

Right to Apply for Flexible
Working Policy



The purpose of this policy is to set out the approach to flexible working arrangements which is in accordance with the ACAS code of practice and guidance on handling requests to work flexibly in a reasonable manner.

Transport for the North (TfN) recognises that flexible working can provide benefits to both the employee and the organisation and aims to support employees where possible/practical to manage the balance between work and home life.

1. Introduction

Flexible working is a way of working that suits an employee's needs, e.g. having flexible start and finish times, or working from home.

All employees have the legal right to request flexible working - not just parents and carers.

2. Eligibility

All employees can make flexible working request, regardless of their length of service and will be able to make two flexible working requests in any 12-month period.

3. Flexible Working Request Examples

If an employee is eligible they will be able to request:

- A change to their hours of work;
- A change to the times when they are required to work;
- To work from home;
- To job share with another person and split the hours;
- To work full time hours but over fewer days;
- Term-time working

4. The procedure

Employees will need to get a Flexible Working Request Form from their Line Manager, Intranet or HR & Skills Representative. This form should be completed fully and returned to the employee's Line Manager. This application must outline:

- The proposed changes to the working arrangements they wish TfN to consider and the effective date;
- An explanation how they meet the conditions as specified in the 'Eligibility' section above;
- An explanation, if any, of the effect the change in their working arrangements would have on the business and how in their opinion any such effect might be dealt with.

5. Flexible Working Application

Employees are able to make up to two applications in any 12-month period. If their request is granted it will be usually on a 6 or 12 month

basis, unless agreed otherwise. This means that they will need to give careful consideration to which working pattern will work best for them and any financial implications it might have on them and their family, as desired working arrangements may involve a drop in salary. Consideration should also be given to their job responsibilities and the impact the desired working arrangements may have on other colleagues.

6. End of Flexible Working Agreement

When the agreement comes to an end, an employee will be invited to a Flexible Working Review meeting. In that meeting we will discuss the current agreement and how it works for the employee and the organisation. We will also decide if this agreement should continue and for how long. If employee's circumstances change or we are unable to support their request anymore, they may have to revert back to their original working arrangements at the end of an agreed period.

7. Consideration of the Application

Having received the completed Request Form from the employee, a meeting will then be arranged between the employee and their Line Manager at a convenient time and place to discuss their request in more detail. They can bring a work colleague or a Trade Union Representative with them to this meeting for support if they wish.

Following the meeting, the Line Manager in consultation with the HR & Skills Representative will consider the request as follows:

- To grant the request in full
- To partially grant the request and the business reasons for this
- To refuse the request and the business reasons for this

TfN will deal with the flexible working request in a reasonable manner and in a reasonable timescale. Employees should note that it may take up to two months for the request to be considered and to notify them of a final decision (including the outcome of any appeal) from initial date of the request being received, unless we have agreed a longer period with them. It is therefore important that the employee submits the application form to their Line Manager well in advance of the date they wish the change to take effect.

8. Flexible Working Decision

When considering any flexible working request, TfN (the Line Manager in the consultation with the HR & Skills Representative) have to operate within certain government guidelines. If an employee would like more information about these guidelines, they should contact the HR & Skills Representative. The employee will receive a letter as soon as possible after the meeting confirming the decision. TfN will do what's feasibly possible to accommodate every request, but if we need to refuse it for business reasons, we'll try to explain why in as much detail as possible.

Where a flexible working request is agreed, the confirmation letter will set out full details in relation to all changes to the employee's terms and conditions of employment. This will include details of the new working pattern, contracted hours, period of agreed change, and leave entitlements.

It should be noted that final details (impact on terms and conditions) in relation to any proposed flexible working request cannot be formally confirmed until all the elements of the request have been agreed on. The HR & Skills Representative however can be consulted on the potential impact on the employee's terms and conditions ahead of the initial request being submitted, if required.

9. Flexible Working Application Rejection

The application for a change in terms and conditions could be refused if it is established that it will be detrimental to the organisation.

The types of grounds that may result in the applications being refused are:

- extra costs that will damage the organisation;
- the work can't be reorganised among other employees;
- people can't be recruited to do the work;
- flexible working will affect quality and performance;
- the organisation won't be able to meet customer demand;
- there's a lack of work to do during the proposed working times;
- the organisation is planning changes to the workforce.

10. Appeal

The employee and TfN are encouraged to reach a satisfactory outcome, however, in the event that the employee is not happy with the final decision reached by the Line Manager, even though there is no statutory right to an appeal, TfN would allow them to appeal in writing against the decision by giving notice within five working days of the date on which the decision was given in writing. The appeal letter must set out the grounds of appeal clearly.

Unless TfN decides to agree to the terms of the appeal, a meeting will be organised and the employee will be notified accordingly. They have the right to be accompanied by a work colleague or a Trade Union representative. To establish an objective view of the basis of the appeal, HR & Skills Representative will be present at the hearing as will the Line Manager who will respond to the grounds of appeal..

11. Withdrawal of the Application

Employees should inform their Line Manager and HR & Skills Representative in writing if they want to withdraw their application. They will then receive a letter confirming a withdrawal and their meeting will be cancelled if not held before the withdrawal letter was submitted.

TfN will treat an application as withdrawn if an employee misses two meetings to discuss an application or appeal without good reason, e.g. sickness.



Transport for the North
Level 6, Town Hall Extension
Lloyd Street
Manchester
M2 5DB

✉ Postal address

Transport for the North
C/O Manchester City Council
PO Box 532
Manchester
M60 2LA

☎ 0161 244 0888

@ info@transportfornorth.com

