



UNIVERSITY OF  
CAMBRIDGE

# **Flexible Working Policy**

**(Easter Term 2024 revision)**

## Flexible Working Policy (Easter Term 2024 revision)

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## 1 Policy Statement

- 1.1 This Policy on flexible working arrangements for University staff has been developed in line with the University's commitment to equality of opportunity and with the intention of helping members of staff to balance their commitments and interests outside work with their contractual duties and responsibilities. It is recognised that being able to offer flexibility in working arrangements may assist members of staff to return to work after a period of absence or to continue in work or to adjust to retirement.
- 1.2 All employees have a statutory right to request flexible working. The University will agree to a flexible working request unless there is a genuine business reason not to, in line with the reasons set out in section 8.6.5. A request will not be rejected without first consulting with the staff member and exploring any suitable modifications or alternatives to the original request. Trial periods may be used to help assess the feasibility of an arrangement.
- 1.3 This Policy complies with **national legislation**, including the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002, the Equality Act 2010, the Flexible Working Regulations 2014 and the Flexible Working (Amendment) Regulations 2023 ("The Flexible Working Regulations"), and the Employment Relations (Flexible Working) Act 2023. Staff working flexibly will be valued and respected in the same way as full-time staff. In addition, their contractual benefits will be the same, on a *pro-rata* basis if working less than full-time, as full-time staff engaged on the same type of contract and performing the same or similar work, unless objectively justifiable.
- 1.4 Flexible arrangements offered to members of staff under this Policy cover **a wide range of different arrangements** including part-time or term-time working, job share, compressed or annual hours, staggered hours or flexitime. At all times, the arrangements that are agreed under this Policy will attempt to balance the needs of the staff member with the work to be carried out and should be in the interests of the Institution concerned. Some of these arrangements will be of a permanent nature whilst others will be temporary, to accommodate a staff member's need for an adjustment of their working arrangements to balance commitments outside work.
- 1.5 This Policy also applies to staff wishing to apply to work flexibly for a limited period in certain circumstances, such as career break and family leave. Study and research leave are covered by separate arrangements outside the scope of this Policy.

## 2 Eligibility

2.1 This Policy applies to **all University employees**.

2.2 All University employees have the statutory right to make a flexible working requests from the first day of employment.

## 3 Purpose of this Policy

3.1 The Policy sets out the **statutory procedure to be followed** when staff ask to work flexibly. Requests can be made on either a permanent or temporary basis. The Policy also sets out the considerations specifically for University Teaching Officers considering and requesting reducing their hours.

If a request is made because of a **disability**, this must be considered in line with the University's legal obligation to make reasonable adjustments under the Equality Act 2010. Further information on reasonable adjustments is set out in the University's [Disability and Employment Policy](#).

3.2 Flexible working under this Policy covers **a wide range of different arrangements** including part-time or term-time working, job share, compressed or annual hours, staggered hours or flexitime. Informal arrangements around the location of working will be managed under the Hybrid Working Policy except for where requests meet the criteria set out in section 6.3 and will be managed under this Policy instead.

3.3 Leave for academic or professional reasons, such as study and research leave, are covered by separate arrangements outside the scope of this Policy, as referenced in section 10.

3.4 This Policy is not contractual and may be amended from time to time, as necessary, in light of any changes in legislation or operational requirements.

## 4 Roles and responsibilities

4.1 **Heads of Institution, line managers** where the flexible working request procedure is delegated to them, and **all those responsible for appointing staff**:

4.1.1 Must ensure that every flexible working request is given serious consideration in accordance with this Policy, approaching meetings with an open mind and not discriminating unlawfully in relation to any of the protected characteristics set out in the Equality Act 2010.

4.1.2 Must consider any flexible working requests in connection with disabilities, in line with the University's legal obligations on making reasonable adjustments.

- 4.1.3 Should ensure that staff are permitted to be accompanied at meetings as set out in this Policy.
- 4.1.4 Are encouraged to routinely consider how certain duties in their department can be covered on a part-time basis or divided up in different ways when reviewing a job vacancy or assessing the workload of the department or of an individual role.
- 4.2 All staff** making a flexible working request:
  - 4.2.1 Should ensure that they have read this Policy before making a statutory flexible working request.
  - 4.2.2 Must provide the key information set out in section 7.2 of this Policy.
- 4.3** Members of the relevant **HR Business Partnering Team**, and **staff responsible for HR** in their area:
  - 4.3.1 Should provide advice and guidance on the statutory procedure for flexible working requests.
  - 4.3.2 Should assist as necessary with the procedure, including attending the consultation meeting, if required, to discuss the flexible working request and/or the appeal meeting to discuss any appeal.
- 4.4** In this Policy, the following terms are defined as:
  - 4.4.1 **‘Head of Institution’**: Heads of Departments and of other academic Institutions, Chairs of Faculty Boards not divided into Departments, and the administrative Heads of Institution.
  - 4.4.2 **‘Institution’**: all academic and academic-related departments, including administrative units, libraries, museums, and any other individual sections or units of the University.
  - 4.4.3 **‘Staff member’**: all University employees (including academic staff), but not workers.

## **5 Legislation**

- 5.1** This Policy complies with **national legislation**, including the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002, the Equality Act 2010, the Flexible Working Regulations 2014 and the Flexible Working (Amendment) Regulations 2023 (“The Flexible Working Regulations”), and the Employment Relations (Flexible Working) Act 2023.
- 5.2** **Statutory rights to temporary leave**, such as maternity, parental, emergency, paternity, and adoption are covered by separate arrangements outside the scope of

this Policy. Details of relevant policies and notes of guidance are available on the Human Resources Division website.

- 5.3** Every effort will be made to handle requests in a timely fashion. Requests must be considered within a **period of two months from the date of the request, including any appeal**, unless an extension to this period is agreed between the Institution and the staff member making the request. For further details, see sections 7.3 to 7.5.

## **6 Types of flexible working**

- 6.1** The range of flexible working practices that may be requested and, depending on the circumstances, may be appropriate include:

- part-time or term-time working
- job share
- compressed or annual hours
- staggered hours or flexitime.

Some flexible working arrangements may not be appropriate for certain roles and applications will need to be considered on a case-by-case basis.

- 6.2** The University operates a non-contractual Hybrid Working Policy, which sets out the informal arrangements for hybrid working across the University. Hybrid working is a type of flexible working that focusses on the **location in which work is undertaken**, with some work being undertaken on the University's premises and some in a remote working environment, such as an individual's home. The Hybrid Working Policy also details the University's approach to working entirely from a remote working environment within the UK.

- 6.3** Discussions and agreements in connection with the flexibility of the location of work will be managed under the Hybrid Working Policy, except where requests for flexible working:

- 6.3.1 cannot be informally agreed under the Hybrid Working Policy or exceed the hybrid working arrangements available under the Hybrid Working Policy;
- 6.3.2 are for changes other than or in addition to the location of work; or
- 6.3.3 are for a permanent contractual change.

- 6.4** This Policy will also apply where the appointment of a staff member working entirely from a remote working environment within the UK continues beyond the 12-month period allowable under the provisions of the Hybrid Working Policy. Staff engaged on this form of temporary arrangement will be expected to apply under the University's Flexible Working Policy should they wish for it to be considered on a longer-term basis. Additionally, if there is a business case to support a staff member

working this way on a permanent basis and this arrangement is mutually agreed, an application should be submitted and managed under this Policy. When considering applications of this nature, the Head of Institution should take into consideration the benefits to both the University and their Institution of staff being physically present in line with the principles of the Hybrid Working Policy.

**6.5** The University provides a model flexitime scheme for Institutions to adopt if they are implementing a flexitime system across their Institution. If a Head of Institution wishes to revise the model scheme for implementation in their Institution, then they should liaise with their HR Business Partnering team. The details of the model are provided through the link in section 10.

**6.6** Definitions of the different forms of flexible working are included in the Glossary in section 9.

## **7 Requests under the Flexible Working Regulations**

**7.1** Under the Flexible Working (Amendment) Regulations 2023, staff members have a statutory right to request flexible working from the first day of their employment.

**7.2** When making a statutory request, a staff member's application must:

- be **in writing**;
- be **dated**;
- specify **the change** that they are seeking;
- the **date** they wish the change to **take effect**; and
- the **date** when the requested changes **will end**, if the request is not for a permanent change.

