

Flexible Working Policy

Freemantle Church of England Community Academy Trust



This policy should be read in conjunction with the following where further information may be found:

- Equal Opportunities Policy
- Disability Equality Policy
- Reasonable Adjustments policy

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Contents

1. Introduction and Scope	2
2. What is flexible working?	2
3. Responsibilities	3
4. Equalities	4
5. Requesting flexible working	5
6. Academy actions upon receipt	5
7. Appeals	6
8. Review and Monitoring: putting policy into practice.	6

1. Introduction and Scope

Introduction

Freemantle C E Community Academy Trust recognises that achieving a good work-life balance is vital for all our staff. Promoting flexible working can aid recruitment & retention and elevate staff performance and productivity. It could improve teaching and learning, help to reduce stress, and make staff feel valued and motivated. Flexible working is not only beneficial for workers and employers, but also for pupils, quality of care and education.

Scope

This policy applies to all workers regardless of their type of contract or role.

All adverts for full time roles will refer to the opportunity to work part-time/job-share/explore flexibility, as this is likely to widen the pool of applicants.

This policy is based on the presumption that all roles can apply to work flexibly.

Freemantle C E Community Academy Trust's policy works on the assumption that flexible working could be requested in the following cases, for example:

1. On a worker's return from maternity leave/adoption leave.
2. Where requested by the parent of any child under six (or a disabled child up to the age of 18).
3. Where a worker is the main carer for a dependent of any age.

All other requests will be reasonably considered and accommodated wherever possible.

Where an agency worker requests flexible working, Freemantle C E Community Academy Trust will inform the agency of any agreed changes to working arrangements.

Managers will receive appropriate training to prevent any unconscious bias when considering a worker's request for flexible working.

2. What is flexible working?

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

It can cover a range of options but, given the requirements of the teaching timetable and the core responsibilities of classroom teachers and support staff, flexible working for teachers and education

workers is more likely to take the form of part-time work (*working a proportion of the standard hours for the job*) or job sharing (*sharing the duties and responsibilities of the post with another employee*).

Other arrangements include:

- **Phased retirement:** reducing working hours and/or responsibilities gradually in the transition from full-time work to full-time retirement;
- **Varied hours/staggered hours:** having different start/finish times/breaks. For example, to accommodate a pregnant woman's need to rest at work, or a new mother's need to rest and breastfeed or express breastmilk;
- **Annualised hours:** guaranteed working hours spread across the year, which may include, for example, working during school closure days, or hours varying across the year to suit the school and worker;
- **Compressed hours:** working full time over fewer days. For example, a 5-day week is compressed into four days;
- **Other flexibilities:** personal or family days, time off in lieu of working additional hours and home or remote working for some aspects of the job, particularly where there is non-pupil facing work that can be undertaken off-site.

3. Responsibilities

Who will benefit from flexible working?

Flexible working provides benefits to staff, employers, and pupils. It can be a particularly important and cost-effective way for employers to attract and retain valuable staff.

Workers

There are many workers who may benefit from flexible working arrangements including:

- Pregnant women requiring rest breaks;
- New parents returning from maternity/adoption leave wanting to combine work and family life;
- New mothers requiring breaks to rest, breastfeed or express breastmilk at work;
- Older workers looking to reduce their hours prior to retirement;
- Fathers/co-parents/grandparents who want to take on a greater role in childcare;
- Staff needing to combine work with caring for elderly or sick relatives;
- Staff with long term health conditions or those who are disabled;
- Staff seeking adjustments to study;
- Staff seeking adjustments to facilitate religious observance.

Employers

There are many benefits for employers, including:

- Retaining valued and experienced staff, who can balance the demands of work and their home life, resulting in staff feeling more refreshed, satisfied, motivated to cope with the rigorous mental and physical demands of the job
- Increased loyalty and morale, leading to better quality teaching and learning outcomes.

- An increase in the pool of potential job applicants rather than limiting it only to those able to work full time;
- Increased diversity of workers, which will better reflect the local community.
- Providing an attractive recruitment benefit, especially in areas and specialist subjects where schools are struggling to recruit.
- The use of job sharing, which brings the benefit of two sets of skills and experience to the same post.

4. Equalities

Freemantle C E Community Academy Trust will promote equality in all aspects of academy life and is committed to complying with the Equality Act 2010.

A request for flexible working as a reasonable adjustment under s20 of the Equality Act 2010 will be assessed under the Freemantle C E Community Academy Trust's, Equal Opportunities Policy, Disability Equality Policy, Reasonable Adjustments policy etc.) and not as a flexible working request under the Flexible Working Regulations.

Freemantle C E Community Academy Trust will strive to avoid indirect sex discrimination against workers seeking to work flexibly and will seek to accommodate the flexible working needs of pregnant women, new mothers, breastfeeding women, and women returning to work from maternity leave.

Workers working flexibly or seeking to work flexibly will not be treated any less favourably because of their part-time status or their request to work part-time.

The Freemantle C E Community Academy Trust has a public sector equality duty to eliminate discrimination, harassment, and victimisation; to advance equality of opportunity; and to foster good relations.

We will undertake an Equality Impact Assessment of this policy and will ensure that appropriate arrangements are in place to enable the consistent application of the policy.

Breastfeeding

We acknowledge the Health and Safety Executive's **advice**¹ that breastfeeding mothers are entitled to more frequent rest breaks and we will support requests for paid breaks for breastfeeding or expressing.

We will accommodate reasonable adjustments to the working day to enable breastfeeding mothers to breastfeed or express breastmilk at convenient times. This will be in addition to adequate time in the working day to drink water, eat lunch and use the toilet.

Breastfeeding mothers require adequate time to empty their breasts. Where a woman needs an extended morning, midday, or afternoon break to fully express her breastmilk, appropriate cover will be provided.

We acknowledge that not all breastfeeding women will choose or be able to express breastmilk; we will endeavor to ensure that all breastfeeding women will be able to leave work on time to reduce the risk of discomfort, breast engorgement, or infection.

¹ [Protecting pregnant workers and new mothers - Rest and breastfeeding at work \(hse.gov.uk\)](https://www.hse.gov.uk/protectingpregnantworkersandnewmothers/)

5. Requesting flexible working

Making the request for flexible working

Freemantle C E Community Academy Trust advocates the benefits of flexible working and will ensure that all job adverts make clear that we welcome applications from individuals seeking part-time, job-share or other flexible working arrangements.

Headteachers/leaders/managers will be encouraged to take a flexible approach and be open to having **discussions** with staff prior to and from the start of their employment about flexible working options.

Staff will be encouraged to express their flexible working needs as soon as possible if required. Timetable decisions will be made early in the spring term, or earlier in the academic year, and it will be useful to be aware of most flexible working needs at this stage. This does not mean that requests made at other times in the academic year will not be accommodated, but may be harder to facilitate.

Workers may discuss their need for flexible working with their line manager at any point and Freemantle C E Community Academy Trust anticipates that requests for flexible working may be agreed without the need for a statutory request.

In the rare circumstances that the informal discussions around flexible working do not result in agreement, the worker should put their formal request for flexible working in writing to the headteacher/leader/manager.

Freemantle C E Community Academy Trust recognises that workers' personal circumstances can change at short notice and may mean that they need a different working pattern to enable them to balance work and family life. Therefore, Freemantle C E Community Academy Trust will allow a worker an additional request within any one-year period.

Freemantle C E Community Academy will also consider the core working hours of the academy as part of the discussion and consideration of the decision-making process, core hours are 08.30 am to 3.15 pm, Mon -Fri term time only. This does not necessarily mean a request will be refused or agreed using this criteria, but all factors of the request and needs of the academy will be discussed and considered.

6. Academy actions upon receipt

What we do on receiving a formal request

Freemantle C E Community Academy Trust will consider the request as soon as possible but, in any event, no later than 28 days from the date of receipt of the request. In this same period, Freemantle C E Community Academy Trust will arrange to meet with the worker to discuss the request. The worker will be entitled to be accompanied by their trade union rep or a workplace colleague.

The headteacher/leader/manager will discuss the request with the worker; both will consider the needs of the worker, of the pupils and the trust. If it is not immediately apparent that the flexible working request can be accommodated, alternative options will be discussed.

There will be no requirement by the employer for the worker to explain the potential impact of their request on pupils or justify their reasons for making the request, but these factors will be a serious consideration by the employer as part of the decision-making process.

Freemantle C E Community Academy Trust aims not to refuse flexible working arrangements wherever possible, and will take steps to ensure that all staff receive appropriate opportunity for discussion as part of their application and that no member of staff is treated less favourably on grounds of a protected characteristic or disadvantaged because of the nature of their role.

The discussion will include considering whether the flexible working arrangement will be temporary or permanent, however, unless the request is to deal with a temporary change in circumstances, the presumption will be that the change will be a permanent one.

The worker will be informed of the decision in writing within 10 working days of the discussion. If there is likely to be a delay in discussing the request within these timescales, the worker will be consulted.

If the application is approved, the change will be permanent, unless the worker would like a temporary variation. The employer will write to the worker to confirm the changes setting out the new working pattern, including days/hours to be worked and when the new working pattern will commence.

7. Appeals

Appeals

In any situation where it has not been agreed that a member of staff can have a change to the working pattern they have requested, they may appeal against the decision to the Executive Officer within ten working days of receipt of the decision to reject their application.

The appeal will be heard by the Executive Officer and at least 1 director who will hear the appeal within ten working days of receipt and the worker will be informed of the outcome of their appeal within ten working days of the appeal meeting unless an extension has been agreed with the worker.

The worker has the right to be represented at the appeal meeting by a trade union representative or work colleague.

8. Review and Monitoring: putting policy into practice.

Review and monitoring

This policy will be reviewed biennially, in consultation with the recognised unions, to ensure consistency, fairness, and effectiveness, and to reflect any changes in employment legislation.

Freemantle C E Community Academy Trust will monitor, review and report on the outcomes and impact of this policy on an annual basis and in line with the Equality Act 2010.

Freemantle C E Community Academy Trust will share with the recognised unions information including: appropriate anonymised data broken down by Equality Characteristics in line with GDPR on the application of this policy, including the number of requests granted and the outcome of any appeal. Should analysis of this data cause concern, a review of the policy and its application will be initiated.