

Ninestiles Academy Trust Mission Statement

Strength through Diversity
Ambition through Challenge
Excellence through Curiosity

Policy title	Flexible Working Policy and Procedure
Scope	The procedure detailed below applies to all employees who qualify under the statutory right to request flexible working. Information regarding considerations of applications not covered by the statutory right to request is also included within this policy.
Policy statement	<p>Ninestiles Academy Trust has a commitment to being an exemplary equal opportunities employer and we recognise the contribution flexible working can make to this. The needs of the children in our Academies are paramount to our Trust and we will ensure that these are considered in relation to requests for flexible working.</p> <p>The Children & Families Act 2014, changed the law on the right to request flexible working. All employees who have at least 26 weeks' continuous service have the right to make a request to work flexibly. The Trust is required by law to consider the request in a reasonable manner, which will usually involve holding a meeting with the employee to hear more about the nature of the proposed arrangements and to consider the benefits to both the employee and Trust/Academy.</p> <p>A request for flexible working may only be made once in any 12 month period.</p> <p>This Policy gives employees a right to apply to work flexibly and does not imply that an application is guaranteed to be agreed or will continue indefinitely.</p>
	<p>Application Process</p> <p>It is the responsibility of employees to ensure that they consider and prioritise the needs of their service when making an application to change their working pattern, taking into account the implications for their colleagues. Employees should submit their application in good time for it to be dealt with during the school term.</p>

The law requires an employee who wishes to lodge a request for flexible working to fulfil certain criteria when submitting the request.

An employee wishing to formally request a change to their working arrangements should provide the following information in writing, using the Flexible Working Application Form (see attached Appendix A) in submitting the following information:

- The date of the application being submitted and that it is an application under the statutory right to request flexible working;
- The change in working arrangements that they are requesting (including whether the change is requested on a permanent or temporary basis); The date on which the employee would like the proposed change to become effective;
- What effect the employee thinks the new working pattern might have on the Academy and how in their opinion this might be dealt with;
- Whether the request is in relation to the Equality Act 2010 (e.g. as a reasonable adjustment for a disability);
- Whether a previous flexible working application has been made by the employee and, if so, when.

Timetable and Procedure

The employee should submit their completed application form to the Principal for consideration. On receipt of the request, the Principal should send a letter of acknowledgement to the employee, inviting them to discuss the request **as soon as possible, but usually within 28 days**. This discussion does not need to be face-to-face and can take place by telephone if the employee is in agreement.

The consideration process, including the outcome of any appeal, **must be completed within 3 months of the request being received** by the manager. This time limit can be extended, if needed providing the employee is in agreement.

Where a meeting is arranged to discuss the flexible working request, the employee may be accompanied by a work colleague or Trade Union representative.

If an employee fails to attend a meeting, including an appeal meeting, and then fails to attend a rearranged meeting without good reason, his/her application will be deemed to have been withdrawn.

Trial Period - The Right to Make Further Changes

The Trust recognises that situations change. When a flexible working application has been agreed, the change is assumed to be permanent. However, depending on the circumstances, a trial period may be set for the new arrangements and the situation may be reviewed at least on an annual basis. This will allow the Principal to reconsider the operational circumstances and in some cases it may be necessary to renegotiate working patterns. Equally, after some time, the member of staff may wish to request an increase in hours, for example, if caring or other responsibilities have reduced.

A trial period can be beneficial for both parties, especially where there is some doubt as to the viability of the working arrangements requested by the member of staff. It can provide both the line manager along with HR and the member of staff with an opportunity to review how the arrangements work in practice, and whether

or not they are likely to create any practical difficulties for the team or the School/College as a whole.

At the end of any agreed trial period, the line manager and HR should hold another meeting with the member of staff to review how the revised working pattern has worked out, and whether or not to make the arrangement permanent. If the trial period is agreed, HR will write to the employee to confirm that the new working pattern has been put in place as a temporary variation to their contract. The start and end date of the trial period should be stated, along with the changes that have been agreed. It should be clearly recorded that the School/College reserves the right, at the end of the agreed trial period, to require the member of staff to revert to his/her previous working pattern if, in the School's/College's view, the changes have not proved to be workable. In such cases, the member of staff shall retain the right to raise an appeal.

Grounds for Declining a Request

It will not be possible for a Principal to agree to a new working pattern in every circumstance. The reason why a request cannot be granted should be made clear to the applicant and give clear reasons justifying the rejection of a request based on one or more of the following reasons:

- Burden of additional cost (e.g. substantial training costs);
- Detrimental effect on the Academy's ability to meet 'customer' demands (e.g. inability to reorganise timetable/work schedule without having an adverse impact on colleagues/pupils);
- Inability to reorganise work amongst existing staff;
- Inability to recruit additional staff;
- Detrimental impact on quality (e.g. on teaching and learning);
- Detrimental impact on performance;
- Insufficiency of work during the periods the employee proposes to work;
- Planned structural changes.

Right of Appeal

An employee has the right to appeal against the decision of their request for flexible working request being declined and should be made aware of this at the time of providing them with the outcome of their application.

Where an employee wishes to submit an appeal, this should be sent to the Principal, in writing within 5 days of receiving the decision letter and should include the grounds of the appeal (e.g. the request has been refused for a reason outside of the eight detailed within this policy, the decision was based on incorrect information).

The appeal must be heard and completed within 3 months of the date on which the employee submitted their flexible working application, unless an extension has been agreed with the employee and confirmed in writing, outlining the reasons for the delay. Appeals will be heard by a panel of Governors.

Employees have the right to be accompanied at the appeal by a work colleague or Trade Union representative.

	<p>A written notice of the appeal outcome constitutes the Academy's final decision and is effectively the end of the formal procedure.</p> <p>Applications from employees who are not covered by the statutory right to request</p> <p>Ninestiles Academy Trust recognises that employees who are not covered by the statutory right may wish to request a change in their working arrangements. Such requests will be considered within a reasonable timescale and will take account of prevailing service needs.</p> <p>Pension implications</p> <p>Flexible working may have an impact on pension benefits and therefore employees are strongly advised to contact the relevant pensions' team for further advice.</p>
Monitoring and review	
Links	Equality & Diversity Policy; Maternity and Adoption Provisions
Staff responsible	Director of HR
Committee responsible	Personnel Committee
Date approved	July 2018
Review date*	July 2020

**Please note that should any further national guidance be issued by external agencies that are relevant to this policy, it will be updated accordingly prior to the review date shown above and referred to the next academy council meeting*

Appendix A

Flexible Working Application Form

1. Personal Details

Name: _____ School: _____

Principal: _____ Date: _____

I would like to apply to reduce my working hours and/or working pattern as part of a flexible working arrangement.

All applicants must complete the following sections.

2a. Describe your current working pattern (days/hours/times worked):

2b Describe the working pattern you would like to work in future (days/hours/times):

2c. I would like this working pattern to commence from:

Date:

3a) Impact of the new working pattern:

I think this change in my working pattern will affect my employer and colleagues as follows:

3b) Accommodating the new working pattern:

I think the effect on my employer and colleagues can be dealt with as follows:

3c) Confirm if the request is in relation to the Equality Act 2010:

YES/NO - If yes, please provide details:

Signed: _____ Date: _____

Once completed, please pass this application to the Principal.