

FLEXIBLE WORKING POLICY

Issued: July 2016
Reviewed: December 2024
Next Review Due: December 2027

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This policy has been implemented following consultation with the recognised trade unions and the review of its implementation and impact will also include the recognised trade unions.

1. Introduction

The Bradford Diocesan Academies Trust (BDAT) believes that flexible working can increase staff motivation, promote work-life balance, reduce employee stress and improve performance and productivity. Flexible working can also help to recruit and retain high quality staff, as well as to help address equality and diversity issues across the profession. Requests based on health reasons would usually be dealt with under a reasonable adjustment request.

The Trust are supportive of the DfE's commitment, in their Recruitment and Retention Strategy, to support Trust and School Leaders to adapt to changing demands by helping to transform approaches to flexible working. The Trust are also supportive of the DfE's guidance around [Flexible working in schools](#).

All employees have the right to request flexible working and to have their request considered seriously by the Trust. Employees have the right to submit a flexible working request from day one of their employment with the Trust. Employees have an opportunity to make two statutory flexible working requests in a 12-month period (even if they withdrew a request(s)). This includes requests for part time, flexitime, compressed hours and varied working locations.

We will deal with flexible working requests in a reasonable manner and within a reasonable time, in any case a decision will be made and communicated to employees within 2 months of the application.

This policy has been provided as a Trust level resource for BDAT and does not form part of an employee's terms and conditions of employment.

2. Requests for flexible working

A request for flexible working could include a request for a change to the number of hours that the employee works, a request for a change to the pattern of hours worked, a request to job share or a request to perform some, or all, of the work from the employee's home.

All requests must be made in writing by filling in the requisite application form, which is attached to this policy and should be submitted to the Head Teacher/Principal/Line Manager. Central Team staff should submit this form to their Line Manager. Any request made under this policy must be in writing and include:

- the date of the application;
- the changes that the employee is seeking to their terms and conditions;
- the date on which the employee would like the terms and conditions to come into effect;
- a statement that this is a statutory request;

- whether or not the employee has made a previous application for flexible working; and
- if the employee has made a previous request, and when the employee made that application.

Where the request is being made for health reasons or by a disabled person as part of a request for a reasonable adjustment to their working arrangements, the employee should state this in the written application. Employees are encouraged explain the reasons for the request, especially if an employee believes the Trust's Equal & Diversity Policy and/or Equality Statement and Objectives may be relevant, for example, if the request concerns childcare or other family commitments, religious or cultural requirements, or adjustments because of a disability. All requests will be considered in accordance with the Equality Act 2010.

The academy should not reject out of hand a request that does not contain the required information. The employee's Head Teacher/Principal or Line Manager should explain to the employee what additional or amended information they need to provide and ask the employee to resubmit the request. In such circumstances, the request will not count as one of the two requests that an employee is entitled to make within a 12-month period, until it is completed and resubmitted.

2.1 Meeting to discuss a flexible working request

Once the Head Teacher/Principal or Line Manager receives the request, it will be dealt with as soon as possible, but no later than the deadline set out below in section 2.5. The Head Teacher/Principal or Line Manager will usually arrange a meeting at a convenient time and place to deal with the request. The Head Teacher/Principal or Line Manager will approach the meeting with an open mind and a positive attitude, and encourage the employee to suggest how the revised working arrangements requested could be made to work satisfactorily. An alternative pattern of working to the one originally requested by the employee can also be suggested. The Headteacher/Principal or Line Manager will check that the employee has fully considered the implications of the requested change.

Where a request can be approved without further discussion in line with the terms stated in the employee's written application, a meeting will not be necessary, and the employee will be informed in writing of the decision.

An employee should be given the right to be accompanied by a work colleague or a trade union representative at any flexible working meeting. They will be entitled to speak and confer privately with the employee but may not answer questions on their behalf. The meeting should take place in a private meeting room so that the discussion is kept away from other employees. The aim of the meeting is to find out more about the proposed working arrangements and how they could be of benefit to both the employee and Trust/academy.

2.2 Outcome of a flexible working request

After the meeting, the Head Teacher/Principal or Line Manager will consider the proposed flexible working arrangements carefully, weighing up the potential benefits to the employee and to the Trust/academy 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 their 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 the deadline set out below. 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. Where a trial period is agreed, the revised working pattern will be put in place as a temporary variation to the terms of the employee's contract. The employee will be given the right to appeal the decision if the employee's request is not upheld or is upheld in part. The employee has the statutory right to be accompanied to any grievance hearing connected to the application.