**7.3** The decision (including any appeal) must be made within **two months of the date of the request**.

**7.4** However, this time limit can be extended by agreement between the Institution and the employee; for example, to accommodate a trial period, annual or sick leave. Any such agreement should be recorded in writing by the Institution, be dated, specify what time limit the extension relates to and specify the date on which the extension is to end. A copy should be provided for the staff member, who will be asked to confirm that they have received this notification.

**7.5** A staff member may make **two statutory requests for flexible working within any 12-month period**. However, a staff member may have only one live request at any one time. Once a flexible working request has been made, it remains live until:

- A decision about the request is made; or
- The request is withdrawn; or

- An outcome is mutually agreed; or
- The statutory two-month period for deciding requests ends.

## 8 Procedure

### 8.1 General principles

- 8.1.1 The procedure for making a statutory flexible working request is set out in this section. Further guidance on flexible working is also available for staff and Institutions from their HR Business Partnering Team.
- 8.1.2 Heads of Institution may at their discretion delegate this procedure to line managers as appropriate, although it is expected that the Head of Institution will deal with flexible working requests submitted by officers.
- 8.1.3 University officers need to apply for dispensation to work flexibly in line with the provisions of Special Ordinance C (i) 2 (c) (formerly Statute D II 6 (c)). Where relevant, the procedure will explain any particular steps needed as part of this process. Where the requested flexible working arrangement includes a reduction in hours and a consequential reduction in duties, and is not made under the career break scheme, University officers are able to apply either:
- 8.1.3.1 on a permanent basis; or
  - 8.1.3.2 on a temporary basis for a period not exceeding five years in the first instance, during which they can retain the right to revert to full time work in an established office once ended or request a further extension (see section 8.8).
- 8.1.4 When considering submitting a request that would result in working fewer hours, the staff member should consider the consequential effect on their pay, pension contributions, and benefits. They may wish to seek advice from the Pensions Office about the implications for their pension.
- 8.1.5 If the staff member fails to attend a consultation meeting and a re-arranged meeting, or an appeal meeting and a re-arranged meeting, without good cause, the formal request will be treated as withdrawn. In such circumstances, the relevant HR Business Partnering Team will write to them to confirm that the request has been treated as withdrawn and no longer live.
- 8.1.6 The **steps in the procedure for submitting and considering a flexible working request** are as follows:
- **Informal discussion** (section 8.2)
  - **Submitting a request** (section 8.3)
  - **Consultation meeting**, where required (section 8.4)



- **Consideration of request and any modifications or alternatives** (section 8.5)
- **Decision** (section 8.6), either:
  - Acceptance of request (section 8.6.2)
  - Refusal of request (section 8.6.5)
  - Trial arrangements (section 8.6.7)
- **Appeal**, after full or part refusal of request (section 8.7)

The forms used to support applications and record any changes to working arrangements may be revised as required. Details of the current versions that should be used to support this procedure are available on the Forms page referenced in section 10.

## 8.2 Informal discussion

- 8.2.1 Any staff member who wishes to request to work flexibly is advised in the first instance to speak informally with their Head of Institution or their line manager as appropriate (see section 8.1.2) to discuss the details of their proposed request, the different options available, and the effect of their proposed working pattern on colleagues and the Institution.

## 8.3 Submitting a request

- 8.3.1 A staff member should submit a request to the Head of Institution using the appropriate form (see section 10) in good time and, if possible, at least two months before they would like the changes to take effect. The staff member must complete the form providing the key information set out in section 7.2, which will enable their Institution to properly assess the request.
- 8.3.2 The staff member is also encouraged (but is not obliged) to explain the reasons for their request, particularly if it concerns childcare or other family commitments, religious or cultural requirements, or adjustments because of a disability so that the full facts of the case, including obligations under other relevant legislation, can be considered.
- 8.3.3 If key information is missing or further clarification is needed, the staff member may be asked to amend or resubmit the request.
- 8.3.4 It is possible to approve the request at this step without holding a consultation meeting, although it may be helpful to discuss the request to ensure that all relevant information is understood before a decision is made. The request must be accepted in full if no consultation meeting is held.

