

Policy name	<b>Flexible Working Framework</b>
Date introduced	8 November 2021 – <b>Updated Version August 2023</b>
This policy has been authorised by (SRO)	Policy Forum September 2021
Policy owner	Employment Relations
Scope of the policy	UK Statistics Authority (including Office for National Statistics & Office for Statistics Regulation) employees
Review dates	September 2025  This policy will be reviewed subject to business needs when issues arise or due to legislation. Any review will be in consultation with DTUS. The department will monitor the effectiveness of this policy and procedure, with a view to compliance and diversity.

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## Section 1 – Flexible working framework overview

### Introduction

- 1.1 We are committed to being a good modern employer and to offering employees employment policies that support them, whilst meeting business needs. Flexible working improves employees’ work-life balance and wellbeing, helps to attract, and retain staff, particularly those with caring responsibilities, increases productivity and reduces costs. ‘Working Flexibly and Collaboratively’ is one of the key commitments in our People Plan.

## **Purpose**

- 1.2 This framework is designed to bring together information about hours of work and flexible working, contextualised within our hybrid working approach, for ease of reference for employees.
- 1.3 This framework includes information on contractual working arrangements, when we work, where we work and formal requests for contract variations to work flexibly.

## **Scope**

- 1.4 The framework does not apply to contractors, inward secondees, agency staff or any other worker not directly employed by UK Statistics Authority (UKSA).
- 1.5 The framework does not form part of any contract of employment, and we may amend it at any time, in consultation with the DTUS.

## **Principles**

- 1.6 Our approach to flexible working is based on the following principles:
  - a. We will support and encourage greater flexibility and are committed to challenging assumptions about traditional ways of working, taking account of the needs of our work, our customers, and our employees.
  - b. Managers should balance business needs with individual preference to proactively manage flexible working and make decisions based on an objective process that does not discriminate against any employees.
  - c. Managers and employees should monitor the impact of flexible working arrangements as part of regular check-ins to ensure that there is no detrimental impact on individual wellbeing, mental health, and stress.
  - d. Informal arrangements for flexible working under our flexible working hours system (section three) and hybrid working principles (section four) should be the default arrangement for all eligible employees seeking greater flexibility about where and when they work contractual hours.
  - e. Permanent contract variation in relation to hours and location of work must be considered under the formal flexible working procedure (section 5).
  - f. Whilst this framework provides for formal requests to work flexibly, the use of informal working arrangements will be the default arrangement for all eligible employees via our hybrid working model. Managers and employees will keep an open dialogue regarding informal working arrangements to help identify solutions or compromises, where appropriate, to accommodate flexible working.

## **Protection**

- 1.7 Employees are protected in law from suffering a detriment where they raise issues regarding their rights under the Working Time Regulations or they use their statutory right to request flexible working. If there is any dispute about the entitlement, then employees should first seek to redress this through their Line Manager informally or through the appeal process at paragraph 5.23.

Other relevant policies may include:

[Leave Framework](#)  
[Workplace Adjustments Guidance](#)  
[Resolution](#)  
[Pay Framework](#)

## Section 2 - Contractual working arrangements working hours

### Summary

- 2.1 This section provides information on contracted hours that operate within the department. It also sets out some rules on attendance and non-attendance at work.
- 2.2 Your contract of employment will specify your work location. Where this designates an office base, employees may be eligible to work under our hybrid working principles to blend office and home working.

### Contractual Hours

- 2.3 Contractual hours are those you are employed to work – these have previously been referred to as ‘net conditioned hours. For full time employees the contracted hours are 37 hours per week. \*

\* [Employees appointed to the London office before 1 May 2013 may be protected on 36 hours a week.](#)

\* Senior civil servants may be required to work such additional extra hours as may from time to time be reasonable and necessary for the efficient performance of their duties.

\* Employees who joined/transferred into the department following a Transfer of Undertakings (Protection of Employment) [TUPE] exercise or under the Cabinet Office Statement of Practice [COSoP] rules and retained the terms and conditions of their previous employer will also have retained their working hours. Employees and line managers should check their individual/personal Measures Letter for their working hours.

