



Flexible working policy

Author: Cornwall Education Learning Trust
Adopted by (body): CELT Trustees

WELLBEING POLICY
DEVELOPMENT
STRATEGY HUMAN PEOPLE
RESOURCES
CHANGE MANAGEMENT
SUCCESSION PLANNING
CONFIDENTIALITY

Collaborate Ability to work effectively as a team

Empower Ability to take initiative and problem solve in order to improve performance

Lead To lead by example and achieve shared goals

Transformation Ability to recognise a need for change and adapt accordingly



CELT Vision

Our vision is for our trust to be a learning organisation in the truest sense.

At the heart of our vision for education is a self-improving school-led system which has the best evidence-led practice and in which every child fulfils their potential. This is a learning community in which:

- Our leaders are driven by moral purpose. They are outwards focused and not afraid to take risks to achieve system transformation. The focus of policy is on continually improving the quality of teaching.
- Our teachers strive to be outstanding. They work across organisational boundaries to promote a collective sharing of knowledge, skills, expertise and experience in order to deepen pupil learning.
- The individual talents and strengths of our pupils are recognised and nurtured. A passion and curiosity for learning is sustained in every child from the moment they join us. A CELT pupil leaves our family of academies with a purpose, and the confidence to fulfil that purpose.
- Our parents are engaged in our learning community and actively work in partnership with us to raise the level of attainment and aspiration of every child.

CELT Mission

“Learning together to help every child achieve more.”

We believe there is no limit to what every child can achieve, and that every child deserves the chance to fulfil their potential.

As a learning community we are on an ambitious journey. We want to deliver a model for education in the 21st century which instils curiosity and a love for learning in every child so that they develop into young adults who contribute to humanity, follow their passions, and think for themselves.

By learning and improving together – as part of a global learning community – we create much richer and more sustainable opportunities for rigorous transformation than can be provided by any one of our academies alone.

**COLLABORATE
EMPOWER
LEAD
TRANSFORM**

Should you require further information, please contact
The Governance Officer.

Cornwall Education Learning Trust (CELT), Atlantic Centre,
Trenance Leisure Park, Newquay, Cornwall TR7 2LZ

Telephone: 01637 800293
www.celtrust.org

Email: ccarter@gov.celtrust.org

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1

Policy statement

- 1.1 We are committed to providing equality of opportunity in employment and to developing work practices and policies that support work-life balance. We recognise that, in addition to helping balance work and personal lives, flexible working can raise staff morale, reduce absenteeism, and improve our use and retention of staff.
- 1.2 This policy gives eligible employees an opportunity to formally request a change to their working pattern in accordance with the statutory procedure for such requests.
- 1.3 Through this policy we will accommodate flexible working where possible, but the priority will be the effective running of Cornwall Education Learning Trust (CELT) for the benefit of the pupils and where granting flexible working would impact on that, requests may not be granted.
- 1.4 Any employee who makes a request for flexible working will not be subjected to any detriment or lose any career development opportunities as a result.
- 1.5 This policy does not form part of any employee's contract of employment and it may be amended at any time following consultation with staff and recognised trade unions. We may also vary application of this procedure, including any time scales for action, as appropriate, with the mutual agreement of the employee.
- 1.6 The policy has been implemented following consultation with staff and recognised trade unions. It has been formally adopted by the Staffing and Remuneration Committee.

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Scope and purpose of the policy

- 2.1 This policy applies to all employees. It does not apply to agency workers, consultants or self-employed contractors.
- 2.2 Employees with at least 26 weeks' continuous service have a statutory right to request flexible working. That right is recognised by the formal procedure in this policy. The criteria for deciding who is eligible to follow the formal procedure are set out in paragraph 5.
- 2.3 Any employee interested in flexible working can request a meeting with their line manager to discuss their eligibility, the different options and the effect of their proposed work pattern on colleagues and service delivery before submitting a formal request.

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Responsibility for implementing the policy

- 3.1 The Trustees have overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. The Trustees have delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Deputy Trust Lead (Operations).

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Forms of flexible working

- 4.1 Flexible working can incorporate a number of possible changes to working arrangements:
- 4.1.1 reduction or variation of working hours;
 - 4.1.2 reduction or variation of the days worked; and/or
 - 4.1.3 working from a different location (for example, from home).
- 4.2 Such changes may also involve starting a job share; working a set number of hours a year, rather than a week (annualised hours); working from home (whether for all or part of the week); working only during term-time (part-year working); working compressed hours; working flexi-time. Some of these arrangements may not be possible due to the nature of the work undertaken by the employee making the request.
- 4.3 Employees should be aware that changes to working hours will affect pay and other benefits, for example pension, annual leave entitlement.

