

Flexible Working Policy

Item	Detail
Policy Title	Flexible Working Policy
Document Reference	ORG/HR/002
Version	1.0
Effective Date	
Next Review Date	

1.0 Purpose and Legal Basis

In an increasingly dynamic operational environment, the ability to attract and retain skilled, committed individuals is paramount to the success of our mission. This policy establishes the rationale and legal foundations for our approach to flexible working, positioning it as a strategic asset. By embracing flexibility, the charity can engage a diverse pool of talent, foster a culture that values work-life balance and individual wellbeing, and enhance organisational resilience. These benefits directly support our core charitable objective: to deliver education, research, and support to the beneficiary community.

1.2 Purpose

The core purpose of this policy is to establish a fair, transparent, and consistent framework for managing requests for flexible working arrangements from all eligible individuals associated with the charity.

1.3 Legal Basis

This policy is underpinned by, and seeks to comply with, key UK legislation. Our procedures and commitments are based on the following legal frameworks:

- The Employment Rights Act 1996 (as amended)
- The Equality Act 2010
- Relevant Health and Safety legislation, including the Health and Safety at Work etc. Act 1974
- The UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018, which inform the secure management of information, particularly in the context of remote or homeworking arrangements.

1.4 Policy Scope

This policy clarifies who is covered by these principles and the procedures for making and handling requests.

2.0 Scope

Defining the scope of this policy is critical for managing expectations and ensuring its correct and fair application. This section makes a clear distinction between the statutory rights afforded to employees under UK law and the charity's voluntary commitment to applying flexible working principles to other roles that are vital to our work.

2.2 Applicability

This policy applies to the following groups associated with the charity:

- **Trustees:** As office-holders of the charity, Trustees are not employees. However, the charity is committed to applying the principles of flexibility to their voluntary duties wherever practical to support their effective governance and contribution.
- **Staff:** The charity's constitution provides the power to employ staff. All future employees who meet the requisite length of service as defined by current UK law will have a statutory right to request flexible working.
- **Volunteers:** Volunteers do not have a statutory right to request flexible working. Nevertheless, the charity deeply values their contribution and is fully committed to discussing flexible arrangements to support their involvement and accommodate their circumstances where operationally feasible.
- **Contractors and Service Providers:** This policy does not apply to independent contractors, consultants, or external service providers. The working arrangements for these individuals or organisations are governed exclusively by their respective contracts for service.

2.3 Commitment to Flexibility

Our commitment to considering flexibility for all who contribute to our mission is a reflection of our core values and is articulated in the following policy statement.

3.0 Policy Statement

This section articulates the official position of the Board of Trustees. It represents our formal commitment to fostering a modern, supportive, and flexible working culture that enables both the charity and the individuals who support it to thrive.

3.2 Commitment to Flexible Working

The charity recognises the significant mutual benefits of flexible working. We are committed to considering all requests in a fair, consistent, and timely manner. This commitment is a natural extension of our mission to enhance the health and well-being of our beneficiary community, as we believe this principle should also apply to our own people.

3.3 Guiding Principles

All decisions regarding flexible working requests will be guided by the following core principles:

1. All requests will be considered seriously and objectively, carefully balancing the needs of the individual with the operational requirements of the charity and our overriding duty to our beneficiaries.
2. Each request will be assessed on its own merits, taking into account the specific role and circumstances.
3. The charity will not reject a request without a clear, objective, and fair business reason, as permitted by UK statute.
4. All discussions, correspondence, and decisions relating to a flexible working request will be handled confidentially.

3.4 Definitions

To ensure a shared and consistent understanding, the following section provides clear definitions for the key terms used throughout this policy.

4.0 Definitions

Clear definitions are essential for the unambiguous interpretation and application of this policy. They ensure that all parties—Trustees, future employees, and volunteers—have a common understanding of the terms used in discussions and decision-making.

4.2 Key Terms

Term	Definition
Flexible Working	Any working pattern other than the standard one. Examples include, but are not limited to: part-time working, compressed hours, flexitime, job sharing, or changes to work location (e.g., homeworking).
Statutory Request	A formal request for flexible working made under the provisions of the Employment Rights Act 1996 by an eligible employee.
Informal Request	A request for a temporary or permanent change to working arrangements made outside of the formal statutory process.
Employee	An individual engaged by the charity under a contract of employment. While the charity constitution provides the power to employ staff, the charity currently has no employees.
Volunteer	An individual who performs a role for the charity without remuneration, other than the reimbursement of reasonable, pre-approved expenses.
Trustee	A charity trustee of the charity, as defined in the charity's Constitution.

4.3 Procedures

These defined terms are used throughout the following section, which details the practical procedures for making and handling requests.

5.0 Procedures

This section provides a practical, step-by-step guide for managing flexible working requests. The purpose of these clear procedures is to ensure that all requests are handled fairly, consistently, and in full compliance with UK law, providing clarity for both the individual making the request and the person responsible for considering it.

5.1 Informal Flexible Working Requests

Before making a formal request, individuals (including future employees and volunteers) are encouraged to discuss potential changes to their working arrangements informally with their designated point of contact. For a volunteer or Trustee, this discussion should be held with the Chairman or another designated Trustee. This approach fosters open dialogue and allows for potential solutions to be explored collaboratively as a first step.

5.2 Formal (Statutory) Flexible Working Requests

An eligible employee wishing to make a formal statutory request must do so in writing. The request must be dated and must explicitly state that it is a statutory request for flexible working. It should detail the change being requested, the desired start date, and provide information on how the employee believes any potential effect on the charity's operations could be effectively managed.

