



# Interaction & Communication

— Academy Trust —

# Flexible Working Policy

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## 1. Introduction

The Interaction & Communication Academy Trust (ICAT) believes that flexible working can increase staff motivation, promote work-life balance, reduce employee stress, and improve performance and productivity.

From 30 June 2014, all employees who have a minimum of 26 weeks' continuous service have the right to request flexible working and to have their request considered seriously by ICAT.

Employees cannot make a flexible working request if they have made one in the previous 12 months (even if they withdrew that request).

We will deal with flexible working requests in a reasonable manner and within a reasonable time.

## 2. Purpose

We want people to love working for our Trust, so we're committed to working practices and policies that reward loyalty, increase employee engagement and support our purpose of Providing Opportunities, Inspiring Success. This policy gives all our employees the right to request flexible working.

An individual who makes a request for flexible working, will not be subjected to any detriment, or lose any career development opportunities as a result of their application.

Managers are encouraged to approve requests unless they cannot be accommodated for business or operational reasons.

## 3. Responsibilities

### 3.1. Employee Responsibilities

In making a request you are responsible for:

- Providing a carefully thought-out application using the application form
- Ensuring your application is valid by checking that all the eligibility criteria are met and that you have provided all the necessary information
- Ensuring the application is made well in advance of when you want it to take effect
- Arriving at meetings on time and to be prepared to discuss your application in an open and constructive manner
- If necessary, be prepared to be flexible themselves in order to reach an agreement with the employer

### 3.2. Employer Responsibilities

- To consider requests properly in accordance with the procedure
- To adhere to the time limits contained within the procedure
- To provide the employee with appropriate support and information during the course of the application
- To decline a request only where there is a recognised business ground and to explain to the employee in writing why it applies
- To ensure that any variation of the procedure is agreed in advance with the employee and recorded in writing

- To ensure that they do not subject an employee to detriment or dismissal for making an application under the right
- All managers are familiar with the relevant policies and the Trust/its schools will offer training where necessary, HR advice would always be sought during a flexible working request process.
- The Trust will monitor the outcomes and impact of this policy, including trends in progression across specific groups to assess its effect and the Trust's continued compliance with equalities legislation, all information will be anonymised and treated as confidential.

Employees must receive a decision to their request in writing, including details of the process for making an appeal.

#### **4. Requests for Flexible Working**

A request for flexible working could include a request for a change to the number of hours that the employee works, a request for a change to the pattern of hours worked, a request to job share or a request to perform some or all of the work from the employee's home.

##### **For School Based Employees**

All requests must be made in writing by filling in the requisite application form, which is attached to this policy and available from ICAT Central Team and should be submitted to the Principal.

##### **For the Trust Central Team**

Applications for flexible working within the Trust Central Team should be submitted to the CEO.

##### **Any request made under this policy must include:**

- The date of the application
- The changes that the employee is seeking to his/her terms and conditions
- The date on which the employee would like the terms and conditions to come into effect
- What effect the employee thinks the requested change would have on the organisation
- How, in his/her opinion, any such effect might be dealt with
- A statement that this is a statutory request
- Whether or not the employee has made a previous application for flexible working; and if the employee has made a previous request when the employee made that application.

Where the request is being made by a disabled person/employee with a health condition as part of a request for a reasonable adjustment to his/her working arrangements, the employee should state this in the written application.

The Trust should not reject out of hand a request that does not contain the required information. The ICAT Central Team/Principal should explain to the employee what additional or amended information he/she needs to provide and ask the employee to resubmit the request.

## 5. Meeting to Discuss a Flexible Working Request

Once the Principal or their delegate receives the request, it will be dealt with as soon as possible, but no later than the deadline set out below. The Principal or their delegate will usually arrange a meeting at a convenient time and place to deal with the request. Where a request can be approved without further discussion in line with the terms stated in the employee's written application, a meeting will not be necessary, and the employee will be informed in writing of the decision.

An employee should be given the right to be accompanied by a work colleague or a trade union representative at any flexible working meeting. They will be entitled to speak and confer privately with the employee but may not answer questions on their behalf.

The meeting should take place in a private meeting room so that the discussion is kept away from other employees. The aim of the meeting is to find out more about the proposed working arrangements and how they could be of benefit to both the employee and the Trust.

## 6. Outcome of a Flexible Working Request

After the meeting, the Principal or their delegate will consider the proposed flexible working arrangements carefully, weighing up the potential benefits to the employee and to the Trust against any adverse impact of implementing the changes. Each request will be considered on a case-by-case basis: agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to his/her working pattern.

