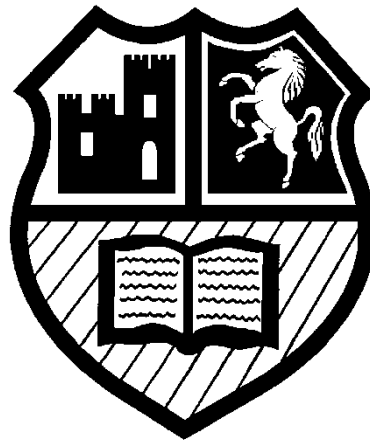


Otford Primary School



Flexible Working Policy

Date March 2025

For review (Bi-Annual) March 2027

Flexible Working Guidance

Worrall House, 30 Kings Hill Avenue, Kings Hill Business Park, West Malling, Kent ME19 4AE
t: 03000 411115 e: info@cantium.solutions

Cantium Business Solutions, registered in England & Wales at Sessions House, County Road, Maidstone,
Kent ME14 1XQ. Company No. 11242115. VAT No. 294 5402 88.

Filename:

Please note - Version control is via SharePoint. This document is uncontrolled once printed.

All employees have the legal right to request flexible working if qualifying conditions are met.

This document explains the process for making and managing statutory applications for flexible working. Schools may wish to make this document available to employees to outline their approach.

Introduction

The School recognises that at some stages during their working lives, employees may wish to request flexible working arrangements. The School also acknowledges that qualifying employees have a statutory right to make a flexible working request.

The School will give reasonable consideration to requests made under these provisions and will endeavor to grant flexible working arrangements in so far as is practicable - taking into account the needs of the School.

Decisions on whether a request can be agreed will be based on business needs and flexible working arrangements should not adversely impact on service delivery and the operation of the School.

Entitlement to Request Flexible Working

Statutory Right to Request Flexible working

An employee is eligible to make a statutory application to work flexibly after 26 weeks' continuous service. After the 6th April 2024 this will become a "day one" right.

An employee may make one statutory request in every 12-month period. After 6th April 2024 they will be able to make two statutory requests in every 12 month period.

Guidance Note:

This approach is recommended to Governing Bodies for adoption in schools - however Schools may determine alternative arrangements and may choose to permit applications for all employee's irrespective of length of continuous service.

Under flexible working arrangements, a variety of working patterns may be requested including:

- A change to hours
- A change to the times worked
- A change to the place of work

A request for flexible working may be made on a permanent or temporary basis.

Making a request for flexible working

Requests should be made to the Headteacher* in writing and include:

- The date
- A statement that the application is being made under the statutory right to request flexible working
- Details of the working pattern the employee wishes to adopt and whether it is a permanent or temporary change
- The proposed effective date of the change
- The date of any previous application that has been made.

Considering a Request

A decision regarding the employee's request should be made by the Headteacher as soon as practicable and carried out in a reasonable manner.

The Headteacher should consider the benefits of agreeing the request for the employee against any implications for the school.

In reaching a decision, it may be of benefit for the Headteacher and employee to meet to discuss the request in further detail. Meetings may be held in person, by telephone or virtually via a conference platform. It is good practice to hold a meeting within a month of receiving an eligible request.

Where the Headteacher is in agreement to the request - a meeting is not necessary.

The employee may be accompanied by a workplace colleague or trade union representative during discussions with the Headteacher about their request.

Accepting a Request

Where a request is agreed the Headteacher should discuss and agree the start date of the new working arrangements with the employee. The new working arrangements should be confirmed in writing.

Where it is not possible for the Headteacher to accept a flexible working request in full, it may be possible to reach agreement with an employee to accept elements of the request or agree alternative arrangements.

A flexible working request may be agreed on either a permanent or temporary basis. It is also possible for the Headteacher and employee to agree a trial period to assess whether the changed working arrangements are practical for both parties in the longer term.

Rejecting a Request

If it is not possible to agree to a flexible working request, the decision and reasons for this should be confirmed in writing by the Headteacher within 10 working days of reaching the decision.

This notification should include a detailed explanation for this decision and provide details of the procedure for making an appeal.

