



## Flexible Working Policy

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<b>Approved</b>	Headteacher
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## Mission Statement

We accept all pupils **as they are** and believe that every one of them is **entitled** to the very **best education**, delivered in an **environment** that is **supportive, caring and safe**.

Our goal is to develop our pupils to become:

- **Successful** Learners.
- As **independent** as possible.
- **Confident** individuals and self-advocates.
- **Effective** communicators and **contributors**.
- **Responsible** citizens.

We will do this by working to **ensure we get every aspect of their provision just right**, helping them to achieve academically, personally, socially and morally.

Stone Bay School: ***“getting it right for every pupil”***.

## Rights Respecting Schools

The Unicef UK Rights Respecting School Award (RRSA) is based on principles of equality, dignity, respect, non-discrimination and participation. The RRSA seeks to put the UN Convention on the Rights of the Child at the heart of a school's ethos and culture to improve well-being and develop every child's talents and abilities to their full potential. A Rights Respecting School is a community where children's rights are learned, taught, practised, respected, protected and promoted.

Stone Bay has been awarded the Silver Award by UNICEF. This is awarded to UK schools that show good progress towards embedding children's rights in the school's policy, practice and ethos, as outlined in the RRSA Strands and Outcomes

## Flexible Working Guidance: **Updated HR Connect December 2022**

All employees have the legal right to request flexible working if qualifying conditions are met.

This document explains the process for making and managing statutory applications for flexible working. Stone Bay School values our staff and understands the importance of flexible working, therefore we wish to make this document available to employees to outline our approach.

## Introduction

The School recognises that at some stages during their working lives, employees may wish to request flexible working arrangements. The School also acknowledges that qualifying employees have a statutory right to make a flexible working request.

The School will give reasonable consideration to requests made under these provisions and will endeavor to grant flexible working arrangements in so far as is practicable – taking into account the needs of the School.

Decisions on whether a request can be agreed will be based on business needs and flexible working arrangements should not adversely impact on service delivery and the operation of the School.

## **Entitlement to Request Flexible Working**

Statutory Right to Request Flexible working: An employee is eligible to make a statutory application to work flexibly after 26 weeks' continuous service.

An employee may only make one statutory request in every 12-month period.

Under flexible working arrangements, a variety of working patterns may be requested including:

- A change to hours
- A change to the times worked
- A change to the place of work

A request for flexible working may be made on a permanent or temporary basis.

## **Making a request for flexible working**

Requests should be made to the Headteacher\* in writing and include:

- The date
- A statement that the application is being made under the statutory right to request flexible working
- Details of the working pattern the employee wishes to adopt and whether it is a permanent or temporary change
- Details of the effects the employee feels this change will have on their team and how these might be dealt with
- The proposed effective date of the change
- The date of any previous application that has been made.

## **Considering a Request**

A decision regarding the employee's request should be made by the Headteacher as soon as practicable and carried out in a reasonable manner.

The Headteacher should consider the benefits of agreeing the request for the employee against any implications for the school.

In reaching a decision, it may be of benefit for the Headteacher and employee to meet to discuss the request in further detail. Meetings may be held in person, by telephone or virtually via a conference platform. It is good practice to hold a meeting within a month of receiving an eligible request.

Where the Headteacher is in agreement to the request – a meeting is not necessary.

The employee may be accompanied by a workplace colleague or trade union representative during discussions with the Headteacher about their request.

## Accepting a Request

Where a request is agreed the Headteacher should discuss and agree the start date of the new working arrangements with the employee. The new working arrangements should be confirmed in writing.

Where it is not possible for the Headteacher to accept a flexible working request in full, it may be possible to reach agreement with an employee to accept elements of the request or agree alternative arrangements.

A flexible working request may be agreed on either a permanent or temporary basis. It is also possible for the Headteacher and employee to agree a trial period to assess whether the changed working arrangements are practical for both parties in the longer term.

## Rejecting a Request

If it is not possible to agree to a flexible working request, the decision and reasons for this should be confirmed in writing by the Headteacher within 10 working days of reaching the decision.

This notification should include a detailed explanation for this decision and provide details of the procedure for making an appeal.

Reasons for rejection must be for one or more of the following:

- The burden of additional costs
- A detrimental effect on ability to meet customer demand
- An inability to reorganise work among existing staff
- An inability to recruit additional staff
- A detrimental impact on quality
- A detrimental impact on performance
- Insufficiency of work during the periods the employee proposes to work
- Planned structural changes.

## Allowing an Appeal

**Guidance note:** *there is no statutory requirement to provide a right of appeal – however allowing appeals is advised and generally regarded as best practice as set out in ACAS guidance.*

Employees may be granted leave to appeal against the Headteacher's decision not to grant a flexible working request.

Appeals must be made in writing and submitted within 10 working days of the original decision. The letter of appeal should include the employee's reasons for making an appeal.

Arrangements will be made for an appeal meeting to take place as soon as possible (usually within

one month of the original decision being taken).

The appeal will usually be considered by panel of one or more governors, or by the Headteacher if not the original decision maker. Those hearing an appeal should have had no previous involvement in considering the original flexible working request.

The employee may be accompanied at the appeal meeting by a workplace colleague or trade union representative.

The employee will receive a written outcome to the appeal within 10 working days of the meeting.

If an appeal is not upheld the notification must include a detailed explanation for this - including the business reason for being unable to accommodate the request.

The decision of the appeal is final and there is no further right of appeal.

### **Timescales for Considering a Request**

Requests should be considered within a reasonable timeframe and without undue delay.

All requests, including any appeals, must be considered and determined within 3 calendar months from receipt of the initial request – unless a longer timescale is agreed with the employee. An extension may be considered where a trial of the new arrangements is agreed.

### **Equality Considerations**

In considering a flexible working request, a Headteacher should consider the Equality implications of any decision.

Flexible working arrangements may be considered as a 'reasonable adjustment' to support an employee with a disability (as set out in the Equality Act 2010). Schools may wish to seek further guidance from their HR Provider.

### **Non-attendance at Meetings**

If an employee is unable to attend a meeting to discuss their flexible working request or any subsequent appeal, they should contact the Headteacher as soon as possible.

The Headteacher will rearrange the meeting, but if the employee fails to attend the rearranged meeting without a reasonable explanation the request/appeal can be considered as withdrawn. If the Headteacher chooses to consider a request/appeal as withdrawn, the employee must be informed.

An employee may be accompanied by a trade union representative or workplace colleague at a meeting to discuss the flexible working request or any subsequent appeal.

If the workplace colleague or trade union representative is unable to make the appeal meeting the employee can ask for it to be rearranged, in which case it should take place within seven days of the date of the originally proposed.

### **Further Guidance**

Schools may wish to refer to The ACAS Code of Practice and Guidance on Flexible Working:

**[www.acas.org.uk/flexibleworking](http://www.acas.org.uk/flexibleworking)**