

## Flexible Working Policy

Date	Review Date	Endorsed by	Approved by	Link Governor
Dec 2015	Dec 2016	Resources Committee	Governing Body	Steven Lock

We at The Devonshire Hill Nursery and Primary School are committed to providing equality of opportunity in employment and to developing work practices and policies that support work-life balance. We recognise that, in addition to helping balance work and personal lives, flexible working can raise staff morale, reduce absenteeism and improve our use and retention of staff.

This policy gives eligible employees an opportunity to formally request a change to their working pattern and all employees an opportunity to do so informally. Line Managers and the Headteacher are encouraged to facilitate requests unless they cannot be accommodated for business or operational reasons.

No employee who makes a request for flexible working will be subjected to any unlawful detriment or lose any career development opportunities as a result.

The School is committed to a programme of action to make this policy effective and to bring it to the attention of all employees.

The Flexible Working Policy applies to employees only. It does not form part of any individual's terms and conditions of employment and is not intended to have contractual effect. However, the policy does reflect the School's current practice and all employees are encouraged to familiarise themselves with its content. The School reserves the right to amend this policy from time to time.

### **Who may make a statutory request to work flexibly?**

Employees with at least 26 weeks' continuous service have a statutory right to request flexible working. That right is recognised by the formal right to request procedure in this policy.

The criteria for deciding who is eligible to follow the formal procedure are set out below.

Employees whose requests for flexible working are accepted under the formal procedure will have changes made to their contracts of employment to reflect their new working arrangements.

Any employee interested in flexible working is advised to request an informal meeting with their Line Manager or the Headteacher to discuss their eligibility, the different options and the effect of their proposed work pattern on colleagues and service delivery before submitting a formal or informal request. It may be that a short term adjustment can be accommodated by the School without instigating the statutory flexible working process.

Those working at management level have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to promote the School's aims and objectives with regard to flexible working.

To facilitate this process, Line Managers will be given training on equal opportunities awareness and best practice and encouraged to seek advice from the Headteacher on flexible working issues.

All members of staff are responsible for the success of this policy and must ensure that they familiarise themselves with it and act in accordance with its aims and objectives. Those involved in management or

recruitment may request specific training and address any questions about the content or application of this policy to the Headteacher.

### **Forms of flexible working**

Flexible working can incorporate a number of changes to working arrangements:

- Reduction or variation of working hours;
- Reduction of the number of days worked each week; and/or;
- Working from a different location (for example, working from home).

Such changes may involve:

- Starting a job share;
- Working a set number of hours, a year, rather than a week (annualised hours);
- Working from home (whether for all or part of the week);
- Working only during term-time (part-year working);
- Working compressed hours;
- Working flexi-time.

### **Making an informal flexible working request**

Employees who wish to make an informal request for flexible working may make a request to their Line Manager or the Headteacher who will consider it according to the School's academic and operational requirements.

It will help the School to consider your request if you:

- Make your request in writing and confirm whether you wish any change to your current working pattern to be temporary or permanent;
- Provide as much information as you can about your current and desired working pattern, including working days, hours and start and finish times, and give the date from which you want your desired working pattern to start;
- Think about what effect the changes to your working pattern will have on the work that you do and on your colleagues, as well as on our service delivery and that of your team or department; and;
- If you have any suggestions about dealing with any potentially negative effects, please include these in your written application. The School can then consider whether they are workable.

The School will advise you what steps will be taken to consider your request, which may include inviting you to attend a meeting, before advising you of the outcome of your request.

### **Eligibility for the formal right to request procedure**

Requests under the formal procedure set out in this policy can only be made by employees who meet the criteria set out below. To be eligible to make a request under the formal procedure, you must:

- Be an employee;
- Have worked for [the Governing Body/the Council/the Academy] continuously for 26 weeks at the date your request is made; and
- Not have made a formal request to work flexibly during the last 12 months (each 12-month period runs from the date when the most recent application was made).

If you are not eligible to make a formal request, you may make an informal request as noted above.

### **Making a formal flexible working request**

If you are interested in flexible working you should speak with your Line Manager to discuss your eligibility and any options before submitting an informal or formal flexible working request.

You will need to submit a written application if you would like your flexible working request to be considered under the formal procedure.

Your written and dated application should be submitted to your Line Manager or the Headteacher and, in order to meet the requirements of the formal procedure, should:

- Provide as much information as you can about your current and desired working pattern, including working days, hours and start and finish times, and give the date from which you want your desired working pattern to start;
- Explain the reasons for your request;
- Address the effect the changes to your working pattern will have on the work that you do; that of your colleagues and on service delivery. If you have any suggestions about dealing with any potentially negative effects, please include these in your written application;
- Provide information to confirm that you meet the eligibility criteria set out in this policy; and
- State that it is a formal flexible working request and whether you have made a previous formal request for flexible working and, if so, when.

Applications from classroom-based/teaching staff should be submitted to the school at the earliest possible opportunity, bearing in mind the difficulties of arranging changes to the timetable mid-year. Employees who are not classroom based should submit requests at least two months before they wish the requested changes to take effect.

The School might be able to agree your proposal without the need for a meeting. If that is the case, the School will write to you, confirming the decision and explaining the changes that will be made to your contract of employment.