Reasons for rejection must be for one or more of the following:

- The burden of additional costs
- A detrimental effect on ability to meet customer demand
- An inability to reorganise work among existing staff
- An inability to recruit additional staff
- A detrimental impact on quality
- A detrimental impact on performance
- Insufficiency of work during the periods the employee proposes to work
- Planned structural changes.

Allowing an Appeal

Guidance note: *there is no statutory requirement to provide a right of appeal - however allowing appeals is advised and generally regarded as best practice.*

Employees may be granted leave to appeal against the Headteacher's decision not to grant a flexible working request.

Appeals must be made in writing and submitted within 10 working days of the original decision. The letter of appeal should include the employee's reasons for making an appeal.

Arrangements will be made for an appeal meeting to take place as soon as possible (usually within one month of the original decision being taken).

The appeal will usually be considered by panel of one or more governors, or by the Headteacher if not the original decision maker. Those hearing an appeal should have had no previous involvement in considering the original flexible working request.

The employee may be accompanied at the appeal meeting by a workplace colleague or trade union representative.

The employee will receive a written outcome to the appeal within 10 working days of the meeting.

If an appeal is not upheld the notification must include a detailed explanation for this - including the business reason for being unable to accommodate the request.

The decision of the appeal is final and there is no further right of appeal.

Timescales for Considering a Request

Requests should be considered within a reasonable timeframe and without undue delay.

All requests, including any appeals, must be considered and determined within 3 calendar months from receipt of the initial request - unless a longer timescale is agreed with the employee. An extension may be considered where a trial of the new arrangements is agreed.

Equality Considerations

In considering a flexible working request, a Headteacher should consider the Equality implications of any decision.

Flexible working arrangements may be considered as a 'reasonable adjustment' to support an employee with a disability (as set out in the Equality Act 2010). Schools may wish to seek further guidance from their HR Provider.

Non-attendance at Meetings

If an employee is unable to attend a meeting to discuss their flexible working request or any subsequent appeal, they should contact the Headteacher as soon as possible.

The Headteacher will rearrange the meeting, but if the employee fails to attend the rearranged meeting without a reasonable explanation the request/appeal can be considered as withdrawn. If the Headteacher chooses to consider a request/appeal as withdrawn, the employee must be informed.

An employee may be accompanied by a trade union representative or workplace colleague at a meeting to discuss the flexible working request or any subsequent appeal.

If the workplace colleague or trade union representative is unable to make the appeal meeting the employee can ask for it to be rearranged, in which case it should take place within seven days of the date of the originally proposed.

Further Guidance

Schools may wish to refer to The ACAS Code of Practice and Guidance on Flexible Working:

www.acas.org.uk/flexibleworking

** Please note references in this document to the Headteacher may include his / her nominee.*

Flexible Working Request Assessment

Employee's Name	
Employee's Position	
Date of Flexible Working Request	
Three Month Deadline to hear request and any appeal granted:	

Summary of Request (and/or attach request)

Assessment Summary - initial and update after meeting with employee

Meeting Date: ____/____/____

Advantage	Disadvantage

Further investigation needed and include timeframe e.g. to recruit for job share partner:

Outcome of Request

Request accepted, letter sent ____/____/____

Amended request proposed and right of appeal offered, letter sent: ____/____/____

Request rejected, the reasonable business reason for doing so and provide evidence for this view are set out below.

____/____/____

Reasonable Ground	Comment and Evidence
Impose an unreasonable burden of additional costs because [explain costs and why they would be incurred]	
Have a detrimental effect on our ability to meet our service demands [explain why, e.g. because we would be unable to cover the service between 12:30 and 15:00]; and/or	
Create unacceptable difficulties for us as we have been unable to make arrangements to reallocate the work amongst other staff [explain attempts considered];	

Create unacceptable difficulties for us as we [would be/have been] unable to recruit additional staff [explain why];	
Have a detrimental impact on operational performance and the quality of service delivered [explain why];	
Create unacceptable difficulties for the School/Academy due to an insufficiency of work during the periods you proposed to work [explain why];	
Be inappropriate due to planned structural changes [explain changes].	

Notes:

Manager's Name:	
Manager's Position	
Date of Decision:	