- 2.4 The days of the week and the number of hours you will be expected to work will be set out in your contract of employment. For some employees, your contract may also specify your starting and finishing times each day, particularly if you work shifts or in an area of the office open to the public.
- 2.5 Employees are expected to agree the timings of their working day with their Line Manager.

### **Rest Breaks and the Working Time Regulations**

- 2.6 Under the Working Time Regulations if you are working more than 6 hours in a day, you must take at least one 20-minute break. If your working day is less than 6 hours, you do not need to take any breaks but can do if you so wish.
- 2.7 Employees who work long hours on any particular day (for example, those on compressed working hours) are encouraged, for health reasons, to take two breaks at separate times during the day to ensure that adequate and regular rest periods are being taken.
- 2.8 Managers and employees have a joint responsibility for adherence to all aspects of the Working Time Regulations. Other requirements in addition to the break detailed in paragraph 2.6 include:
- ensuring that no more than 48 hours a week are worked, including any secondary employment, over an average of 17 weeks. However, individuals have the right to opt out – an [opt out form](#) is available in the resources section;
  - ensuring a daily rest break of 11 hours between working days. With extended bandwidths it is possible that this requirement could be breached so it particularly important for managers to consider this when discussing working patterns with their employees.
- 2.9 Full details of the Directive and the Working Time Regulations, including definitions of the terms, the rights of employees, management responsibilities and information about record keeping are set out in the Working Time Regulations ([Working Time Regulations](#) ). A [summary document](#) is also available.

### **Training**

- 2.10 Time spent on external, approved training courses is regarded as official duty and fulfils your obligation to work contractual hours.

## **Section 3 - When we work: flexible working hours scheme (flexitime)**

### **Summary**

- 3.1 This section sets out the principles of the departments Flexible Working Hours (FWH) scheme and defines the terms of use which apply. The FWH scheme allows for a flexible system of working hours for employees. There is an overriding principle that this flexibility should be achieved without adverse effect on the efficiency of the Department.
- 3.2 These terms of use apply to all employees who use the FWH scheme. The FWH scheme does not apply to Senior Civil Servants, Interviewer colleagues or Telephone Operations (TO) within the Social Survey Division. TO should refer to the [Telephone Operations Working Time and Breaks Protocol](#).
- 3.3 Employees will need to agree with their line manager their working pattern to meet their contracted hours, and this will need to ensure business continuity for service users or the public. Exceptionally, there may be areas or individual posts within the Department, where because of the type of work involved, participation in FWH scheme is not applicable or is limited. An example would be where employees have been employed to work a specific number of hours in an area where they provide a service which needs to be available for set periods of time. Employees not in the scheme will be expected to work standard hours and they should agree these with their line manager.

### **Roles and responsibilities**

- 3.4 Employees are expected to:
  - I. read this section and understand the importance of using the FWH scheme in an appropriate way
  - II. log into the time recording tool at the start of their working day and log out at the end of their working day
  - III. log out when they take a break from work
  - IV. ensure that all adjustments and claims for flexi credits/debits are submitted within three weeks
  - V. manage their flexi so that they are within the credit/debit limits at the end of each accounting period
  - VI. Discuss flexi leave requests with their line manager
  - VII. Ensure all leave and absences are logged into the time recording tool.
- 3.5 Managers are expected to:
  - I. ensure that the flexibility of the FWH scheme is balanced and achieved without adverse effect on the efficiency or wellbeing of their teams
  - II. ensure that their employees have read and understand the importance of using the FWH scheme in an appropriate way
  - III. ensure that an individual's hours are correctly recorded and that there is no abuse of the FWH system
  - IV. ensure that Oracle Fusion records are updated promptly with claims for sickness absence and special leave
  - V. be aware of inclusion considerations when approving the use of the flexi system. In particular they should look favourably on the use of the system to cover domestic responsibilities and religious or cultural holidays

## **Standard working day and carry over arrangements**

- 3.6 On the time recording tool a standard working day (pro rata for part time employees) is 7 hours and 24 minutes. (For employees protected on 36 hours per week this is 7 hours and 12 minutes.)
- 3.7 Employees should arrange their working hours, within the FWH bandwidth, to fit the pattern of work to ensure there is always sufficient work for them to do, particularly at the very start or end of the FWH bandwidth.
- 3.8 Employees should agree in advance with their line manager, if they are going to be absent from the office for a full day, a substantial part of the day or they are attending for hours that are significantly different from usual.
- 3.9 Employees can carry over a credit of up to 2 days and a debit up to 1.5 days (pro-rated for part time employees) to the next accounting period.

