Flexible Working Procedure

Date Approved	Committee responsible for review of policy	Next Review Date	Policy on Website	Statutory Policy
February 2026	FGB	February 2027	Yes	No

Headteacher: Mrs Emma Humphrey

Procedure for Managing Flexible Working Requests taken from the Hampshire Manual of Personnel Practice

Policy statement

1.1 Our school supports Flexible Working as part of its commitment to create more inclusive, diverse and productive workplaces.

1.2 The Flexible Working Policy supports an improved work-life balance and encourages an environment that is committed to quality of life.

2.0 Scope

2.1 This policy applies to:

- Teachers including Leadership, Upper Pay Range, Main Pay Range, and Unqualified Teachers
- Support staff

2.2 This policy does not apply to:

- Volunteers
- Contractors
- Agency Workers

3.0 Policy outcome

3.1 The aims of this policy are to:

- encourage a supportive environment for flexible working to ensure employees achieve a work-life balance
- support employees and managers in achieving an improved work-life balance, whilst meeting business and individual needs
- improve attraction and support retention of staff
- adopt a consistent framework for managing employees' requests for flexible working
- ensure compliance with statutory requirements

4.0 Check which policy to use

4.1 Changes to employment arrangements which are initiated by the school should be managed though the relevant policy.

4.2 Informal changes of a short duration may be able to be managed through annual leave or the Time Off guidance.

© Hampshire County Council – Education Personnel Services 2024

5.0 Key definitions

5.1 Flexible working – can refer to the working pattern, number of hours worked or the location where work is undertaken.

5.2 Calendar days – where reference is made to calendar days, these are defined as Monday to Sunday, including Bank Holidays or Public Holidays. This is consistently applied irrespective of an employee's work pattern, and any school closure period.

5.3 Manager – this refers to the relevant manager who is considering the request. This will most likely be the Headteacher but could be another member of the Senior Leadership Team.

6.0 Principles

6.1 Requests from employees will be accommodated wherever practical. Managers must give due consideration to each request and work with the employee to seek a solution that works; however, no employee has an automatic right to have their request accepted as curriculum provision and team and individual performance must not be negatively impacted.

6.2 Requests must be dealt with as quickly as possible but in all cases must be concluded within two months (including any appeal outcome) unless an extension is agreed. At any point, the timescales of the policy can be extended by mutual agreement, for example where one of the parties is absent due to sickness or where a school closure period occurs.

6.3 Any change in contractual hours must be agreed between the manager and employee.

6.4 How hours are worked is not contractual. Managers and employees can use this policy to vary working hours in the future.

6.5 The manager will place copies of correspondence on the personnel file and instruct payroll of any changes.

6.6 Where an agreement is reached, the new work pattern will be a permanent change to the employee's terms and conditions (unless otherwise agreed – see 14.0 below). The employee's statement of particulars of employment must be amended accordingly and a variation of statement of particulars issued to the employee.

© Hampshire County Council – Education Personnel Services 2024

7.0 Right to be accompanied

7.1 If the manager needs to discuss the employee's request with them, they will need to arrange to meet with them and provide them with reasonable notice. An employee has a right to be accompanied by a work colleague to a meeting under this policy, but no statutory right to be represented by a Trade Union/Professional Association. Therefore, if an employee asks to be accompanied by a work colleague, this should be agreed. If an employee asks to be represented by a Trade Union/Professional Association, the manager can agree to this if appropriate to do so.

8.0 Eligibility

8.1 Any employee of the school within the scope of the policy may apply to work flexibly, regardless of their length of service.

8.2 An employee may make a maximum of two flexible working requests in a 12-month period.

9.0 Types of flexibility

9.1 Employees may request:

- a change to the number of hours they work
- a change to the times when they are required to work
- the days on which work is done
- to work from another location, from home, or a mixture of these

9.2 Requests can cover working patterns such as annualised hours, compressed hours, flexi time, homeworking, job-sharing, part-time working, shift working, staggered hours and working less than 52 weeks a year (e.g. term-time only). Employees working less than 37 hours per week may also make a request to increase their hours.

9.3 Employees cannot request to work fewer hours than they are paid. For example, an employee cannot request to work a part-time or condensed 30-hour week, whilst receiving pay for a full-time 37-hour week.

© Hampshire County Council – Education Personnel Services 2024

10.0 Proposals for flexible working from the school

10.1 Managers who identify potential benefits from flexible working should discuss this with their team or relevant individuals. Managers should seek views and ideas from their team. Once all ideas from employees and managers have been discussed, managers will offer the identified flexible working to individual employees. Acceptance is voluntary.

10.2 Changes may be subject to a trial period (see below). Any changes must be confirmed in writing by the manager and a copy placed on the personnel file.

11.0 Benefits and entitlements

11.1 Employees are reminded that benefits and entitlements (e.g. contributions to a pension scheme, annual leave) may be affected by a new working arrangement. The effects of such a change should be considered by the employee prior to submitting their request.

12.0 Applying for flexible working

12.1 Employees are encouraged to discuss their requests informally with their line manager in the first instance. Where a change can be agreed, the manager must confirm this in writing.

12.2 If an informal agreement cannot be reached, the employee will complete the 'Flexible Working Application Form' and send it to their manager.

12.3 Managers will consider the application and will either agree to the application in writing within 28 calendar days, confirming the details of the arrangement, or will meet the employee within 28 calendar days of receiving the application. The employee can ask to be accompanied by a work colleague. Requests must be dealt with as quickly as possible but in all cases must be concluded within two months (including any appeal outcome), unless an extension is agreed.

