	<b>Universal Support Services Group Ltd</b>	Document Reference: POL-19 Document Revision No.: 00 Issuance / Review Date Month End: Feb-25
	<b>Flexible Working Policy</b>	Company Name: USSG Ltd Address: Unit B6(A), The Dresser Centre, Whitworth St, Openshaw, Manchester, M11 2NE Landline: +44 161 791 2791 Web: www.ussgl.co.uk Email: info@ussgl.co.uk Company Registration No.: 10289772

## 1. Introduction

- 1.1 Universal Support Services Ltd ('USSG' &/or 'the company') wishes to recruit and retain employees with valuable skills and experience and recognises the benefits of flexible working. It is the Company's policy to ensure that, as far as possible, employees are able to combine their career and childcare responsibilities.
- 1.2 Requests from employees for flexible working will be reviewed on their own merits and agreement to a request will depend on an assessment of whether or not the individual employee's work can be carried out on that basis without any detriment to the Company's business. The Company cannot guarantee that it will agree to every employee's request to work on a flexible basis.
- 1.3 Flexible working is whereby an employee remains on a permanent employment contract but has the right to amended working hours / days to suit their personal needs and/or a work life balance.
- 1.3.1 All USSG staff have the right to request flexible working and to have their request considered seriously by the Company.

## 2. Eligibility

- 2.1 In line with current and pending legislation, all employees are eligible to apply to work flexibly.
- 2.2 Employees who would like more information on any forms of flexible working should refer to this policy document and/or speak to the company's HR Dept.

## 3. Procedure

- 3.1 Any employee who wishes to request a flexible working arrangement should apply under the Company's flexible working procedure, as set down in this policy document.
- 3.2 The Company will give serious consideration to all requests for flexible working.

## 4. Salary Arrangements

- 4.1 Should a flexible working request be accepted, then the appropriate salary / wage rate will be adjusted accordingly to reflect the new working hours / days arrangement/s. To be paid in 12 equal monthly wage runs.

## 5. Annual leave


- 5.1 Should a flexible working request be accepted, then the appropriate annual leave will be adjusted accordingly to reflect the new working hours / days arrangement/s. To be paid when accrued and authorised in the company's usual Holiday Request procedure.
- 5.2 Should the flexible working request be accepted for academic Term-time working, then employees must take their paid annual holiday entitlement during the school holidays.

## 6. Work during school holiday periods

- 6.1 Term-time flexible working employees will be expected to attend the workplace for training, performance reviews, team meetings etc. Whilst every effort will be made to arrange mutually convenient dates during term-time, this may not always be possible. In these circumstances, the Company will give employees adequate notice of such dates in order to enable the employee to make alternative care arrangements.
- 6.2 Employees must agree with the HR Dept how they will keep in touch during all term-time and/or school holiday periods.

## 7. Terminating the term-time working arrangement

- 7.1 As term-time working arrangements are aimed at employees with school-age children, the appropriateness of such arrangements will be reviewed annually. Once term-time working is no longer required, it is expected that employees will agree to a revised working arrangement with the Company.

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Flexible working is a way of working that suits an employee's needs, e.g., having flexible start and finish times, or working from home.

## **Types of flexible working**

There are different ways of working flexibly.

**Job sharing** - 2 people do 1 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.

**Flexi-time** - The employee chooses when to start and end work (within agreed limits) but works certain 'core hours', e.g., 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 when they work. There are sometimes 'core hours' which the employee continually 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.

**All employees have the legal right to request flexible working, not just parents and carers.** This is known as 'Making a statutory application' and means the employer needs to follow a set procedure;

## **Making a statutory application**

The basic steps for making an application are:

1. The employee writes to the employer.
2. The employer should request a meeting within 28 days to discuss the application.
3. The employer must make a decision within 14 days of the meeting and tell the employee about it.
4. If the employer agrees to flexible working, they must give the employee a new contract. If they do not agree the employee can appeal.

**Employees can only make 1 statutory application each year.**


### **Writing to the employer**

Employees can draft their own email or letter to their employer, or Employers can also ask the employee to use a standard form to make an application (Appendix A, towards the end of this document).

