

# FLEXIBLE WORKING POLICY AND PROCEDURE

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| Person(s) responsible for updating the policy: | Louise Rowe, HR Business Partner<br>Joss Davis, Director of People |
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## Mission, Vision and Values



### Vision

Every child in a great school



### Mission

Empowering children to impact positively on society



### Values

Collaboration  
Aspiration  
Integrity  
Compassion

## WeST Core Values

WeST holds four core values which underpin the engagement, motivation and retention of employees, no matter what their role in the organisation.

- Collaboration**  
 Creating a shared vision and working effectively across boundaries in an equitable and inclusive way to skillfully influence and engage others. Building and securing value from relationships, developing self and others to achieve positive outcomes.
- Aspiration**  
 Having high expectations, modelling the delivery of high quality outcomes. Showing passion, persistence and resilience in seeking creative solutions to strive for continuous improvement and excellence.
- Integrity**  
 Acting always with the interests of children and young people at our heart, and with a consistent and uncompromising adherence to strong moral and ethical principles. Communicating with transparency and respect, creating a working environment based on trust and honesty.
- Compassion**  
 Recognising need in others and acting with positive intention to promote well-being and improve outcomes.

**Providing Accessible Formats**

If you are unable to use this document and require it in a different format please contact Human Resources.

**WeST Policy Suite**

All Trust HR Policies are accessible via the WeST Staff Portal. Please contact your local administrative office or Human Resources for log-in details.

HR Helpline: 01752 891754 ext. 1765

HR Email: [HR@westst.org.uk](mailto:HR@westst.org.uk)

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## 1. Delegation of Authority

The Trust is committed to ensuring a consistent, fair, and equitable approach in all staffing matters, and will not discriminate either directly or indirectly on the grounds of an employee’s gender, age, disability, gender re-assignment, marital or civil partnership status, pregnancy, maternity status, race (including colour, nationality and ethnic or national origins), religion or belief, sex and sexual orientation.

In order to achieve this aim, there needs to be a clear delegation of authority throughout the structure of the Trust and for this purpose the term “Responsible Officer” shall apply as per the levels below:

| <b>Delegation Key</b> |  |
|-----------------------|--|
| Line Manager          | Person with formal line management responsibility as defined within the job description.   |
| Level One             | <ul style="list-style-type: none"> <li>• If the employee is based within a school, the person with authority to act will be a Trust Headteacher, or an appropriate senior member of staff from the Trust Executive Leadership Team</li> <li>• If the employee is based within the Core Services Team, the person with authority to act will be a member of the Executive Leadership Team</li> <li>• If the employee is a Headteacher the person with authority to act will be a Director of Education</li> <li>• If the employee is a member of Executive Leadership Team, the person with authority to act will be the CEO, unless they have acted as the Line Manager, in which case the person with authority to act will be the Chair of the Trust</li> <li>• If the Employee is the Chief Executive Officer, the person with authority to act will be the Chair of the Trust</li> </ul> |
| Level Two             | <ul style="list-style-type: none"> <li>• Where Level One was the Headteacher the person with authority to act will be the Director of Education</li> <li>• Where Level One was a member of the Executive Leadership Team the person with authority to act will be the Chief Executive Officer</li> <li>• Where Level One was the Chief Executive Officer or the Chair of the Trust, the matter will be referred to a Trustee Appeal Panel</li> </ul>   |

The Trust reserves the right in exceptional circumstances to vary the composition of the delegated authority / panel in order to ensure that meetings proceed without undue delay. In these circumstances the Trust will ensure that the responsible officer maintains appropriate standards of separation and confidentiality.

## 2. Introduction and Purpose

Westcountry Schools Trust (WeST) aims to be an employer of choice and recognises the key role flexible working plays in attracting, retaining, developing and rewarding employees. WeST is committed to providing an inclusive working environment for everyone and creating a culture in which flexible working is positively embraced. The Trust wants to support its employees to achieve a better balance between work and their other priorities, such as caring responsibilities, leisure activities, further learning and other interests.

WeST is committed to agreeing any flexible working arrangements, provided that the needs and objectives of both the Trust and the employee can be met.

This policy applies to all employees within the Trust, regardless of terms and conditions of employment (e.g. both Teacher and Support Staff). It does not apply to agency workers, contractors or volunteers.

This policy aims to support implementation of flexible working by:

- raising an awareness of managers' responsibilities;
- fostering an environment in which, if they wish, employees can openly and comfortably instigate conversations about flexible working;
- raising wider awareness and understanding among all employees about the types of flexible working which may be considered;
- enabling employees to be effective in their jobs while achieving a work / life balance;
- enabling the Trust to recruit, retain and develop employees.

