Leigh Primary School

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'Caring, Sharing and Learning Together'

Flexible Working Policy

	Signed	Date
Approved by Governing Body	Governing Body	22.06.26
Chairman of Governors	Dave Dorrell	22.06.26
Co-Headteachers	Jenna Halfhide and Joanne Shobbrook	22.06.26

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Guidance Note:

This policy has been developed by the HR Connect for use in all Schools and Academies.

Kent Schools

The Local Authority expects that all KCC Community and Voluntary Controlled Schools will use this document as the basis for their School Flexible Working Policy. This document is also strongly recommended for consideration for adoption by Foundation and Aided Schools.

This document has been shared with representatives of KCC's recognised trade union / professional associations for comment. Schools are advised to ensure staff and unions have the opportunity to comment on the proposed policy prior to the document being formally adopted by Governors.

Kent Academies and Schools / Academies Outside of Kent.

This policy and procedure may be adopted in its entirety or adapted for use by Academies within Kent and Schools / Academies outside of Kent.

Statutory / contractual obligations are highlighted within the policy. Areas where the Academy / School may determine their own approach or adopt varied provisions are also indicated.

HR Connect is able to provide advice and support to Academies in developing their own policies.

Academies are strongly advised to ensure that there is sufficient opportunity for staff and their trade union / professional representatives to comment on the proposed policy prior to the document formally being adopted by Governors.

Please ensure you populate the highlighted sections and remove any non applicable options and also the guidance notes before adopting this policy and procedure.

It is recommended that the School / Academy undertakes an Equality Impact Assessment on all policies for the management of staffing issues.

Part A: Policy

1 Policy Statement

The School recognises that at certain stages during their working lives, Employees may wish to request flexible working arrangements.

The School also acknowledges that Employees have a statutory right to make a flexible working request from day one of their employment and to make up to 2 requests in any 12 month period. The School will give reasonable consideration to requests made under these provisions and will endeavour to grant flexible working arrangements in so far as is practicable, taking into consideration the nature of the individual's job role and also the operational and business needs of the School.

The School reserves the right to decline requests where this would have an adverse impact on the operation of the School or cause undue disruption to other staff.
This policy and procedure explains the process for making and managing requests for flexible working in a consistent and fair manner.

2 Scope

This Policy and Procedure applies to all Employees of Leigh Primary School.

3 Adoption Arrangements and Date

This procedure was adopted by the Governing Body of Leigh Primary School and supersedes any previous flexible working policy and procedure.

This policy will be reviewed by the Headteacher on the advice of HR provider every 2 years or earlier if there is a need. This will involve consultation with the recognised unions where there have been material changes.

4 Responsibilities of the School

- To comply with statutory requirements relating to the management of flexible working requests
- To consult (meet) with Employees to discuss any requests made
- To consider each request fully and fairly on its own merits with regards to the possible business implications of granting the specific request
- To ensure that granting a request does not have a detrimental impact on the operation of the School or work of colleagues

5 Responsibilities of the Employee

- To make flexible working requests in accordance with the provisions of this policy
- To attend any meeting which may be necessary to discuss / consider a flexible working request
- To engage in constructive discussion about feasible alternative patterns of work where it is not possible to accommodate their initial request in full.

6 Authority to Act

Flexible working requests will usually be considered by the Headteacher but may be delegated to his / her nominee. Appeals will be heard by a panel of 1 or more Governors.

Flexible working requests made by the Headteacher will be considered by the Chair of Governors and appeals by a panel of 1 or more Governors.

7 Timescales for Considering a Request

***Guidance note** - Schools may determine their own timeframe for managing flexible working requests and providing they do not exceed the statutory timeframe of 2 calendar months, including the outcome of any appeal. It should be noted that this statutory timeframe includes School closure periods and Schools should ensure that there are arrangements in place to manage requests made outside of term time. Any alternative timeframes should be detailed within this policy.*

Requests will be considered within a reasonable timeframe and without undue delay. An Employee will receive a decision regarding any request within 2 calendar months, this includes the outcome of any appeal.

The indicative timescales stated within this document may be extended by mutual agreement or in cases where a trial of flexible working arrangements takes place.

8 Allowing an Employee to be accompanied

***Guidance note** - there is no statutory right to be accompanied but ACAS guidance indicates that allowing this is good practice*

An employee may be accompanied by a trade union representative or workplace colleague at a meeting to discuss a flexible working request or any subsequent appeal.

9 Equality Considerations

The School acknowledges its obligations and duties under the Equality Act 2010 in the application of the procedure.

Whilst all Employee's may make a request, the School recognises that flexible working arrangements may be considered as a 'reasonable adjustment' to support an employee with a disability (as set out in the Equality Act 2010), following a return from maternity / shared parental /adoption leave or for an employee with caring responsibilities for a dependant.

Part B: Procedure

10 Entitlement to make a flexible working request

An Employee is entitled to make a statutory application to work from the start of their employment.

An Employee may only make two statutory requests in every 12-month period. The 12-month period begins on the date on which the first application is made.

In addition to the statutory provisions, where there has been a significant change in the individual's personal circumstances the Headteacher has discretion to consider a further application within the same 12 months period.

An Employee must wait until the outcome of one flexible working request including the conclusion of any appeal before making a further request.

11 Types of Flexible Working

Under flexible working arrangements, a variety of working patterns may be requested including:

- a change to hours / days worked
- a change to the times worked
- a change to the place of work

A request for flexible working may be made on a permanent or temporary basis.

12 Making a Flexible Working Request

Requests should be made to the Headteacher in writing and include:

- The date of the request
- A statement that the application is being made under the statutory right to request flexible working
- Details of the working pattern the Employee wishes to adopt and whether it is a permanent or temporary change
- The proposed effective date of the change
- The date of any previous applications that has been made in preceding 12 month period.

Alternatively the Employee may complete the request form attached to this document.

Where a request does not contain all the required information the Employee will be asked to re-submit it with all the necessary information. The School reserves the right not to consider incomplete applications.

Where multiple Employees make a flexible working request at the same time – School will usually consider these in the order that they are received.

Where a request is made too far in advance of the proposed implementation date and, as such, the School is not able to make a reasonable assessment of the potential operational impact – the Headteacher may explore with the Employee deferring considering the application until closer to the effective date. Any deferral will only be made with the agreement of the Employee.

The Headteacher will acknowledge and confirm receipt of the request in writing.

13 Consultation Meeting

The Headteacher will arrange a consultation meeting with the Employee to discuss the working arrangements which have been requested. The meeting will usually be held within 14 days of the request being received.

The meeting is an opportunity for the Employee to explain how the proposed working arrangements would be of benefit. It is also an opportunity for the Headteacher and the

Employee to explore any alternative flexible working arrangements which may be appropriate.

The School encourages Employees to have an open and constructive discussion with the Headteacher about what working arrangements may be feasible for the both the School and the individual.

Meetings may be held in person, by telephone or virtually.

An Employee may be accompanied by a trade union representative or workplace colleague at this meeting.

14 Considering the Request

Following the meeting the Headteacher will carefully consider the Employee's request.

In making a decision consideration will be given to the potential benefits for the Employee and the School and any potential adverse consequences.

It should be noted that each request will be considered on its own merits. Agreeing to one request does not set a precedent or create the right for another Employee to be granted a similar change to their pattern of work.

15 Notifying the Employee of the Outcome

The Headteacher will notify the Employee of the outcome of their request in writing within 7 days of a decision being made following consultation meeting.

A request may be granted in full or in part:

Where it is not possible for the Headteacher to accept a flexible working request in full, it may be possible to reach agreement with an Employee to accept elements of the request or agree alternative arrangements.

A flexible working request may be agreed on either a permanent or temporary basis. It is also possible for the Headteacher and Employee to agree a trial period to assess whether the changed working arrangements are practical for both parties in the longer term.

The details of the new working arrangements, including any changes to terms and conditions, will be confirmed in writing with the employee. Where flexible working arrangements are offered on a temporary or trial basis the duration of this will be confirmed in writing.

16 Rejecting a Request

In some instances it may be not possible to agree to a flexible working request due to one or more of the following reasons:

- the burden of additional costs
- a detrimental effect on ability to meet customer demand
- an inability to reorganise work among existing staff
- an inability to recruit additional staff
- a detrimental impact on quality
- a detrimental impact on performance
- insufficiency of work during the periods the employee proposes to work
- planned structural change

A request will not be rejected for any other reason.

