

# Tauheedul Education Trust

This policy is in line with the Mission Statement of the Trust

*To create outstanding organisations that promote educational excellence, character development and service to communities.*

## **FLEXIBLE WORKING POLICY**



Tauheedul  
Education Trust

## Document control

This policy has been approved for operation within all Tauheedul Education Trust Establishments.

|                            |                           |
|----------------------------|---------------------------|
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## **1 Scope and Purpose**

- 1.1 The Trust is committed to providing equality of opportunity in employment and to developing work practices and policies that support work-life balance and as such, it welcomes applications to work flexibly. The Trust recognises that, in addition to helping balance work and personal lives, flexible working can raise staff morale, reduce absenteeism and improve the use and retention of employees.
- 1.2 This Flexible Working Policy gives eligible employees an opportunity to formally request a change to their working pattern and all employees an opportunity to do so informally. The Head of Establishment and the Senior Leadership Team of each establishment is encouraged to facilitate requests unless they cannot be accommodated for business or operational reasons.
- 1.3 No-one who makes a request for flexible working will be subjected to any detriment or lose any career development opportunities as a result.
- 1.4 This policy does not form part of any employee's contract of employment and it may be amended at any time after consultation with our recognised Trade Unions.
- 1.5 This policy applies to all employees. It does not apply to agency workers, consultants or self-employed contractors.

## **2 Who is Covered by the Policy?**

- 2.1 This policy covers all employees at all levels and grades including senior managers, employees, trainees, part-time and fixed term employees (referred to as employees in this policy).
- 2.2 It does not apply to agency staff and self-employed contractors.

## **3 Who is Responsible for the Policy?**

- 3.1 The Trust has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. The Trust has delegated day-to-day responsibility for operating the policy to the Trust Central Team and Head of each establishment.
- 3.2 Those working within the Senior Leadership Team and all of those with any management responsibilities have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to promote the Trust's aims and objectives with regard to flexible working.
- 3.3 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.
- 3.4 The Chief Executive of the Trust will be responsible for administering the policy in relation to the Head of Establishment (where the policy is applied to the Head of Establishment, all references to Head of Establishment should be replaced with Chief Executive of the Trust).
- 3.5 The Board of Trustees will be responsible for administering the policy in relation to the Chief Executive of the Trust (where the policy is applied to the Chief Executive of the Trust, all references to Head of Establishment should be replaced with Board of Trustees).

## **4 Forms of Flexible Working**

- 4.1 Flexible working can incorporate a number of changes to working arrangements:
  - 4.1.1 reduction or variation of working hours;
  - 4.1.2 reduction of the number of days worked each week; and/or
  - 4.1.3 working from a different location (for example, from home).
- 4.2 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 flexi-time.

## **5 Eligibility for the Formal Right to Request Procedure**

- 5.1 To be eligible to make a request under the formal procedure set out in paragraph 6 an individual must:
  - 5.1.1 be an employee;
  - 5.1.2 have worked continuously for the Trust for at least 26 weeks at the date the request is made;
  - 5.1.3 not have made a formal request to work flexibly during the last 12 months.
- 5.2 If an employee is not eligible to make a formal request, he/she may make an informal request under paragraph 11.

## **6 Making a Formal Flexible Working Request**

- 6.1 An employee must submit a written application on the Flexible Working Request Form if he/she would like the flexible working request to be considered under the formal procedure.
- 6.2 An employee's written and dated form should be submitted to the Head of Establishment in good time and ideally at least two months before he/she would like the changes to take effect. It should:
  - 6.2.1 explain the reasons for the request, especially if an employee believes the Trust's Equal Opportunities Policy may be relevant, for example, if the request concerns childcare or other family commitments, religious or cultural requirements, or adjustments because of a disability;
  - 6.2.2 provide as much information as an employee can about his/her current and desired working pattern, including working days, hours and start and finish times, and give the date from which he/she would like the desired working pattern to start;
  - 6.2.3 identify the effect the changes to an employee's working pattern will have on the work that he/she does, that of his/her colleagues and on service delivery. If an employee has any suggestions about dealing with any potentially negative effects, this can be included in the written application;

6.2.4 provide information to confirm that the eligibility criteria set out in paragraph 5 of this policy are met including the dates of any previous formal requests for flexible working.

6.3 In most cases a meeting will be arranged to discuss the request before a decision is taken. However, in some cases it may be possible to approve the request without a formal meeting, although it will usually be helpful for an employee to meet with the Head of Establishment or another member of the Senior Leadership Team to discuss the request and to ensure it is the best solution.

## **7 Formal Procedure: Meeting**

7.1 Where necessary, arrangements will be made for an employee to meet with the Head of Establishment or another member of the Senior Leadership Team after the application has been submitted. The meeting will also be attended by an appropriate note taker. An employee may bring a colleague to the meeting as a companion. The companion will be entitled to speak during the meeting and confer privately with the employee, but may not answer questions on his/her behalf.

7.2 In most cases, the meeting will be held at an employee's usual place of work.

7.3 The meeting will be used to consider the particular working arrangements requested. An employee will be able to explain how the arrangements will accommodate his/her needs. An employee will also be able to discuss what impact the proposed working arrangements will have on his/her work and that of colleagues and of the department. If the arrangements requested cannot be accommodated, discussion at the meeting also provides an opportunity to explore possible alternative working arrangements.

