



Flexible Working Policy

The King's School
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Legal framework

This policy has due regard to legislation and statutory guidance, including, but not limited to, the following:

- Employment Relations (Flexible Working) Act 2023
- Health and Safety at Work etc. Act 1974
- The Management of Health and Safety at Work Regulations 1999
- Equality Act 2010
- The UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- NJC (2022) Local government terms and conditions (Green book)
- DfE (2023) 'School teachers' pay and conditions document 2023 and guidance on school teachers' pay and conditions' (STPCD)
- The School Staffing (England) Regulations 2009
- The Working Time Regulations 1998
- DfE (2020) 'Headteachers' standards'
- DfE (2022) 'Flexible working in schools'

This policy also operates in line with the following school policies and documents:

- Data Protection Policy
- Maximising Attendance and Managing Staff Absences Policy
- Use of Technology, Computer Security, and Cyberbullying Policy
- Privacy Notice - Students Policy
- Privacy Notice – Parents and Carers Policy
- Equality Statement and Equality Objectives Policy

Roles and Responsibilities

The Board of Trustees is responsible for:

- Ensuring the school meets its statutory and legal obligations regarding health and safety at work, equality and staff member pay.
- Ensuring the school has due regard for the need for school staff, including executive leaders, to achieve a healthy work-life balance.
- Ensuring the members of the board of trustees themselves adhere to the working limits set out in The Working Time Regulations 1998.

The Headteacher is responsible for:

- Ensuring staff are deployed and managed well, with due attention paid to workload and working conditions.
- Reviewing flexible working requests in conjunction with the governing board.
- Responding to flexible working requests within two months.
- Consulting with staff members before rejecting any flexible working requests.
- Reviewing the effectiveness of this policy annually and communicating any changes to all members of staff.

Staff are responsible for:

- Submitting flexible working requests to the Headteacher.
- Explaining what changes are required, for how long, when for any flexible working requests.
- Taking part in any training conducted to meet the requirements of this policy.

Flexible Working

Statement of Intent

The King's School 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 the school. Employees will be able to make a flexible working request twice every 12 months.

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

This policy sets out the school's approach to flexible working including how requests should be made, what happens once a request is made, and the appeals process.

Requests for Flexible Working

Requests for flexible working 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 or a request to job share.

All requests must be made in writing by filling in the requisite application form, which can be found in Appendix A.

All requests must be submitted to the Headteacher.

Any request made under this policy must include:

- The date of the application
- The changes that the employee is seeking to their terms and conditions.
- The date on which the employee would like the terms and conditions to come into effect.
- How, in their 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 application was made.

Where the request is being made by a member of staff with a disability as part of a request for a reasonable adjustment to their working arrangements, the staff member should state this in the written application.

The school will not reject out-of-hand a request that does not contain the required information. The school's lead member of the Senior Leadership Team (SLT) will explain to the member of staff what additional or amended information they need to provide and ask them to resubmit the request.

The list below is illustrative of the types of flexible working that an employee may request. The list is not exhaustive, but illustrative:

- Part-time working: working less than full-time hours over a set number of days (usually less than the normal working week).
- Job-sharing: a form of part-time working where two (or occasionally more) people share the responsibility for a job between them.

- Flexitime: allows employees to choose, within certain set limits, when to begin and end work.
- Compressed hours: working full-time hours but over fewer days.
- Annualised hours: the employee has to work a certain number of hours over the year but they have some flexibility about when they work. There are sometimes 'core hours' which the employee regularly works each week, and they work the rest of their hours flexibly or when there is extra demand at work.
- Staggered hours: the employee has different start, finish and break times from other workers.
- Phased retirement: the default retirement age has been phased out and older workers can choose when they want to retire. This means they can reduce their hours and work part time.

The school does not allow working from home.

Meeting to discuss flexible working request

Once the Headteacher receives the request, it will be dealt with as soon as possible, but no later than the deadline set out below.

The Headteacher 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 staff member's written application, a meeting will not be necessary and the employee will be informed in writing of the decision.

Staff members have the right to be accompanied by a work colleague or a trade union representative at any flexible working meeting. Colleagues or trade union representatives will be entitled to speak and confer privately with the employee but may not answer questions on their behalf.

The meeting will take place in a private meeting room so that the discussion is kept away from other employees.

The aim of the meeting is to clarify the proposed working arrangements and how they could be of benefit to both the employee and the school.

Outcome of a flexible working request

After the meeting, the Headteacher will consider, in consultation with the employee, the proposed flexible working arrangements carefully, weighing up the potential benefits to the employee and to the school 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 their 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 school 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 their request is not upheld or is upheld in part.

Unless otherwise agreed, the variation to the employee's terms and conditions will be permanent.

Reasons for turning down a flexible working request

The Headteacher will not reject any flexible working requests without consulting the staff member first.

The Headteacher will give reasons for the rejection of any request. Those reasons must be for one or more prescribed business reasons, which are as follows:

- Costs do not justify the amendments to the staff member's working conditions
- 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 parental / student demands
- Insufficient work for the periods the employee proposes to work
- A planned structural change to the school

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

Flexible working requests that are granted

If the request is upheld in full or in part, the employee and the Headteacher will discuss how and when the changes will take effect.

Any variation 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 their contract of employment/written statement of terms and conditions of employment as soon as is reasonably practicable.

Timescales

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

The Headteacher will hold the meeting (or phone call, if appropriate) within 28 days of receiving the request and notify the decision to the employee within 14 school 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 school are in agreement. For example, the Headteacher and the employee may agree to extend the time limit to give the employee a trial period on the flexible working arrangements.

Appeals

Employees who are dissatisfied with the outcome of their request are allowed to lodge an appeal in writing within 14 school days of the notification, with the appeal to be heard within 14 days. The appeal should be addressed to the Clerk to Trustees.

Any appeal must be dated and must set out the grounds on which the appeal is being made

A meeting of three Trustees 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 their appeal, and the reasons for the decision, within 14 school days of the appeal meeting. There is no further right of appeal.

Problems with a flexible working request

If an employee is dissatisfied or unclear at any stage throughout the process, they should seek clarification from the appropriate member of SLT.

If an employee is dissatisfied with the way in which their request has been handled, they can raise a grievance under the school's Grievance Policy.

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



Appendix A Flexible working request Form

Name	
Employee Number	
Line Manager	

To the Employer:	
I would like to apply to work a flexible working pattern that is different to my current working pattern. I confirm I meet each of the eligibility criteria as follows:	
<ul style="list-style-type: none">• I have worked continuously as an employee of the school for the last 26 weeks.• I have not already made two or more requests to work flexibly under this right during the past 12 months.	
Date of any previous request to work flexibly under this right:	
Describe your current working pattern (days/hours/times worked):	
Describe the working pattern you would like to work in future (days/hours/times worked):	
I would like this working pattern to commence from:	
I think this change in my working pattern will affect my employer and colleagues as follows:	

Date	
<i>Please submit this form to the Headteacher.</i>	