If a decision is made to reject the flexible working request, a full rationale behind the decision will be provided as outline below.

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

2.3 Reasons for rejecting a flexible working request

The Head Teacher/ Principal / Line Manager will give reasons for the rejection of any 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 student education;
- insufficient work for the periods the employee proposes to work; and
- a planned structural change to the business.

If a request has been rejected, the employee will be informed which of those reasons applies in writing and why these reasons are relevant to the particular case, and of the appeal procedure. More information on the appeals procedure can be found in section 2.6 of this policy.

2.4 Flexible working requests that are granted

If the request is upheld in full or in part, the employee and the Head Teacher/Principal or Line Manager 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 a permanent

amendment to their contract of employment/written statement of terms and conditions of employment as soon as is reasonably practicable.

2.5 Timescales

All requests will be dealt with within a period of two months from first receipt of a request to notification of the decision on any appeal. The Headteacher/Principal or Line Manager should hold the meeting without undue delays of receiving the request and notify the decision to the employee within 10 working days of the meeting, so that there is enough time for any appeal to be concluded.

Time limits detailed in this policy may be extended where both the employee and Trust/academy are in agreement. For example, the Head Teacher/Principal or Line Manager and the employee may agree to extend the time limit to give the employee a trial period on the flexible working arrangements.

2.6 Appeal

Employees who are dissatisfied with the outcome of their request have the right to lodge an appeal in writing within 10 working days of the notification. The panel must make reasonable endeavours to hear the appeal within 15 working days of notification. Any appeal must be dated and must set out the grounds on which the appeal is being made.

A meeting will be held to discuss the appeal. As explained above, an employee should be given the right to be accompanied.

The employee will be informed in writing of the outcome of their appeal, and the reasons for the decision, within 10 working days of the appeal meeting. There is no further right of appeal.

The appeal may be heard by a panel of 3, and consist of Governors, Trustees, members of the Head Office Executive Team or Executive Headteachers and Headteachers/Heads of School.

2.7 Problems with a flexible working request

If an employee is dissatisfied or unclear at any stage throughout the process, they should seek clarification from the Head Teacher/Principal or Line Manager. If an employee is dissatisfied with the way in which their request has been handled, they can raise a grievance under the Trust/academy grievance procedure. The employee has the statutory right to be accompanied to any grievance hearing connected to the application.

Head Teachers/Principals or Line Manager who receive a request will have regard to the Trust's equal opportunities policy when considering the request.

If an employee fails to attend a meeting, including an appeal meeting, and then fails to attend a rearranged meeting without good reason, their application will be deemed to have been withdrawn.

Flexible Working Request Form

You have the right to request flexible working arrangements from the first day of your employment. You can make up to two statutory requests within a 12-month period.

While you are not required to explain how your proposed arrangement will work or its impact, providing this information can assist the Trust / School in our consideration of your request. If your request cannot be fully accommodated, the Trust / School will consult with you to explore possible adjustments or alternatives before a final decision is made.

Name:	
Job Title:	

Have you made any previous applications to work flexibly in the last 12 months? If yes, please provide the date(s) of your previous application(s) and further details.	Yes / No		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; height: 30px;"></td> <td style="padding: 5px;">Optional: <i>State reason for request.</i></td> </tr> </table>		Optional: <i>State reason for request.</i>	
	Optional: <i>State reason for request.</i>		
Describe your current working pattern and duties (days/hours/times/location worked):			
Describe your preferred working pattern and duties (days/hours/times/location worked):			

Would you consider alternative working patterns and/or duties proposed by the Trust / School	Yes / No
Proposed date of new working pattern:	
Optional: <i>What effect do you think the proposed change would have on the work you do, on your colleagues, and on the children we support? How do you feel any such effect might be dealt with?</i>	

General Data Protection Regulations

BDAT is the data controller for any personal and / or sensitive data provided as part of this policy unless otherwise stated. The information you provide will be held securely by us and / or our data processors whether the information is in electronic or physical format, in line with the BDAT Privacy Notice and Data Protection Policy, If you have any queries regarding how we handle your information or this process, please contact the School Business Manager or Trust Data Protection Officer.

I confirm that this application is a statutory request to be considered by Trust / School in line with the employment law legislation.

Signature: _____

Date: _____