If it is not possible to agree to a flexible working request, this will be confirmed in writing by the Headteacher within 7 days of a decision being made following the consultation meeting.

This notification will include an explanation of the reasons for the decision, including any additional information that is reasonable to explain the decision and provide details of the procedure for making an appeal.

17 Appealing the Decision

Guidance note: There is no statutory right of appeal however ACAS Code of Practice indicates this good practice

Employees may appeal if a flexible working request is rejected or only agreed in part.

Appeals must be made in writing and submitted within 7 days of receipt of the written decision. The letter of appeal should include the Employee's reasons for making an appeal.

Arrangements will be made for an appeal meeting to take place as soon as possible, and usually within 14 days of receipt of the written appeal.

The appeal will usually be considered by panel of one or more governors.

The employee may be accompanied at the appeal meeting by a workplace colleague or trade union representative.

The employee will receive a written outcome to the appeal within 7 days of a decision being made by the appeal panel following the meeting.

If an appeal is not upheld the notification will include the reasons for this decision.

The decision of the appeal is final and there is no further right of appeal.

18 Non attendance at meetings

Where an employee is unable to attend a meeting to discuss their flexible working request or any subsequent appeal they should contact the Headteacher as soon as possible.

The Headteacher will rearrange the meeting, but if the Employee fails to attend the rearranged meeting without a reasonable explanation the request/appeal will be considered as withdrawn.

An employee may be accompanied by a trade union representative or workplace colleague at a meeting to discuss their flexible working request or any subsequent appeal.

If the trade union representative or workplace colleague is unable to attend the employee can ask for the meeting / appeal to be rearranged, in which case it should take place within 7 days of the date originally proposed.

19 Minuting meetings and Record Keeping

Notes may be taken of all discussions held with an Employee. A record of the discussions will be recorded within the outcome/decision letters following meetings.

Minutes will be taken at appeal meetings. Minutes may be taken by a clerk who is present at the meeting or transcribed from an audio recording. An audio recording will only be made with the prior consent of the Employee.

The Employee will have the opportunity to check the accuracy of the minutes / notes taken of their evidence and submissions. It should be noted that this is a factual check only and not an opportunity for additional comments to be added which were not discussed at the hearing but which the Employee now wishes to add retrospectively. Where there are discrepancies between the Employer and Employee that cannot be resolved both versions of the minutes will be held on record.

Where an audio recording is made this will be shared with the Employee if requested.

Covert recordings of meetings or hearings are expressly prohibited.

20 Confidentiality and Data Protection

All parties are required to respect the confidentiality of all information relating to a request for flexible working.
The School recognises its obligations under the General Data Protection Regulation and associated legislation and the rights of Employees with regards to the personal data held on them.

Appendix A: Application Form

Request for flexible working			
Name of individual:			
Job Title:			
All employees have the statutory right to request flexible working. Under the statutory procedure, you can make two requests in every 12-month period. If you have submitted a flexible working request, you must wait until that one has been considered and any appeal has been dealt with, before submitting another. If you are uncertain whether you are eligible to make a request, please contact the Headteacher.			
Date form submitted:			
Have you submitted a previous request for flexible working? (If yes, please answer the next question.)		Yes	No
When did you submit your last two requests for flexible working?			
Is this flexible working request being made as a 'reasonable adjustment' to support an Employee with a disability?		Yes	No
I wish to submit a statutory request for flexible working as detailed below.			
Please set out details of the pattern of working that you are seeking ie • A change to the hours / days worked • A change to the times worked • A change to the place of work			
I would like the above change(s) to my working pattern to take effect on:			
I would like the above change(s) to my working pattern to be permanent:		Yes	No
If "No", I would like the above change(s) to my working pattern to be temporary and to end on:			
Once you have submitted a valid application for flexible working, the Headteacher will contact you to arrange a consultation meeting. The consultation meeting is an opportunity for you to explain how the proposed working arrangements would benefit you and for the Headteacher to consider and discuss any alternative flexible working options that may be available and suitable for you and the organisation.			
Signed:		Date:	