This policy is part of Westcountry Schools Trust's commitment to equality and diversity. We are committed to creating a workplace that respects and values each other's differences, that promotes dignity and combats prejudice, discrimination and harassment. This policy seeks to benefit the welfare of individual employees; retain valued employees; improve morale and performance and enhance the reputation of Westcountry Schools Trust as an employer of choice. Furthermore, the policy forms part of the Trust commitment to ensuring the health and safety and wellbeing of the entire workforce.

The Trust will ensure that through our employee engagement, experience and wellbeing priorities we will have a common model of delivery and accessibility to wellbeing at work facilities and support services.

The policy supersedes all previous WeST Flexible Working policies, although the intention is that it does not erode any previous contractual terms protected under TUPE.

## 3. Definitions

Flexible working is any type of working arrangement that gives some degree of flexibility on how long, when and where an employee works.

It can cover a range of options but, given the requirements of the teaching timetable and the core responsibilities of classroom delivery, flexible working in the education sector can be challenging. Some forms of flexible working may be more suitable for particular roles in schools than others. Employees making a request should consider which forms of flexible working are best suited to their role, as individual circumstances vary. It is possible for employees to have more than one type of flexible working arrangement in place. Arrangements may be altered as an individual's circumstances change. The Trust is committed to exploring each request and context of the post to consider solutions.

Types of flexible work patterns include the consideration of:

- Annualised hours – where working time is organised over the number of hours to be worked in a year rather than a week. This can include some school closure days (INSET) or variations to suit the post context. Pay is processed in 12 equal instalments.
- Compressed hours – where individuals complete their hours over a shorter period of time.
- Flexi-time – working time is split between core hours and time when employees can choose when to work.
- Home working / hybrid working - individuals have the opportunity to work from home on either a full or part time basis.
- In-year flexibility - These types of flexible working are sometimes referred to as 'informal' flexibility and often used for short term solutions to personal circumstances.
- Job share – involves two or more people sharing a post / splitting the hours of the available post.
- Lieu time - paid time off work for having worked additional hours. Often known as TOIL – please refer to separate policy arrangement.
- Part-time working – allows employees to work a proportion of the hours which would normally be regarded as full-time for that employment.
- Phased retirement - gradually reducing working hours and/or responsibilities to transition from full-time work to full-time retirement.
- Shift working – provides employers with the opportunity to open their business for longer.
- Staggered hours – allows employees to start and finish their day at different times
- Term-time working – allows employees to take unpaid leave of absence during the school holidays.

The type of flexible working pattern requested by an employee will need to take into account the practicalities of applying the revised working arrangements in a school setting.

These examples are considered to be the typical arrangements that employees will request. However, WeST recognises that there may be alternatives or a combination of options which are suitable to both the Trust and the employee.

#### **4. Procedure**

##### **Encouraging conversations about flexible working**

We recognise the positive impact of flexible working in:

- Promoting wellbeing: we are committed to supporting work-life balance and the benefits this can have on reducing absences and improving staff wellbeing.
- Pupil outcomes and supporting pupils: we are committed to supporting flexible working and will consider each request on a case-by-case basis, while ensuring that we continue to prioritise the support we provide to our pupils in school.
- Leadership: our leadership team and trustees are committed to embracing and supporting flexible working. Flexible working is a core part of the school, supporting its values and objectives, and ensures it reflects the working lives of families and the communities it serves.
- Trust and fairness: we are committed to open conversations about flexible working and considering all requests fairly by following the process as set out in this policy, although in some situations it may not be possible to permit a request for flexible working. All requests will be treated carefully and with sensitivity, taking into account promoting equality.
- Whole-school approach: we take a proactive approach that works for the whole school/Trust. This will ensure we are consistent in approaches to all employees who enquire about flexible working.

- Flexible hiring: where applicable, we specify in job adverts which types of flexible working are available for a role. We welcome conversations about flexible working as part of our recruitment and selection processes.
- Flexible progression: we support flexible working at every level and all stages of a career, including promotion and moving to a new role if you are already working flexibly.
- Inclusion and fair treatment of those working flexibly: we ensure those working flexibly are effectively embedded in the staff community. We will ensure that conversations take place around expectations for attendance at INSET Days, parents' evenings, CPD and responsibilities around other duties, considering the needs of those working part time, as set out in the terms and conditions.

The Trust is committed to creating an engaging culture around the use of flexible working, as part of which:

- We welcome open conversations about formal and informal flexible working on an ongoing basis as well as at the point of need.
- We will encourage formal flexible working requests via an annual email from the Headteacher/Principal/Director, to coincide with the timetabling process, asking whether anyone is interested in discussing their working pattern. This will not be the only time a request can take place but will encourage individuals to consider and discuss their needs.
- We will promote the inclusion of a discussion around flexible working as part of the annual objective-setting conversation (PDR). This will not be the only time a request can take place but will encourage individuals to consider and discuss their needs.
- We will also include specific reference to flexible working options with job advertisements where it is possible to offer these.