If your proposal cannot be accommodated, discussion between you and the Headteacher may result in an alternative working pattern that can assist you. Where your request cannot be agreed, the Headteacher will normally arrange to meet with you to discuss your application. The School will endeavour to arrange this meeting without unreasonable delay.

You may bring a colleague (who may be a trade union representative) to the meeting as a companion if you wish. Your companion will be entitled to speak during the meeting and confer privately with you, but may not answer questions on your behalf.

In most cases, the meeting will be held at your usual place of work. However, the School will ensure that the meeting is held at a time and place that is convenient to you.

The meeting will be used to consider the working arrangements you have requested. You will also be able to discuss what impact your proposed working arrangements will have on your work and that of your colleagues and/or your department or team.

If the arrangements you have requested cannot be accommodated, discussion at the meeting will also provide an opportunity to explore possible alternative working arrangements.

The Headteacher may suggest starting new working arrangements under an initial trial period to ensure that they meet your needs and those of your department or team.

Following the meeting, the School will notify you of the decision in writing as soon as reasonably practicable and normally within 14 days.

If your request is accepted, or where the School proposes an alternative to the arrangements you requested, the School will write to you with details of the new working arrangements, details of any trial period, an explanation of changes to your contract of employment and the date on which they will commence. You will be asked to sign and return a copy of the letter. This will be placed on your personnel file to confirm the variation to your terms of employment.

There may also be some additional practical matters such as arrangements for handing over work that will be discussed with you.

You should be aware that (unless specifically agreed otherwise) changes to your terms of employment will be permanent. In addition, you will not be able to make another formal request until 12 months after the date of your original application.

If the School needs more time to make a decision, it will notify you of this and the reasons for the delay. For example, more time may be required to investigate how your request can be accommodated or to consult several members of staff.

There will be circumstances where, due to academic and/or operational requirements, we are unable to agree to a request. In these circumstances, the School will write to you:

- Giving the academic/operational reason(s) for turning down your application;
- Explaining why these reasons apply in your case; and
- Setting out the appeal procedure.

The eight reasons for which we may reject your request are:

- The burden of additional costs;
- Detrimental effect on ability to meet the needs and the demands of the School's students;
- Inability to reorganise work among existing staff;
- Inability to recruit additional staff;
- Detrimental impact on quality;
- Detrimental impact on performance;
- Insufficiency of work during the periods that you propose to work; and
- Planned changes.

## **Appeal**

If your request is rejected, you have the right to appeal.

Your appeal must:

- Be in writing and dated;
- Set out the grounds on which you are appealing; and
- Be sent to the Chair of Governors within 14 days of the date on which you received the written rejection of your request.

The Chair of Governors will arrange for a meeting to take place as soon as reasonably practicable and normally within 14 days of receipt of your appeal. The meeting will be held at a convenient time for all those attending and, as at the meeting that considered your request, you may be accompanied by a colleague or trade union representative.

An independent and impartial Appeals Officer will be selected, specifically for the appeal, from either the Governing Body of the School.

You will be informed in writing of the Appeal Officer's decision as soon as reasonably practicable and normally within 14 days of the date of the appeal meeting.

If your appeal is upheld, you will be advised of your new working arrangements, details of any trial period, an explanation of changes to your contract of employment and the date on which they will commence. You will be asked to sign and return a copy of the letter. This will be placed on your personnel file to confirm the variation to your terms of employment.

There may also be some additional practical matters, such as arrangements for handing over work that your Line Manager will discuss with you.

You should be aware that (unless specifically agreed otherwise) changes to your terms of employment will be permanent and you will not be able to make another formal request until 12 months after the date of your original application.

If your appeal is rejected, the written decision will give the academic/operational reason(s) for the decision and explain why the reason(s) apply in your case. You will not be able to make another formal request until 12 months after the date of your original application.

### **Withdrawing a Request**

If you withdraw a formal request for flexible working, you will not be eligible to make another formal request for 12 months from the date of your original request.

In addition, in certain circumstances a request made under the formal procedure will be treated as withdrawn.

This will occur if:

- You fail to attend without good cause two meetings which we have sought to arrange with you to discuss your request; or
- You unreasonably refuse to provide information we require to consider your request.

In such circumstances, the School will write to you confirming that the request has been treated as withdrawn.

### **Extending time under the formal procedure**

The School will communicate any final decision in regards to a formal flexible working application within 3 months of receipt. However, there may be exceptional circumstances/occasions when it is not possible to complete consideration of your request within the expected time limits. Where an extension of time is agreed with you, your Line Manager or Headteacher will write to you confirming the extension and the date on which it will end.

### **Monitoring and review of the policy**

This policy is reviewed each academic year by the Headteacher. Recommendations for any amendments are reported in the first instance to the Headteacher.

The School will continue to review the effectiveness of this policy to ensure it is achieving its stated objectives.

### **Equality Impact Assessment**

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

### **Monitoring the Effectiveness of the Policy**

The practical application of this policy will be reviewed annually or when the need arises by the coordinator, the Headteacher and the link governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governing Body for further discussion and endorsement.

---

**This policy was reviewed and endorsed by the Full Governing Body of The Devonshire Hill Nursery and Primary School on Wednesday 9<sup>th</sup> December 2015.**