



Mid-Trent
Multi Academy Trust

Flexible Working Policy

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1. Introduction

1.1. As an organisation, we believe that it is important that flexible working can increase staff motivation, promote work-life balance, reduce employee stress and improve performance and productivity.

The organisation is committed to achieving this through:

- The application of consistent and fair processes in relation to flexible working requests in accordance with good practice and equal opportunities;
- Setting high standards of expectation consistent with the school community expectations of our organisation and relevant professional standards and ensuring that the outcomes for our young people remain a priority;
- Adhering to the employment legislation and guidance in relation to flexible working.

2. Scope

2.1. This policy applies to all employees with a minimum of 26 weeks' continuous service including, temporary, fixed term, apprentices and casual workers and agency workers who are returning from a period of Parental Leave. This procedure does not form part of your contract of employment and may be varied from time to time. The procedure does not apply once you have left the organisation

2.2. The Headteacher is accountable for ensuring that managers are appropriately trained to implement this procedure and that a sufficient level of consideration is given to a flexible working request before any decision is made. Any determination made must be evidenced as fair and reasonable, in all of the circumstances.

2.3. The Headteacher, governor or the panel considering a request is accountable for the decision and must ensure that the procedure has been followed and that a sufficient level of consideration is given to the request prior to their determination of any formal outcome. Any determination made must be evidenced as fair and reasonable, in all of the circumstances

All managers should:

- Comply with the timescales and requirements set out in this procedure;
- Ensure that at all times they treat the process as confidential;
- Promote and operate the procedure fairly and thoroughly;
- Present all information in a fair and unbiased way;
- Ensure that notes are kept and shared with the parties as appropriate.

3. Making a Flexible Working Request

3.1. All flexible working requests must be made in writing on the Flexible Working Application Form in order to comply with the statutory provisions. The form must be fully completed, signed and dated before being submitted to the Headteacher.

3.2. You cannot submit a flexible working request if you have made a previous request within the previous 12 months.

Flexible working requests may cover any of the following:

- changes to the number of working hours
- changes to working days
- changes to the pattern of work
- change to work location, including homeworking

3.3. On receipt of the Flexible Working Application Form, the Headteacher will arrange a meeting to discuss the request. The purpose of the meeting is to find out more about the proposed changes to working arrangements and how they could benefit both the employee and the school.

3.4. All requests will be dealt with within three months from first receipt of the application form to notification of the decision on appeal. With this in mind, the Principal/Headteacher should hold the initial meeting without unreasonable delay to enable notification of the outcome and any appeal to take place within the prescribed timescale.

3.5. The time limit may be extended where both the employee and organisation are in agreement. For example, to give the employee a trial period on the flexible working arrangements.

4. Outcome of Flexible Working Request

4.1. After the meeting, the Headteacher will consider 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 his/her working pattern.

4.2. The Headteacher will inform the employee in writing of their decision, as soon as practicable after the meeting. The request may be granted in full or in part: for example, the school may propose amendments to 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.

4.3. Granting a flexible working request

If the decision is to grant the request, or grant it with modifications, the Headteacher will provide a written outcome to the employee confirming the request has been granted and when it will commence. Following this written outcome, the employee's line manager may wish to arrange a meeting with the employee to discuss how the changes will be implemented. A change granted under flexible working is a permanent contractual change (unless it is agreed on a temporary basis) and a variation to the employee's contract of employment must be issued.

4.4. Rejecting a flexible working request

If a flexible working request is rejected, written reasons should be given to the employee.

Those reasons must be for one or more prescribed business reasons, which are:

- the burden of additional costs;
- an inability to reorganise work amongst 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; and
- a planned structural/organisational change.

These reasons for rejection are prescribed by the legislation and a refusal should not be for any other reason.

5. Trial Period

5.1. A trial period may be agreed to determine whether the working arrangement will work in practice and whether it creates any challenges for the organisation. The Headteacher must notify the employee of the final decision within three months of the request for flexible working, unless an extension to the statutory time limited is agreed with the employee.

5.2. The terms of the trial period should be set out in writing including the start and end date of the trial period (including the right for the organisation to shorten or lengthen the trial period) and the changes that have been agreed. It should record that the organisation reserves the right, at the end of the agreed trial period, to require the employee to revert to their previous working arrangement. Any specific conditions of the trial period should also be specified. The document should be signed by both parties.

6. Right to be Accompanied

6.1. Employees do not have a statutory right to be accompanied by a trade union representative under Flexible Working legislation. However, the organisation does allow employees to be accompanied by a trade union representative or work colleague at meetings under this policy. If an employee's chosen companion is not available at the time proposed for the meeting or hearing, a mutually convenient time should be arranged within 5 working days of the original date. Employees do not have the right to be accompanied by anyone else such as a spouse, partner, other family member or legal representative.

6.2. It is advised to consider allowing employees to be represented at all meetings to ensure appropriate external advice is available. This supports the employee's understanding of the process and enables them to fully participate and engage with the employer.

6.3. The representative is allowed to address the meeting, to put and sum up the case, respond to any views expressed at the meeting and confer with their member/colleague during the meeting.

6.4. The representative does not have the right to answer questions on behalf of their member/colleague.

7. Appeal

7.1. There is no right of appeal under this policy. The Headteacher's decision is final.

8. Data Protection

8.1. The organisation will comply with the provisions of UK data protection law. Employee data will be processed in accordance with the principles of that legislation, as necessary for the performance of the contract of employment and as set out in the organisation's privacy notice. Personal information about employees, including information in personnel files, will be held securely and privately in accordance with the organisation's Data Protection Policies and Procedures.

8.2. Minutes of formal meetings will be given to the employee for information and copies of notes, letters and other relevant documentation should be retained on file.