



# Chiltern Way Academy

Turning Futures Around

## **Flexible Working Policy and Procedure**

**Responsibility for this policy (job title): Business Director**

**Responsibility for its review: this version FGB, subsequently Principal**

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## **Purpose**

The purpose of this Policy is to provide benefits which comply with the letter and the spirit of the law on flexible working. This policy applies to all employees who have been employed for 26 weeks' continuously before applying and have not had an application to work flexibly accepted under the right during the last 12 months.

## **What is a Flexible Working Request?**

A flexible working request under this policy means a request to do any or all of the following:-

- To reduce or vary working hours
- To reduce or vary the days worked
- To work from a different location

## **Entitlement**

Anyone can ask for flexible work arrangements, but the law provides some employees with the statutory right to request a flexible working pattern. Employees with 26 weeks' continuous employment before applying, and who have not had another application to work flexibly under the right accepted during the last 12 months, have the right to request flexible working arrangements. It should be noted that the right is to request flexible working, not the right to work flexibly and requests to work flexibly can be declined where there are legitimate business grounds.

## **Procedure**

Employees should submit their application in writing by letter to the Head of Campus as far in advance as possible of the date the request is to take effect.

Applications to work flexibly must include the following information:-

- The date of the application, the change of working pattern they are seeking and when they would like the change to come into effect.
- What effect the new working pattern would have on the school and colleagues and how any effects might be dealt with
- Confirm that it is a statutory request and whether a previous application has been made and if so, when.
- Confirm if it is a request in relation to the Equality Act for example as a reasonable adjustment.

Where a temporary adjustment is required for example to support a relative or pursue a course of study consideration will be given to enable the employee to return to their original conditions at the end of a specified period or event which will be confirmed with them.

The Head of Campus will then arrange a meeting with the employee as soon as possible to discuss their application. If a meeting cannot be held face to face a discussion can be held over the telephone. Where it is necessary to delay the process for any reason the employee will be advised in any case the process will be dealt within 3 months of the request being received (including any appeal if the request is refused ). The process can only be extended beyond 3 months with the agreement of the employee.

The employee may be supported by their union rep or a colleague if they so wish and therefore reasonable notice of the meeting should be given to enable this to happen. If necessary the meeting should be rearranged to enable the employee to be accompanied. The meeting will provide an opportunity to:-

- Ensure that it is fully understood what changes the employee is seeking
- Discuss how these changes may be accommodated
- Understand why the employee requires the change to be made (if the employee feels they want to discuss this)

If the employee fails to attend the meeting and any subsequent rearrangement without providing good reason it will be deemed that they have withdrawn their request and the employee will be notified of this decision. The Head of Campus will try to find out the reason for the non-attendance prior to making this decision.

All requests will be considered carefully assessing the benefits of the requested changes in working conditions for the employee and the school balancing these against any adverse impact of implementing the changes. An application shall only be refused on one or more of the following grounds:

- The burden of additional costs
- Detrimental effect on ability to meet customer demand
- Inability to re-organise work among existing employees or recruit additional staff
- Detrimental impact on quality or performance
- Insufficiency of work during the periods the employee proposes to work
- Planned structural changes

An outcome of the meeting could be:-

- The request is agreed and a start date and any other arrangements are confirmed
- A compromise is reached for example different working pattern to that requested or a temporary arrangement to work flexibly.
- Agreement reached to make the changes for a trial period where it is not clear that the changes are sustainable.
- The request is rejected. A letter will be sent confirming the business reason why this has happened and the appeal process.  
In all case the employee will receive a letter confirming the agreement reached.

## **Appeal**

The employee may appeal a decision to refuse to grant their request if there is new information that was not available at the time the original decision was made or if the employee thinks the application was not handled reasonably in line with the policy. The appeal must be put in writing to the Chair of Governors outlining the reason for their appeal who will arrange an appeal meeting giving reasonable notice to the employee who can be accompanied by a union rep or colleague. If it is not possible to hold an appeal meeting this can be held over the telephone. The appeal meeting must be held within 3 months of the flexible working request being received.

### **Responsibility**

The responsibility for the application of the school's Flexible Working policy lies with the Business Director of the school.

### **Review of Procedure**

This procedure shall be subject to periodic review and may be changed from time to time.

This policy and procedure does not form part of any employee's contract of employment and may be amended at any time.