

FLEXIBLE WORKING POLICY

Statement and Purpose of Policy

1. Intelligence Recruitment (the **Employer**) is committed to an equal opportunities workplace and recognises the importance of supporting our employees in maintaining a healthy balance between work and their outside lives.
2. The purpose of this Policy is to help us achieve our equal opportunities and work life balance aims by ensuring that:
 - a. qualifying staff have a structured opportunity formally to request a change to their working pattern and are clear about how to make such a request;
 - b. managers are clear about the process that should be followed if they receive a request for flexible working and the terms that apply to flexible working arrangements. Managers have a specific responsibility to support colleagues and ensure this Policy is a success by trying to accommodate flexible working requests where operationally possible.
3. Employees who do not meet the qualifying criteria to request flexible working through the formal process may still make an informal request. This is also dealt with in this Policy in the "Informal Requests" section.
4. This is a statement of policy only and does not form part of your contract of employment. We may amend this Policy at any time, in our absolute discretion.
5. This Policy is intended to summarise your statutory rights (save for the section dealing with "Informal Requests"). If there is a contradiction between this Policy and the statutory flexible working request arrangements that apply at any time, this Policy shall be deemed to be amended, as necessary, to comply with legislative requirements.
6. No one will be subjected to a detriment for exercising their right to request flexible working in accordance with this Policy.

What is Flexible Working?

7. Flexible working means any change to the normal working arrangements, including:
 - a. working fewer or different hours;
 - b. working fewer days; and/or
 - c. working from a different place.

Examples of flexible working arrangements include compressed hours, annualised hours, staggered hours, term-time working, job-sharing, flexi-time working and working from home.

Who Can Make a Formal Request for Flexible Working?

8. To be eligible to make a formal request for flexible working you must:
 - a. be an employee (not a contractor or consultant);
 - b. not already have a flexible working request outstanding with the Employer (e.g. under consideration or subject to appeal); and
 - c. not have already made two formal flexible working requests in the previous 12 months.
9. You may, if you meet the eligibility criteria above, be eligible to make a flexible working request from your first day of employment with the Employer.

10. If your request for flexible working is accepted then this results in a permanent change to your employment contract. If you don't want to permanently change your employment contract then you can follow the informal process instead.

Process for Making a Formal Flexible Working Request

11. We encourage you to first have an informal discussion about your intention to make your request with the Director, to discuss eligibility and different ways to achieve your objective. This often helps both sides identify a proposal that can be accepted.

Written Application

12. To start the formal process, you should submit a written and dated application to the Director. This should ideally be submitted at least two months before you wish the changes to take effect and should include:
 - a. a clear indication that it is a formal flexible working request that you are making;
 - b. confirmation that you meet the eligibility requirements explained above;
 - c. as much information as possible about your current and desired working arrangements;
 - d. the date when you want the new arrangement to take effect; and
 - e. the date of any previous formal request for flexible working you have made.
13. Employees may make a request to work flexibly for any reason and, in general, you are not obliged to tell us why you wish to do so. However, if you are making your request to accommodate a disability or you think that our Equal Opportunities Policy may be relevant for any other reason then you should tell us this, to ensure that your request is considered according to your legal rights.

Meeting/Discussion

14. In most cases, we will arrange to discuss your application with you as soon as possible after receiving it. If there is going to be a delay before the discussion for some reason then we will let you know. In some cases, we may decide not to hold a meeting at all, for example, if we can agree to your request without any further discussion. We will always arrange a meeting before refusing a request to, for example, discuss an amended version of your request that would be more practicable.
15. As well as the person who is considering your application, Director will be present. You may also have a companion present during the discussion.
16. The discussion may take the form of a meeting but, if both you and we agree, may alternatively be conducted by phone or videolink or some other method. We will try to arrange the discussion at a place and time convenient to you.
17. During the discussion, we will together talk about and consider your request. We may discuss the potential impacts of the requested changes on your work and your colleagues and how these impacts may be managed. If you wish to, you can explain the reason why you are making the request, but this is not compulsory. If it appears that we cannot accommodate your original request, we will also discuss alternative options.
18. Managers with responsibility to decide flexible working requests are encouraged to facilitate requests unless business or operational factors prevent acceptance and may in their discretion offer you a trial period of the proposed working arrangements to see if these meet your needs and work for the business.

