



Flexible Working Policy and Procedure.

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1. PURPOSE AND CONTEXT

PKAVS recognises that flexible working can provide benefits to both employees and the organisation and aims to support employees where possible and practical to manage the approach to flexible working arrangements.

2. SCOPE

Every employee has a statutory right to request flexible working. This right applies from the first day of employment. An employee may make two statutory requests for flexible working within any 12-month period.

3. STATEMENT

PKAVS is committed to developing a positive working environment. Where reasonably possible, it is hoped that solutions can be found that suit both the organisation and the employee. However, in ensuring the needs of the organisation, its beneficiaries, and colleagues are met, it may not always be possible to accommodate a flexible working request.

Some variations in working patterns may be possible without the application of the formal policy.

No one who makes a request for flexible working will be subject to any detriment or lose any career development opportunities as a result.

4. PRINCIPLES

- An employee does not have the right to work flexibly but has the right to request to do so.
- Any employee interested in flexible working may request an informal meeting with their manager to discuss their eligibility, the different options, and the effect of their proposed working pattern on colleagues, the organisation, service delivery and beneficiaries before submitting a request.
- PKAVS will try to accommodate requests where possible and may also, if appropriate, explore alternative flexible working arrangements with employees, to reach a mutually beneficial arrangement.
- All requests will be considered as quickly as possible. This will normally be within a calendar month of the manager receiving the request. The whole process, including any possible appeal against the decision, will be conducted within a maximum period of three calendar months. This timescale may be extended, if necessary, with the agreement of both parties, for example, to allow a trial period if there are some concerns as to whether any new arrangements will work.
- The term 'flexible working' describes any working arrangements where the number of hours worked or the time or place that the work is undertaken varies from the standard practice.

This includes but is not limited to the following:

- A change to the number of hours of work.
- A change to the times when an employee is required to work.
- A change to the location of where the work is carried out.
- A reduction in the working week.
- A shorter working year.
- A job share arrangement.
- A change to work patterns such as annualised hours, compressed hours, flexitime, shift working, staggered hours and term time working.

5. ROLES AND RESPONSIBILITIES

The **Chief Executive Officer** has overall responsibility for the implementation of the organisation's flexible working policy. In particular, they are responsible for ensuring that the policy is widely communicated, and its effectiveness is monitored.

Managers are accountable to the Chief Executive Officer for the implementation and monitoring of the policy within their area of responsibility.

Employees are responsible for the success of this policy and must ensure that they familiarise themselves with it and act in accordance with its aims and objectives.

6. FLEXIBLE WORKING PROCEDURE

6.1 Requests for Flexible Working

An eligible employee who wishes to apply for flexible working should submit a written application to his/her line manager indicating that the request is made under the statutory right to request flexible working. Applications should be submitted well in advance of when the change is to take effect. (For the application form, please see Appendix 1).

There are many forms of flexible working which can change an employee's current or usual work pattern, including changes to the hours they work, the times they are required to work or their place of work.

The application should include:

- The date of the application.
- The changes requested to the employee's terms and conditions.
- The proposed start dates.
- The date of any previous applications.
- If the request is being made as a reasonable adjustment to address a disability.

In certain circumstances, a formal request may be treated as withdrawn if:

- The employee fails to attend two meetings to discuss the request without reasonable cause.
- The employee unreasonably refuses to provide information the organisation requires to consider the request.

In these circumstances, the manager will confirm in writing that the request has been withdrawn.

6.2 Considering an application.

On receipt of the written application, the manager will usually arrange to meet with the employee as early as possible to discuss their request and how best it might be accommodated. This meeting will also provide an opportunity to consider alternative working patterns if the original proposal proves unworkable. In certain circumstances, it may be possible to agree to a request without a meeting.

6.3 Application decision

The manager will write to the employee following the meeting, informing them of their decision as early as possible.

A variation to a work pattern may be made on a permanent or time-limited basis. A trial period in the new work pattern may be helpful. If the change is made on a permanent basis, there is no automatic right to revert to the original pattern of working.

