Introduction

Universal Support Services Group (USSG) Ltd ('USSG' &/or 'the company') wishes to recruit and retain employees with valuable skills and experience and recognises the benefits of both Working From Home (WFH) and Flexible Working. It is the Company's policy to ensure that, as far as possible, employees are able to combine their career and homelife responsibilities for a happy work life balance.

Post employment requests from employees for either WFH and/or flexible working will be reviewed on their own merits and agreement to a request will depend on an assessment of whether or not the individual employee's work can be carried out on that basis without any detriment to the Company's business. The Company cannot guarantee that it will agree to every employee's request to work on this basis.

For clarification Flexible working is whereby an employee remains on a permanent employment contract but has the right to amended working hours / days to suit their personal needs and/or a work life balance.

All USSG staff have the right to request flexible working and to have their request considered seriously by the Company.

Working From Home (WFH)

As your employer and you as our employee there are various things to consider that we hope this policy both explains and encompasses for the understanding of all. As USSG are aware of its responsibilities in supporting and managing our employees when they are in the workplace (official company offices and/or client's sites) and when they're working from home / remotely.

Wherever an employee is working, they receive access to the same company availability of:

- support – including access to their representatives, for example, a recognised trade union
- opportunities – for training, development and promotion
- communications – with Colleague and Line Management, schedule meetings
- Equipment and tools – technology use to make sure everyone can take part in communications and appropriate company activities.
- Expenses – how to resolve any personal expenses incurred by staff working from home

No matter where any of the company's employees are working, all current legislation applies to your employment with USSG. So, it is not acceptable for any employee Working from Home as a form of flexible working, to experience any discrimination for home and hybrid working.

Discrimination means treating someone 'less favourably' than someone else because of these 'protected characteristics':

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

For example, an employer accepts a hybrid working request from a male employee who has children. The employer refuses a similar request from a female employee because they assume she'll be distracted by her children. This is 'direct discrimination' based on sex.

The company does not implement any policy or rule that's the same for everyone but has a worse effect on someone because of a protected characteristic. Unless there's 'objective justification'. This is when an employer can prove a legitimate need for less favourable treatment.

The things that the company considers for this policy are not exhaustive to:

- health, safety and wellbeing when WFH, including ensuring you are adhering to your own physical and DSE adjustments when undertaking work for USSG
- Supporting staff who work from home (WFH)
- Company communications with staff who WFH including Keeping in Touch (KiT)
- training and development for staff who WFH
- Equipment, Tools and any expenses
- Data and security
- how to manage performance
- how to monitor performance

In considering the home or remote working environment, the company may assess whether the home (or other location) is suitable for work. To include, and not be exhaustive to:

- health and safety risk assessment for the work environment, to include ergonomics, equipment, and potential hazards to maintain health and safety standards
- security and privacy of the work environment
- a suitable internet connection in the work environment

Should the need for the above arise, the company will notify its employee:

- who will do the above and how it will be done
- if or when access will be needed
- who will make any decisions on behalf of the company
- what steps they will follow, and how they will be communicated
- what will happen if concerns are identified – including who will make and pay for changes, and how quickly those changes will need to be made
- what will happen if concerns are not addressed – which may include reserving the right to refuse the request
- how you can appeal (please see the Flexible Working procedures below)

Eligibility

As WFH can come under the statutory right to request flexible working, as advised in the below procedures for Flexible Working below. As per current legislation, this only applies to anyone with the legal status of being an employee of USSG. So, is not likely to apply to: an agency worker, a casual worker, or someone on a zero-hours contract.

Our employees' health, safety and wellbeing when WFH

In accordance with HASWA 1974 all parties have responsibilities in the workplace.
Employers should pay attention to the mental and physical health of their employees wherever they are working. Everyone should be encouraged to look after their health – for example, by getting support and doing regular exercise.

As per any advised KiT communications, the company does not make any assumptions and may contact its staff to agree on what support may be needed – for example, if an employee with a disability needs reasonable adjustments.

