

**QUEEN'S UNIVERSITY BELFAST**  
**FLEXIBLE WORKING PROCEDURE**  
**(Incorporates part time and job share working)**



**1. Introduction**

- 1.1 On 6 April 2003, the Employment Act 2002 gave all eligible employees, with children under six or disabled children under eighteen, the statutory right to request a flexible working pattern. The Act also placed a statutory duty on all employers to consider requests seriously. An employer may only refuse a request where there is a recognised business ground for doing so (see Annex 1).
- 1.2 From 6 April 2007, the Work and Families (NI) Order 2006, extended the statutory right to request a flexible working pattern to eligible employees who care for certain adults. From 18 July 2010 the statutory right has been extended further to all eligible employees with children under seventeen.
- 1.3 In addition to compliance with its statutory duty, the University extended the provision to allow all employees, who have worked continuously for the University for 26 weeks, the right to apply to work flexibly, thereby enabling them to better balance work and home life. The University will give serious consideration to all requests.
- 1.4 Requests to work flexibly may include a change to hours worked or a change to the working pattern. Part time and job share working are examples of flexible working opportunities provided by the University (see Annex 2 for further detail on part time and job share working).

**Note: Accepted applications to work flexibly under the statutory provision (i.e. applications from eligible members of staff, with children under seventeen or disabled children under eighteen to enable them to care for the child, or to enable them to care for certain adults) will result in a permanent change to the member of staff's terms and conditions, unless otherwise agreed.**

**All other accepted applications made under this procedure will be regularly reviewed in line with the business requirements of the University.**

**2. Eligibility**

- 2.1 To be eligible to apply, under this procedure, the member of staff must have worked continuously for the University for not less than 26 weeks at the date of making application.
- 2.2 If the application is made under the statutory provision the member of staff must also:
- (i) have not normally made a formal application to work flexibly under the right during the previous 12 months; and

- (ii) have responsibility, as a parent<sup>1</sup>, for the upbringing of a child under seventeen or under eighteen if the child is disabled, and be making the application in order to be able to care for the child; or
- (iii) be, or expect to be, caring for a spouse, partner, civil partner or relative<sup>2</sup>, or live at the same address as the adult in need of care.

### 3. Request

A member of staff requesting to work flexibly must:

- (i) make the request in writing to the Head of School / Department / Unit. The request should be made on the Flexible Working Application Form which can be found at:  
<http://www.qub.ac.uk/directorates/HumanResources/annual-family-other-leave/work-life-balance-policies/>
- (ii) include in the request, the reason for the request, details of the desired working pattern, how he/she considers the University could accommodate the request and a start date for the proposed change;
- (iii) where the request is made under the statutory right to care for a child it must be made no later than 2 weeks before the child's seventeenth birthday or eighteenth birthday if the child is disabled.

### 4. Consideration of Request

4.1 Following a request the Head of School/ Department/ Unit must:

- (i) meet the member of staff within 28 days<sup>3</sup> of receiving the application to discuss the request. This meeting is not required if the Head of School/ Department/ Unit agrees to the terms of the application and notifies the member of staff accordingly within 28 days<sup>3</sup> of receiving the application;
- (ii) allow the member of staff to be accompanied by a work colleague or a recognised trade union representative at the meeting;
- (iii) explore how the requested work pattern can best be accommodated, and where problems exist in accommodating the member of staff's preferred pattern explore alternative working patterns;

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<sup>1</sup> Includes mother, father, adopter, guardian, special guardian, foster parent; or married to or the partner of the child's mother, father, adopter, guardian, special guardian or foster parent, including same sex partners as long as they have parental responsibility for the child.

<sup>2</sup> Includes mother, father, adopter, guardian, special guardian, parent-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law, uncle, aunt or grandparent and step parent, step-son, step-daughter, step-brother and step-sister. Half blood relatives are also included, as are adoptive relationships and relationships which would have existed but for an adoption, i.e. an employee's natural relatives.

<sup>3</sup> There will however be exceptional circumstances when it is not possible to complete a particular part of the procedure within the specified time limits. Extensions of such time limits can only take place where there is agreement and a written record of such must be maintained.

- (iv) notify the member of staff of the decision in writing within 14 days<sup>3</sup> of the meeting;
  - where the request is accepted, provide confirmation of acceptance and date of commencement of new working pattern and notify People and Culture of the revised terms and effective date;
  - where the request is not being granted include the reason for the decision (see Annex 1).

4.2 Where a member of staff requests to work part time or job share and the Head of School/ Department/ Unit has agreed to the request but it has not been possible to find a job share partner within the relevant School/ Department/ Unit, the Head of School/ Department/ Unit will contact People and Culture who maintain a job sharing / part time register to ascertain whether suitable arrangements can be put in place.

## 5. Right to Appeal

The member of staff has a right to appeal against the decision.

- (i) The appeal must be made within 14 days<sup>3</sup> in writing to the next higher level of management, setting out the grounds of appeal.
- (ii) Within 14 days<sup>3</sup> of receipt of the written appeal the manager must meet with the member of staff to discuss the appeal. A member of staff from People and Culture or the Diversity and Inclusion Unit will also attend the appeal.
- (iii) The member of staff has the right to be accompanied by a work colleague or a recognised trade union representative.
- (iv) Within 14 days<sup>3</sup> of the meeting the manager must notify the member of staff, in writing, of the decision:
  - where the appeal is accepted, provide confirmation of acceptance and date of commencement of new working pattern and notify People and Culture of the revised terms and effective date;
  - where the appeal is dismissed, provide the grounds for the decision.

