

Flexible Working Policy and Procedure

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Reviewed and ratified by: Personnel and Pay Committee

Signed by Trust/Committee Chair:

A handwritten signature in black ink, appearing to be "Shahid", written over a horizontal line.

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Flexible working policy

1. Policy Statement

The Trust believes that its employees are its most asset and is committed to utilising all the talent and experience available within the community. The purpose of this policy is to set out the ways in which flexible working can build better relationships between the Trust and its employees, promote work-life balance, and enable individuals with caring responsibilities to balance their commitments. Flexible working can relate to hours or times worked, or the work-base which can be the employee's home or another of the Trust's workplaces.

All employees have a **statutory right** to ask for a change to their contractual terms and conditions of employment to work flexibly provided they have worked for the Trust for 26 weeks continuously at the date the application is made.

Employees can only make one statutory request in any 12-month period unless there are compelling reasons which warrant consideration to subsequent requests.

Employees with less than 26 weeks do not have a statutory right to request flexible working; however, the Trust is keen to support all staff who want to work flexibly and has therefore extended the opportunity to **request** to work flexibly to all employees, however long they have been employed.

All such requests are considered in the context of the operational needs of the Trust and will be accommodated where possible without impacting upon the delivery of the Trust's services.

Flexible working arrangements might include any one or combination of options such as:

- Part time working/reduced hours
- Job sharing
- Annualised hours: where an employee has to work a certain number of hours over the year but have some flexibility about when they work
- Compressed hours: working full-time but over fewer days
- Working from home
- Flexitime: The employee chooses when to start within agreed limits and where certain core hours, e.g. 10 am to 4 pm every day must be worked (where the job role can accommodate this).

2. Delegated authority

Authority to approve applications for flexible working, and appeals against requests not being agreed, will be in accordance with the Trust's delegated arrangements.

3. Procedure Overview

This policy sets out the employee's right and obligations and the Trust's obligations with respect to flexible working. Please refer to the flow chart in **Appendix 1**.

Advice may be sought at **all** stages of dealing with such requests from the Human Resources Department.

3.1 Making an Application

Employees must make their request in writing using the template in **Appendix 2** setting out: -

- The date of the application, the change to working conditions they are seeking and when they would like the change to come into effect
- What effect they think the requested change would have on the School/Trust and how, in their opinion, any such effect might be dealt with
- Whether this is a statutory request, and
- Whether they have made a previous application for flexible working and the date of that application.

3.2 Handling the request

Once a valid application has been submitted, the Headteacher/Line Manager must acknowledge receipt within 5 working days.

If the Headteacher/Line Manager receives more than one application, requests will be considered strictly in the order they are received and on no other basis. Having considered the first application, if it is agreed, then the Headteacher/Line Manager will be mindful of the impact on the service should they agree further requests for other employees within the team.

The Headteacher/Line Manager will contact the employee to arrange a meeting which will take place within 28 working days of the application being submitted.

The Headteacher/Line Manager will consider each request on its merits looking at the business case and the possible impact of refusing a request. Where possible/appropriate the Headteacher/Line Manager may have a discussion with the employee to see if there is any room for adjustment or compromise before a decision is made.

3.3 The meeting

The meeting will be an opportunity to explore what changes the employee is seeking and how these might be accommodated. It will also be an opportunity to consider alternative suitable working arrangements if there are problems in accommodating the employee's desired pattern outlined in their application.

3.4 Considering the request

Within 10 working days of the date of the meeting, the Headteacher/Line Manager must write to the employee to either: -

- Confirm agreement to the new work pattern and start date or
- Confirm a compromise agreed at the meeting or
- Reject the request and provide clear business reasons why the request cannot be agreed and provide details of the appeal process.

The new working arrangements may be agreed either on a permanent or trial basis. If a trial period is agreed, the new working arrangement will be carefully monitored and will be reviewed at agreed intervals. This will normally be at 3- and 6-month intervals. If the trial proves successful, the change will then usually be confirmed as permanent.

If after the trial period one or both parties are not happy with the new working arrangements, a meeting will be arranged with the employee and their Headteacher/Line Manager. During the meeting both parties will discuss any issues or problems that may have occurred. The aim will be to reach a compromise. However, if this is not possible then the employee may have to return to their original working pattern.

