

**The Heath Family Multi Academy Trust
Flexible Working Policy**

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Supporting documents, procedures & forms of this policy		

Where appropriate, this policy should be read in conjunction with the Parental Leave, Maternity, Paternity and Shared Parental Leave Policies

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1 SCOPE AND PURPOSE

- 1.1 The Heath Family Multi Academy Trust are committed to providing equality of opportunity in employment and to developing work practices and policies that support work-life balance. The Heath Family Multi Academy Trust recognises 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 employees.
- 1.2 This Flexible Working Policy gives eligible employees an opportunity to formally request a change to their working pattern in accordance with the statutory procedure for doing so and all employees an opportunity to do so informally. The Principal is encouraged to facilitate requests unless they cannot be accommodated for business or operational reasons.
- 1.3 No-one who makes a request for flexible working will be subjected to any detriment or lose any career development opportunities as a result.
- 1.4 This policy does not form part of any employee's contract of employment and it may be amended at any time.
- 1.5 This policy applies to all employees. It does not apply to agency workers, consultants or self-employed contractors.

2 WHO IS RESPONSIBLE FOR THIS POLICY?

- 2.1 The Heath Family Multi Academy Trust has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. The Board of Directors has delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Governing Body/ Principal.
- 2.2 Those working within the Governing Body/Principal and all of those with any management responsibilities have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to promote our aims and objectives with regard to flexible working.

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2.3 All employees are responsible for the success of this policy and must ensure that they familiarise themselves with it and act in accordance with its aims and objectives.

3 WHO IS COVERED BY THE POLICY

3.1 This policy covers all employees at all levels and grades including senior managers, employees, trainees, part-time and fixed term employees (referred to as **employees** or **you** in this policy).

3.2 It does not apply to agency staff and self-employed contractors.

4 FORMS OF FLEXIBLE WORKING

4.1 Flexible working can incorporate a number of changes to working arrangements:

4.1.1 reduction or variation of working hours;

4.1.2 reduction of the number of days worked each week; and/or

4.1.3 working from a different location (for example, from home).

4.2 Such changes may involve starting a job share; working a set number of hours a year, rather than a week (annualised hours); working from home (whether for all or part of the week); working only during term-time (part-year working); working compressed hours and/or working flexi-time.

4.3 Any application for flexible working which is linked to a partial retirement will also be dealt with in accordance with this policy. Any employees making an application for flexible working linked to a flexible retirement will be encouraged to contact their pension provider at the earliest opportunity who should be able to provide clarity on the financial implications in respect of their pension. The procedure laid out in this policy must be used to deal with any application.

5 ELIGIBILITY FOR THE FORMAL RIGHT TO REQUEST PROCEDURE

5.1 To be eligible to make a request under the formal procedure set out in paragraph 6 to paragraph 9 you must:

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- 5.1.1 Be an employee;
 - 5.1.2 Have worked continuously for The Heath Family Multi Academy Trust for at least 26 weeks at the date your request is made;
 - 5.1.3 Not have made a formal request to work flexibly during the last 12 months.
- 5.2 If you are not eligible to make a formal request, you may make an informal request under paragraph 11.

6 MAKING A FORMAL FLEXIBLE WORKING REQUEST

- 6.1 You will need to submit a written application if you would like your flexible working request to be considered under the formal procedure.
- 6.2 Your written and dated application should be submitted to the Principal in good time and ideally at least two months before you would like the changes to take effect. It should:
 - 6.2.1 State that it is a flexible working request;
 - 6.2.2 Explain the reasons for your request, especially if you think the Heath Family Multi Academy Trust's Equal Opportunities Policy may be relevant, for example, if your request concerns childcare or other family commitments, religious or cultural requirements, or adjustments because of a disability;
 - 6.2.3 Provide as much information as you can about your current and desired working pattern, including working days, hours and start and finish times, and give the date from which you want your desired working pattern to start;
 - 6.2.4 Identify the effect the changes to your working pattern will have on the work that you do, that of your colleagues and on the School's delivery of education and that of your department. If you have any suggestions about dealing with any potentially negative effects, please include these in your written application;

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6.2.5 Provide information to confirm that you meet the eligibility criteria set out in paragraph 5 of this policy including the dates of any previous formal requests for flexible working.

6.3 In most cases a meeting will be arranged to discuss your request before a decision is taken. However, in some cases it may be possible to approve your request without a formal meeting, although it will usually be helpful for you to meet with the Principal to discuss the request and to ensure it is the best solution.

7 FORMAL REQUEST: MEETING

7.1 Where necessary, the Principal will arrange to meet with you after your application has been submitted. The meeting will also be attended by an appropriate note taker. You may bring a colleague, friend or professional association/ union representative to the meeting as a companion if you wish. Your companion will be entitled to speak during the meeting and confer privately with you, but may not answer questions on your behalf.

7.2 In most cases, the meeting will be held at your usual place of work. However, the Principal will ensure that the meeting is held at a time and place that is convenient to everyone.