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Eligibility for the formal right to request procedure

- 5.1 Requests under the formal procedure set out in paragraph 6 to paragraph 9 of this policy can only be made by employees who meet the criteria set out below.
- 5.2 To be eligible to make a request under the formal procedure, you must:
- 5.2.1 be an employee;
 - 5.2.2 have worked for us continuously for 26 weeks at the date your request is made;
 - 5.2.3 not have made a formal request to work flexibly during the last 12 months.

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Making a formal flexible working request

- 6.1 You will need to submit a written application form if you would like your flexible working request to be considered under the formal procedure.
Once we have received a request we will consider it.
- 6.2 Your written and dated application should be submitted to your line manager who will liaise with the Head Teacher or Senior Leadership and, in order to meet the requirements of the formal procedure and to help them to consider your request, should:
 - 6.2.1 state that it is a statutory flexible working request;
 - 6.2.2 provide as much information as you can about your current and desired working pattern, including working days, hours and start and finish times;
 - 6.2.3 give the date from which you want your desired working pattern to start;
 - 6.2.4 identify the effect the changes to your working pattern will have on the work that you do, that of your colleagues and on service delivery. If you have any suggestions about dealing with any potentially negative effects, please include these in your written application;
 - 6.2.5 provide information to confirm that you meet the eligibility criteria set out in paragraph 5 of this policy;
 - 6.2.6 state whether you have made a previous formal request for flexible working and, if so, when; and
 - 6.2.7 be submitted in good time and ideally at least two months before you wish the changes you are requesting to take effect.
- 6.3 We might be able to agree your proposal without the need for a meeting (which is the next stage of the formal procedure). If that is the case, the Head Teacher/ Senior Leader, with the support of HR, will write to you confirming the decision and explaining the changes that will be made to your contract of employment.
- 6.4 If your proposal cannot be accommodated, discussion between you and your line manager will be held to explore any alternatives that could be made to assist you, if appropriate.

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Formal procedure: meeting

- 7.1 Where necessary, the line manager will arrange to meet with you as soon as is practicably possible after receiving your written application. We will inform you if there is a delay in arranging this meeting. CELT may discuss your request with your line manager and make any necessary enquiries regarding your proposals prior to the meeting.
- 7.2 You have the right to bring a companion to the meeting if you wish. The companion may be either an official trade union representative or a work colleague. You must inform the Headteacher/Manager conducting the meeting who your chosen companion is, in good time before the meeting. Your companion will be entitled to speak during the meeting and confer privately with you, but may not answer questions on your behalf.
- 7.3 The meeting will be used to discuss the working arrangements you have requested. You will be able to explain how the arrangements will benefit you as well as what impact your proposed working arrangements will have on your work and that of your colleagues and of your team or department. If the arrangements you have requested cannot be accommodated, discussion at the meeting also provides an opportunity to explore possible alternative working arrangements.
- 7.4 CELT may suggest starting new working arrangements under an initial trial period to ensure that they meet your needs and those of your team or department. We will set a review date to meet with you again shortly before the end of the trial period to discuss how the new arrangements are working.

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Formal procedure: decision

- 8.1 Following the meeting, the Headteacher/Senior lead will consider your request carefully and notify you of the decision in writing as soon as possible but usually within 5 working days of the meeting.
- 8.2 If your request is accepted, or where we propose an alternative to the arrangements you requested, the Headteacher/Senior lead will write to you with details of the new working arrangements, details of any trial period, an explanation of changes to your contract of employment and the date on which they will commence. You will be asked to sign and return a copy of the letter. This will be placed on your personnel file to confirm the variation to your terms of employment. There may also be some additional practical matters, such as arrangements for handing over work, that your line manager will discuss with you.
- 8.3 Unless otherwise agreed (and subject to any agreed trial period) changes to your terms of employment will be permanent. You will not be able to make another formal request until 12 months after the date of your most recent request.
- 8.4 If the Headteacher/Senior lead needs more time to make a decision, they will discuss this with you. For example, they may need time to investigate how your request can be accommodated or to consult several members of staff.
- 8.5 There will be circumstances where, due to business and operational requirements, we are unable to agree to a request. In these circumstances, the Headteacher/Senior lead will write to you:
 - 8.5.1 giving the business reason(s) for turning down your application;
 - 8.5.2 explaining why the business reasons apply in your case; and
 - 8.5.3 setting out the appeal procedure.
- 8.6 If we reject a request it will be for one or more of the following eight business reasons:
 - 8.6.1 the burden of additional costs;
 - 8.6.2 detrimental effect on ability to meet pupil and/or CELT demand;
 - 8.6.3 inability to reorganise work among existing staff;
 - 8.6.4 inability to recruit additional staff;
 - 8.6.5 detrimental impact on quality;
 - 8.6.6 detrimental impact on performance;
 - 8.6.7 insufficiency of work during the periods that you propose to work; and
 - 8.6.8 planned changes.

