



Flexible Working Requests – Additional Guidelines

Developed in Consultation with the trade unions

October 2020

1. Introduction.

These guidelines have been developed via consultation with the trade unions to support a culture of increased flexibility whereby the needs of the University and balanced with the desired work-life balance of employees at different stages of their career.

They are intended to complement the existing Flexible Working Policies and Procedures which are open to all staff and available on this webpage under Flexible Working:

<https://www.hw.ac.uk/uk/services/human-resources/human-resources-policies.htm>

2. Background & Context

Heriot-Watt University is fully committed to supporting a truly inclusive community of staff and students. It is recognised that staff may, at different stages of their life and career, wish to vary the hours they work or the pattern within which these are carried out. The University has an existing Flexible working policy and supporting procedure. This facilitates both the statutory rights staff have to raise requests for flexible working and the right to request flexible working for non-statutory reasons.

In seeking to make necessary cost savings the University has initiated a formal voluntary redundancy programme which also encourages staff to consider voluntary reductions in working hours. In this way it is hoped to reduce the need for job losses and especially potential compulsory redundancies. It is recognised that some reductions in work may be temporary and as such, in some areas it may be possible to agree temporary reductions in working hours. In others the reduction in work is anticipated to be of an ongoing nature and as such it would not be possible or appropriate to accept a temporary reduction in hours.

Separately, as part of its commitment to the principles underpinning the Athena Swan charter, the University has previously indicated an intention to review arrangements for colleagues who request a move to part-time working following a period of maternity or other family-related leave. The intention being to consider initially offering such reductions on a temporary basis.

It is also recognised that the ongoing Pandemic and associated impact on working arrangements has resulted in a number of colleagues actively reassessing their work life balance.

3. Key Principles

- In line with equality legislation and Athena Swan Principles, part-time staff will not be disadvantaged by virtue of accepting reduced hours.

- Where an individual requests a reduction in hours, the objectives, targets, outputs etc must be discussed, adjusted and captured in PDR documents in line with the reduction in hours
- Whilst every effort will be made to agree to a particular work pattern based on the request for reduced hours, the needs of the business may require further discussion or alternative working patterns being proposed.

4. Agreed options for flexible working

Applications/Requests for reduced hours working are actively encouraged as a route to reducing the need for potential redundancies.

Staff may request either a temporary or permanent change to contractual hours.

Where work levels are reducing on a temporary basis and are expected to increase in the near future, managers may agree to a temporary reduction in hours for a defined period. This would result in a temporary reduction in hours, pay and associated benefits but the underlying contract would remain based on current contracted hours (whether full-time or already agreed part-time hours).

Where reductions in work levels are expected to be of an ongoing nature, managers may only agree to a permanent reduction in hours. This would result in a permanent contractual change.

Decisions will be made by Heads of School/Directors of Professional Services based on a recommendation from the employee's line manager with reference to the existing Flexible Working policy and procedures.

In line with the existing Flexible Working Policy staff accepting a reduction in contractual hours for a statutory reason may after 12 months make an application for this to be reviewed further (either to increase or decrease). An agreed change would not however be guaranteed.

In line with the existing management of change policies, someone agreeing to reduced hours as a means to avoid redundancies would, if made redundant within 12 months of the change, have their right to any future redundancy payment, calculated using a salary level based on their previous contractual hours.

A member of staff who accepted reduced hours would be offered an option to increase these should the department have future agreed vacancies arising either from natural turnover or increased activity and associated budget. They are under no obligation to accept such an offer of additional hours.

Where additional hours become available, for example due to natural turnover, or there is scope to increase the hours because of demand, they will generally be offered on the following basis:

- To all part-time employees working in the same or similar job at the same grade for volunteers to apply ahead of the role being advertised internally or externally
- If more than one employee wishes to increase their hours, the manager should consider whether the hours may be shared across more than one existing part-time role; or

whether the additional time or the tasks are more appropriately offered to one role only. This may be the case if the additional hours amount to less than 0.1FTE

- If the additional hours available are at one grade higher or lower than the existing part-time employees, the manager should seek advice from HR as to whether incorporating the additional duties into existing roles would impact on the overall grading of the roles. If not, the hours would be offered and paid at the substantive grade of the employee/s taking them on
- If the additional hours arise as a result of a new role or one that is more than one grade higher or lower than existing part time employees, it may be offered as a stand-alone part-time role that may be offered as a ring-fenced selection process ahead of any wider internal or external recruitment.
- The manager should be able to explain their decision in objective terms if required and especially where such a decision has resulted in some but not all volunteers being offered an increase in hours.
- An employee who has volunteered for additional hours but has not been offered them may ask the manager for an explanation as outlined above and the manager must meet and explain their reasons within 10 working days of the request being made.

5. Embedding increased flexibility

In future any member of staff requesting a reduction in working hours may do so on a temporary basis. Such a request would be subject to the normal assessment by their Manager to consider how this may be accommodated but is particularly aimed at staff returning from a period of maternity or other family related leave. A reduction to reduced working hours would be agreed either:

1. Permanently
2. On a trial basis (e.g. up to 3 months)
3. For a pre-agreed defined and finite period (e.g. 6 or 12 months)
4. For an initial period with a formalised review point (typically 6 or 12 months but no more than 2 years) at which the arrangement would either be concluded (by the employee or manager) or agreed on a permanent basis.

These guidelines were agreed with the recognised trade unions as part of the collective consultation on the avoidance of redundancies.

Signed: (for HWU)

Date:

Signed (for Trades Unions)

Date: