##### **QUEEN’S UNIVERSITY BELFAST**

##### **FORMAL FLEXIBLE WORKING POLICY**

For information on Agile Working at Queen’s, please refer to the [Agile Working Toolkit](https://qubstudentcloud.sharepoint.com/sites/int-peopleandculture/SitePages/Agile%20Working%20Toolkit/Agile-Working-Toolkit.aspx?OR=Teams-HL&CT=1633526524698).

1. Introduction

* 1. As an Equal Opportunities employer, Queen’s University recognises and values flexibility within our workforce and understands the importance of helping our staff to balance their work and personal life, as well as helping to attract and retain the best global talent.
  2. Under provisions set out in the Employment Rights (Northern Ireland) Order 1996 andregulations made under it, all eligible employees have a statutory right to ask their employer for a change to their contractual terms and conditions of employment to work flexibly.
  3. Alongside this Policy which relates to ***formal flexible working arrangements*** and results in a permanent change to the member of staff’s terms and conditions, unless otherwise agreed, the University has developed guidance for informal flexible working arrangements. This guidance sets out the process ***for*** [***Agile Working***](https://qubstudentcloud.sharepoint.com/sites/int-peopleandculture/SitePages/Agile%20Working%20Toolkit/Agile-Working-Toolkit.aspx?OR=Teams-HL&CT=1633526524698) ***arrangements*** which are agreed locally, with no change to terms and conditions.
  4. The statutory right is a ‘right to request’ and not a right to be granted flexible working. Before 5 April 2015 the right only applied to the parents of children under 17 or 18 in the case of parents of disabled children or to those caring for an adult. Now any eligible employee can apply to work flexibly for any reason.
  5. Accepted applications to work flexibly under the statutory provision will result in a permanent change to the member of staff’s terms and conditions, unless otherwise agreed. That means that once the University accepts a request, an employee has no contractual right to revert to his/ her/ their previous working All other accepted applications made under this procedure will be regularly reviewed in line with the business requirements of the University.

2. Types of Flexible Working

2.1 Formal flexible working requests can be made formally under this policy. Formal flexible working can include a range of different arrangements, which allow employees to change the length, location or duration of their working hours. The kinds of arrangements that may be considered under a formal flexible working request include; part-time working, job-sharing, school term-time working, hybrid working, working from home, compressed hours or some combination of these.

3. Eligibility

3.1 To be eligible to apply, under this procedure, the member of staff must have worked continuously for the University for not less than 26 weeks at the date of making application. Only one request may be made within any 12 month period.

3.2 While members of staff who have been employed for less than 26 weeks do not have a statutory right to request flexible working, **the University is committed to considering flexible working requests from these individuals**, as flexible working can bring business benefits to both the University and the individual.

4. Staff member making a formal flexible working application

A member of staff formally requesting to work flexibly must:

1. Make the request in writing to their line manager. The request should be made on the Formal Flexible Working Application Form which can be found in Appendix i.
2. Include in the request, details of the desired working pattern, how they consider the University could accommodate the request and a start date for the proposed change;
3. Make sure there is sufficient time to consider the request, especially if the request is being made on a return to work from a period of leave (like maternity or parental leave, sick leave etc). The requests can take 14 weeks (or more) to consider.

5. Manager considering a formal flexible working request  
  
5.1 Following a request the line manager must:

1. Meet the member of staff within 28 days3 of receiving the application to discuss the request. This meeting is not required if the line manager agrees to the terms of the application and notifies the member of staff accordingly within 28 days3 of receiving the application;
2. Allow the member of staff to be accompanied by a work colleague or a recognised trade union representative at the meeting;
3. Explore how the requested work pattern can best be accommodated, and where problems exist in accommodating the member of staff’s preferred pattern explore alternative working patterns;
4. Notify the member of staff of the decision in writing within 14 days3 of the meeting;

- Where the request is accepted, provide confirmation of acceptance and date of commencement of new working pattern and notify People and Culture of the revised terms and effective date;

- Where the request is not being granted, include the reason for the decision and set out the appeal procedure (see Appendix ii).

6. Trial Periods

6.1 Where the employee and/or their line manager is unsure about whether a proposed flexible working arrangement is practicable or the most suitable available, an arrangement may be introduced on a trial basis over a reasonable period of time. This will allow both parties to determine its suitability and viability before the arrangement is made permanent or alternative arrangements considered.

7. Right to Appeal

7.1 The member of staff has a right to appeal where a decision has been made to refuse a flexible working request.

1. The appeal must be made within 143 daysin writing to the next higher level of management, setting out the grounds of appeal.
2. Within 143 days of receipt of the written appeal the manager must meet with the member of staff to discuss the appeal. A member of staff from People and Culture or the Diversity and Inclusion Unit will also attend the appeal. This meeting is not required if the manager considering the appeal upholds the appeal and notifies the member of staff accordingly of the decision in writing within 143 days of receiving the appeal.
3. The member of staff has the right to be accompanied by a work colleague or a recognised trade union representative.
4. Within 14**3** days of the meeting the manager must notify the member of staff, in writing, of the decision:

* + - where the appeal is accepted, provide confirmation of acceptance and date of commencement of new working pattern and notify People and Culture of the revised terms and effective date;
    - where the appeal is dismissed, provide the grounds for the decision and a sufficient explanation of why those grounds apply.

