



E16
ESTEEM MULTI-ACADEMY TRUST
FLEXIBLE WORKING
POLICY

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1 Introduction

1.1 Esteem Multi-Academy Trust is committed to providing equality of opportunity in employment and to developing work practices and policies that support work-life balance. We recognise that, in addition to helping balance work and personal lives, flexible working can raise staff morale, reduce absenteeism, and improve our use and retention of staff.

1.2 This policy gives employees an opportunity to formally request a change to their working pattern in accordance with the statutory procedure.

1.3 Through this policy we will accommodate flexible working where possible but the priority will be the effective running of the Trust / Academy / School for the benefit of the pupils and where granting flexible working would impact on that, requests may not be granted. Requests will be handled in a reasonable manner.

1.4 No-one who makes a request for flexible working will be subjected to any detriment or lose any career development opportunities as a result.

1.5 It is the Trust's policy to encourage open discussion with employees. If an employee thinks they may benefit from flexible working, they can either:

1. Contact their Headteacher to arrange an informal discussion to talk about their options.
2. Submit a flexible working request, by following the steps in this policy and using the form in Appendix 1.

1.6 This policy does not form part of the employment contract, and can be amended at any time.

2. Definition

2.1 Flexible working is any type of working arrangement that gives some degree of flexibility on how long, where and when an employee works.

For example:

- annualised hours
- compressed hours
- flexitime
- hybrid working
- job sharing
- part-time working
- remote working
- staggered hours
- term-time working
- working from home

2.2 These examples are considered to be the typical arrangements that employees will request.

2.3 However, the Trust recognises that there may be alternatives or a combination of options which are suitable to both the organisation and the employee.

3. Our Approach to Flexible Working

3.1 The Trust is committed to providing a range of appropriate working patterns.

3.2 There are many different types of flexible working. While some might not be practical for every job, it's likely other types will work. The Trust commits to look at what's possible.

3.3 Where a flexible working arrangement is requested, the organisation will take into account a number of criteria. This includes:

- the costs associated with the proposed arrangement
- the effect of the proposed arrangement on other staff
- the need for, and effect on, supervision
- the existing structure of the department
- the availability of staff resources
- details of the tasks specific to the role
- the workload of the role
- whether it is a request for a reasonable adjustment related to a disability
- health and safety issues

3.4 The Trust is committed to agreeing any flexible working arrangements, provided that the needs and objectives of both the organisation and the employee can be met.

4. Eligibility

4.1 All employees have a statutory right to request flexible working from the first day of employment.

4.2 An employee is entitled to submit 2 statutory flexible working requests in a 12-month period.

4.3 An employee can only have one live request at a time. A request will stay live, until any of the following happen:

- the organisation makes a decision
- the employee withdraws the request
- the employee and organisation agree an outcome
- it's been 2 months since the date of the request

4.4 All requests must be made by either completing the flexible working request form (Appendix 1), or submitting a formal request in writing.

- Any request must include:
- the date of the request
- the changes that the employee is seeking
- the date the employee would like the proposed change to start
- whether this is a statutory or non-statutory request
- whether the employee has made any previous flexible working requests to the organisation
- the dates of any previous requests

4.5 If the request relates to a reasonable adjustment for a disability under the Equality Act 2010, the employee should make this clear in the request.

4.6 If a request does not contain all of the required information, the School Business Manager or a member of the Human Resources Department will advise the employee what else they need to provide and ask the employee to resubmit the request.

5. Responding to a Flexible Working Request

5.1 The Headteacher or Department Head for non-school based staff, will consider the proposed flexible working arrangements. They will look at the potential benefits and adverse effects to the employee and to the Trust in implementing the proposed changes.

5.2 Each request will be considered on a case-by-case basis, in the order they are received. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working pattern.

5.3 Where an employee's request needs further discussion, the organisation will invite the employee to a formal meeting. If a meeting is arranged it will be held within 10 working days of the organisation receiving the request. This time limit may be extended with the agreement of both the employee and the Trust.

5.4 Where an employee's request can be approved in full without a formal meeting, the organisation will confirm this in writing within 10 working days of receiving the request. This will include details of the new arrangements and an invitation to talk about the new arrangements. This time limit may be extended with the agreement of both the employee and the Trust.

5.5 The Trust will make a decision on all requests, including any appeal within a maximum of 2 months. This time limit may be extended with the agreement of both the employee and the Trust.

5.5 Where flexible working practices are agreed as a permanent change, any variation to the employee's terms and conditions will be put in writing. Written confirmation of the changes will be sent to the employee within one month of the change being agreed.

5.6 If the employee has any questions or concerns they should contact their Headteacher or School Business Manager.

6. Formal Procedure - Meeting

6.1 If the employee is invited to a formal meeting, the Headteacher or Department Head for non-school based staff will discuss:

- the request
- how the proposed working arrangements might work
- how it could be of benefit to both the employee and organisation

6.2 The employee will be given advance notice of the time, date and place of the meeting. If the initial date is problematic then one further date will be proposed. This meeting will be in person or a video call, or a telephone call if neither of those are possible.

6.3 At the meeting the employee may, if they wish, be accompanied by a colleague or a trade union representative, if a member.

6.4 If the employee fails to attend a meeting and then fails to attend a rearranged meeting without good reason, their request will be deemed to have been withdrawn.

6.5 After a consultation meeting, the request may be granted in full, in part or refused.

6.6 The Trust may:

- propose an alternative option
- grant the request on a temporary basis
- ask the employee to try the flexible working arrangement for a trial period

6.7 If a working arrangement is agreed, the employee will be sent a confirmation letter within 10 working days of the consultation meeting. This will include details of the new arrangements and an invitation to talk about the new arrangements.