## **Accounting Period**

- 3.10 The FWH system is structured into four-week accounting periods, which equates to 148 hours for full time employees (pro-rated for part time employees). This would be 144 for those employees protected on 36 hours per week.

## **Bandwidth**

- 3.11 The daily limit on the hours which employees can work under the scheme are between 5am and 10pm. Credits outside of these hours should only be given in exceptional circumstances and must be with line manager's approval. They would then be recorded in the time recording tool as non- pattern hours and minutes putting in a note saying working either before 5am or after 10pm.
- 3.12 Colleagues should be mindful of different working patterns within the bandwidth and ensure that meeting times take into account the availability of attendees.
- 3.13 If you intend to work in the building after 7pm, you must notify Security at Reception at your local site and tell them where you will be located and when you expect to leave the office and sign out on your departure.

## **Self-Approval of Flexi claims**

- 3.14 Employees are able to self-approve their flexi credits. However, adjustments for sickness absence and special leave (via Fusion) and excess/debit carryovers between flexi periods require line manager authorisation.

## **Credits and debits**

- 3.15 Credits and debits are calculated automatically by the time recording tool taking in account the number of hours worked by each individual in the accounting period (only hours worked within the bandwidth will normally count towards credit) and the contracted working hours in the accounting period.

Any difference will be carried forward to the next accounting period as either a debit or credit. [Pro rata flexi carry over limits available here.](#)

## **Flexi credits**

- 3.16 Employees must record flexi credits when they have spent time away from work. Below is a list of when flexi credits may be given. This list is not exhaustive and there may be occasions when line managers may allow a credit for other reasons (see [Leave Framework](#)):
- I. official duty (where there is no access to log into the time recording tool)
  - II. security alerts either at the office or one which would affect the arrival or departure of staff
  - III. external courses – employees can be credited for a standard day plus travelling time when attending an external course. Employees on residential courses will be given a credit for a standard day. No other time may be claimed except if the course takes place on a day not normally worked such as a Saturday, Sunday, or public holiday or for travelling on the first and last day of the course
  - IV. annual leave, public or privilege holidays
  - V. disability special leave
- 3.17 Managers should also consider requests for leave related to disability and Special leave (Leave Framework), Maternity, Paternity, and Adoption leave (Family Leave Framework) and transitioning at work (Gender Identity and Transitioning at work policy). Advice can also be sought from either the line manager or Employment Relations, as appropriate.

## **Exceptions for Credits and Debits at the end of an Accounting Period**

### **Excess Credits**

- 3.18 Any credits accrued in excess of 2 days (pro rata for part time employees) will normally be lost. However, in some business areas the workload greatly increases during certain periods of the year. Where this is known in advance managers should refer to the [Pay Framework](#), section 6 to assess whether an agreed period of overtime is suitable in the circumstances. Alternatively, if, during these periods, employees have been required to work such hours that they have credit in excess of the limit and their line managers have been unable, because of pressure of work, to allow time off, then with the agreement of the line manager the employee's excess credit may be reinstated. It is expected that excess flexible working credits will not be carried over for more than two successive accounting periods. Employees should always ensure that their line managers are made aware that their credits may be in excess at the end of the accounting period to ensure that adequate arrangements to reduce credits within the appropriate timeframe can be put into place.
- 3.19 Where, in exceptional circumstances, excess FWH credits remain outstanding following two successive accounting periods the line manager should discuss whether the employee is able to reduce the balance within the following accounting period. If this can be achieved the manager should obtain approval

from the countersigning manager to extend the carry over period. Managers should discuss workload and flexible working arrangements with the employee at their next regular check in to ensure that arrangements remain aligned to wellbeing and business needs. Where the balance cannot be adequately reduced, for reasons other than business need, excess FWH credits may be lost.

- 3.20 Line managers can approve the carry over of flexi balances, in the time recording tool, using the reason "carry over of flexi" but they must put a note to confirm they have obtained approval from their counter-signing manager. This option is only available to line managers and for those staff directly within their line management chain.
- 3.21 In truly exceptional circumstances excess flexi may be converted to pay and, in these instances, details must be provided of why flexi credits have not been managed in accordance with the flexi rules. Any payment requests added to Fusion will be referred to the Divisional Director before any payment is made. The Fusion comments box must be completed with confirmation of approval from Division Director.

### **Debits**

- 3.22 The amount of debit that can be carried over must never exceed 1.5 days (pro rata for part-time employees). Repeated instances of excess deficits could result in an individual being suspended from the FWH system and put on standard hours.
- 3.23 Exceptionally a debit of more than one and a half days can, with the agreement of the line manager, be offset by the deduction of annual leave. However, if an individual repeatedly seeks this solution to cover excess debits they will be suspended from the FWH system and put on standard hours.

### **Travelling time while on official business**

- 3.24 Before travelling on official business, employees should confirm with their line manager whether:
- time on official business and travel time will be credited through the FWH scheme (preferred option)
  - only time on official business will be credited, with a payment made for travelling time
- 3.25 Commuting to and from the office does not constitute travel time. Where employees attend the office for part day, they must ensure that they log out of the FWH system when traveling between home and office.
- 3.26 The rules for calculating travelling time, time in lieu and payment are contained in the [Pay Framework](#), section 6.

### **Overtime**



- 3.27 Employees who work authorised overtime must not remain logged in to the Time Recording Tool. Hours worked as overtime cannot be accrued as flexi-time and there must be a clear distinction between flexi-time ending, and overtime beginning. For more detailed information on overtime refer to the [Pay Framework](#), section 6 and see guidance for the [Time Recording Tool](#).

### **Specific Needs**

- 3.28 Employees who have specific needs/requirements such as reasonable adjustments under the Workplace Adjustments Passport or Carers Passport will be given sympathetic consideration on a case-by-case basis by their line manager.

### **Abuse**

- 3.29 Abuse of the FWH scheme will be dealt with through the Discipline policy and procedure.

## **Section 4 – Where we work: hybrid working**

### **Introduction**

- 4.1 Hybrid working is an informal arrangement which provides greater flexibility about where employees work within the context of overall business need, taking individuals' preference, capacity, and space utilisation into consideration.
- 4.2 Working flexibly and collaboratively is a confirmed priority of our workplace, and both underpin our principles to incorporate a hybrid working approach. There are significant benefits in the hybrid working model as we deliver statistics for the public good. Face to face supports collaboration and fosters learning and innovation, while some tasks can be done as effectively or even more effectively remotely/at home. While business objectives need to be met, we recognise that different people have different needs and preferences for splitting their time between office and home.

### **Principles**

- 4.3 We have created a set of hybrid working principles that support the needs of teams and colleagues, these are:
- I. Greater flexibility: We will have greater flexibility about where and when we work within the context of our overall business need, making the best use of the available space and facilities.

- II. Linked to one of our core sites: We will be attached to one of the UKSA's core locations, currently Newport, Titchfield, London, Edinburgh (OSR), Darlington or Manchester.
- III. Attending site when needed: We will spend time at one of the core offices as part of working arrangements based on the needs of our work.
- IV. Taking work and personal needs into account: We will build flexibility into where and when we work. We will consider:
  - The needs of the role and business objectives.
  - Personal preferences.
  - Successful collaboration and effective partnerships with team members, users, customers, and stakeholders.
  - Disability and wellbeing considerations, e.g., reasonable adjustments
- V. Learning and adjusting as we go: Hybrid working on this scale is new to us all, so we will review and adjust our approach as we go, learning from our own experiences as well as best practice and innovations in other organisations.
- VI. Sharing best practice: We will share suggestions and guidance to make hybrid working as successful and inclusive as possible. This will inevitably grow over time, and some suggestions include:
  - Ensuring our meetings take place in the most effective way. There are advantages to virtual meetings as they put everyone on the same footing, and some key governance meetings are already committed to being virtual by default e.g., Portfolio and Investment Committee and People Committee.
  - The importance of leading by example. Managers and leaders in the organisation will role-model hybrid working and ensure it works for them and their teams.

