

Flexible Working Policy and Procedure

1. Purpose and Scope

Introduction

Ambitious about Autism (AaA) and AaA/AaAST (AaAST) are committed to supporting its employees achieve a better balance work and their other priorities, such as caring responsibilities, leisure activities, further learning and other interests. AaA and AaA/AaAST (AaAST) is committed to considering all flexible working arrangements provided that the needs and objectives of both the organisation and employee can be met, especially with the staffing levels for the Schools and Colleges.

What is flexible working?

Some common forms of flexible working include:

Flexi-Time	This is where employees have flexibility in start and finishing times outside a set core of hours determined by the organisation
Compressed working hours	This allows an employee to work the same number of contractual hours required but over fewer days. For example, an employee may request to work full-time hours over 4 days instead of 5 days, or 9 days a fortnight instead of 10 days.
Job-sharing	This is an arrangement that allows two people to share the duties of a full-time post.
Part-time working	This is considered where it is identified that the needs of the role do not require full-time hours to be worked.
Working from home	This is considered where it is not critical for the employee to be present in the office at all times. It may be that all or part of the duties could be performed from home using appropriate technology. This is different to 'homeworking' where an employee's base location is their home address.
Term time working	This is where an employee remains a permanent employee but is only engaged to undertake a contracted number of hours per week during school term time. Salary and conditions of employment are pro-rata.
Temporary reduction in hours	This is where an employee agrees to reduce their hours for a fixed period with a guarantee of full time work when this period ends.
Sabbatical- unpaid	A period of (unpaid) leave granted for study or travel, with a guarantee to return to the same post at the end of the agreed period

Other policies to be referred to:

- Family Leave Policy
- Equality and Diversity Policy
- Special Leave Policy
- Pay and Benefits Policy
- CPD Policy

The needs of the organisation

Ambitious about Autism (AaA) and AaA/AaAST (AaAST) is committed to providing a range of appropriate working patterns. However employees and management need to be realistic and to recognise that not all flexible working options will be appropriate for all roles.

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Where a flexible working arrangement is proposed the organisation will need to take into account a number of criteria including (but not limited to) the following:

- the effect of the proposed arrangement on pupils
- the effect and benefits of the proposed arrangements on other staff in the department
- the need for, and effect on, supervision
- the availability of staff resources
- details of the tasks specific to the role
- whether it is a request for a reasonable adjustment related to a disability
- health and safety issues
- the structure of the department and staff resources
- other issues related to the individual team/department
- an analysis of the tasks specific to the role, including their frequency and duration
- an analysis of the workload of the role

Further study or personal development often has a positive impact on the quality of teaching and learning. AaA/AaAST encourages staff in their professional development. However, the capacity to support such requests must be considered carefully in the context of staffing levels and forward planning.

This policy and procedure does not form part of an employee's contract of employment and it may be amended at any time.

2. Eligibility

- (a) Any employee with at least 26 weeks of employment service has a statutory right to request flexible working by completing the flexible working form.
- (b) AaA/AaAST will usually only consider one request in any 12 month period

Submitting a flexible working request

An eligible employee is entitled to submit **one** flexible working request in a twelve month period (an employee is entitled to additional requests if they relate to a statutory entitlement e.g. the Equality Act 2010 right to request reasonable adjustments).

All requests must be made **by emailing the completing the flexible working form to the line manager**. Any request made must include:

- the date of the application
- what effect the employee thinks the requested change would have on the organisation
- how, in their view, any such effect could be dealt with
- whether this is a statutory or non-statutory request (guidance can be obtained from the People Team about this)
- whether a previous application for flexible working has been made
- the dates of any previous applications
- clearly state the changes you are seeking to your terms and conditions
- the date on which you would like the request to come into effect
- the changes that the employee is seeking to their terms and conditions
- what financial implications it might have on you in cases where the desired working pattern will involve a drop in salary;

If employee is making the request in relation to the Equality Act, e.g. as a reasonable adjustment relating to a disability, this should be made clear in the application.

If an application does not contain all of the required information the line manager will explain to the employee what additional or amended information they need to provide and ask the employee to resubmit the request.

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Meetings regarding flexible working

Upon receiving a written flexible working request, your manager will arrange to meet with you within 28 days of receiving the request.

