appeal has been dealt with, before submitting another.
- 2.4 The 12-month period will commence from the date when the first application is made.

How to make a formal request

- 2.5 All requests must be made in writing by completing the Statutory Request for Flexible Working Application Form (see Appendix B). The form should be submitted to your line manager.
- 2.6 Your request must include:
 - the date of the request;
 - the changes that you are seeking to your terms and conditions of employment;
 - the date on which you would like the change to come into effect;
 - a statement that this is a statutory request;
 - if and when you have made a previous application for flexible working; and
 - if you have made a previous request, when you made that application.
- 2.7 If your request does not contain all the required information, you will be asked to resubmit it with the necessary additional information. This does not mean that your request will be automatically rejected.

Timescales

- 2.8 Once you submit your formal flexible working request, it will be dealt with within two months from receipt of the request to notification of any appeal decision.
- 2.9 The timescales for consideration may be extended where this is mutually agreed.

Consultation Meeting

- 2.10 Following receipt of your application, your line manager will write to you to invite you to attend a consultation meeting to discuss your flexible working request. The consultation meeting will be held within ten working days of receiving your request. However, if this is not possible, you will be informed of the reason for any delay.
- 2.11 The invite will inform you of the date, time and location of the meeting, and will advise you that you may be accompanied by a Trade Union representative or work colleague, if you wish. Your manager will also inform you if they have asked an HR representative to attend the meeting. A sample letter containing the above information can be provided by the Employee Relations team on request.
- 2.12 If a Trade Union representative or work colleague is unable to attend the meeting, it should be rearranged within 5 working days of the originally proposed date. The new date should be convenient to all parties. If this is not possible, the member of staff should consider an alternative representative.
- 2.13 The consultation meeting is an opportunity for you to explain how the proposed working arrangements would benefit you and for your manager to consider whether your request can be accommodated. It is also an opportunity to consider and discuss any alternative flexible working options that might be available.
- 2.14 You should come to the meeting prepared to expand on any points in your application and you are encouraged to be as open as possible about your needs so that a constructive discussion about what is feasible is possible.
- 2.15 If you are accompanied by a Trade Union Representative or a work colleague, please note that they may address the meeting or confer with you. However, they will not be permitted to answer questions on your behalf.

Considering your request

- 2.16 After the meeting, your line manager will carefully consider your request, weighing up:
 - the potential benefits to both you and the organisation; and
 - any adverse impact of implementing the changes.
- 2.17 Requests will be considered in order of receipt, on a case-by-case basis - agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working patterns.
- 2.18 Your line manager may seek advice from the HR Partner before making a final decision.
- 2.19 If your line manager is unable to approve a request due to a number of staff already working flexibly and because any further flexible working arrangements would have an adverse impact, they should check if the current flexible working arrangements are subject to review. If they were agreed based on being subject to regular review, they could consider reviewing these to enable more staff to work flexibly. If the flexible working patterns are not subject to review your line manager may consider asking for volunteers from the existing flexible working staff to change their work patterns to create capacity.

Notifying you of the decision

2.20 Your line manager will write to you within 10 working days of the consultation meeting to inform you of their decision and why.

Where your request is accepted

2.21 Your request may be granted in full or in part. For example:

- your line manager may propose a modified version of your request;
- your request may be granted on a temporary basis; or
- you may be asked to try the flexible working arrangement for a trial period.

2.22 Where your request is granted in full or in part, your line manager will meet with you to discuss how and when the changes might be implemented.

2.23 If the request results in a change to your contract of employment, your line manager will complete a contractual change form (see contract change requests) and submit this to the HR Staff Hub. Your line manager will also inform the HR Staff Hub if your TeemSeer record should be updated following a change to your work pattern.

2.24 Any changes to your terms and conditions of employment, whether permanent or temporary, will be put in writing and sent to you by the HR Staff Hub as an amendment to your contract of employment.

Reasons for refusing a request

2.25 In some cases, it may not be possible for all or part of your request to be accommodated. This may be because of:

- the burden of additional costs;
- an inability to reorganise work among existing staff;
- an inability to recruit additional staff;
- a detrimental impact on quality;
- a detrimental impact on performance;
- a detrimental effect on ability to meet customer demand;
- insufficient work for the periods the employee proposes to work; and
- a planned structural change to the business.

2.26 If your request is refused, the decision letter will include an explanation of why it cannot be accommodated, and you will be informed of your right of appeal against the decision.

