

Pott Shrigley and Bollington St John's
Church of England Primary Schools



Sharing our Gifts and Growing our Talents Together

Flexible Working Policy

GUIDANCE FOR SCHOOL/ACADEMY STAFF (TEACHERS & SUPPORT STAFF)

The Scheme set out below applies with effect from 30th June 2014.

1. Introduction

The school/academy is committed to flexible working and helping employees to maintain an effective balance between their work and home life. However, there is no automatic right to work flexibly and there may be occasions when it is not possible to meet the needs of an individual and the school/academy. All requests will be considered seriously and on an individual basis.

Before 30th June 2014 the right to apply to work flexibly only applied to parents of children under 17 or 18 in the case of parents of children who had a disability, or employees who had carer responsibilities for another adult. However, now any eligible employee can apply to work flexibly for any reason.

2. Eligibility

In order to make a request to work flexibly you must, at the date of application, have worked for the organisation for 26 weeks or more,

Employees are entitled to make 1 statutory request in any 12 month period.

Employees with less than 26 weeks service or agency workers don't have the right to apply to work flexibly however employers may still wish to consider a request from these group as flexible working can bring benefits to both the employee and the organisation.

3. Scope

You are able to request:

- a change in the hours you work, (e.g. part-time, job-share)
- a change to the times you are required to work, (e.g. change to start/finish times)
- a change to your work location, (e.g. work from home) where appropriate

Your Headteacher/Manager will be able to give you further advice about flexible working options you may wish to consider. It is understood that schools and academies often plan and schedule

timetables well in advance of the end of term and therefore a request for flexible working for the next term needs to be completed as soon as possible. It may therefore be useful for schools to take a proactive approach and ask for any requests for flexible working to be completed by a certain date in line with timetable scheduling.

4. The Procedure

Stage One

You should complete a [Flexible Working Application Form](#) and give this to your Headteacher/Manager.

The form should also contain the following information:

- the date of the application
- that you have not made a request for flexible working in the past
- current working pattern
- hours/days/working pattern/location you are requesting to work
- a proposed start date for the arrangements to begin
- how you feel the change in working pattern will affect your department
- any ideas for how the changes you propose could be accommodated
- any other information that you feel is relevant to your application

NB any request that is not in writing and does not contain the required information above need not be dealt with under the statutory procedure. In order to ensure the employee fulfils the requirement it is recommended that they complete a [Flexible Working Application Form](#) and give this to their Headteacher/Manager.

Stage Two

Requests are not automatically agreed, however, if the Headteacher/Manager feels that the request can be implemented they will write to the employee as soon as possible confirming their agreement and the changes to working patterns.

All requests must be considered and decided on **within a period of three months** from first receipt, unless an extension has been agreed with the employer. This includes the appeal stages of the process.

If the manager feels the request needs further discussion they must arrange to meet with the employee to discuss the request and explore how it can be accommodated or discuss alternative solutions. This meeting should be held **within 15 working days of the original request** and the employee has the right to be accompanied by a work colleague or Trade Union representative.

Within 10 working days of the meeting the manager will write to the employee to either confirm the new work pattern or start date or to provide them with a clear reason why the application cannot be accepted.

Every effort should be made to agree a working pattern however, there will be some occasions where requests are not possible to agree. If you reject the request it must be for one of the following business reasons as set out in the legislation:

- the burden of additional costs,
- an inability to reorganise work amongst existing staff
- an inability to recruit additional staff
- a detrimental impact on quality
- a detrimental impact on performance
- detrimental effect on ability to meet customer demand
- insufficient work for the periods the employee proposes to work
- a planned structural change to your business

Evidence should be collected to support your decision making process.

Stage Three

If you are not happy with the decision made by your Headteacher/Manager you may appeal to the Governing Body. Your appeal must be in writing and be submitted to the Chair of Governors within 10 working days of receiving the letter of notification from your Headteacher/Manager. Your letter must set out the grounds of your appeal and be signed and dated.

A further meeting will be held with a member/members of the Governing Body, yourself, your colleague/ trade union representative to discuss your request and the reason why your Headteacher/Manager took the decision they did. The member/members of the Governing Body will consider your request. This meeting will be held within 10 working days of your appeal letter being submitted.

The member/members of the governing body will reconsider the application and make a decision which must be confirmed in writing within 10 working days of the meeting. This will either confirm the new work pattern and start date, or will provide you with a clear reason why the application cannot be accepted

There is no other right of appeal.

If you are dissatisfied with the process that was undertaken following your application for flexible working, you may invoke the school's grievance procedure. You must indicate your wish to do so in writing to the Chair of the Governing Body within 10 working days of receipt of the letter following your appeal. Your letter must set out the grounds of your grievance and be signed and dated.

All of the above time scales above may be extended by mutual agreement in writing with the Headteacher/Manager and the employee. N.B. The start and finish dates for the extension must be documented, and the employee must be given a copy of the agreement to extend.

5. Roles & Responsibilities

Headteachers/Managers are responsible for:

- Giving all requests serious consideration
- Being flexible in their approach to requests
- Seeking advice and guidance from Education HR Consultancy where necessary
- Considering operational needs against personal circumstances of the employee
- Considering the impact on the rest of the team and the provision of the service
- Suggesting alternative solutions
- Explaining and communicating decisions and confirming them in writing within the correct time scales

Employees are responsible for:

- Submitting their dated request in writing and including all the statutory information
- Considering the impact on colleagues and the provision of the service and suggest solutions
- Including a proposed start date for the change giving the Headteacher/Manager reasonable time to implement any changes. N.B. it may take up to 3 months to consider and implement a request and possibly longer where difficulties arise
- Stating whether they have made a previous application and if so, state the date of when the application was made
- Being willing to consider alternative flexible working proposals

6. Time scales

All requests, including any appeals, must be considered and decided on within a period of three months from first receipt, unless an extension has been agreed with the manager, the employee and his/her representative. The agreement should be recorded in writing and a copy sent to the employee.

7. Changes to Terms & Conditions of Employment

An accepted application will normally result in a **permanent** change to your terms and conditions of employment and therefore you need to be certain that you understand and are happy with all of the possible implications, e.g. drop in salary, financial implications. A change in your hours of work will affect your pension. You can get further advice about the possible implications from Teachers' Pensions or the Pensions Section, in the case of support staff.

8. Trial Periods

It is possible to change working arrangements for a trial period during which the Headteacher/Manager and the employee can assess the impact of the flexible working. This trial period should last at least 12 weeks. In order to do this, the employer and the employee must

agree to extend the 10 working day time period during which the manager would normally reach a decision about the flexible working request. In these circumstances the Headteacher/Manager should write to the employee stating:

- that their agreement to the employee's request for flexible working is subject to the outcome of the trial period
- the length of the trial period, (i.e. the start and end dates)
- that the change to the employee's terms and conditions of employment during the trial period is for a temporary period
- the nature of the change to the employee's terms and conditions of employment
- the date that the employee will revert back to their previous terms and conditions of employment if the Headteacher/Manager refuses their request for flexible working.

The working arrangements should be reviewed regularly during the trial period to assess the success of the change to the working pattern and/or address any problems that may have arisen.

Date: October 2016