



Flexible Working Procedure

Overview

Flexible working is a way of working that suits an employee's needs, for example 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. This is known as '[making a statutory application](#)'.

Employees must have worked for York Childcare (YC) for at least 26 weeks to be eligible.

What York Childcare must do

YC must deal with requests in a 'reasonable manner'. Examples of handling requests in a reasonable manner include:

- assessing the advantages and disadvantages of the application
- holding a meeting to discuss the request with the employee
- offering an appeal process

YC can refuse an application if they have a good business reason for doing so.

Types of flexible working

There are different ways of working flexibly.

- **Job sharing** - Two people do one job and split the hours.
- **Working from home** - It might be possible to do some or all of the work from home or anywhere else other than the normal place of work.
- **Part time** - Working less than full-time hours (usually by working fewer days).
- **Compressed hours** - Working full-time hours but over fewer days.
- **Flexitime** - The employee chooses when to start and end work (within agreed limits) but works certain 'core hours', for example 10am to 4pm every day.
- **Annualised hours** - The employee has to work a certain number of hours over the year but they have some flexibility about when they work. There are sometimes 'core hours' which the employee regularly works each week, and they work the rest of their hours flexibly or when there's extra demand at work.
- **Staggered hours** - The employee has different start, finish and break times from other workers.
- **Phased retirement** - Default [retirement age](#) has been phased out and older workers can choose when they want to retire. This means they can reduce their hours and work part time.



Applying for flexible working

Employees can apply for flexible working if they've worked continuously for YC for the last 26 weeks.

The basic steps are:

1. Put your request in writing using the flexible working request form to YC.
2. YC will consider the request and make a decision within 3 months - or longer if agreed with the employee.
3. If YC agrees to the request, we will amend the terms and conditions in the employee's contract.
4. If YC is unable to accommodate the request we will write to the employee stating the business reasons for the refusal. The employee may be able to complain to an [employment tribunal](#).

Employees can only make one application for flexible working a year.

Writing to the employer

YC requests you complete a YC flexible working request form. If you are unable to submit the form or prefer to put your request in writing you must include the following information:

- the date
- a statement that this is a statutory request
- details of how the employee wants to work flexibly and when they want to start
- an explanation of how they think flexible working might affect the business and how this could be dealt with, for example if they're not at work on certain days
- a statement saying if and when they've made a previous application

Withdrawing an application

Employees should inform YC in writing if they wish to withdraw their application.

YC can assume an application as withdrawn if the employee misses 2 meetings to discuss an application or appeal without good reason, for example sickness.

YC will inform the employee in writing if they deem an application to be withdrawn.



After the application

YC is obliged to consider flexible working requests in a 'reasonable manner' and endeavor to make a decision within 3 months of the request (or longer if agreed with the employee).

Agreeing the application

If your application is authorised, YC will write to the employee with:

- a statement of the agreed changes
- a start date for flexible working

YC will issue employees with an amended contract including the new terms and conditions, if applicable.

Rejecting an application

YC will inform the employee if their application has been unsuccessful.

Reasons for rejecting

YC may reject an application for any of the following reasons:

- extra costs that will damage the business
- the work cannot be re-organised among other staff
- people cannot be recruited to do the work
- flexible working will affect quality and performance
- the business will not be able to meet customer demand
- there's a lack of work to do during the proposed working times
- the business is planning changes to the workforce

Appeals

Employees no longer have a statutory right to an appeal but YC will continue to offer an appeals process.

How to appeal

The employee must write to YC with their grounds for appeal within 5 working days of receiving the decision.