3.5 Declining an application

The Trust will try to accommodate an employee's requests wherever possible. Applications can only be refused for one of the following reasons: -

- The change will have a detrimental impact on the quality or performance in the relevant work area
- The change will have a detrimental effect on the Trust's ability to meet customer demand (the operation of the Trust to provide education to the required standards)
- The burden of any additional cost to the Trust
- Unable to reorganise work among existing employees
- Unable to recruit additional staff to cover new working pattern
- Lack of work available during the times the employee proposes to work, or
- Planned structural changes.

3.6 Appeals

Any employee who is not satisfied with the decision may appeal. Appeals will be dealt with quickly and no later than 3 months of the School/Trust first receiving the original request for flexible working. An appeal must be made in writing to the Line Manager/Headteacher within 10 working days of receiving the letter confirming the outcome of their request. The appeal will be heard by the Headteacher/CEO or a panel of Trustees in accordance with the Trust's delegated arrangements. The employee will be notified of the meeting no later than 5 working days prior to the date of the meeting.

Following the appeal meeting and no later than 5 working days after it, the Headteacher or where relevant, CEO/Trustee panel, must write to the employee with the outcome of the appeal which will either: -

- Uphold the appeal and specify the nature of the variation and its start date, or
- Suggest a compromise solution for consideration by the employee, or
- Dismiss the appeal and provide an explanation for the decision.

On conclusion of the appeal process, there is no further right of appeal. No further applications for flexible working can be submitted by the employee until 12 months have elapsed from the date of their original application.

4. Time limits

All requests for flexible working must be dealt with, including any appeal within 3 months of first receiving the request unless a longer timescale is agreed with the employee. Key dates are: -

- The Headteacher/Line Manager must acknowledge receipt of the request within 5 working days
- The Headteacher/Line Manager will contact the employee to arrange a meeting which will take place within 28 working days of the application being submitted, giving 5 working days' notice of the date of the meeting.

- Within 5 working days of the date of the meeting, the Headteacher/Line Manager must write to the employee with the outcome of their request
- Making an appeal, the employee must write to the Headteacher within 10 working days of receiving the letter confirming the outcome of their request
- The employee will be given 5 working days' notice of the date of the appeal meeting.
- Within 5 working days of the date of the appeal the Headteacher or where relevant, Academy Committee must write to the employee with the outcome.
- No further requests for flexible working can be made by the employee until 12 months have lapsed since their initial application unless there are compelling reasons which warrant consideration to subsequent requests

5. Supporting Documents

- Appendix 1 – Flow chart
- Appendix 2 – Application to request Flexible working
- Managers Tool kit for dealing with Flexible working request – template letters

Scope

- This policy applies to all employees of the Trust.
- The term 'employee' refers to any member of staff, whether teaching or support, employed to work by SECAT either within a School or Trust
- In other educational establishments, it is for the relevant body to decide whether or not it is appropriate to adopt this policy