### **Informal flexible working**

Some flexible working arrangements will not require a formal flexible working application. For example, in-year flexibility such as ad-hoc personal days or short term adjustments to a working pattern, can be agreed at a line manager's discretion and in consultation with the Headteacher/Principal/Director.

Such short term and temporary changes to working arrangements may be agreed with the line manager but should be captured in writing for the personnel records.

Other types of flexible working may require a formal application, for example, when requesting a permanent change to working hours.

### **Formal flexible working**

#### **Eligibility**

All employees have a statutory right to request flexible working from the first day of employment.

The Trust is also open to discussing flexible working arrangements with employees before their first day. During the recruitment and selection process, the Responsible Officer will:

- include flexible working options that are available in job adverts
- discuss flexible working with the successful applicant before they start.

An employee is entitled to submit two statutory flexible working requests in a 12-month period.

An employee can only have one active request at a time. A request will stay active until any of the following happen:

- the Trust/school makes a decision
- the employee withdraws the request
- the employee and Trust agree an outcome
- it's been two months since the date of the request.

### **Making a Request**

We encourage a two-way dialogue before any formal request is made and encourage anyone requesting flexible working to have a conversation with their line manager ahead of making a formal request. This can help support a successful request. All requests will be considered reasonably on a case-by-case basis.

Formal applications should be made in writing. Preferably via the pro-forma in the appendix of this policy, however any written requests (such as email or letter) to the Responsible Officer will be considered. An application is taken to have been made on the date that it is received. Where an application is made by email, it is taken to be received on the day it was transmitted.

Where the manager is absent from work due to leave or school closure periods or illness the Trust may need to liaise with the employee regarding an extension to time limits to enable reasonable consideration.

Formal request must include:

- The date the request was submitted, thus triggering commencement of the timeframe for review.
- A statement that this is a formal request to work flexibly.
- Detail of the flexibility being sought and changes that the employee is seeking.
- The proposed start date for the flexible working arrangement.
- Whether any other requests for flexible working have been made in the last twelve months.

Employees should ensure that their request includes all information identified above. Incomplete requests will be returned for completion and the timeframes indicated in this policy shall not commence until the completed information is received.

In order to assist with considerations and discussion, it would also be beneficial for the request to include:

- If a temporary change is proposed.
- What effect, if any, the change applied for would have on the school and how any such effect might be dealt with. This does not need to be detailed but should demonstrate some awareness and consideration of the implications of the request.
- If the request is being made in connection with a protected characteristic, as defined by the Equality Act 2010, the employee may wish to note this on the form.

It is important to note that the Flexible Working Requests legislation provides an employee the right to **request** flexible working arrangements. Whilst every effort will be made to accommodate a flexible working request, there is **no automatic entitlement** to have a flexible working request agreed; every request will be considered in conjunction with the needs of the Trust.

## **Considering the Request**

All formal requests will be dealt with as soon as possible, and unless agreed otherwise, always within two months from first receipt to notification of the decision, including any appeal. The Trust will always aim to reach a decision in quicker time.

The Responsible Officer will consider the proposed flexible working arrangements. They will look at the potential benefits and adverse effects to the employee and to the Trust in implementing the proposed changes. The Responsible Officer may wish to obtain advice from the WeST HR team prior to responding to a flexible working request.

If the Responsible Officer intends to approve the request without further discussion, a meeting may not be necessary. The relevant confirmation paperwork will be provided at the earliest opportunity.

Otherwise, the Responsible Officer will arrange a meeting as soon as possible on receipt of an application. The purpose of the meeting is to explore the desired working pattern and to give the application serious consideration, in a 'reasonable manner' as set out in the statutory framework. The meeting will discuss:

- the details of the request
- how the proposed working arrangements might work
- how it could be of benefit to both the employee and organisation

The employee will be given advance notice (usually 5 working days) of the time, date and place of the meeting. If the initial date is problematic then one further date will be proposed. This meeting will be in person or a video call, or a telephone call if neither of those are possible.

The meeting will provide an opportunity to explore any potential compromise solutions or alternative arrangements which meet the needs of the employee and school/Trust.

The Responsible Officer should ensure that a written record of the meeting is made detailing the key points of discussion, including any alternative working proposals suggested and the response. A copy of the record should be provided to the employee and a copy placed on the personnel file.