Formal Flexible Working Request Decision

19. After the discussion (or if we decide that a discussion is not necessary), we will write to you to confirm our decision on your request as soon as possible and always within two months following your request being made minus a reasonable period of time to allow you to, if you wish, appeal our decision within that two months (unless an extension is agreed as set out in the section headed 'Timing', below). We will keep you informed as to any likely delay.
20. If we agree to your request or propose an alternative arrangement or trial period, the letter will explain the new or proposed arrangements and the resulting changes to your employment contract and start date for the new arrangements. We will ask you to sign the letter confirming your agreement to the change of your contractual terms, which will be kept on your personnel file as a record of the permanent change to your terms. You will not be able to make another formal flexible working request if you have now already made two such requests within the 12 months preceding the date on which you wish to make a request.
21. If business and operational requirements mean that we are not able to agree to your request then we will confirm this in writing, explaining the business reason for the refusal and how it applies to your case, and explaining how you can appeal our decision.
22. We may only reject your request because of one or more of the following reasons:
 - a. the burden of additional costs;
 - b. detrimental effect on our ability to meet customer demand;
 - c. inability to reorganise work among existing staff;
 - d. inability to recruit additional staff;
 - e. detrimental impact on quality of work;
 - f. detrimental impact on performance of work;
 - g. insufficiency of work during the periods that you propose to work; or
 - h. planned structural changes to our business that would be incompatible with your request.

Formal Procedure: Appeal

23. If we reject your request you can appeal our decision by sending your written and dated grounds of appeal to the Director. Please submit your appeal within 14 days of receiving our written decision.
24. We will then arrange for a further discussion with you about your appeal. We will try to make sure the arrangements for the discussion are convenient for everyone and will conduct the appeal in a reasonable way. You may bring a companion to the appeal discussion, as for the first discussion. The manager hearing the appeal will be independent and not have been involved with your flexible working request until the appeal stage and where possible, will be more senior than the manager who made the initial decision.
25. We will write to you to inform you as soon as practicable of the outcome of your appeal, and will always inform you of a decision on an appeal within the two months following the relevant request being made (unless an extension is agreed as set out in the section headed 'Timing', below).
26. If your appeal is upheld, and we agree to your request or propose an alternative arrangement, or trial period then the letter will explain the new or proposed arrangements and the resulting changes to your employment contract and start date for the new arrangements. We will ask you to sign the letter confirming your agreement to the change of your contractual terms, which will be kept on your personnel file as a record of the permanent change to your terms. You will not be able to make another formal flexible working request if you have now already made two such requests within the 12 months preceding the date on which you wish to make a request.
27. If your appeal is rejected then we will confirm this in writing, explaining the business reason for the decision and how it applies to your case. You will not be able to make another formal flexible working request if you have now already made two such requests within the 12 months preceding the date on which you wish to make a request.

Timing

28. We will try to complete the whole process from receiving your request for flexible working to completing any appeal within two months. If it is not possible for us to do that then we will ask you to agree in writing to an extension of time (particularly if you lodge an appeal and there is not much time for us to consider it before the end of the two month period). We will try to keep you informed about the progress of your application and any likely delays.

Companions

29. At the first meeting or discussion between us concerning your formal request and any appeal meeting or discussion, you may have a companion present. The companion must be a colleague or Trade Union Representative and may speak during the discussion to put forward your case but may not answer questions on your behalf. You can confer privately with your companion during the meeting or discussion. We may allow you to bring a different companion with you if this will help you overcome a disability or with your understanding of English, at our absolute discretion.

Withdrawal of Your Formal Flexible Working Application

30. If you notify us after making a formal flexible working request, but before a decision is made that you wish to withdraw the request, this request will be counted as one of the two formal flexible working requests that you're entitled to make within a 12-month period. You will not be eligible to make another request during any 12-month period for which you have exceeded this limit. If you fail twice to attend any meeting or discussion scheduled under this process, without reasonable cause, then we may treat your request as withdrawn and will confirm this to you in writing.

Making an Informal Flexible Working Request

31. If you are ineligible to request flexible working under the formal process or for some other reason wish to make an informal request then you should contact the Director who will consider our operational requirements and see whether your request can be granted.
32. It will help us to deal with your request if you set out your request in writing, explaining as much as you can about:
- a. the change you would like to make and why;
 - b. when you would like it to start and whether you would like it to be temporary or permanent; and
 - c. what the impact on the business is likely to be and how the consequences of the change on our business and your colleagues can be managed.
33. We will designate someone to consider your request and will confirm to you if we would like to arrange a meeting or discussion with you before reaching our decision.

Data Protection

34. The Employer processes personal data collected when managing flexible working requests in accordance with its Data Protection Policy.
35. In particular, data collected as part of managing employees' flexible working requests is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to flexible working requests and managing flexible working arrangements.

36. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Employer's Data Protection Policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the Employer's disciplinary procedure.

Attribution

37. This Flexible Working Policy was created using a document from [Rocket Lawyer](https://www.rocketlawyer.com/gb/en) (https://www.rocketlawyer.com/gb/en).