



# Flexible Working Policy

Policy in effect from: September 2023

Review Date: September 2025



## 1. Introduction to Flexible Working

The Trust recognises positive benefits flexible working can have in the work place. Every employee has the statutory right to request flexible working patterns after 26 weeks of continuous employment with their employer and the Trust Board of this Trust are committed to considering flexible working request.

Consideration to each application will be given in line with the needs of the Trust and employees can only make one application in a 12 month period.

A request to work a flexible working pattern may include:

- Reduced or increased working hours
- Working different days of the week
- Being exempt from shift working, over-time working or working on particular days of the week
- Term time working
- Job sharing
- Working from home / remote working
- Starting earlier / later and/or finishing earlier / later

## 2. Making a Flexible Working Request

Changes to working patterns will affect an employee's salary, pension, holiday entitlement and other statutory and occupational payments such as sick pay, maternity pay and redundancy pay.

A request that is made and accepted will normally be a permanent change, unless the manager agrees the request for a temporary or trial period this would be in exceptional circumstances.

Eligible employees should make their request in writing using the '**Flexible Working Application Form**'. The information required on the form is:

- the date
- details of how the employee wants to work flexibly
- when they want the request to start
- how the request may affect the School
- how this could be dealt with
- whether the employee has made a previous application and if so, when

- Requests should be considered in the order that they are received and each request should be considered on its merits.

The Head of School will discuss the request with the employee as soon as possible, unless both Head of School and employee mutually agree this is not necessary. The Head of School will not reject a request without first holding a discussion with the employee. If there is likely to be a delay in discussing this, the employee should be informed.

There is no obligation to grant a flexible working request however all requests will be considered objectively.

The consideration process (including communicating the decision to the employee and any appeal process) will be completed in line with current guidance and **within three months of first receiving the written request.**

The Head of School will communicate the decision to the employee in writing by completing part B of the form.

Applications from employees should not be withdrawn. The Head of School can agree to withdraw an application in exceptional circumstances.

Where requests are rejected, Head's of School will clearly state the business grounds for rejecting the application and why they apply in the circumstances.

Head's of Schools will only reject requests if there are business reasons for doing so, as follows:

- The burden of additional costs is unacceptable to the organisation
- An inability to reorganise work among existing staff
- An inability to recruit additional staff
- The employer considers the change will have a detrimental impact on quality
- The employer considers the change would have a detrimental effect on the business's ability to meet customer demand
- Detrimental effect on performance
- There is insufficient work during the periods the employee proposes to work
- Planned structural changes, for example, where the employer intends to reorganise or change the business and considers the flexible working changes may not fit with these plans.

In considering these business reasons, Head's of Schools will ensure that they do not inadvertently discriminate against particular employees because of their protected characteristics, in accordance with the Equality Act 2010.

Employees will be informed of their right to appeal against a decision to reject, or partly reject, a flexible working request.

Appeals must be submitted in writing to the Executive Leader / CEO within 10 working days of receipt of the written decision, stating the grounds of the appeal and resolution sought.

The Appeal will be considered by the Appeals Committee of the Trust Board.

The employee will be notified, in writing, of the decision within 5 working days of the appeal. This decision is final and may not be the subject of any further internal appeal or grievance.

HR Advisors can provide advice to Head's of Schools and/Trust Board as required.

## Flexible Working Request Flowchart

### Application

- Employee must complete the Flexible Working Request Form (Part A).
- Employee must submit the form to their Head Teacher.
- Once a request is submitted, employees are not able to withdraw their request, unless there are exceptional circumstances.

### Consider

- Head Teacher agrees with the employee whether a discussion is necessary. A discussion must take place if the manager is considering rejecting the request.
- Discussion arranged by the Head Teacher and held within 28 days of receiving the request.

### Decision

- Decision communicated to employee in writing within 14 days of the discussion (or receipt of request where it is agreed a discussion is not necessary).
- Head Teacher must complete Part B of the Flexible Working Request Form and send to the employee.
- Where the request is agreed a copy of the form - parts A & B must also be sent to Human Resources.

### Appeal

- The appeal must be submitted in writing (using the Appeal Form) to the Chair of Governors within 10 days of receipt of the written decision.
- The appeal is considered by the Appeals Committee of the Governing Body.
- The Head Teacher who made the original decision will put together the Appeal Discussion Report for consideration by the Governors considering the appeal. The employee will also receive a copy of the report. The employee will also be invited to submit further information.
- The Appeals Committee will arrange a discussion with the employee within 14 days of receiving the appeal. Where appropriate, the Head Teacher who made the original decision may be invited to the discussion to answer questions on the original decision making process.
- The decision of the appeal must be communicated to the employee, in writing, within 5 working days of the discussion. The decision is final.

## Flexible Working Request Form

**To be completed by the employee and submitted to the Head Teacher.**

To be eligible to make a flexible working request you must be an employee with at least 26 weeks continuous service with the employer.

You can make ***one request in every 12 month period***. Once a request is submitted, employees are not able to withdraw their request, unless there are exceptional circumstances.

|   |  |                             |    |
|---|--|-----------------------------|----|
| <b>Name:</b>  |  | <b>Employee Number:</b>     |    |
| <b>Area of Work:</b>  |  | <b>Line Manager:</b>        |    |
| <b>Current working hours per week</b> <i>(including current working pattern i.e. no. of days worked per week / hours worked per day):</i> |  |                             |    |
| <b>Start date with the employer:</b>  |  | <b>Date form submitted:</b> |    |
| <b>Are you a disabled person whose flexible working request is related to your disability?</b>  |  | Yes                         | No |

### Previous flexible working requests

|  |     |    |
|--|-----|----|
| Have you submitted a previous flexible working request?    | Yes | No |
| Option requested and date of last flexible working request |     |    |

### Flexible Working being requested

**Set out the Flexible Working Pattern requesting**

I wish to submit a statutory request for flexible working as follows:

Date to take effect:

***Note: By requesting this option you accept that, unless otherwise agreed, any agreed change to your working pattern is:***

- a permanent change to your terms and conditions; and***
- you are required to renegotiate your requested change to working pattern when you are appointed to a new post as a redeployee or as part of a restructure.***

**Impact of the new working pattern** - Please state the effects you think the requested changes will have on the School and on your team / colleagues.

**Accommodating the new working pattern** - Please state how you think any such effect might be dealt with.

***Note: Please provide as much information as you can about your desired working pattern/change. It is important that you complete the question about the effects the changes you are requesting will have on the service and your colleagues.***

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## Flexible Working Appeal Form

If your application has been refused, you may appeal against the decision. You can use this form to lodge your appeal. You should set out the grounds on which you are appealing and do so within 10 days of receiving written notice that your flexible working request has been turned down.

COMPLETE AND SIGN THIS FORM AND RETURN IT TO THE EXECUTIVE LEADER

|                     |  |
|---------------------|--|
| 1. PERSONAL DETAILS |  |
| Full Name           |  |
| Employee Number     |  |

|                    |  |
|--------------------|--|
| Head Teachers name |  |
| Area of Work       |  |

I wish to appeal against (*insert Head Teacher name*) decision to refuse my flexible working request. I am appealing on the following grounds:

|  |
|--|
|  |
|--|

|        |  |      |  |
|--------|--|------|--|
| Signed |  | Date |  |
|--------|--|------|--|