School Name

**Flexible Working Policy**

**Version no:**

**Policy reviewed by:**

**Date:**

**Approved by:**

**Date: ?? Minute No: ?**

**Next review date:** In one year

1. **Scope**

This policy applies to all school employees.

1. **Legal Framework**

From 30 June 2014 the right to apply to work flexibly was applied to all employees and changes were introduced from 6 April 2024.

1. **Qualification Conditions**

An employee is able to make a flexible working request from Day One of employment and is able to make two requests within a 12-month period.

1. **Process for requesting flexible working**

A process chart (Appendix A) summarises the process.

A request for flexible working must be made by completing the attached ‘Flexible working Request Form’ (Appendix B). The form should be submitted to the Headteacher and must include:

* The date of the application
* The change(s) that the employee is seeking to his/her working hours/patterns
* The date they would like the change to come into effect
* What effects, if any, the requested change would have on the school/department
* A statement that this is a statutory request
* Whether they are making their request in relation to the Equality Act, 2010, for example, as a reasonable adjustment for a disabled employee.

A meeting will be arranged within 15 working days of the Headteacher’s receipt of the form.

Employees have the right to be accompanied by a work colleague or trade union representative at this meeting.

1. **Outcome of a flexible working request**

After the meeting, the Headteacher will consider the proposed flexible working arrangements carefully, weighing up the potential benefits to the employee and to the school against any adverse impact of implementing the changes. Each request will be considered on a case-by-case basis: agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to his/her working pattern.

The employee will be informed in writing of the decision as soon as is reasonably practicable after the meeting, but no later than 5 working days after the meeting. The request may be granted in full or in part: for example, the organisation may propose a modified version of the request, the request may be granted on a temporary basis, or the employee may be asked to try the flexible working arrangement for a trial period.

Unless otherwise agreed, the changes to the employee’s terms and conditions will be permanent.

1. **Reasons for turning down a flexible working request**

The Headteacher will give reasons for turning down a request. Those reasons must be for one or more prescribed business reasons, which are:

* the burden of additional costs
* an inability to reorganise work among existing staff
* an inability to recruit additional staff
* a detrimental impact on quality
* a detrimental impact on performance
* a detrimental effect on ability to meet customer demand
* insufficient work for the periods the employee proposes to work
* a planned structural change to the business
* such other grounds as may be specified in regulations made by the Secretary of State

If a request has been rejected, the employee will be informed which of those reasons applies in writing.

1. **Flexible working requests that are granted**

If the request is upheld in full or in part, the employee and the Headteacher will discuss how and when the changes will take effect. Any changes to terms and conditions, and the date on which they will commence, will be put in writing and sent to the employee as an amendment to his/her contract of employment.

1. **Flexible working requests that are declined**

An employee has the right to appeal against a decision by writing to the Clerk to Governors within 5 working days of the formal response being received in writing. The appeal must set out the grounds of the appeal and must be dated.

A meeting will be held by a governor’s panel to discuss the appeal with the employee having the right to be accompanied.

The employee will be informed in writing of the outcome of his/her appeal, and the reasons for the decision within 5 working days of the appeal meeting. There is no further right of appeal.

If an employee is dissatisfied with the way in which his/her request has been handled, he/she can raise a grievance under the school’s grievance procedure.

### **PROCESS CHART FOR A REQUEST FOR FLEXIBLE WORKING** **Appendix A**

Headteacher receives a completed application form requesting consideration for flexible working.

Copy of application to HR

###### Immediately

**Within 15 days days**

**28 days**

Headteacher and employee meet to discuss and review the business case provided and ensure all Health, Safety & Welfare risks have been identified, considered and resolved &/ or necessary control measures have been/are being actioned.

**Within 5 days**

**Request is**

**ACCEPTEDdD**

Both the employee and the Headteacher will need to consider what arrangements they need to make for when the working pattern is changed. To ensure that Health, Safety & Welfare requirements are being met. HR must be notified immediately.

The Headteacher writes, notifying the employee of his/her decision. Copy to HR immediately

**Request is**

**Declined**

The employee needs to decide if they wish to appeal against the Headteacher’s decision. If so, they must appeal in writing within 5 days setting out the grounds for their appeal. HR must be notified immediately.

HR notifies RBWM HR who will confirm new contract arrangements and make any payroll changes.

Both the employee and the manager will need to consider what arrangements they need to make for when the working pattern is changed. To ensure that Health, Safety & Welfare requirements are being met. HR must be notified immediately.

**Request is ACCEPTED**

A meeting is held to discuss the appeal.

**Request is**

**REJECTED**

HR notifies RBWM HR who will confirm new contract arrangements and make any payroll changes.

