



LIGHTHOUSE
SCHOOLS PARTNERSHIP

FLEXIBLE WORKING POLICY

Non Statutory

This Policy applies to all schools and employees within the Lighthouse Trust Partnership.

Policy Approved by the Board of Trustees

Signed:

Date 16 March 2020

Name: Adele Haysom

Chair of Board of Trustees

Authorised for Issue

Signed:

Date 16 March 2020

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Document History

Version	Author/Owner	Drafted	Comments
1.0	Tara Phillis	26.5.17	Based on Browne Jacobson model policy personalised to LSP
1.1	Tara Phillis	30.6.17	Changes post GJL & CS 29.6.17
1.2	Nicola Harris-Evans	8.9.17	Changes post Trustee feedback
1.3	Amy Sutton	2020	Change

Date Policy Adopted	
Review cycle	Every 3 years
Review date	Autumn Term 2022

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1. INTRODUCTION

- 1.1. This Flexible Working Policy has been written for the effective function of the Trust's operations and the wellbeing of its employees. The Trust recognises that flexible working can provide benefits to employees. Flexibility can have a positive impact for all.
- 1.2. This policy sets out standards of practice expected from you when considering a flexible working arrangement and applies to all Teachers and Support staff. The aim of this policy is to assist Teachers and Support staff to perform effectively by ensuring the work-life balances are clearly communicated.

2. STATUTORY PROVISIONS

- 2.1 **Scope:** All employees, with 26 weeks' continuous service with the Trust, and providing they have not made another application during the past 12 months, may submit a flexible working request. Arrangements may be requests which are informal or formal, temporary or permanent. It is the responsibility of the employee to fully understand the nature and impact of their request.
- 2.2 There are a number of reasons why due consideration will be given to flexible working requests:
- improve business efficiency and productivity;
 - improve the balance between life and work;
 - create a positive and inclusive environment;
 - create a happy and healthy workforce.
- 2.3 The Trust's provision for flexible working arrangements aims to facilitate, but not limited to, childcare and caring responsibilities, flexible retirement and voluntary activities.
- 2.4 In order to maintain the continuity of its business, the Trust will not be able to provide flexible working as an automatic right for employees.
- 2.5 The School/Central Team will consider all requests for flexible working on their own merits, and assessing each request based on the needs of both the business and the employee.
- 2.6 The School/Central team's agreement to one employee's request (either within the same department or another area), will not set a precedent or create a right for another employee to be granted the same or a similar change to their working pattern.
- 2.7 It shall be the responsibility of both the manager and the employee to consider, assess and evaluate the potential business implications of implementing flexible working arrangements, for instance, but not limited to, the potential impact on costs, supervision, staff, services and the Trust's ability to meet its objectives.
- 2.8 It shall be the responsibility of both the Headteacher/Line manager and the employee to proactively manage flexible working relationships, regularly reviewing existing flexible working arrangements (at least annually) to ensure that these continue to be effective in meeting the needs of both the School/Central team and the employee.

3. FLEXIBLE WORKING:

3.1 Guidance for Staff

Flexible working may involve a change to working pattern, relating to the times staff are required to work, the number of hours they are required to work or where they are required to work, for example between schools in the Trust. The flexible working options outlined within this guidance may be

considered in relation to these factors and any personal circumstances that may be affecting the employee.

The School/Central team will consider requests from all staff with **26 weeks' continuous service**, providing they have not made another application during the past 12 months.

This statutory right extends to all employees, with 26 weeks' continuous service, through new legislation since June 2014. There is no statutory right for a request to be agreed.

3.2 Considering flexible working arrangements

If you wish to make a request for flexible working, it is important to consider the possible business implications associated with adopting flexible working arrangements. These considerations will help you to better explore and discuss the proposed changes with your manager.

