



**Right to Request Flexible Working  
Policy and Procedure**

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# 1 Policy Statement

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It is the policy of Annington to comply with both the letter and spirit of the law with regard to the right for employees to apply for flexible working. Our policy and procedure aims to clarify who is eligible to make a request to work flexibly and sets out the procedure for doing so. Anyone wishing to submit a request has the right not to be discriminated against as a result of doing so.

We will consider requests from employees to vary their working hours and/or location. Requests will be evaluated taking into account the requirements of the individual's post and the needs of the organisation.

This policy and procedure is subject to change in accordance with legislation and conforms to the Equality Act 2010 and other associated legislation.

## 2 Introduction

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All employees who have a minimum of 26 weeks' continuous service, have the right to apply to work flexibly. As your employer, we have a statutory duty to consider your application seriously.

The legislation does *not* provide an automatic right to work flexibly as there will always be circumstances where the employer is unable to accommodate the employee's desired work pattern. It aims to facilitate discussion and encourage both the employee and the employer to consider flexible working patterns and to find a solution that suits them both.

The employee has a responsibility to think carefully about their desired working pattern when making an application and the employer is required to follow a specific procedure to ensure requests are considered flexibly. In its entirety, the process of requesting and implementing flexible working can take approximately 3 months to complete.

## 3 Procedure

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### 3.1 Eligibility

To make a request to work flexibly you should:

- be an employee
- have worked for us continuously for 26 weeks at the date the application is made
- not be an agency worker
- not have made a similar application to work flexibly during the past 12 months

The right to work flexibly is available to all employees:

### 3.2 Scope of Request

Providing you meet the eligibility criteria above, you may request:

- a change in the number of hours you work, eg part-time working, term-time working
- a change to the times when you are required to work, e.g. the days of the week worked and/or start/finish times
- a change to your place of work, eg a request to do some or all of the work from home

Other examples of flexible working patterns include annualised hours, compressed hours, flexitime, job-sharing and staggered hours.

### 3.3 Obligations on the Employee

Prior to commencing the process to work flexibly it is important for an employee to bear in mind that, once agreed, the flexible working arrangement will become **permanent**, unless at the time the application is made, the Company agrees in writing a different arrangement. It is therefore very important that the employee gives careful consideration to:

- which working pattern will be of help to them
- any financial complications this might have on them in cases where the desired working pattern will involve a drop in salary
- any effects it will have on the Company's business and how these might be accommodated.

In order for an employee's request for flexible working to be valid, it must be in writing and stipulate:

- whether the employee has made a previous application for flexible working, and if so when the application was made;
- the reason for making the request and the change applied for, e.g. the pattern of working the employee would like;
- the date on which the employee would like the change to take effect;

- the effects, if any, that the employee envisages the proposed changes requested will have on the organisation; and
- how any such effect might be dealt with.

You should submit your formal letter of request setting out the points highlighted above.

### **3.4 Obligations on the Company and Consideration of the Request**

We will consider applications to work flexibly by following the procedure specified in the regulations:

- Once we have received your request we will arrange to meet with you as soon as possible. This will provide an opportunity to discuss your desired working pattern in more detail. We can also consider other alternative work patterns should there be problems in accommodating your request. The consideration process is to be completed within 3 months including any appeal that may be offered, this indicates the time frame to keep in mind. If you wish, you may bring a work colleague, employee representative or trade union representative along to the meeting.
- We will then write to you to both agree a new working pattern and start date or to provide clear business reasons why the application cannot be accepted. We may want to take further action before notifying you of the decision.
- You may appeal against the decision if you are not satisfied. An appeal hearing will then be heard and we will write to you to set out the decision. The appeal process is designed to encourage a satisfactory outcome for both parties within the workplace.

Each request for flexible working will be dealt with on an individual basis. Consideration must be given to the likely effects a changed working pattern will have on all parties, including the individual making the request, their work colleagues and the organisation as a whole. Agreeing to one request will not therefore set a precedent or create a right for another employee to be granted a similar change to their working pattern.

### **3.5 Protection from Detriment and Dismissal**

Employees will not suffer unfair treatment or dismissal for requesting flexible work arrangements or working under agreed flexible working arrangements.