When an application can be treated as withdrawn

2.27 An application can be treated as withdrawn for the following reasons:

- You withdraw your application by notifying your manager in writing as soon as possible. A withdrawn application will count as one of your application in any 12-month period. If you verbally inform your line manager that you have withdrawn your application, you must follow this up with written confirmation. If you do not follow up with written confirmation, following a request from your line manager, your line manager will confirm the withdrawal in writing.

- You fail to attend two meetings. If you miss two meetings without reasonable cause, your line manager may treat your application as withdrawn. If you miss your first meeting, your line manager will arrange another meeting and will inform you that, if you fail to attend the rearranged meeting without reasonable cause, your application may be treated as withdrawn.

Your right to appeal

- 2.28 You have the right to appeal if your request for flexible working is rejected or only agreed in part.
- 2.29 You should set out your grounds for appeal in writing and send it to the Deputy HR Director (Employee Relations and Policy) within 10 working days of receiving the decision.
- 2.30 You will be invited to attend an appeal meeting which will take place within 10 working days of you lodging your appeal.
- 2.31 Where possible your appeal will be heard by a senior line manager and an Employee Relations representative, both of whom will have had no previous involvement in the original decision.
- 2.32 You may be accompanied by a trade union representative or work colleague to the appeal meeting.
- 2.33 Appeal hearings will be conducted in accordance with the following terms of reference:
- to review whether the request for flexible working was given adequate consideration.
 - to review whether the procedure was correctly and fairly implemented and
 - to consider whether the decision was reasonable in the circumstances known to management.
- 2.34 You will be informed of the outcome of your appeal within 10 working days after the date of the appeal meeting.
- 2.35 If your appeal is upheld, the written decision must be dated and must include the following:
- a description of the new working pattern
 - the start date from which the new working pattern is to take effect
 - If your appeal is dismissed, the written decision must be dated and include the following:
 - the grounds for the decision. These will be appropriate to the member of staff's own grounds for making the appeal.
 - an explanation as to why the grounds for refusal apply in the circumstances.
- 2.36 The appeal decision is regarded as final.

3. Recording and monitoring information

- 3.1 Written records will be kept by HR during the formal procedure. Staff may take their own written record of meetings, but recording devices, including the use of mobile phones will not be permitted.
- 3.2 Any personal data collected or retained in relation to the flexible working procedure will be in accordance with relevant data protection legislation. Further information regarding how data will be processed is detailed in [Imperial's privacy notice for staff](#).

11 Appendix B - Statutory Request for Flexible Working Application Form

Please read the Flexible Working Policy and Procedure before completing this form

Statutory Request for flexible working		
Name of individual:		
Department:		
<p>All employees have the statutory right to request flexible working. Under the statutory procedure, you can make two requests in every 12-month period. If you have submitted a flexible working request, you must wait until that one has been considered and any appeal has been dealt with, before submitting another. If you are uncertain whether you are eligible to make a request, please contact the HR Staff Hub.</p>		
CID:		
Date form submitted:		
Previous applications for flexible working		
Have you submitted a previous request for flexible working? (If yes, please answer the next question.)	Yes	No
When did you submit your last request for flexible working?		
Are you a disabled person whose request for flexible working is related to your disability?	Yes	No
I wish to submit a statutory request for flexible working as detailed below.		
<p>Please set out the pattern of working that you are seeking. For example, if you wish to change your hours of work, please state what your current hours are and what you would like your new hours to be or, if you wish to work at home at certain times, please state which hours you would like to work at home.</p>		
I would like the above change(s) to my working pattern to take effect on:		

I would like the above change(s) to my working pattern to be permanent:	Yes	No
If "No", I would like the above change(s) to my working pattern to be temporary and to end on:		
<p>Please email your completed application to your line manager.</p> <p>Once you have submitted a valid application for flexible working, your manager will contact you to arrange a consultation meeting, which will take place within 10 days of your application being received.</p> <p>The consultation meeting is an opportunity for you to explain how the proposed working arrangements would benefit you and for your manager to consider whether your request can be accommodated. It is also an opportunity to consider and discuss any alternative flexible working options that might be available.</p> <p>It will help you manager to consider your application if you provide as much information as you can about your desired working pattern and the reason for your request.</p>		
Signed:		Date:

Line Manager Decision: Approved / Declined (please delete as applicable)

Line Manager Signed:

Date:

Once the request has been approved or declined, a copy of the form should be sent the HR Staff Hub for filing.