Flexible Working Policy
(Lent Term 2023 revision)
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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 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, and the Flexible Working Regulations 2014 (“The Flexible Working Regulations”). 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.

1.3 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 and, where appropriate, will fulfil the University’s obligations under the Flexible Working Regulations. Others will be of a temporary nature, to accommodate a staff member’s need for an adjustment of their working arrangements to balance commitments outside work. Requests for flexible working arrangements will only be rejected on the grounds set out in the legislation in force.

1.4 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.

Eligibility

2.1 This Policy applies to all University employees, regardless of length of service, who request flexibility in their working arrangements for a period of time of longer than three months.

2.2 Requests to work flexibly for periods of less than three months, for example for compassionate reasons, should be reviewed with the staff member and agreed
locally by the Head of Institution or comparable authority, in accordance with the guidance given by the Human Resources Division.

3 Purpose of this Policy

3.1 The Policy sets out the **procedure to be followed** when staff ask to work flexibly and **includes provisions under the government’s Flexible Working Regulations 2014**. 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 should be managed through the process for agreeing reasonable adjustments 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 Requests can be made on either a permanent or temporary basis under this Policy. However, if the requested change is for a period of **less than three months**, this can be considered and, if appropriate, agreed by the Head of Institution or comparable authority without needing to use the procedure set out in this Policy. Examples of where this might be appropriate include temporary arrangements on compassionate grounds or when supporting a family member after an operation.

3.4 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.

3.5 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 should:**

4.1.1 Ensure that flexible working requests are given serious consideration in accordance with this Policy.

4.1.2 Ensure that staff are permitted to be accompanied at meetings as set out in this Policy.
And are encouraged to:

4.1.3 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 should:

4.2.1 Ensure that they have read this Policy before making a request.
4.2.2 Provide the key information set out in section 7.3.1 of this Policy.

4.3 Members of the relevant HR Business Partnering Team, and staff responsible for HR in their area should:

4.3.1 Provide advice and guidance
4.3.2 Assist as necessary with the procedure, including attending the formal meeting to discuss the flexible working request and/or the formal 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**


5.2 **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. However, requests made under the Flexible Working Regulations should be considered within a period
of 3 months from the date of the request, including any appeal. For further details, see section 8.

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 Procedure

7.1 General principles

7.1.1 The procedure set out in this section applies to all staff requests. However, there are additional requirements when receiving a request from a staff member who is eligible under the Flexible Working Regulations as set out in section 8. Further guidance on flexible working is also available for staff and Institutions from their HR Business Partnering Team.

7.1.2 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.

7.1.3 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:

7.1.3.1 on a permanent basis; or
7.1.3.2 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 7.8).

7.1.4 All requests should be dealt with in a timely manner, including any appeal process.

7.1.5 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.

7.1.6 Requests for a permanent change are limited to one every 12 months from the date of the original request. An exception may be made at the discretion of the line manager.
7.1.7 If a staff member withdraws a formal request, they will not usually be eligible to make another formal request for a permanent change for 12 months from the date of their original request. In certain circumstances, a formal request will be treated as withdrawn. This will occur if the staff member fails to attend a meeting and a re-arranged meeting, or an appeal meeting and a re-arranged meeting, without good cause. In such circumstances, the relevant HR Business Partnering Team will write to them to confirm that the request has been treated as withdrawn.

7.1.8 The steps in the procedure for submitting and considering a flexible working request are as follows:

- **Informal discussion** (section 7.2)
- **Formal request** (section 7.3)
- **Formal meeting** (section 7.4)
- **Consideration of request and alternate arrangements** (section 7.5)
- **Decision** (section 7.6), either:
  - Acceptance of request (section 7.6.2)
  - Refusal of request (section 7.6.5)
  - Trial arrangements (section 7.6.7)
- **Appeal**, after full or part refusal of request (section 7.7)

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.

### 7.2 Informal discussion

7.2.1 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 7.1.2) to discuss the details of their request, the different options available, and the effect of their proposed working pattern on colleagues and the Institution.

7.2.2 The Head of Institution or line manager may be able to agree to the request immediately, particularly if the requested change is for a period of less than three months (see section 3.3), in which case a letter of confirmation is sent to the staff member. HR Shared Services should be notified using the appropriate form (see section 10) so that the change can be processed.

7.2.3 However, a formal request should be made after the discussion if more detailed consideration or consultation is needed (for example, Faculty
Board support is required for requests from officers before formal approval can be given).

7.3 **Formal request**

7.3.1 A staff member should submit a formal 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 will be asked to provide the following key information, which will enable their Institution to properly assess the request:

- The date of the application
- The changes sought to working arrangements, giving as much detail as possible, including working days, start and finish times and proposed location
- The date from when the requested changes would take effect
- The date when the requested changes would end, if the request is not for a permanent change
- The effect the staff member thinks that the requested change would have on the work they do, their colleagues, or the Institution and
- How, in their view, any such effect could be addressed (including any potential suggestions regarding cover)
- The dates of any previous flexible working applications
- Employment status and length of service.

