



FLEXIBLE WORKING POLICY

Updated September 2017
Approved by the Principal

1. Introduction

1.1 The Employment Act 2002 introduced the right for parents of children under the age of 6 (or 18 if disabled) to apply to work flexibly. This right was extended in April 2007 to include the carers of certain adults. From 6 April 2009, the Flexible Working (Eligibility, Complaints and Remedies) (Amendment) Regulations 2009 extended the right to request flexible working to parents of children up to the age of 16. Consequently, the Academy has a duty to seriously consider any such applications.

2. Aims of the Policy

2.1 The aim of this policy is to ensure that staff are made aware of the right to apply, and the requirements for flexible working, in order that eligible staff are able to maintain a better work – life balance and that the Academy complies with all of its obligations imposed by law, and that all applications to work flexibly are dealt with fairly and consistently.

3. Provision

3.1 In order to be able to apply to work flexibly employees must meet the following criteria:

- (a) be an employee who has worked for the Academy continuously for at least 6 months
- (b) either have a child up to the age of 16 (18 if disabled), or be the carer of an adult relative or partner of the employee
- (c) not have made a successful application to work flexibly in the preceding 12 months.

4. Procedure

4.1 An employee who wishes to apply to work flexibly must do so in writing to their line manager including the following information:

- (a) a statement that it is being made under the employee's statutory right to apply for flexible working
- (b) the employee's reason for making the application
- (c) the employee's proposed flexible working plan, and an explanation of what effect the employee thinks it will have on the Academy's business and how it can be dealt with
- (d) a start date for the proposed change which allows reasonable time for the Academy to consider and implement the proposal; and
- (e) the date on which the application is made and the dates and results of any previous applications to work flexibly.

4.2 The Principal will arrange a meeting with the employee to discuss the request within 28 days, to which the employee may bring a colleague if they wish.

- 4.3 the employee will be notified of the decision within 14 days of the date of the meeting. This notification will either:
- (a) Accept the request and confirm the start date as well as any other action;
 - (b) Confirm a compromise agreed at the meeting
 - (c) Reject the request and give clear business reasons for doing so together with details of the appeals process.
- 4.4 The Academy will only refuse a valid request to work flexibly on one or more of the following grounds:
- (a) The burden of additional costs
 - (b) Detrimental effect on ability to meet customer demand
 - (c) Inability to reorganise work among existing staff
 - (d) Inability to recruit additional staff
 - (e) Detrimental impact on quality
 - (f) Detrimental impact on performance
 - (g) Insufficiency of work during the periods the employee proposes to work
 - (h) Planned structural changes.
- 4.4 Where a request to flexibility is granted there is no automatic right for the employee to return to their previous pattern of work.

5. Appeals

- 5.1 Employees have the right to appeal a refusal of a request to work flexibly.
- 5.2 An employee who wishes to appeal should do so in writing to the Principal within 14 days of being notified of the refusal.
- 5.3 The employee will be notified of the appeal date which must be within 14 days of the Academy receiving the employee's appeal. The employee is entitled to be accompanied by a friend or colleague if they wish.
- 5.4 The employee will be notified of the appeal decision within 14 days of the appeal meeting. The notification will either:
- (a) uphold the appeal, specify the agreed variation and start date
 - (b) dismiss the appeal, state the grounds for the decision and contain a sufficient explanation of the refusal
- 5.5 The appeal decision is final.