

Title	Flexible Working Policy
Purpose	<p>This policy aims to encourage staff to consider flexible working arrangements. Maryhill Housing recognises that a better work-life balance can improve employee motivation, performance and productivity, and reduce stress. Therefore the organisation wants to support its employees achieve a better balance between work and their other priorities, such as caring responsibilities, leisure activities, further learning and other interests. The organisation is committed to agreeing any flexible working arrangements, provided that the needs and objectives of both the organisation and the employee can be met.</p>
Scope	<p>This policy applies to:</p> <ul style="list-style-type: none"> • All MH employees
Definitions	<p>For the purpose of this policy the following definition is provided for Flexible Working:</p> <p>Flexible working is any type of working arrangement that gives some degree of flexibility on how long, where and when an employee works.</p> <p>The following flexible working options are considered to be the typical arrangements that employees will request but the organisation recognises that there may be alternatives or a combination of options which are suitable to both the organisation and the employee:</p> <ul style="list-style-type: none"> • Annualised hours- where an employee's contractual working hours are calculated as the total number of hours to be worked over the year, allowing flexible working patterns to be worked throughout the year. • Compressed hours-is where an employee works their usual full time hours in fewer days by working longer blocks meaning that there is no reduction in their pay. For example, a five-day week is compressed into four days, or a 10-day fortnight into nine days. • Home-working- is when an employee regularly carries out all, or part of, their duties from home rather than the employer's premises. The organisation can consider home-working being an occasional agreed day, a mix of home and office based work each week or a full time arrangement. • Job-sharing-is an arrangement where a full-time post is divided into two part-time roles. The two job holders then share the overall duties and responsibilities. Their skills and the hours each employee wishes to work must be compatible, and meet the needs of the organisation. Pay and benefits are shared in proportion to the hours each works. Job sharing can be considered where the creation of a single part-time post is difficult, or where two individuals wish to work part-time • Part-time working- covers any arrangement where an employee is

	<p>contracted to work anything less than typical full time hours for the type of work in question. For example, an employee who only works Monday to Wednesday. The suitability of posts for part-time working will be stated in any internal or external advertisements</p> <ul style="list-style-type: none"> • Term-time working- is where an employee reduces their hours or takes time off during any school holidays. Any weeks above their annual leave entitlement will be unpaid. Salary can be paid in 12 equal monthly instalments (although arrangements may be permitted where an employee is only paid for the time worked and receive no pay during the holidays apart from their entitlement to annual leave)
<p>Policy Statement</p>	<p>Policy Aims</p> <p>This policy aims to:</p> <ul style="list-style-type: none"> • Provide employees with the opportunity to request to change their standard working arrangements to strike a better balance between their home and work responsibilities and for MHA to retain talent and skills in the workforce and react effectively to changing market conditions • Detail the flexible working procedure that must be followed and also provides standard letter templates and forms to use • Detail the employers' responsibilities contained in the Act and the recommendations to consider employees' request for a flexible working arrangement • Clarify that it is only applicable when the employee instigates the request to work flexibly (and not when it is instigated by the employer) • It re-emphasises a desire to create a positive place to work for everyone and encourage a healthier work-life balance, with the aim of retaining skills and experience and adapting to changes in society. <p>Maryhill Housing is committed to providing a range of appropriate working patterns. However employees and management need to be realistic and to recognise that not all flexible working options will be appropriate for all roles.</p> <p>Legal Framework</p> <ul style="list-style-type: none"> • Employment Rights Act 1996 <p>In August 1996 the Employment Rights Act was introduced to set out the statutory employment rights of workers and employees.</p> <ul style="list-style-type: none"> • Employment Act 2002 <p>In April 2003 the Employment Act introduced the right for parents of young and disabled children to apply to work flexibly in order to strike a better balance between their home and work responsibilities.</p> <ul style="list-style-type: none"> • Work and Families Act 2006 <p>The Act builds on the right to request flexible working introduced in April</p>

2003. The Work and Families Act extends this right to include employees who care for or expect to care for adults.

- **Children and Families Act 2014**

The Act extends the right to request flexible working to all employees with 26 weeks' service, rather than just parents and carers.

- **The Flexible Working Regulations 2014**

From 30 June 2014, changes to the Flexible Working Regulations meant that any employee meeting the minimum service eligibility criteria can now request flexible working arrangements.

Eligibility

Any employee with at least 26 weeks of employment service has a statutory right to request flexible working. An employee can only make one statutory request within a 12 month period.

In summary to be eligible you need to:

- Be an employee.
- Have worked for an employer for a continuous period of 26 weeks from the date of application.
- Not be an agency worker.
- Not have made another application to work flexibly under the right during the past 12 months.

Flexible Working Process

To apply for flexible working, employees need to follow the steps below:

- Apply in writing
- State the date of the application, the change to working conditions the employee is seeking and when they would like this change to come into effect
- Explain what effect, if any, the change applied for would have on the Maryhill Housing and how such effect might be remedied
- State that it is a statutory request
- State whether a previous application has been made to the Maryhill Housing and the date of the application
- Sign & date it.

