



Southend East Community Academy Trust

“Strong Partnerships, Strong Community, Strong Schools”

Flexible Working Policy & Procedure

1st September 2018

Status	:	Recommended
Next revision due	:	September 2020
Reviewed and approved by	:	Trustees

Flexible working policy

1. Policy Statement

The Southend East Community Academy Trust believes that its employees are its most valuable asset and is committed to utilising all the talent and experience available within the community. The purpose of this policy is to set out the ways in which flexible working can build better relationships between the SECAT Academies and its employees, promote work-life balance and enable individuals with caring responsibilities to balance their commitments. Flexible working can relate to hours or times worked, or the work-base which can be another of SECAT Academies work places.

All employees have a **statutory right** to ask for a change to their contractual terms and conditions of employment to work flexibly provided they have worked for a SECAT Academy for 26 weeks continuously at the date the application is made.

Employees can only make one statutory request in any 12 month period unless there are compelling reasons which warrant consideration to subsequent requests.

Employees with less than 26 weeks do not have a statutory right to request flexible working.

All such requests are considered in the context of the operational needs of the relevant SECAT Academy and will be accommodated where possible without impacting upon delivery of Teaching and Learning and/or operations.

Flexible working arrangements might include any one or combination of options such as:-

- Part time working/reduced hours
- Job sharing
- Annualised hours; where an employee has to work a certain number of hours over the year but have some flexibility about when they work
- Compressed hours: working full-time but over fewer days
- Flexitime: The employee chooses when to start within agreed limits and where certain core hours, e.g. 10 am to 4 pm every day must be worked (where the job role can accommodate this)

2. Delegated authority

Authority to approve applications for flexible working, and appeals against requests not being agreed, will be in accordance with SECAT's delegated arrangements, being the Head Teacher in each academy.

3. Procedure Overview

This policy sets out the employee's right and obligations and SECAT's obligations with respect to flexible working. Please refer to the flow chart in Appendix 1.

Advice may be sought at **all** stages of dealing with such requests from the Human Resources provider.

3.1 Making an Application

Employees must make their request in writing using the template in Appendix 2 setting out:-

- The date of the application, the change to working conditions they are seeking and when they would like the change to come into effect
- What effect they think the requested change would have on the relevant Academy and how, in their opinion, any such effect might be dealt with
- Whether this is a statutory request, and
- Whether they have made a previous application for flexible working and the date of that application

3.2 Handling the request

Once a valid application has been submitted, the Head Teacher/Line Manager must acknowledge receipt within 5 working days.

If the Head Teacher/Line Manager receives more than one application, requests will be considered strictly in the order they are received and on no other basis. Having considered the first application, if it is agreed then the Head Teacher/Line Manager will be mindful of the impact on the service should they agree further request for other employees within the team.

The Head Teacher/Line Manager will contact the employee to arrange a meeting which will take place within 28 working days of the application being submitted.

The Head Teacher/Line Manager will consider each request on its merits looking at the business case and the possible impact of refusing a request. Where possible/appropriate the Head Teacher/Line Manager may have a discussion with the employee to see if there is any room for adjustment or compromise before a decision is made.

3.3 The meeting

The meeting will be an opportunity to explore what changes the employee is seeking and how these might be accommodated. It will also be an opportunity to consider alternative suitable working arrangements if there are problems in accommodating the employee's desired pattern outlined in their application.

3.4 Considering the request

Within 10 working days of the date of the meeting, the Head Teacher/Line Manager must write to the employee to either:-

- Confirm agreement to the new work pattern and start date or
- Confirm a compromise agreed at the meeting
- Reject the request and provide clear business reasons why the request cannot be agreed and provide details of the appeal process

The new working arrangements may be agreed either on a permanent or trial basis. If a trial period is agreed, the new working arrangement will be carefully monitored and

will be reviewed at agreed intervals. This will normally be at 3 and 6 month intervals. If the trial proves successful the change will then usually be confirmed as permanent.

If after the trial period one or both parties are not happy with the new working arrangements a meeting will be arranged with the employee and their Head Teacher/Line Manager. During the meeting both parties will discuss any issues or problems that may have occurred. The aim will be to reach a compromise. However, if this is not possible then the employee may have to return to their original working pattern.

