



Flexible Working Policy

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Statement of Intent

This policy sets out CIT's approach to flexible working arrangements. The Trust understands flexible working can provide benefits to both the employee and the Trust and aims to support staff where possible/practical to manage the balance between work and home life.

However, the Trust recognises that staffing levels must at all times meet the demands and needs of its students. It will endeavour, therefore to strike a balance between the needs of individuals and the needs of the Trust.

The Trust will deal with flexible working requests in a reasonable manner and within a reasonable time frame.

This policy sets out the Trust's approach to flexible working including how requests should be made, what happens once a request is made and the appeals process.

Employees will find the ACAS code of practice and advice on handling requests for flexible-working useful to read. <https://www.acas.org.uk/making-a-flexible-working-request>

1. Legal Framework

1.1. This policy has due regard to legislation and statutory guidance, including, but not limited to, the following:

- Equality Act 2010
- NJC Local government terms and conditions (Green book)
- DfE 'School teachers' pay and conditions (STPCD)
- The School Staffing (England) Regulations 2009
- The Working Time Regulations 1998
- DfE 'Headteachers' standards

1.2. This policy also operates in line with the following Trust policies and documents:

- Flexible Working Application Form
- Home Working Policy
- Staff Wellbeing Policy

2. Responsibilities

2.1. The Executive Leadership Team is responsible for:

- Ensuring the Trust has due regard for the need for all employees, including senior leaders, to achieve a healthy work-life balance
- Reviewing the effectiveness of this policy every two years and communicating any changes to all employees

2.2. The headteacher (for school staff) or Executive Leadership Team (for central staff) is responsible for:

- Reviewing applications for flexible working in conjunction with CIT HR

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2.3. The Director of HR is responsible for:

- Ensuring that all employees are aware of this policy and its requirements

2.4. Employees are responsible for:

- Submitting applications to the headteacher or ELT, subject to their approval, before beginning their flexible working

3. Eligibility

3.1. All employees have a statutory right to request to work flexibly after 26 weeks of service.

3.2. The Trust will expand this right to all employees regardless of length of service.

3.3. Employees have a statutory right to make one request in any 12-month period.

3.4. The Trust will listen to additional requests if the employee's circumstances have changed significantly.

3.5. All employees will be considered for flexible working regardless of their age, sex, sexual orientation, race, religion or belief, or whether they have a disability, their level of seniority, their current working pattern, or whether they are employed on a permanent or fixed-term basis. However, there is no automatic right for employees to change their working arrangement.

3.6. Each application will be considered on its individual circumstances and any detrimental effect the change could have on the educational experience of pupils, colleagues' workload and the budget.

4. Flexible Working

4.1. The Trust recognises that employees may wish to apply for various flexible working arrangements to suit their personal needs and the needs of the role.

4.2. These may include the following (this is not an exhaustive list):

- Job Sharing
- A change to the number of hours or days worked
- A change to the pattern of hours or days worked
- A change to the pattern of weeks worked i.e. term time only
- Compressed hours
- Flexitime

4.3. Requests to perform some or all of the work from the employee's home are managed under the Home Working Policy.

5. Application for Flexible Working

- 5.1. All requests for flexible working will be made in writing by completing the Flexible Working Application Form and will be submitted to the employees headteacher (school staff) or ELT (Central staff/Headteachers).
- 5.2. Any request from the CEO will be submitted to the Chair of the Trust Board.
- 5.3. In their application, employees are required to include the following:
 - Date of the application.
 - Requested changes they are seeking to their terms of employment.
 - Date on which they would like the flexible working to commence.
 - How they will be able to carry out their main duties successfully whilst working flexibility.
 - Any effects they envisage the changes would have on the Trust and how such changes would be dealt with
 - A statement that this is a statutory request.
 - Whether they have previously made a request for flexible working and, if so, when
 - A statement outlining if the request being made should be treated as that for a reasonable adjustment resulting from a disability or impairment
- 5.4. The Trust will not reject out-of-hand a request that does not contain the required information. The Trust's HR department will explain to the employee what additional or amended information they need to provide and ask them to resubmit the request.

6. Flexible Working Request Meeting

- 6.1. Once a request has been received, it will be dealt with as soon as possible, but no later than 28 calendar days.
- 6.2. A meeting will normally be arranged at a convenient time and place to deal with the request.
- 6.3. Where the application can be approved without further discussion, a meeting will not be convened and the employee will be informed of the decision in writing.
- 6.4. Employees will be informed of their right to be accompanied by a work place colleague or trade union representative at the meeting.
- 6.5. The meeting will take place in a private meeting room so that the discussion is kept away from other employees.
- 6.6. 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 the Trust.

7. Outcome of a Flexible Working Request

- 7.1. Following the meeting, employees will be informed of the final decision in writing as soon as possible, within a maximum of 14 days.

