

Grand Avenue Primary and Nursery School
Flexible Working Request - Policy and Procedures

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1- Initial statement

Grand Avenue Primary and Nursery School is committed to providing equality of opportunity in employment and to developing work practices and policies that support work-life balance. We recognise that flexible working can raise staff morale, reduce absenteeism, and improve our use and retention of employees.

This flexible working policy gives eligible employees an opportunity to request a change to their working pattern.

No member of staff who makes a request for flexible working will be subjected to any detriment, or lose any career development opportunities as a result.

This policy does not form part of any employee's contract of employment, and it may be amended at any time.

2- Eligibility for the right to request flexible working

To be eligible to make a request under the procedures set out in this policy the applicant must:

- a) be an employee;
- b) have at least 26 weeks' continuous service at the date the request is made;
- c) not have made a formal request to work flexibly during the last 12 months (each 12 month period runs from the date when the most recent application was made).

Employees whose requests for flexible working are accepted under these procedures will have permanent changes made to their contracts of employment to reflect the new working arrangements. If the changes are not to be made permanent, this will be clearly stated in a letter from the Headteacher. (See section 7)

Before submitting a written request, any employee interested in flexible working should arrange an informal meeting with the Headteacher. The discussion will focus on eligibility, the proposed working pattern, different options and the effect the proposed work pattern may have on the school.

Employees who do not meet the eligibility criteria for these procedures, but who want to make either permanent or temporary changes to working arrangements, may make an informal request to the Headteacher. The Headteacher will consider the request according to the school's educational, business and operational needs.

3- Responsibility for Implementing the Policy

The Governing Body has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework.

The Governing Body has delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Head Teacher.

All employees are responsible for the success of this policy and must ensure that they familiarise themselves with it and act in accordance the procedures set out.

Those involved in management or recruitment may request training and address any questions about the content or application of this policy to the Headteacher and/or the Business manager.

4- Forms of Flexible Working

Flexible working can incorporate a number of changes to working arrangements, including but not limited to:

- a) reduction or variation of working hours;
- b) reduction of the number of days worked each week;
- c) working from a different location (for example, from home).

5- Flexible Working Request : Application

For a flexible working request to be considered, a written application needs to be made. A written and dated application should be submitted to the Headteacher, at least a term before any agreed changes would take effect.

To meet the requirements of an application, it needs to include ;

- a) the reason for the request;
- b) information about current and desired working pattern, including working days, hours and start and finish times;
- c) the date from which the desired working pattern would start;
- d) the effect the changes to the proposed working pattern would have on the school (Suggestions about dealing with any potentially negative effects may also be included.)
- e) information confirming eligibility to apply for flexible working;
- f) a statement stating that the application is a statutory formal request and if a previous formal or informal request has been made for flexible working, if so, when;
- g) confirmation if the request is being made in relation to the Equality Act 2010, for example as a reasonable adjustment for a disability.

6- Flexible Working Request : Meeting

The Headteacher will arrange to meet with the applicant within 28 days of the application being submitted. The meeting may also be attended by another member of SLT. The applicant may also wish to invite either a colleague or trade union as a companion. The companion will be entitled to speak during the meeting and confer privately with the applicant, but may not answer questions on behalf of the applicant.

In most cases, the meeting will be held at school. The meeting will be held at a time and place that is convenient to all parties involved.

The meeting will be used to consider the working arrangements being requested. Discussions will focus on the impact the proposed working arrangements will have on the applicants work and that of colleagues and department. If the arrangements requested cannot be accommodated, discussion at the meeting will also provide an opportunity to explore possible alternative working arrangements.

The Headteacher may suggest starting new working arrangements under an initial trial period to ensure that they meet the needs of the applicant and the school.

7- Flexible working Request : Decision

Following the flexible request meeting, the Headteacher will notify the applicant of the decision, in writing, within 21 working days.

If the request is accepted, or where a proposed alternative to the initial request is put forward, the Headteacher will write to the applicant stating:

- the new working arrangements;
- details of any trial period;
- an explanation of any changes to the contract of employment;
- the date on which the agreed working pattern will commence;
- expectations in terms of practical matters, such as handing over work.

The applicant needs to sign and return a copy of the letter to the Headteacher. The Business Manager will be informed of the details the flexible working agreement and a copy of the letter will be placed in the personnel file of the applicant.

Applicants need to be aware that changes to the terms of employment are permanent and that another request for flexible working cannot be made until after 12 months from the original application.

If the request is not accepted , the Headteacher will write to the applicant showing, stating:

- a) the business reason(s) for turning down the application;
- b) why the business reasons apply to the request;
- c) the appeal procedure.

Business reasons for which a request may be rejected include:

- a) the burden of additional costs;
- b) detrimental effect on ability to meet the needs of the school/children;
- c) inability to reorganise work among existing staff;
- d) inability to recruit additional staff;
- e) detrimental impact on quality or performance;
- g) insufficiency of work during the periods of proposed working pattern;
- h) planned changes.

See Appendix A - Interpretation of business reasons

8- Flexible Working Request: Appeal

If the request for flexible working is rejected, there is a right to appeal.

The appeal must:

- a) be in writing and dated;
- b) set out the grounds of the appeal;
- c) be sent to the clerk to the governing body within 14 days of the date on which the written rejection of the request was received.

