
Flexible Working Policy

Purpose

This policy sets out the statutory rights and responsibilities of employees who wish to request flexible working arrangements.

Scope

This policy applies to all employees. This policy does not form part of any employee's contract of employment and may be amended at any time.

What is flexible working?

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

For example:

- annualised hours
- compressed hours
- flexitime
- hybrid working
- part-time working
- remote working / working from home
- job sharing

Some types of flexible working would be accompanied by a change in pay, for example moving to part-time hours or job sharing.

Eligibility

All employees have a statutory right to request flexible working from the first day of employment.

How to submit a flexible working request

An employee is entitled to submit 2 statutory flexible working requests in any rolling 12-month period. An employee can only have one live request open at a time. A request will stay live until any of the following events occur:

- the Company makes and communicates a decision
- the employee withdraws the request
- the employee and Company agree an outcome
- 2 months have passed since the date of the request unless a longer timeframe has been agreed

All requests must be made by **email and sent to hr.uk@flashbay.com**.

Any request must include:

- the date of the request
- the changes that the employee is seeking
- the date the employee would like the proposed change to start
- whether this is a statutory or non-statutory request
- whether the employee has made any previous flexible working requests to the Company
- the dates of any previous requests

If the request relates to a reasonable adjustment for a disability under the Equality Act 2010, the employee should make this clear in the request.

If a request does not contain all of the required information, the HR department will advise the employee what else they need to provide and ask the employee to resubmit the request.

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Responding to a flexible working request

The HR department will consider the proposed flexible working arrangements. They will look at the potential benefits and adverse effects to the employee and to the Company in implementing the proposed changes.

Each request will be considered on a case-by-case basis, in the order they are received. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working pattern.

Where an employee's request needs further discussion, the Company will invite the employee to a consultation meeting. If a meeting is arranged it will be held within **28 working days** of the Company receiving a valid request containing all the required details. This time limit may be extended with the agreement of both the employee and the HR department.

Where an employee's request can be approved in full without a consultation meeting, the Company will confirm this in writing within **28 working days** of receiving the request. This will include details of the new arrangements and an invitation to talk about the new arrangements. This time limit may be extended with the agreement of both the employee and the HR department.

The Company will make a decision on all requests, including any appeal within a maximum of 2 months. This time limit may be extended with the agreement of both the employee and the HR department.

Consultation meetings about flexible working

If the employee is invited to a consultation meeting the HR department will discuss:

- the request
- how the proposed working arrangements might work
- how it could be of benefit to the employee and/or Company
- how it could negatively impact the employee and/or Company

The employee will be given advance notice of the time, date and place of the meeting. If the initial date is problematic then one further date will be proposed. This meeting will be in person, or a video call if in person is not possible.

At the meeting the employee may, if they wish, be accompanied by a colleague or a trade union representative.

If the employee fails to attend a meeting and then fails to attend a rearranged meeting without good reason, their request will be deemed to have been withdrawn.

Communicating a decision after consultation

After a consultation meeting, the request may be granted in full, in part or refused.

Requests can be refused in full or in part for any one or more of the following reasons:

- extra costs that will harm the business
- work cannot be reorganized among other staff
- an inability to recruit additional staff
- flexible working will have a detrimental effect on quality
- flexible working will have a detrimental effect on performance
- flexible working will have a detrimental effect on the ability to meet customer demand
- there is insufficient work to do during the proposed working times
- the business is planning to make changes to the workforce

The Company may:

- propose an alternative option
- grant the request on a temporary basis
- ask the employee to try the flexible working arrangement for a trial period

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If a working arrangement is agreed, the employee will be sent a confirmation letter within **10 working days** of the consultation meeting. This will include details of the new arrangements and an invitation to talk about the new arrangements.

If the Company refuses the request, the employee will be given the decision in writing within **10 working days** of the consultation meeting.

Right to appeal a decision

An employee has the right to appeal the decision if their request is refused or is only agreed in part. The employee may submit an appeal within **5 working days** of being notified of a decision on their request. This should be done in writing and clearly state the reasons for their appeal.

The appeal will be heard within **10 working days**. The employee will then be informed of the outcome of their appeal within **5 working days** of an appeal meeting. These time limits may be extended with the agreement of both the employee and the HR department.

At the appeal meeting the employee may, if they wish, be accompanied by a workplace colleague or a trade union representative.

Requesting a reasonable adjustment

The Company is committed to reducing and removing disadvantages for disabled employees.

If an employee needs to change where, how or when they work because of their disability, they can request a reasonable adjustment under the Equality Act 2010. If an employee requests a reasonable adjustment, they do not need to also make a flexible working request.

To request a reasonable adjustment, send your request by email to the HR department and include:

- that you're making a request for a reasonable adjustment under the Equality Act 2010
- the adjustment you're requesting

The HR department will discuss your request with you within **10 days** of the Company receiving the request. The outcome will be confirmed in writing within **10 days** of the discussion, including any agreed reasonable adjustments. These time limits may be extended with the agreement of both the employee and the **HR**.

Trialing new working arrangements

Where there is some uncertainty about whether the flexible working arrangement is practical for an employee or the Company, a trial period may be agreed. A trial period will allow enough time to implement and get used to the new arrangement before making any decisions on its viability.

The Company will put any trial arrangements in writing to the employee. This will include their new working pattern and make clear that it is only a temporary change to the employee's terms and conditions. The employee will be informed in writing of the start and end dates of the trial period. The Company may reduce or lengthen the trial period where necessary, with the agreement of the employee.

The Company will reserve the right, at the end of the agreed trial period, to require the employee to revert to their previous working arrangement. In this situation, the Company will give the employee **10 working days'** notice.

Varying an employee's contract

Where flexible working practices are agreed as a permanent change, any variation to the employee's terms and conditions will be put in writing. Written confirmation of the changes will be sent to the employee within one month of the change being agreed.

If the employee has any questions or concerns, they should contact the HR department.

Complaints and further information

An employee should raise any concerns with **the HR department** if they:

- are not satisfied with any stage of the flexible working request process
- feel they have been treated unfairly because they've made a flexible working request

If informal discussions do not resolve the matter to an employee's satisfaction, they should raise a grievance under the Company's grievance procedure.

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Monitoring this policy

The Company reserves the right to require documentation or other evidence to support the request for time off. The Company also reserves the right to refuse time off if it believes that the policy is being abused.

It is important to note that the Company may vary or amend this policy from time to time particularly to take account of changes in the law, best practice or business requirements. This document shall be revised by the appropriate person, the HR Manager or nominated deputy. You will be notified of any changes.