

# Flexible Working Policy

Revised: November 2017

## 1. Introduction

1.1 Employees who have responsibility as a parent for an eligible child, or who care for an eligible adult (see section 5), have a legal right to request to work flexibly and it is the school's policy to recognise this right. The school will also consider requests from other staff to work flexibly.

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;

## 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 part-time 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, flexitime, 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. Temporary variations can only be made for a maximum of a 12 month period. 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 For teaching staff, the application must be made in accordance with the normal minimum notice periods for resignation:

- By 31 May for the change to take effect from the start of the following term 1 up to the end of term 2;
- By 31 October for the change to take effect from the start of the following term 3 up to the end of term 4;
- By 28 (29) February for the change to take effect from the start of the following term 5 up to the end of term 6

For associate staff, the application must be made at least two calendar months before the requested change would take place.

In general, it is more likely to be possible to accommodate a change if as much notice as possible is given of the request..

4.1.4 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.

4.1.5 Otherwise, a meeting will be arranged with the applicant within **20 school days**. 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 request will be considered carefully against the following criteria:

- burden of additional cost
- inability to reorganise work amongst existing staff
- detrimental effect on the school's ability to meet the needs of learners
- inability to recruit additional staff
- detrimental impact on quality or performance
- will there be enough work to do during the periods when work has been requested?
- planned structural changes

4.1.7 Within **10 school days** of the meeting, the Headteacher 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. 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 or respond to communications, the school has the right to assume that the request has been withdrawn, and may write to the applicant to confirm this fact. This will mean that another request for flexible working arrangements cannot be made for a further year.

## **5 Eligible child or adult**

To make an application on the basis of having an eligible child or adult, the applicant should:

- 5.1 have a child under the age of 17, or under 18 in the case of a disabled child, for whose upbringing they are responsible. For example, biological or adoptive parents, new partners of parents with responsibility of caring for the child and foster parents. The application should be made before the child's 17th birthday or 18th birthday in the case of a disabled child. or
- 5.2 be the carer of their spouse, partner, near relative or someone living at the same address. For the purposes of this policy, "near relative" means mother, father, adopter, guardian, special guardian, parent-in-law, parent, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law, uncle, aunt or grandparent, and includes adoptive relationships, step relationships and relationships of half-blood.

*Approved by Full Governing Body – 6 December 2017*