



# The Bishop Konstant Catholic Academy Trust

Learning Communities, Inspired by Faith

## Trust Flexible Working Policy 2022

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<b>POLICY DOCUMENT</b>	Trust Flexible Working Policy 2022
<b>Legislation/Category: Academy Schools</b>	<b>Highly Recommended</b>
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## Mission Statement

*All policies are written in line with our Trust Mission statement:*

With Jesus Christ at the centre of the life of the Trust, we seek to provide learning communities offering the highest possible standards of education. We are committed to working in partnership and trust for the common good. We strive to encourage and empower children and young people to recognise and realise their God-given potential and to discern their vocation in life. As learning communities inspired by faith, we celebrate achievement, offering each other challenge and support, as together we follow Christ in self-giving love and service.

## Change Control

<b>Version</b>	<b>Date</b>	<b>Author</b>	<b>Changes</b>
1.2			<i>To add another row, move the mouse to the left hand side of the thin line above and click the (+)</i>
1.1			
1.0			

## Contents

Mission Statement .....	2
Change Control .....	3
Introduction .....	4
What is Flexible Working.....	3
Types of flexible working.....	4
The needs of the Trust.....	6
Scope and Eligibility.....	6
Submitting a flexible working request.....	7
Meetings regarding flexible working.....	7
Responding to a flexible working request.....	8
Right to appeal decision.....	9
Trialling of new working arrangements.....	9
Varying an employee’s contract.....	9
Complaints and further information.....	9
Monitoring and Reviewing.....	10

## Introduction

This policy provides a framework for when staff want to request flexible working arrangements. The Trust recognises that a better work-life balance can improve employee motivation, performance and productivity, and reduce stress. Therefore the Trust wants to support its employees achieve a better balance between work and their other priorities, such as caring responsibilities, leisure activities, further learning and other interests.

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

It is the Trust's policy to encourage open discussion with employees. An employee that thinks they may benefit from flexible working is encouraged to contact their Line Manager to arrange an informal discussion to talk about the options.

## What is Flexible Working?

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

The following flexible working options are considered to be the typical arrangements that employees will request but the Trust recognises that there may be alternatives or a combination of options which are suitable to both the Trust and the employee:

- Job-sharing
- Overtime
- Part-time working
- Term-time working
- Home-working
- Reduction in hours

## Types of Flexible Working

- **Job-sharing** is an arrangement where a full-time post is divided into two part-time roles. The two job holders then share the overall duties and responsibilities. Their skills and the hours each employee wishes to work must be compatible, and meet the needs of the Academy/Trust. Pay and benefits are shared in proportion to the hours each works. Job sharing can be considered where the creation of a single part-time post is difficult, or where two individuals wish to work part-time. The suitability of posts for job-sharing will be stated in any internal or external advertisements.
- **Overtime** is when hours are worked in addition to the usual full time hours. Overtime can be agreed where the Academy/Trust would benefit from an employee working more hours. This is voluntary and an employee can refuse overtime if they wish. Overtime will be paid at the rate applicable to the role as per the Pay Policy.
- **Part-time working** covers any arrangement where an employee is contracted to work anything less than typical full time hours for the type of work in question. For example, an employee who only works Monday to Wednesday. The Academy/Trust believes that all posts will be available on a part-time basis, except where a critical examination by line management proves this to be impracticable. The suitability of posts for part-time working will be stated in any internal or external advertisements.

- **Term-time working** is where an employee reduces their hours or takes time off during any school holidays. Any weeks above their annual leave entitlement will be unpaid. Salary can be paid in 12 equal monthly instalments.
- **Home-working** is when an employee regularly carries out all, or part of, their duties from home rather than the employer's premises. The Academy/Trust can consider home-working being an occasional agreed day, a mix of home and office based work each week (blended working) or a full time arrangement.
- **Voluntary Reduced Working Time** is a working pattern where it is agreed that an employee will work reduced hours for a certain period of time, with a return to full time hours at the end of this period. Salary, pension and holiday will be pro rated during this time.

