

Mosspark Group

Standard Operating Procedure

Flexible Working Policy

Policy statement

The Mosspark Group of companies recognises the importance of helping its employees balance their work and home lives by offering flexible working arrangements. In turn, it recognises that staffing levels must at all times remain in line with the demands of the business.

This policy applies to flexible working requests received by The Mosspark Group of companies on or after 6 April 2024. Requests received before that date which have not reached conclusion will continue to be considered under our previous policy.

The policy considers the following options as types of flexible working, but we recognise that there may be alternatives, and that the working pattern that may suit any particular individual could be a unique one involving a combination of options:

- job-sharing
- part-time working
- annualised hours
- compressed hours
- flexitime
- term-time working
- swapping hours
- working from home
- career breaks
- flexible shift working.

The business need

Although the Organisation is committed to providing the widest possible range of working patterns for its workforce, both management and employees need to be realistic and recognise that the full range of flexible working options will not be appropriate for all jobs across all areas of the business.

Where an instance of flexible working is requested, we will take into account a number of criteria including (but not limited to):

- the cost of the proposed arrangement
- the effect of the proposed arrangement on our service delivery
- the level of supervision that the post-holder requires
- the structure of the department and staff resources
- other issues specific to the individual's department
- an analysis of the tasks specific to the role, including their frequency and duration
- an analysis of the workload of the role.

Eligibility

Although we recognise that not all of the flexible working patterns considered will be suitable for all sections of the Company's workforce, there should be no arbitrary barriers. Employees in all areas and levels of the Organisation will be considered for flexible working regardless of their age, sex, sexual orientation, race, religion or belief, pregnancy, marital/civil partnership status, gender reassignment, or disability. However, there is no automatic right for employees to change to any of the flexible working patterns. Each application will be considered on its own merits save for where it is made as a reasonable adjustment under disability legislation in which case it will be considered under the rules applying to our duty under those laws.

Right to request flexible working

You are entitled to make a statutory request for flexible working from the first day of your employment. You can make a maximum of two statutory flexible working requests during any 12-month period. A request cannot be made until any previous request has been concluded in full.

While it is the Company policy to be flexible on working patterns for all its employees, in order to ensure that we are complying with our legal obligations concerning the right to request flexible working, there may be situations where precedence has to be given to those who are eligible for this right.

The application

You can make a request by submitting this in writing to the HR Manager, Clare Nardone or to your own manager.

For clarity, the application you submit must:

- be made in writing and state that it is such an application
- state whether you have made a previous application under this procedure and, if so, when
- specify the change applied for and the date on which it is proposed the change should take effect
- be dated.

The application must also state whether you are requesting the variation as a reasonable adjustment under the disability discrimination provisions of the Equality Act 2010.

Procedure for dealing with an application

Consultation on your application

The Company will consult with you as part of a discussion following receipt of the application, unless we notify you in writing of agreement to the variation. The time and place of the discussion will be convenient to both of us. The consultation will include exploration of alternative arrangements that may be acceptable to you if we are unable to agree to the exact variation requested.

Notice of decision

Once a decision has been made by the Company, we will notify you of the outcome. Where our decision is to agree to the application, the notice will specify the contract variation agreed to and state the date on which the variation is to take effect. Where the decision is to refuse the application, the notice will state which of the specified grounds for refusal are considered to apply, with an explanation of why those grounds apply in relation to the application, and set out the appeal procedure.

Right of appeal

You may appeal against the Company's decision to refuse an application. The notice of appeal must be in writing, setting out the grounds for appeal and be dated.

We will discuss the appeal with you once the grounds for appeal are received, unless we give you written notification that the original decision has been overturned and specify the variation which has now been agreed and the date on which it will take effect. If an appeal meeting is held, the time and place will be convenient to both of us.

After the appeal meeting has been held, we will give you written, dated notice of the decision on the appeal. Where we uphold the appeal, the notice will specify the contract variation agreed to and state the date on which it is to take effect. Where our decision to reject the application remains, the notice will state the grounds for the decision and contain a sufficient explanation as to why those grounds apply.

Acceptance of variation

Where we accept your application, it will mean a permanent variation of your contract, unless we agree otherwise. This means that once a change has been made, there is no right for you to revert back to your previous terms and conditions. Further requests will count towards the maximum amount permitted in any 12-month period.

Timescale

We will deal with and conclude your application for flexible working within two months of the date of the application, unless we both agree on an extension in which case, we will confirm this in writing.

Accompaniment

At any meetings held to discuss the application, including any appeal meetings, you can be accompanied by a colleague of your choice.

Conflicting requests

Where conflicting requests for flexible working are received from employees, the Company may require a compromise to be found so that all requests may be accommodated albeit on different terms as those set out in each request. If no compromise is achievable after consultation with the employees involved, the Organisation may use a random selection method to determine the granting of individual requests.

Withdrawal of application by employee

The Company will treat an application as withdrawn under the statutory provisions where you:

- notify us, orally or in writing, that you are withdrawing the application
- without reasonable cause, fail to attend a meeting to discuss your application or an appeal meeting more than once.

The Company will confirm the withdrawal of the application to you in writing unless you have already provided written notice of the withdrawal.