7.4 The Head of Establishment or Senior Leadership Team member may suggest starting new working arrangements under an initial trial period to ensure that they meet an employee's needs and those of the relevant department.

## **8 Formal Procedure: Decision**

8.1 Following the meeting, an employee will receive written notice of the Head of Establishment or Senior Leadership Team member's decision as soon as possible, and in any event, within 4 working weeks of the meeting.

8.2 If the request is accepted, or where an alternative to the arrangements requested is proposed, the Head of Establishment or Senior Leadership Team member will provide written details of the new working arrangements, details of any trial period, an explanation of changes to an employee's contract of employment and the date on which they will commence. An employee will be asked to sign and return a copy of the letter. This will be placed on an employee's personnel file to confirm the variation to his/her terms of employment. There may also be some additional practical matters, such as arrangements for handing over work.

8.3 Unless otherwise agreed (and subject to any trial period) changes to an employee's terms of employment will be permanent and he/she will not be able to make another formal request until twelve months after the date of the original application.

- 8.4 If the Head of Establishment or Senior Leadership Team member needs more time to make a decision, they will discuss this with the employee. For example, if more time is needed to investigate how the request can be accommodated or to consult several members of staff.
- 8.5 There will be circumstances where, due to the requirements of the Trust, the request cannot be agreed. In these circumstances, the Head of Establishment or Senior Leadership Team member will write:
  - 8.5.1 explaining the reasons for turning down an employee's application; and
  - 8.5.2 setting out the appeal procedure.
- 8.6 The reasons for which the Trust may reject a request are:
  - 8.6.1 the burden of additional costs;
  - 8.6.2 detrimental effect on ability to meet customer/pupil needs;
  - 8.6.3 inability to reorganise work among existing staff;
  - 8.6.4 inability to recruit additional staff;
  - 8.6.5 detrimental impact on quality;
  - 8.6.6 detrimental impact on performance;
  - 8.6.7 insufficiency of work during the periods that an employee proposes to work; and
  - 8.6.8 planned changes.

## **9 Formal Procedure: Appeal**

- 9.1 If a formal request is rejected, an employee has the right to appeal.
- 9.2 The appeal must:
  - 9.2.1 be in writing and dated;
  - 9.2.2 set out the grounds on which an employee is appealing; and
  - 9.2.3 be sent to the Head of Establishment within fourteen days of the date on which the written rejection of the request was received.
- 9.3 The Head of Establishment will arrange for a meeting to take place following receipt of the appeal. The meeting will be held at a convenient time for all those attending and, an employee may be accompanied by a colleague of his/her choice.
- 9.4 Where possible an appeal meeting will be conducted by the Head of Establishment or a member of the Trust Central HR Team who has not been previously involved in considering the request if the Head of Establishment took the original decision.
- 9.5 An employee will be informed in writing of the Appeal Officer's decision within 4 working weeks of the appeal meeting.
- 9.6 If the appeal is upheld, an employee will be advised of the new working arrangements, details of any trial period, an explanation of changes to his/her contract of employment and the date on which they will commence. An employee will be asked to sign and return a copy of the letter. This will be placed on an employee's personnel file to confirm the variation to his/her terms of employment. There may also be some additional practical matters, such as arrangements for handing over work that will need to be discussed.

- 9.7 An employee should be aware that changes to his/her terms of employment will be permanent and he/she will not be able to make another formal request until twelve months after the date of the original application.
- 9.8 If the appeal is rejected, the written decision will give the reason(s) for the decision and explain why the reason(s) apply in the particular case. An employee will not be able to make another formal request until twelve months after the date of the original application.



## **10 Changes to the Formal Procedure**

- 10.1 There will be exceptional occasions when it is not possible to complete a stage of the procedure within the expected time limits. Where an extension of time is agreed with an employee, it will be confirmed in writing.
- 10.2 If an employee withdraws a formal request for flexible working, he/she will not be eligible to make another formal request for twelve months from the date of the original request. In certain circumstances, a request made under the formal procedure will be treated as withdrawn. This will occur if an employee fails to attend two meetings without good cause. In such circumstances, an employee will receive written confirmation that the request has been treated as withdrawn.

## **11 Making an Informal Flexible Working Request**

- 11.1 An employee who wishes to make an informal request for flexible working may make a request to the Head of Establishment, who will consider it according to the business and operational requirements of his/her establishment.
- 11.2 It will help the Head of Establishment to consider the request if:
  - 11.2.1 the request is made in writing and confirms whether any proposed change to an employee's current working pattern is intended to be temporary or permanent;
  - 11.2.2 provides as much information as an employee can about his/her current and desired working pattern, including working days, hours and start and finish times, and gives the date from which the desired working pattern would start; and
  - 11.2.3 an employee thinks about what effect the changes to working patterns requested will have on the work that he/she does and on colleagues, as well as on the Establishment's delivery of education/service and that of the relevant department. If an employee has any suggestions about dealing with any potentially negative effects, they should be included in the written application.
- 11.3 The Head of Establishment will advise an employee on what steps will be taken to consider the request, which may include inviting an employee to attend a meeting, before advising him/her of the outcome of the request.

## **12 Monitoring, Evaluation and Review**

- 12.1 The policy will be promoted and implemented throughout all Trust establishments.
- 12.2 The Trust will monitor the operation and effectiveness of arrangements referred to in this policy at each Trust establishment.
- 12.3 The Trust will review this policy every two years in consultation with each Trust establishment.