



## Business grounds for refusing a request

Requests to change a work pattern can only be refused using one or more of the following business reasons.

1. The burden of any additional costs is unacceptable to the organisation
2. Inability to re-organise work among existing staff
3. Inability to recruit additional staff
4. Detrimental impact on quality
5. Detrimental effect on ability to meet customer demand
6. Detrimental impact on performance
7. Insufficient work during the periods the employee proposes to work
8. Planned structural changes that do not fit with the proposed working arrangement

Below you will find example requests and reasons for refusal for each business ground.

### Burden of additional costs

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In considering this, it is important to think about whether the proposed new arrangement allows the department to recoup costs through better coverage of service or increased outputs. All costs can be considered including management overheads of managing more fractional contracts.

*Example: two members of staff apply for a job share and both request to work 3 days a week. Whilst the manager may be happy to agree to a job share they are unable to increase payroll costs to cover the additional hours. The staff are not prepared to consider 2.5 days each, so the manager reluctantly has to turn down the flexible working requests.*

### Inability to reorganise work among existing staff

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Managers should consider the cost of recruiting additional staff against the potential cost of losing the existing member of staff. Is it appropriate to talk to other team members about re-organising the work?

*Example: a specialist advisor who has a full workload requests a reduction in hours. The manager looks at the team workload, the skills of the particular advisor and future demand. The specific skill set of the advisor and the lack of capacity within the team for picking up extra work or retraining to gain the necessary skills means that work would not be able to be shared. It would therefore create undue pressure on the rest of the team. The request is reluctantly turned down.*

### Inability to recruit additional staff

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Consider the cost of recruiting additional staff against the potential cost of losing the existing member of staff making the request. Also consider talking to the team about any reorganisation of work where this would be appropriate before coming to a decision.



*Example: A customer facing administrator requests to reduce their hours to 29.2 hours a week (0.8FTE). There needs to be cover 5 days a week from 9-5.15pm. The manager and employee agree to advertise for a 0.2FTE but the recruitment campaign is unsuccessful in finding an appropriate candidate. The request has to be turned down.*

## **Detrimental effect on ability to meet 'customer' demands**

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Look carefully at the skills and potential of other members of staff when considering these reasons.

*Example: An Academic asks for their teaching to be confined to 2 consecutive working days a week as they do not live in Exeter and are travelling down to Exeter and staying overnight. This is seen as potentially having a detrimental impact on service as the academic would have very limited availability for seeing students outside lectures; they would not be able to contribute effectively to admin duties in the College e.g. helping with admissions/open days and also it is likely to be technically unworkable from a timetabling perspective.*

## **Detrimental impact on quality**

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Managers should assess the skills and potential of other employees, with training many staff can acquire new skills.

*Example: an experienced member of the ground staff asks to reduce their hours. The rest of the team are relatively new and are still learning all the requirements of the job. It is felt that a reduction in hours cannot be accommodated at this time but an agreement is made to look at the needs of the business and the skills of the staff in six months' time.*

## **Detrimental impact on performance**

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Performance can mean the individual, the team or the whole organisation

*Example: a manager is supervising a busy team where there are issues of poor performance and short term absenteeism. The manager had been recruited to deal with the issues and requests to work flexibly from home. The request is considered but it is felt that the main focus of the role is to manage the team through the current issues. It is felt that the request cannot be granted at the present time as the manager is required in the office to tackle the issues.*

## **Insufficiency of work during the periods the member of staff proposes to work**

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Ensure that there is a need for the work to be delivered during the period requested.

*Example: a receptionist who works standard University hours of 9.00am to 5.20pm asks to change their working hours to start at 8.00am every day and finish at 4.20pm. The manager looks at the need to respond to customers/staff and decides there is inadequate demand at this time in the morning and the fact that this would reduce reception cover at the end of the day also presents a difficulty. So the request is turned down.*



## Planned structural changes

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This might be important where there are plans to reorganise or change the business and the flexible working request might not fit in with the plans.

*Example: a member of catering staff requests to start work later and finish later. Whilst this seems entirely possible at present, there is a review of customer needs taking place which could result in the opening hours changing. The request is turned down until the review has been completed.*