CARWARDEN HOUSE COMMUNITY SCHOOL

FLEXIBLE WORKING POLICY

Updated bi-annually by:	School Business Manager
Approved by:	Headteacher
Reviewed:	11th December 2024
Due for review:	Autumn Term 2026

FLEXIBLE WORKING POLICY

Introduction

The Academy is committed to providing equality of opportunity in employment and to developing work practices and policies that support work-life balance. We recognise that, in addition to helping balance work and personal lives, flexible working can raise staff morale, reduce absenteeism and improve our use and retention of staff.

This policy applies to flexible working requests made on or after 6th April 2024.

This policy gives eligible employees an opportunity to formally request a change to their working pattern. The Headteacher is encouraged to facilitate requests unless they cannot be accommodated for business or operational reasons.

The policy applies to employees of the Academy only. It does not form part of any individual's terms and conditions of employment and is not intended to have contractual effect. However, the policy does reflect our current practice, and all employees are encouraged to familiarise themselves with its content. We reserve the right to amend this policy from time to time.

In handling a request, and any information that the employee discloses as part of that request, the Academy will not discriminate unlawfully against the employee on the basis of their sex, sexual orientation, marriage or civil partnership, pregnancy or maternity, gender reassignment, race (which covers colour, nationality, ethnic or national origin), religion or belief, disability or age (the protected characteristics).

No employee who makes a request for flexible working will be subjected to any unlawful detriment or lose any career development opportunities as a result.

If an employee seeks a reasonable adjustment for their disability through a request for flexible working, the Academy will consider the application in accordance with its legal obligations under the Equality Act 2010 and will make reasonable adjustments to remove any disadvantage related to the employee's disability. The legal obligation to make reasonable adjustments is separate to the legal obligation to consider a request for flexible working.

We are committed to a programme of action to make this policy effective and to bring it to the attention of all employees.

This policy is designed to be as comprehensive as possible, however, if you have any queries which are not answered, or if you have any other questions about the policy, please contact the School Business Manager.

Requests made by employees under this policy for contractual variations will be referred to throughout the remainder of this policy as a 'flexible working request'.

Who may make a statutory request to work flexibly?

You have a statutory right to make a flexible working request, provided you:

- are an employee of the Academy, regardless of your length of service.
- have not made two earlier flexible working requests during the previous 12 months (if your request is made on/after 6 April 2024, we will consider any formal request made before that date that falls within the 12-month period for this purpose); and
- do not have a current flexible working application on going.

If your request for flexible working is accepted under the formal procedure, you will have changes made to your contract of employment to reflect your new working arrangements.

If you are interested in flexible working, it is advised to request an informal meeting with the Deputy Headteacher to discuss your eligibility, the different options and the effect your proposed work pattern will have on colleagues and the service delivery, before submitting a formal request. It may be that a short-term adjustment can be accommodated without instigating the statutory flexible working process.

Those working at management level have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to promote the Academy's aims and objectives with regard to flexible working.

All members of staff are responsible for the success of this policy and must ensure that they familiarise themselves with it and act in accordance with its aims and objectives. Those involved in management or recruitment may request specific training and address any questions about the content or application of this policy to the Headteacher

Forms of Flexible Working

Flexible working can incorporate a number of changes to working arrangements:

- reduction or variation of working hours.
- reduction of the number of days worked each week; and/or
- working from a different location (for example, working from home).

Such changes may involve:

- starting a job share.

- working a set number of hours a year, rather than a week (annualised hours).
- working from home (whether for all or part of the week).
- working only during term-time (part-year working).
- working compressed hours.
- Working flexitime.
- Working part-time.

The Formal Right to Request Flexible Working Request

Flexible working requests made under the formal procedure set out in this policy can only be made if you meet the eligibility criteria set out above.

Timescales

All Flexible Working requests, including any appeal, will be decided on and communicated to you within:

1. two months from the date we are deemed to receive your application; or
2. such extended period that we have both agreed to. See "Extending time under the Formal Procedure" below for further information.

Making a Formal Flexible Working Request

1. The application

If you are interested in flexible working, you should speak with Deputy Headteacher to discuss your eligibility and any options before submitting a formal flexible working request.

You will need to submit a written application for your flexible working request to be considered under the formal procedure.

A flexible working application form is available from the School Business Manager. It is advisable to obtain a copy of this form and use it when making your flexible working request, because that will ensure that you include all the required information. Otherwise, your request may not be able to be considered under this process.

