

Live Active Leisure

RIGHT TO REQUEST FLEXIBLE WORKING

INTRODUCTION

Live Active Leisure [the Company] is fully committed to helping **Our People** maintain a work/ life balance, whilst in conjunction with the interests of the Company.

This policy outlines **Our People's** entitlement to request a different working pattern if they meet specific criteria and comply with statutory requirements.

THE POLICY IN OPERATION

Eligibility

In order to make a request for the statutory right to request flexible working an individual must:

- be an Employee
- have worked for the Company continuously for a minimum of 26 weeks at the date the application is made; and
- not have made another application to work flexibly under the right during the past 12 months

Scope of a Request

Eligible Employees are entitled to request:

- a change to the hours they work
- a change to the times when they are required to work
- to work from home.

It is important for Employees to recognise that their right to request a change in their contractual working patterns refers to a **permanent** change to their contracted terms.

Whilst every effort will be made to accommodate requests to revert to the original working pattern, this cannot be guaranteed in the first year of the change to the contract of employment.

A fresh application to revert to the original terms cannot be considered under the statutory scheme until 12 months have elapsed from the initial application.

The fresh application will be considered in accordance with the Company's obligations in statute and in the light of the employment situation within the Company at the time.

The Procedure

Any requests for flexible working must be made by the Employee in writing. The written request should set out the date of the application, the change to the working patterns that the Employee is requesting and when they would like the change to come into effect. The Employee must also outline the impact the requested change will have on the Employee's workplace and suggest how the change may be accommodated by the Company. The Employee should also state that it is a statutory request and detail if they have made a previous application for flexible working and the date of that application.

Requests to work flexibly will be considered objectively and will only be refused if there are business reasons for doing so. These business reasons are set out in legislation and are as follows;

- The burden of any additional costs
- An inability to re-organise work among existing staff

- Inability to recruit additional staff
- A detrimental impact on quality
- A detrimental effect on the business' ability to meet customer demand
- Detrimental impact on performance
- There is insufficient work during the periods that the employee proposes to work
- Planned structural changes; for example where the Company intends to re-organise or change the business and considers the flexible working changes may not fit in with these plans

All written requests will be considered. If more detail is required in relation to the application a meeting will be held to discuss further. If the written request is approved and no further information or details are required no meeting will be necessary. The employee will be allowed to be accompanied at the meeting by a work colleague.

Appeals

An Employee can appeal against the Company's decision to refuse an application by giving written notice of the grounds of appeal within 14 days after the date on which notice of the decision is given.

Dealing with Requests / Appeals

The Company shall deal with applications for flexible working reasonably including appeals and shall notify the employee of its decision within 3 months from first receipt. The decision period may be extended by agreement in advance of the expiry of the 3 month time frame or retrospectively.

If a meeting has been arranged to discuss the application including any appeal and the employee fails to attend both this and a rearranged meeting without good reason the request will be considered as withdrawn and the employee will be notified of this in writing.