

Flexible Working Policy

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Statement of intent

1. The City of London Corporation strives to provide excellent service delivery by ensuring the most effective use of its resources and we are committed to maximising the opportunities offered by the modern working environment and advances in technology. This policy supports our vision of being an employer of choice and attracting and retaining employees. We are committed to considering requests to work flexibly in a positive way.

Scope

2. This policy and the processes, guidance appended to it apply to all employees of the City of London Corporation, including teaching staff in the three City of London Schools and support staff in City of London Police.
3. This policy does not apply to ad hoc, temporary arrangements or occasional flexible working arrangements such as the occasional homeworking day which has been agreed between the employee and line manager.

Purpose

4. The purpose of this policy is to:
 - comply with the Employment Rights Act 1996 and regulations made under it.
 - ensure that all applications for flexible working are dealt with in accordance with legislative requirements
 - Ensure that a consistent approach is taken across the organisation.

Aims

5. This policy is designed to comply with the ACAS Code of Practice and Guidance and to provide clarity for employees and managers about the right to request flexible working, the process by which it is considered and the right to appeal.

Rights and responsibilities

Employees

6. Employees:
 - can make a statutory application to work flexibly if they have worked for an employer for 26 weeks continuously at the date the application is made.
 - can only make one statutory request in any 12 month period and the change in working pattern will be a permanent change to terms and conditions.
 - can have their application considered in a reasonable manner in accordance with this procedure and refused only 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 customer demand
 - insufficient work for the periods the employee proposes to work
 - a planned structural change to your business
- can have a representative with them when meeting the manager to discuss the application.
 - will be informed of the decision in writing.
 - can appeal against a decision to refuse an application to their line manager's manager.

7. Employees should:

- provide a carefully thought out application request providing all of the information that is necessary.
- ensure the application is made well in advance of when they want the change to come into effect and allow a 3 months' timescale in which to have a response from the employer.
- be prepared to be flexible to reach an agreement with the employer.
- be aware that the change in terms and conditions is permanent.

Managers

8. Managers will:

- consider requests reasonably.
- consider and prioritise operational requirements and service delivery needs associated with the particular post when a request is received.
- ensure adherence to the time limits contained within this policy.
- provide the employee with appropriate support and information during the course of their application.
- only decline a request where there is a specified business reason and explain to the employee in writing why it applies having liaised with HR.
- ensure that any variation with the procedure is agreed in advance with the employee provided that it does not infringe on the legislation.
- be responsible, if they are the authorising line manager to ensure that details regarding the provision of equipment are documented in departments where equipment has been provided to facilitate flexible working.
- where a request for Flexible Working results in a change to terms and conditions, managers must ensure this is documented within one month of the change and retained on the employee's personal file. Copies should be sent to HR to process any changes and to maintain accurate records.

9. Managers can:

- reject an application when the desired working pattern cannot be accommodated due to one or more of the business reasons defined by the legislation and suggest alternatives.
- seek the employee's agreement to extend the timescales for a decision where it is appropriate.
- consider an application withdrawn in certain circumstances.

Human Resources

10. Human Resources:

- are responsible for provision of advice and guidance on the application and monitoring of this policy, to ensure consistency of approach.
- will be consulted by managers considering requests to work flexibly that require a change to terms and conditions of employment.
- are responsible for processing any changes as a result of an agreed request and maintaining records on personal files.

Applying for flexible working

11. The employee should make a request using the application form at Appendix 1.
12. The manager will consider the request taking into account this Policy and the associated ACAS Code of Practice and Guidance. The manager will meet with the employee to discuss the request unless they are happy to agree the request without the need for a meeting.
13. The manager will reach a decision and complete the management request form at Appendix 2.

Appealing a flexible working decision

14. If the employee wishes to appeal the decision they should do so within 5 working days of being notified of the decision by submitting an appeal statement to their line manager's manager (as long as they have not been involved in the process) for consideration, along with the original application and management response. Appeals may be against the decision itself or the reason the manager has relied on.
15. The Appeal Manager, who will be accompanied by an HR representative, will arrange to meet with the employee who may be accompanied by their trade union representative or colleague. The Appeal Manager may also require the attendance of the line manager who made the original decision to outline the reason for their

decision. The Appeal manager will notify the employee of the decision within 5 working days of meeting with the employee and within 3 months of the application being made (unless there has been agreement to extend the timeline by mutual consent).

16. Alternatively the employee may request that the appeal is a review of the paperwork only, without the attendance of either party at a meeting.

List of appendices

- Appendix 1 Application for Flexible Working
- Appendix 2 Management Response – Flexible Working Request
- Appendix 3 FAQs

Links / Other resources

- ACAS Guide: The right to request flexible working
- ACAS Code of Practice on handling in a reasonable manner requests to work flexibly