

Flexible Working Policy and Reasonable Adjustment Requests

Table of Contents

Introduction	3
 Section 1: Flexible Working Requests	
1.1 What is flexible working	4
1.2 Types of flexible working	4
1.3 Eligibility	4
1.4 Submitting a flexible working request	5
1.5 Meetings to discuss flexible working requests	6
1.6 Benefits and adverse effects of flexible working requests.....	6
1.7 Decisions about flexible working requests	7
1.8 Right of appeal	7
 Section 2: Reasonable Adjustment Requests	
2.1 If you have submitted a flexible working request	8
2.2 Submitting a reasonable adjustment request	8
2.3 Meetings to discuss reasonable adjustment requests.....	9
2.4 Decisions about reasonable adjustment requests	9

Introduction

In delivering the needs of UECS, all employees should expect some degree of flexibility in how they deliver their role. UECS recognises that a better work-life balance can improve employee motivation, performance and productivity, and reduce stress.

The extent of flexibility available will always be balanced with the impact on teams and the requirement to be present on our campuses. This means that for some of our employees, especially those delivering a direct service, it may not be possible to take advantage of flexible working options.

An employee that thinks they may benefit from flexible working is encouraged to speak to their manager to arrange an informal discussion to talk about the options.

All employees have the right to request flexible working, it not only reserved for people with caring responsibilities.

Changes which are approved following a flexible working request are permanent and will remain in place until either another request is made by the employee or organisationally there is a requirement to review the needs of the service and consult regarding change.

An employee who thinks they may benefit from reasonable adjustments is encouraged to speak to their manager to arrange an informal discussion to talk about how they can be supported.

Adjustments which are approved following a reasonable adjustment request are reviewed on a regular basis to ensure they remain suitable.

Section 1: Flexible Working Requests

1.1 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.

1.2 Types of flexible working

There are many different flexible working options. UECS recognises that there may be alternatives or a combination of options which are suitable to both the service and the employee. Examples of flexible working are:

Day to day flexibility: it is expected that a number of roles will allow some degree of day to day flexibility. For example, this may be arriving or leaving slightly earlier than usual.

Short term flexible arrangements: it may sometimes be necessary to make short term arrangements to allow someone to manage personal pressures. This may be a few weeks or months and may involve changes to working pattern or hours.

Changes to working pattern: a different pattern to the standard contracted hours, recognising that not all staff have contracts that reflect Monday to Friday arrangements. This may be a formal agreement such as compressed hours, annualised hours or term time working. It could be more informal such as starting or finishing at an earlier or later time.

Changes to working hours: where an employee would like to decrease or increase their hours. Where hours are reduced for an employee, it is important that the objectives of the role match the reduced hours of work, rather than expecting someone to do the same work in reduced hours.

Working from Home: where an employee regularly carries out all, or part of, their duties from home rather than the employer's premises. UECS can consider home working being an occasional agreed day, a mix of home and office based work each week or a full time arrangement.

1.3 Eligibility

You have a statutory right to request flexible working from the first day of your employment with UECS.

You are entitled to submit two flexible working requests in a 12 month period. You

are entitled to additional requests if they relate to a statutory entitlement, for example reasonable adjustments.

1.4 Submitting a flexible working request

Informal requests

Day to day flexibility can be agreed on an ad hoc basis between you and your manager, with no need for a flexible working request.

Short term flexibility should be arranged between you and your manager. The agreement should be noted briefly in writing, including by email, by your manager with a clear statement that this is a short term arrangement and noting the timescale.

Formal requests

Any request for changes to your working pattern or working hours should be in the form of a formal request to be considered by your manager or Head of Service.

Formal requests should be made on the [Flexible Working Form](#). Any request made must include:

- the date of the application
- the changes that you are seeking to your terms and conditions
- the date from when you would like the proposed change to come into effect
- whether this is a statutory or non-statutory request
- whether a previous application for flexible working has been made
- the dates of any previous applications

If your application does not contain all of the required information, your manager or Head of Service will explain to you what additional or amended information you need to provide and ask you to resubmit the request.

If you are making the request in relation to the Equality Act, for example as a reasonable adjustment relating to a disability, this should be made clear in the application. If your flexible working request does relate to disability, you may want to make a reasonable adjustment request instead. Please refer to Section 2. Where a request is received from an employee who is pregnant, disabled, has health issues or is returning from maternity or adoption leave, the manager or Head of Service will discuss the request with [People & Culture](#).

1.5 Meetings to discuss flexible working requests

Upon receiving your request for flexible working form, your manager or Head of Service will usually arrange a meeting with you to discuss your request and find out more about the proposed change to your working arrangements.

If a meeting is arranged, it will be held within 14 days of the date of your request being received. This time limit may be extended with the agreement of both you and your manager or Head of Service. You can be accompanied to the meeting by a workplace colleague or a trade union representative.

