





EPA Flexible Working Policy

THIS POLICY WAS AGREED BY TRUSTEES ON (Date):	3rd July 2024
REVIEW DATE:	July 2028
CHAIR OF TRUSTEES:	
CEO:	

*Interim revision April 2024 due to statutory changes

Contents

Contents	1
Introduction	2
Policy	2
Common types of flexible working	2
Who can apply to work flexibly?	2
Appeals	4
Dealing fairly with multiple or competing requests for flexible working	4
Other options	5

Introduction

1. This policy has been agreed through the Oxfordshire HR Forum which follows consultation with all the recognised trade unions and associations: ASCL, GMB NAHT, NASUWT, NEU and Unison.
2. Advice and support on the application of this policy is available from EPA HR.
3. This policy applies to all employees working in the Trust.
4. The word 'school' should be taken to refer to the academy or the Trust.
5. The term 'relevant body' has been used throughout this policy. The relevant body is the Trust Board and Local Governing Bodies of schools.

Policy

6. The Trust and schools recognise that people work more effectively when they are able to strike a healthy balance between their work responsibilities and other aspects of their lives.
7. The school will consider all requests for flexible working, ensuring that the needs and priorities of the school can be met before agreeing to any new arrangements.
8. The nature of the work in schools means there can be limited flexibility in some roles but managers will work with employees to try and identify solutions, where possible, that suit both the individual and the school.

Common types of flexible working

- **Part Time working** - work less than your FTE
- **Term time working** - getting paid for the 38 or 39 weeks of term time worked, plus annual leave entitlement. The employee is paid monthly with pay spread evenly over the twelve months.
- Work times and patterns different from the standard school working hours.
- **Compressed hours** - where an employee works their normal contractual hours over fewer days than the standard work pattern.
- **Annualised Hours** - the employee is contracted to work a certain number of hours over the year but has some flexibility about when they work. There are sometimes 'core hours' which the employee regularly works each week, and they work the rest of their hours flexibly or when there is extra demand at work.
- **Job Sharing Scheme** - a full time job is split between two people, each sharer working half the hours, undertaking a proportion of the duties and receiving proportionate pay and benefits. Job sharing requires a high level of co-operation and communication between the sharers.
- **Home Working** - it may be possible for employees to achieve more flexibility and a better work/life balance by working some of their time from home.

Who can apply to work flexibly?

9. Any employee is able to apply for flexible working from day one of employment.

10. Employees can make two applications in a year. Each year runs from the date when the application was made.
11. Managers should consider any factors that may result in discrimination claims, any concerns related to protected characteristics should be discussed with EPA HR.

Procedure for requesting flexible working

12. There is no legal obligation to agree to requests for flexible working but the law does require managers to objectively consider all requests.
13. To apply for flexible working employees must fill in a flexible working application form setting out:
 - The change to working arrangements they are seeking and when they would like the change to come into effect.
 -
 - That the request is a statutory request and, if they have made a previous application for flexible working, the date of that application.

Whilst not essential, it would also help to include what effect they think the requested change would have on the school and how, in their opinion, any such effect might be dealt with.
14. Requests for flexible working cannot be considered without this information being provided in writing.
15. The application form must be sent to the employee's line manager or Headteacher. Requests from Headteachers should be sent to the Chair of the relevant body.
16. By law, requests must be dealt with within two months from receipt, including any appeal. The time scales set out in paragraphs 19 - 30 comply with this requirement.
17. The two month period can be extended by mutual agreement between the manager and the employee. An extension could, for example, be used to trial new arrangements before the manager makes a final decision or where a request is received during school closure periods.
18. Within 10 working days of receiving the application, the employee's manager will arrange to meet with them to discuss the request and consult with them on any reasons for rejection they may have from the outset. This discussion may be held on the phone or virtually if a meeting is not practical.
19. The meeting provides an opportunity to consider the employee's request and explore how it may be accommodated. Some flexibility may be required to explore alternatives or a compromise.
20. Employees can be accompanied to the meeting by a work colleague or trade union representative if they wish.
21. The manager will write to the employee to notify them of their decision within 5 working days of the date of the meeting (in point 19). Where a request is rejected the reasons will be given and the employee will be reminded of their right of appeal.
22. Managers can only refuse requests for the following reasons:
 - The burden of additional costs is unacceptable for the school

- Work can't be reorganised amongst existing staff
 - An inability to recruit additional staff
 - The new arrangements would have a detrimental impact on quality
 - The new arrangements would have a detrimental impact on the performance of the individual, team or school
 - A detrimental effect on ability to meet pupil/student needs or work demand
 - There is insufficient work for the periods the employee proposes to work
 - The school is planning structural changes to the workforce
23. A four-week trial period for the new arrangements can be agreed.
24. Where flexible work arrangements are approved they will normally constitute a permanent change to the contract of employment, with no automatic right to change back to the previous work pattern.
25. Agreement can be given for flexible work arrangements to be for a temporary period, allowing the employee to return to their normal working pattern or hours on an agreed date.

Appeals

26. Where an application is refused managers should try to speak with the employee to explain the reasons and allow for a response. There may be some simple misunderstanding which can be resolved. This does not need to be a formal meeting but allows for the employee to be consulted with an explanation of the decision.
27. Employees have the right to appeal against a decision to refuse an application. The grounds for appeal must be set out in writing within 5 working days of receiving the decision. The appeal hearing will be dealt with within 10 working days. The employee has the right to be accompanied by a work colleague or trade union representative to any appeal meeting.
28. If employees are unhappy regarding the process that has been followed the Grievance Procedure can be reviewed
29. Any appeal would be normally heard by a different manager from that carrying out the initial meeting. The manager hearing the appeal will write to the employee to notify them of their decision within 5 working days of the date of the appeal meeting.

Dealing fairly with multiple or competing requests for flexible working

30. Requests will be considered in the order they are received. Having considered and approved one request, it does not follow that subsequent requests will be agreed. Managers will consider each application in the context of the school at the time.
31. Where multiple requests are received at the same time, priority will be given to employees whose request is due to:
- Ill health or disability where flexible working would help the employee attend or remain in work.

- Caring responsibilities - the school recognises that many staff, in addition to work, have unpaid caring responsibilities for relatives, children, and friends who need support due to illness, disability or frailty.
- Childcare arrangements.

32. Where these factors do not exist, requests will be treated on their own merits looking at the business case, the impact on the school and the possible impact of refusing a request.

Other options

Other policies are available that may help employees to achieve the flexibility they need in the short term.

- Parental Leave Policy
- Emergency and Special Leave Policy