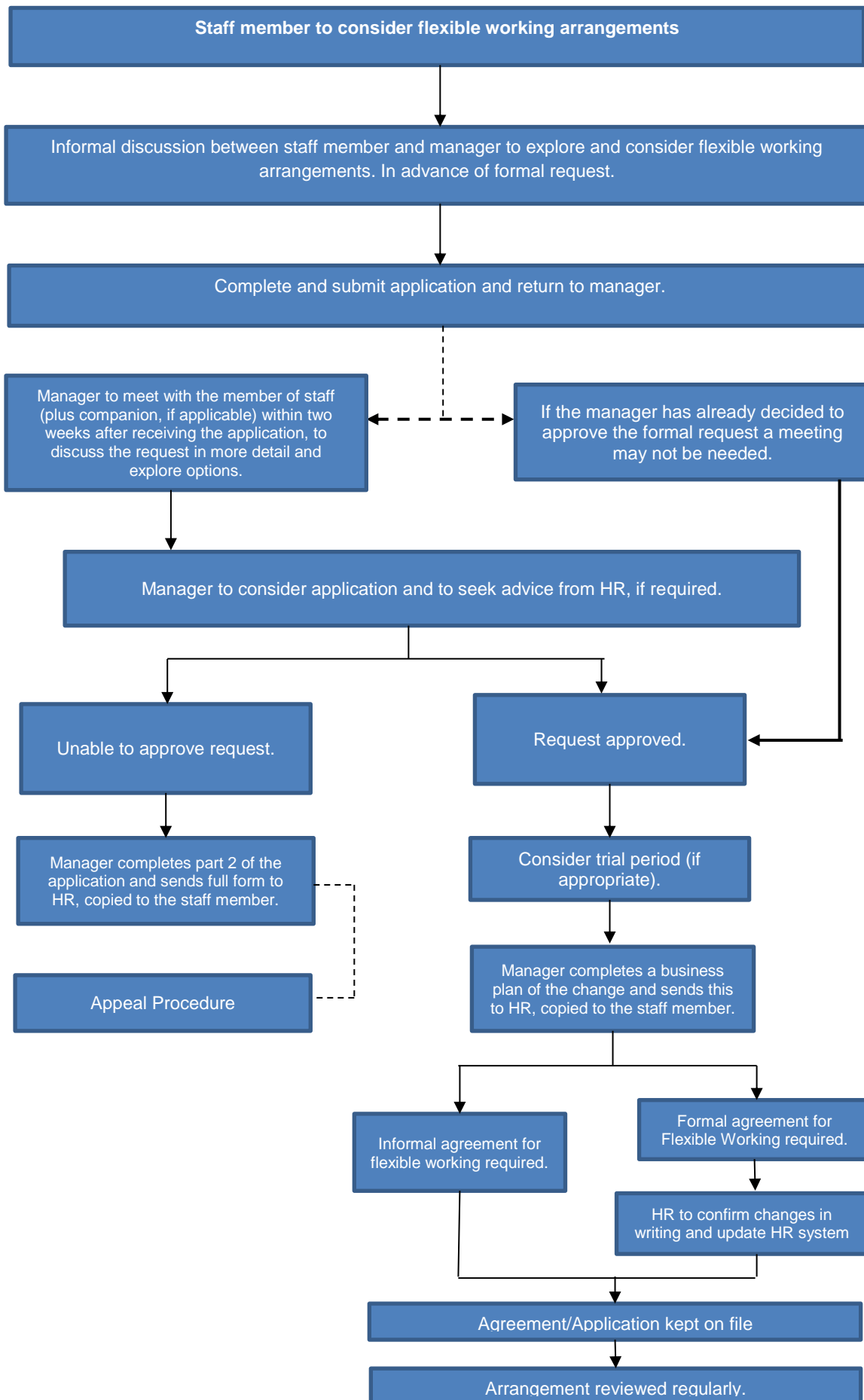
If you are applying for a new post and wish to request consideration of flexible working, this can be discussed with the recruiting manager via the contact details included on the Job specification document.

3.3 Flexible Working Process

This procedure is to be used for all requests for flexible working arrangements, regardless of whether they require a change to the employment contract.

In order to maintain the continuity of its business, the School/Central team may not be able to accommodate all requests for flexible working. However, each request will be considered on their own merits and assessed based on the needs of both the business and the staff member.

The flowchart below summarises the process.