## **Outcome of the Request**

The Responsible Officer will write to the individual, usually with 5 working days of the meeting, to confirm the outcome, using the documentation as per the appendix. This may include:

- agree the requested arrangement in full, and agree the date new arrangements will come into effect and any adjustments to contract of employment, if applicable.
- agree the request in part: for example, on the basis of an agreed trial period or compromise solution, or
- provide clear business grounds as to why the application cannot be accepted. This may include offering an alternative proposal. Requests will be supported where possible and will only be refused based on the eight reasons set out in the section below.
- timescales may be extended where both parties are in agreement.

Both parties should be prepared to be flexible when reaching an agreement whilst having due regard for the needs of the school / Trust.

If a change is agreed, it will be a permanent variation of contract (unless agreed otherwise) and there will be no right for the employee to revert back to the former working arrangement. Written confirmation of the contractual changes will be sent to the employee prior to commencement.

An individual may wish to request an alteration to their subsequent flexible working arrangement as a result of a further change in their circumstances. Any changes to arrangements would need to be agreed by both parties through discussion and formalised in writing, as a new application.

Each request will be considered on a case-by-case basis, in the order they are received. 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.

Where a flexible working request is approved on a permanent basis there will be an expectation for annual reviews to be planned to ensure this meets both the needs of the individual and Trust/school unit. These reviews can coincide with the annual PDR to provide an opportunity to reflect on the implications of the flexible working arrangement in practice and any opportunities to mutually agree further amendments.

Where a flexible working application to reduce contracted hours is agreed for a member of student-facing staff, wherever possible this will normally relate to an agreed FTE with a mutual agreement for annual reviews of the precise working pattern aligned to timetable delivery. In applying this agreement the Trust will discuss any potential changes in advance and with reasonable notice. If a part time employee agrees to attend for additional hours suitable arrangements must be agreed in advance e.g. TOIL or payment will be provided. The agreement for flexible working should clarify the requirements of each party in these circumstances.

### **Trial Period**

A new working pattern may be agreed subject to a trial period which is agreeable to both parties. A timeframe should be agreed in advance of the arrangement commencing and this should be documented in writing. The trial period will usually be for a period of three months up to one academic year maximum; the specific duration will be agreed in light of the circumstances. A trial period will allow enough time to implement and get used to the new arrangement before making any decisions on its viability.

At the end of this period the Responsible Officer will meet with the employee to discuss the experience of the trial period and whether the arrangement can be made permanent. At this point it may be appropriate to revisit the arrangements to suit all parties.

Where a trial period is not successful, the employee will retain the right to appeal in accordance with this policy.

### **Refusing the Request**

If the flexible working request cannot be accommodated the Responsible Officer will use reasonable endeavours to explore alternative working arrangements that may enable a compromise solution.

Where a flexible working request is unlikely to be accepted, the Responsible Officer must ensure that the decision can be substantiated with the appropriate evidence. It is advisable that advice is sought from the WeST HR team in respect of flexible working requests which may be refused.

Requests will be supported where possible and will only be refused based on the eight reasons set out below. The grounds for rejecting a request are set out in the legislation and are:

- extra costs that will damage the business
- the work cannot be reorganised among other staff
- people cannot be recruited to do the work
- flexible working will affect quality
- flexible working will affect performance
- the business will not be able to meet customer demand
- there's a lack of work to do during the proposed working times
- the business is planning changes to the workforce

In addition to stating the reason for the request being refused the Responsible Officer should include an explanation about why the reason(s) apply in the circumstances. It is not necessary for the Responsible Officer to provide evidence to support the explanation however they should ensure that they are able to substantiate any facts in the event of a subsequent dispute occurring. The confirmation of refusal will be recorded on the personnel file as a record of the outcome.

### **Appeal**

An employee may appeal the outcome of a formal flexible working request.

If an employee wishes to appeal against the decision, they must do so in writing (preferably using the pro-forma provided), stating the grounds for their appeal, and within five days of receiving the written outcome.

The appeal should be sent to [HR@westst.org.uk](mailto:HR@westst.org.uk) for all Trust employees. The Responsible Officer identified to deal with the appeal (as per Delegated Authority to Act) will make appropriate arrangements for it to take place. The appeal should be heard without unreasonable delay. A minimum of five days' notice of the appeal hearing will be given to allow for preparation.

The appeal will be dealt with impartially and provides an opportunity for the employee to make representation of their request. The Responsible Officer for the appeal has responsibility for considering the grounds on which the appeal has been raised. This may require the Responsible Officer for appeal to review the original decision-making process, the grounds of refusal and any supporting documentation to establish whether the original decision was reasonable and was in line with legislative requirements. An accurate account of the Appeal meeting will be made.

The Responsible Officer for appeal will provide written confirmation of the appeal outcome and reasons for the decision, usually within 5 working days after the date of the hearing.

Once the process is complete, all paperwork from the appeal will be placed on the personnel file.