Mental and physical health issues can be considered disabilities under the law (Equality Act 2010). So, as such the company will make reasonable adjustments for workers who are disabled.

As part of the company's KiT with its staff who WFH, we will provide all appropriate support for their mental health and wellbeing. Including communications regarding any problems they might be having.

Similarly, the company recognises that its staff can find change stressful – including changes in working from home and hybrid working, and can help to reduce stress by helping its employees:

- agree regular contact
- avoid feeling left out and lonely
- feel trusted and supported
- know how to get help with their mental health
- know how to report IT issues
- know what is expected of them – for example, when working from home

The company will make sure that the equipment provided to them has all appropriate information to work safely, as well as advising its employees to ensure that their home ergonomics and Display Screen Equipment (DSE) do not cause any discomfort or pain and encourage the staff to take regular breaks. As an example, information regarding working with DSE can be found at the Health & Safety Executive (HSE) website:
Find out about working safely with display screen equipment from the Health and Safety Executive (HSE)

The company is aware that regarding work-life balance, when someone works from home, they can struggle with:

- finding it harder to switch off from work
- working longer hours

The company, via its KiT communications, may remind its staff that they must follow the law on working hours, as employees have a right to rest breaks and should make sure they take them.

Employees working from home might find it helpful to:

- have clear start and finish times
- switch off their work equipment at the end of the working day
- take regular rest breaks away from a screen

As in turn employees have a responsibility to take reasonable care of their own health and safety at work.
Anyone who works from home should keep in regular contact with their manager. They should also tell their manager about:

- any physical or mental health and safety risks
- any working arrangements that need to change – for example, because of caring responsibilities

Employees and managers should communicate regularly and work together to find solutions to resolve all concerns associated with working from home.

Regarding the potential for sickness and/or ill health, employees who work from home can feel pressure to work while ill – this is sometimes called 'presenteeism'. The company does not advocate for this and encourages its staff to take sick leave if they're not well enough to work and should make sure they adhere to the company's absence and sick leave procedures as detailed in the USSG Employee Handbook.

As advised in this policy, the company and its employees will comply with all current legislation. The company is aware that bullying and harassment can still happen when employees are working from home. For example, through social media, emails, phone calls or online chat.
Examples of bullying and harassment that can happen remotely include:

- inappropriately stopping someone from coming to meetings or activities
- putting humiliating, offensive or threatening comments or photos on social media
- putting someone down in meetings
- revealing sensitive personal information
- spreading false rumours

All employees are expected to adhere to the company's 3Ps in the use of different communication methods, including social media, in bullying or disciplinary policies. So as to avoid unacceptable behaviour between colleagues and/or external parties that is not tolerated by the company.

Supporting staff who are working from home

USSG supports our employees via various forms of communications to help you:

- motivate and organise yourself
- have a good work-life balance
- manage their time

This can help improve performance and reduce stress and anxiety.

Similarly with new starters, should WFH have already been agreed prior to your employment starting with USSG.
The company you settle in, so that you do not feel isolated. As examples:

- Your induction pack may be sent to you and discussed via media portals for both verification and clarification in agreement.
- You will be given a clear schedule for your first week / month, etc.
- Set up meetings to introduce you to colleagues
- Advice on the company's structure and how your role fits in, as well as pertinent company policies, practices and procedures (3Ps)
- General Keeping in Touch (KiT) to agreed schedules, understanding and flexibility about individual circumstances
- Make sure you have the right tools / equipment for your role and know how to use them

Getting communication right

Where possible, it will be mutually arranged / understood the different ways for KiT to prevent feelings of loneliness and isolation. For example, instant messenger tools, video meetings, as well as emails.

The company understands It's important to find the right balance and be clear about the purpose for KiT, and that constant or unnecessary contact can cause stress and affect morale. Thus, the correct arrangements will be made to make sure there are the appropriate gaps between KiT, to improve productivity and avoid stress, anxiety and fatigue.