3.5 Declining an application

The SECAT Academy will try to accommodate an employee's requests wherever possible. Applications can only be refused for one of the following reasons:-

- The change will have a detrimental impact on the quality or performance in the relevant work area
- The change will have a detrimental effect on the School's ability to meet the needs of the students (i.e. the operation of the School to provide education to the required standards)
- The burden of any additional cost to the School
- Unable to reorganise work among existing employees
- Unable to recruit additional staff to cover new working pattern
- Lack of work available during the times the employee proposes to work, or
- Planned structural changes

3.6 Appeals

Any employee who is not satisfied with the decision may appeal. Appeals will be dealt with quickly and no later than 3 months of the relevant Academy first receiving the original request for flexible working. An appeal must be made in writing to the Head Teacher within 10 working days of receiving the letter confirming the outcome of their request. The appeal will be heard by the Head Teacher or Governors/Trustees in accordance with SECAT's delegated arrangements. The employee will be notified of the meeting no later than 5 working days prior to the date of the meeting.

Following the appeal meeting and no later than 5 working days after it, the Head Teacher or Governors/Trustees must write to the employee with the outcome of the appeal which will either:-

- Uphold the appeal and specify the nature of the variation and its start date, or
- Suggest a compromise solution for consideration by the employee, or
- Dismiss the appeal, and provide an explanation for the decision.

On conclusion of the appeal process, there is no further right of appeal. No further applications for flexible working can be submitted by the employee until 12 months have elapsed from the date of their original application.

4. Time limits

All requests for flexible working must be dealt with, including any appeal within 3 months of first receiving the request unless a longer timescale is agreed with the employee. Key dates are:-

- **The Head Teacher/Line Manager must acknowledge receipt of the request within 5 working days**
- **The Head Teacher/Line Manager will contact the employee to arrange a meeting which will take place within 28 working days of the application being submitted, giving 5 working days' notice of the date of the meeting.**
- **Within 5 working days of the date of the meeting, the Head Teacher/Line Manager must write to the employee with the outcome of their request**
- **Making an appeal, the employee must write to the Head Teacher within 10 working days of receiving the letter confirming the outcome of their request**
- **The employee will be given 5 working days' notice of the date of the appeal meeting.**
- **Within 5 working days of the date of the appeal the Head Teacher or Governors must write to the employee with the outcome.**
- **No further requests for flexible working can be made by the employee until 12 months have lapsed since their initial application unless there are compelling reasons which warrant consideration to subsequent requests**

5. Supporting Documents

- Appendix 1 – Flow chart
- Appendix 2 – Application to request Flexible working
- Managers Tool kit for dealing with Flexible working request – template letters

Scope

- This policy applies to all employees of SECAT.
- The term 'employee' refers to any member of staff, whether teaching or non-teaching, employed to work by SECAT either within an Academy School or the Academy Trust
- Community schools will be bound by the principles of this policy where they employ staff under NJC conditions for Local Government staff.