Formal procedure: appeal

- 9.1 You may appeal against the decision if your request is rejected, or an alternative arrangement from the one you requested is offered. For example, this may be on the grounds that new information is now available that was not available to be considered or if you feel your request was not handled reasonably in line with this policy.
- 9.2 Your appeal must:
 - 9.2.1 be in writing and dated;
 - 9.2.2 set out the grounds on which you are appealing; and
 - 9.2.3 be sent to the Headteacher/Senior Lead within 10 days of the date on which you received the written rejection of your request.
- 9.3 Where possible, the appeal hearing will be conducted by a panel of a minimum of two and a maximum of three, consisting of a Senior Manager and/or LGB/ Trustees. You have a right to bring a companion or trade union representative to the meeting. The meeting will be held without unreasonable delay, normally within 10 working days of receiving your written appeal, at a convenient time for all those attending.
- 9.4 You will be informed in writing of the Appeal Panel's decision as soon as possible following the appeal meeting, and usually within 5 working days.
- 9.5 If your appeal is upheld, you will be advised of your new working arrangements, details of any trial period, an explanation of changes to your contract of employment and the date on which they will commence. You will be asked to sign and return a copy of the letter. This will be placed on your personnel file to confirm the variation to your terms of employment. There may also be some additional practical matters, such as arrangements for handing over work, that your line manager will discuss with you.
- 9.6 You should be aware that changes to your terms of employment will be permanent and you will not be able to make another formal request until 12 months after the date of your original application.
- 9.7 If your appeal is rejected, the written decision will give the business reason(s) for the decision and explain why the reason(s) apply in your case. You will not be able to make another formal request until 12 months after the date of your original application.

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Timescales

- 10.1 Requests will be dealt with within a period of three months from first receipt to notification of the decision on appeal.
- 10.2 As a guide and to help ensure that requests are dealt with within this timescale:
- 10.2.1 a meeting will normally be held with you within 28 days of your request being received;
 - 10.2.2 you will normally be informed in writing of the decision within 5 days of the meeting; and
 - 10.2.3 where an appeal is lodged, an appeal meeting will normally take place within 10 days of receipt of the appeal and the outcome will be notified in writing within 5 days of the meeting.
- 10.3 However there may be exceptional occasions when it is not possible to complete the procedure within this/these time limits. Where an extension of time is agreed with you, the senior leader will write to you confirming the extension and the date on which it will end.
- 10.4 If you withdraw a formal request for flexible working, you will not be eligible to make another formal request for 12 months from the date of your original request. In certain circumstances, a request made under the formal procedure will be treated as withdrawn. This will occur if:
- 10.4.1 you fail to attend a meeting and a re-arranged meeting, or an appeal meeting and a re-arranged appeal meeting, without good cause; or
 - 10.4.2 you unreasonably refuse to provide information we require to consider your request.
- In such circumstances, the senior leader will write to you confirming that the request has been treated as withdrawn.

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Retention and data protection

As part of the application of this policy, CELT may collect, process and store personal data in accordance with our data protection policy. We will comply with the requirements of the **Data Protection Legislation** (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018). Records will be kept in accordance with our Workforce Privacy Notice, our Retention and Destruction Policy and in line with the requirements of the **Data Protection Legislation**.

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Review of the policy

12.1 This policy is reviewed and amended annually by the Trust in consultation with the recognised trade unions. We will monitor the application and outcomes of this policy to ensure it is working effectively. Consideration of the equality impact of this policy will be given to ensure that no groups or individuals with protected characteristics are unintentionally disadvantaged by the policy or practice.

Appendix History of Changes

Version	Date	Page	Change	Origin of Change
1.0	30.11.2022		Original Draft	