### **What the letter must include**

All applications must be in writing. The application must:

- be dated
- say that the employee either has responsibility as a parent or carer (or expects to have it)
- say that they are making the application under the statutory right to request a flexible working pattern
- give details about how they want to work flexibly and when they want to start
- explain how they think flexible working might affect the business and how this could be dealt with (e.g., if they are not at work on certain days)
- say if and when they have made a previous application

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**The employee does not have to include proof that:**

- they are a parent or carer
- no-one else can care for the child or adult they are responsible for

**Meeting to discuss the application**

The meeting must happen within 28 days of the employer receiving the application.

If the responsible manager is not at work, the 28 days start when they get back.

The employee must give a reasonable explanation if they cannot attend the meeting. Otherwise, the employer can treat the application as withdrawn.

**Bringing someone to the meeting**

Employees can bring a work colleague or trade union representative ('rep') to the meeting. The rep can discuss things with the employer, but they cannot answer questions on behalf of the employee.

If the colleague or representative cannot attend the meeting, it should be rearranged to take place within 7 days. The employer must allow the work colleague paid time off to attend.

**Withdrawing an application**

Employees should tell the employer in writing as soon as possible. The application will be treated as withdrawn if the employee misses 2 meetings (without good reason) with the employer.

If the employee does not provide the extra information that the employer needs to make a decision, the application might be treated as withdrawn.

If the application is withdrawn, the employee cannot make another one for 12 months.

The employer can turn down requests if they have a good business reason.

**After the application**

The employer must write to the employee within 14 days of the meeting to let them know what the decision is. This time limit can be longer if they both agree.

**Agreeing the application**

If the employer agrees, they should give the employee a new contract. The employer should write to the employee within 28 days about this and the date the flexible working will start.

**Rejecting an application**

The employer's letter must include:


- the business reasons for rejecting the application
- an explanation about how flexible working affects their business
- how the employee can appeal

**Reasons for rejecting**

Employers can reject an application for any of the following reasons:

- extra costs which will damage the business
- the business will not be able to meet customer demand
- the work cannot be reorganised among other staff
- people cannot be recruited to do the work
- flexible working will have an effect on quality and performance
- there is a lack of work to do during the proposed working times
- the business is planning changes to the workforce

If the employer does not agree to the request, they must have a meeting with the employee to discuss the reasons.

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## **Appeals**

Employees can appeal to their employer against the decision if:

- they disagree with the business reasons given for the rejection
- the information the employer used to make the decision was incorrect or incomplete

### **How to appeal**

The employee can appeal in writing to their employer (template Appendix B, towards the end of this document). If the rejected application causes any problems between the employee and the employer, this could lead to legal mediation and possible litigation via an Employment Tribunal.

The employer must hold a meeting with the employee within 14 days after the employee has told them they want to appeal. Both sides must agree on the date.

Employees can bring a work colleague or union rep with them to the meeting. The employer must write to the employee saying what the decision is within 14 days of the meeting.

If the employee misses 2 appeal meetings without a good reason, the employer can treat the appeal as withdrawn. The employee will not be able to make another application for 12 months.

### **Going to the employment tribunal**

As a last resort, employees may be able to make a complaint to an Employment Tribunal if:

- the employer did not follow the correct process when handling the application
- the employee thinks an employer's decision to reject their appeal was based on incorrect facts
- they are dismissed or are treated unfairly (for example refused a promotion or pay rise) because of the application

Employees cannot complain to a tribunal just because their flexible working request was rejected. They can only appeal to their employer.

If an employer or employee is unsure of their rights, they should get legal advice.


The Managing Director shall review this policy annually and/or following significant changes.

**This Policy document has been approved by the USSG Managing Director**

*Mr Ali Naveed Ul Zafar Arain*

**Mr Ali Arain  
Managing Director**

This policy is reviewed as per the Header

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## Appendix A

### The right to request flexible working Form FW (A): Flexible working application form

#### **Note to the employee**

You can use this form to make an application to work flexibly under the right provided in law to help eligible employees care for their children or for an adult. Before completing this form, read the guidance on the right to request flexible working on the ACAS or Directgov website, and check that you are eligible to make a request.

You should note that under the right it may take up to 14 weeks to consider a request before it can be implemented and possibly longer where difficulties arise. You should therefore ensure that you submit your application to the appropriate person well in advance of the date you wish the request to take effect.

