



FLEXIBLE WORKING POLICY



Next review date: Spring 2022

Introduction

Cheshire Academies Trust is committed to flexible working and helping employees to maintain an effective balance between their work and home life. However, there is no automatic right to work flexibly and there may be occasions when it is not possible to meet the needs of an individual and the organisation. All requests will be considered seriously and on an individual basis.

All employees are able to make a request to their Principal (academy staff) / CEO (Principals and central Trust staff) to work flexibly. In the case of the CEO this request must be made to the Chair of the Board. However, this scheme is only applicable to employees who meet the eligibility requirements set out below.

Eligibility

In order to make a request to work flexibly you must, at the date of application:

General Criteria

- Have at least six months continuous employment with Cheshire Academies Trust
- Not have made another application to work flexibly under the right during the last twelve months

Flexible Working Requests for Children

- be the mother, father, adopter, guardian or foster parent of a child OR be married to or be the partner of the child's mother, father, adopter, guardian or foster parent;
- have a child under 18 at the time the application is made
- have or expect to have responsibility for the child's upbringing
- be making an application to enable you to care for the child

Flexible Working Request for Carers

Care or expect to care for a person who is 18 or over who is:

- a) Married to you, or is your partner or civil partner
- b) Related to you
- c) Is living at the same address as you

Related to you includes: mother, father, adopter, guardian, special guardian, parent -in-law, step parent, son, step son, daughter, step daughter, brother, step brother, brother-in-law, sister, step sister, sister-in-law, uncle, aunt or grandparent. This includes adoptive relationships of full blood or half blood or in the case of an adopted person, such of these relationships as would exist but for the adoption.

Note: Employees must be responsible for providing care but are not required to demonstrate that a child or adult requires any particular level of care. The following are examples of the type of care that a carer may undertake in relation to an adult:

- Help with personal care (e.g. dressing, bathing, toileting)
- Help with mobility (e.g. walking, getting in and out of bed)
- Nursing tasks (e.g. daily blood checking, changing dressings)
- Giving / Supervising medicines
- Escorting to appointments (e.g. General Practitioner (GP) Hospital, Chiropodist)
- Supervision of the person being looked after
- Emotional Support
- Keeping the care recipient company
- Practical household tasks (e.g. preparing meals, doing shopping, domestic labour)
- Help with financial matters or paperwork

Scope

You are able to request:

- a change in the hours you work, (e.g. part-time, job-share)
- a change to the times you are required to work, (e.g. change to start/finish times)
- a change to your work location, (e.g. work from home).

Your Principal/CEO will be able to give you further advice about flexible working options you may wish to consider.

The Procedure

Stage One:

You should set out in writing the full details of your request and give this to your Principal/CEO. You should explain your relationship with the child or adult and if the application applies to a child, state the age of the child to confirm that you are eligible to make the application.

The letter should also contain the following information:

- hours/working pattern/location you are requesting to work
- any possible alternatives you would be happy to consider
- a proposed start date for the arrangements to begin
- the impact you think the change would have on your section/department
- any ideas for how the changes you propose could be accommodated

Stage Two:

Within 28 days of receiving your letter your Principal/CEO will arrange to meet with you to discuss your request and explore how it could be accommodated. There will also be an opportunity to discuss alternatives should there be any problem in agreeing to the working pattern proposed. You may bring a colleague/trade union representative to the meeting if you wish. If you plan to do this you should inform your Principal/CEO not less than 24 hours before the meeting.

Within 14 days of the meeting your Principal/CEO will write to you to either confirm the new work pattern and start date or to provide you with a clear reason why the application cannot be accepted.

Stage Three:

If you are not happy with the decision of your Principal/CEO you may appeal. Your appeal must be in writing and be submitted within 14 days of receiving the letter of notification from your Principal/CEO. Your letter must set out the grounds of your appeal and be signed and dated.

A further meeting will be held with your Principal/CEO, yourself, your colleague/ trade union representative to discuss your request and the reason why your Principal/CEO took the decision they did. They will reconsider your request. This meeting will be held within 14 days of your appeal letter being submitted.

Within 14 days of the meeting, your Principal/CEO will write to you to either confirm the new work pattern and start date or to provide you with a clear reason why the application cannot be accepted.

If you are still dissatisfied with the decision, you may invoke the Trust's grievance procedure. You must indicate your wish to do so in writing to the Chair of the Governing Body (academy staff) or the Chair of the Board (central Trust staff) within 14 days of receipt of the letter declining your appeal. Your letter must set out the grounds of your grievance and be signed and dated.

All of the above time scales above may be extended by agreement with all parties.

Roles & Responsibilities

Principals/CEO must:

- Give all requests serious consideration
- Weigh operational needs against personal circumstances of employee
- Consider the impact on the rest of the team and the provision of the service
- Explain and communicate decisions and confirm in writing

Employees must:

- Submit their request in writing
- Consider the impact on the rest of the team and the provision of the service
- Be willing to consider alternative flexible working proposals

Grounds for Refusal

Whilst every effort should be made to agree a working pattern which is acceptable to employees and the Trust there will be instances where this is not possible. In considering a request to work flexibly Principal/CEO will consider the following factors:

- burden of additional costs
- ability to meet customer demand
- ability to organise work with available staffing
- impact on quality and/or performance
- ability to find extra staff
- insufficiency of work during the period that employee propose to work
- planned structured change

Changes to Terms & Conditions of Employment

An accepted application will normally result in a **permanent** change to your terms and conditions of employment and therefore you need to be certain that you understand and are happy with all of the possible implications, e.g. drop in salary, financial implications. A change in your hours of work will affect your pension. You can get further advice about the possible implications from **Teachers' Pensions or the Cheshire Pension Fund, in the case of support staff.**

It may be possible to agree to a temporary change to your working arrangements and if this is your preference you should state the time period for which you are requesting flexible working.

Trial Periods

It is possible to change working arrangements for a trial period during which the Principal/CEO and the employee can assess the impact of the flexible working. In order to do this, the employer and the employee must agree to extend the 14 day time period during which the Principal/CEO would normally reach a decision about the flexible working request. In these circumstances the Principal/CEO should write to the employee stating:

- that their agreement to the employee's request for flexible working is subject to the outcome of the trial period
- the length of the trial period, (i.e. the start and end dates)
- that the change to the employee's terms and conditions of employment during the trial period is for a temporary period
- the nature of the change to the employee's terms and conditions of employment
- the date that the employee will revert back to their previous terms and conditions of employment if the Principal/CEO refuses their request for flexible working.

The working arrangements should be reviewed regularly during the trial period to assess the success of the change to the working pattern and/or address any problems that may have arisen.