Where the employee fails to attend an Appeal hearing, the Trust will arrange for a second Appeal meeting to be scheduled. If the employee fails to attend more than two Appeal hearing the Responsible Officer can assume that the flexible working request has been withdrawn and this will be confirmed in writing.

At the end of the appeal procedure there is no further mechanism for considering the flexible working request.

## Additional Considerations

### Confidentiality

Any parties affected by or involved in the application of this policy will be expected to maintain an appropriate level of confidentiality. Breaches of confidentiality will be taken seriously, especially if they hinder the application of the policy. Failure to maintain confidentiality may result in action being taken under the disciplinary policy arrangements.

Disclosure of information may also be a breach under the Data Protection Act (2018) and may lead to action being taken under the provisions of that Act, in addition to action being taken under the disciplinary policy.

### Recording of Information

A written record must be made of all requests and meetings held during the application of this policy. Those involved in each meeting will be provided with a copy of any records made.

The Responsible Officer or their delegate will ensure there is a full and comprehensive file of the process which should include all statements, records and evidence referred to in the rationalising of the decision outcome. At the end of the process the file should be stored confidentially with the personnel file, in accordance with the Data Protection Act (2018).

### Being Accompanied at Meetings

Although there is no statutory right to be accompanied at the discussions regarding flexible working, the Trust will allow employees to be accompanied to ensure they are supported.

To invoke that right an employee must make a reasonable request to the employer to be accompanied by either:

- a paid official from a recognised trade union/professional association,
- a trade union representative,
- an appropriate work colleague.

Friends/family members are not permitted unless they fall under the above criteria and it is agreed as appropriate. It would not normally be reasonable for an employee to be accompanied by a work colleague or trade union/professional association representative whose presence would prejudice the process and/or was from a remote geographical location if someone suitable and willing was available on site.

The employee is responsible for notifying their chosen representative of the meeting arrangement details. If the chosen representative is not available on the day proposed for the meeting, the employee must contact the line manager leading on the meeting to propose an alternative date within the following five days of the original date proposed.

### Timescales

The timescales detailed in the policy are in accordance with the statutory requirements (the process **must be completed within two months**) and best practice. They must therefore must be adhered to unless both parties have agreed to an extension of time.

There may be a number of reasons why the time limits specified are too short and an extension may be required. Where an extension to the time limits is agreed, a written record of this decision should be made.

### **Non-Attendance**

If an employee fails to attend the meeting or appeal hearing through circumstances beyond their control, such as certified illness, an alternative time and date may be offered. Alternatively, they may submit a written statement or nominate a representative to attend on their behalf.

Where an employee is persistently unable or unwilling to attend the meeting/hearing without good cause, it may proceed in their absence and a decision based on the evidence available will be made.

If the employee fails to attend a meeting/hearing and then fails to attend a rearranged meeting without good reason, their request will be deemed to have been withdrawn.

### **Withdrawing an application**

Employees should tell their employer in writing (preferably using the pro-forma in the appendix) if they want to withdraw their application at any stage of this policy.

The Trust will treat an application as withdrawn if the employee misses two meetings/hearings to discuss an application or appeal without good reason, for example sickness.

The Trust will confirm in writing that they are treating the request as withdrawn. Confirmation of this will be stored on the personnel file.

The request will continue to be considered one of the series of requests per annum the employee is permitted to submit.

### **Pension Implications**

It is recommended that the employee seeks advice from their pension provider prior to requesting a variation to the contract of employment. The employee's Trade Unions / Professional Association may also be able to provide information.

Teachers should contact Teachers' Pensions at [www.teacherspensions.co.uk](http://www.teacherspensions.co.uk). Support staff belonging to the Local Government Pension Scheme can make contact at [www.lgps.org.uk](http://www.lgps.org.uk)

### **HR Advice and Support**

The HR Team will provide advice and support to the Responsible Officer and any other manager involved in the application of this policy at any stage. As part of which they may be in attendance at any meetings / hearings under this policy.

### **Support for Employees**

Employees are encouraged to seek support from their trade union/professional association in the first instance.

Procedural guidance relating to this policy is available from the Human Resources Department.

