



Flexible Policy

Purpose and scope

The demand for flexible working has grown as staff look for a better balance between work and home life. Employers want to align their business needs with the way their employees work and service users/clients' needs. Many employers have implemented technology to make flexible working more accessible as a result of covid-19.

This policy explains how we will respond to requests to vary hours, pattern or place of work. It applies to all eligible staff, regardless of whether you work full or part-time or have a temporary contract of employment.

You have a right to request to work flexibly if you have been employed with us for at least 26 weeks. You can also request flexible working at any time if the change is a reasonable adjustment to reduce or remove the effects of disability. You are disabled under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.

Policy

Our policy is to follow both the spirit and the letter of the law on the right to request flexible working. We want to inform you of your right to request flexible working, and to ensure you feel confident that any request will be considered fairly. You will not be treated differently because you have asked for flexible working arrangements.

What is flexible working?

Flexible working is any type of working arrangement that gives some degree of flexibility on how long, where and when you work.

The following flexible working options are typical examples. There may be alternatives or a combination of options which could be suitable.

- Annualised hours
- Compressed hours
- Flexitime
- Homeworking
- Job-sharing
- Part-time working
- Term-time working

Making the request

To apply for flexible working, you need to provide the following information in writing, and submit this to your manager.

- The date of the application.
- A statement that this is a statutory request.
- Details of how you would like to work flexibly and when you want to start.
- An explanation of how you think flexible working might affect The Pearl Exchange and how this could be dealt with, for example if you are not at work on certain days.
- A statement saying if and when you've made a previous application.

You can only make one statutory request in any 12-month period. Please let us know if you are making the request because the change could reduce or remove the effects of a disability. If so, some requirements of this policy would not apply (for example, the minimum period of service; one request per annum).

Responding to your request

Once we receive your written request, we will arrange a discussion with you as soon as possible, unless we agree immediately to your request. It may be that we need to ask you to supply further details before the meeting. If there is likely to be a delay in discussing your request, we will inform you. You may bring a work colleague to the meeting.

We will discuss your request at the meeting. We will consider your request looking at the benefits of the changes on working conditions for you as an employee and The Pearl Exchange. We will weigh these against any adverse impact of implementing the changes. We will write to you with the decision.

One of the following decisions will be made.

- To accept the request and establish a start date, with or without a trial period and review date. Where the request is granted, we will set out what changes will be made to your terms and conditions of employment.
- To propose an alternative, which may require further discussion.
- To confirm a compromise agreed at the discussion.
- To reject the request, setting out the reasons, how these apply to the application and the appeal process.

Requests to work flexibly will be considered objectively. We may not always be able to grant a request to work flexibly if it cannot be accommodated. If we turn down your request, it will be because of one, or a combination of the following reasons, and we will explain why.

- The Pearl Exchange cannot justify the extra cost
- Detrimental effect on ability to meet service user/customer demand
- Inability to re-organise 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 to The Pearl Exchange

If you are looking for a change to hours for a short period, we may be able to let you change back. For instance, if you wanted to study part time for three months. Please let us know if this applies.

If we agree to your request, you do not have a statutory right to make a further request for a period of 12 months. You may still ask without the statutory right.

Timeframe for dealing with requests

We will do what we can to deal with requests promptly. We must let you know the result, and any appeal within three months of your request. If the request cannot be dealt with within three months, we may ask to extend the consideration process, provided you agree to the extension.

Handling requests in a fair way

We may receive more than one request from different employees and it may or may not be possible to accept all requests. If we agree to a request for flexible working arrangements this does not mean that we can also agree to a similar change for another employee.

Each case will be considered on its merits looking at the business case in the order they have been received. We may need to take others' contractual terms into account, and we may ask you if there is any room for compromise before coming to a decision.

Making a flexible working request is a statutory right and you should not be treated less favourably at work because you make a request. If you believe you have been treated unfairly because you have made a flexible working request, you are encouraged to raise such concerns via the grievance procedure.

Appealing the decision

If you wish to appeal, you must do so, in writing, within five days of receiving the letter informing you of the outcome. We will then write to you to arrange a meeting to discuss your appeal. This meeting will be held as soon as reasonably possible and will normally be with the Managing Director. You may bring a work colleague to the meeting.

The effect on your contract of employment

Any change in your hours or pattern of work will normally be a permanent change to your contractual terms and conditions. This means that you will not automatically be able to revert to the previous working pattern (unless otherwise agreed).

So, for example, if your new flexible working pattern involves working reduced hours, you will not automatically be able to revert to working full time hours.

Changes to your working pattern may affect other terms and conditions of employment. For example, reducing your hours of work will mean that your pay and leave will be pro-rated. Your pension may also be affected.

We will write to confirm any changes to your terms and conditions. If you have queries about how a proposed change to your pattern of work might affect your terms and conditions please speak to your line manager.

Data protection

We will process personal data collected in accordance with the data protection policy. We ensure your information is safe and accessed by, and disclosed to, only those who need to consider your request. Inappropriate access or disclosure of your information is a data breach. We will report any breaches under the data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.

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