

# FLEXIBLE WORKING POLICY

Learning Academies Trust

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**LEARNING**  
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## CHANGES

Policy date	Summary of change	Author	Version	Review date
16/03/2023	Policy has been created.	Amy Bosworth HR Business Partner	1.0	16/03/2024

### 1. POLICY STATEMENT

Under provisions set out in the [Children and Families Act 2014](#), all employees have a statutory right to ask their employer for a change to their contractual terms and conditions of employment to work flexibly provided they have worked for their employer for 26 weeks continuously at the date the application is made. An employee can only make one statutory request in any 12 month period. Employees who have been employed for less than 26 weeks do not have a statutory right to request flexible working.

This policy reflects the '[ACAS Statutory Guidance Document](#)' and 'Good Practice Guide'.

The right to request flexible working offers employees the right to request changes to their employment contract, for any reason, in order to allow them to work more flexibly, which can assist employees in balancing their work/life commitments. This means that changes to hours, times, patterns and place of work can be requested. These positive employment practices in turn promote equality of opportunity in employment and may aid retention and reduce absenteeism.

Whilst all requests will be carefully considered and dealt with reasonably it should not be assumed that a submission will automatically be successful as applications will be weighed against the needs of the school.

This policy does not form part of your contract of employment, and we may amend it at any time.

### 2. ELIGIBILITY

To be eligible to make a flexible working request, you must:

- ❖ Be an employee

- ❖ Have 26 weeks continuous service at the date your request is made
- ❖ Not have made a flexible working request during the last 12 months (even if you withdrew that request)

### 3. WHAT IS A FLEXIBLE WORKING REQUEST

A flexible working request under this policy means a request to do any or all of the following:

- ❖ To reduce or vary your working hours
- ❖ To reduce or vary the days you work
- ❖ To work from a different location (for example, from home)

### 4. MAKING A FLEXIBLE WORKING REQUEST

Your flexible working request should be submitted in writing to the Headteacher/Chair of the Local Governor Board. It should:

- ❖ State that you are making a flexible working request
- ❖ The date you're sending the request
- ❖ The change you'd like to make
- ❖ When you'd like the change to start
- ❖ Identify the impact the change would have on the school/Trust and how that might be dealt with
- ❖ The date of any previous flexible working requests (if applicable)
- ❖ If your request relates to something covered by discrimination law (Equality Act 2010), for example to make a reasonable adjustment for a disability you have

### 5. MEETING

The Headteacher will arrange to meet with the employee to discuss the flexible working request within a maximum of 28 calendar days. The meeting will be arranged at a time and place convenient to both the employee and employer.

There may be a number of reasons why the time limits specified are too short and an extension required. Time limits can be extended where the Headteacher and employee agree. A written record should be retained of any extensions that are agreed.

Time limits will be automatically extended where the person who would ordinarily consider the Flexible Working request is absent because of annual leave or sick leave when the application is received.

You may be accompanied at the meeting by a colleague of your choice. They will be entitled to speak and confer privately with you but may not answer questions on your behalf.

The Headteacher may decide to grant your request in full without a meeting, in which case we will write to you with our decision.

### 6. DECISION

We will inform you in writing of our decision within a maximum of 3 months of you making your request.

- ❖ If your request is approved, we will write to you with details of the new working arrangements and the date on which they will commence. You will be asked to sign and return a copy of the letter and/or contract of employment.

- ❖ If we cannot immediately accept your request, we may require you to undertake a trial period before reaching a final decision on your request.
- ❖ Unless otherwise agreed, changes to your terms of employment will be permanent.
- ❖ We may reject your request for one or more of the following business reasons:
  - It will cost your business too much
  - You cannot reorganise the work among other staff
  - You cannot recruit more staff
  - There will be a negative effect on quality
  - There will be a negative effect on the business' ability to meet customer demand
  - There will be a negative effect on performance
  - There's not enough work for your employee to do when they've requested to work
  - There are planned changes to the business, for example, you intend to reorganise or change the business and think the request will not fit with these plans

If we are unable to agree to your request, we will write to tell you which of those reasons applies in your case. The letter will also set out the appeal procedure.

## 7. APPEAL

You may appeal in writing within 5 working days of receiving the written decision.

- ❖ Your appeal must be dated and must set out the grounds on which you are appealing.
- ❖ We will hold a meeting with you to discuss your appeal within 10 working days of receipt of your appeal letter. You may bring a colleague to the meeting.
- ❖ We will tell you in writing of our final decision as soon as possible after the appeal meeting, including reasons. There is no further right of appeal.

## 8. WITHDRAWAL OF REQUEST

The school/Trust will treat the request as withdrawn if the employee:

- ❖ Indicates verbally or in writing that the request is withdrawn.
- ❖ Fails to attend a meeting (without giving a reason). A meeting will only be re-arranged once.
- ❖ Unreasonably refuses to provide relevant information.

## 9. ADDITIONAL INFORMATION

Copies of all correspondence relating to the flexible working request will be retained on the employee's personnel file.