

LT2 Flexible Working Policy

Name of Policy	FLEXIBLE WORKING	
Policy Level (Trust/School)	Trust	
Document Control		
Date	Revision Amendment Details	By whom
January 2021	Review and internal consultation	Exec Team, HR and Compliance Officer
February 2021	Adopted by Trust Board	Trustees
January 2024	Proposed date for review subject to statutory update as required	Head of HR, HR and Compliance Officer

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Our Learning Today Leading Tomorrow Multi-Academy Trust Vision

Vision

Our vision is to build a group of outstanding schools across phases, including specialist provision, to become (a mid-size) Trust that provides vibrant and inclusive learning environments in which every member of the learning community is passionate about learning. The Trust is led by a CEO who works closely with Headteachers who lead the two schools supported by a central team to support finance, HR, estates and governance.

Mission

LT2 Trust and schools will have a relentless focus on high achievement, supported by robust organisational structures and governance. We aim to give children and young people in our care the knowledge, skills and experiences to expand their minds and world view to enable them to develop a naturally inquisitive approach to learning and life, fit for an ever-changing world.

Ultimately, we will educate and support all children attending LT2 schools to grow into capable and contributing citizens who have developed the personal attributes and characteristics that will enable them to become considerate, self-reliant and confident young people who are ready for the next stage of their lives.

Values

The Trust Values underpin the mission and provide the basis on which LT2 schools can articulate the key behavioural characteristics that promote a positive philosophy. Our six values are unseen drivers of our behaviour as experienced by others and are designed to create a shared organisational culture:

Kindness – The quality of friendliness, generosity, and consideration

Collaboration – The belief that working and learning with others will lead to greater success

Curiosity – A strong desire to know and to learn

Resilience – The ability to recover quickly and learn from the difficulties we face

Respect – To appreciate the importance of understanding and admiration for others and self

Endeavour – The belief that hard work is needed to achieve something of which we can be proud.

Definitions

- Where the word 'Trust' is used in this document it refers to The Learning Today Leading Tomorrow Trust.
- Where the words 'Trust Board' are used it refers to the board of Trustees who set the vision for the Trust and hold the executive leadership team to account for delivering the Trust's strategic plan.

1. Organisation and Responsibilities

1.1 Introduction

This policy aims to encourage staff to consider flexible working arrangements. The Trust recognises that a better work-life balance can improve employee motivation, performance and productivity, and reduce stress. Therefore the organisation 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. The organisation is committed to agreeing any flexible working arrangements, provided that the needs and objectives of both the Trust and the employee can be met. The needs of the children in our schools are paramount to our Trust and we will ensure that these are considered in relation to requests for flexible working.

The Children & Families Act 2014, changed the law on the right to request flexible working. All employees who have at least 26 weeks' continuous service have the right to make a request to work flexibly. The Trust is required by law to consider the request in a reasonable manner, which will usually involve holding a meeting with the employee to hear more about the nature of the proposed arrangements and to consider the benefits to both the employee and the Trust.

A flexible working request is a request to change the employee's terms and conditions and must relate to:

- the number of hours that the employee works
- the times that the employees works
- the employee's place of work

Examples of flexible working are part-time; job share, term-time working and homeworking.

When advertising for new roles in our schools, consideration will be made as to whether the positions can be undertaken on a part-time or job share basis.

A request for flexible working may only be made once in any 12 month period (additional requests may be made under the Equality Act, 2010 where this relates to reasonable adjustments). This Policy gives employees a right to apply to work flexibly.

1.2 Legislation

The Children & Families Act 2014

Equality Act 2010

1.3 Guidance under this Policy

The Head of HR is responsible for providing advice and guidance under this policy and reviewing and updating the policy as required.

1.4 Board of Trustees

The Board of Trustees, as a corporate body, has the responsibility to set the strategic direction and objectives of all matters across the Trust.

The Board of Trustees is responsible for ensuring that high standards of corporate governance are maintained.

The Chair of the Trust is responsible for managing the CEO, Trustees and Governors under this policy.