Where a flexible working request is agreed upon, the specific change(s) or variations should be recorded on the flexible working application form:

- The agreed working patterns.
- When the changes or variations will take effect.
- Any contractual changes to terms and conditions of employment.
- Where the change is time-limited, the end date of the variation.

The manager should ensure that HR is notified of the outcome of the application and of changes to terms and conditions if applicable.

A request may only be declined on the following grounds:

- The burden of additional costs.
- A detrimental effect on the ability to meet the needs of the business.
- An inability to re-organise work amongst existing employees.
- An inability to recruit additional employees.
- Detrimental impact on quality or performance.
- Insufficient work available during the hours the employee wants to work.
- Planned structural changes to the organisation.

The manager should seek advice from HR where a request is likely to be declined on one or more of these grounds.

The manager should usually meet with the individual to explain the reason(s) their request is being declined, and confirmation should be provided in writing.

6.4 Review of a decision

Whilst there is no statutory right of appeal, an employee who is dissatisfied with the outcome of their flexible working application can write to the next-level manager asking for the decision to be reviewed.

A copy of the declined request should be submitted to the next-level manager along with a written statement from the employee stating why they are asking for a review of the decision. The written statement would not normally include new information as the request should have been explored at the 'Considering an application' stage.

The next level manager will arrange a meeting with all parties concerned, and a final decision will be communicated as soon as possible after this meeting. The employee may wish to be accompanied at this meeting by a work colleague.

If the review is upheld, the employee will be advised verbally and in writing of their new working arrangements and any changes to their contract of employment, details of any trial period and the date on which the change will commence.

If the review is rejected, the written decision will outline the organisation's reason(s) for the decision and explain why the reason(s) apply in this case. The employee will not be able to make another request until 12 months after the date of the original application.

6.5 Terms and Conditions

Where a flexible working request that results in a reduction of working hours is approved, the employee's salary and benefits will be pro-rated to reflect the new working hours. In the case of a shorter working year, the pro-rated salary will be paid over a 12-month period. Annual leave will be pro-rata to complete months worked.

A successful application will result in a permanent change to the employee's terms and conditions of employment. However, there may be occasions where it may be appropriate to agree on a temporary change, such as an agreed trial period.

6.6 Job Share

PKAVS' ability to offer and continue a job share arrangement depends on finding a suitable job share partner through the usual recruitment process. If one partner in a job share arrangement leaves employment, the organisation will offer the position as a full-time job to the remaining job sharer or seek to recruit a replacement. If this is not possible, and the requirement is for a full-time post, the organisation will make all reasonable efforts to redeploy the remaining job share partner.

7. GENERAL

7.1 ACAS code of practice

It is the view of PKAVS that this Flexible Working Policy meets the guidelines set out within the ACAS code of Practice 5 regarding requests to work flexibly, last updated in April 2024.

7.2 Review

The Flexible Working Policy and Procedure (and supporting documents) will be reviewed in line with the recognised arrangements at the date outlined on the front cover of this document or earlier if there is a legislative requirement to do so.

7.4 Contact details

For further information on any part of the policy or procedures contained in this document, please contact the Chief Executive Officer at HR@pkavs.org.uk

Appendix 1

FLEXIBLE WORKING APPLICATION FORM

Employee's name:	Job title:
Manager's name:	Date of application:

I would like to apply to work flexibly as is my right provided under section 80F of the Employment Rights Act 1996.

You can make two requests in every 12-month period.

Have you submitted a previous request for flexible working in the last 12 months?	Yes	No
If yes, 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
Are you applying for flexible working in order to look after a disabled dependant?	Yes	No

I wish to submit a statutory request for flexible working as detailed below.

1. Describe your current working arrangements: (location/days/hours/times worked):

2. Describe the flexible working arrangements you would like to work in the future: (location/days/hours/times worked):

3. When would you like the flexible working arrangements to commence:

Once you have submitted your flexible working application, we might contact you to discuss how your new requested working pattern is going to work. If your request is granted, it will mean a change to the terms and conditions of your employment, unless agreed otherwise. Your application and any appeal (in the event we are not able to grant it) will be dealt with within two months of the date on which your application is received.

Employee signature: **Date:**