6. Other Work Life Balance Leave

Please see also the University's procedures in relation to:

- Adoptive Leave
- Career Break
- Dependant Leave
- Maternity Leave
- Paternity Leave
- Parental Leave
- Shared Parental Leave

Further information on these policies can be accessed through the web at the following address:

<http://www.qub.ac.uk/directorates/HumanResources/annual-family-other-leave/work-life-balance-policies/>

If you have queries regarding any of the above please contact the HR Hub, ext 3000 or, e-mail [hrhub@qub.ac.uk](mailto:hrhub@qub.ac.uk).

### Refusal to Grant Request

An application can be refused only where there is a clear business reason. The business ground(s) for refusing the request include:

- Burden of additional costs
- Detrimental impact on ability to meet the business needs
- Inability to reorganise work among existing members of staff
- Inability to recruit additional members of staff
- Detrimental impact on quality of service
- Detrimental impact on performance
- Insufficiency of work during the periods the member of staff proposes to work
- Planned structural changes

Where an application is refused, the member of staff must be provided with an explanation as to the reason for the refusal to grant the request in the particular circumstances.

**Note: Where a member of staff with a disability or long term condition makes an application for flexible working particular care must be taken to ensure that all possible steps to provide for a reasonable adjustment are considered.**

## Further Detail on Part-time and Job Sharing Working

### 1. Terms and Conditions of Employment

1.1 Terms and conditions of employment which will be applied on a pro-rata basis subject to eligibility, will include:

- salary/wage
- annual leave/ bank holidays
- occupational sick pay
- maternity leave
- paternity leave

Further details can be obtained from People and Culture.

### 2. Training

2.1 A member of staff working part time or job sharing will be provided with the same opportunities for training as a full time member of staff.

### 3. Pension

3.1 It is the responsibility of the member of staff who applies to reduce the number of hours that he/she is currently working to discuss the implications on his/her pension with the Pensions Office prior to any change.

### 4. Part-time

4.1 Part-time work is where a member of staff works less than the normal full time number of hours per week for the staff group. This can be either on a reduced number of day's basis or a reduced number of hours per day. The member of staff will carry out the same or similar duties as before but will do so on a part-time basis.

4.2 Part-time work patterns will normally are based on one of the following:

Working full days – 1, 2, 3 or 4 days a week.

Working some full and some half days – 1½, 2½, 3½, 4½ days a week.

Working reduced hours each of the 5 days a week - mornings only, or afternoons only, or working an extended morning and finishing earlier in the afternoon.

## 5. Job Sharing

5.1 Job sharing is a form of part-time working where two members of staff share the range of duties of one full-time post. The salary and benefits are divided between the job sharers according to the time each job share partner works. Where the job share partners are on different points on the salary scale this differential will be maintained. Each job sharer holds a part time post.

5.2 Job-sharing work patterns will normally be based on job-sharers alternating on the basis of one of the following time splits:

Half day share - one works each morning and the other works each afternoon.

Half weekly share- one works Monday, Tuesday and Wednesday morning and the other works Wednesday afternoon, Thursday and Friday.

Alternate weekly share - one works one week and the other works the next week.

5.3 A job-sharing situation can come about in a variety of ways: for example, an individual member of staff comes to an agreement with their Head of School/ Department/ Unit to reduce his/her working hours and the Head of School/ Department/ Unit seeks to appoint an additional part-time member of staff to share the duties of the post or two members of staff request to fill jointly one full-time post.

5.4 If a member of staff who wishes to job-share is able to identify a possible job-sharing partner, he/she should include reference to this in his/her job-sharing application. In such cases both individual members of staff who wish to apply for a job-share must submit separate applications.

5.5 In some cases, the managerial interest will include a requirement that the proposed partners have equivalent and appropriate experience and qualifications.

5.6 Where a job-share partner cannot be found, the member of staff may be able to change to part-time working where the demands of the post allow this. In cases such as these, and where the post needs to be filled throughout normal working hours, the University will appoint a part-time employee to make up the shortfall.

5.7 Where one job sharer is unable for work due to illness or maternity leave the partner may be offered the opportunity to cover the hours of the absent sharer in the first instance, for which payment will be made at the normal rate.

### Duration of Job-Sharing

5.8 A member of staff who changes to part-time working or job-sharing will have no automatic right to resume full-time work other than by competing for vacant posts or agreeing to fill the shared post full-time on resignation of his/her job share partner.

5.9 A job-sharing arrangement will continue until one of the following occurs:

1. one of the job-sharers either resigns or takes up full-time work.
2. the Head of School/ Department/ Unit advises that the job-sharing arrangement is no longer viable.

In the event of 1 above occurring People and Culture will offer the post on a full-time basis to the remaining job share partner, should the offer be declined People and Culture will take the following action:

- (a) make it known through normal procedures, including the use of the job share register that, a job-sharing opportunity exists or
- (b) re-deploy the remaining job-share partner either into another part-time post or into a full-time post or
- (c) advertise for a part-time member of staff to fill the vacant part of the post.

In the event of No 2 above occurring the members of staff involved would be re-deployed to other job-share vacancies or part-time or full-time posts.