4. FLEXIBLE HOURS

- 4.1 Flexibility of working hours (whether full or part-time) can assist recruitment, reduce absenteeism and improve morale, while tailoring working hours around workload requirements. Flexible working hours can be especially advantageous for those with caring responsibilities, or those who have to commute long distances. It is true to say that a great deal of flexibility exists on working hours across each school, and the Trust wishes to support and encourage such an approach.
- 4.2 However, it is important that the needs of the students determine the Trust and School decision. In deciding on such requests the School/Central team will consider:
- the needs of the School/Central team will vary over time. Any scheme that is introduced needs to be appropriate to the current situation and include a mechanism for review.
 - that staff are aware that flexibility is dependent upon the operational needs of the School/Central team.
 - that staff are aware of how much flexibility is available and where any lines are drawn.
 - justifying decisions and rationale, if some staff are offered more flexibility than others, explaining clearly the reasons and consider the impact of flexibility on colleagues.
 - The school will retain requests and outcomes on personnel files.
 - what arrangements will operate for instances of sickness, holidays, overtime, etc.
 - how abuses of the flexible working hours' system will be managed – in most cases this will be the disciplinary policy.

Further advice is available from the HR team.

- 4.3 In addition, the degree of flexibility required around the work pattern needs to be clearly discussed and confirmed in writing to the employee. Any requests from staff to move to part-time hours must be seriously considered and any effects upon operational requirements considered carefully.

5. PROCEDURE FOR MAKING AND CONSIDERING FLEXIBLE WORKING

- 5.1 The following procedure is in line with the statutory procedure for requesting flexible working/time for training. The Trust recognises the benefit of flexible working to all employees and as such has opened this procedure to all staff.
- 5.2 Where a member of your staff wishes to request flexible working/time for training, the following procedure will apply:
- The member of staff should make a written request to the Headteacher/Line manager using either the flexible working application form or through a letter.
 - The request should give details of their request; stating the date the request is made; the reason they are requesting the flexible work and change to working conditions they are seeking; the date they would like the change to take effect and if this is a temporary or a permanent change; whether they have made a previous application for flexible work and the date of that application; what change to working conditions they are seeking and how they think this may affect the business e.g. cost saving to the business OR if they are making their request in relation to the Equality Act 2010, for example, as a reasonable adjustment for disabled employee.
 - Within two weeks of receipt of the request, a meeting to discuss the application will be organised between the Headteacher/line manager and the employee. If the Headteacher/line manager has already decided to approve the formal request a meeting may not be needed. Such a meeting must take place even where the member of staff is on maternity or sickness leave.
- 5.3 The guidance above details many of the areas the School/Line manager will consider when making decisions. The following broad areas will also be considered and weighed against the reasons behind the request:

- burden of any additional cost to the School/Central team;
- impact on ability to meet the needs of 'customers' (whether these be students, staff or others) and operational requirements;
- ability to organise the work within available staffing;
- impact on quality;
- impact on individual or departmental performance;
- ability to recruit staff to cover any gaps;
- sufficiency of work during the periods your member of staff proposes to work;
- planned structural changes.

5.4 All requests should be considered in accordance with the Trust's Equality and Diversity Policy (available on Foldr on LSP Gateway). The Headteacher/Line manager may choose to consult with the Head of HR and/or CEO to discuss the request. The employee has the right to bring a trade union representative or work colleague to the meeting to discuss the request.

5.5 Following the meeting, the Headteacher/Line manager will reach a final decision regarding the request. The decision should be recorded on the application form, which should then be forwarded directly to the HR team within two weeks of the meeting, as the Central HR team will write to the employee to formally confirm the outcome.

5.6 The letter to the individual from the Central HR team will either:

- confirm that the request has been accepted and detail the appropriate arrangements and date from which these will start, or
- confirm details of any amended request and associated arrangements that have been agreed and date from which these will start, or
- confirm that the request cannot be accommodated, giving a short explanation of the reasons (see point 5.3) for this and setting out the appeal procedure.

Where applicable, the letter will also include details of any formal review arrangements, and, if appropriate, set out any action on which the agreement is dependent.

6. APPEALS

6.1 Where a request has been refused, the member of staff has 10 working days from the date of notification of the decision to lodge an appeal. This will be outlined in the letter explaining the reasons for the refusal. The appeal should be sent to the Chair of Governors / CEO / Chair of Trustees and should set out the reasons for the appeal. If you are unsure, please contact the central HR team.

