



# **FLEXIBLE WORKING POLICY**

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## **1. Introduction**

- 1.1 The Trust recognises that attracting, recruiting, developing and retaining skilled and experienced employees is central to the achievement of its goals and objectives, and the provision of a high quality service. The Trust is committed to considering flexible and supportive family friendly practices and arrangements which enable staff to balance their work and careers with the demands of a family or other commitments and responsibilities more effectively, leading to greater individual and business performance, increased levels of engagement and commitment from workers at all levels.
- 1.2 Flexible working is designed to address the changing profile of the workforce. It enables the use of advances in technology, provides a valuable recruitment and retention tool and aims to meet the increased demand for an effective work-life balance.
- 1.3 In addition to policy objectives, the Trust has a legal duty to consider applications for flexible working from all staff and as part of their duty in making reasonable adjustments for staff and job applicants with a disability or long-term health condition in accordance with the Equality Act 2010.

## **2. Purpose of the policy**

- 2.1 The purpose of this policy is to explain flexible working, what it means for employees and the Trust, and its impact on pay and benefits. It outlines the alternative options available thus providing a framework for flexing individual working time arrangements. It also explains the process for requesting flexible working.
- 2.2 This policy applies to all employees who meet the statutory eligibility to request flexible working. It does not apply to agency workers, external consultants or self-employed contractors.
- 2.3 All posts will be considered eligible for flexible working. The suitability of a post for flexible working will be determined by management following a review of the request and taking into account the statutory grounds for refusal. Given the nature of the services provided by the Trust, quality of service delivery is paramount and should always be considered as a priority.
- 2.4 This policy does not form part of any employee's contract of employment and maybe amended from time to time.

## **3. Definitions**

- 3.1 The term 'flexible working' relates to an organisation's working arrangements in terms of working time, working location and the pattern of working.
- 3.2 Flexible working options may include:
  - Flexi-time – working time is split between core hours and time when employees can choose when to work.
  - Part-time working – allows employees to work a proportion of the hours which would normally be regarded as full-time for that employment.
  - Temporary reduction in working hours.
  - Job share – normally involves two or more people sharing a full-time post.

- Shift working – provides employers with the opportunity to open their business for longer.
- Annualised hours – where working time is organised over the number of hours to be worked in a year rather than a week.
- Term-time working – employees are only required to work during the school term time.
- Home working or a different location - individuals have the opportunity to work from home on either a full or part time basis.
- Compressed hours – where individuals complete their hours over a shorter period of time.
- Staggered hours – allows employees to start and finish their day at different times
- Further details regarding the different flexible working options can be found in the Flexible Working Toolkit.

#### **4. Personnel responsible for implementing the policy**

- 4.1 The Board has overall responsibility for the effective operation of this policy, but has delegated day-to-day responsibility for its operation to the Chief Executive Officer (CEO) and the Director of HR.
- 4.2 Responsibility for monitoring and reviewing the operation of this policy and making recommendations for change to minimise risks also lies with the CEO and the Director of HR
- 4.3 All managers are responsible for being open in response to flexible working requests and to accommodate requests where possible, but must give serious consideration to the impact of a request on both colleagues and service delivery. They have a primary responsibility for maintaining service effectiveness and quality.

#### **5. Eligibility and entitlement**

- 5.1 The Flexible Working Requests Policy applies to employees who work for the Trust or who have been appointed to a role in the Trust.
- 5.2 It is important to note that the Flexible Working Requests legislation provides an employee, who meets the qualifying criteria, with the right to request flexible working arrangements. Whilst every effort will be made to accommodate a flexible working request, there is no automatic entitlement to have a flexible working request agreed; every request will be considered in conjunction with the needs of the Trust.
- 5.4 If employees wish to apply for any of these options, they should discuss it in the first instance with their manager or hiring manager. Employees are responsible for being objective in their assessment of how the change might affect the service, the team or performance.
- 5.5 It is recommended that the employee seeks advice from their pension provider prior to requesting a variation to the contract of employment. The employee's Trade Unions / Professional Association may also be able to provide information.
- 5.6 Teachers should contact Teachers' Pensions at [www.teacherspensions.co.uk](http://www.teacherspensions.co.uk). Support staff belonging to the Local Government Pension Scheme can make contact at [www.lgps.org.uk](http://www.lgps.org.uk)
- 5.7 Some flexible working requests may involve a change to employee's salary and benefits, as these are calculated on a pro-rata basis. It is therefore recommended

employee's seek advice from HR or payroll how a change in their working pattern may affect their pay and contractual benefits. A proposed salary statement will be provided by the Trust.