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

If an application does not contain all of the required information a member of the HR team will explain to you what additional or amended information they need to provide and you will be asked to resubmit the request.

Maryhill Housing will aim to deal with requests as soon as possible. Where possible this will be within 30 days and no longer than 3 months from first

receiving the request, including any appeal.

If for some reason the request cannot be dealt with within the 3 month period then Maryhill Housing can extend this time limit provided the staff member agrees.

Once the request is received

If Maryhill Housing is happy to accept the request, we will confirm it in writing without a need for a meeting. Alternatively a meeting should be arranged.

The Meeting

- You will be invited to a meeting in writing and informed you can be accompanied by a fellow employee or trade union representative of their choice.
- The companion can address the meeting and confer with you during the meeting but cannot answer questions on your behalf.
- At the meeting, your proposal will be discussed.
- If your proposal is not suitable to the business, alternative solutions will be discussed.
- If you fail to turn up for a meeting without prior notification on more than one occasion and fail to provide a satisfactory explanation, Maryhill Housing will treat the application as withdrawn. This will be confirmed in writing informing you that you will be unable to make another request for 12 months.

After the meeting your manager will inform you of the decision in writing, along with all details of the changes, if applicable

Flexible working acceptance

- Once both sides have agreed to the changes requested, a permanent variation of your terms and conditions will be issued.
- You will have no automatic right to return to the original arrangement.
- A trial period for a specified time may be agreed to establish if the new arrangement is suitable for the needs of the business.

Flexible working rejection

If your application is declined, it will be confirmed in writing, specifying the business reasons for rejection.

One (or more) of the following reasons may apply:

1. Burden of additional cost
2. Inability to reorganise work amongst existing staff
3. An inability to recruit additional staff
4. A detrimental impact on quality
5. A detrimental impact on performance
6. Detrimental effect on ability to meet customer demand
7. Insufficient work for the periods the employees proposes to work
8. A planned structural change to the business.

Withdrawal of application

Employees can treat an application as withdrawn under the statutory provisions where you have:

- Notified Maryhill Housing, verbally or in writing, that the application is withdrawn.
- Without a reasonable explanation failed more than once to attend a meeting or appeal meeting
- Refused to provide Maryhill Housing with information required in order to assess whether the contract variation should be agreed to.

Appeal Process

An employee no longer has the automatic right to appeal but the Maryhill Housing will consider hearing an appeal as best practice.

- You can appeal against Maryhill Housing's decision to refuse an application.
- The appeal should be made in writing to the same manager within 14 days of being notified of a decision on their application and then a meeting will be held to discuss the appeal and any options available.
- The employee will be informed they can be accompanied to the meeting by a fellow employee or trade union representative of their choice
- After the meeting, the employee will be notified in writing, confirming the grounds for decision within 14 days of the appeal meeting.

Responsibilities

Both the employee and the employer have certain responsibilities within this procedure as detailed below:

Employee's responsibilities

- To provide a careful thought out application.
- To ensure their application is valid by checking that all the eligibility criteria are met and that they have provided all necessary information.
- To ensure the application is made well in advance of when the change is proposed to take effect.
- To arrive at meetings on time and to be prepared to discuss their application in an open and constructive manner.
- If necessary, be prepared to be flexible themselves in order to reach an agreement with the employer.
- If an employee wishes to be accompanied by a representative, the employee must ensure that their representative can attend on the date proposed by the employer or an alternative date within the time frame previously stipulated

	<p>Employer’s responsibilities</p> <ul style="list-style-type: none"> • To consider requests thoroughly and in good faith in accordance with the set procedure • To deal with requests as quickly as possible and within a maximum of 3 months. • To decline a request only where there is a recognisable business ground and to explain to the employee why it applies • To ensure that any variation of the procedure is agreed in advance with the employee and recorded in writing • Not to subject an employee to detriment or dismissal for making a flexible working request. • <p>Complaints and further information</p> <p>Maryhill Housing is strongly opposed to any form of victimisation of individuals who work, or request to work under flexible working arrangements.</p> <p>If you feels you have been treated unfairly or are dissatisfied with any stage of the flexible process, you should raise your concerns immediately with your Line Manager and/or the HR team.</p> <p>General Data Protection Regulations</p> <p>MH will treat your personal data in line with our obligations under the current data protection regulations and our own Data Protection policy. Information regarding how your data will be used and the basis for processing your data is provided in MH’s employee privacy notice.</p>
Approval	Senior Management Team- 13 December 2019
Policy Owner	Marie Murphy-HR Manager
Review	This policy will be reviewed every 3 years and/or updated in line with changes in legislation.

Withdrawal of Flexible Working Application

Note to the employee

This template letter provides notification to your employer that you wish to withdraw your application for a flexible working arrangement. Once you have withdrawn your application, you will not be able to make another application until 12 months from the date your original application was made.

Date

Dear XX

Withdrawal of flexible working application

I wish to withdraw my application to work flexibly which I submitted to you on:

I understand that I will not be able to make another application until twelve months after the above date.

Yours sincerely,

Name: _____

Title: _____