

Right to Request Flexible Working

Summary:

The school's Right to Request Flexible Working Policy aims to support employees in achieving a work life balance whilst maintaining an effective school service.

Flexible working covers a number of working patterns, including part-time hours, job sharing, term-time only working and compressed hours. The level of flexibility available will depend on the working arrangements and needs of individual schools.

This Right to Request Flexible Working Policy and Procedure does not form part of any employee's contract of employment and is entirely non-contractual. It may be amended, withdrawn, suspended or departed from at the discretion of the School at anytime. Everyone should ensure that they take the time to read and understand the content of this policy and procedure and act in accordance with its aims and objectives. If you need support reading and/or understating this policy and procedure, please speak with your line manager. All staff must ensure that they are familiar with and comply with and support the School's policies, procedures and guidance.

This policy will be reviewed periodically, which will be at least every two years. When statutory law changes the policy is held automatically to have been amended by that change and will be updated as soon as practically possible.

This is a model policy and covers statutory requirements.

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Who does this policy apply to?

As this is a statutory provision, it applies to all employees.

What is the right to request flexible working?

An employee has the statutory right to request a change to:

- The hours that he /she is required to work;
- The times he/ she is required to work;
- The place he/she is required to work
- Pattern of working

The request could, therefore, be for shorter working hours, a shorter working week, flexitime, a system of staggered or annualised hours, job sharing, part time work, self rostering or permission to work from home.

Any change agreed will be a permanent change to the employee's terms and conditions of employment unless a trial or temporary period is agreed.

NOTE - This is a right to **request** flexible working, not a right to receive it.

Can anyone make a request?	An employee can request to work flexibly if: they have continuous employment of at least 26 weeks and They have not made a request to work flexibly under this policy in the last 12 months
When can a request be made?	A request can be made at any time, but only one request in a 12 month period.
What flexible working arrangements can be requested?	<p>A change in the hours worked; the times worked; or where they work. An employee must decide what working arrangements would work best for them but also consider if this would be possible given the needs of the school.</p> <p>For example, a request could be for:</p> <ul style="list-style-type: none">• different working hours/days• different start and finish times• part-time working• job sharing• permission to work from home• term-time only hours• compressed hours
How should a request be made?	An employee should complete the application form , available at the end of the policy and give this to their manager/head teacher/chair of governors..
What happens after a request has been made?	<p>If the request is fully understood and can be agreed by the school no meeting may be necessary. However if it cannot be immediately agreed the manager/head teacher/chair of governors will arrange a meeting with the employee within 28 days of receiving their completed application form. The meeting is to discuss the request, consider any potential problems and/or other possible working arrangements.</p> <p>The employee, if they wish, can be accompanied at the meeting by a work colleague or a trade union representative. If they are going to be accompanied at the meeting they should let their manager know beforehand.</p> <p>The manager/head teacher/governing body will keep a record of the meeting and write to the employee within 14 days of the meeting with their response to the request. This may be to agree the request; agree the</p>

request on a trial basis; agree part of the request or decline the request.

If the manager/head teacher/governing body are unable to make a decision within this time because they need to investigate further, an extension may be agreed. Written records of any extensions should be kept, including the date the extension is to end.

What happens if the manager is absent when the request is submitted?

The manager/head teacher/governing body have 28 days to respond to the request from the date they receive it. If they are absent, the 28 days will normally begin when the manager/head teacher/governing body returns to work. However in the case of the Manager's long term absence the applicant should ensure that the application is brought to the attention of the school's management who will make the necessary arrangements for the application to be considered within 2 months of receipt. Management may seek the written agreement of the applicant to delay the process beyond the 2 months' period .

What happens if the employee is unable to attend the meeting?

If the employee or manager is unable to attend the meeting, efforts will be made to rearrange the meeting at a convenient time. Written records of any rearranged meetings should be kept, including the dates.

If the employee fails to attend a meeting more than once or unreasonably refuses to give the manager/head teacher/governing body the information they require to assess the request, the application may be considered to be withdrawn. The manager/head teacher/governing body will confirm they consider the application to be withdrawn, setting out the reasons for this in writing

What happens if the request is agreed?