If you do not attend a meeting and then do not attend a rearranged meeting without good reason, your application will be deemed to have been withdrawn.

Where a flexible working request can be approved as stated in your application, a meeting to discuss the request may not be necessary.

1.6 Benefits and adverse effects of flexible working requests

Your manager or Head of Service will consider your proposed flexible working arrangements, looking at the potential benefits and adverse effects for you, the wider team and the service delivery in implementing the proposed 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 their working pattern.

Where a flexible working arrangement is requested, your manager or Head of Service will consider a number of criteria including (but not limited to) the following:

- the costs associated with the proposed arrangement
- the effect of the proposed arrangement on other staff
- the need for, and effect on, supervision
- the existing structure of the service
- the availability of staff resources
- details of the tasks specific to your role
- your workload
- whether it is a request for a reasonable adjustment related to a disability
- health and safety issues

1.7 Decisions about flexible working requests

Your manager or Head of Service will inform you in writing of the decision within two months from the date of receiving your request for flexible working. It should be noted that the two month response period is inclusive of the time required for any appeal.

Your request can only be turned down if there is a valid business reason. By law, a request can only be turned down for the following reasons:

- the burden of additional costs
- detrimental effect on ability to meet customer demand
- inability to reorganise work among existing staff
- inability to recruit additional staff
- detrimental impact on quality
- detrimental impact on performance
- insufficiency of work during the periods you propose to work
- planned structural changes

If one of these reasons applies, your manager or Head of Service will meet with you before making a decision.

If there is a valid business reason for rejecting your request, you and your manager or Head of Service should meet to discuss alternative options which could include a modified version of your request, or a trial period to test whether the change is effective.

If your request is agreed, [People & Culture](#) will send you a confirmation letter which will include details of the new arrangements. You should contact your manager, Head of Service or [People & Culture](#) within 14 days if you want to discuss the new arrangements further or have any questions.

1.8 Right of appeal

You have the right to appeal the decision if your request is refused or is only agreed in part. Appeals must be made within 14 days of the decision and must be in writing, clearly stating the grounds on which you are appealing. Appeals must be made to the next level of management.

Your appeal will be considered, and a response provided within two months of the date you submitted your flexible working request, inclusive of the time required for any appeal.

Section 2: Reasonable Adjustment Requests

2.1 If you have submitted a flexible working request

If you have made a flexible working request and it is related to disability, or your manager thinks it is related to disability, you and your manager should discuss and determine whether this is the case.

If the request is not related to disability if, for example, you have a disability and you have asked for time off on Wednesdays to provide childcare for a relative's child, this will be treated as a flexible working request.

If your flexible working request does relate to disability, your manager will check to see if you want to make a reasonable adjustment request instead. If you do not, it will continue to be treated as a flexible working request.

The main reasons for changing a flexible working request to a reasonable adjustment request are that:

- a reasonable adjustment request is often the fastest and most effective way to address a disability related request
- equality law might require UECS to respond to a disability related request faster than the flexible working process allows
- disability related requests fall under equality law and should be considered separately from flexible working requests

2.2 Submitting a reasonable adjustment request

You can make a reasonable adjustment request in writing, for example in a letter or email, or you can ask to meet with your manager and make your request verbally. When making a reasonable adjustment request, you should think about what would help you manage your health and work and what might be possible and reasonable for your employer.

Reasonable adjustment requests could include:

- changing working hours
- changing ways of working, for example working from home
- extra time off for medical appointments or to recover from treatment
- making physical changes to the workplace
- changing software or technology
- distributing work differently within a team

2.3 Meetings to discuss reasonable adjustment requests

Upon receiving your written reasonable adjustment request, your manager will arrange a meeting with you to discuss the request in more detail. The meeting will be held within 7 days of your manager receiving your request. This time limit may be extended with the agreement of both you and your manager.

In the meeting, both you and your manager will discuss what reasonable adjustments might help. Your manager will take the lead from you in this discussion as you will have a better idea of what changes would be helpful to you.

Your manager may ask [Occupational Health](#) to contact you before any reasonable adjustments can be agreed.

Further information and guidance about reasonable adjustments can be found here: <https://www.essex.ac.uk/staff/health-and-wellbeing/reasonable-adjustments>

2.4 Decisions about reasonable adjustment requests

Some adjustments might be straightforward to agree and implement. However, some adjustments may not be reasonable and cannot be put into place. Your manager will discuss with you if there are other ways to support you.

Your reasonable adjustments might need to change over time. For example, if:

- you are in a new situation such as moving to a new role
- something changes at work such as new equipment
- your condition or impairment changes
- you are managing a disability that gets worse over time

To make sure the most appropriate adjustments are in place, anyone with reasonable adjustments should talk with their manager regularly, for example every 6 months or if something changes. You should both keep a record of what you have asked for and what has been put in place.

Author:	Head of Compliance and Policy Development
Publication Date:	January 2024
Updated:	June 2024
Review Date:	January 2027