

# Flexible Working Policy

Revised: December 2021

## 1. Introduction

- 1.1 All employees have a legal right to request to work flexibly and it is the school's policy to recognise this right.
- 1.2 The law does not provide an automatic right to work flexibly as there may be circumstances when the school is unable to accommodate the employee's desired work pattern. However, the policy and procedure set out below aims to facilitate discussion and encourage both the employee and the school to consider flexible working patterns.
- 1.3 Prior to making a request, the school relies on staff to think carefully about their desired working pattern and the implications for both them and the school when making an application. In return the school will follow a specific procedure to ensure that all requests are given full consideration.

## 2. Eligibility

- 2.1 In order to make a request for flexible working you must:
  - 2.1.1 be an employee (as opposed to an agency or contract worker);
  - 2.1.2 have worked for the school continuously for 26 weeks at the date the application is made and they have not made a request to work flexibly in the last 12 months (whether that request was accepted or declined)

## 3. Scope of a Request

- 3.1 You will be able to request:
  - 3.1.1 a change to the hours you work, (for example, a change from full-time to parttime working)
  - 3.1.2 a change to the times when you are required to work
- 3.2 This covers changes to working patterns such as annualised hours, compressed hours, homeworking, job-sharing, staggered hours and term-time working.
- 3.3 Applications for a change in working pattern need not always require a significant alteration. For example, a parent may simply wish to start work half an hour later to take their child to school and make up the time later in the day.

## 4. Procedure

- 4.1 The procedure will be as follows:
  - 4.1.1 The initial onus will be on the member of staff to make a considered application in writing to the Headteacher, stating whether the application is for a permanent or temporary variation in contract. It will be important that, before making an application, careful consideration is given to the proposed change in working pattern including any financial implications it might have if the new arrangements involve a drop in salary.
  - 4.1.2 The application must set out:

- whether a previous application has been made and became effective and, if so, when
- explain what effect the change may have on the school and how this might be dealt with

4.1.3 If it is considered that a request can be granted immediately, then a meeting may not be necessary. The applicant will be informed of this in writing.

4.1.4 Otherwise, a meeting will be arranged with the applicant. This will provide the opportunity to discuss the request. It will also provide an opportunity to consider other alternative working patterns should there be problems in accommodating the desired work pattern outlined in the application. The applicant may bring a colleague to the meeting.

4.1.6 The following are reasons why a request may be reasonably refused:

- burden of additional cost
- inability to reorganise work amongst existing staff
- inability to recruit additional staff
- detrimental impact on quality or performance
- insufficient work for the periods the employee proposes to work
- planned structural changes

4.1.7 Within **10 school days** of the meeting, the Headteacher or senior colleague will write to the applicant to either agree to a new work pattern and a start date; or to provide clear business ground(s) as to why the application cannot be accepted and the reasons why the ground(s) apply in the circumstances. The applicant will also be reminded of the right of appeal against the decision. If further action is needed before notifying the applicant of the final decision, the applicant will be informed at this time and a timescale for making the decision will be agreed. This may be necessary, for instance, if agreement cannot be found for the initial request, but a compromise may be possible which would require further discussion.

4.1.8 The school may decide to grant the request, or agree to any compromise, subject to a trial period for a specified length of time. During the trial period the applicant's line manager will review the practicalities of the arrangements and report progress to the Headteacher. At the end of the trial period your Line Manager or a relevant senior member of staff will meet with the applicant to discuss whether the arrangements can be confirmed as permanent or if the applicant should revert to the previous working arrangement. At this stage it may be possible to fine-tune the arrangements to suit all parties, which may include extending the trial period.

4.1.9 Following the end of any trial period, the applicant will be informed of the decision, either to confirm the new work pattern; or to provide clear business ground(s) as to why the new work pattern cannot be accepted and the reasons why the ground(s) apply in the circumstances. The school will also remind the applicant of the right of appeal against the decision.

4.1.10 Applicants have the right to appeal the decision within 10 school days of it being notified to them. Any appeal should be made in writing, setting out the reasons and grounds for the appeal. The Headteacher will arrange for a member of the senior leadership team or Governor who has not previously been involved in

the matter to meet with the applicant, within 10 school days of receiving notice of the appeal, to consider the appeal. The applicant can be accompanied by a colleague at the appeal meeting if they wish. The applicant will be given a final decision in writing within 10 school days of the appeal meeting, giving detailed reasons for the decision. If it is felt that the appeal can be granted immediately, then an appeal meeting may not be necessary.

4.1.11 The decision of the appeal will be final.

4.2 It is important that staff communicate with the school about the request and attend meetings to discuss it. If the applicant repeatedly fails to attend meetings, respond to communications, or refuses to give the manager information they require to assess the request, the school has the right to assume that the request has been withdrawn, and may write to the applicant to confirm this fact. The employee may withdraw the request at any time before the request has been accepted; the employee must confirm they are withdrawing their request in writing.

Discussed and approved by the Trustees Finance and Staffing Committee – 1 December 2021