4.4 Our eligible workforce is therefore encouraged to adopt hybrid working where they may wish to blend office and home working arrangements.

### **Key points about Hybrid working.**

- 4.5 Hybrid working will not be available for some roles where it is necessary to be on site to do the job.
- 4.6 There might be times when being on-site is crucial, such as when you start a new role, for training, to complete essential office-based tasks, or sometimes there may be a need to attend the office on an agreed homeworking day to attend an important meeting. In this instance reasonable notice should be given.
- 4.7 Hybrid working should not impact the level or quality of service, or individual or team performance / output. Employees should expect to make themselves available to others during reasonable working hours when needed by the team.
- 4.8 Hybrid working is an informal arrangement that may be changed from time to time depending on business or personal reasons, it is not the same as a formal flexible working agreement. If you are looking to make a permanent change to your work location, work pattern or the hours you work that cannot

be accommodated through informal hybrid working then you will need to make a formal flexible working request.

- 4.9 We know that hybrid working can help you balance your home and work life around caring responsibilities. However, hybrid working is not a substitute for formal caring (including childcare) arrangements. Managers must be satisfied that any caring or other responsibilities can be accommodated (e.g. by utilising the extended bandwidths) without impacting the delivery of work.
- 4.10 Managers and team members should regularly discuss caring requirements and the support available to colleagues. There is an expectation to work together to maintain work priorities whilst considering caring responsibilities, to minimise any impact on work undertaken from a remote location or home. Please refer to the resources available for those who care for others, including but not exhaustive:
- [Special leave](#)
  - [Carers charter](#)
  - [Carers Passport](#)
  - Carers Toolkit
  - [Carers Network](#)
  - [Childcare Network](#)
  - [Carers Reggie page](#)
- 4.11 Employees should be aware of the considerations of hybrid working. Any personal costs for wifi, heating, lighting and electricity, as well as commuting costs to the designated place of work is a personal expense in line with HMRC guidelines. Employees should check that there isn't anything that could prevent hybrid working, for example within a mortgage agreement, lease or insurance. Colleagues should also consider confirming the cover from your home insurer, if work equipment causes any damage to your home.
- 4.12 For more information on equipment, IT, security and health and safety at home please refer to: [Practicle Guide Hybrid Working.docx](#)

### **Health and wellbeing for Hybrid working.**

- 4.13 The importance of employee wellbeing responsibilities remains the same whether working at home or in the workplace. However, working remotely can reduce the chances of recognising the effects of isolation and stress and other health and wellbeing issues, so it is important for managers and employees to try to find ways to support wellbeing.
- 4.14 We know that collaboration, connection and having a sense of belonging can help you stay well. We encourage managers and employees to discuss what this means for you and to actively make time to connect with your colleagues, and managers should plan to have regular check-ins with their employees.

- 4.15 Hybrid working should not be used as a way of carrying on working when you are not fit for work. Our [Attendance and Wellbeing Policy.docx](#) has been reviewed to adapt to our hybrid working approach. Managers and colleagues should discuss any workplace adjustments already in place to support any health condition or disability. Wherever possible, adjustments should be the same both in the workplace and at home.

