

Flexible working policy template

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Introduction

This flexible working policy aims to encourage staff to consider flexible working.

This organisation recognises that a better work-life balance can both improve productivity and reduce stress, and is committed to building one of the most inspiring and fulfilling work cultures out there.

Therefore the organisation wants to support its employees achieve a better balance between work and their other priorities (caring responsibilities, further learning, hobbies and interests etc.), and is committed to agreeing to flexible working arrangements – provided that the needs and objectives of both the organisation and the employee can be met.

It is the organisation's policy to encourage open communication, and anyone who thinks they may benefit from flexible working is encouraged to contact [HR department/line manager/name of individual] for an informal conversation.

What is flexible working?

Flexible working is a way of working that better suits the employee's needs, and can include working from home or flexible start and finish times. Examples of flexible working include:

[Add/remove/edit as appropriate]

- Annualised hours
- Compressed hours
- Flexitime
- Home-working
- Job-sharing
- Overtime
- Part-time working
- Term-time working

Types of flexible working

[Add/remove/edit as appropriate]

Annualised hours – contractual working hours are calculated as the total number of hours to be worked over the course of the year, allowing for flexible working as long as the annual hours are met.

Compressed hours – working full time hours in fewer days so that there is no reduction in pay. For example, working a 9-day fortnight like we do at Charlie.

Flexitime – working core hours with flexible start and finish times, with an agreed number of total working hours over the accounting period [of four weeks/a month].

Home-working – working all or part of the contractual hours from home. Home-working could be an occasional agreed day, a mix of home- and office-based work per week or month, or full time.

Job-sharing – where a full-time role is divided, and the duties and responsibilities are shared between two part-time working employees. Job sharing is usually considered when creating a single post is difficult, or when two eligible individuals want to work part-time.

Overtime – when additional hours are worked voluntarily on top of standard full time hours to an agreed hourly rate.

Part-time working – working anything less than full time hours. (This organisation believes that all posts are available part-time, except where critical examination by line management proves it impracticable.)

Term-time working – reducing working hours or taking time off during school holidays, with any weeks above the annual leave entitlement taken as unpaid.

Business needs

The organisation is committed to encouraging flexible working, but not all flexible working options will be appropriate for all roles.

Whenever flexible working is requested, the organisation must take into account all or some (but not limited to) of the following criteria:

- associated costs
- impact on the rest of the team
- supervision
- existing department structure
- resources and staffing levels
- role-specific tasks
- workload
- reasonable adjustments relating to disability
- health and safety

Who is eligible for flexible working?

All employees are legally able to request flexible working, and from April 2024*, anyone can make a flexible working request from their very first day of employment.

*(*Up until April 2024, an employee must have worked for the same employer for 26 weeks before making a flexible working request.)*

How to make a flexible working request

To submit a flexible working request, GOV.UK states:

- The employee writes to the employer.
- The employer considers the request and makes a decision within 3 months – or longer if agreed with the employee.
- If the employer agrees to the request, they must change the terms and conditions in the employee's contract.
- If the employer disagrees, they must write to the employee giving the business reasons for the refusal. The employee may be able to complain to an employment tribunal.

From 6 April 2024, employees will be able to make two applications for flexible working in any 12-month period. Any request made must include:

- the date
- a statement that this is a statutory request
- details of how the employee wants to work flexibly and when they want to start
- an explanation of how they think flexible working might affect the business and how this could be dealt with, for example if they're not at work on certain days
- a statement saying if and when they've made a previous application.

If the request is in relation to the Equality Act, e.g. as a reasonable adjustment relating to a disability, then this should also be made clear in the application.

Note: if an application does not contain all necessary information, [HR department/line manager/name of individual] will explain what additional or amended information is required, and the request will need to be resubmitted.

Responding to a flexible working request

From 6 April 2024, employers will need to make a decision within 2 months of receiving a flexible working request.

Upon receiving a written request for flexible working [HR department/line manager/name of individual] will usually arrange a meeting to discuss the request. This will be held within [28 days] of the request being submitted, but may be extended with the agreement of both the employee and [HR department/line manager/name of individual].

1. The employee will be given advance notice of the time, date and place of the meeting.
2. If the initial date is problematic, then a further date will be proposed.
3. If a face-to-face meeting is difficult to arrange then, if agreed by the employee and [HR department/line manager/name of individual], the meeting can be remote.
4. The employee can be accompanied by a workplace colleague or a trade union representative.
5. If the employee fails to attend a meeting and then fails to attend a rearranged meeting without good reason, the application will be deemed to have been withdrawn.

Written response to a flexible working request

Agreeing the application

The [HR department/line manager/name of individual] will write to the employee with:

- a statement of the agreed changes
- a start date for flexible working

They should also change the employee's contract to include the new terms and conditions. This should be done as soon as possible but no later than 28 days after the request was approved.

Reasons for rejecting

The organisation can reject an application for any of the following reasons:

- extra costs that will damage the business
- the work cannot be reorganised among other staff
- people cannot be recruited to do the work
- flexible working will affect quality and performance
- the business will not be able to meet customer demand
- there's a lack of work to do during the proposed working times
- the business is planning changes to the workforce

How to appeal a flexible working request decision

The employee has the right to appeal the decision if a flexible working request is refused or only agreed in part.

The employee may lodge an appeal in writing within [14 days] of being notified of a decision, and should clearly state why they are appealing.

*Sources: Acas.org.uk and GOV.UK

The appeal will be heard within [14 days]. The employee will then be informed of the outcome to their appeal within [14 days] of the appeal meeting. These time limits may be extended with the agreement of both the employee and [HR department/line manager/ name of individual].

Trialing a new flexible way of working

If there is uncertainty about whether a flexible working arrangement is practicable for a role and/or the organisation, a trial period may be agreed.

The trial period will allow:

- sufficient time to implement and become familiar with the new working practices before making any decisions on their viability.

Changes to a contract of employment

Where flexible working practices are agreed as a permanent change, a variation will need to be made to the employee's contract of employment. A new contract of employment will be sent to the employee within [28 days] of the change to the working pattern being agreed.

If the employee has any questions or concerns about the new contract of employment they should contact [HR department/line manager/name of individual] to discuss the matter further.

Where a trial period has been arranged, the organisation will provide the employee with a document that details their new working pattern and makes it clear that it is only a temporary variation to the terms of the contract.

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The employee will be informed in writing of the start and end dates of the trial period (although the organisation may reduce or lengthen the trial period where necessary with the agreement of the employee). The organisation will reserve the right, at the end of the agreed trial period, to require the employee to revert to their previous working arrangement.

Making a complaint

This organisation is opposed to any form of victimisation of individuals who work, or request to work, under flexible working arrangements.

If an employee feels that they have been treated unfairly or are dissatisfied with any stage of the request or working process, they should raise their concerns informally with [HR department/line manager/name of individual].

If informal discussions do not resolve the matter to the employee's satisfaction, they should raise a grievance under the organisation's grievance procedure.

For further information an employee should refer to the documents listed below and/or contact [HR department/line manager/name of individual].

Employment law relating to this document:

Employment Rights Act 1996

Equality Act 2010

Flexible Working Regulations 2014

*Sources: Acas.org.uk and GOV.UK

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