## **8.4 Consultation meeting**

- 8.4.1 If it is not possible to accept the request in full, either because the request requires further discussion before a decision can be reached or because it is not possible to accept the change as requested, the Head of Institution will hold a consultation meeting with the staff member. This meeting is an opportunity to discuss the proposed working arrangements and any alternatives if these are not practicable.
- 8.4.2 The Institution should try to ensure that the meeting is held at a time and place convenient to everyone and within a reasonable period of time after the request is submitted. It should be held privately in person or online or, where neither of these are possible, via a telephone call.
- 8.4.3 The meeting may be attended by a member of the HR Division or a staff member responsible for HR in the Institution. The staff member may be accompanied by a work colleague, a trade union representative, or an official employed by a trade union, who may be entitled to speak during the meeting and confer in private but may not answer questions on behalf of the staff member. If the staff member would like to be accompanied, they should provide the name and status of the companion in enough time for the Institution to make any necessary arrangements for the companion to attend.
- 8.4.4 The content of the meeting and the way in which it is conducted should allow for a reasonable discussion and consideration of the request. Where the original request cannot be accepted in full, the Head of Institution and the staff member should discuss if it is possible to secure some of the benefits that the original request sought, through modifications to the original request or an alternative flexible working option that may be available and suitable for both the Institution and the staff member. The possibility of an initial trial arrangement may also be discussed, to help assess the feasibility of the requested arrangements on a long-term basis.
- 8.4.5 Cover will not always be required as a result of a move to flexible working but when required, should be organised by the start of the flexible working arrangement where possible. Appropriate cover arrangements may include using any savings on salary to create another part-time appointment (for officers with part-time arrangements, stipend savings are credited to the Institution's account), or reorganising duties amongst colleagues where agreed.

## **8.5 Considering the request and any modifications or alternatives**

- 8.5.1 The flexible working request will be carefully considered by the Head of Institution, looking at the benefits of the requested changes in working

conditions for the staff member and the Institution and weighing these against any adverse impact of implementing the changes. If the requested arrangements cannot be accommodated due to one or more of the business reasons set out in section 8.6.5, consideration will be given to whether any modifications or alternatives discussed in the consultation meeting can be approved instead to achieve as much benefit as possible from the original request for the staff member.

- 8.5.2 In assessing the request and any modifications or alternative flexible working options, the Head of Institution will need to consider the duties of the post, the cover available, the need for continuity and any specialist skills required. They will also take into account the effects of the proposal such as: cost; staffing; service delivery; performance; quality implications; and the impact on other staff and any structural changes planned. The Head of Institution should be mindful that the request may result in unapproved additional costs for University central funds, which will need to be addressed; if this is not possible, the burden of the additional costs will be a legitimate reason for refusing the request (see section 8.6.5), or for considering alternative arrangements.
- 8.5.3 Before the Head of Institution can give their approval to a new working pattern involving reduced hours, agreement should be reached on either a reduced quantity of work, or the removal from the job description/role profile of certain discrete elements of the post in order to ensure it can be effectively performed part-time. For University officers in academic posts and comparable unestablished staff members, any part-time arrangements must ensure that the staff member makes a proportionate part-time contribution in all aspects of the officer's duties, including teaching and research. Consideration should also be given to the need to extend the probationary arrangements if the application is made within the probationary period.
- 8.5.4 As part of the assessment, the Head of Institution may need to review the matter with the staff member's supervisor and team to identify and discuss any impact of the proposed arrangements before reaching a decision. An initial trial period may be proposed to ensure the arrangements (either as proposed or with modifications) meet the needs of both the staff member, their colleagues and the Institution.
- 8.5.5 Each flexible working request will be considered on a case-by-case basis and agreeing to one request will not set a precedent or create the right for another staff member to be granted a similar change to their working pattern. Where an application is made for reasons connected to childcare or other family commitments or religious or cultural requirements, the Head of Institution is advised to refer to their relevant HR Business Partnering Team for advice and support to ensure the request is dealt with

appropriately. Disability-related requests must be considered in line with the University's legal obligation to make reasonable adjustments under the Equality Act 2010.

## **8.6 Decision**

8.6.1 The Head of Institution should notify the staff member of their decision in writing as soon as possible after the meeting.