### **Regular discussion**

- 4.16 It's important for managers and colleagues to keep talking to each other about ongoing hybrid arrangements. Regular discussions will ensure that previously agreed working arrangements continue to benefit both the colleague and the organisation. Sometimes there might need to be changes made to the working arrangements, either to suit the colleague's changing circumstances, or when there is a changing business demand or requirement.
- 4.17 To support an effective discussion, a preparation guide with relevant questions to consider is provided [Hybrid Conversation Tool.pptx](#)
- 4.18 Hybrid working should not impact the level or quality of service, or individual and team performance or output. Where performance is adversely affected by remote or home working, consideration may need to be given to a change in hybrid working arrangements, with more emphasis on regular attendance in the office to support improved performance. If there are any performance issues or concerns, please refer to the [Managing Performance Policy](#).

## Section 5 – Contract variation: formal flexible working requests

### Summary

- 5.1 This section sets out the principles of our approach to dealing with formal requests to work flexibly as part of a contract variation. Our approach is to facilitate non contractual requests, which have no impact on pay or any terms and conditions as set out in the individual employment contract, within our flexible working hours and hybrid working models in the first instance.

### Introduction

- 5.2 We believe that the combination of our flexible working scheme (when we work) together with our hybrid working principles (where we work) will allow the majority of our colleagues the freedom and variation to find a working pattern to suit their working requirements. However, we understand that there may be some circumstances where a colleague may have a request to work in a way that is outside of the informal process.
- 5.3 The UKSA allows all employees, regardless of length of service, to make two formal flexible working requests to change their contractual working arrangements within a 12-month period, including:
- Contractual hours
  - Contractual working pattern
  - Contractual work location
- 5.4 Managers must consider all new formal requests fairly and in a reasonable manner. Requests, including appeals, must be handled within two months unless an extension is agreed.
- 5.5 Not all posts or roles are suitable for all forms of flexible working and requests are always subject to business need.
- 5.6 Formal flexible working requests can only be refused for business reasons set out in paragraph 5.20.

### Types of Flexible Working Arrangements

- 5.7 To find the right arrangement, employees and managers should consider the benefits for the individual, the team and the business and look for an arrangement that has a clear focus on business outputs and also enables the employee to maintain and improve their work-life balance.
- 5.8 Formal flexible working options include, but are not limited to:
- Job share (where one or more people share the requirements of the role)
  - Part time hours (less than the standard working week over any pattern)
  - Compressed hours (standard working hours over longer but fewer working days)
  - Annualised hours

- Term time hours (39 weeks per year aligned to school term times)

## **Contractual Homeworking**

- 5.9 There are currently designated homeworking roles throughout our organisation such as those in our field force, or those which were recruited on a homeworking basis as part of our early pilot to attract hard to recruit skills evidenced on our workforce plan.
- 5.10 The majority of colleagues will now be working in a hybrid way, as we adapt to our new way of working, balancing individual and business needs to become a collaborative and flexible future workforce. As such, homeworking contracts will now be limited to those specific roles in our field force, for inclusion reasons, such as a workplace adjustment under the [workplace adjustment passport](#) or [carers passport](#). A set of FAQs have been developed to answer any commonly asked questions.
- 5.11 Requests for formal arrangements must be made and decided upon in accordance with this guide to ensure that all legal requirements are met. Requests must be submitted in writing, using the following [application form](#) and must include the following information:
- The date of the application.
  - Details of the requested change.
  - The proposed start date of the arrangement.
  - Why they believe that their request cannot be accommodated under the hybrid working model.
  - Confirmation of any previous formal requests that have been made.
- 5.12 Managers must consider all formal requests promptly and in a reasonable manner. Where requests relate to homeworking contracts managers must raise a call to request support from Employment Relations to ensure that appropriate advice and guidance is provided.
- 5.13 Responses to any formal requests made must be completed within two months including time for an appeal. Where there is an appeal, the request must be considered and decided on within the two months, from the date of application, unless an extension is mutually agreed.
- 5.14 Managers should retain all written requests and records of any decisions or appeals.

## **Temporary and Trial Periods**

- 5.15 A flexible working arrangement may be agreed for a temporary period of up to 12 months.
- 5.16 Trial periods may also be used to see how well a proposed arrangement works for both the business and the employee before making a decision whether to agree the arrangements on a permanent basis. Once agreed, this will require a contractual change if there is an impact on the employee's terms and conditions such as hours, pay and annual leave. If there is a change to

the pattern of work and/or hours, the temporary arrangement will need to be recorded for payment purposes.