**Appendix 1 - Flexible Working Request Form**

| FLEXIBLE WORKING REQUEST FORM   |                       |
|---|-----------------------|
| <b>Personal Details</b>   |                       |
| Employee Name:  |                       |
| Principal/Headteacher/Director:   |                       |
| School/Business Unit:   |                       |
| Payroll Number (essential):   | NI Number (optional): |
| <b>Work Pattern Details</b>   |                       |
| Detail your current contractual hours including the pattern and number of weeks per annum you are contracted to work:   |                       |
| Describe the new contractual variation that you would like the Trust to consider:<br>Please ensure you specify the hours per week, weeks per annum, and any specific working pattern/location considerations. |                       |
| Detail when you would like the new contractual variation implemented (date):  |                       |
| Is this a permanent or temporary/trial request? Permanent / Trial for ..... months (specify dates where possible)   |                       |
| <b>Impact of the Flexible Working Request (optional)</b>  |                       |
| Describe how the contractual variation will affect the School, Trust and colleagues:  |                       |
| Describe how the effect on the School, Trust and colleagues can be addressed:   |                       |
| Details of any other flexible working requests during the past 12 months:   |                       |
| Employee Signature:   | Date:                 |
| Now pass this request to the Responsible Officer.   |                       |

**Appendix 2 - Flexible Working Extension of Time Limit Form**

| FLEXIBLE WORKING EXTENSION OF TIME LIMIT FORM  |  |
|--|--|
| Dear _____   |  |
| Legislation is clear that a 2-month period is usual for the completion of flexible working applications, considerations, and outcomes. |  |
| I wish to extend the amount of time for this procedure to ensure full and fair consideration.  |  |
| I wish to extend the time limit to ..... calendar days.  |  |
| This means that I will have until .....to complete the necessary action.   |  |
| I need the extra time for the following reason:  |  |
|  |  |
| If you agree to this extension, please complete the slip below and return it to me.  |  |
| Name:  |  |
| Signature:   |  |
| Date:  |  |
| Now pass this request to the employee.   |  |

|  |  |
|--|--|
| Cut this slip off and return it to the Responsible Officer in order to confirm your acceptance of their request. |  |
| <b>Employee's Agreement to Time Extension</b><br>(to be completed and returned to the Responsible Officer)       |  |
| Dear _____   |  |
| I accept your request to extend the amount of time to .....  |  |
| Name:  |  |
| Signature:   |  |
| Date:  |  |

Appendix 3 - Flexible Working Request Acceptance Form

FLEXIBLE WORKING REQUEST ACCEPTANCE FORM

Dear: ..... Payroll Number: .....

Following receipt of your request on.....(date):

[Remove as applicable] We held a meeting on .....(date) to discuss and explore your request.

I have considered your Flexible Working Request:

- I am pleased to confirm that I am able to accommodate your request in full.
- I am unable to accommodate your original request. However, I am able to offer the following alternative, which we have discussed and you agreed, would be suitable to you.

The variation to your contract of employment will be as follows:

The contractual variation will begin from .....(date):

This will be a permanent / temporary trial for the period of .....(add relevant details)

Name:

Signature:

Date:

Now pass this confirmation to the employee.

## Appendix 4 – Acceptance of Flexible Working Model Letter

Date: **Date**

**Employee Name**

**Address**

**Address**

**City**

**Postcode**

Dear **Employee Name**,

### Re: Confirmation of Flexible Working Application

Thank you for your completed flexible working application which was received on **date**. **OPTIONAL**  
We met on **date** and present at the meeting where **name / role** and **name / role**.

In discussing your request, we have explored the implications of this amendment for your role and service delivery. We have agreed that which effect from **date** you will be working **details of change, number of hours per week and any other specifics**.

I enclose the relevant confirmation form as per the policy.

This will be a **permanent amendment / temporary amendment for the period of X** to your contract of employment. The relevant payroll paperwork shall be submitted at the earliest opportunity.

We will review these arrangements on an annual basis. This review will provide an opportunity to reflect on the implications of your flexible working arrangement in practice and any opportunities to mutually agree amendments.

Your amendment is for a change to your working hours and we have agreed your initial working pattern to be **details of days and times**. As we have discussed, there may be ad hoc events through the school year which require your participation as part of your role and responsibilities. This may include non-pupil days, team meetings, twilight CPD sessions, parents' evenings, and other events. As these events arise we will discuss and agree if your attendance is required with reasonable notice and the relevant additional hours payment for this.

The amendment to your working hours per week may be subject to variation as required by timetabling and curriculum need. Where a potential variation is required I will discuss this in advance and provide reasonable notice of the adjustment in working pattern.

You are entitled to make two requests per 12 month period. This is your **first/second request** within this period.

Should you have any queries regarding this letter please contact me directly on the above details. I hope this letter provides clarification to your agreed flexible working request and an opportunity to support you in work/life balance.

Yours sincerely,

**Name / role**

Appendix 5 - Flexible Working Request Rejection Form

FLEXIBLE WORKING REQUEST REJECTION FORM

Dear: \_\_\_\_\_

Following receipt of your request and our meeting on: ..... (date).

I have considered your Flexible Working Request.