The company is aware it can be harder to notice problems people are having if you're not meeting face-to-face. So, when communicating remotely, both the company and its employees should:

- May ask either how they are feeling
- be aware of any changes in behaviour or tone of voice
- listen carefully to any concerns

Training and Development

The company's employees, by the nature of WFH, may undertake training specifically for working from home and hybrid working, as well as having access to usual training and development.

Training is important not just for staff who work from home. Consider how training could help their line managers.
Training may include:

- communication skills
- digital skills
- making decisions about hybrid working
- managing staff remotely
- managing work-life balance
- promoting equality
- team building

Equipment and Tools provided to staff who WFH, and any expenses they may incur

The company usually provides all technology equipment their staff may need to work from home. As having the right equipment can help avoid stress. This will all be organised in time for the start of the employee's employment with USSG.

It is expected that the employee will regularly review how the provided equipment and technology works, and agree with the company:

- what's needed to do the job – for example, a reliable and secure internet connection, or a suitable desk and chair
- who will provide or pay for equipment and repairs
- what technical support and training is needed – for example, to set up any new equipment or technology

Day-to-day issues should also be considered, for example:

- how to report any issues and to whom, for example the IT team
- how they will monitor use and handle information
- rules around data protection and information security
- what to do if a work device is lost or stolen

The company will also monitor its staff from any health risks from using 'display screen equipment' – for example, computers, laptops or smartphones.

Both the company and the employee should consider any extra costs employees might have when working from home and prearrange how these costs may be met and by whom.

Common expenses can include paying for extra equipment. You can obtain more detailed advising on this from the .Gov website **Find out more about homeworking expenses on GOV.UK**

Working from home may affect an employees' tax. As an example, an employee might be able to claim tax relief for working from home. More information regarding this can be found in the .Gov website **Find out more about claiming tax relief on GOV.UK**

The employee should be aware that WFH may have an effect on your personal home (Mortgage/Lease) and insurance agreements and is encouraged to properly review this with the interested parties so as not to incur any financial detriment due to having any work equipment in their home for regular work use and/or working from home.

Data and Security

All Employees must adhere to the company's data protection policies while working from home and/or remotely and are reminded to follow the same guidelines regarding the secure storage and transmission of both sensitive files and information, from as if they were working in the company's workplace. Thus, the company emphasises the importance of maintaining data security and confidentiality while working from home and/or remotely.

Performance Management

Performance Management helps the company to maintain and improve our staff's performance so that USSG achieves its goals. Examples of Performance Management can include:

- setting performance targets
- explaining how employees will be monitored
- meetings between a manager and employees to discuss their performance
- assessing employees against their performance targets
- supporting employees to help them improve their performance if needed
- keeping a record of performance
- clear guidance on what will happen if an employee underperforms

The company will consult with our staff when reviewing existing Performance Management 3Ps and agree how they can be adapted fairly for employees working from home. USSG are aware that it's important to trust our employees to do their job, wherever they are working. As, if monitoring is too much or does not respect the employee's privacy, it can:

- damage trust
- cause stress
- reduce productivity

- in some circumstances, breach their legal and human rights

The company knows its employees are entitled to some privacy at work, including when they are working from home.

Company Monitoring of Staff when WFH

The company will advise its employees who WFH before introducing any form of monitoring. Which will then be mutually agreed for both task and time management.

Ways of monitoring may include:

- looking at use of email
- checking website visits
- monitoring and reviewing telecommunications

All monitoring arrangements will follow human rights and data protection laws.

