



EBOR ACADEMY TRUST

Policy Number

24NS

Flexible Working Request Policy

Approved By: Ebor Academy Trust COO/CEO

Approval Date: November 2020

Review Period: Three years

Review Date: November 2023

Author: HR Director (Alison Taylor)

Date Created/updated: September 2020

Version Number: 1

Contents:

- 1. Introduction3
- 2. Requests for flexible working.....3
- 3. Meeting to discuss a flexible working request.....4
- 4. Outcome of a flexible working request.....4
- 5. Reasons for turning down a flexible working request4
- 6. Flexible working requests that are granted5
- 7. Timescales5
- 8. Appeals.....5
- 9. Non-attendance at a meeting under this policy5

- Appendix 1 – Flexible Working Request Form6

1. Introduction

- 1.1. Ebor Academy Trust believes that flexible working can increase staff motivation, promote work-life balance, reduce employee stress and improve performance and productivity.
- 1.2. All employees who have a minimum of 26 weeks' continuous service have the right to request flexible working and to have their request considered seriously by the Trust.
- 1.3. Requests for flexible working may 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, phased retirement, a request to job share, or a request to perform some or all of the work from the employee's home.
- 1.4. Employees cannot make a flexible working request if they have made one in the previous 12 months (even if they subsequently withdrew that request).
- 1.5. Flexible working requests will be dealt with in a reasonable manner and within a reasonable time frame (see section 7). If an employee is dissatisfied or unclear at any stage throughout the process, they should seek clarification from the line manager, or a member of the HR team.
- 1.6. This document sets out the Trust's approach to flexible working requests, including how they should be made, what happens once a request is made and the appeals process.
- 1.7. All documents relating to a flexible working request and any meetings held under this policy will be treated sensitively, confidentially and in line with the Trust's data protection principles.

2. Requests for flexible working

- 2.1. All requests should be made in writing. An application form for this purpose can be found in Appendix 1 and is also available on the Google Ebor Templates Drive, or from the HR team.
- 2.2. All requests must be submitted to the employee's line manager and must include:
 - a) The date of the application.
 - b) The changes that the employee is seeking to their terms and conditions.
 - c) The date on which the employee would like the terms and conditions to come into effect.
 - d) What effect the employee thinks the requested change would have on the organisation.
 - e) How, in their opinion, any such effect might be dealt with.
 - f) A statement that this is a statutory request.
 - g) Whether or not the employee has made a previous application for flexible working; and if the employee has made a previous request, when the application was made.
- 2.3. The Trust will not reject out-of-hand a request that does not contain the required information, but either the line manager or a member of the HR team will explain to the member of staff what additional or amended information is needed and ask them to resubmit the request.
- 2.4. Where the request is being made by a member of staff with a disability as part of a request for a reasonable adjustment to their working arrangements, the staff member should state this in the written application.

3. Meeting to discuss a flexible working request

- 3.1. Once the line manager receives the request, it will be dealt with as soon as possible, but no later than the deadlines set out in section 7.
- 3.2. Where a request can be approved without further discussion in line with the terms stated in the staff member's written application, a meeting will not be necessary and the employee will be informed in writing of the decision.
- 3.3. Where a meeting is necessary, these will usually be conducted by the line manager, who may invite another relevant colleague to attend also, such as a member of the school's management team, or a member of the HR team. Employees have the right to be accompanied by a work colleague or a trade union representative at any flexible working meeting. Colleagues or trade union representatives will be entitled to speak and confer privately with the employee but may not answer questions on their behalf.
- 3.4. 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 the school.

4. Outcome of a flexible working request

- 4.1. After the meeting, the line manager will consider the proposed flexible working arrangements carefully, weighing up the potential benefits to the employee and to the school/team against any adverse impact of implementing the changes.
- 4.2. 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.
- 4.3. 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 in section 7.
- 4.4. The request may be granted in full or in part. For example, the line manager 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 whilst its impact is assessed.
- 4.5. The employee will be given the right to appeal the decision if their request is not upheld or is upheld in part.
- 4.6. Unless otherwise agreed, the changes to the employee's terms and conditions will be permanent.

5. Reasons for turning down a flexible working request

- 5.1. The line manager will give reasons for the rejection of any request. Those reasons must be for one or more prescribed business reasons, which are as follows:
 - a) The burden of additional costs
 - b) An inability to reorganise work among existing staff
 - c) An inability to recruit additional staff
 - d) A detrimental impact on quality

- a) A detrimental impact on performance
- b) A detrimental effect on ability to meet customer demand
- c) Insufficient work for the periods the employee proposes to work
- d) A planned structural change to the business.

5.2. If a request has been rejected, the employee will be informed which of those reasons applies in writing, and of the appeal procedure.

6. Flexible working requests that are granted

6.1. If the request is upheld in full or in part, the employee and the line manager will discuss how and when the changes will take effect.

6.2. 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 an amendment to their contract of employment as soon as is reasonably practicable.

7. Timescales

7.1. All requests will be dealt with within a period of three months from first receipt to notification of the decision on any appeal.

7.2. The line manager will hold the meeting within 28 days of receiving the flexible working request and notify the decision to the employee within 14 days of the meeting, so that there is enough time for any appeal to be concluded.

7.3. Time limits detailed in this policy may be extended where the employee and school are in agreement. For example, the line manager and the employee may agree to extend the time limit to give the employee a trial period on the flexible working arrangements.

8. Appeals

8.1. Employees who are dissatisfied with the outcome of their request are allowed to lodge an appeal in writing within 10 working days of the notification, with the appeal to be heard within 10 working days. This may be delayed once to accommodate a representative's availability by up to 5 working days.

8.2. Any appeal must be dated and must set out the grounds on which the appeal is being made.

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

8.4. The employee will be informed in writing of the outcome of their appeal, and the reasons for the decision, within 5 working days of the appeal meeting. There is no further right of appeal.

9. Non-attendance at a meeting under this policy

9.1. 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/ appeal will be deemed to have been withdrawn.

Appendix 1 – Flexible Working Request Form



Employee Name:	
Employee Job Title:	
Employee School/ CST:	

Describe the change you are requesting to your working hours/ pattern / times:

Describe why you are requesting this change:

When would you like the change to be effective from?

Please describe what you see as the likely impact of your proposals and how this can be dealt with:

Employee Declaration

I confirm that:

- I have worked continuously with Ebor Academy Trust for at least the last 26 weeks and
- I have not made a request to work flexibly under this process during the last 12 months and
- All of the information provided in this application is true to the best of my knowledge.

I understand that, if agreed, this request would lead to a permanent change to the terms and conditions of my employment.

Signed: