



Trafford Alternative Education Provision

FLEXIBLE WORKING POLICY

[2023]

Policy Name:	Flexible Working Policy
Policy Number:	
Date of Approval:	Sept 23
Review Date:	Sept 24
Person Responsible:	Linda H. Thompson Executive Headteacher
Approved By:	Trafford Alternative Education Management Committee
For Action By	Senior Leadership Team
For Information to:	All staff , Management Committee visitors and volunteers
General Data Protection Regulations (GDPR)	This policy document has been reviewed in compliance with GDPR (May 2018) Lynda H Thompson, Executive Headteacher



Trafford Alternative Education Provision

Our Mission Statement:

Trafford Alternative Education Provision is committed to providing....

A 21st Century education that promotes the academic, emotional and social development of our students. Our aim is to create a holistic, nurturing and inspiring environment where students are supported and encouraged to take charge of their lives, their learning and their decisions. Every student will have an understanding of their personal journey, challenges and future opportunities. All will be encouraged to become independent thinkers and learn to value and respect others thus enabling them to meet the challenges of the wider world. In partnership with parents, carers, schools and outside agencies we will provide students and staff with a positive and supportive learning experience.

We will achieve our vision by constantly thinking about the bigger picture, working as one team, valuing our staff and their continual development and by frequently reviewing, debating and developing the curriculum.

Flexible Working Requests Procedure

A model policy for Trafford Schools

Document Control	
Title	Flexible Working Requests Procedure
Date	June 2017 (reviewed)
Supersedes	18th December 2015 – amended timescales in recognition of term time availability 11st August 2014 - amended to reflect change in legislation May 2013
Review frequency	3 years
Author	Human Resources Business Partners
Owner	Human Resources, Trafford Council
Related Documents	Application form for flexible working
Status	Final
Distribution	Schools HR Toolkit

1. Introduction

The Authority, following consultation with the recognised Trade Unions and Head teachers, are advising that this Flexible Working Procedure be recommended for adoption by Schools Governing Bodies.

This recommended procedure is subject to the provision of relevant Education Acts. It is recommended to apply to all staff in schools, where adopted by the Governing Body.

Throughout this document any reference made to a Manager can be defined as a Head teacher, Chair of Governors or a member of staff delegated by the Head teacher or Chair of Governors to hear the grievance.

HR regularly review all the policies and procedures they recommend to ensure there are no negative equality impacts. Consultation with our customers is an important part of how we achieve this. If you feel on reading this policy, that there may be a negative equality impact within your school, please tell us about this. Please also let us know if you need to access this policy in a different format. You can do this by contacting the following officer:-

Schools HR Team telephone number: - 0161 912 5440
HR Business Partner email:- schoolshrteam@trafford.gov.uk

2. Introduction to Flexible Working

The School is committed to promoting flexible working in the context of achieving our aim of providing a high quality learning environment for pupils, to retain a skilled workforce and reduce absence levels. We also recognise the importance of a healthy workforce and of the benefits that work-life balance brings.

Legislation enables all eligible employees to request flexible working.

Employees should be mindful of the nature of the School environment, their job role and the potential impact on pupils and the School when considering the details of their request. For example, posts with particular responsibilities such as SENCO and leadership roles may not be suitable for some forms of flexible working.

This procedure sets out the steps that employees need to take should they wish to request flexible working. It also outlines the process the School will follow to ensure that any requests are considered fairly. Further advice or information can be obtained from your line manager or HR.

3. Eligibility

To apply you must:

- Have 26 weeks service with the School at the date the application is made.
- Be an employee of the School.
- Not have made another application to work flexibly under the right to make a request during the past 12 months.

4. Flexible Working Options

There is scope to apply for different types of working pattern, for example:

- changing the hours you work;
- changing the times when you are required to work or
- arranging to work from home (whether for all or part of the week).

Flexible working actually incorporates a wide variety of working practices, the following are some examples of types of flexible working (not all of which may be appropriate within a School environment and will be dependent upon the role undertaken):

- **Compressed hours** allow you to work your total number of agreed hours over a shorter period.
- **Annualised hours** are a system of working where your hours are defined over a whole year. You may work flexibly within these hours but must also be available to cover peaks in workload.
- **Home working** doesn't have to be on a full-time basis and it may be possible to divide your time between home and office, subject to a risk assessment.
- **Job-sharing** typically involves two people employed on a part-time basis, but working together to cover a full-time post.

- **Staggered hours** allow you to start and finish your day at different times.
- **Term-time working** allows you to work and be paid on a pro-rata basis to the school holiday pattern, usually for 38 or 39 weeks of the academic year, dependent upon the role undertaken.

5. Application

This section explains the information that must be included for an application to be valid and the issues that will be considered.

Applications must:

- Be in writing. There is a form available where this would be helpful.
- Specify the flexible working pattern applied for. Remember, if this will result in you working fewer hours, your pay will reduce too. Provide as much detail as you can in your application. For further advice or details regarding this, contact your line manager or HR.
- Consider how your colleagues will manage if your working pattern is changed and how any potential problems could be solved.
- Consider what effect changing your working pattern might have on the School. Include information on how you think any issues could be overcome.
- Give the effective date for the proposed change. You should apply well in advance of this date. Remember it may take some time to consider your request and you should allow at least 8 weeks for it to be processed. You should not make any arrangements which are dependant on your request being approved until you receive notification about whether it has been accepted.
- Say if and when you have made any previous application(s).
- Include the date of your current application. An application will be considered to have been made on the day that it was received by the School. If sent:
 - by e-mail this is taken to be the day of transmission.
 - by post it means the day on which it would have been delivered in the ordinary course of the post, unless shown to be otherwise.
- Be submitted by e-mail or post to the appropriate manager (it will normally be your line manager). If the person is absent it may be necessary to make other arrangements.

