



# Jesus College Oxford

## FLEXIBLE WORKING POLICY

### 4 Introduction

4.3 The College believes that its staff members are its most valuable asset and is committed to attracting and retaining the very best workforce, and utilising all the talent and experience available within the community. We also appreciate that the workforce is becoming increasingly diverse and includes a high percentage of those with caring responsibilities, as well as those whose interests and aspirations impact on their time. We therefore appreciate that standard or established working hours are, in many cases, incompatible with increasing demand for a better work-life balance.

4.4 The College recognises the importance of helping its employees balance their work and home life by offering flexible working arrangements. In turn it recognises that staffing levels must at all times remain in line with the demands of the business.

4.5

1.1 This policy applies to flexible working requests received by the College on or after 6 April 2024. Requests received before that date which have not reached conclusion will continue to be considered under our previous policy.

1.2 Some examples of flexible working arrangements are:

- job-sharing
- part-time working
- swapping hours
- career breaks
- voluntary reduced working hours
- working from home

### 5 Flexible Working Regulations

5.3 You are entitled to make a statutory request for flexible working from the first day of your employment. You can make a maximum of two statutory flexible working requests during any 12-month period. A request cannot be made until any previous request has been concluded in full.

5.4 While it is the College's policy to be flexible on working patterns for all its employees, in order to ensure that we are complying with our legal obligations concerning the right to request flexible working, there may be situations where precedence has to be given to those who are eligible for this right.

2.2 Employees in all areas and levels of the College will be considered for flexible working regardless of their age, sex, sexual orientation, race, or religion or belief, or whether they have a disability, their level of seniority, their current working pattern, or whether they are



employed on a permanent or fixed-term basis.

- 2.3 Employees should note that there is no automatic right for employees to change to any of the flexible working patterns. Each application will be considered on its own merits, save for where it is made as a reasonable adjustment under disability legislation in which case it will be considered under the rules applying to our duty under those laws. Consideration will be given to the particular work involved, and any detrimental effect the change could have on individual, team, or business performance. As such, the flexible working options may be limited for certain operational roles.

## **6 Benefits of flexible working**

- 6.3 The use of flexible working patterns can be of benefit to both employees and employers. Benefits can include:

- Improved efficiency and cost savings;
- The extension of service provision outside of normal office hours;
- Ability to respond to changing demands throughout the academic year;
- Recruitment and retention of high quality staff;
- Encouraging equality of opportunity and reflecting diversity;
- Reduced absenteeism;
- Increased loyalty and motivation.

All such potential benefits should be considered when reviewing a request.

## **7 Procedure for a Flexible Working requests**

- 7.3 To make a formal application for flexible working, the employee must provide the following information:

- a statement that this is a statutory request;
- a statement saying if and when they've made a previous application;
- details of how the employee wants to work flexibly and when they want to start; the date of the application.

- 7.4 The application must be made in writing. To facilitate this, an application form has been provided.

- 7.5 The application must also state whether you are requesting the variation as a reasonable adjustment under the disability discrimination provisions of the Equality Act 2010.

- 7.6 The employee should note that any decision needs to ensure that business needs can still be met. The College reserves the right to decline requests.

- 7.7 On receipt of the application, the Decision Manager (usually the line manager or the countersigning manager) will consider the application.

- 7.8 A decision must be reached within two months of the application, although this may be longer if



agreed with the employee.

## **8 Consultation on your application**

8.3 The Decision Manager will consult with you as part of a discussion following receipt of the application, unless they notify you in writing of agreement to the variation. The time and place of the discussion will be convenient to both of you. The consultation will include exploration of alternative arrangements that may be acceptable to you if we are unable to agree to the exact variation requested. The discussion should be held as soon as possible, but ideally no later than 10 working days from the date of the application. The employee has a right to be accompanied at the meeting by a work colleague or Trade Union representative. Human Resources will usually attend the meeting in an advisory capacity.

## **9 Decision**

9.3 The Decision Manager should consider the request carefully looking at the benefits of the requested changes in working conditions for the employee and the college and weighing these against any adverse business impact of implementing the changes. In considering the request the manager must not discriminate unlawfully against the employee.