1.5 The Chief Executive Officer (CEO)

The CEO of Learning Today Leading Tomorrow Trust (LT2):

- Takes overall responsibility for the implementation of policies and procedures
- Must provide reports as appropriate to Trustees in relation to this policy
- Ensure that sufficient resources are allocated and authorised within the organisations budget to meet statutory procedures and standards across the Trust
- Is responsible for managing the Headteachers and centrally appointed staff under this policy

1.6 Headteachers

Headteachers of LT2 schools are responsible for:

- The implementation of and compliance with this policy within their school ensuring competence in those staff who are responsible for and involved in the operation of this policy and associated guidance
- Identifying training needs
- Communicating this policy to all relevant people within the school
- Managing school-based teaching and associate staff under this policy

1.7 Senior and Middle Leaders (and other Supervisory Roles)

Although the Headteacher is responsible overall for the implementation of this policy in their school, managers have some specific responsibilities:

- Applying this policy within their own department and area of work
- Resolving any issues members of staff refer to them, informing the Headteacher of any issues to which they cannot achieve a satisfactory solution with the resources available to them
- Where required, conduct formal meetings, undertake relevant training in relation to this policy and ensure effective and competent operation of this policy

1.8 Other Employee Duties

All employees have a responsibility to:

- Comply with this policy and to co-operate with the schools' leadership and management on all matters relating to it
- Undertake any training recommended by their line manager

1.9 Related Policies and Procedures

- Retirement Policy

1.10 Review

This policy will be reviewed every three years.

These procedures have been agreed by the board of trustees, who will approve them whenever reviewed.

2. Flexible Working Request Process

2.1 Making the request

It is the responsibility of employees to ensure that they consider and prioritise the needs of their role within the Trust when making an application to change their working pattern, taking into account the implications for their colleagues.

Employees should submit their application at least one term before they anticipate it to take effect to allow for any necessary adjustments that may be required for the school timetable.

The law requires an employee who wishes to make a request for flexible working to fulfil certain criteria when submitting the request. The employee must:

- Lodge the request in writing to the Headteacher/Line Manager
- Date the request
- State that they are making a statutory request for flexible working and the changes that the employee is seeking to their terms and conditions
- State the date of which the employee would like the terms and conditions to come into effect
- Indicate the effect(s) that they think the change(s) will have on the school and how any such effects might be dealt with
- Indicate whether they have previously submitted a request for flexible working and, if so, when

2.2 Meeting to discuss the flexible working request

Once the Headteacher/line manager receives the request, it will be dealt with as soon as possible, but no later than the timescales set out in the table below.

The Headteacher/ line manager will usually arrange a meeting to deal with the request. Where a request can, without further discussion, be approved in the terms stated in the employee's written application, a meeting will not be necessary.

An employee should be given the right to be accompanied by a work colleague or recognised trade union representative at any flexible working meeting. 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.

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.

2.3 Outcome of a flexible working request meeting

After the meeting, the Headteacher/line manager will consider the proposed flexible working arrangements carefully, weighing up the potential benefits to the employee and to the organisation against any adverse impact of implementing the 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 employee will be informed in writing of the decision as soon as is reasonably practicable after the meeting, but no later than the timescales set out in the table below. The request may be granted in full or in part: for example, the school 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.

The employee will be given the right to appeal the decision if the employee's request is not granted or is granted in part.

2.4 Unsuccessful outcome of a flexible working request

It will not be possible for a Headteacher/line manager to agree to a new working pattern in every circumstance. The reason why a request cannot be granted should be made clear to the applicant providing clear reasons justifying the rejection of a request based on one or more of the following reasons: a

- Burden of additional costs to the Academy/Trust
- Inability to meet service needs, organisation and delivery
- Inability to organise work within the staffing available
- Detrimental impact on performance and quality of service
- Insufficiency of work during the periods the employee proposes to work
- Inability to recruit additional staff
- Planned structural changes

Detrimental effect on ability to meet users demand. 2.5 Successful outcome of a flexible working request

If the request is upheld, the employee and the Headteacher/line manager will discuss how and when the changes will take effect. Any changes to terms and conditions will be permanent and confirmed in writing and sent to the employee as an amendment to their contract of employment.