6.8 If the Trust refuses the request, the employee will be given the decision in writing within 10 working days of the consultation meeting.

7. Formal Procedure - Appeal

7.1 An employee has the right to appeal the decision if their request is refused or is only agreed in part.

7.2 The employee may submit an appeal within 5 working days of being notified of a decision on their request. This should be done in writing and clearly state the reasons for their appeal.

7.3 The appeal will be heard within 10 working days. The employee will then be informed of the outcome of their appeal within 5 working days of an appeal meeting. These time limits may be extended with the agreement of both the employee and the Trust.

7.4 At the appeal meeting the employee may, if they wish, be accompanied by a workplace colleague or a trade union representative, if a member.

7.5 If the appeal is upheld, advice will be provided of new working arrangements, details of any trial period, an explanation of changes to a contract of employment and the date on which they will commence.

7.6 Changes to terms of employment will be permanent and unless and / or until a second formal request for flexible working is made within any 12 month period from the date of the original request.

7.7 If an appeal is rejected, the written decision will give the business reason(s) for the decision and explain why the reason(s) apply in this case. Please note that the right to make formal flexible working requests is limited to two in any 12-month period.

8. Trialling New Working Arrangements

8.1 Where there is some uncertainty about whether the flexible working arrangement is practical for an employee or the Trust, a trial period may be agreed.

8.2 A trial period will allow enough time to implement and get used to the new arrangement before making any decisions on its viability.

8.3 The Trust will put any trial arrangements in writing to the employee. This will include their new working pattern and make clear that it is only a temporary change to the employee's terms and conditions.

8.4 The employee will be informed in writing of the start and end dates of the trial period. The Trust may reduce or lengthen the trial period where necessary, with the agreement of the employee.

8.5 The Trust will reserve the right, at the end of the agreed trial period, to require the employee to revert to their previous working arrangement. In this situation, the Trust will give the employee 4 weeks' notice.

9. Complaints and Further Information

9.1 An employee should raise any concerns with their Headteacher or the HR Department if they:

- are not satisfied with any stage of the flexible working request process
- feel they have been treated unfairly because they've made a flexible working request

9.2 If informal discussions do not resolve the matter to an employee's satisfaction, they should raise a grievance under the organisation's grievance procedure.

9.3 For further information an employee should contact their Headteacher or the HR Department.

10. Review of the Policy

10.1 The Trust Board will review this policy as required, but at least every 2 years and this will be ratified at a full Trust Board meeting.

Appendix 1 – Flexible Working Request Form

Name:
Job Title:
Date you would like new working pattern to commence:
Describe your current working pattern (Include details of which days/times /hours you are currently contracted to):
Describe the working pattern you would like to request (Describe days/hours/times etc that you are requesting to be contracted to):
Have you previously made a flexible working request in the last 12 months: YES <input type="checkbox"/> NO <input type="checkbox"/>
If Yes, please confirm the date of this request and describe what was requested:
Any Additional Comments:

Appendix 2 – Flexible Working Request – Acknowledgement Letter

Private & Confidential

Name
Address

Date

Re: Acknowledgement of Flexible Working Request

Dear [name of your employee],

Thank you for the statutory flexible working request you made on [date]. We will consider your request as soon as we can. If we can approve it without any further discussion, I will confirm this in writing. If it needs further discussion, I will set up a meeting within 10 working days to talk about:

- the changes you are asking for
- any effects of the change on the organisation
- what we can do to support your request
- if there are any other options you might consider

You can bring someone with you to the meeting, for example someone else at work or a trade union representative, if a member.

Yours sincerely,

[Your name]
[Job Title]
[school]

Appendix 3 – Flexible Work Request – Outcome Letter

Private & Confidential

Name

Address

Date

Re: Outcome of Flexible Working Request

Dear [name of your employee],

I am writing to confirm our decision on the statutory flexible working request you made on [date].

[Use Option A, B, or C]

[Option A: if you've decided to accept the request in full]

I'm pleased to confirm we can accept your request in full as follows:

- [give details of agreed working arrangement]

If you'd like to discuss next steps or clarify any details, please contact me at [give contact details]. We will confirm any contract term changes in writing within 1 month of the new arrangement starting.

[Option B: if you've decided to accept an alternative option]

After reviewing your request and discussing with you on [date of consultation meeting with employee], we can accept the following working arrangement:

- [give details of agreed working arrangement]

If you'd like to discuss next steps or clarify any details, please contact me at [give contact details]. We will confirm any contract term changes in writing within 1 month of the new arrangement starting. Unfortunately we could not accept your original request in full for the following business [reason / reasons]:

- [list the business reason or reasons that apply, as listed in point 9 of the Acas Code of Practice on requests for flexible working]

If you would like to appeal this decision, [give details on how to appeal].

[Option C: if you've decided to not accept a request]

After reviewing your request and discussing with you on [date of consultation meeting with employee], unfortunately we cannot accept this working arrangement. This is for the following business [reason / reasons]:

- [list the business reason or reasons that apply, as listed in point 9 of the Acas Code of Practice on requests for flexible working]

[Optional] To help make this decision, we took into account [include any additional information that helps explain your decision. For example:

- the steps you took to investigate whether you could accept the request
- any practical aspects of the job that prevented you accepting the request
- any alternative options you considered
- any data you used to help make your decision – for example staffing levels or recruitment costs
- any health and safety considerations related to the request]

If you would like to appeal this decision, please do this in writing within 5 working days of receipt of this letter by contacting your Headteacher, who will forward your appeal application to our Chair of Governors.

Yours sincerely,

[Your name]

[Job Title]

[School]