Upon receipt of a formal request, the charity will follow this procedure:

1. **Acknowledgement:** The charity will provide a written acknowledgement of the request within five working days of receipt.
2. **Meeting:** A meeting will be arranged with the employee to discuss the request in detail. This meeting will take place within 28 days of the charity receiving the request. The employee has the right to be accompanied at this meeting by a work colleague or trade union representative.
3. **Decision:** The charity will communicate its decision in writing within 14 days of the meeting. If the request is approved, the letter will confirm the new working arrangements and specify a start date. Unless explicitly agreed otherwise as a temporary trial period, any approved change will constitute a permanent amendment to the employee's terms and conditions of employment.
4. **Grounds for Refusal:** If the request is refused, the letter must clearly state one of the statutory business reasons for the refusal. The letter will also provide a detailed explanation of the reason and outline the process for appealing the decision.

An employee whose request is refused has the right to appeal the decision. An appeal must be submitted in writing within 14 days of receiving the decision letter, clearly stating the grounds for the appeal. An appeal meeting will be arranged, chaired by a different individual (e.g., a Trustee not involved in the original decision). The final decision following the appeal will be communicated in writing.

5.3 Roles and Responsibilities

The successful execution of these procedures depends on a clear understanding of the roles and responsibilities involved.

6.0 Roles and Responsibilities

Clearly assigning roles and responsibilities is fundamental to good governance. This ensures accountability and the smooth, fair, and consistent execution of this policy at all levels of the charity.

6.2 Specific Responsibilities

The following roles have specific responsibilities for the implementation and management of this policy:

- **The Board of Trustees:** The Board is ultimately responsible for formally approving and adopting this policy, ensuring it aligns with the charity's strategic objectives, and for reviewing its effectiveness on an annual basis. The Board is also responsible for hearing final appeals for statutory requests to ensure impartiality.
- **Designated Manager/Trustee:** This individual (who, in the absence of staff, will be a designated Trustee or a lead from the charity's management contractor) is responsible for the day-to-day application of the policy. Their duties include receiving and considering formal and informal requests, holding meetings with individuals, making decisions in line with the policy, and communicating outcomes clearly and confidentially.
- **Employees/Volunteers:** Individuals are responsible for making any requests in a timely manner, providing sufficient information to allow for proper consideration, engaging constructively in discussions about their request, and adhering to any new working arrangements once agreed.

6.3 Implementation

These responsibilities are supported by the practical steps for the policy's implementation, as outlined below.

7.0 Implementation

A policy is only effective once it is properly embedded into an organisation's culture and operations. This section outlines the practical steps the charity will take to launch and integrate the Flexible Working Policy.

7.2 Implementation Plan

The implementation plan is as follows:

1. **Communication:** Upon formal approval by the Board of Trustees, this policy will be communicated to all current Trustees, volunteers, and key contractors to ensure awareness of its principles and procedures.
2. **Training:** The designated Trustee(s) responsible for managing flexible working requests will receive appropriate guidance or training on the legal requirements and best practices for handling applications fairly and effectively.
3. **Resource Allocation:** The Board will ensure that any necessary resources to support approved flexible working arrangements (e.g., for IT equipment to enable effective homeworking) are considered as part of the charity's annual budgeting process.
4. **Policy Availability:** This policy will be stored in the charity's central document repository and will be made available to any individual covered by its scope upon request.

7.3 Monitoring

Following its initial implementation, the ongoing monitoring of the policy is essential to ensure its continued effectiveness.

8.0 Monitoring

Monitoring is the mechanism by which the Board of Trustees ensures that this policy remains effective, fair, and compliant with evolving legislation and best practice. It provides the oversight needed to confirm that the policy is achieving its intended purpose of supporting both the charity's mission and its people.

8.2 Key Performance Indicators (KPIs)

The effectiveness of this policy will be assessed using the following Key Performance Indicators (KPIs):

- Number of flexible working requests received (both informal and formal).
- Number of requests approved and the statutory business reasons for any refusals.
- The average time taken to process requests, from initial submission to the final decision.
- Anonymous feedback, where possible, from individuals on the fairness, transparency, and clarity of the process.

8.3 Reporting

The designated Trustee will maintain a confidential log of all formal requests and their outcomes. A summary report, fully anonymised to protect personal data, will be presented to the Board of Trustees for review on an annual basis. This will coincide with the policy's annual review cycle.

8.4 Related Policies

This policy does not exist in isolation and must function coherently with the charity's other key governance documents.

9.0 Related Policies

This Flexible Working Policy forms part of the charity's broader governance framework. Effective governance relies on policies working together coherently to manage risk and ensure compliance. This policy should be read in conjunction with other key documents, some of which are currently under development as part of the charity's ongoing governance enhancement.

9.2 Key Related Policies

Key related policies include:

- **Health and Safety Policy:** Essential for ensuring that appropriate risk assessments are conducted for all work arrangements, particularly for homeworking, to safeguard the well-being of our people.
- **Data Protection & Information Security Policies:** Crucial for ensuring the secure and compliant handling of the charity's sensitive and personal data when individuals are working remotely.
- **Equality, Diversity, and Inclusion Policy:** Flexible working is a key enabler of equality of opportunity and can form a 'reasonable adjustment' under the Equality Act 2010. This policy supports our commitment to being an inclusive organisation.
- **Expenses Policy:** This policy clarifies the process for reclaiming any reasonable, pre-agreed costs that may be associated with flexible working arrangements.
- **Grievance Policy:** This provides a formal route for a future employee to raise a complaint if they believe their flexible working request has not been handled in accordance with the statutory procedure. As noted in the charity's governance review, this policy is currently missing and must be developed.

This policy reflects the charity's commitment to creating a positive, supportive, and effective environment for all who dedicate their time and expertise to serving our beneficiary community.