



TRUST IN LEARNING (ACADEMIES) FLEXIBLE WORKING POLICY AND PROCEDURE



Date Created: January 2018
 Effective From: January 2018
 Dated Adopted by the Board: January 2018
 Review Date: January 2020

Date	Page	Change	Purpose of Change
January 2018			New Policy

1. Introduction

Purpose: This policy is intended to provide guidance on your statutory entitlement to request flexible working.

2. Right to request flexible working

Entitlement: If you have been continuously employed by the Trust for 26 weeks, you have the statutory right to request a change to one or more of the terms and conditions of employment referred to in the paragraph below (a request). Any eligible employee can make a request for any reason.

A Request: A Request should be made in writing by completing the Flexible Working Request Form and passing it to the Head.

Consultation meeting: Within 28 days of your Request being received by the School, the School shall either notify you in writing that your Request has been agreed, stating the variation agreed to and the date from which it is to take effect, or a meeting shall be held to discuss your Request (the **Consultation Meeting**). The Consultation Meeting will normally be held by the Head but this can be delegated to a member of the Senior Leadership Team if appropriate. The meeting will normally be held at the School during working hours unless this is not convenient to either you or the School.

Right to be accompanied: You have the right to be accompanied to the Consultation Meeting by a fellow worker.

Notification of decision: The School will notify you in writing of the decision within 10 working days of the Consultation Meeting. Where the School agrees to your Request, the School will also confirm the variation agreed to and the date from which it is to take effect. Where your Request is not agreed, the School will also confirm the grounds for refusal, explaining why the grounds apply in the circumstances and also confirm your right to appeal.

3. Appeal

Your right to appeal: You have the right to appeal the School's decision not to agree to your Request. Such an appeal must be exercised in writing within 10 working days after the day the School's decision is given, giving full details of why you wish to appeal. Your notice of appeal must be dated and sent to the Head.

Appeal meeting: The School will hold a meeting to discuss your appeal within 10 working days of your notice of appeal being given. The appeal meeting will be held by a person who has not been involved in the Consultation Meeting and supported by a Human Resource Advisor. The appeal meeting will normally be held at the School during working hours unless this is not convenient to either you or the School.

The right to be accompanied: You may be accompanied to the appeal meeting by a fellow worker.

Notification of appeal decision: The School will notify you in writing of its decision on your appeal within 10 working days of the appeal meeting. Where the School upholds your appeal, the School will also specify the variation agreed to and the date from which it is to take effect. Where your appeal is dismissed, the School will also confirm the grounds for refusal and explain why the grounds apply in the circumstances.

4. General

Withdrawal of application: You may withdraw your Request or your appeal at any time before the School reaches a decision. The School may regard your application as withdrawn (and will notify you as such) where you have failed without good reason to attend a Consultation Meeting or an appeal meeting more than once, or you have refused without good reason to provide the School with the information that is required to assess whether the Request should be agreed.

Grounds for refusal: Your Request (and your appeal) may be refused where the School considers that one or more of the following grounds apply:

- the Request would, if agreed, impose a burden of additional costs on the School
- the Request would, if agreed, have a detrimental effect on the ability to meet parents' or pupils' demands
- the School is unable to reorganise work among existing staff
- the School is unable to recruit additional staff
- the Request would, if agreed, result in a detrimental impact on the level of quality at the School
- the Request would, if agreed, result in a detrimental impact on the level of performance at the School
- the work available to be done during the periods you propose to work under your Request would be insufficient
- planned structural changes mean that the School cannot agree to your Request.

Repeated requests: The School will not be under an obligation to consider a Request under this policy where you have already made a Request within the last 12 months.