

Flexible Working Policy

This document is relevant to:	
Staff	✓

Purpose

Dorset Mind recognises that its employees are its greatest resource and that staff need a balance between work and personal commitments. Dorset Mind recognises that staff's personal commitments can change (e.g. health, caring responsibilities, and study/training) and that this could impact on their work for Dorset Mind. Therefore, Dorset Mind encourages employees to talk with their line managers about how any changes in their personal life may affect their working life, and if Dorset Mind can help the member of staff maintain a work/life balance.

Dorset Mind's prime concern is to provide its services to its service users as efficiently and effectively as possible, but Dorset Mind will consider requests for changes to work patterns if this will maintain its services and/or that different patterns of work will help retain staff, maintain staff motivation and increase the effectiveness/efficiency of service delivery.

Policy

1. What is flexible working?

Requests to work flexibly may include (but is not an exhaustive list):

- changing number of hours worked
- changing when hours are worked (including term time only)
- job-sharing
- flexitime
- compressed hours
- annual hours (i.e. setting out total hours to be worked per year with flexibility as to when worked)
- working from home on a regular basis
- mobile working/teleworking.

2. Requests to work flexibly

Staff can informally ask their line managers about the possibility of flexible working at any time but any subsequent request must follow the procedure below.

Staff have a statutory right (under the Flexible Working regulations 2014) to make a formal request (but no automatic right to a contract variation), once a year, to work flexibly as long as they:

- have at least 26 weeks' continuous employment with Dorset Mind at the date of the request, and
- have not formally made a request for at least 12 months.

Any changes made to the pattern of work as a result of a formal request will be permanent, unless Dorset Mind agrees to a temporary variation.

A request can also be a proposed reasonable adjustment for a disability under the Equality Act 2010.

3. How to make a request

For short term temporary changes that will last no longer than 3 months then an informal request to the line manager should be made and if agreed and approved by the Chief Executive will be noted in the individual's personnel file.

For formal requests that will require changes over a longer period then the request should be in writing to the line manager using the attached form.

Before making a request, employees should consider:

- what working pattern will help to meet your needs
- any financial implication a change may have for you
- what effects, if any, it will have on Dorset Mind services and what suggestions you have for how any negative impact could be lessened
- the date from which you would like the change to become effective.

4. Meeting to discuss the formal request

Dorset Mind will treat any request fairly and in a timely manner. The process of considering any formal request (including any appeal) must legally be completed within 3 months of receiving the request; however, Dorset Mind will endeavour to complete the process within six weeks.

On receiving the request, the line manager will arrange a meeting as soon as possible, and within 14 days, with the employee to discuss the request. The employee has the right to be accompanied by a work colleague or trade union representative.

Dorset Mind will rearrange the meeting if inconvenient for the employee and/or their companion.

At the meeting the proposed variation will be discussed in full, the impact (positive and negative) of the change on the employee's work and others, and how any negative impacts could be minimised. Alternative variations will also be considered and if there should be a trial period.

If an employee does not attend the meeting, or a rearranged one, and there are no mitigating circumstances, then Dorset Mind will deem that the application has been withdrawn.

5. Deciding on a request

Following the meeting the line manager will consider the request carefully looking at the benefits of the requested changes for the employee and Dorset Mind and weighing these against any adverse impact on Dorset Mind services. The manager will consider:

- Dorset Mind's service needs (short-term and long term)
- the suitability of the job for the flexible arrangements proposed
- the suitability of the employee to operate the flexible arrangements (e.g. if homeworking their ability to self organise and the practicalities of their home)
- the current balance of staff and other flexible working arrangements
- the feasibility of covering remaining hours if a reduction is proposed
- the impact on other staff (positive and negative).

Requests may be rejected for the following business reasons:

- a burden of additional cost
- a detrimental effect on meeting users demand
- an inability to reorganise work amongst existing staff
- an inability to recruit additional staff
- a detrimental effect on quality
- a detrimental impact on performance
- insufficient work during the periods the employee proposes to work
- planned structural changes
- any other ground allowed by regulations.

Once the line manager has reached a view they will discuss it with the Chief Executive and a decision will be made and communicated to the employee in writing within 14 days of the meeting above.

6. Agreement

If Dorset Mind agrees to the request a letter confirming this will be sent to the employee setting out the variation (including any compromise agreed at the meeting), when it will take effect and whether the variation is temporary or permanent.

If the line manager considers that there should be a trial period then the letter should detail what this period is and when it will be reviewed.

7. Refusal

If the request is refused the written notice will identify, and explain, on which of the business reasons the application was refused.

The letter will also set out the appeal process.

8. Appeal

If a request has been refused then the employee has the right to appeal within 7 days after the date they were notified of the decision.

The notice of appeal should be addressed in writing to the Chair of Trustees setting out the grounds for the appeal.

The Chair of Trustees, or another trustee appointed on their behalf, will arrange to conduct an appeal hearing with the employee within 14 days of receiving the notice of appeal.

The time and place of the appeal meeting will be convenient to both the employee and the Chair/Trustee. Employees have the right to be accompanied by a work colleague or trade union representative.

After the appeal meeting the Chair/Trustee will write to the employee within 7 days of the date of the meeting with a decision which will be final. If the appeal is upheld the letter will also identify why. If Dorset Mind dismisses the appeal the letter will state the grounds for the decision and an explanation of why they apply.

Responsibilities

The Chief Executive is responsible for managing this policy and overseeing its implementation. Line managers are responsible for implementing the policy within their areas of work, and for overseeing adherence by staff. Every member of staff should take personal responsibility for conforming to it.

Associated Policies and Procedures

- Equality and Diversity Policy

The equality impact of this policy has been considered and Dorset Mind believes that it complies with its commitment to equality as stated in its Equality Policy

Policy Ownership

Policy Name	Version	Doc ref
Flexible Working Policy	1.0	Flexible Working Policy

Policy Owner	Chair of Trustees
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Approval Status

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Consult the Dorset Mind website for the latest version of this policy.

Document Control

Reviewers

Name	Position
Chris Price	Chair of Trustees
Rob Griffith	Staff
Claire Wait	Trustee

Change History

Issue	Date	Author	Reason
1.0	Dec 15	Chris Price	New policy