### ***Acceptance***

8.6.2 Where the Head of Institution can accommodate the request with or without modifications or has discussed and agreed alternative arrangements with the staff member, the letter will set out details of the new arrangements, including the date of commencement, duration (if temporary) and any trial period. It should also offer the opportunity for a discussion to clarify any further information that may be helpful in implementing the agreed arrangement. The staff member will be asked to sign and return a copy of the letter, which will be added to their core staff record to confirm the variation to the terms of their employment.

8.6.3 The Head of Institution should also notify HR Shared Services so that the change can be processed using the appropriate form (see section 10).

8.6.4 Approval is required from the Faculty Board (or other comparable authority) and the General Board (or other body delegated as the competent authority) where a request is being made for either permanent or temporary leave from a University Office (or comparable unestablished post) to work flexibly under Special Ordinance C (i) 2 (c) (formerly Statute D II 6 (c)). This must be undertaken within the statutory decision period set out in section 7.3. If the request is approved, the Head of Institution will notify the staff member of the outcome in writing. They should also notify HR Shared Services so that the change can be processed. For details of the process associated with this requirement, see the forms page in section 10. Any stipend savings will be credited to the Institution.

### ***Refusal of request***

8.6.5 Requests may be refused for any of the following eight reasons:

- The burden of additional costs
- The detrimental effect on the ability to meet customer demand (for example, the ability to meet student demand)
- The inability to reorganise work amongst existing staff
- The inability to recruit additional staff

- The detrimental impact on quality
- The detrimental impact on performance
- The insufficiency of work during the periods that the staff member proposes to work
- Planned structural changes.

8.6.6 If the request cannot be accommodated and no other feasible alternative flexible working arrangements can be agreed, the Head of Institution will notify the staff member of their decision in writing, giving the operational reasons for the refusal and providing details of the right to appeal against the decision.

### ***Trial Periods***

8.6.7 In the event that it is unclear whether or not a requested flexible working arrangement in a particular post would be a workable option, the Head of Institution and the staff member may agree to a trial period, which should usually be for no longer than three months. A trial period enables the staff member and Institution to consider how the proposed flexible working arrangement might work in practice and whether or not it is likely to create any practical difficulties. Consideration can then be given to whether or not these can be addressed to identify the feasibility of the proposed arrangements in the long-term.

8.6.8 The nature of the trial period will be set out in writing, including details of any success criteria and how these will be measured. The staff member's working arrangements will be varied for the stated temporary period only, and this will not give the staff member the right to work flexibly on a permanent basis. The Head of Institution should also notify HR Shared Services using the appropriate form (see section 10).

8.6.9 An appropriate extension to the statutory decision period set out in section 7.3 should also be mutually agreed, which suitably recognises the duration of the trial and any appeal. Towards the end of the trial period, the Head of Institution will meet with the staff member to discuss how the trial has worked and what, if any, difficulties have been experienced. They will then confirm their decision on continuing the arrangements, together with any contractual changes if appropriate.

8.6.10 If the Head of Institution considers the trial to have been unsuccessful, the job will revert to its previous status and the staff member will be expected to resume the previous contractual working arrangement.

## **8.7 Appeals Process**

- 8.7.1 A staff member has the right to appeal a decision if their request is refused or is only agreed in part. This includes where the request is refused or only agreed in part after a trial period. They may appeal within 14 days of being notified of the decision. They should appeal in writing, to the Head of Institution, copying in their HR Business Partnering Team, setting out their grounds for appeal and stating whether the appeal is in respect of the whole or in respect of any specified part of any finding of fact or decision.
- 8.7.2 The HR Business Partnering Team will arrange for a meeting to take place, where the appeal will be heard by another manager who is of an equal or more senior standing to the original decision-maker and who has not been involved in the case. They will try to ensure that the meeting is held at a time and place convenient to everyone.
- 8.7.3 The meeting may be attended by a member of the HR Division or a staff member responsible for HR in the Institution. The staff member may be accompanied by a work colleague, a trade union representative, or an official employed by a trade union, who may be entitled to speak during the meeting and confer in private but may not answer questions on behalf of the staff member.
- 8.7.4 The manager hearing the appeal will consider the grounds for and scope of the appeal, including any modifications or alternatives that may have been raised as part of the consultation meeting as appropriate and the criteria in sections 8.5.2 and 8.6.5. They will determine whether the appeal is upheld in full or in part (for example, where an appeal regarding an original request is accepted subject to modifications raised at the consultation meeting) or is rejected. The staff member will be informed of the decision in writing as soon as possible after the appeal meeting.
- 8.7.5 If the appeal is upheld in full or in part, the staff member will be advised in writing of the new working arrangements and when they will commence and details of any trial period. The staff member will be asked to sign and return a copy of the letter, which will be added to their core staff record to confirm the variation to the terms of their employment.
- 8.7.6 If the appeal is rejected, the written decision will give the operational reasons for the decision and explain why they apply in this case in line with the reasons set out in section 8.6.5.