## The Needs of the Academy/Trust

The Trust, as employer, is committed to providing a range of appropriate working patterns. However employees and management need to be realistic and to recognise that not all flexible working options will be appropriate for all roles.

Where a flexible working arrangement is proposed, the Academy/Trust will need to take into account a number of criteria including (but not limited to) the following:

- the costs associated with the proposed arrangement
- the effect of the proposed arrangement on other staff
- the effect of the proposed arrangement on pupils
- the need for, and effect on, supervision
- the existing structure of the department
- the availability of staff resources
- details of the tasks specific to the role
- the workload of the role
- whether it is a request for a reasonable adjustment related to a disability
- health and safety issues

## Scope and Eligibility

This policy applies to all employees of the Bishop Konstant Academy Trust and all schools within the Trust.

Any employee with at least 26 weeks of employment service has a statutory right to request flexible working. The Trust has taken the view that employees in all areas, and at any level, may submit a request for flexible working for consideration, regardless of their length of service, however, this will be considered a non-statutory request.

### Submitting a flexible working request

An eligible employee is entitled to submit one flexible working request in a 12 month period (an employee is entitled to additional requests if they relate to a statutory entitlement, for example the Equality Act 2010 right to request reasonable adjustments).

All requests must be made in writing by filling in an application form that is available in Appendix 1 of this document. Any request made must include:

- the date of the application
- the changes that the employee is seeking to their terms and conditions
- the date from when the employee would like the proposed change to come into effect
- what effect the employee thinks the requested change would have on the Academy/Trust
- how, in their view, any such effect could be dealt with
- whether this is a statutory or non-statutory request
- whether a previous application for flexible working has been made
- the dates of any previous applications

If the employee is making the request in relation to the Equality Act, e.g. as a reasonable adjustment relating to a disability, this should be made clear in the application.

If an application does not contain all of the required information, the line manager will explain to the employee what additional or amended information they need to provide and ask the employee to resubmit the request.

### Meetings regarding flexible working

Upon receiving a written request for flexible working, the line manager will usually seek to arrange a meeting with the employee to:

- discuss the request
- find out more about the proposed working arrangements
- how it could be of benefit to both the employee and Academy/Trust

If a meeting is arranged, it will be held within 28 days of the Academy/Trust receiving the request. This time limit may be extended with the agreement of both the employee and the line manager.

The employee will be given advance notice of the time, date and place of the meeting. If the initial date is problematic then one further date will be proposed. If a face to face meeting is difficult to arrange then, if agreed by the employee and line manager, the meeting may be held over the telephone or virtually via Teams.

At the meeting the employee may, if they wish, be accompanied by a willing workplace colleague or a trade union representative.

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

Where a request can, without further discussion, be approved as stated in the employee's written application, a meeting to discuss the request may not be necessary. The employee will be informed of the Academy/Trust's agreement to the request by a confirmation letter as outlined in the section 'Responding to a flexible working request' within 28 days of the Academy/Trust receiving the request. This time limit may be extended with the agreement of both the employee and the line manager.

### Responding to a flexible working request

The line manager will consider the proposed flexible working arrangements, looking at the potential benefits and adverse effects to the employee and to the Academy/Trust in implementing the proposed 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 their working pattern.

The request will be submitted by the line manager/Headteacher, to the Academy Council/Trust Board for consideration and decision, once all pertinent information has been gathered by the line manager/Headteacher and after discussion with the employee.

The employee will be informed in writing of the Academy Council/Trust Board's decision as soon as is reasonably practicable, but no later than 14 days after the meeting.

The request may be granted in full, in part or refused. The Academy/Trust 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. If the request is agreed then the employee will be sent a confirmation letter which will include details of the new arrangements. The employee should contact the line manager within 14 days if they wish to discuss the new arrangements further, or have any concerns.



