



Flexible Working Policy

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Office use

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1 Introduction

- 1.1 This policy sets out the rights of employees to request flexible working.
- 1.2 Flexible working can help make the most of today's diverse workforce and reduce skills shortages. Flexible working involves working arrangements that take account of your preferences, interests and non-work responsibilities. Diverse Academies Learning Partnership has made flexible working open to the whole workforce.
- 1.3 Commonly provided types of flexible working include: part-time working; variable hours; flexitime; job-sharing; term-time working; compressed hours; career breaks; and sabbaticals. (See Appendix 1 for more details)
- 1.4 There are three main reasons why Diverse Academies Learning Partnership should consider flexible working options for their staff:
 - Changes in society have created a diverse workforce,
 - Widespread skills shortages mean that employers have to take account of individuals' preferred working arrangements if they are to recruit and retain the best staff.
 - Legislation gives most employees the right to request a move to flexible working.
- 1.5 In essence, "flexible working" involves employers making adjustments to their preferred working arrangements to accommodate their employees' preferences. There are various reasons why you might want to work more flexibly, including caring commitments and personal preferences. If these aspirations are accommodated, you may gain:
 - a greater sense of responsibility, ownership and control of your working life;
 - improved relations with management;
 - a greater sense of wellbeing and reduced stress levels;
 - more time to focus on life outside work;
 - better ability to cope with caring responsibilities; and
 - a greater opportunity to continue your career.
- 1.6 Diverse Academies Learning Partnership recognises that, from time to time, employees may have questions or concerns relating to flexible working rights. It is the trust's policy to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible. If you wish to take adoption leave, you should clarify the relevant procedures with a member of the Human Resources Team to ensure that they are followed correctly.

2 The right to request flexible working

- 2.1 You may apply for a change in your terms and conditions of employment for any purpose. Diverse Academies Learning Partnership are obliged to fully consider any application for flexible working and not to unreasonably refuse the application. However, there is no automatic right to work flexibly as the needs of the trust must also be taken into account.
- 2.2 The right to formally request flexible working arrangements was introduced into UK legislation in 2002 and new Government legislation in June 2014 strengthened the rights of employees to manage their work and non-work priorities.

2.3 When considering flexible working requests senior managers have to take into consideration:

- operational difficulties;
- additional pressure on other workers who are not involved in flexible working;
- a detrimental impact on customers, students or pupils
- resistance from managers to the necessary changes;
- work-scheduling difficulties;
- additional costs;
- the effect on the quality of work;
- discontent among employees not included in flexible working;
- difficulties in communicating with employees; and
- reduced employee flexibility.

2.4 Flexible working requests should not get confused with the rights that individuals with disabilities have with regards to special protection under the law, regarding the "reasonable adjustments" that employers are expected to make so that they can obtain work or remain in employment. This may involve permitting flexible working.

3 Flexible working options

3.1 When considering any of the possible flexible working options, the needs of the trust and the individual must be taken into account. The specific nature of the work being undertaken and the need to be available at specific times during the school day/year must be recognised.

3.2 Not all of the options described will be appropriate for all job roles and the ability to accept or deny requests will very much depend on the individual job role and work area within the trust of those making a flexible working request.

3.3 Options available include the following:

- Job share
- Part-time / term-time only working
- Compressed / variable working hours
- Flexible retirement
- Working from home
- Career break / sabbaticals

4 Procedure for making a flexible working request

3.1 In order to make a request you must:

- be an employee (i.e. not an agency worker)
- have 26 weeks' continuous service within the trust at the time of application
- not have made another application to work flexibly under this right during the previous twelve months

3.2 The overall timeline between receiving an application and the outcome of a potential appeal against a decision is expected to take no longer than 12 weeks. This means 12 working weeks, and periods of school closure will not be counted. There may be occasions when the process needs to be extended beyond 12 weeks, but this will be discussed with the individual making the flexible working request.

- 3.3 You should make a written application for flexible working to your immediate line manager (application form attached as Appendix 1). You must specify the change to your working practices or pattern that you are applying for, and the date on which you propose the change should take effect. The application must explain what effect, if any, you think making the change applied for will have on the trust and how any effect might be dealt with.
- 3.4 Your line manager, or other appropriate member of staff, will arrange to meet with you within 28 days (4 working weeks) of receiving the written application with a view to exploring the desired work pattern in depth and to discuss how it might be accommodated.
- 3.5 The meeting will also enable consideration of alternative working patterns, should there be difficulty in accommodating your desired work pattern.
- 3.6 You will be entitled to be accompanied at this meeting by a trade union representative or work companion. Notes should be taken at this meeting and retained on the staff file.
- 3.7 Within 10 working days of the meeting, the chair of the meeting will write to you, either to agree to the new work pattern and a start date, or to provide a written justification of their decision not to accept the application. If an application is not agreed the letter must state:
 - a) The grounds on which the decision has been made
 - b) The reasons why those grounds apply
 - c) The right of appeal
- 3.8 If you are not satisfied with the outcome, you have a right to appeal against the decision. A written appeal needs to be made within 10 working days following written notification of the decision within which it must include your wish to appeal, and setting out your grounds of appeal.
- 3.9 The appeal hearing will normally be conducted by a panel chaired by a more senior leader than the chair of the original meeting, within 10 working days of the appeal being submitted.
- 3.10 The appeal panel must notify you of their decision within 10 working days of the date of the hearing, again giving a written justification if the decision is not to accept the application, stating the grounds for the decision and how they apply in the particular case. There is no further right to appeal.

4 Timeframes

- 4.1 Timescales may be extended due to time constraints in the trust or availability of senior leaders to form an appeal panel.
- 4.2 Under the legislation, if your request for flexible working is not accepted you may not make another request within twelve months. However, Senior Leaders may choose to use their discretion to consider a new request if there has been a material change in circumstances which has a bearing on the new request for flexible working.
- 4.3 Meeting arranged to discuss application - 4 working weeks from application

Written decision issued	- 2 working weeks
Employee may submit appeal	- 2 working weeks
Appeal hearing convened	- 2 working weeks
Outcome issued	- 2 working weeks
Usual overall timeline	- 12 working weeks

5 Grounds on which an application can be turned down

5.1 In law the employer may only refuse an application for flexible working if it is considered that one or more of the following applies:

- Extra costs which will damage the business
- The work can't be reorganised among other staff
- People can't be recruited to do the work
- Flexible working will affect quality
- Flexible working will have a detrimental impact on performance
- The trust won't be able to meet customer, student or pupil requirements
- There's a lack of work to do during the proposed working times
- The trust has planned to make structural changes

5.2 In each of the above, the impact on teaching and learning and operational efficiencies must be considered. If an application for flexible working is not accepted it must be because one of the grounds set out above applied, and the written justification of the decision must identify the reason and the way in which it applies.

6 Contractual Changes

6.1 Any contractual changes arising from the flexible working request will be confirmed in writing and a new contract of employment prepared.

6.2 Any contractual changes made as a result of accepting a flexible working request will usually be permanent and a contractual change letter will be issued. If the individual wishes to change their working pattern in the future, they must make a new application for flexible working

6.3 If an agreement is made to a temporary change in working pattern or a trial of a new working pattern prior to making a final decision on the request, the end date must be stated in writing and the change will be subject to a review prior to the end date.

7 Review of this policy

7.1 This policy is reviewed annually by the trust which will monitor the application and outcomes of this policy to ensure it is working effectively.

Appendix 1 – Types of Flexible Working

The trust accepts that flexible working covers a variety of working practices. Some examples of flexible working are shown below, although this is not an exhaustive list:

Part time

This may involve working daily hours that are less than full time, or working less than five days each week.

Term time only

Work is only undertaken during the school term time and may also include additional designated days/weeks.

Job share

This typically involves two people working together, on a part time basis, to cover a full time post.

Flexitime

This is a system that permits flexibility of working hours at the beginning and end of a day. Employees must work designated core hours and complete an agreed number of hours over an agreed period, usually a month.

Working from home

This is a system whereby the employee carries out a proportion of their duties from home rather than on the premises.

The Senior Leader may agree to the occasional day working from home to coincide with a domestic requirement or may agree a contractual arrangement for a short, agreed period of time

Career breaks

This is a system whereby the employee has an unpaid, extended period away from work, with the guarantee of a return to the same or similar job. The employee may choose to undertake work elsewhere or pursue other endeavours.

Any career break granted by the trust would not normally be agreed for longer than a 12 month period.

Appendix 2 – Flexible Working Application Form



Part A - Personal Details	
Name:	Job Title:
Department:	Manager:
Part B - I would like to apply for a flexible working pattern that is different to my current working pattern. I confirm the following: <i>(please tick boxes/give details):</i>	
I am an employee and have worked for the trust continuously for 26 weeks	I have not made an application for flexible working in the past 12 months
I understand that if the application is granted, the change will be permanent	OR I am making this application for a temporary period
Details of your requested Flexible Working Arrangements	
Please specify the date you would like new arrangement to be effective from	
Describe your current working pattern (days/hours/times of work) below	
Describe the working pattern (days/hours/times of work) you would like to work below:	
Describe how you think proposed working pattern will impact upon your manager and colleagues:	

Describe how you think the effects of this on your manager and colleagues might be dealt with: