



## Flexible Working (Academy)

*This policy/procedure/guidance is written by Worcestershire County Council HR and has been adopted by DOWMAT Board on 7.10.22 to apply to all schools in the DOWMAT. It is to be read in conjunction with the DOWMAT Scheme of Delegation (HR policies and procedures section and Appendix 1.).*

### Our Vision

'To Love, To Learn, To Serve' sums up the DoWMAT's vision for those who come together to create the MAT, enabling all to flourish both as individuals and in community with each other; living life in all its fullness (John 10:10).

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## Our Values

### To Love

The New Testament sums up the entire law as a call to “love your neighbour as yourself” (Galatians 5:14). The Bible teaches that we are only able to love because God first loved us (1 John 4:10). This love is expected to characterise the way in which the DoWMAT operates, makes decisions, builds relationships, and carries out its day-to-day business: each person putting the needs of others before their own, with a commitment to the flourishing of all. The exposition of love in 1 Corinthians 13 reminds us that love is patient, kind, forgiving, generous, humble, trusting, respectful, hopeful, resilient and enduring. Those who learn and work in the DoWMAT, and all who come into contact with it, can expect to experience that love in the way that they are treated.



### To Learn



The DoWMAT is a Christian learning community that is committed to enabling all to live a life of freedom and transformation as a result of the hope and wisdom that learning brings. Learning is at the heart of the Church of England’s vision for and commitment to education. Growing in wisdom is celebrated in the Bible and all are exhorted to listen, to seek guidance, to acquire knowledge and to learn discretion (Proverbs 1: 1-6), largely through human relationships and interactions. Jesus’ teaching, as summed up in the Beatitudes (Matthew 5:3-10), describes human beings who are learning to live a life that is characterised by humility, compassion, mercy, righteousness and peace. The learning that takes place within the DoWMAT is expected to be recognisably rooted in these godly characteristics and focused upon enabling the holistic development of people who are made in the image of God.

### To Serve

Service and servant leadership, was a striking feature of the way in which Jesus lived his life. The example he gave to his disciples in washing their feet (John 13:1-17) provides us with a role model for the way in which we should seek to live in community with others. Putting the needs of others before our own, supporting people in their growth and development as holistic human beings, enabling people’s gifts and talents to come to the fore as a result of our service to them are all defining characteristics of the way in which the DoWMAT operates. In serving others and meeting their needs through generosity of spirit, we manifest God’s grace and love for others (1 Peter 4:8-11).



These core values underpin all aspects of our Trust as we strive to make a positive difference to the lives of all DoWMAT pupils whilst they are at school and in later life. Through these values, we can be sure our community is one of hope; a place of transformation and trust, where all are treated with respect and dignity.

**OUTSTANDING PROFESSIONALS | COLLABORATIVE PARTNERSHIPS | STRONG SYSTEMS | CONFIDENT LEARNERS**

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## **1. Introduction**

- 1.1. The School/Academy believe that flexible working can increase staff motivation, promote work-life balance, enrich employee wellbeing, and improve performance and productivity.
- 1.2. The School/Academy are committed to offering a range of flexible working options to help employees to find a positive balance between their home and work lives, and recognises the benefits that flexible working can bring to the School/Academy, it's employees and their families.
- 1.3. This policy sets out our approach to handling flexible working requests, which is in line with statutory requirements.

## **2. Scope**

- 2.1. The School/Academy believe that all employees should be offered the right to request to work more flexibly and will therefore consider flexible working requests under this procedure from any employee, subject to 2.2.
- 2.2. With effect from 6 April 2024 employees are entitled to make two requests in any 12-month period, and there are no minimum employment/service requirements.

## **3. Right to be Accompanied**

- 3.1. Employees have the right to be represented by a Trade Union representative or accompanied by a work colleague at any formal meetings and/or appeals held under this policy. Where a work colleague is also a relative/partner the employee will be asked to select an alternative companion. Employees should let the meeting chair know, in advance, the name and capacity (Trade Union representative or colleague) of their intended companion to enable their inclusion in the arrangements for the meeting.
- 3.2. The companion can address the formal meeting, put and sum up the employee's case, respond on the employee's behalf to any views expressed at the formal meeting and confer with them during the formal meeting. They may also request an adjournment and ask questions of anyone present. The companion does not have the right to answer questions on the employee's behalf, address the formal meeting if the employee does not wish it or prevent the employer representative, when in attendance, from explaining their case.
- 3.3. A formal meeting and/or appeal should not be unreasonably delayed because a chosen companion is unavailable. The employee should liaise with the relevant TU representative or companion to arrange a mutually convenient time. If an employee's TU representative or companion is not available at the time a meeting is scheduled, the meeting can be postponed to a time proposed by the employee, providing the alternative time is reasonable and not more than five working days after the date originally proposed. If the companion is not available for more than 5 working days afterwards, the School/Academy may ask the employee to choose someone else.

- 3.4. Consistent with the fact that formal meetings and hearings are internal proceedings, external representatives such as solicitors or family members will not be permitted to attend.

#### **4. Types of Flexible Working**

- 4.1. Examples of flexible working include:

- reducing the number of contractual working hours
- changing start and finish times
- compressed hours
- place of work

- 4.2. This is not an exhaustive list; line headteachers/managers should also consider any other suggestions for flexible working arrangements that an employee has.

#### **5. Making a Request for Flexible Working**

- 5.1. All requests must be made by using the Flexible Working Request form.

- 5.2. Any request made under this policy must include:

- the changes being requested,
- the reason for the changes being requested,
- the effective date of the proposed changes,
- whether the request is for a temporary change (unless specifically requested/agreed, any contractual change will be considered permanent) ,
- whether or not you have made previous application/s for flexible working, and if so when any applications were.

- 5.3. The Flexible Working Request form has been designed to provide all the necessary information to help headteachers/managers make a decision and avoid any delay. Where a request does not contain all the required information, employees will be asked to resubmit the request with the necessary additional information before it is considered.

- 5.4. When making a request, employees should give as much notice as possible of the desired start date.

#### **6. Timescales**

- 6.1. A flexible working request should be dealt with as soon as possible after it has been submitted. The maximum timescale for dealing with a request (including any appeal) is two months.

- 6.2. The timescales within this policy may be extended where this is mutually agreed.

- 6.3. If an employee fails to attend any meeting to discuss their flexible working request, and then subsequently fail to attend a rearranged meeting without good reason, their application will be deemed to have been withdrawn. If this occurs the Headteacher/Manager should confirm this in writing.

## **7. Meeting to Discuss a Request**

- 7.1. When a request is received, the Headteacher/Manager should acknowledge receipt and arrange to meet with the employee as soon as possible to discuss their request.
- 7.2. Where a request can, without further discussion, be approved on the terms set out in the application, a meeting may not be necessary.
- 7.3. If the request is not straightforward or easily accommodated, is likely to be refused or where a compromise might need to be reached, the meeting should be arranged, and the employee be given the right to be accompanied.
- 7.4. Headteachers/Managers should not be able to refuse a request unless the employee has been consulted.
- 7.5. Employees should be given at least 5 working days' written notice of the formal meeting.
- 7.6. The purpose of the formal meeting is to explore the desired work pattern in depth and to discuss how the request might be accommodated, and to consider other alternative working patterns should there be problems in accommodating the work pattern requested.

## **8. Considering a Request**

- 8.1. After discussing the request with the employee, the Headteacher/Manager should consider the proposed flexible working arrangements carefully, including the potential benefits to the employee (and the school) and any adverse impact of implementing the changes.
- 8.2. Where changes can be accommodated, requests may be granted in full or in part. For example:
  - The Headteacher/Line manager may propose a modified version of the request
  - The request may be granted on a temporary basis.
  - The employee may be asked to try the flexible working arrangement for a trial period.
- 8.3. 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 their working pattern/arrangements.

## **9. Approving a Request**

- 9.1. The Headteacher/Manager must write to the employee within 5 working days of the meeting/decision, to confirm the outcome of their request.
- 9.2. Unless specifically requested/agreed, any change to working arrangements will be considered permanent.

9.3. Once a request is approved the school/academy is responsible for ensuring that the employee's contractual working hours and working pattern are updated.

## **10. Refusing a Request**

10.1. Legislation dictates that a request can only be refused if it can be demonstrated/ evidenced that there is a valid business reason for doing so. A request can only be turned down if:

- It will cost too much
- It is not possible to reorganise the work among existing staff
- It is not possible to recruit additional staff
- There will be a detrimental impact on quality
- There will be a detrimental impact on performance
- There will be a detrimental effect on the team's ability to meet customer demand
- There is insufficient work for the periods the employee proposes to work
- There are planned structural change to the business.

10.2. If a request is refused, the outcome letter must provide the employee with a written explanation and referencing the evidence of why the request cannot be agreed, the rationale for the decision, and under which of the grounds outlined above (see 11.1) the refusal is being made.

## **11. Right of Appeal**

11.1. Employees have the right to appeal if their request for flexible working is rejected or only agreed in part. Appeals will be heard by a more senior level manager from within the school/academy.

11.2. Employees wishing to make an appeal should set out the grounds on which they are appealing by submitting form FW2. The completed FW2 form should be sent to the Headteacher/Manager who made the original decision, within 5 working days of the decision being notified to them.

11.3. When an appeal is received, the Headteacher/Manager should acknowledge receipt and make arrangements for a governor to meet with the employee as soon as possible to discuss their appeal.

11.4. Employees should be given at least 5 working days' written notice the appeal meeting.

11.5. The purpose of the appeal meeting is to discuss the reasons for the appeal and to try and establish a satisfactory result for both the school/academy and the employee.

11.6. The appeal manager must write to the employee within 5 working days to confirm the outcome of the appeal meeting, and confirm that they:

- Uphold the appeal and specify the contract variation agreed to and effective date
- Agree a trial period.
- Dismiss the appeal and give the employee the grounds for the decision and contain sufficient explanation as to why those grounds apply.

11.7. Unless specifically requested/agreed, any change to working arrangements agreed following appeal will be considered permanent.

11.8. A decision at this stage of the internal procedure is final.

## **12. Withdrawing a Request**

12.1. Employees can withdraw their flexible working request at any stage. If they wish to do so they should confirm this in writing to the Headteacher/Manager.

12.2. Any withdrawn application will count towards one of the employee's two applications allowed within a 12-month period.

## **13. Policy History**

Issued	June 2023
Review	April 2026
Updated	April 2024

## Flexible Working Request Form

Name	
Job Title	
School	
Headteacher/ Line Manager	
Contact No.	
Email	
<p>Under the right provided under the Children and Families Act 2014 I would like to apply to work a flexible working pattern that is different to my current working pattern.</p>	
Number of requests in the previous 12 months.	
<p><b>My current working pattern is (days/hours/times worked):</b></p>   	
<p><b>The working pattern I would like to work is (days/hours/times worked):</b></p>   	
<p><b>The reason I want this change of working pattern is:</b></p>   	
I would like this pattern to commence from (date):	
Signed	
Date	