12.4 At the outcome of the meeting the manager must advise the employee of:

- the new work pattern and start date, OR provide clear business reasons why the application cannot be accepted and explain the reasons why
- their right of appeal
- the date by which an appeal must be submitted, which is within 14 calendar days starting from the day after the meeting

12.5 The details of the meeting and the outcome are confirmed in writing by the manager within 14 calendar days of the meeting.

© Hampshire County Council – Education Personnel Services 2024

12.6 Where the school can agree to the request without holding a meeting, then this agreement must be confirmed in writing within 28 calendar days of receiving the application.

12.7 Where a request has been agreed, a variation to the employee's statement of employment particulars should be issued (where applicable).

12.8 Where a request is to be declined, the manager has a statutory obligation to consult with the employee before confirming their decision. The process outlined above enables this requirement to be met.

12.9 All documents, whether the application is accepted or refused, must be placed on the employee's personnel file.

13.0 When a request may be refused

13.1 It may be necessary for the Headteacher to refuse an employee's request for flexible working. The grounds must relate to one of the following reasons (as prescribed by legislation):

- detrimental effect on the ability to meet customer demand
- inability to re-organise work among existing staff
- inability to recruit additional staff
- detrimental impact on quality
- detrimental impact on performance
- a burden of additional costs
- insufficient work during the period(s) that the employee proposes
- planned structural changes

14.0 Trial Periods

14.1 Flexible Working arrangements may be subject to a trial period. This is to ensure that the arrangement has no negative effects on the employee, the team, or the service provision.

14.2 The length of the trial period will depend on the circumstances but will not normally exceed six months. The arrangement will be reviewed during and at the end of the trial period through discussions between the manager and the employee. Amendments may be made to the arrangement during the trial period, either:

- if the employee requests a change and the manager agrees or
- if the manager determines that a change is necessary due to negative effects on the employee, team, or service provision.

© Hampshire County Council – Education Personnel Services 2024

14.3 The trial period may be terminated by the employee at any stage and for any reason, or by management if there are negative effects on the employee, the team or service provision. One month's notice should normally be given.

14.4 The arrangements for the trial period, and any changes made, should be confirmed to the employee in writing.

14.5 If, at the end of the trial period, it is agreed that the Flexible Working arrangement should continue, then the details will be confirmed to the employee in writing.

14.6 If during or at the end of the trial period the Flexible Working request is refused, then the employee may appeal as below.

14.7 Withdrawal of the arrangement being trialled, or amendment to an arrangement that the employee does not wish to accept, will both be considered refusals of the employee's original request.

15.0 Right of appeal

15.1 The employee has a right to appeal against the decision. They must have specific grounds for making an appeal and identify supporting evidence.

15.2 An employee must ensure their written appeal is received by the manager within 14 calendar days of the meeting, or review of the trial period, starting from the day after the meeting at which the decision was confirmed. The full reasons for the appeal must be given along with the supporting evidence.

16.0 Appeal meeting

16.1 The Clerk of the Governing Body will set up an Appeals Panel to reconsider the employee's request within 14 calendar days of receipt of the letter of appeal.

16.2 The chair of the Panel will write to the employee to invite them to an appeal meeting, enclosing any management documents.

16.3 The employee has the right to be accompanied at a meeting by a work colleague.

16.4 The employee, or their companion, must submit any additional information to arrive at least 4 calendar days before a meeting.

© Hampshire County Council – Education Personnel Services 2024

17.0 Outcome of an appeal meeting

17.1 The chair of the Panel will decide whether the appeal is upheld or not and will confirm, by dated letter, details of the agreed changes and their start date, or if rejecting the application, state the grounds for the decision with sufficient explanation as to why those grounds apply.

17.2 The chair of the Panel must advise the employee of the outcome at the meeting and confirm in writing.

18.0 Related documents

18.1 To help with the application of this policy it may be useful to read the following:

- Flexible Working How to Guide
- Flexible Working Points to Consider
- Flexible Working Flowchart

19.0 Contact

20.1 For all initial queries, managers can contact the EPS Helpdesk through the Manual of Personnel Practice: https://www.hants.gov.uk/educationandlearning/education-personnel-services/manual/contact-us.

20.0 Support

20.1 Some key support services include:

- **Occupational Health & Wellbeing** (for schools which subscribe to HCC's Occupational Health Service) for resources and general information on how to support your health and wellbeing go to https://www.hants.gov.uk/hampshire-services/occupational-health/schools

- **Employee Support** – if your school has purchased the service, you may have access to free, confidential and impartial Employee Support at https://www.hants.gov.uk/hampshire-services/occupational-health/schools/employee-support

- **Trade union and Professional Association members** - members can contact their local office to find out about the support available and discuss specific issues.

- **School staff wellbeing and resilience webpages** – website with tools and resources to support staff in schools at https://www.hants.gov.uk/educationandlearning/schools-resilience

- **DfE guidance on Flexible Working** – available for schools, outlining some of the considerations with specific application to schools, and ways of supporting flexible

© Hampshire County Council – Education Personnel Services 2024

working in schools: https://www.gov.uk/government/publications/flexible-working-in-schools

21.0 Governance

SharePoint ID:	HRDOCID-561776108-115833
Date of publication:	V1 – July 2019 V2 – 06 April 2024
Owner:	Education Personnel Services

© Hampshire County Council – Education Personnel Services 2024