The Chair of the panel writes, notifying the employee of the decision within 5 days. Copy to HR immediately. The decision is final, and this is the end of the internal process.

**Appendix B - Flexible Working Request Form**

Note to Employee

You can use this form to make an application to work flexibly under the school’s Flexible Working Policy. You should note that it may take up to eight to consider a request before it can be implemented. You should therefore ensure that you submit your application to your manager well in advance of the date you wish the request to take effect. As part of this application you need to ensure that you identify and consider any health, safety or welfare requirements that might apply to your proposed changed working arrangements.

It will help your manager to consider your request if you provide as much information as you can about your desired working pattern. It is important that you complete all the questions as otherwise your application may not be valid. Please complete the **Equal Opportunities** section to help us to ensure that discrimination does not take place. Once you have completed the form, you should immediately forward it to your manager (you might want to keep a copy for your own records). Your manager will then have 15 days after the day your application is received in which to arrange a meeting with you to discuss your request. If the request is granted, this will be a permanent change to your terms and conditions unless otherwise agreed.

#### **Note to Manager**

This is a formal application made under the Flexible Working Policy. You have 15 days after the day you received this application in which to meet with the employee and to discuss their request. You should confirm receipt of this application in writing.

**1. Personal Details**

Name: Payroll Number:

Manager: National Insurance No:

Equal Opportunities section:

Please describe your ethnicity:

Gender: Male/Female Age:

Are you registered disabled? Yes/No

**2. To the Manager**

I would like to apply to work a flexible working pattern that is different to my current working pattern. This is my first/second\* request to work flexibly in the last 12 months. \*delete as required

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

2b. Describe the working pattern you would like to work in future

(days/hours/times worked):

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

Date:

**3. Impact of the new working pattern**

I think this change in my working pattern will affect my manager, colleagues, pupils and the school as follows:

Name: Date:

**Employer’s Confirmation of Receipt (to be completed and returned to employee)**

Dear:

I confirm that I received your request to change your work pattern on :

Date:

I shall be arranging a meeting to discuss your application within 15 days following this date. In the meantime you may want to consider whether you would like a fellow colleague to accompany you at the meeting.

From:

**Form FW(C): Flexible Working Application Acceptance Form**

**Note to the manager**

You must write to your employee within 5 days following the meeting with your decision. This form must be completed when accepting an application to work flexibly. If you cannot accommodate the requested working pattern you may still wish to explore alternatives to find a working pattern suitable to you both. You must also subsequently ensure the completion of any identified actions.

Please note that the Flexible Working Application Rejection Form should be used if the employee’s working pattern cannot be changed, and no other suitable alternatives can be found.

Dear: Payroll Number:

Following receipt of your application and our meeting on: Date:

##### I have considered your request for a new flexible working pattern.

I am pleased to confirm that I am able to accommodate your application.

I am unable to accommodate your original request. However, I am able to offer the alternative pattern which we have discussed and you agreed would be suitable to you.

Your new working pattern will be as follows:

Your new working arrangements will begin from:

Date:

Note to the employee

Please note that the change in your working pattern will be a permanent change to your terms and conditions of employment and you have no right in law to revert back to your previous working pattern.

If you have any questions on the information provided on this form please contact me to discuss them as soon as possible.

Name: Date:

**Form FW(D): Flexible Working Application Rejection Form**

**Note to the manager**

You must write to your employee within 5 days following the meeting with your decision. This form must be completed by you when declining an application. Before completing this form you must ensure that full consideration has been given to the application. You must state the business ground(s) as to why you are unable to agree to a new working pattern and the reasons why the ground(s) applies/apply in the circumstances.

Dear: Payroll Number:

Following receipt of your application and our meeting on:

I have considered your request for a new flexible working pattern.

I am sorry but I am unable to accommodate your request for the following business ground(s):

The grounds apply in the circumstances because:

(You should explain why any other work patterns you may have discussed at the meeting are also inappropriate. Please continue on a blank sheet if necessary).

If you are unhappy with the decision you may appeal against it. Details of the appeal procedure are set out below.

Name: Date:

#### **The Appeal Process**

#### **To the employee**

If your manager turns down your request for flexible working, you have the right to appeal to a panel of governors against the decision. If you wish to appeal, you must write to The Clerk to Governors, setting out the grounds for your appeal, within 5 days after receiving written notice of your manager’s decision.

#### **To the Governors**

If a manager rejects an employee’s request for flexible working, the employee has the right to appeal against the decision.

If an employee appeals against a decision to refuse a request for flexible working, you must arrange a meeting with the employee to discuss the appeal within 5 days after receiving the appeal letter. Refer to the HR Business Partner Team for advice.

Now return this form to your employee

### 