

**Flexible Working Procedure**

**1. Introduction**

This procedure provides all employees with the right to request to work flexibly.

The procedure does not give employees the right to work flexibly; the procedure does give employees the right to make a request for flexible working and to have such a request considered by the Company.

**2. The benefits of flexible working**

In an increasingly competitive employment market the Company will endeavour to remove any barriers to the employment, development and retention of employees and to promote the efficiency and productivity of the business.

The Company recognises that flexible working arrangements can help individuals to balance their work and home responsibilities, towards encouraging greater employee commitment and job satisfaction.

**3. Eligibility and applying for flexible working**

Employees wishing to apply for flexible working should contact the Human Resources Department for a copy of the Flexible Working Procedure and Request form.

Employees will be eligible to apply for flexible working if they comply with the following requirements as set out on the request form:

- Minimum of 26 weeks continuous service at the date the application is made
- No application to work flexibly has been made during the past 12 months

If an employee does not qualify to make a request to work flexibly under this procedure, this does not mean a request of the same nature may not be considered, however such a request will be dealt with through discussions with a Line Manager.

The following information will need to be provided by the employee on the 'Flexible Working Request Form' when making a request:

- An indication of the details of the flexible working that is proposed, to include hours, days and place of work.
- An indication of the effect that the request will have on the Company and how this may be dealt with.
- An indication of the start date for the proposed change, providing the Line Manager / Supervisor with a reasonable time period to consider the proposal.
- A declaration that the employee is making a statutory request and that they have not made a previous application in the past 12 months.

If an employee wishes to withdraw a flexible working request, they should do so in writing to the Human Resources Department.

If a meeting has been arranged to discuss the application, including any appeal and the employee fails to attend both this and a rearranged meeting without good reason, the request may be considered withdrawn and the employee informed in writing.

#### **4. Responding to a Flexible Working Request**

On receipt of a flexible working request, the Company will give it serious and full consideration. Having considered the flexible working request, the Company will, as soon as is practicable (but within 28 days):

- Write to the employee to confirm that the Company agrees to the terms of the application; 'or'
- Arrange a meeting with the employee to discuss the request

Employees are entitled to be accompanied at the meeting by a work colleague or an employee representative (trade union official).

The Company will notify the employee of their decision in writing, normally within 14 days of the meeting, to:

- Accept the request and establish a start date and any other action; or
- Confirm a compromise agreed at the meeting, together with notification of the appeals process; or
- Reject the request and set out clear business reasons for the rejection together with notification of the appeals process.

#### **5. Trial periods**

Following a request for flexible working the company may decide to offer the employee a trial period, if it is unsure of the impact of the requested arrangements on the business.

If the trial period is considered to be successful the company will notify the employee that their request for flexible working has been accepted and will be a permanent change to their contract of employment, unless otherwise agreed.

If the trial period is deemed to be unsuccessful, the employee will revert back to their normal working arrangements.

#### **6. Unsuccessful Requests**

Flexible working requests may not be agreed by the Company due to one or more of the following business reasons:

- The burden of additional costs
- Inability to reorganise or distribute work amongst other existing staff
- Inability to recruit additional staff
- Detrimental effect on ability to meet customer demand
- Detrimental impact on quality
- Detrimental impact on performance
- Insufficiency of work during the periods of proposed work
- Planned structural changes

## 7. Appeals Procedure

Employees have the right of appeal against the Company’s decision not to agree to a flexible working request, or against the Company’s decision to accept the request in part through an agreed compromise. Employees must give written notice of the appeal, setting out the grounds of the appeal, within 14 days of receiving written notification of the Company’s decision.

Upon receipt of a written notification of appeal, the Company will write to the employee within 14 days to arrange a meeting, which will enable the Company and the employee to discuss the appeal. Employees are entitled to be accompanied at the appeal meeting by a work colleague or an employee representative (trade union official).

The Company will provide the employee with written notification of its decision within 14 days of the appeal hearing.

The decision taken within the appeals process is final and the employee cannot make a further flexible working request for at least 12 months.

### 7. Time Line

1. Flexible working request received	2. Decision or meeting	3. Decision	4. Right of appeal	5. Appeal meeting	6. Decision
Day 1	Within 28 days	Within 14 days	Within 14 days	Within 14 days	Within 14 days

1. Flexible working request is received:
2. Within 28 days:  
Having considered the flexible working request, the Company will, as soon as is practicable (but within 28 days):
  - Write to the employee to confirm that the Company agrees to the terms of the application; ‘or’
  - Arrange a meeting with the employee to discuss the request
3. Within 14 days of the meeting:  
The Company will notify the employee of their decision in writing, normally within 14 days of the meeting, to:
  - Accept the request and establish a start date and any other action; or
  - Confirm a compromise agreed at the meeting, together with notification of the appeals process; or
  - Reject the request and set out clear business reasons for the rejection together with notification of the appeals process.
4. Appeal within 14 days of receipt of letter confirming the decision.
5. Appeal hearing held within 14 days
6. Decision of appeal sent within 14 days

## FLEXIBLE WORKING REQUEST FORM

To be completed by employees who wish to make a request for flexible working.

<b>1. PERSONAL DETAILS:</b>
<p>FULL NAME: ..... Payroll Number: .....</p> <p>STORE / DEPARTMENT: .....</p> <p>MANAGERS NAME: .....</p>

You must satisfy the following criteria in order to make a statutory application (*please tick boxes*)

- I declare that:  I have a minimum of 26 weeks continuous employment
- I have not made a previous application in the previous 12 months

<b>2. YOUR FLEXIBLE WORKING PROPOSAL:</b> <i>In this section please indicate/describe what areas your flexible working request covers, such as hours of work, times of work, days of work and place of work.</i>
<p>Please state current working pattern (i.e. days/hours/times worked)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>

Please indicate/describe the working pattern you would like to propose

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**3. POSSIBLE IMPACT ON BUSINESS**

*Please set out and explain what affect you think your request will have on the business and how this may be overcome (e.g. reorganisation of work, additional cost to the business, ability to meet customer demand).*

I think this change in my working pattern will affect my employer and colleagues as follows:

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I think the effect on my employer and colleagues can be overcome/dealt with as follows:

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**Please confirm the date you would like your proposed new working pattern to commence:**  
Please note the timelines within the Company's Flexible Working Procedure to deal with any flexible working requests.

**DATE:** .....

**I confirm that I have received a copy of the Company's Flexible Working Procedure and declare that the information I have provided is true to the best of my knowledge:**

**Signed:** .....

**Printed:** .....

**Application date:** .....

**PLEASE RETURN YOUR COMPLETED REQUEST FORM TO  
THE HUMAN RESOURCES DEPARTMENT**