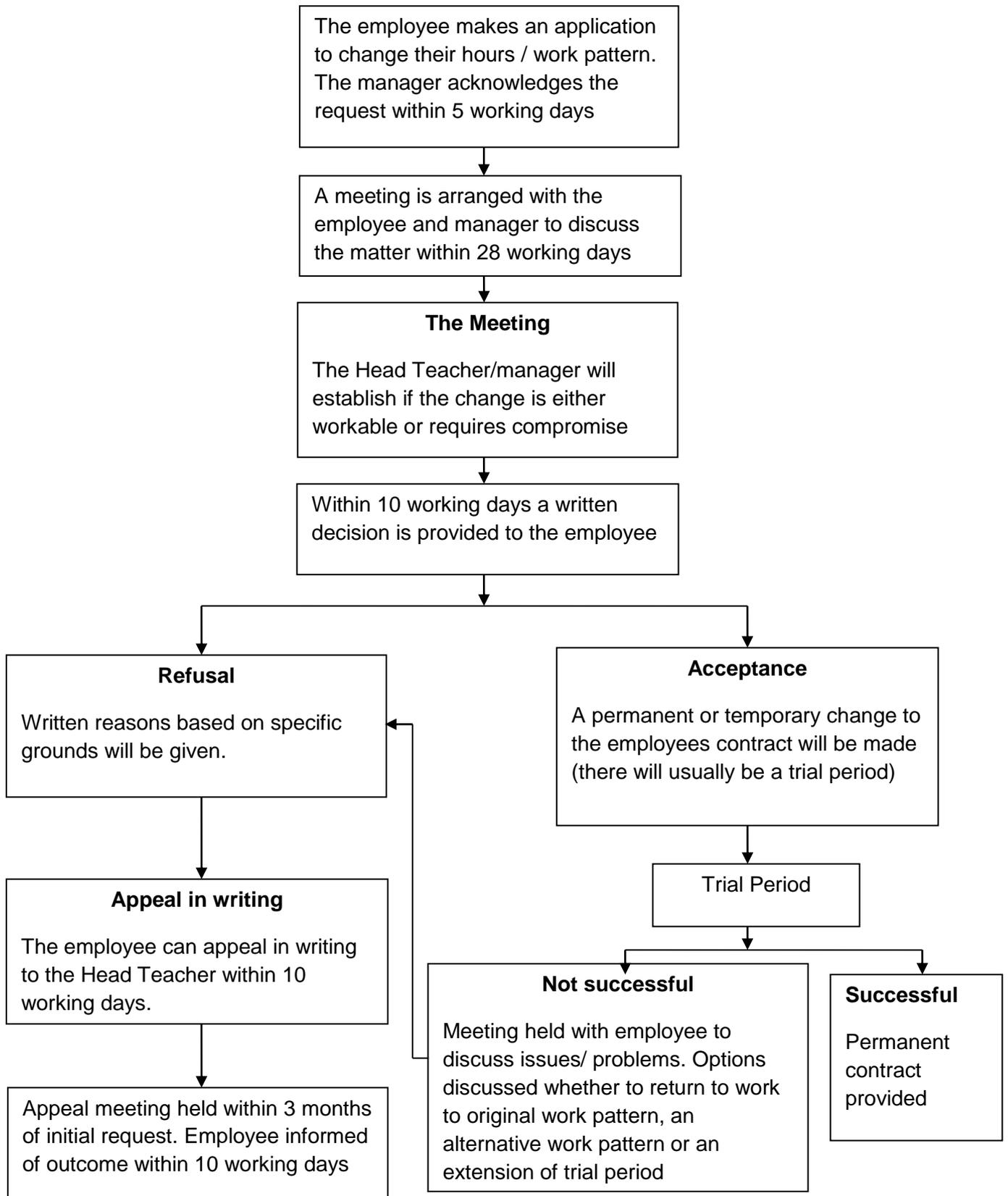
Delegation

- The term 'Head Teacher' refers to Headteacher/Executive Head/Head of School/Principal or CEO

Changes in Employment Law or Educational Legislation may form part of the policy.

Appendix 1- Procedure flowchart

Making an application for a permanent or temporary change to the employment contract under the Flexible Working Policy



Appendix 2 – Application to request Flexible Working

Name of employee:			
Team/Section/Department:			
Job Title			
Start date with the School:		Date form submitted:	
Contact Details:			
<p>I wish to submit a request for flexible working as detailed below. I am applying for flexible working for the following reason</p> 			
Have you submitted a previous request for flexible working? (If yes, please answer the next question.)	Yes	No	
When did you submit your last request for flexible working?	Date:		
Pattern of working			
Please state the pattern of working you are seeking by providing information under one or more of the following three headings:			
1. I would like to reduce my working hours from [current number of hours worked] hours to [the number of hours you would like to work] hours per week.			
Current	Requested Arrangement		
2. I would like to alter the days I work and/or the timing of my working hours so as to work at the following times (please indicate the days/times of day you would like to work).			
Current	Requested Arrangement		
3. I would like to do all/some of my work from my home (please be precise about the number of hours and days/times of the week you would like to work at home).			
Current	Requested Arrangement		
I would like the above change(s) to my working pattern to take effect on:			

Please state the effects that you think the changes you are requesting will have on the School's ability to provide its service and on your team/section/department, your colleagues, etc.

Please state how you think any such effect might be dealt with.

I have read and understood the policy relating to Flexible Working. I confirm that the information stated above is correct and that I understand that where I have deliberately given false information this will result in my application for flexible working being immediately rejected without the right of appeal.

Signed:

Date:

Notes:

Once you have submitted a valid application for flexible working, you will be contacted to arrange a meeting, which will take place within 28 days of the application being submitted, to discuss how the pattern of working you have requested might be made to work. If your request is granted, it will mean a permanent change to the terms and conditions of your employment, unless agreed otherwise.

It will help us to deal with your application if you provide as much information as you can about your desired working pattern. It is also important that you complete the questions about the effects that you think the changes you are requesting will have on the School and your colleagues, as your application may otherwise not be valid.

It is advisable that you think through and have alternative options that you can put forward for your discussion with your Line manager/Headteacher during the meeting. This will help give the Line manager/Headteacher and yourself some flexibility in finding a workable solution for your request.