



WORK LIFE BALANCE POLICY

Requests for flexible working

Destroy All Previous Issues

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Contents

1	INTRODUCTION	1
2	THE AIM	1
3	THE LEGAL RIGHT TO REQUEST FLEXIBLE WORKING	1
4	ENCOURAGING A CULTURE WHICH SUPPORTS WORK/LIFE BALANCE	1
5	ELIGIBILITY TO APPLY	1
6	FLEXIBLE WORKING ARRANGEMENTS	2
7	PROCEDURES FOR MAKING A REQUEST	2
8	CONFIRMING A DECISION	3
9	APPEALING A DECISION	4
10	EMPLOYEES NOT ATTENDANCE AT MEETINGS OR APPEALS	4

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Glossary

Term	Description

1 INTRODUCTION

Badger believes that flexible working can increase staff motivation, promote work-life balance, reduce employee stress and improve performance and productivity. Furthermore Badger recognises the need for its employees to balance their work for the organisation with domestic and other responsibilities including, leisure, voluntary activities, public service and (to the extent compatible with their work within Badger) other paid work. Without jeopardising service delivery and the sustainability of the organisation, Badger will encourage and support staff as far as possible to help them achieve a balance between their home and work life.

NB: This policy accommodates the Flexible Working Regulations 2014 which (from 30 June 2014) give a statutory right to all employees who have a minimum of 26 weeks' continuous service to request flexible working arrangements as a permanent variation of contract and to have this request seriously considered.

2 THE AIM

The aim of this policy is to build on the statutory Flexible Working Regulations 2014 by developing a process by which all staff may apply for flexible working patterns which suit both their own personal needs and the demands of the organisation.

This policy incorporates the formal procedures required by the Regulations. Although these may seem excessively formal, it is important to observe them where there is any possibility of dispute. In practice, it should usually be possible to reach agreement through informal discussion and review backed up by written confirmation of decisions reached.

3 THE LEGAL RIGHT TO REQUEST FLEXIBLE WORKING

Employees with 26 weeks' continuous service have the statutory right to request a change to the number of hours that they work, the times that they work or their place of work.

4 ENCOURAGING A CULTURE WHICH SUPPORTS WORK/LIFE BALANCE

In addition to the right to request flexible working measures to further support work/life balance will include special leave arrangements (see Special Leave Policy) for one-off events or short-term needs.

Badger will attempt to offer responsive solutions to family-friendly needs arising out of maternity, paternity, parental and other family and dependency/carer leave requests and options (see appropriate Policies).

Badger recognises that encouraging a culture that supports work/life balance means that staff are not expected to work over and above their contractual hours, are expected to take the breaks to which they are entitled and to be mindful about working to time limits where appropriate.

Badger will encourage openness about home circumstances which may affect work arrangements and will treat these issues sensitively and confidentially.

Badger will make public its active support of work/life balance principles in recruitment literature and elsewhere. This should assist recruitment and promote Badger an 'employer of choice'.

5 ELIGIBILITY TO APPLY

Although it is recognised that not all flexible working patterns will be suitable for all jobs, there should be no arbitrary barriers. Employees in all areas and levels of the organisation may be considered for flexible working. **However, there is no automatic right for employees to change to any of the flexible working patterns.** Each application

will be considered on the basis of the particular work involved and in the light of any possible detrimental effect the change could have on the organisation.

6 FLEXIBLE WORKING ARRANGEMENTS

A request for flexible working could include:

- A request for a change (both increase or decrease) to the number of hours that the employee works
- A request for a change to the pattern of hours worked e.g. compressed hours, term-time only, annualised hours,
- A request to job share or
- A request to perform some or all of the work from the employee's home or other Badger premises

Any changes to the contractual terms should be confirmed in writing, along with a statement of whether the change is temporary or permanent, and if temporary, how long the arrangement is likely to last. Review dates should be agreed and recorded where appropriate.

Requests to change working arrangements should not normally be made until an employee has completed at least 26 weeks with Badger. Requests can only be made if there has been no other request within the past 12 months.

Where the request is being made by an employee with a disability as part of a request for a reasonable adjustment to his/her working arrangements, the employee should state this in the written application. In such circumstances the 26 week service requirement will be waived.

7 PROCEDURES FOR MAKING A REQUEST

An employee wishing to submit a proposal for flexible working to be considered by Badger should complete a Request for Flexible Working Form (Ref: HR-F-036) and return it to their Line Manager stating:

- The working pattern which they wish to adopt;
- The proposed date they wish to start the new pattern if accepted;

Once your line manager or the HR department receives the request, it will be dealt with as soon as possible, but no later than the deadline set out below. Unless there are particular reasons to the contrary, the employee and the Line Manager should hold a preliminary meeting or meetings at which the process can be explored and the possibilities can be informally considered. The HR department may provide support at such meetings.