The employee will be informed in writing of the decision as soon as is reasonably practicable after the meeting, but no later than the deadline set out below. The request may be granted in full or in part: for example, the organisation may propose a modified version of the request, the request may be granted on a temporary basis, or the employee may be asked to try the flexible working arrangement for a trial period. The employee will be given the right to appeal the decision if the employee's request is not upheld or is upheld in part.

The length of the period of flexible working will be agreed at the outset of the flexible working agreement and only reviewed in conjunction with the line manager and employee.

## 7. Reasons for Turning Down a Flexible Working Request

The Principal or their delegate will give reasons for the rejection of any request. Those reasons must be for one or more prescribed business reasons, which are:

- The burden of additional costs
- An inability to reorganise work among existing staff
- An inability to recruit additional staff
- A detrimental impact on quality
- A detrimental impact on performance
- A detrimental effect on ability to meet customer demand
- Insufficient work for the periods the employee proposes to work
- A planned structural change to the business

If a request has been rejected, the employee will be informed which of those reasons applies in writing, and of the appeal procedure.

## **7. Flexible Working Requests that are granted**

If the request is upheld in full or in part, the employee and the Principal or their delegate will discuss how and when the changes will take effect. Any changes to terms and conditions, and the date on which they will commence, will be put in writing, and sent to the employee as an amendment to his/her contract of employment/written statement of terms and conditions of employment as soon as is reasonably practicable.

## **8. Timescales**

All requests will be dealt with within a period of three months from first receipt to notification of the decision on any appeal.

The Principal or their delegate should typically hold the meeting (or phone call if appropriate) within 28 calendar days of receiving the request and notify the decision to the employee within 14 calendar days of the meeting, so that there is enough time for any appeal to be concluded.

Time limits detailed in this policy may be extended where the employee and Trust agree. For example, the Principal or their delegate and the employee may agree to extend the time limit to give the employee a trial period on the flexible working arrangements if this is an option for both parties.

## **9. Appeal**

Employees who are dissatisfied with the outcome of their request are allowed to lodge an appeal to the Chair of the Local Governing Body for school staff or the Chair of the Board of Directors for Trust Central Staff, in writing within 14 calendar days of the notification. The appeal will be heard within 14 days calendar days of the notification. Any appeal must be dated and must set out the grounds on which the appeal is being made.

A meeting will be held to discuss the appeal. As explained above, an employee should be given the right to be accompanied.

The employee will be informed in writing of the outcome of his/her appeal, and the reasons for the decision, within 14 calendar days of the appeal meeting. There is no further right of appeal.

## **10. Problems with a Flexible Working Request**

If an employee is dissatisfied or unclear at any stage throughout the process, he/she should seek clarification from the Principal or their delegate. If an employee is dissatisfied with the way in which his/her request has been handled, he/she can raise a grievance under the Trust's grievance procedure.

The Principal or their delegate, who receive a flexible working request will have regard to the Trust's equal opportunities policy when considering the request.

If an employee fails to attend a meeting, including an appeal meeting, and then fails to attend a rearranged meeting without good reason, his/her application will be deemed to have been withdrawn.

## 11. Flexible Working Request Application Form

Name of employee:	
School:	
<p>To be eligible to make a request for flexible working, you must have 26 weeks' continuous service. If you are uncertain whether or not you are eligible to make a request, please clarify this with school. You can make only one request in every 12-month period.</p>	
Continuous Service Date:	
Date form submitted:	
Previous applications for flexible working	
Have you submitted a previous request for flexible working? (If yes, please answer the next question)	
When did you submit your last request for flexible working?	
Are you a disabled person whose request for flexible working is related to your disability?	
<p>I wish to make a statutory application for flexible working as detailed below:</p>	
<p>Please set out the pattern of working that you are seeking. For example, if you wish to change your hours of work, please state what your current hours are and what you would like your new hours to be or, if you wish to work at home at certain times, please state which hours you would like to work at home.</p>	
I would like the above change(s) to my working pattern to take effect on:	

Please state the effects that you think the changes you are requesting will have on school and on your department, your colleagues etc.

Please state how you think any such effect might be dealt with.

Once you have submitted a valid application for flexible working, school will contact you to arrange a meeting, which will take place within [28 days] of the application being submitted, to discuss how the pattern of working you have requested might work. If your request is granted, it will mean a permanent change to the terms and conditions of your employment, unless agreed otherwise.

It will help us to deal with your application if you provide as much information as you can about your desired working pattern. It is also important that you complete the questions about the effects that you think the changes you are requesting will have on the school and your colleagues.

**Signed:**

**Date:**