Where necessary the company may implement Impact Assessments for staff monitoring. Should the need for an Impact Assessment arise, the company will provide to its staff:

- clearly set out the reasons for monitoring and the likely benefits
- identify any negative effects the monitoring might have
- consider other options to monitoring or different ways to carry it out
- understand the law around monitoring – for example, how information will be collected and used
- decide whether there is a valid reason for carrying out monitoring

Flexible Working

The company is aware that WFH lends itself to flexible working within the same legislation, and that post-employment the employees' circumstances may change that may lead them to put in a Flexible Working Request including for WFH. The following advising is USSG practices and procedures for such requests;

Eligibility

In line with current and pending legislation, all employees are eligible to apply to work flexibly, as appropriate.

Employees who would like more information on any forms of flexible working should refer to this policy document and/or speak to the company's HR Dept.

Procedure

Any employee who wishes to request a flexible working arrangement should apply under the Company's flexible working procedure, as set down in this policy document.

The Company will give serious consideration to all requests for flexible working.

Salary Arrangements

Should a flexible working request be accepted, then the appropriate salary / wage rate will be adjusted accordingly to reflect the new working hours / days arrangement/s. To be paid in 12 equal monthly wage runs.

Annual leave

Should a flexible working request be accepted, then the appropriate annua leave will be adjusted accordingly to reflect the new working hours / days arrangement/s. To be paid when accrued and authorised in the company's usual Holiday Request procedure.

Should the flexible working request be accepted for academic Term-time working, then employees must take their paid annual holiday entitlement during the school holidays.

Work during school holiday periods

Term-time flexible working employees will be expected to attend the workplace for training, performance reviews, team meetings etc. Whilst every effort will be made to arrange mutually convenient dates during term-time, this may not always be possible. In these circumstances, the Company will give employees adequate notice of such dates in order to enable the employee to make alternative care arrangements.

Employees must agree with the HR Dept how they will keep in touch during all term-time and/or school holiday periods.

Terminating the term-time working arrangement

As term-time working arrangements are aimed at employees with school-age children, the appropriateness of such arrangements will be reviewed annually. Once term-time working is no longer required, it is expected that employees will agree to a revised working arrangement with the Company.

The Flexible Working Act, current UK version, is a way of working that suits an employee's needs, e.g., having flexible start and finish times, or working from home.

Types of flexible working

There are different ways of working flexibly.
Job sharing - 2 people do 1 job and split the hours.

Working from home - It might be possible to do some or all of the work from home or anywhere else other than the normal place of work.

Part-time - Working less than full-time hours (usually by working fewer days).

Compressed hours - Working full-time hours but over fewer days.

Flexi-time - The employee chooses when to start and end work (within agreed limits) but works certain 'core hours', e.g., 10am to 4pm every day.

Annualised hours - The employee has to work a certain number of hours over the year, but they have some flexibility when they work. There are sometimes 'core hours' which the employee continually works each week, and they work the rest of their hours flexibly or when there's extra demand at work.

Staggered hours - The employee has different start, finish, and break times from other workers.

Phased retirement – Default retirement age has been phased out and older workers can choose when they want to retire. This means they can reduce their hours and work part time.

All employees have the legal right to request flexible working, not just parents and carers. This is known as 'Making a statutory application' and means the employer needs to follow a set procedure;

Making a statutory application

The basic steps for making an application are:

1. The employee writes to the employer.
2. The employer should request a meeting within 28 days to discuss the application.
3. The employer must make a decision within 14 days of the meeting and tell the employee about it.
4. If the employer agrees to flexible working, they must give the employee a new contract. If they do not agree the employee can appeal.

Employees can only make 1 statutory application each year.

Writing to the employer

Employees can draft their own email or letter to their employer, or Employers can also ask the employee to use a standard form to make an application (Appendix A, towards the end of this document).

What the letter must include

All applications must be in writing. The application must:

- be dated
- say that the employee either has responsibility as a parent or carer (or expects to have it)
- say that they are making the application under the statutory right to request a flexible working pattern
- give details about how they want to work flexibly and when they want to start
- explain how they think flexible working might affect the business and how this could be dealt with (e.g., if they are not at work on certain days)
- say if and when they have made a previous application
-

The employee does not have to include proof that:

- they are a parent or carer
- No one else can care for the child or adult they are responsible for

Meeting to discuss the application

The meeting must take place within 28 days of the employer receiving the application.
If the manager responsible is not at work, the 28 days start when they get back.
The employee must give a reasonable explanation if they cannot attend the meeting. Otherwise, the employer can treat the application as withdrawn.

Bringing someone to the meeting

Employees can bring a work colleague or trade union representative (rep') to the meeting. The rep can discuss things with the employer, but they cannot answer questions on behalf of the employee.
If the colleague or representative cannot attend the meeting, it should be rearranged to take place within 7 days. The employer must allow the work colleague paid time off to attend.

Withdrawing an application

Employees should tell the employer in writing as soon as possible. The application will be treated as withdrawn if the employee misses 2 meetings (without good reason) with the employer.
If the employee does not provide the extra information that the employer needs to make a decision, the application might be treated as withdrawn. If the application is withdrawn, the employee cannot make another one for 12 months. The employer can turn down requests if they have a good business reason.

After the application

The employer must write to the employee within 14 days of the meeting to let them know what the decision is. This time limit can be longer if they both agree.

Agreeing the application

If the employer agrees, they should give the employee a new contract. The employer should write to the employee within 28 days about this and the date the flexible working will start.

Rejecting an application

The employer's letter must include:

- the business reasons for rejecting the application
- an explanation about how flexible working affects their business
- how the employee can appeal

Reasons for rejecting

Employers can reject an application for any of the following reasons:

- extra costs which will damage the business
- the business will not be able to meet customer demand
- the work cannot be reorganised among other staff
- people cannot be recruited to do the work
- flexible working will have an effect on quality and performance
- there is a lack of work to do during the proposed working times
- the business is planning changes to the workforce

If the employer does not agree to the request, they must have a meeting with the employee to discuss the reasons.

Appeals

Employees can appeal to their employer against the decision if:

- they disagree with the business reasons given for the rejection
- the information the employer used to make the decision was incorrect or incomplete

How to appeal

The employee can appeal in writing to their employer (template Appendix B, towards the end of this document).
If the rejected application causes any problems between the employee and the employer, this could lead to legal mediation and possible litigation via an Employment Tribunal.
The employer must hold a meeting with the employee within 14 days after the employee has told them they want to appeal. Both sides must agree on the date.
Employees can bring a work colleague or union rep with them to the meeting. The employer must write to the employee saying what the decision is within 14 days of the meeting.
If the employee misses 2 appeal meetings without a good reason, the employer can treat the appeal as withdrawn.
The employee will not be able to make another application for 12 months.

Going to the employment tribunal

As a last resort, employees may be able to make a complaint to an Employment Tribunal if:

- the employer did not follow the correct process when handling the application
- the employee thinks an employer's decision to reject their appeal was based on incorrect facts
- they are dismissed or are treated unfairly (for example refused a promotion or pay rise) because of the application

Employees cannot complain to a tribunal just because their flexible working request was rejected. They can only appeal to their employer.
If an employer or employee is unsure of their rights, they should get legal advice.

The Managing Director shall review this policy annually and/or following significant changes.

This Policy document has been approved by the USSG Managing Director

Mr M M Rashid Baig

Mr M M Rashi Baig
Managing Director

This policy is reviewed as per the Header

Appendix A

The right to request flexible working
Form FW (A): Flexible working application form

Note to the employee

You can use this form to make an application to work flexibly under the right provided in law to help eligible employees care for their children or for an adult. Before completing this form, read the guidance on the right to request flexible working on the ACAS or Directgov website, and check that you are eligible to make a request.

You should note that under the right it may take up to 14 weeks to consider a request before it can be implemented and possibly longer where difficulties arise. You should therefore ensure that you submit your application to the appropriate person well in advance of the date you wish the request to take effect.