I am sorry but I am unable to accommodate your request for the following business ground(s):

[Delete as applicable]

- extra costs that will damage the business
- the work cannot be reorganised among other staff
- people cannot be recruited to do the work
- flexible working will affect quality
- flexible working will affect performance
- the business will not be able to meet customer demand
- there's a lack of work to do during the proposed working times
- the business is planning changes to the workforce

The grounds apply in the circumstances because:

(Note: You should explain why any other work patterns you may have discussed at the meeting are also inappropriate. Please continue on a blank sheet if necessary.)

You have the right to appeal against my decision. Details of the appeal procedure are set out in the Flexible Working Policy.

Responsible Officer Name:

Signature:

Date:

Now pass this form to the employee.

## Appendix 6 – Refusal of Flexible Working Model Letter

**PLEASE NOTE: Given the sensitivities and risks for this circumstance, the case should be discussed with your HR link before sending this outcome letter, Thank You.**

Date:

Employee Name

Address

Address

City

Postcode

Dear ,

### Re: Flexible Working Request

Thank you for your Flexible Working Request which was received on .

All requests for flexible working arrangements are considered carefully to explore how the Trust/school can support and accommodate the request in service provision. We also look to explore any compromise opportunities to support an alternative request.

We met on  to explore your request and summary notes of our meeting have been provided to you.

Unfortunately, the school is currently unable to accommodate your request, the reason for which is **[detail as applicable from below]**:

- extra costs that will damage the business  
The reason this applies in this circumstance is .
- the work cannot be reorganised among other staff  
The reason this applies in this circumstance is .
- people cannot be recruited to do the work  
The reason this applies in this circumstance is .
- flexible working will affect quality  
The reason this applies in this circumstance is .
- flexible working will affect performance  
The reason this applies in this circumstance is .
- the business will not be able to meet customer demand  
The reason this applies in this circumstance is .
- there's a lack of work to do during the proposed working  
The reason this applies in this circumstance is  times
- the business is planning changes to the workforce  
The reason this applies in this circumstance is .

I enclose a copy of the relevant paperwork to confirm the outcome of your flexible working request.

I appreciate this may cause you further considerations in your working pattern arrangements for the new academic year and if you feel there is an opportunity to mutually agree a compromise please do let us know at the earliest opportunity.

In accordance with the Flexible Working policy arrangements, you have the right of appeal this decision. If you wish to exercise this right you should register the appeal in writing (preferably using the policy appeal form) within 5 days of receiving the written refusal for the request for flexible working, providing concise details of the grounds under which you are appealing the original decision. Please refer to the policy document for full details.

In accordance with the policy/legislation, you are able to make two requests for a flexible working arrangement in a 12 month period.

Should you have any queries regarding this outcome please do let me know. Alternatively if you have any questions regarding the policy process please liaise with the HR representatives of WeST.

Yours sincerely,  
Name / role



**Appendix 8 - Flexible Working Appeal Reply Form**

**Flexible Working Request Appeal Outcome**

Dear: .....

Following our appeal hearing on:.....(date)

The Responsible Officer for appeal has considered your case against the decision to refuse your Flexible Working Request application.

I understand minutes of the meeting were captured and have been provided to you.

The Responsible Officer for appeal's decision is **[insert details of outcome and how this will be implemented]**.

**This concludes the process for your flexible working request.  
You are entitled to make two flexible working requests per 12 month period.**

Responsible Officer for appeal:

Signature:

Date:

Now return this form to the employee

## Appendix 9 - Withdrawal Form

### Flexible Working Notice of Withdrawal Form

The flexible working request of **NAME** was submitted on **DATE**.

This request is considered withdrawn for the following reason:

- The employee requests that their application be concluded / withdrawn and they are no longer looking to pursue a request to amend their contractual arrangements.
- Insufficient information was provided in the application and subsequent requests for additional information have not been provided.
- 2 or more meetings/hearings arranged under this policy have not been attended and no relevant reason has been provided.
- The request exceeds the number of applications per 12 month period and thus is not eligible.
- Other – please detail.

Name (Employee):

School Name:

Signature:

Date:

Name (Responsible Officer):