If you are due to go on maternity leave you might wish to mention to your line manager before you take leave that you are interested in applying to work flexibly on your return.

The School will then consider your application and establish whether it is possible to accommodate your new work pattern within the operational requirements of the school.

If you fail to provide all the required information, you will be asked to resubmit your request. Your request will not be considered until it has been fully completed and received.

The School will normally acknowledge receipt of the request to confirm the date on which the application was made.

6. Timescales

All requests, including any appeals, must be considered and decided on within a period of three months from the date that the request was first received, however this can be extended subject to agreement on both sides.

In addition, it should be noted that when a request is submitted just prior to a term time break, or outside of term time, the availability of your line manager to consider and respond to the request will be limited and may not take place at all until the new term commences.

7. Considering a request

The School will consider your application and establish whether it is possible to accommodate your new working pattern. We will consider the benefits of the requested changes in working conditions for you and the School and weigh these against any adverse impact of implementing the changes.

If it is possible to accept your request without further exploration or discussion, then no meeting is required and you will be notified.

However, if further consideration is needed, then your line manager will arrange to have a discussion with you. The discussion does not have to be face to face and if you and your manager agree, it can be held by telephone or some other way.

The discussion will provide you both with the opportunity to explore the desired work pattern in depth and consider how it might be accommodated. If the requested working pattern cannot be accommodated, the discussion also provides an opportunity to see if an alternative working arrangement may be appropriate. An open-minded approach is necessary as reaching a compromise may be the best way forward. If there are concerns about being able to accommodate a flexible working request a trial period might be considered with a review at the end of the period.

If the request can be accommodated, then the date when the changes can be implemented should be agreed.

You can ask a work colleague or a Trade Union representative to accompany you during the discussion. Your colleague/union representative can address the meeting or confer with you during it but is not allowed to answer questions on your behalf.

If your companion is unable to attend an arranged meeting, you should either:

- agree with your line manager to re-arrange the meeting for a new date
- or
- consider an alternative companion

It is important that you attend this meeting. If you fail to attend without prior notification, you should contact your line manager as soon as possible thereafter to explain your non-attendance, and allow the School to rearrange the meeting.

If you fail to attend the meeting more than once and do not provide a reasonable explanation, the School will treat the application as having been withdrawn.

8. Accepting a request

The School will confirm the decision in writing, having first:

- Checked to see if any pay or contractual details need to be amended.
- Checked if all health and safety requirements have been satisfied.
- Considered who else needs to be informed, including other colleagues.
- Included an accurate description of the new working pattern.
- Established the start date for the new working pattern.
- Agreed and checked details of any trial period discussed between you and your line manager.

9. Declining a request

There may be circumstances where, due to the operational needs of the school, your line manager decides that it is not possible to accept a request. Schools are advised to contact the HR service prior to declining a request to ensure that the reasons are valid in law. You will receive notification which will:

- State the business ground(s) for refusing the application.
- Provide a sufficient explanation as to why the business ground(s) for refusal applies in the circumstances.
- Provide details of your right to appeal.
- Be dated.

An application can be refused only for the following business ground(s):

- Burden of additional costs.
- Detrimental effect on the ability to meet pupil/curriculum needs.
- Inability to reorganise work among existing staff.
- Inability to recruit additional staff.
- Detrimental impact on the quality of education provision the school is able to provide.
- Detrimental impact on performance.
- Insufficiency of work during the periods you propose to work.
- Planned changes to the staffing structure.

In addition to providing a specific business ground the School must include an accurate and clearly relevant explanation about why the business ground applies in the circumstances.

In any dispute, an Employment Tribunal does not have the power to question the employer's business reasons for declining a request, but will want to see evidence of any facts relied upon.

10. Appeals

If you believe that your request has not been properly considered or there is new information that was not available at the time that the original decision was made, you can appeal the decision.

- You must submit your appeal to the Head teacher in writing within 14 calendar days of being notified of the decision, recognising that the whole process from the point of the initial application, to the appeal being heard, must be completed within 3 months.
- You should set out the grounds for making the appeal and ensure that it is dated.
- The School will then arrange an appeal discussion as soon as it is able to.
- You can be accompanied at this discussion by a work colleague or Trade Union representative. Your colleague/union representative can address the meeting or confer with you during the meeting but is not allowed to answer questions on your behalf.
- Your appeal will be heard by a panel drawn from individuals who have had no prior involvement in the matter, which will consist of either the Head teacher or a panel of Governors. The panel may be supported by a representative from HR if requested.
- You will be informed of the outcome of the appeal in writing.

If you fail to attend the appeal meeting, this will be handled in the same way as a failure to attend the meeting to discuss the application.

If the appeal is not upheld, you will receive a letter confirming the decision, which must:

- include the reason for the decision. This will relate to your own grounds for making the appeal.
- provide an explanation as to why the grounds for refusal apply in the circumstances.

If the appeal is upheld the written decision must:

- include a description of the new working pattern.
- state the date from which the new working pattern is to take effect and
- be dated.

A written notice of the appeal outcome constitutes the employer's final decision and is effectively the end of the formal procedure within the workplace.

11. Review

The implementation of the procedure within the school will be monitored and reviewed every three years by a sub group of the Governing Body.