It will help your employer to consider your request if you provide as much information as you can about your desired working pattern. It is important that you complete all the questions as otherwise your application may not be valid. When completing sections 3 and 4, think about what effect your change in working pattern will have both on the work that you do and on your colleagues.

Once you have completed the form, you should immediately forward it to your employer (you might want to keep a copy for your own records). Your employer will then have 28 days after the day your application is received in which to arrange a meeting with you to discuss your request. If the request is granted, this will normally be a permanent change to your terms and conditions unless otherwise agreed.

Note to the employer

This is a formal application made under the legal right to apply for flexible working and the duty on employers to consider applications seriously. You have 28 days after the day you receive this application in which to either agree to the request or arrange a meeting with your employee to discuss their request.

You should confirm receipt of this application using the attached confirmation slip.

Forms accompanying the guidance have been provided for you to respond to this application.

1. Personal Details

Name: Payroll No.: National Insurance No:

Role: Line Manager:

To the employer

I would like to apply to work with a flexible working pattern that is different to my current working pattern under my rights provided under section 80F of the Employment Rights Act 1996. I confirm I meet each of the eligibility criteria as follows:

Either

- I have responsibility for the upbringing of either:

[ ] a child under 17; or

[ ] a disabled child under 18.

- I am:
  - The mother, father, adopter, guardian, special guardian, or foster parent of the child; or
  - Married to, or the partner or civil partner of, the child's mother, father, adopter, guardian, special guardian, or foster parent.
- I am making this request to help me care for the child.

Or

- I am, or expect to be, caring for an adult.
- I am:
  - The spouse, partner, civil partner or relative of an adult in need of care; or
  - Not the spouse, partner, civil partner or relative of that adult, but live at the same address.
- I am making this request to help me care for the adult in need of care.

- I have worked continuously as an employee of the company for the last 26 weeks.
- I have not made a request to work flexibly under this right during the past 12 months.

Date of any previous request to work flexibly under this right:

If you are not sure whether you meet any of the criteria, information can be found in the ACAS / Directgov guidance.

If you are unable to tick all of the relevant boxes, then you do not qualify to make a request to work flexibly under the statutory procedure. This does not mean that your request may not be considered, but you will have to explore this separately with your employer. Many employers offer flexible working to their staff as best practice.

2a. Describe your current working pattern (days/hours/times worked):

2b. Describe the working pattern you would like to work in future (days/hours/times worked):

2c. I would like this working pattern to commence from:

Date:

3. Impact of the new working pattern

I think this change in my working pattern will affect my employer and colleagues as follows:

4. Accommodating the new working pattern

I think the effect on my employer and colleagues can be dealt with as follows:

Name: Date:

NOW PASS THIS APPLICATION TO YOUR EMPLOYER

✂

\- -

Cut this slip off and return it to your employee in order to confirm your receipt of their application

Employer's Confirmation of Receipt (to be completed and returned to employee)

Dear:

I confirm that I received your request to change your work pattern on:
Date:

I shall be arranging a meeting to discuss your application within 28 days following this date. In the meantime, you might want to consider whether you would like a colleague to accompany you to the meeting.

From:

Appendix B

[Form FW (D): Flexible working appeal template letter]

[You can use this letter to tell your employer you wish to appeal against your employer's decision about your application to work flexibly.
Delete any text in blue and in [square brackets] and replace with your information before you send the letter.
Before filling out this letter, you are advised to read the guidance available on Flexible working: Overview - GOV.UK]

Staff or payroll number: [your payroll or staff number]

Dear [manager's name]

I am appealing against your decision to decline my application for flexible working on the following grounds:

[Please continue on a blank sheet if necessary]

You may find the guidance available on www.businesslink.gov.uk/flexibleworking helpful in replying to this letter. It includes 'Form FW (E): Flexible working appeal reply form – template letter'.

Yours sincerely,

Name: [your name]
Date: [date in DD/MM/YYYY format]