7.3.2 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. In the case of the latter reason, this should be managed through the reasonable adjustments process in the University’s Disability and Employment Policy.

7.3.3 If key information is missing or further clarification is needed, the staff member may be asked to amend or resubmit the request.

7.3.4 If the staff member has identified themselves as eligible under the Flexible Working Regulations (see section 8.1), the requirements set out in section 8 will apply in respect of the remainder of the procedure in the Policy.

7.3.5 It may be possible to approve the request at this step without holding a formal meeting, although usually it will be helpful for the Head of Institution to discuss the request with the staff member to ensure it is the best solution.
7.4 **Formal Meeting**

7.4.1 Normally, the Head of Institution will hold a formal meeting with the staff member after receiving the request. 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.

7.4.2 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 or a trade union representative, who may be entitled to speak during the meeting and confer in private but may not answer questions on behalf of the staff member.

7.4.3 The meeting is an opportunity to explore the proposed working arrangements and any alternatives if these are not practicable. The staff member will be able to explain how the arrangements support their needs. They should also be able to express any views on how the arrangements can be accommodated within the Institution's working practices.

7.4.4 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. It is helpful for the staff member to be aware of this when making the application and to be ready to discuss any ideas they may have about possible cover arrangements (if required) with the Head of Institution at their meeting. 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.

7.4.5 Any flexibility around the proposed arrangement and/or the possibility of an initial trial arrangement may also be discussed, to help the Head of Institution in the next step of assessing the request.

7.5 **Considering the request**

7.5.1 Each flexible working request will be carefully considered, 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 to determine whether the proposed arrangements can be accommodated.

7.5.2 In assessing the request, 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 7.6.5), or for considering alternative arrangements.

7.5.3 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.

7.5.4 If the arrangements in the flexible working request cannot be accommodated as proposed, consideration should be given by the Head of Institution to any alternatives identified in the formal meeting and whether the flexible working request with these modifications can be accommodated instead whilst maintaining as much benefit as possible from the original request for the staff member.

7.5.5 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 considered to ensure the arrangements (either as proposed or with modifications) meet the needs of both the staff member, their colleagues and the Institution.

7.5.6 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 should be managed through the reasonable adjustments process in the University’s Disability and Employment Policy.

7.6 Decision

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

7.6.2 Where the Head of Institution is able to accommodate the request with or without modifications, or has 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. 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.

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

7.6.4 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)). 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

7.6.5 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.

7.6.6 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**

7.6.7 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.

7.6.8 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).

7.6.9 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.

7.6.10 Where the staff member has identified themselves as eligible under the Flexible Working Regulations (see section 8.1), an appropriate extension to the statutory decision period set out in section 5.3 should also be mutually agreed, which suitably recognises the duration of the trial and any appeal.

7.6.11 If they consider 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.

**Appeal Process**

7.7.1 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.

7.7.2 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.

7.7.3 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 or a trade union representative, who may be entitled to speak during the meeting and confer in private but may not answer questions on behalf of the staff member.

7.7.4 The staff member will be informed of the decision in writing as soon as possible after the appeal meeting.

7.7.5 If the appeal is upheld, 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.

7.7.6 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 7.6.5.

7.8 Extension

7.8.1 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.

7.8.2 For University officers requesting an extension under the option in section 7.1.3.2, 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.

7.8.3 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 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.
8 Statutory requests under the Flexible Working Regulations

8.1 Whilst this Policy has been extended to all staff members, the Flexible Working Regulations 2014 enable individuals to submit requests to work flexibly where they are:

8.1.1 an employee;
8.1.2 have worked continuously for their employer for at least 26 weeks at the date the request is made; and
8.1.3 have not made another request to work flexibly under the regulations during the past 12 months.

8.2 Staff will be asked to identify whether they are eligible employees under the criteria in sections 8.1.1 to 8.1.3 when they make their request.

8.3 An application must:

- be in writing;
- be dated;
- state that it is an application made under the statutory procedure;
- specify the change that the employee is seeking and when they wish the change to take effect;
- explain what effect, if any, the employee thinks the change would have on the employer and how any such effect could be dealt with; and
- state whether the employee has previously made an application to the employer and, if so, when.

8.4 In the case of eligible employees, Institutions should note that any decision (including any appeal) should be taken within three months of the date of the request. 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, or to enable the Head of Institution to discuss the impact of the flexible working request with team members.

8.5 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. The employee should be provided with a written record of this agreement and will be asked to confirm that they have received this notification.

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:** Focuses 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
11 Policy Review

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