7.3 The meeting will be used to consider the working arrangements you have requested. You will be able to explain how the arrangements will accommodate your needs. You will also be able to discuss what impact your proposed working arrangements will have on your work and that of your colleagues and of your department. If the arrangements you have requested cannot be accommodated, discussion at the meeting also provides an opportunity to explore possible alternative working arrangements.

7.4 The Principal may suggest starting new working arrangements under an initial trial period to ensure that they meet your needs and those of your department.

8 FORMAL REQUEST: DECISION

8.1 Following the meeting, the Principal will notify you of the decision in writing as soon as possible.

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- 8.2 If your request is accepted, or where an alternative to the arrangements you requested is proposed, the Principal will write to you with details of the new working arrangements, details of any trial period, an explanation of changes to your contract of employment and the date on which they will commence. You will be asked to sign and return a copy of the letter. This will be placed on your personnel file to confirm the variation to your terms of employment. There may also be some additional practical matters, such as arrangements for handing over work that the Principal will discuss with you.
- 8.3 Unless otherwise agreed (and subject to any trial period) changes to your terms of employment will be permanent and that you will not be able to make another formal request until twelve months after the date of your original application.
- 8.4 If the Principal needs more time to make a decision, they will discuss this with you. For example, the Principal may need more time to investigate how your request can be accommodated or to consult several members of staff.
- 8.5 There will be circumstances where, due to the requirements of the School, they are unable to agree to a request. In these circumstances, the Principal will write to you:
- 8.5.1 explaining the reasons for turning down your application; and
 - 8.5.2 setting out the appeal procedure.
- 8.6 The reasons for which we may reject your request are:
- 8.6.1 the burden of additional costs;
 - 8.6.2 detrimental effect on ability to meet pupil/student needs;
 - 8.6.3 inability to reorganise work among existing staff;
 - 8.6.4 inability to recruit additional staff;
 - 8.6.5 detrimental impact on quality;
 - 8.6.6 detrimental impact on performance;

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8.6.7 insufficiency of work during the periods that you propose to work;
and

8.6.8 planned changes.

9 FORMAL REQUEST: APPEAL

9.1 If your request is rejected, you have the right to appeal.

9.2 Your appeal must:

9.2.1 be in writing and dated;

9.2.2 set out the grounds on which you are appealing; and

9.2.3 be sent to the Governing Body within fourteen days of the date on which you received the written rejection of your request.

9.3 The Governing Body will arrange for a meeting to take place following receipt of your appeal. The meeting will be held at a convenient time for all those attending and, as at the meeting that considered your request, you may be accompanied by a colleague, friend or professional association/ union representative of your choice.

9.4 Where possible an appeal meeting will be conducted by a member of the Governing Body who has not been previously involved in considering your request.

9.5 You will be informed in writing of the Appeal Officer's decision after the appeal meeting.

9.6 If your appeal is upheld, you will be advised of your new working arrangements, details of any trial period, an explanation of changes to your contract of employment and the date on which they will commence. You will be asked to sign and return a copy of the letter. This will be placed on your personnel file to confirm the variation to your terms of employment. There may also be some additional practical matters, such as arrangements for handing over work that the Principal will discuss with you.

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9.7 You should be aware that changes to your terms of employment will be permanent and you will not be able to make another formal request until twelve months after the date of your original application.

9.8 If your appeal is rejected, the written decision will give the reason(s) for the decision and explain why the reason(s) apply in your case. You will not be able to make another formal request until twelve months after the date of your original application.

10 CHANGES TO THE FORMAL PROCEDURE

10.1 There may be exceptional occasions when it is not possible to complete consideration of your request within the expected time limits. Where an extension of time is agreed with you, the Principal will write to you confirming the extension and the date on which it will end.

10.2 If you withdraw a formal request for flexible working, you will not be eligible to make another formal request for twelve months from the date of your original request. In certain circumstances, a request made under the formal procedure will be treated as withdrawn. This will occur if you fail to attend a meeting and a re-arranged meeting (including appeal meetings) without good cause. In such circumstances, the Principal will write to you confirming that the request has been treated as withdrawn.

11 MAKING AN INFORMAL FLEXIBLE WORKING REQUEST

11.1 Employees who wish to make an informal request for flexible working may make a request to their Principal, who will consider it according to the School's business and operational requirements.

11.2 It will help the Principal to consider your request if you:

11.2.1 make your request in writing and confirm whether you wish any change to your current working pattern to be temporary or permanent;

11.2.2 provide as much information as you can about your current and desired working pattern, including working days, hours and start

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and finish times, and give the date from which you want your desired working pattern to start; and

11.2.3 think about what effect the changes to your working pattern will have on the work that you do and on your colleagues, as well as on the School's delivery of education and that of your department. If you have any suggestions about dealing with any potentially negative effects, please include these in your written application. The Principal can consider whether they are workable.

11.3 The Principal will advise you what steps will be taken to consider your request, which may include inviting you to attend a meeting, before advising you of the outcome of your request.