It will help your employer to consider your request if you provide as much information as you can about your desired working pattern. It is important that you complete all the questions as otherwise your application may not be valid. When completing sections 3 and 4, think about what effect your change in working pattern will have both on the work that you do and on your colleagues.


Once you have completed the form, you should immediately forward it to your employer (you might want to keep a copy for your own records). Your employer will then have 28 days after the day your application is received in which to arrange a meeting with you to discuss your request. If the request is granted, this will normally be a permanent change to your terms and conditions unless otherwise agreed.

#### **Note to the employer**

This is a formal application made under the legal right to apply for flexible working and the duty on employers to consider applications seriously. You have 28 days after the day you received this application in which to either agree to the request or arrange a meeting with your employee to discuss their request.

You should confirm receipt of this application using the attached confirmation slip.

Forms accompanying the guidance have been provided for you to respond to this application.

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**1. Personal Details**

Name: \_\_\_\_\_ Payroll No.: \_\_\_\_\_ National Insurance No: \_\_\_\_\_

Role: \_\_\_\_\_ Line Manager: \_\_\_\_\_

**To the employer**

I would like to apply to work a flexible working pattern that is different to my current working pattern under my right provided under section 80F of the Employment Rights Act 1996. I confirm I meet each of the eligibility criteria as follows:

**Either**

- I have responsibility for the upbringing of either:
  - [ ] a child under 17; or
  - [ ] a disabled child under 18.
- I am:
  - The mother, father, adopter, guardian, special guardian, or foster parent of the child; or
  - Married to, or the partner or civil partner of, the child's mother, father, adopter, guardian, special guardian, or foster parent.
- I am making this request to help me care for the child.

**Or**

- I am, or expect to be, caring for an adult.
- I am:
  - The spouse, partner, civil partner or relative of the adult in need of care; or
  - Not the spouse, partner, civil partner or relative of that adult, but live at the same address.
- I am making this request to help me care for the adult in need of care.


- I have worked continuously as an employee of the company for the last 26 weeks.
- I have not made a request to work flexibly under this right during the past 12 months.

Date of any previous request to work flexibly under this right:

If you are not sure whether you meet any of the criteria, information can be found in the ACAS / Directgov guidance.

If you are unable to tick all of the relevant boxes, then you do not qualify to make a request to work flexibly under the statutory procedure. This does not mean that your request may not be considered, but you will have to explore this separately with your employer. Many employers offer flexible working to their staff as best practice.

- 2a. Describe your current working pattern (days/hours/times worked):**
- 2b. Describe the working pattern you would like to work in future (days/hours/times worked):**

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**2c. I would like this working pattern to commence from:**

Date:

**3. Impact of the new working pattern**

I think this change in my working pattern will affect my employer and colleagues as follows:

**4. Accommodating the new working pattern**

I think the effect on my employer and colleagues can be dealt with as follows:

Name:

Date:

**NOW PASS THIS APPLICATION TO YOUR EMPLOYER**



-----  
Cut this slip off and return it to your employee in order to confirm your receipt of their application

**Employer's Confirmation of Receipt** (to be completed and returned to employee)


Dear:

I confirm that I received your request to change your work pattern on:

Date:

I shall be arranging a meeting to discuss your application within 28 days following this date. In the meantime, you might want to consider whether you would like a colleague to accompany you to the meeting.

From:

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### Appendix B

#### [Form FW (D): Flexible working appeal template letter]

[You can use this letter to tell your employer you wish to appeal against your employer's decision about your application to work flexibly.

Delete any text in blue and in [square brackets] and replace with your information before you send the letter.

Before filling out this letter, you are advised to read the guidance available on [www.direct.gov.uk/workandfamilies](http://www.direct.gov.uk/workandfamilies)]

Staff or payroll number: [your payroll or staff number]

Dear [manager's name]

I am appealing against your decision to decline my application for flexible working on the following grounds:

[Please continue on a blank sheet if necessary]

You may find the guidance available on [www.businesslink.gov.uk/flexibleworking](http://www.businesslink.gov.uk/flexibleworking) helpful in replying to this letter. It includes 'Form FW (E): Flexible working appeal reply form – template letter'.

Yours sincerely,

Name: [your name]

Date: [date in DD/MM/YYYY format]