



ORMISTON
SIX VILLAGES
ACADEMY



FLEXIBLE WORKING POLICY

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I. Policy statement and principles

I.1 Policy aims and principles

- Ormiston Academies Trust (OAT) believes that flexible working can increase staff motivation, promote work-life balance, reduce employee stress and improve performance and productivity.
- From 30 June 2014, all employees who have a minimum of 26 weeks' continuous service have the right to request flexible working and to have their request considered seriously by OAT.
- Employees are eligible to make one flexible working request in a 12 month period.

This policy is consistent with all other policies adopted by OAT and is written in line with current legislation and guidance.

I.2 Complaints

All complaints are dealt with under the **OAT Complaints Policy**.

Complaints should be made in writing and will follow the OAT complaint procedures and set timescales. The handling of complaints may be delegated to an appropriate person.

The outcome of the complaint will be communicated in writing.

I.3 Monitoring and review

This policy will be reviewed every two years or in the following circumstances:

- changes in legislation and / or government guidance
- as a result of any other significant change or event
- in the event that the policy is determined not to be effective

If there are urgent concerns these should be raised to the HR Department in the first instance for them to determine whether a review of the policy is required in advance of the review date.

2. Roles and responsibilities

2.1 Key personnel

Director of People and Projects		
Contact Details	Email	Carmel.brown@oatoe.co.uk
	Telephone	01212624717

3. Requests for flexible working at OAT

- 3.1 A request for flexible working could include a request for a change to the number of hours that the employee works, a request for a change to the pattern of hours worked, a request to job share or a request to perform some or all of the work from the employee's home.
- 3.2 All requests must be made in writing by filling in the requisite application form, which is available in Appendix I of this policy. Any request made under this policy must include:
 - the date of the application;
 - the changes that the employee is seeking to his/her terms and conditions;
 - the date on which the employee would like the terms and conditions to come into effect;
 - what effect the employee thinks the requested change would have on the organisation;
 - how, in his/her opinion, any such effect might be dealt with;
 - a statement that this is a statutory request;
 - whether or not the employee has made a previous application for flexible working; and
 - if the employee has made a previous request, when the employee made that application.
- 3.3 Where the request is being made linked to a disability as part of a request for a reasonable adjustment to his/her working arrangements, the employee should state this in the written application.
- 3.4 Line managers should not reject out of hand a request that does not contain the required information. Line managers should explain to the employee what additional or amended information he/she needs to provide and ask the employee to resubmit the request.

4. Meeting to discuss a flexible working request

- 4.1 Once the line manager receives the request, it will be dealt with as soon as possible, but no later than the deadline set out below. The line manager will usually arrange a meeting to deal with the request.
- 4.2 Where a request can without further discussion be approved in the terms stated in the employee's written application, a meeting will not be necessary.
- 4.3 An employee should be given the right to be accompanied by a work colleague at any flexible working meeting. The meeting should take place in a private meeting room so that the discussion is kept away from other employees. The aim of the meeting is to find out more about the proposed working arrangements and how they could be of benefit to both the employee and organisation.

5. Outcome of a flexible working request

- 5.1 After the meeting, the line manager will consider the proposed flexible working arrangements carefully, weighing up the potential benefits to the employee and to the organisation 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.
- 5.2 The employee will be informed in writing of the decision as soon as is reasonably practicable after the meeting, but no later than three months. The request may be granted in full or in part: for example, the

organisation may propose a modified version of 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.

Flexible working requests that are granted

5.3 If the request is upheld, the employee and the line manager will discuss how and when the changes will take effect.

5.4 Any changes to terms and conditions will be put in writing and sent to the employee as an amendment to his/her contract of employment/written statement of terms and conditions of employment as soon as is reasonably practicable.

Reasons for turning down a flexible working request

5.5 The line manager will give reasons for the rejection of any request. Those reasons must be for one or more prescribed business reasons, which are:

- the burden of additional costs;
- an inability to reorganise work among 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 change to the business.

The line manager must not reject a request for any other reason.

5.6 The employee will be given the right to appeal the decision if the employee's request is not upheld.

6. Appeal

6.1 Employees whose request is not fully upheld has the right to appeal the decision.

6.2 The employee must submit their appeal in writing to the line manager who made the decision within 14 days of the outcome being communicated. The employee must state their grounds for appeal in the letter.

6.3 Any appeal should be heard by a different manager who must arrange a meeting and communicate his/her decision to the employee within 14 days and also within the three-month timescale.

6.4 If a request is upheld, the employee must be notified of his/her new terms and conditions in writing. These may either be enclosed within the decision letter or otherwise communicated in writing to the employee as soon as possible thereafter.

6.5 An employee should be given the right to be accompanied by a work colleague at any flexible working appeal meeting.

6.6 The decision made at appeal stage is final and there is no further right of appeal through this policy.

7. Timescales

- 7.1 All requests will be dealt with within a period of three months from first receipt to notification of the decision on appeal.
- 7.2 The line manager should hold the initial meeting within 28 days of receiving the request and notify the decision to the employee within 14 days of the meeting, so that there is enough time for any appeal to be concluded.
- 7.3 Employees who are dissatisfied with the outcome of their request are allowed to lodge an appeal within 14 days of the notification, with the appeal to be heard within 14 days. The employee will be informed of the outcome of his/her appeal within 14 days of the appeal meeting.
- 7.4 These time limits may be extended where both the employee and employer are in agreement. For example, the relevant manager and the employee may agree to extend the time limit to give the employee a trial period on the flexible working arrangements.

8. Issues with flexible working request

- 8.1 If an employee is dissatisfied or unclear at any stage throughout the process, he/she should contact the HR department for advice. If an employee is dissatisfied with the way in which his/her request has been handled, he/she should raise a grievance under the organisation's grievance procedure.
- 8.2 Line managers who receive a request will have regard to the organisation's equal opportunities policy when considering the request.
- 8.3 If an employee fails to attend a meeting, including an appeal meeting, and then fails to attend a rearranged meeting without good reason, his/her application will be deemed to have been withdrawn.

Appendix I - Form for making a request for flexible working

Form for making a request for flexible working		
Name of individual:		
Department:		
<p><i>To be eligible to make a request for flexible working, you must have 26 weeks' continuous service at Ormiston Academies Trust. If you are uncertain whether or not you are eligible to make a request, please contact the HR department for advice. You can make only one request in every 12-month period.</i></p>		
Start date with the organisation:		
Date form submitted:		
Previous applications for flexible working		
Have you submitted a previous request for flexible working? (If yes, please answer the next question.)	Yes	No
When did you submit your last request for flexible working?		
Are you a disabled person whose request for flexible working is related to your disability?	Yes	No
I wish to submit a statutory request for flexible working as detailed below.		
<p><i>Please set out the pattern of working that you are seeking. For example, if you wish to change your hours of work, please state what your current hours are and what you would like your new hours to be or, if you wish to work at home at certain times, please state which hours you would like to work at home.</i></p>		

I would like the above change(s) to my working pattern to take effect on:			
Please state the effects that you think the changes you are requesting will have on the organisation's ability to run its business and on your department, your colleagues etc.			
Please state how you think any such effect might be dealt with.			
<p><i>Once you have submitted a valid application for flexible working, the organisation will contact you to arrange a meeting, which will take place within 28 days of the application being submitted, to discuss how the pattern of working you have requested might be made to work. If your request is granted, it will mean a permanent change to the terms and conditions of your employment, unless agreed otherwise.</i></p> <p><i>It will help us to deal with your application if you provide as much information as you can about your desired working pattern. It is also important that you complete the questions about the effects that you think the changes you are requesting will have on the organisation and your colleagues.</i></p>			
Signed:		Date:	