

# Grafton Childcare Flexible Working Policy 12<sup>th</sup>

## 1. Introduction

The Employment Act 2002 introduced the right for parents of children under the age of 6 (or 18 if disabled) to apply to work flexibly. This right was extended in April 2007 to include the carers of certain adults. From 6<sup>th</sup> April 2009, the Flexible Working (Eligibility, Complaints and Remedies) (Amendment) Regulations 2009 extend the right to request flexible working to parents of children under the age of 17. Consequently, Grafton Childcare has a duty to seriously consider any such applications.

However Grafton Childcare understands that other members of staff may have commitments and needs that would benefit from the opportunity to work flexibly, and in keeping with our commitment to equal opportunities and desire to support our employees the option of applying to work flexibly is extended to all Grafton Childcare Staff.

## 2. Aims of the Policy

- To ensure that staff are made aware of the right to apply, and the requirements for flexible working, in order that eligible staff are able to maintain a better work – life balance; and
- To ensure that Grafton Childcare complies with all of its obligations imposed by law, and that all applications to work flexibly are dealt with fairly and consistently.

## 3. Provision

All employees are eligible to apply to work flexibly whether they have care commitments or not if they meet the following criteria:

1. be an employee who has worked for the Company continuously for at least 6 months; and
  2. not have made a successful application to work flexibly in the preceding 12 months.
2. Eligible employees will be able to apply to either change the hours that they work or the periods of time that they work as follows:
- 2.1. Part Time work
  - 2.2. Flexitime
  - 2.3. Job-Sharing
  - 2.4. Term-Time Working
3. Employees who would like more information on any of the options above should speak to the Manager.

## 4. Procedure

- 4.1 An employee who wishes to apply to work flexibly must do so in writing to The Manager including the following information:

1. a statement that it is being made under the employee's statutory right to apply for flexible working;
  2. the employee's reason for making the application;
  3. the employee's proposed flexible working plan, and an explanation of what effect the employee thinks it will have on the Company's business and how it can be dealt with;
  4. a start date for the proposed change which allows reasonable time for the Company to consider and implement the proposal; and
  5. the date on which the application is made and the dates and results of any previous applications to work flexibly.
- 4.2 The Manager will arrange a meeting with the employee to discuss the request within 28 days, which the employee may bring a colleague to if they wish.
3. The employee will be notified of the decision within 14 days of the date of the meeting. This notification will either:
- 3.1. Accept the request and confirm the start date as well as any other action; or
  - 3.2. Confirm a compromise agreed at the meeting; or
  - 3.3. Reject the request and give clear business reasons for doing so together with details of the appeals process.
4. The Company will only refuse a valid request to work flexibly on one or more of the following grounds:
- 4.1. The burden of additional costs;
  - 4.2. Detrimental effect on ability to meet customer demand;
  - 4.3. Inability to reorganise work among existing staff;
  - 4.4. Inability to recruit additional staff;
  - 4.5. Detrimental impact on quality;
  - 4.6. Detrimental impact on performance;
  - 4.7. Insufficiency of work during the periods the employee proposes to work; or
  - 4.8. Planned structural changes.
5. Where a request to flexibly is granted there is no automatic right for the employee to return to their previous pattern of work.

## **5. Appeals**

1. Employees have the right to appeal a refusal of a request to work flexibly.
2. An employee who wishes to appeal should do so in writing to the Manager within 14 days of being notified of the refusal.
3. The employee will be notified of the appeal date which must be within 14 days of the Company receiving the employee's appeal. The employee is entitled to be accompanied by a friend or colleague if they wish.
4. The employee will be notified of the appeal decision within 14 days of the appeal meeting. The notification will either:
  - 4.1. uphold the appeal, specify the agreed variation and start date; or
  - 4.2. dismiss the appeal, state the grounds for the decision and contain a sufficient explanation of the refusal.
- 5.5 The appeal decision is final.

**This policy has been approved & authorised by:**

**Name:** Mrs Denise Tupman  
**Position:** Manager & Proprietor of Grafton Childcare  
**Date:** 12<sup>th</sup> January 2014  
**Signature:**