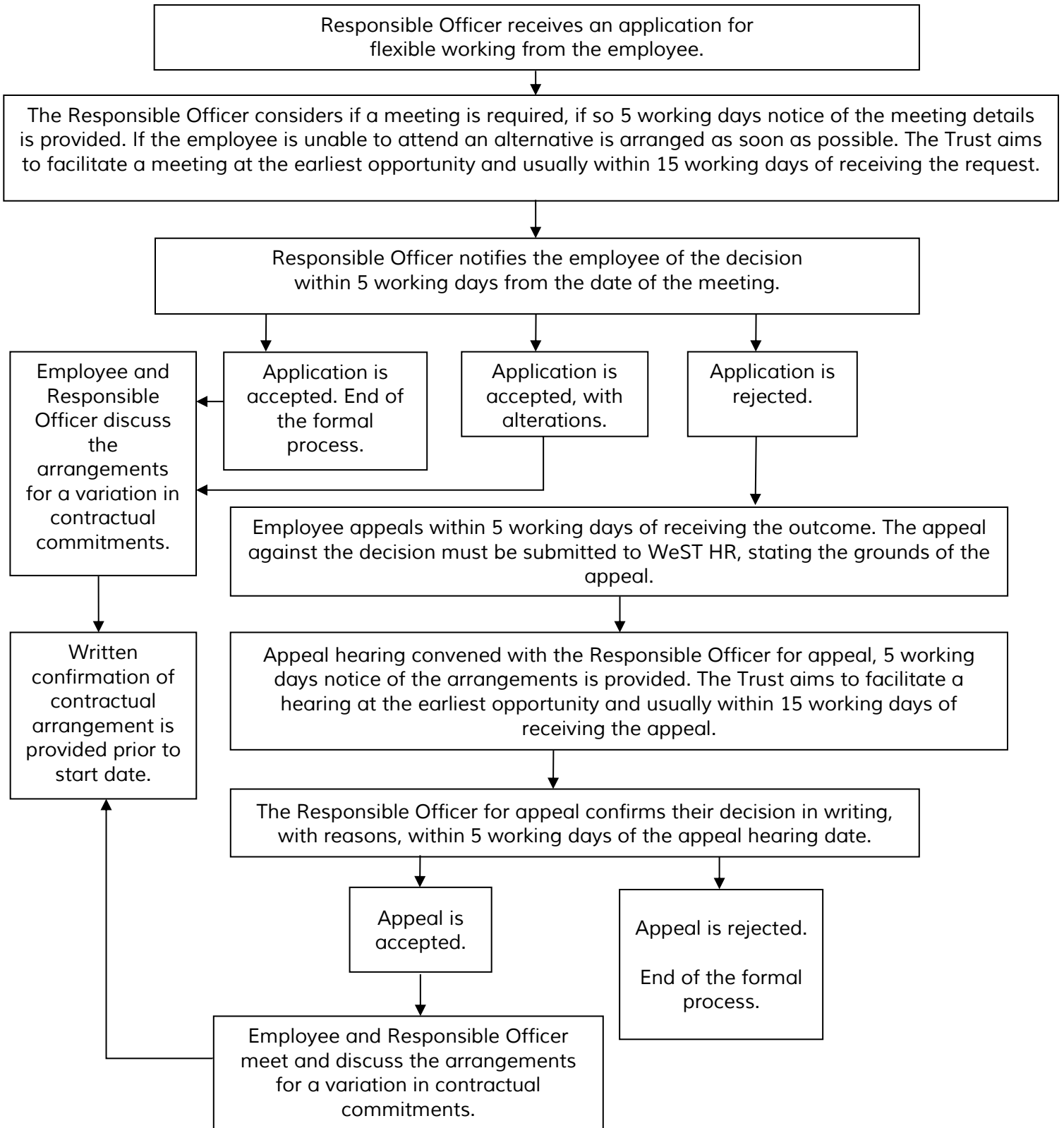
Signature:

Date:

All parties are to sign this form and a record kept on file.

## Appendix 10 – Flow Chart for Formal Requests

The whole process must be completed within 2 months as per the statutory requirement.



## POLICY HISTORY

| Policy Date    | Summary of change  | Contact / Responsibility for Policy | Version/ Implementation Date | Review Date                                   |
|----------------|--|-------------------------------------|------------------------------|---|
| 05.04.2007     | Revision of existing policy following Work and Families Act 2006                   | P & S                               | 06.04.2007                   |   |
| 01.11.2008     | Revision of existing policy – adapted for Schools.                                 | Schools Personnel Team              | 06.04.2009                   |   |
| 30/06/2014     | Revision of policy following legislation changes with effect from the 30/6/13.     | HR ONE                              |                              |   |
| April 2017     | Revision of policy with regards to Trust name changes and delegation of authority  | WeST HR                             |                              |   |
| September 2017 | Revised to include PCE role  | WeST HR                             | September 2017               | Biannually                                    |
| March 2019     | Reviewed and updated   | HR WeST                             | February 2019                | Annually                                      |
| March 2019     | Approved by Trust Board subject to local consultation                              | HR WeST                             | 21 March 2019                | Biannually or at change in statutory guidance |
| April 2019     | Implementation following local consultation  | HR WeST                             | 29 April 2019                | Biannually or at change in statutory guidance |
| June 2023      | Removal of references to local governing body and replaced with Hub Advisory Board | HR WeST                             | September 2023               | April 2024                                    |
| September 2024 | Full review and update to align with legislation changes.                          | HR WeST                             | September 2024               | September 2026                                |