

BRICK COURT CHAMBERS

BARRISTERS

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POLICY ON FLEXIBLE WORKING

PURPOSE AND SCOPE

This policy on flexible working gives eligible employees an opportunity to formally request a change to their working pattern.

This policy applies to all employees.

This policy does not form part of the employee's terms and conditions of employment. Chambers reserves the right to amend this policy from time to time.

ENTITLEMENT

If you have:-

- (i) a minimum of 26 weeks' continuous service; and
- (ii) parental responsibility for a child under the age of 17 (or 18 where the child is disabled) or are the carer or expect to be caring for a dependant adult,

you may qualify for the right to request flexible working and to have your request considered seriously by Chambers. Details of the eligibility criteria are set out in the application for flexible working attached.

A request for flexible working may include a request for a change to the number of hours you work, your place of work or a request for a change to the pattern of hours worked.

NOTIFICATION REQUIREMENTS

If you wish to submit a request for flexible working you should do so in writing. Information on how to make a request and a request form are available from the Chambers' Administrator (or one of the Senior Clerks).

PROCEDURE

On receipt of a written request the Chambers' Administrator (or one of the Senior Clerks or, in the case of the Senior Clerks, the Head(s) of Chambers) will arrange a meeting with you within no more than 28 days. The purpose of the meeting will be to discuss the changes you have proposed, the effects of the proposed changes and any possible alternative arrangements which might suit both parties.

Each request will be dealt with individually, taking into account the likely effects that the proposed changes will have on Chambers and your colleagues. Agreeing to one employee's request will not therefore set a precedent or create a right for another employee to be granted a similar change to his/her working pattern.

Following the meeting, Chambers will notify you of the decision. If your request is accepted, or where Chambers propose an alternative to the arrangements you requested, the Chambers' Administrator (or one of the Senior Clerks, or, in the case of the Senior Clerks, the Head(s) of Chambers) will write to you with details of the new working arrangements, details of any trial period, an explanation of changes

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to your contract of employment and the date on which they will commence. You will be asked to sign and return a copy of the letter.

There will be circumstances where, due to business and operational requirements, Chambers are unable to agree to a flexible working request. In the circumstances, the Chambers' Administrator (or one of the Senior Clerks or, in the case of the Senior Clerks the Head(s) of Chambers) will write to you giving the business reason(s) for turning down your application, explaining why the business reasons apply in your case and setting out the appeal procedure.

The eight business reasons for which we may reject your request are:

- The burden of additional costs;
- Detrimental effects on ability to meet customer demands;
- Inability to reorganise work amongst existing staff;
- Inability to recruit additional staff;
- Detrimental impact on quality;
- Detrimental impact on performance;
- Insufficiency of work during the periods that you propose to work; and
- Planned changes.

If your request is rejected, you have the right to appeal. Your appeal must be in writing and dated and should set out the grounds on which you are appealing. You should send your appeal to the Heads of Chambers within 14 days of the date on which you receive the written rejection of your request. You will be invited to a meeting to discuss your appeal. You will be informed of the appeal decision following the meeting. If your appeal is upheld, you will be advised of your new working arrangements, details of any trial period, an explanation of changes to your contract of employment and the date on which they will commence. You will be asked to sign and return a copy of the letter.

If your appeal is rejected, the written decision will give the business reason(s) for the decision and explain why the reason(s) apply in your case. You will not be able to make another formal request until 12 months after the date of your original application.

You should be aware that changes to your terms of employment will be permanent and you will not be able to make another formal request until 12 months after the date of your original application.

RIGHT TO BE ACCOMPANIED

If you wish to do so, you may bring a colleague (who may be a trade union representative) to formal meetings held under this policy.

BREACHES OF THE PROCEDURE

There will be exceptional circumstances where it is not possible to complete a stage of the procedure within expected time limits. In those circumstances, Chambers will seek to agree an extension with you.

If you withdraw a flexible working request, you will not be eligible to make another request for 12 months from the date of the original request.