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- 7.2. 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.
- 7.3. The Trust retains the right to grant applications in full or in part, e.g. the application may be accepted with some changes, or be granted on a temporary or trial basis.
- 7.4. If an application is granted on a temporary basis, or trial period, this will be confirmed in writing along with the length of the trial. The employee will also be made aware of the success criteria for the trial.
- 7.5. A review meeting will be held at the end of a trial period to decide whether the arrangement can be granted on a permanent basis, extended for a further trial or rejected.
- 7.6. Unless otherwise agreed, the changes to the employee's terms and conditions will be permanent.

8. Reasons for Turning down a Flexible Working Request

- 8.1. The employee will be given reasons for the rejection of any request. Those reasons must be for one or more prescribed business reasons, which are as follows:
 - 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 the need of stakeholders
 - Insufficient work for the periods the employee proposes to work
 - A planned structural change to the business
- 8.2. If a request has been rejected, the employee will be informed which of these reasons applies in writing, and of the appeal procedure.
- 8.3. If a request is clearly not appropriate it can be rejected without the requirement for a meeting with the employee. However, employee's will still have to right to appeal this decision.

9. Flexible Working Requests that are Granted

- 9.1. If the request is upheld in full or in part, the employee and the headteacher/ELT will discuss how and when the changes will take effect.
- 9.2. Any changes to terms and conditions, and the date on which they will commence, will be put in writing and sent to the employee as an amendment to their contract of employment/written statement of terms and conditions of employment as soon as is reasonably practicable.

10. Appeals

- 10.1. Employees who are dissatisfied with the outcome of their request are allowed to lodge an appeal in writing within 14 days of the notification, with the appeal to be heard within 14 days.
- 10.2. Any appeal must be dated and must set out the grounds on which the appeal is being made.
- 10.3. A meeting will be held to discuss the appeal. An employee should be given the right to be accompanied.
- 10.4. This meeting will be held by an appeals panel comprised of the following people:
 - School based employees – panel of 3 who must be headteachers, members of the Local School Board or Executive Leadership Team
 - Central employees or Headteachers – panel of 3 who must be members of ELT, Local School Board or Trust Board
 - ELT and CEO –panel of 3 from the Trust Board
- 10.5. Employees will be informed of the final outcome, and the reason for the decision, in writing within 14 calendar days of the appeal meeting.
- 10.6. Employees have no further right to appeal following the decision of the appeals panel; they will be informed of this in writing.

11. Problems with a Flexible Working Request

- 11.1. If an employee is dissatisfied or unclear at any stage throughout the process, they should seek clarification from CIT HR.
- 11.2. If an employee is dissatisfied with the way in which their request has been handled, they can raise a grievance under the Trust's Grievance Procedure and Policy.
- 11.3. If an employee fails to attend a meeting, including an appeal meeting, and then fails to attend a rearranged meeting without good reason, their application will be deemed to have been withdrawn.

12. Monitoring and Review

- 12.1. This policy will be reviewed every two years.
- 12.2. Any changes to this policy will be communicated to all employees.

Flexible Working Request

Application Form



This form is to be used by employees to make an application for Flexible Working. To make a Home Working Request please see the CIT Home Working Policy and accompanying application form.

Before completing this form, you should read the accompanying CIT Flexible Working Policy to check that you are eligible to make an application and have a full understanding of the process.

Following the submission of your application form you will be invited to a formal meeting to discuss the details within 28 calendar days. In some circumstances it may be possible to accept a request without the requirement for a meeting. In both cases the outcome will be provided in writing.

School based staff must submit their completed application to their head teacher, central staff must submit their completed applications to the relevant member of ELT and members of ELT must submit requests to the CEO.

All sections below must be completed for your application to be valid. It is important to provide as much information as possible to support your application.

If your request is granted it may be on a temporary basis or trial basis.

Personal Information

Name:	Enter Name	Place of Work:	Enter Place of Work
Job Title:	Enter Job Title	Date of Birth:	Enter DOB

I would like to request a formal change to my current working pattern. I have a statutory right under the Employment Rights Act 1996 to make flexible working requests.

Eligibility

I am employee of CIT:	<input type="checkbox"/>
I have not made a flexible working request in the previous 12 months:	<input type="checkbox"/>
Date of last request if one has been made previously:	Enter Date

Working Arrangement

Describe your current working arrangement (i.e. hours/days per week, weeks worked etc). Current Working Arrangements

Please provide details of the arrangement you would like to work i.e. new working pattern, new working days/hours.

Proposed Working Arrangements

Please explain how you believe you will be able to carry out your main duties effectively if your application is granted.

Explain main duties

Date you would like this arrangement to commence:

Enter Date

Impact of this new working arrangement

I think this change in my working pattern will affect my employer and colleagues as follows:

Impact on Working Arrangement

Accommodation of new working arrangement

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

Accommodation of Working Arrangements

Is this request being made as reasonable adjustment resulting from a disability or impairment?

Yes

No

Name:

Enter Name

Signed:

Date:

Enter Date

This form should now be passed to your headteacher or ELT