The manager/head teacher/governing body must confirm this in writing, including what the working arrangements are, when the agreed start date is and if they are temporary or for a trial period, when this will end. This will be a permanent change to the contract of employment, unless the change has been agreed for a trial period. The employee will be asked to sign and accept this change.

If the request is agreed on a trial basis, the end date of the trial should be confirmed in writing together with an explanation of how the decision for a successful trial is made. A meeting should also be arranged with the employee to review the trial period and make a decision

	<p>on whether to agree the arrangements on a permanent basis. The decision at the review meeting should also be given in writing, with a copy to the employee .</p> <p>If part/s of the request or a variation of the request is agreed, the reasons for this should be explained in writing.</p>
What happens if the request is refused?	<p>The manager/head teacher/governing body will explain the reasons for refusal in writing following the meeting. The employee has the right to appeal against the decision within 14 days of receiving this letter.</p>
Why might a request be refused?	<p>A request may reasonably be refused for one of the following reasons:</p> <ul style="list-style-type: none">• Additional costs.• Detrimental effect on the ability to meet customer demands.• Inability to reorganise work amongst existing employees or recruit additional staff.• Detrimental impact on quality or performance.• Not enough work during periods the employee proposes to work.• Planned structural changes.• The employee has made a previous request(s) within the last 12 months. <p>The manager is responsible for checking if there are any previous requests on the employee's personnel file.</p>
How does an employee appeal?	<p>They must complete an appeal form, available at the end of this policy. Employees must give their completed form to their manager/head teacher/chair of governors. The manager will arrange an appeal meeting to take place within 14 days of receiving the employees form, where possible. Employees should be allowed to be accompanied at the meeting by an employee of the school or a trade union representative but should inform their manager if they plan to do so.</p> <p>The appeal will be heard by governors not previously involved with the request. The governors will confirm the outcome and the reasons for it to the employee in writing within 14 days of the meeting</p>
Can an employee withdraw their request?	<p>Yes, as long as this is before their contract of employment has been changed. The employee will need to confirm they are withdrawing their request in writing, to their manager/ head teacher/governing.</p>

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Can an employee change back to their original working hours if the new arrangement doesn't suit them?

If the agreed change to the working arrangements is permanent the employee can not choose to revert back to their original working arrangements and an employee cannot make another flexible working request within 12 months. However, an employee would need to discuss this with their manager/head teacher as it would depend on the circumstances.



Request for flexible working - application form

If you want to request to work flexibly please ensure you have read the 'Right to Request Flexible Working Policy, before completing this form.

Please complete all sections of the form otherwise it will be returned to you. When complete, give it to your manager/head teacher/Chair of Governors. Your manager/head teacher or governing body will invite you to a meeting to discuss your request within 28 days of receiving your form.

Personal details:	
Name:	_____
SAP number:	_____
Post title:	_____
School:	_____
Manager/Head teacher/ Chair of Governors:	_____

Describe your current working pattern (days/hours worked)
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Describe the working pattern you would like to work in future (days/hours)

On what date would you like this working pattern to start?

Have you made a request for flexible working before? If yes, please give dates of all previous requests.

Describe how you think this change in your working pattern will affect your colleagues and the service of the school.

Describe how you think the changes to your working pattern can be managed to ensure the school delivers its service.

Signature:

Date:

Please give your application form to your manager/head teacher/chair of governors

Employer's confirmation of receipt

(to be completed by the manager/head teacher/chair of governors and returned to the employee)

Dear: _____

I received your request to change your working pattern on

Date: _____

I shall arrange a meeting to discuss your application within 28 days of this date.

From: _____

Request for flexible working - appeal form

By completing this form, you are appealing against the decision to refuse your request for flexible working. You must give the completed appeal form to your manager/head teacher/governing body, within 14 days of receiving their written response to your request for flexible working. Where possible,

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governors will arrange an appeal meeting to take place within 14 days of receiving your appeal form.

1. Personal details:

Name: _____

SAP number: _____

Post Title: _____

School: _____

Manager: _____

2. Flexible working request:

Date submitted request: _____

Date received written response: _____

3. *I wish to appeal against your decision to refuse my application for flexible working. I am appealing on the following grounds:*

(please continue on separate sheet if necessary)

Signature: _____ Date: _____