### **Managing Competing and Multiple Requests**

- 5.17 Formal requests will be considered individually against the known business position at the time they are received. All decisions should be justifiable and reached on an objective basis. Agreeing a flexible working request for an employee does not set a precedent for future similar requests and employees and managers will be expected to work together to find the best solution in line with both our hybrid working guidance and the requirements under this procedure.

### **Approving Formal Flexible Working Requests**

- 5.18 Managers must ensure they have received appropriate advice from Employment Relations on the legal requirements prior to finalising a decision. Managers should communicate the decision to approve the formal request in writing including details of the agreed start date, any changes to the employee's terms and conditions of employment and the review date(s) and/or end date.
- 5.19 Managers should take the necessary action to notify Shared Business Services about the new working pattern/arrangements.

### **Refusing Formal Flexible Working Requests**

- 5.20 If a new formal flexible working request is considered unsuitable, or it can no longer continue, it can only be refused for one of eight business reasons as set out in the [ACAS Code of Practice](#):
- I. It imposes a cost burden e.g., significant expenditure on IT or shift allowances.
  - II. It is not possible to reorganise work between other staff e.g., the employee may have specific skills, or there may not be the capacity on the team to absorb the extra work.
  - III. It is not possible to recruit additional staff e.g., if there is a recruitment freeze.
  - IV. It will affect delivery and quality.
  - V. It will affect performance e.g., insufficient time to complete objectives or where health and safety obligations cannot be reasonably met.
  - VI. It will affect customer service e.g. the requested pattern does not fit with activity 'peaks'.
  - VII. There is insufficient work when the employee wants to work.
  - VIII. There is a planned structural change.
- 5.21 Managers should always be clear about the reason(s) for turning down a formal request and support their decision with a concise and accurate explanation in writing to the employee. Managers must ensure they have received appropriate advice from Employment Relations on the legal requirements prior to finalising a decision.

- 5.22 Managers must be able to objectively justify their decision to ensure they do not indirectly discriminate against employees with a protected characteristic.

### **Appeals**

- 5.23 The manager and employee should try to informally resolve any concerns the employee has if their formal flexible working request is refused.
- 5.24 Where a disagreement cannot be resolved informally, the employee can raise an appeal. Employees will need to put their appeal in writing giving reasons, within 10 working days of receiving the decision.
- 5.25 The manager appointed to hear the appeal should arrange to discuss the appeal within 10 working days of receiving the appeal. These timescales can be extended with the agreement of both parties (taking into account the process should be completed within two months of the initial request). This is not a formal meeting, however if you feel you may benefit from a companion you can bring a trade union representative or colleague in support.
- 5.26 If an employee fails to attend an appeal meeting and a re-arranged meeting without good reason, the request may be considered withdrawn, and the employee must be informed.

## **Section 6 – Additional resources**

### **Flexible Working Summary Infographic**

#### **Working Hours**

Working Time Regulations [Legislation](#)  
[Working Time Regulations Summary Document.](#)  
[Working time Regulations Opt Out Form](#)

#### **Flexible Working Hours Scheme**

[Telephone Operations Working Time and Breaks Protocol](#)  
[Carry over flexi limits - Ready Reckoner](#)

#### **Hybrid Working Documents:**

[Practical Guide to Hybrid Working](#)  
[Line Manager Toolkit.docx](#)  
[Conversation Tool,](#)  
[Handbook](#)  
[FAQ Hybrid Working](#)

#### **Formal Flexible Working Requests**

[Flexible Working Request Application Form](#)  
[Flexible Working Request Confirmation outcome letter.](#)

#### **Flexible Working Request Flowchart**

[Flexible Working Request Flowchart - Accessibility version](#)



[Flexible Working Request Flowchart](#)

[Flexible Working Request \(Homeworking\) flowchart – accessible version](#)  
[Homeworking request flowchart](#)