



# Flexible Working Policy

This policy applies to all companies within the Relyon Group.

The Company is committed to assisting all staff to achieve work-life balance regardless of their personal circumstances.

The Company's service to clients must remain paramount, however, it is also hoped that offering the opportunity for some flexibility will assist in the recruitment and retention of staff which in turn helps the Company maintain the quality of its services.

All employees have the right to request a change to their working pattern from their first day of employment which will help them create a more stable balance between their work and home obligations. Up to two flexible working requests can be made in a 12 month period.

Once a formal request is made the Company will have to follow a set procedure when considering the request and will only be able to decline on set grounds.

## Qualification

In order to qualify an Employee will first need to meet a number of general requirements.

### Generally to qualify any applicant must;

- Be an employee
- Not have made more than two flexible working applications in the last 12 months

## Contract Changes

An employee is entitled to request changes in their work pattern including;

- Changes in the hours they work
- Changes in the times they work

Common examples include;

- |                     |                            |
|---------------------|----------------------------|
| • Part-time Working | • Shift Working            |
| • Flexi-time        | • Annualised Hours         |
| • Job Sharing       | • Term Time Work           |
| • Staggered Hours   | • Compressed Working Hours |

Any request if accepted will be a permanent variation of the employee's contract of employment unless it is agreed that the change will be made for a trial, or temporary period.

If a permanent variation is agreed, the Company may not be under an obligation to allow the employee to revert back to their original terms and conditions, although an employee may, if eligible, be able to make a further request 12 months later.

## **Requests**

The Company will follow a set procedure with all flexible working requests.

Any obligation upon the Company does not arise until the Employee has made a formal written application to the Company requesting flexible working.

Employees wishing to make a flexible working request should give the Company as much notice a reasonable practicable in the circumstances.

For any application to be considered it must;

- Be in writing and dated
- State the application is being made under a statutory right
- Confirm on what basis the employee is eligible to make the request
- Confirm the date of any previous application
- Set out the proposed working pattern
- State the date they propose the change to take effect

## **Procedure for Dealing With a Request**

Once the request is made by an employee the Company is under an obligation not only to consider the request fully but to deal with it in accordance with a set procedure, and within a two-month time period including hearing any appeal.

### **Receipt of a Request**

The Company will acknowledge a valid request once it has been received.

If the application is incomplete the Company would normally write asking the employee to submit the additional information required.

If an employee continues to unreasonably refuse to provide the information required to assess the application, then the Company may be entitled to treat the application as withdrawn.

### **Meeting**

When a complete and valid application is received the Company will agree to the variation and start date or hold a meeting to consider the request.

The employee has the right to be accompanied by a single companion at the meeting. The companion should be a worker employed by the Company (this could include the workplace trade union representative).

The companion is permitted to both confer with the employee and address the meeting but is not allowed to answer questions on behalf of the employee.

If a meeting is scheduled by the Company and the employee's companion is unable to attend on that date the Company will rearrange the meeting to a mutually convenient time within 7 days of the original meeting.

If an employee fails to attend a scheduled meeting the Company will attempt to reschedule the meeting.

If an employee fails to attend a meeting more than once without any explanation, the Company may be able to treat the application as withdrawn.

The meeting itself should be used to discuss the proposed variation, its impact upon the business and potential alternatives.

## **Decision**

Once the meeting has taken place the Company will respond to the employee in writing with their decision.

Before any decision is reached the Company will fully assess the request, its impact upon the business and investigate any alternate possibilities.

Should the Company accept the request the confirmation should be dated and provide;

- A start date for the new working pattern
- A detailed description of that pattern
  - Whether a trial period has been agreed
  - Whether the change is temporary or permanent

Should the Company refuse a request the request the confirmation must be dated and provide;

- Specify the grounds for refusal which apply
- Give sufficient detail as to why these grounds apply
- Set out the appeal procedure

## **Grounds for Refusal**

The Company is not under an obligation to grant every request.

The Company can refuse an application after full consideration for one or more of the following reasons;

- the burden of additional costs,
- detrimental effect on ability to meet customer demand,
- inability to re-organize work among existing staff,
- inability to recruit additional staff,
- detrimental impact on quality,
- detrimental impact on performance,
- insufficiency of work during the periods the employee proposes to work,
- planned structural changes.

Should the request be refused the Company will not simply state which of the ground(s) they are relying upon they will also provide the employee with sufficient detail as to why the utilised ground(s) apply.

Clarity of explanation following any refusal will greatly benefit both the Employee and the Company.

## **Appeal**

If an employee is unhappy with the decision reached by the Company they have the right to appeal.

If an employee wishes to appeal they must send their grounds for appeal to the Company's within 7 days of receiving notification of the Company's decision.

Once the Company has received the grounds of the appeal from the employee they will arrange an appeal meeting.

Again the employee can bring a companion (under the same terms as the original meeting).

Wherever possible the appeal meeting will be chaired by a more senior manager.

The appeal is designed to try and facilitate a satisfactory outcome for both parties. As such the Company will consider fully any grounds for appeal.

Once the appeal meeting has been held the Company will notify the employee of their decision of the meeting.

If Company agrees to the new working pattern they will confirm the pattern and the date it will start in the decision letter.

If the Company uphold the decision of the original meeting they will state why they are refusing the employees grounds for appeal and provide a full explanation of that decision.

## **Withdrawal**

Section 17 of The Flexible Working (Procedural Requirements) Regulations 2002 deals with the circumstances in which an application may be considered withdrawn.

An application which is withdrawn is still counted as having been made and will count toward one of the two requests in a 12 month period.

The Company may be entitled to treat a request as withdrawn where;

- The employee notifies the Company in writing that they wish to withdraw the application.
- An employee without reasonable cause has refused to provide the Company with information the Company requires in order to assess the application.
- An employee without reasonable cause, failed to attend a scheduled meeting more than once.

Should an employee orally state they wish to withdraw the application the Company will request confirmation in writing before the withdrawal is accepted.

## **Extension**

The regulations also set out the only circumstances under which the strict time limits for dealing with an application can be extended.

The Company is committed to completing the flexible working process, including hearing any appeal, within 2 months of the application being received.

The time limits can also be extended by agreement between the employee and the Company, but only if the agreement is;

- In writing and dated
- Specific as to what period the extension relates to

- Specific as to the date on which the extension will end
- sent to the employee

## **Detriment and Dismissal**

An employee has the right not be unfairly dismissed or be subjected to any detriment by an act or a failure to act on the part of the Company because they have exercised or sought to exercise any right under flexible working provisions.