The Governors Appeal Panel will be convened. The clerk to the governing body will arrange for a meeting to take place within 14 days of receipt of the written appeal letter. An appeal meeting will be held at a convenient time for all those attending. The applicant may be accompanied by a colleague or trade union representative.

The applicant will be informed in writing of the Appeal Panel's decision within 14 days of the date of the appeal meeting. The responsibility for writing to the applicant lies with the chair of the Appeals Panel.

If the appeal is upheld, the Headteacher will write to the applicant stating:

- the new working arrangements;
- details of any trial period;
- an explanation of any changes to the contract of employment;
- the date on which the agreed working pattern will commence;
- expectations in terms of practical matters, such as handing over work.

The applicant needs to sign and return a copy of the letter to the Headteacher. The Business Manager will be informed of the details the flexible working agreement and a copy of the letter will be placed in the personnel file of the applicant.

Applicants need to be aware that changes to the terms of employment are permanent and that another request for flexible working cannot be made until after 12 months from the original application.

If the appeal is rejected, the written decision will give the business reason(s) for the decision and explain why the reason(s) apply in this particular case. Applicants are not able to make another flexible working request until 12 months after the date of the original application.

9- Extending time under the procedures for a flexible working request

There may be exceptional occasions when it is not possible to complete the consideration process, including any appeal, within the times specified in these procedures. Where an

extension of time is agreed with the applicant, the Head Teacher will write to confirm the extension and the date on which it will end.

10- Withdrawing a request for flexible working

If a request for flexible working is withdrawn, the applicant is not eligible to make another formal request for 12 months from the date of the original request.

A request made under these procedures will be treated as withdrawn if the applicant;

- a) fails to attend two meetings under the request procedures without reasonable cause;
- or**
- b) unreasonably refuses to provide information required to consider the request.

In such circumstances, the Headteacher will write to the applicant confirming that the request has been treated as withdrawn.

11-Monitoring and Review of the Policy

The Headteacher is responsible for monitoring the implementation, use and effectiveness of these procedures and will report on these matters annually or more frequently if necessary.

This policy will be reviewed by the Governing Body every three years, (or sooner if necessary) in line with the agreed school policy review cycle.

Appendix A

Interpretation of 'Business Reasons'

All decisions regarding FWR will be made on a case by case basis. Those making the decision will consider how the individual request and/or alternatives to the request, can be accommodated alongside the needs of the school.

Burden of additional costs

It may, in some circumstances, be more costly to employ part time staff rather than full time staff but this would not normally be a key reason for rejecting an application.

Detrimental effect on the ability to meet needs of school/children

It is important that the quality of teaching and learning is not adversely affected by agreeing to flexible working. In particular the Headteacher will consider the impact on the need to spread the teaching of individual classes over more than one teacher (split classes), pressure on the timetable to fix particular lessons on a reduced number of days in the week. This is particularly the case where the employee is the sole specialist in a subject. In the case of support staff there is a need to ensure that service provision is maintained at a satisfactory level.

Inability to re-organise work among existing staff

Where the employee has leadership or management responsibilities, it is necessary to take into account the ability of the school to distribute these to other employees at times when the part time member of staff is not working. This may require a job-share or a reduction in the allocated responsibilities. The school may wish to set a minimum contract for a Head of Department, or senior leader, for example. The school will also need to consider whether it is appropriate for a leader or manager to be absent for whole days in the week as a result of flexible working. Unless outstanding circumstances apply, it is expected that employees with leadership or management positions will have a minimum contract of 80%. In the case of support staff this relates to the percentage of the working week and is applied to the number of weeks contracted to work.

Inability to recruit additional staff

Excellent quality teaching is paramount for raising school standards. It is not always possible to recruit excellent teaching staff but the school will make attempts to do so as appropriate. Where a job share is required to fulfil the job description, this may only be possible if there is a colleague who is able and willing to undertake a part of the leadership responsibility. Where necessary and appropriate, the school will seek to recruit additional staff.

Detrimental impact on quality and performance

Timely marking of pupils' work is essential for their progress. Pupils' work must be marked on a regular basis in accordance with the school marking policy. The school recognises that it is potentially difficult for part time teachers to manage the weekly workload of planning and assessment in the classroom. If this difficulty occurs it is likely to have a negative impact on the quality of learning and on other members of staff.

It is the responsibility of part time staff to manage weekly workloads to ensure that there is no detrimental impact on performance. Staff applying for flexible working will be required to detail how they will fulfil the requirements of the part time job should the request be agreed, and this will be considered before a decision is reached.

Insufficiency of work during the period the employee proposes to work

If more than one member of part time staff requires the same working period, it may be difficult to accommodate all part time staff requests. Whilst individual preferences for working days and times can be considered, the needs of pupils and effective service delivery are paramount. This is particularly an issue where the timetable for teachers requires teams of staff to deliver the curriculum to a pool of pupils. The extent to which the proposed flexible/part time work pattern affects the work-patterns of the team will be considered before a flexible working application is agreed.

Planned structural changes

The school will need to consider the impact on its ability to accommodate flexible working on the basis of planned curriculum changes, reduced pupil numbers or changes to the staffing structure.