9.4 Once the Decision Manager has reached a decision, the employee must be informed of that decision as soon as possible. This should be done in writing, as this can help avoid future confusion in what was decided.

9.5 If the decision is to accept the employee's request, or accept it with modifications, the Decision Manager should discuss this with the employee, including how and when the changes might be implemented. A decision to accept the request will mean a permanent variation of your contract, unless agreed otherwise. This means that once a change has been made, there is no right for you to revert back to your previous terms and conditions. Further requests will count towards the maximum amount permitted in any 12-month period.

9.6 The impact on the wider team and business should be considered in the decision-making process. If the Decision Manager accepts the employee's request in principal, but it would affect other employees in the business, the College has an obligation to formally consult with the individuals affected.

9.7 If the decision is to reject the request, it must be for one of the following business reasons as set out in the legislation:

- the burden of additional costs
- an inability to reorganise work amongst existing staff
- an inability to recruit additional staff
- a detrimental impact on quality
- a detrimental impact on performance
- detrimental effect on ability to meet customer demand
- insufficient work for the periods the employee proposes to work
- a planned structural change to your business.

9.8 If a request is rejected, the Decision Manager should allow the employee to appeal the decision. It can be helpful to allow an employee to speak with you about your decision as this may reveal new information or an omission in following a reasonable procedure when considering the application.



## **10 Timing**

- 10.3 The law requires that all requests, including any appeals, must be considered and decided on within a period of two months from first receipt, unless an extension is agreed with the employee and confirmed in writing
- 10.4 If the Decision Manager arranges a meeting to discuss the application including any appeal and the employee fails to attend both this and a rearranged meeting without a good reason, the employer can consider the request withdrawn. In such circumstances the employee must be informed.

## **11 Appeal**

- 11.3 If the employee is not satisfied with the decision, they may raise an appeal. The appeal should be sent, in writing, to the HR Director within 10 working days of the date of the decision letter and should set out the grounds of appeal. The HR Director will appoint an Appeal Manager.
- 11.4 The Appeal Manager may invite the employee to a meeting. If so, the employee has the right to be accompanied at the meeting by a Trade Union representative or work colleague. The meeting should be held as soon as possible, but no later than 10 working days from the date of the appeal. HR will attend the meeting in an advisory capacity.
- 11.5 The Appeal Manager will consider the facts of the case and may, if necessary, adjourn to collect and consider further evidence.
- 11.6 The Appeal Manager will prepare a decision letter outlining:
- the outcome of the appeal;
  - the reasons for the decision and how they relate to the grounds for the appeal;
  - any actions agreed to resolve the situation or to provide redress if the appeal is upheld; and
  - a reminder that there is no further appeal.

## **12 Conflicting requests**

- 12.3 Where conflicting requests for flexible working are received from employees, the College may require a compromise to be found so that all requests may be accommodated albeit on different terms as those set out in each request. If no compromise is achievable after consultation with the employees involved, the College may use a random selection method to determine the granting of individual requests.

## **13 Withdrawal of an Application by an Employee**

- 13.3 The College will treat an application as withdrawn under the statutory provisions where the employee:
- has notified the employer, orally or in writing, that the application is withdrawn;
  - without reasonable cause, the employee fails to attend a meeting or appeal meeting more than once; or
  - without reasonable cause, the employee has refused to provide the employer with information the employer requires in order to assess whether a contract variation should be agreed.

In such circumstances the College will confirm the withdrawal of the application to the employee in writing unless the employee has already provided written notice of the withdrawal.



## **14 Trial Periods**

- 14.3 In some circumstances, it may be appropriate to consider a trial period to test the proposed working arrangements and see how it works in practice, as well as whether any adjustments need making. Trial periods should last up to three month, at which point the employee and the Decision Manager should review the arrangements against the application, make any adjustments, and reach a decision. During the trial period, the manager must monitor the arrangements carefully.

## **15 Reviewing flexible working arrangements**

- 15.3 Flexible working arrangements may be established for a particular reason which may change over time. Business needs may also change, which may impact on the viability of the original arrangement. As such, flexible working arrangements should be reviewed at appropriate regular intervals to ensure the arrangement continues to work best for both parties.