## Right to appeal decision

The employee has the right to appeal the decision if their request is refused or is only agreed in part.

The employee may lodge an appeal within 14 days of being notified of a decision on their application. This should be done in writing and clearly state the grounds on which they are appealing. The appeal will be heard within 14 days. The employee will then be informed of the outcome to their appeal within 14 days of the appeal meeting. These time limits may be extended with the agreement of both the employee and the line manager.

## Trialling new working arrangements

Where there is some uncertainty about whether the flexible working arrangement is practicable for an employee and/or the Academy/Trust a trial period may be agreed. If a trial period is arranged the Academy/Trust will allow sufficient time for an employee and their manager to implement and become used to the new working practices before taking any decisions on the viability of a new arrangement.

## Varying an employee's contract

Where flexible working practices are agreed as a permanent change, a variation will need to be made to the employee's contract of employment. A variation letter or new contract of employment (depending on the changes agreed) will be sent to the employee within 28 days of the change to the employee's working pattern being agreed.

If the employee has any questions or concerns about the variation letter or new contract of employment, they should contact the line manager to discuss the matter further.

Where a trial period has been arranged the Academy/Trust will provide the employee with a document that details their new working pattern and makes clear that it is only a temporary variation to the terms of the employee's contract. The employee will be informed in writing of the start and end dates of the trial period (although the Academy/Trust may reduce or lengthen the trial period where necessary with the agreement of the employee). The Academy/Trust will reserve the right, at the end of the agreed trial period, to require the employee to revert to their previous working arrangement.

## Complaints and further information

The Trust is strongly opposed to any form of victimisation of individuals who work, or request to work under flexible working arrangements.

If an employee feels that they have been treated unfairly or are dissatisfied with any stage of the flexible process, they should raise their concerns informally with the line manager.

If informal discussions do not resolve the matter to an employee's satisfaction, they should raise a grievance under the Trust's grievance procedure.

### **Monitoring and Review of this Policy**

The Trust shall be responsible for reviewing this policy from time to time to ensure that it meets legal requirements and reflects best practice.

The Bishop Konstant Catholic Academy Trust is an exempt charity regulated by the Secretary of State for Education. It is a company limited by guarantee registered in England and Wales, company number 08253770, whose registered office is at St Wilfrid's Catholic Secondary School & 6<sup>th</sup> Form College, Cutsyke Road, Featherstone, Wakefield, WF7 6BD.

## Appendix 1

### Flexible working request

**Name:**

**Date:**

I wish to exercise my statutory right, provided under section 80F of the Employment Rights Act 1996, to request flexible working.	
I meet the eligibility criteria:	
I have worked continuously as an employee of [insert school name] for the last 26 weeks	<input type="checkbox"/>
I have not made a request to work flexibly under this right during the past 12 months	<input type="checkbox"/>
<i>If you're unable to tick both boxes, you're not statutorily entitled to make a flexible working request. However, we may still consider your request.</i>	
<i>(Fill in if relevant)</i> I made a previous request for flexible working on:	
Current working hours:	Current working days:
Proposed working hours:	Proposed working days:
If your request doesn't involve a change of working hours/days, explain here how you would like your working arrangements to change:	
I would like these arrangements to start from:	<i>Please note: it might take up to 3 months for the school to reach a decision (possibly longer, if we agree a longer decision period with you).</i>
How will the new arrangements affect the school?	I think this change will affect the school, my colleagues and my work as follows:
How can the new arrangements be accommodated?	I think the effect on the school, my colleagues and my work can be dealt with as follows:

**Please submit your completed form to your line manager.**

## Appendix 2 – Flexible Working Process Flowchart

### APPENDIX 2

#### MODEL DECISION MAKING PROCESS FOR WORK-LIFE BALANCE REQUESTS IN ACCORDANCE WITH THE RIGHT TO REQUEST FLEXIBLE WORKING