Headteachers/Line Managers should monitor flexible working arrangements and if there are concerns raise these with the employee promptly.

2.6 Trial Period

Consideration should be given to whether the request should be subject to a trial period. The trial period could form the basis when deciding whether or not a new arrangement can work successfully. This will be considered as an agreed extension to the statutory time frame.

2.6.1 Rejection of Request

At the end of a trial period, if the arrangement has not been successful, both parties could discuss what compromises will need to be made in order for a further trial period to take place.

If the application is turned down, the Headteacher/line manager must state the reason(s) why in writing.

2.7 The Appeal Process

Where an application for flexible working is unsuccessful and the employee feels their request has not been properly considered by their Line Manager, they can lodge an appeal.

2.7.1 Timescale for appeal

Within 14 calendar days of receipt of the notification of the Headteacher/Line Manager's decision the employee may if they wish, appeal in writing to the CEO or, where the request has come from a Headteacher or member of the Executive Team, the Chair of Trustees. They should set out their grounds for making the appeal and date the letter. There are no constraints on the grounds under which an employee can appeal. For example, they may want to address something the Headteacher/Line Manager may not have been aware of or it may be to challenge a fact that the Headteacher/Line Manager has failed to explain the rationale for the decision.

2.7.2 Timescale for response to appeal lodged

Within 14 calendar days after receiving the appeal the Chair of Trustees /Chair of Governors will designate a panel of Trustees/Governors not previously involved with the application to arrange an appeal meeting. The employee may be accompanied if they wish by a work colleague or trade union official at the appeal meeting.

If the employee's representative is not available at the time fixed for the meeting, it may be rescheduled to accommodate the availability of the companion, so long as a reasonable alternative date is proposed which is within 5 working days of the originally proposed date.

Within 5 calendar days of the date of the appeal meeting, the appeal panel must inform the employee of the outcome of the appeal in writing. If the appeal is upheld, the written decision must:

- a) Include a description of the new working pattern;
- b) State the date from which the new working pattern is to take effect, including any trial period; and
- c) Be dated.
- d) If the appeal is dismissed, the written decision must:
- e) State the grounds for the decision. These should be appropriate to the applicant's own grounds for making the appeal;
- f) Explain why the grounds for refusal apply. The same principles apply at appeal as at the initial application stage; and
- g) Be dated.

A written notice of the appeal outcome constitutes the Trust's/Academy's final decision and is effectively the end of the formal procedure.

2.7.3 Timescale for appeal outcome decision

Within 14 calendar days of the date of the appeal meeting, the panel of Trustees/Governors must inform the employee of the outcome of the appeal in writing.

If the appeal is upheld, the written decision must:

- Include a description of the new working pattern
- State the date from which the new working pattern is to take effect, including any trial period
- Be dated

If the appeal is dismissed, the written decision must:

- State the grounds for the decision. These should be appropriate to the applicant's own grounds for making the appeal
- Explain why the grounds for refusal apply. The same principles apply at appeal as at the initial application stage
- Be dated

A written notice of the appeal outcome constitutes the Trust's final decision and is effectively the end of the formal procedure.

2.8 Pension implications

Flexible working may have an impact on pension benefits and therefore employees are strongly advised to contact the relevant pensions' team for further advice. Please note that flexible retirement can only be considered once a request for flexible working has been agreed.

The Local Government Pension and Teachers' Pension Schemes are subject to change and therefore guidance should be sought from the appropriate pensions team prior to making any retirement request.

2.9 Timescales

These time limits may be extended where both the employee and Trust are in agreement. For example, the relevant manager and the employee may agree to extend the time limit to give the employee a trial period on the flexible working arrangements.

Within 28 days of receiving the request for flexible working	Within 14 days of the meeting	Within 14 days of the notification	Within 14 days after receiving the appeal	Within 5 days of the appeal meeting.
The Headteacher/ Line manager should hold the meeting	Notify the employee of the decision	Employees who are dissatisfied can lodge an appeal	The appeal to be heard	The employee will be informed of the outcome of their appeal

		Refer to 2.7 above for the Appeal process	Refer to 2.7 above for the Appeal process	Refer to 2.7 above for the Appeal process
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