## **6. Process**

- 6.1 Employees must consider the practical implications of their request and how the department/team would cope with these. Some posts may be harder to work flexibly in than others. See Appendix 1 for flow chart of the process.
- 6.2 All requests from employees for any type of flexible working must be put in writing utilising the Flexible Working Request Form (Appendix 2) to their Line Manager in accordance with their responsibilities.
- 6.3 The request should include the following details:
  - Details of their current working pattern (days/hours/times worked)
  - Details of the working pattern they would like to work in the future (days/hours/times worked);
  - The date they would like the working pattern to commence from;
  - The impact of the new working pattern – how it will affect their colleagues, department and the Trust;
  - How the new working pattern could be accommodated – how the effect on their colleagues, department and the Trust could be dealt with;
  - A statement to state that it is a flexible working request;
  - A statement as to whether a previous application has been made and if so the date on which it was made;
  - The application must be dated and signed by the individual.
- 6.4 Employees must demonstrate a willingness to be flexible and to fully explore alternative suggestions made by their Manager if they are unable to accommodate the employee's initial request.
- 6.5 Managers must then arrange a meeting to discuss the employee's request, ideally holding this meeting as soon as reasonable possible, with the view to completing this process including any appeals within a three-month period. This is to allow time to consider the request fully. Managers may need to hold more than one meeting with the employee, depending on the nature of their request. New working arrangements must only be introduced by mutual agreement.
- 6.6 If the employee fails to engage with the process, the request for flexible working will be considered as withdrawn and the employee will be unable to submit a further request for 12 months from the original date of application. If the employee withdraws a formal application they will not be able to make another request for 12 months. In such circumstances, the manager will write to the employee confirming that the request has been treated as withdrawn. There may be circumstances that require further consideration and this will need to be discussed with HR.
- 6.7 Employees have the right to be accompanied at any meetings, including an appeal meeting to discuss their request by a Trade Union representative or work colleague.
- 6.8 Managers are required to consider all written requests for flexible working. It is important that they look at the benefits of the requested change for both the employee and the School and the Trust by weighing up any adverse business impact of implementing the changes.

- 6.9 During the initial meeting all suggestions should be fully explored.
- 6.10 Managers should write to employees within a timely manner after the meeting, with the outcome, ensuring that they do not exceed the three-month decision period as set out in statutory guidelines. The outcome of the meeting is either:
- To agree the new working pattern with a start date;
  - To confirm the compromise suggested and a date by which the employee should respond and arrange to meet again (if required);
  - Explain why they are unable to meet the employee's request and set out the procedure for appeal.
- 6.11 Once a decision has been made to agree a flexible working request, the Line Manager must raise a change form and ensure the relevant approvals and ensure that a copy of the change form is recorded on the employee's personal file. If the flexible working request results in a change in contractual hours, a variation of contract of employment letter will be issued to the employee and a copy kept on their personnel file. Where the flexible option is adopted, an annual review will be factored in to allow both the manager and employee the opportunity to revisit the arrangement and implement further changes, if necessary. An earlier review can take place on the request of either the manager or the employee. Once a change has been implemented there is no automatic right for the employee to resume their previous working pattern and the employee will not be able to make another formal request until 12 months after the date of the original application.
- 6.12 Where a manager refuses an employee's request, the reasons for this must be explained with sufficient detail in the formal response. Refusals must be for one or more of the following reasons:
- The burden of additional costs;
  - Detrimental effect on ability to meet the needs of the students ;
  - Inability to re-organise work amongst existing staff;
  - Inability to recruit additional staff;
  - Detrimental impact on quality;
  - Detrimental impact on performance;
  - Insufficiency of work during the periods the employee proposes to work;
  - Planned structural changes.
- 6.13 A manager and/or employee may also suggest starting the new working arrangements under an initial trial period (normally no more than three months or one term) to ensure that they meet an employee's needs and those of the team/department before reaching a final decision in respect of the application/request.

## **7. Appeals**

- 7.1 A member of staff who wishes to lodge an appeal against the outcome of a disciplinary hearing must do so in writing within 10 working days of the date of the letter confirming the outcome and clearly state the grounds for the appeal. This should be sent to the named individual outlined in the disciplinary hearing outcome letter. This time limit will be strictly observed.
- 7.2 The Trust's Appeal Policy outlines the grounds of an appeal and details the procedure.

## **8. Extending time**

- 8.1 There may be exceptional occasions when it is not possible to complete consideration of the employee's request within the expected time limits. Where an extension of time is agreed with the employee, the manager will write to the employee confirming the extension and the date on which it will end.

## **9 Review of the policy**

- 9.1 This policy is reviewed as required by the Trust in consultation with the recognised trade unions.
- 9.2 We will monitor the application and outcomes of this policy to ensure it is working effectively.