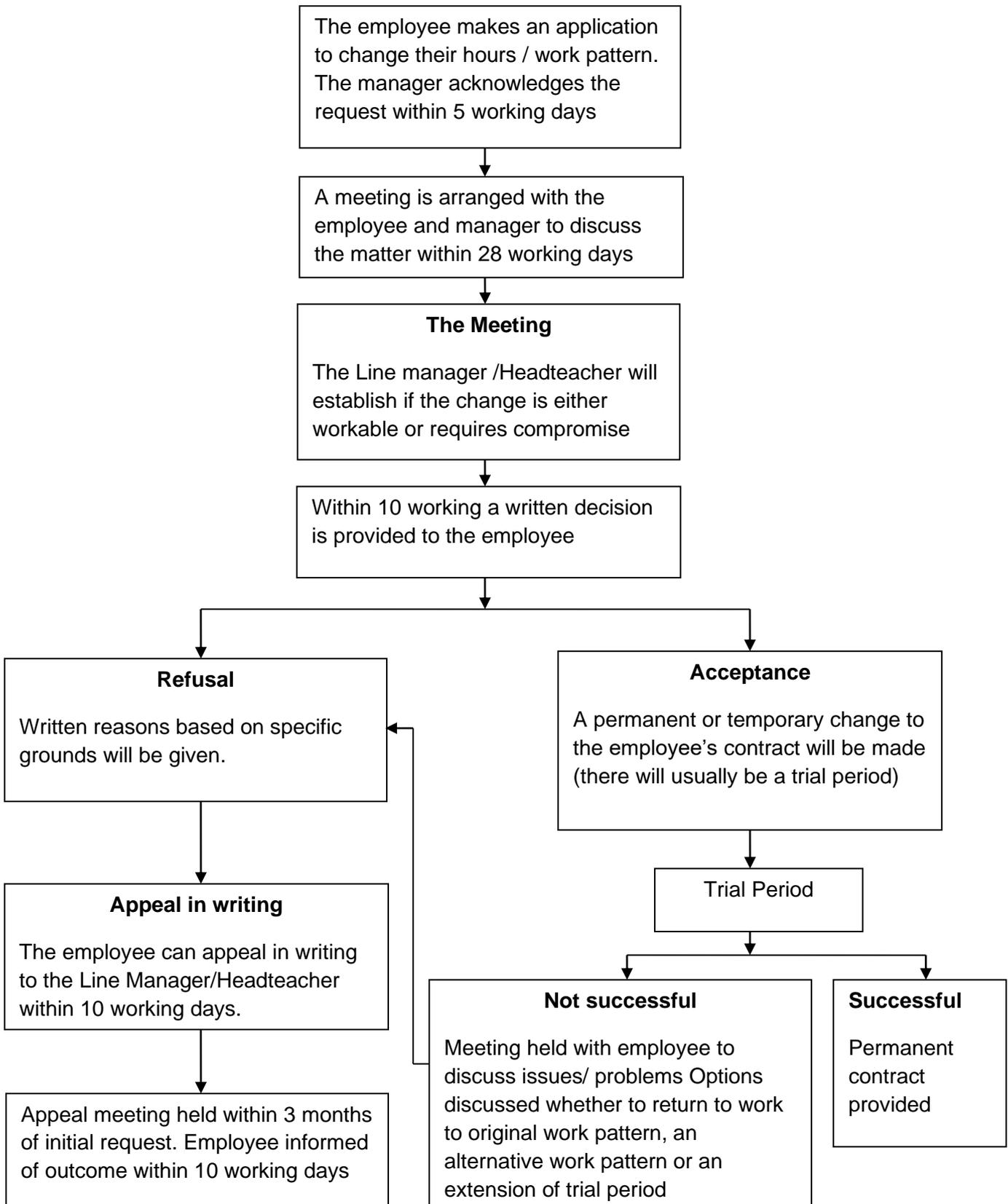
Delegation

- The term 'Headteacher refers Headteacher/Executive Headteacher/CEO

Changes in Employment Law or Educational Legislation may form part of the policy.

Appendix 1- Procedure flowchart

Making an application for a permanent or temporary change to the employment contract under the Flexible Working Policy



Appendix 2 – Application to request Flexible Working

Name of employee:			
Team/Section/Department:			
Job Title			
Start date with the Trust:		Date form submitted:	
Contact Details:			
<p>I wish to submit a request for flexible working as detailed below. I am applying for flexible working for the following reason</p>			
<p>Have you submitted a previous request for flexible working? (If yes, please answer the next question.)</p>			
		Yes	No
When did you submit your last request for flexible working?		Date:	
Pattern of working			
Please state the pattern of working you are seeking by providing information under one or more of the following three headings:			
1. I would like to reduce my working hours from [current number of hours worked] hours to [the number of hours you would like to work] hours per week.			
Current		Requested Arrangement	
2. I would like to alter the days I work and/or the timing of my working hours so as to work at the following times (please indicate the days/times of day you would like to work).			
Current		Requested Arrangement	
3. I would like to do all/some of my work from my home (please be precise about the number of hours and days/times of the week you would like to work at home).			
Current		Requested Arrangement	
I would like the above change(s) to my working pattern to take effect on:			

Please state the effects that you think the changes you are requesting will have on the School's/Trust's ability to provide its service and on your team/section/department, your colleagues, etc.

Please state how you think any such effect might be dealt with.

I have read and understood the policy relating to Flexible Working. I confirm that the information stated above is correct and that I understand that where I have deliberately given false information this will result in my application for flexible working being immediately rejected without the right of appeal.

Signed:

Date:

Notes:

Once you have submitted a valid application for flexible working, you will be contacted to arrange a meeting, which will take place within 28 days of the application being submitted, to discuss how the pattern of working you have requested might be made to work. If your request is granted, it will mean a permanent change to the terms and conditions of your employment, unless agreed otherwise.

It will help us to deal with your application if you provide as much information as you can about your desired working pattern. It is also important that you complete the questions about the effects that you think the changes you are requesting will have on the School/Trust and your colleagues, as your application may otherwise not be valid.

It is advisable that you think through and have alternative options that you can put forward for your discussion with your Line manager/Headteacher during the meeting. This will help give the Line manager/Headteacher and yourself some flexibility in finding a workable solution for your request.