Where a request can without further discussion be approved in the terms stated in the employee's written application, a formal meeting will not be necessary.

Within 28 days of receiving a formal written request, the Line Manager should arrange a formal meeting at which the proposal can be discussed or, if the original proposal is not acceptable, alternatives examined. The purpose of the meeting will be to hold a constructive discussion of the practicalities involved in granting the request or in considering alternatives and to find out more about the proposed working arrangements and how they could be of benefit to both the employee and organisation.

If the Line Manager does not believe that they will be able to fully accommodate the employee's request, they should try to offer alternatives or compromises. The Line Manager may consult other employees potentially affected by the request at any stage of negotiation.

After the meeting, the line manager in discussion with the HR department will consider the proposed flexible working arrangements carefully, weighing up the potential benefits to the employee and to the organisation against any adverse impact of implementing the changes. Each request will be considered on a case-by-case basis: agreeing to

one request will not set a precedent or create the right for another employee to be granted a similar change to his/her working pattern.

In considering the request, the Line Manager will consider:

1. What are the necessary requirements of the job which the employee is employed to do, in terms of hours worked and location of work?
2. How will the organisation's service delivery commitments be maintained?
3. How will the work be managed?
4. What are the budget and resource implications and availability? (E.g. alternative staff cover)

The Line Manager may decide to refuse or postpone the request for one or more of the following reasons:

1. Inability to reorganise work among existing staff
2. Inability to recruit additional staff
3. Detrimental impact on performance/targets/quality
4. Insufficient work during the periods the employee proposes to work
5. The burden of additional costs
6. A planned structural change to the business

Requests will not be rejected for any other reason.

8 CONFIRMING A DECISION

The employee will be informed in writing of the decision as soon as is reasonably practicable after the meeting, but no later than within 14 days of the meeting. The request may be granted in full or in part: for example, the organisation may propose a modified version of the request, the request may be granted on a temporary basis, or the employee may be asked to try the flexible working arrangement for a trial period. The employee will be given the right to appeal the decision if the employee's request is not upheld or is upheld in part.

The Line manager will:

- Accept the proposal and confirm a start date and trial period (if necessary) an initial period of three months is recommended (Acceptance/Amendment of Flexible Working Request, Ref: HR-F-037), *or*
- Propose alternative, modified arrangements saying why the original proposal is unacceptable and describing the appeal procedure, *or*
- Set out the objective business grounds for the refusal, saying how these grounds apply in the circumstances, and describing the appeal procedure (Flexible Working Application Rejection Form, Ref: HR-F-038).

If the request is upheld, the employee and the line manager will discuss how and when the changes will take effect. Any changes to terms and conditions will be put in writing and sent to the employee as an variation to his/her contract of employment as soon as is reasonably practicable.

If the request is rejected the Line Manager will notify the employee as soon as reasonably practicable.

All requests will be dealt with within a period of three months from first receipt to notification of the decision on appeal. The line manager should hold the meeting within 28 days of receiving the request and notify the decision to the employee within 14 days of the meeting, so that there is enough time for any appeal to be concluded.

9 APPEALING A DECISION

Employees who are dissatisfied with the outcome of their request are allowed to lodge an appeal within 14 days of the notification to the next-in-line manager, with the appeal to be heard within 14 days (Flexible Working Appeal Form, Ref: HR-F-039). The employee will be informed of the outcome of his/her appeal within 14 days of the appeal meeting. These time limits may be extended where both the employee and employer are in agreement. For example, the relevant manager and the employee may agree to extend the time limit to give the employee a trial period on the flexible working arrangements.

Grounds for appeal might include the failure of the Line Manager to follow the correct procedure, the refusal of the request on insufficient business reasons, or the incorrectness of the facts on which the refusal was based.

The employee making the appeal may request that a work colleague also attends the appeal meeting. Whilst the next in line manager has the right to refuse this request no reasonable request will be denied.

Where there is a clash of interests, especially where the working routines or workload of other members of staff are significantly affected, those members of staff will have a right to make a statement to the appeals panel.

If after the appeal hearing the employee is still unhappy with the decision, the employee can appeal within 14 days of the written notification. Appeals should be made in writing to the Chief Executive who will respond to the appeal within 14 days (Flexible Working Appeal Reply Form, Ref: HR-F-040).

If an employee is dissatisfied or unclear at any stage throughout the process, he/she should contact the HR department. If an employee is dissatisfied with the way in which his/her request has been handled, he/she should raise a grievance under the organisation's grievance procedure.

10 EMPLOYEES NOT ATTENDANCE AT MEETINGS OR APPEALS

If an employee fails to attend a meeting, including an appeal meeting, and then fails to attend a rearranged meeting without good reason, his/her application will be deemed to have been withdrawn

Appendix 1 - How does the process work?