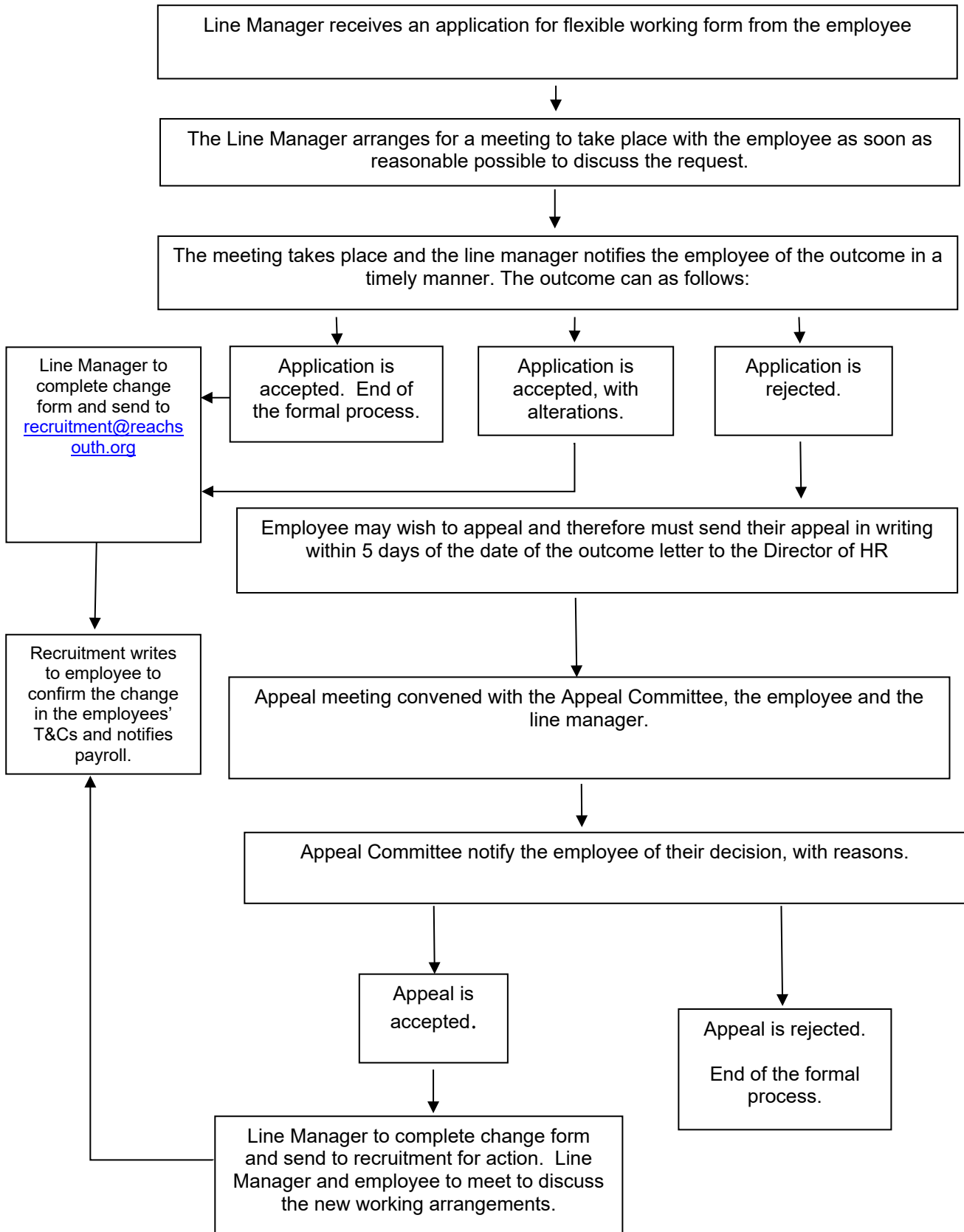
## Policy History

Policy Date	Summary of change	Contact	Implementation Date	Review Date
September 2020	Trade Union consultation	All Recognised Trade Unions	N/A	N/A
February 2021	New policy implemented	HR	February 2021	September 2023
September 2022	Change to eligibility to day 1 rights for all staff and removal of limit on number of requests in a 12 month period	HR	October 2022	June 2025



# Appendix 1 - Process for flexible working application

Flexible Working Request Flow Chart



## Appendix 2 - Flexible Working Request Form

SECTION 1: EMPLOYEE DETAILS			
SURNAME:		FIRST NAME:	
PAYROLL NO:		JOB TITLE	
SCHOOL/DEPT:			

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

- I have worked continuously as an employee of the Trust for the last 26 weeks.
- I confirm I have not made a flexible working request during the past 12 months.

If you are not sure whether you meet any of the criteria, further guidance can be found in the Flexible Working Policy.

If you have not worked for the Trust for 26 weeks or more, then you do not qualify to make a request to work flexibly under the statutory procedure. See Flexible Working Policy for further guidance.

SECTION 2: WORKING PATTERN	
Describe your current working pattern (weeks/days/hours/times worked)	
Describe the working pattern you would like to work in future (weeks/days/hours/times worked)	
What date would you want this new working pattern to start?	
SECTION 3: IMPACT OF PROPOSED WORKING PATTERN	
How do you think this change in your working pattern will affect the School, Trust and colleagues?	<i>I think this change in my working pattern will affect my employer and colleagues as follows...</i>
How do you suggest the impact, mentioned above, can be mitigated?	<i>I think the effect on my employer and colleagues could be managed by...</i>
SECTION 4 EMPLOYEE SIGNATURE	
Employee Signature:	Date:

**Before sending to your Headteacher, check that you have provided all the information requested in detail. Failure to provide requested information may delay the process.**

**COMPLETED APPLICATION TO BE SENT TO YOUR HEADTEACHER**