

Reasons to Refuse Flexible working

Section 80G of the Employment Rights Act 1996 sets out a number of reasons that an employer could refuse an application for flexible working. These reasons apply only to police staff applications; however, they give some guidance as to the considerations that Managers and Supervisors should apply to all applications for flexible working, namely:

- the burden of additional costs;
- detrimental effect on ability to meet customer demand;
- inability to re-organise work among existing staff;
- inability to recruit additional staff;
- detrimental impact on quality or performance;
- insufficiency of work during periods the employee proposes to work;
- planned structural changes; and
- other grounds as may be set out in regulations made by the Secretary of State (at present there are no other grounds).

The outcome of the few police service cases regarding flexible working which have reached tribunal suggest that both the individual and the organisation should try to be as flexible as possible in balancing their demands. In the past, hearings have criticised both individual members of staff, and divisional managers or forces for being obstructive or insufficiently open to negotiation.

Benefits for Accepting Flexible working

- Flexible working makes good business sense as it benefits employers and employees.
- Flexibility in the workplace can take many different forms, which collectively meet a raft of business needs.
- Increased flexibility generally results in a more diverse, fitter, healthier, happier and committed workforce.
- Flexible working promotes equality for people in the workplace, because it recognises that workplaces are not gender specific and that single parents and carers are normal players in the workforce. Additionally, the increased working age of the workforce (which is expected to rise in coming years) will bring with it a new set of diversity challenges.

• Change in the makeup of the workforce has resulted in a range of (unique) needs by individuals with:

- Childcare;
- Care of elderly and disabled parents and relatives;
- Disabled family members;
- Own disability needs;
- Growing domestic needs in the home;
- Increased travel time (to and from work); and
- Age needs.

- Flexible working can play a huge part in reducing modern stress levels, as it allows individuals some freedom in
 - how they work;
 - the way they work;
 - the times they work;
 - where they work; and
 - how the working day dovetails with other things in life
- Flexible working gives individuals more time to plan and work which can help reduce fatigue and the added worry levels associated with time juggling, especially where commitment is sought by both the employer and employee and also the family.
- Flexibility helps promote health and well being because people have control over things and can work and plan better, leading to reduced accident, injury and sickness levels. Flexibility is key to the success of the home, work-life balance agenda.
- Flexible working promotes high levels of trust between the worker and the business and usually results in betterment all round and less resentment.
- Flexible working is a management tool that assists delivery, and is born out in the odd occasions of crises –
Organisations who promote flexible working consider that most individuals pull out all the stops to ensure delivery, because they are committed.
- Flexible working is a cost effective way of meeting business trends and ad-hoc fluctuations in business delivery, while reducing the wage bill in respect of overtime payments and sickness pay.