## **8.8 Extension**

- 8.8.1 Where a flexible working request has been requested and approved on a temporary basis under this Policy, the staff member can request an extension of the arrangements or make a new flexible working request for

a permanent arrangement if they wish for it to continue after the end of the temporary period. A review of the existing arrangements should be undertaken as part of the process and considered as part of the decision.

- 8.8.2 For University officers requesting an extension under the option in section 8.1.3.2, the extension application and letter of support from the Head of Institution (via the appropriate Faculty Board for approval as appropriate) should be sent through the Human Resources Division to the competent authority for approval, specifying the duration of the extended arrangements and any changes to the original application for flexible working. Any extension should be for no longer than five years.
- 8.8.3 When submitting either a new flexible working request or a request for extension, staff members are encouraged to make their submissions at least two months in advance, where possible, to allow sufficient time for the appropriate arrangements to be made, such as the creation of another part-time appointment with the stipend savings credited to the Institution's account.

## 9 Glossary

**Annual hours:** Total working hours are calculated over a year rather than a week. This means people can work according to the peaks and troughs of activity over the year.

**Compressed working hours:** Allows people to work their total number of hours over fewer days. For example, working full-time hours over four days a week instead of five, or working nine days a fortnight instead of ten.

**Flexitime:** Lets people choose when they work, usually outside agreed core times. This means staff can vary their start, finish, and break times each day.

**Hybrid working:** Focusses on the location in which work is undertaken, with some work being undertaken on the University's premises and some in a remote working environment, for instance at home.

**Job-sharing:** Splits the duties of a full-time post between two people. Job-sharers divide pay, holiday, and other benefits.

**Part-time working:** Allows people to work less than full-time hours. Part-time workers are protected by the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, which makes it unlawful for employers to treat part-timers less favourably than comparable full-timers in their terms and conditions of employment, unless different treatment can be objectively justified.

**Staggered hours:** Employees have different start, finish, and break times. This allows employers to cover longer operational hours. It also offers employees more flexibility, as long as they are consulted first.

**Term-time working:** Allows people to work for less than 52.25 weeks per year with their work normally linked to periods relating to University or school terms.

## 10 Connected policies and other sources of information

10.1 The forms to be used when submitting and deciding on a flexible working request are available on a dedicated forms page on the HR website (<https://www.hr.admin.cam.ac.uk/policies-procedures/flexible-working/forms>). A summary of the procedure under this Policy is also included.

10.2 Links to other related University policies and guidance can be found below:

- [Hybrid Working Policy](#)
- [Disability and Employment Policy](#)
- [Career Break Scheme](#)
- [Leave for academic or professional reasons](#)
- [Maternity Policy](#)
- [Paternity Policy](#)
- [Shared Parental Leave Policy](#)
- [Adoption Policy](#)
- [Ordinary Parental Leave Policy](#)
- [Special Leave Policy](#)
- [Equal Opportunities Policy](#)
- [Model flexitime scheme](#)
- [Guidance on part-time working](#)
- [Sabbatical leave for University Teaching Officers working less than full-time](#)

## 11 Policy Review

11.1 The Policy will be reviewed 12 months after the implementation date and then every 4 years.

Version	Date version came into force	Description of changes
Lent Term 2023 revision	27.04.2023	Updated in line with the new Hybrid Working Policy.
Easter Term 2024 revision	06.04.2024	Updated with changes arising from the Employment Relations (Flexible Working) Act 2023 and the Flexible Working (Amendment) Regulations 2023.





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