



## Line Manager Guide to the Flexible Working Request Process

All employees at Swansea University have the right to request adjustments to their working pattern. The duty on line managers to consider requests seriously is a legislative right designed to help employees with their work life balance to the benefit of employers and employees. Flexible working practices have many benefits including improved employee engagement, productivity and retention.

Managing a request for adjustments to an employees working pattern requires adhering to a procedure within a set time frame and handling issues that are not necessarily straightforward. No two cases will be the same but you will need to bear in mind:

- Swansea University members of staff have the right to request adjustments to their working pattern;
- You must seriously consider, discuss and if appropriate negotiate a satisfactory outcome;
- There are time scales to follow (please see the flowchart - “How Does the Process Work”);
- There is no automatic guarantee that you will agree to a request;
- Refusal, however, can only be on the 8 recognised business grounds which are:
  - Burden of additional costs
  - Inability to reorganize work among existing staff
  - Inability to recruit additional staff
  - Detrimental effect on ability to meet customer demand
  - Detrimental impact on quality
  - Detrimental impact on performance
  - Planned structural changes
  - Insufficiency of work during the periods the member of staff proposes to work.
  
- You must discuss the matter with your Human Resources Officer as soon as you receive a request;
- You need to discuss the request with your member of staff and come to a decision;
- The member of staff has the right to appeal;
- The member of staff has the right, after appeal, to seek help from a third party such as ACAS and has the right to go to an Employment Tribunal if procedure is not followed or a decision has been made on incorrect facts.



## Meeting

As soon as possible after receipt of the “Request to Change a Working Practice” form, you will arrange to meet with the member of staff. They may be accompanied, at the meeting by a work colleague or union representative if they so wish. There are 3 possible outcomes to your meeting:

- You may approve the request
- You may refuse the request
- It may be that the initial proposal is not workable but that an alternative has been agreed

As soon as possible after the date of the meeting you must write to the member of staff to confirm the outcome of the meeting.

If their request is accepted, the written confirmation will:

- Include a description of the new working pattern
- State the date from which the new working pattern is to take effect
- Define the trial period and confirm a review date if applicable
- Be dated
- If there is any change to pay and/or terms and conditions these will be confirmed in writing by HR

If their request is rejected, the written confirmation will:

- State the ground(s) for refusing the application (one or more of the eight business reasons)
- Provide a sufficient explanation as to why the ground(s) for refusal applies in the circumstances
- Provide details of how to appeal
- Be dated

## Withdrawal

If a meeting is arranged to discuss the application including any appeal and the employee fails to attend this and a rearranged meeting without good reason the application will be deemed to have been withdrawn.

## Consideration

The employee request will be considered carefully but it may not be possible to agree to their request for one of the eight business reasons.



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## Appeal

If the employee is not happy about the outcome of the meeting, they may appeal against the decision **within 14 days** of receipt of the written confirmation, by writing to the Director of Human Resources, setting out the grounds for their appeal.

## Appeal Meeting

As soon as possible after receiving notification that they wish to appeal, an appeal meeting will be arranged by the Director of Human Resources for an appropriate nominee to hear the appeal. The Director of HR will notify you as line manager, of any such appeal. At the meeting, the employee may be accompanied by a work colleague or a union representative. They will be informed of the outcome of the appeal in writing as soon as possible after the date of the appeal meeting. The appeal decision is final, but does not deny the employee the statutory right to take their complaint to an Employment Tribunal and to the Advisory, Conciliation and Arbitration Service (ACAS).

## Time Limits

The law requires that this process (including the appeal process) must be considered and decided upon within three months, unless the University and the employee have agreed to extend the timescale.

## Useful Documents

- [Flexible Working Policy](#)  
(all documents can be accessed from this webpage)
  - Employee Guide to the Flexible Working Request Process
  - Request to Change a Working Practice form
  - How Does The Flexible Working Request Process Work? – flowchart

ACAS Code of Practice – Handling Flexible Working Requests In a reasonable manner <http://www.acas.org.uk/media/pdf/f/e/Code-of-Practice-on-handling-in-a-reasonable-manner-requests-to-work-flexibly.pdf>

ACAS Code of Practice – The right to request Flexible Working <http://www.acas.org.uk/media/pdf/1/a/The-right-to-request-flexible-working-the-Acas-guide.pdf>