In order to meet the requirements of the formal procedure, your written application **must**:

- include the date of your request.
- set out the details of what the change you want to make (including your current and desired working pattern, including working days, hours and start and finish

times, or place of work) and the date from which you want your desired working pattern to start.
- provide information to confirm that you meet the eligibility criteria set out in this policy; and
- state that it is a formal flexible working request; and
- state whether you have made a previous formal request for flexible working and, if so, when.

It would also be helpful if you can set out in your request:

- the reasons for your request; and
- what effect you believe the requested changes to your working pattern will have on the work that you do, your colleagues and service delivery and any suggestions you may have to address any potentially negative effects.

If you have a disability, and part of the purpose of your flexible working request is to ask for an adjustment to the way in which you work in order to alleviate any disadvantages you suffer from in the course of your work as a result of your disability, please also state this in your flexible working request and provide an explanation of how the suggested change would help alleviate those disadvantages.

Applications from classroom-based/teaching staff should be submitted to us at the earliest possible opportunity, bearing in mind the difficulties of arranging changes to the timetable mid-year. If you are not classroom based, you should submit requests at least two months before you wish the requested changes to take effect.

You can only have one live application for flexible working with the Academy at any one time. Once a request has been submitted, it remains live until any of the following occur:

- a decision about the application is made and notified to you in writing (including any appeal).
- the application has been withdrawn by either party.
- an outcome is mutually agreed; or
- the statutory two-month period for deciding requests ends (including any extension of it).

2. Submitting your application

Your written and dated flexible working request may be submitted in any of the following ways:

- delivered in person, by handing it directly to the Headteacher; or

- by first class post, sent to Carwarden House Community School. 118 Upper Chobham Road. Camberley. Surrey GU15 1EJ or
- By email to Deputy Headteacher.

3. Meeting with you to discuss your application

We might be able to agree your proposal without the need for a meeting. If that is the case, we will write to you, confirming the decision and explaining the changes that will be made to your contract of employment.

If your proposal *cannot* be accommodated in full or in part, we will invite you to a meeting to discuss your request with the Headteacher. We will endeavour to arrange this meeting to take place within ten working days of receiving your application, or as soon as reasonably possible.

You may bring a colleague to the meeting as a companion if you wish. Your companion will be entitled to speak during the meeting and confer privately with you but may not answer questions on your behalf.

In most cases, the meeting will be held at your usual place of work. However, we will ensure that the meeting is held at a time and place that is convenient for you.

The meeting will be used to discuss and consider the working arrangements you have requested, including:

- the effect your proposed working arrangements will have on your work, the Academy and that of your colleagues and/or your team.
- any benefits your request may have.
- any other impacts of accepting or rejecting your request; and
- if it were to be agreed, any practical considerations in implementing it.

If there are concerns about being able to accommodate your request, discussion at the meeting will also provide an opportunity to explore possible alternative working arrangements.

The Headteacher may suggest starting new working arrangements under an initial trial period to ensure that they meet your needs and those of your department or team.

If we are minded to accept your request, or accept it with modifications, a further meeting may need to be arranged at a mutually convenient time and place to discuss how and when the changes might best be implemented.

Following this meeting (or any further meeting), we will notify you of our decision in writing as soon as reasonably practicable and normally within ten working days.

If we need more time to decide, we will notify you of this and the reasons for the delay. For example, more time may be required to investigate how your request can be accommodated or to consult several members of staff.

4. Accepting your application

If your request is accepted, or changes have been agreed, we will write to you with details of:

- the flexible working pattern agreed to.
- details of any trial period agreed to.
- an explanation of changes to your contract of employment.
- the date on which the variation is to take effect; and
- Who to contact to discuss any further information you may find helpful in implementing the agreed flexible working arrangement.

You will be asked to sign and return a copy of the letter. This will be placed on your personnel file to confirm the variation to your terms of employment.

There may also be some additional practical matters such as arrangements for handing over work that will be discussed with you.

You should be aware that (unless specifically agreed otherwise) changes to your terms of employment will be permanent.

5. Declining your application

If we are unable to agree to your request, it will be because one or more of the following eight business reasons apply:

- the burden of additional costs.
- detrimental effect on the ability to meet the needs and the demands of the Academy's students.
- inability to reorganise work among existing staff.
- inability to recruit additional staff.
- detrimental impact on quality.
- detrimental impact on performance.
- insufficiency of work during the periods that you propose to work; and
- planned structural changes to the Academy.