3 There will however be exceptional circumstances when it is not possible to complete a particular part of the procedure within the specified time limits. Extensions of such time limits can only take place where there is agreement and a written record of such must be maintained.

8. Further Information

8.1 For further information on Flexible Working including detail on process, sources of support and related policies please visit the P&C website.

9. Equality and Diversity Statement

9.1 The University values and promotes equality and diversity and will seek to ensure that it treats all individuals fairly and with dignity and respect. It is opposed to all forms of unlawful and unfair discrimination.

9.2 The University seeks to provide equality to all, irrespective of: gender, including gender re-assignment; marital or civil partnership status; having or not having dependants; religious belief or political opinion; race (including colour, nationality, ethnic or national origins, including Irish Travellers); disability; sexual orientation and age.

9.3 This policy has been screened out as per the Equality Commission’s guidance on screening, with no adverse impact with regard to equality of opportunity and/or good relations for people within the equality and good relations categories.

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*Revised October 2021*



Appendix i

APPLICATION FOR FORMAL FLEXIBLE WORKING

This form can be made available in large print and alternative formats, where required, on request from the HR Hub, telephone: 028 9097 3000.

Applicants should complete Section 1 and 2 and pass to their Line Manager/Head of School/Department/Unit for consideration. The form should then be forwarded to the HR Hub, Level 4, Administration Building ***(even if the application is refused)***. Alternatively, an electronic copy can be emailed to [hrhub@qub.ac.uk](mailto:hrhub@qub.ac.uk).

**Section 1 - Arrangements**

|  |  |
| --- | --- |
| I have read the flexible working procedure and I wish to advise that this is an application to work flexibly made under, *(tick as appropriate).*   * **the statutory right;**   **OR**   * **the University’s extended provision**   Please note:     1. if the accepted application is made under the statutory right, this will result in a permanent change to your terms and conditions unless otherwise agreed; 2. all other accepted applications made under this procedure will be regularly reviewed in line with business requirements of the University; 3. it may take up to 14 weeks to consider a request before it can be implemented and possibly longer where difficulties arise. You should therefore ensure that you submit your application well in advance. | |
| Explanation of reason for request: | |
| My current working pattern is (days/hours/times worked): | |
| Date(s) of any previous requests made under the statutory right: | (dd/mm/yyyy) |
| The working pattern that I would like to work in future is (days/hours/times worked/jobshare):          I would like this working pattern to commence from: …………………………..(dd/mm/yyyy) | |
| Impact of the new working pattern and how it can be accommodated.  I consider that my proposed change in my working pattern can be dealt with as follows: | |

**Section 2 – Applicant Details**

|  |  |
| --- | --- |
| Staff ID: |  |
| Full name: (PRINT) |  |
| Position: |  |
| School/Department/Unit: |  |
| Staff Category (e.g. Academic, clerical etc.): |  |
| Applicant’s Signature: |  |
| Date: |  |

**Section 3 – Authorisation**

|  |  |
| --- | --- |
| Approval of Line Manager/Head of School/Department/Unit | Application approved:      Application refused: |
| Reason for refusal: |  |
| If approved, the following arrangements were agreed: |  |
| **Signature Box** (Line Manager/Head of School/Dept/Unit)    Signature: …………………………………………………………………………...    Print Name: ……………………………………………....……………………………    Position: ……………………………………… Date: ………………………………...(dd/mm/yyyy) | |
| For Official Use Only | |
| Date received by People and Culture Directorate    Database entry | |

On receipt of approval of the working arrangements, the People and Culture Directorate will issue a revised Contract of Employment and revised Terms and Conditions.

The original application will be retained on the individual’s personal file.

The University is committed to promoting equality of opportunity for all staff irrespective of their sex, marital status, perceived religion, political opinion, racial group, sexual orientation, age, having a disability or having dependants.

The information contained on this application form will be used to monitor the take-up of and the impact of the University’s work life balance/family friendly arrangements and the implementation of its Equality and Diversity policy.

Appendix ii

**Refusal to Grant Request**

An application can be refused only where there is a clear business reason. The business ground(s) for refusing the request include:

* Burden of additional costs

* Detrimental impact on ability to meet the business needs

* Inability to reorganise work among existing members of staff

* Inability to recruit additional members of staff

* Detrimental impact on quality of service

* Detrimental impact on performance

* Insufficiency of work during the periods the member of staff proposes to work

* Planned structural changes

Where an application is refused, the member of staff must be provided with an explanation as to the reason for the refusal to grant the request in the particular circumstances.

**Note:** **Where a member of staff** **with a disability or long-term condition makes an application for formal flexible working particular care must be taken to ensure that all possible steps to provide for a reasonable adjustment are considered.**