6.2 Within 14 days of the date of receipt of the request for an appeal, an appeal hearing will be arranged involving three Governors/Trustees. Either party may seek further information prior to the appeal hearing. The Chair of Trustees will decide the composition of the panel.

6.3 The individual will have the right to attend the hearing and to be accompanied by a trade union representative or other work colleague representative. The Headteacher/Line manager who made the initial decision regarding the request will also attend.

6.4 Within 10 days of the hearing, the Headteacher/CEO will write to the individual to inform them of the outcome of their appeal. This letter will also set out responses to any points raised in the appeal. Where the appeal panel overturns the original rejection of the request, or suggests an alternative outcome, the individual will be consulted on the implications and implementation.

- 6.5 Once agreed, at whatever stage of this procedure, any change as agreed will either be permanent and the employee will not be entitled to revert back to their old working pattern without a new flexible time request (after 12 months) or temporary and the agreed date of termination of the flexible request will mean that the employee will be able to revert to the old working pattern.

7. FLEXIBLE WORKING APPLICATION FORM

7.1 Note to the employee:

All staff have the right to apply for flexible working if they meet the qualifying criteria. Any application must be by form (Appendix 1) including: date of application; a statement that this is a statutory request; details of why and how the employee wants to work flexibly and when they want to start; an explanation of how they think flexible working might affect the business and how this could be dealt with, e.g. if they are not at work on certain days; a statement saying if and when there has been a previous application. You can use this form to make an application to work flexibly under the right provided in law to eligible employees.

7.2 Guidance

The law requires that all requests including any possible appeal process must be considered and decided within a period of three months from first receipt. You should therefore ensure that you submit your application to the Headteacher/Line manager well in advance of the date you wish the request to take effect. It will help the School/Central team to consider your request if you provide as much information as you can about your desired working pattern. It is important that you complete all the questions as otherwise your application may not be valid. You must be clear on what effect your change in working pattern will have both on the work that you do and on your colleagues.

Once you have completed the form, you should immediately forward it to the Headteacher/Line manager (keeping a copy for your own records). If the request is granted, this will be a change to your terms and conditions unless otherwise agreed.

7.3 Withdrawing an application

Employees should tell the School/Line manager in writing if they want to withdraw their application. The School/Line manager can treat an application as withdrawn if the employee misses two meetings to discuss an application or appeal without good reason, e.g. sickness. The School/Line manager will tell the applicant in writing, if the request is being treated as withdrawn.

7.4 Appealing a decision

The Headteacher/Line manager will duly consider all requests fairly and equally in line with the School's aims, objectives and needs. Requests can be refused on an application submitted, if they have a good business reason for this.

Note to the employer:

This is a formal application made under the legal right to apply for flexible working and the duty on employers to consider applications in a reasonable manner. Confirmation of receipt of this application should be sent in writing to the employee as soon as possible.

i. APPENDIX 1: APPLICATION FORM

APPLICATION FOR FLEXIBLE WORK	
Personal Details	
Name:	School:
Job title:	National Insurance No:
Headteacher/Line manager:	
To:	
<p>I would like to apply to work a flexible working pattern that is different to my current working pattern under my right provided under section 80F of the Employment Rights Act 1996. I confirm I meet the eligibility criteria as follows:</p> <ul style="list-style-type: none"> • I have worked continuously as an employee of the Trust for the last 26 weeks. • I have not made a request to work flexibly under this right during the past 12 months. 	
Dates of any previous applications for flexible working and decisions granted:	
Reason for Request	
I am requesting this flexible working because:	
Working Pattern	
<p>1. Describe your current working pattern (days/hours/times worked):</p> <p>2. Describe the working pattern you would like to work in future (days/hours/times worked):</p> <p>3. I would like this working pattern to commence from (DATE):</p> <p>4. I would like this change to be: TEMPORARY / PERMANENT</p>	
Impact of the new working pattern	
I think this change in my working pattern will affect my employer and colleagues as follows:	

Unique document no:

Document title

Flexible Working Policy

Version

1.3

Accommodating the new working pattern

I think the effect on my employer and colleagues can be dealt with as follows:

Name:

Date: