



For better
mental health

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Sheffield Mind

Flexible Working Policy

This policy outlines Sheffield Mind's commitment to consider flexible working arrangements for employees who have caring responsibilities. The policy may also be used to consider flexible working requests for other reasons although this will be at the discretion of Sheffield Mind. The policy does not form part of the employees' terms and conditions of employment.

Sheffield Mind recognises the contribution of all its employees and also understands that at some time in their working lives, employees may find it difficult to fulfil domestic, family and working commitments due to having caring responsibilities. Where this occurs, the organisation will always consider practical help through this flexible working policy.

No employee will be treated less favourably, suffer detriment, or be dismissed because they request, or take, flexible working.

Flexible working is about considering the way work is organised to accommodate the need of people who are also carers. However, the result must always be that the organisation achieves its core business purpose as efficiently as is possible.

Employees should be aware that if they request and are given agreed flexible working conditions this is a variation of their terms and conditions of employment and is a permanent change. If an employee's circumstances change in relation to the need for flexible working there is no statutory right for a return to the terms and conditions that applied to them prior to flexible working being granted.

Sheffield Mind

- will consider requests for flexible working by eligible employees who put in a written request
- recognises that the initial onus of making an application is with the employee
- will follow the correct procedure as outlined in this document
- will reject an application where it is considered that granting flexible working would be detrimental to the business needs of the organisation
- recognises that in specific circumstances the employee will be able to take a disputed case to an employment tribunal or Acas.

Eligibility

To be eligible to request flexible working, an employee must have worked continuously for the organisation for a minimum of 26 weeks at the date of the application for flexible working. The employee must also fall under the definition of a carer as set out by legislation.

Children: for the right to apply for flexible working, the child must be under six years of age (or under 18 if disabled). However Sheffield Mind may also use its discretion to consider requests where the child(ren) are older than six years. The employee must be



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responsible for the child as its parent and be a biological parent, guardian, adopter, foster carer or married to or the partner of such a person. The employee must also have responsibility for the upbringing of the child or be making an application to enable him or her to care for the child.

Other carers: the right to apply for flexible working also applies to employees who are, or expect to be caring for an adult who:

- is married to, the partner or civil partner of the employee
- is a near relative of the employee, i.e. a parent, parent-in-law, child over 18, adopted child over 18, sibling, brother or sister-in-law, uncle, aunt or grandparent
- falls under none of the above categories but lives at the same address as the employee.

Procedure

When making a request the employee should:

1. Submit the application in writing stating that it is an application for flexible working. The application should be signed and dated.
2. State whether a previous application has been made to the employer and, if so, when.
3. Specify the flexible working pattern applied for and the date on which it is proposed the change should come into effect.
4. Explain what effect, if any, the employee thinks the proposed change would have on the employer and how, in his or her opinion, any such effect might be dealt with.
5. Explain how the employee satisfies the requirements relating to the relationship with the person they care for.

On receipt of the request, the employee's line manager will arrange to meet with the employee to consider the request. The intention of this meeting is to find an agreeable way forward that will enable the employee to work flexibly so they can meet their caring responsibilities whilst also ensuring that there is no adverse impact of the efficiency of the organisation, outputs or on other team members. Other options may be identified and explored at the meeting

The line manager may also consult with [chief executive/chair of trustees] before a decision is made.

The employee will be informed in writing of the outcome of their request. If their request is granted their contract of employment will be revised accordingly. If the request is turned down, they will be given the reasons for this.

Appeal

1. Where a request for flexible working is refused, the employee will be granted the right of appeal.



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2. Where an employee appeals, he or she has the right to be accompanied at the appeal hearing by a colleague of his or her choice.
3. Where the outcome of the appeal is a rejection, in specific circumstances the employee may take their case to employment tribunal or binding arbitration.

All new and existing staff should be made aware of this policy on commencement of their employment. It is the responsibility of line managers to ensure that all staff who report to them are aware of and adhere to the policy framework within which Sheffield Mind operates and to keep them abreast of updated and new policies as soon as practicable.

Policy agreed by Directors on 13th January 2009

Policy due to be reviewed on January 2011