



# **Thistly Meadow Primary School**

## **FLEXIBLE WORKING POLICY**



**Leicestershire  
Traded Services**

# Flexible Working Policy

**The procedure detailed below applies to all employees who qualify to make a request to work flexibly under the statutory right to request flexible working. It provides a fair and consistent method of dealing with flexible working requests.**

**For Maintained Schools: The Local Authority has the right to be represented at any hearings and this will normally be a member of the LTS HR team acting in an advisory capacity. The panel must consider any advice offered by the Local Authority when making their decision. The school must notify both the employee and the LA of their decision where any dismissal takes place.**

**This policy does not form part of employees' terms and conditions of employment and therefore may be subject to change at the discretion of the Trust/Governing Body.**

## **1. Definition of 'Flexible Working'**

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1.1 The term 'flexible working' describes a range of working patterns for example, job sharing, part-time working and home working. Under the Flexible Working Regulations, an employee can request to change:

- the number of hours they work,
- the times that they work, and/or
- their place of work, e.g. to work from home, where the duties of the job will permit this type of working.

## **2. Eligibility Criteria**

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2.1 **The statutory right to request flexible working applies to all employees who, at the time of application:**

- have been continuously employed for at least 26 weeks,
- not have submitted an application to work flexibly under the statutory scheme within the previous 12 months.

## **3. Application Process**

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3.1 An employee wishing to formally request a change to their working arrangements must provide the following information in writing, using the Flexible Working Application Form:

- the date the application is being made and confirmation that the request is being made under the statutory right to request flexible working,
- the change in working arrangements being requested (including whether the change is requested on a permanent or temporary basis),
- the date on which the employee would like the proposed change to become effective,
- details of how the new working pattern may impact on the school and how, in their opinion, this can be managed, or any negative impacts can be mitigated,
- whether the request is in relation to the Equality Act 2010 (e.g. as a reasonable adjustment for a disability),

- whether a previous flexible working application has been made by the employee and, if so, when.

## 4. Timings and Process

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- 4.1 The employee will submit their completed application form to their manager. On receipt of the request, the manager will send a letter of acknowledgement to the employee inviting them to discuss the request **as soon as possible, but usually within 28 days**. This discussion does not need to be face-to-face and can take place by telephone if the employee is in agreement.
- 4.2 The consideration process, including the outcome of any appeal, **must be completed within 3 months of the request being received in writing** by the manager. This time limit can be extended, if needed providing all parties are in agreement.
- 4.3 The employee may be accompanied by a work colleague or Trade Union representative.

## 5. Contractual Change

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- 5.1 Any change to the employee's terms and conditions will be on a permanent basis unless agreed otherwise.
- 5.2 A variation to contract letter will be issued to the employee. This variation to contract letter must be signed by the employee and a copy returned to the school for their records.

## 6. Grounds for Declining a Request

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- 6.1 Applications can only be declined for one or more of the following business reasons:
  - Burden of additional cost ,
  - Detrimental effect on the School's ability to meet 'customer' demands (e.g. inability to reorganise an employee's timetable or work schedule without having an adverse impact on colleagues/pupils),
  - Inability to reorganise work amongst existing staff,
  - Inability to recruit additional staff,
  - Detrimental impact on quality (e.g. on teaching and learning,
  - Detrimental impact on performance,
  - Insufficiency of work during the periods the employee proposes to work,
  - Planned structural changes.

## 7. Right of Appeal

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- 7.1 An employee has the right to appeal against the decision if their request for flexible working request has been declined. Employees will be made aware of their right of appeal at the time they are provided with the outcome of their application.
- 7.2 All appeals will be dealt with in line with the School's Appeal Policy.

- 7.3 The appeal will be heard and completed within 3 months of the date on which the employee submitted their flexible working application, unless an extension has been agreed with the employee and confirmed in writing, outlining the reasons for the delay.

## Flexible Working Application Form

<b>Name:</b>	
<b>Job Title:</b>	

**Are you making this request under the statutory right to request flexible working? YES/NO**

**Have you made a flexible working request in the past 12 months? YES/NO**

**Date of last flexible working request submitted:**

**Describe your current working pattern (days/hours/times worked):**

(Please continue a separate sheet of paper if necessary)

**Describe the working pattern you would like to work in future (days/hours/times worked):**

(Please continue a separate sheet of paper if necessary)

**When would you like the new working pattern to commence?**

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**Impact of the new working pattern.**

The proposed working pattern will affect the school and my colleagues as follows:

(Please continue a separate sheet of paper if necessary)

**Accommodating the new working pattern.**

The effect on the school and my colleagues can be dealt with as follows:

(Please continue separate sheet of paper if necessary)

**I understand that, if agreed, this request will result in a permanent change to my terms and conditions of employment unless agreed otherwise.**

<b>Signed:</b>	
<b>Date:</b>	