In these circumstances, we will write to you:

- giving the academic/operational reason(s) for turning down your application.
- explaining why these reasons apply in your case; and

- setting out the appeal procedure.

Right to Appeal

If your request is refused in full or in part, you are entitled to appeal against the decision.

Your appeal must:

- be in writing and dated.
- set out the grounds on which you are appealing; and
- be sent to the Headteacher within five working days of the date on which you received the written rejection of your request.

The Headteacher will arrange for a meeting to take place as soon as reasonably practicable and normally within ten working days of receipt of your notice of appeal. Alternatively, if we uphold your appeal without needing to hold a hearing, then you will be notified in writing within this period and informed of the contract variation agreed to and the date from which the variation is to take effect.

The appeal hearing will be held at a convenient time for all those attending and, as at the meeting that considered your request, you may be accompanied by a colleague.

An independent and impartial Appeals Officer will be selected, specifically for the appeal, from the Board of Trustees of the Academy to hear your appeal. We will try to ensure the Appeals Officer will not have been previously involved in considering your request as far as possible. A note taker may also be present.

You will be informed in writing, of the Appeal Officer's decision as soon as reasonably practicable and normally within ten working days of the date of the appeal hearing or within two months of the date on which you made your application if that is earlier; or within such extended period as has been agreed, if that extended period expires earlier.

If your appeal is **upheld,** you will be advised of your new working arrangements, details of any trial period, an explanation of changes to your contract of employment and the date on which they will commence.

You will be asked to sign and return a copy of the letter. This will be placed on your personnel file to confirm the variation to your terms of employment.

There may also be some additional practical matters, such as arrangements for handing overwork that the Headteacher will discuss with you.

If your appeal is **rejected**, the written decision will state which of the eight business reasons (as listed above) is or are the grounds for the refusal of your application and will provide sufficient explanation as to why those grounds apply.

You should be aware that you are only entitled to make two formal requests in any 12-month period from the date of your first application and (unless specifically agreed otherwise) changes to your terms of employment will be permanent.

Withdrawal of an application

At any point before we give our final decision on your flexible working request, or its final decision after an appeal, you may agree with us to dispose of your application without the need for us to give a decision (or further decision) in relation to it. This will be confirmed in writing stating that both parties have agreed that no further action need be taken in relation to your application, and of the date on which that agreement was reached. You will be asked to sign and return a copy of that agreement to the School Business Manager to confirm that your request has been disposed of as stated.

At any point before we give our final decision on your flexible working request, or its final decision after an appeal, you may withdraw your application by sending a written notice to the School Business Manager which states that you have withdrawn your application, which must be signed and dated by you.

If you withdraw a formal request for flexible working, this will still count as one of the two formal requests you can make within 12 months.

Treating your application as withdrawn

We will treat a formal application as withdrawn where you have, without good reason, failed to attend both the first meeting arranged to discuss the:

- application and the next meeting arranged for that purpose; or
- appeal and the next meeting arranged for that purpose.

Where we decide to treat your application as withdrawn for the reasons set out above, we will send written notification to you informing you of that fact and why.

If you believe that we should not have treated your application as withdrawn, you may write to the Deputy Headteacher, within five working days of receiving notification, explaining why your application should not be treated as withdrawn.

Extending time under the Formal Procedure

We will communicate any final decision in regard to a formal flexible working application (including any appeal where applicable) within two months of the date the

request is made or within such longer period as may be agreed between both parties (referred to below as the ‘extended period’).

Where an extended period is required (within which the decision on your application, including any appeal, must be made) it must be agreed:

- before the end of the initial two-month period or any current extension already agreed; or
- retrospectively after the current decision period has ended provided the extension is agreed within a two-month period following on immediately from the expiry of the current decision period.

Where an extension of time is agreed with you, the School Business Manager will write to you confirming the extension and the date on which it will end.

We reserve the right to shorten any of the procedural time limits referred to earlier in this policy in circumstances where:

- observing the normal time limit specified in the policy would run a significant risk of us not being able to provide you with a decision on your flexible working request within the time limit that the law requires; and
- you will not agree to an extended period for provision for our decision, as such would allow the normal time limits specified in the policy to be observed.

Where we shorten any of time limits, we will send you a letter confirming which time limits have been shortened, by how much and any consequences of those changes.