This meeting is designed to:

- provide the employer and employee with the opportunity to explore the proposed work pattern in depth,
- to discuss how best it might be accommodated.
- It also provides an opportunity to consider other alternative working patterns should there be problems in accommodating the work pattern outlined in the employee's application.
- Although there is no right to be accompanied at this meeting you may be accompanied by a work colleague, Staff Council representative (AaA only) or union representative if you wish.

If the employee fails to attend a meeting and then fails to attend a rearranged meeting without good reason, their application will be deemed to have been withdrawn.

Where a request can, without further discussion, be approved as stated in the employee's written application a meeting to discuss the request may not be necessary. The employee will be informed of the organisation's agreement to the request by a confirmation letter as outlined in the section 'Responding to a flexible working request' within **28 days** of the organisation receiving the request. This time limit may be extended with the agreement of both the employee and line manager after taking advice from the People Team as required.

Responding to a flexible working request

The line manager will consider will consider the proposed flexible working arrangements, looking at the potential benefits and adverse effects to the employee and to the organisation in implementing the proposed changes.

Each request will be considered on a case-by-case basis. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working pattern.

You will be informed in writing within 14 days of your meeting if:

- The request may be granted in full, in part or refused.
- agreeing to a new work pattern and a start date; or
- The organisation may propose a modified version of the request the request may be granted on a temporary basis, or the employee may be asked to try the flexible working arrangement for a trial period.

All time periods can be extended where both the employer and the employee agree. Any extensions will be recorded in writing by the manager and copied to the employee.

If the request is agreed, then the employee will be sent a confirmation letter which will include details of the new arrangements. The employee should contact their line manager within **14** days if they wish to discuss the new arrangements further or have any concerns.

Reasons for rejecting the request

It will not always be possible for AaA/AaAST to agree to a request to vary the working pattern of a member of staff. Below is a list of statutory business reasons as to why an application might be rejected for parental or caring responsibilities. This list is not exhaustive:

- burden of additional costs;
- detrimental effect on ability to meet pupil needs;
- inability to reorganise work among existing staff;
- inability to recruit additional staff;
- detrimental impact on quality;
- detrimental impact on performance;
- insufficiency of work during the periods the employee proposes to work; or
- planned structural changes

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The reasons for refusing a request in relation to study or training under the statutory provision could also include:

- the proposed study or training would not improve the effectiveness in the employer's business; or the proposed study or training would not improve the performance of the business

Right of Appeal

Employees have the right to appeal against their manager's decision within 14 calendar days of being notified of it. The appeal must be in writing setting out the grounds for appeal. The letter of appeal should be sent to the Director of People.

The Director of People will appoint a suitable person to hear the appeal which will usually be a senior manager, or in the case of the Chief Executive hearing the first stage, a Trustee.

The person hearing the appeal will arrange to meet with the employee to discuss the matter within 14 working days of receiving the letter of appeal. Following the meeting, AaA/AaAST will then write to the employee within 14 working days explaining the reasons for rejecting or accepting the appeal.

Trialling new working arrangements

Where there is some uncertainty about whether the flexible working arrangement is practicable for an employee and/or the organisation a trial period may be agreed. If a trial period is arranged the organisation will allow sufficient time for an employee and their manager to implement and become used to the new working practices before taking any decisions on the viability of a new arrangement.

Changes to the working pattern

Where changes have been agreed to the working pattern, these will be confirmed in a variation to contract letter to be signed by AaA/AaAST and the employee confirming acceptance to the permanent changes (unless agreed that arrangement will be for a fixed period, or for a trial period)

How often can an employee request a change to their working pattern?

Employees can make one application in each 12 month period. Accepted applications will mean a permanent change to the employee's own terms and conditions of employment unless otherwise agreed between both parties.

Pay and benefits

Remember that if the employee reduces the number of hours they work, the pay and benefits received (which include any pension benefits and annual leave), will be pro rated accordingly.

Promotion, pay increases and training

A change to working arrangements will not affect an employee's eligibility for promotion, pay increases and training. As for all members of staff any decision regarding eligibility for promotion, pay increases and training will be based solely on an objective assessment.

Complaints and further information

The organisation is strongly opposed to any form of victimisation of individuals who work, or request to work under flexible working arrangements.

If an employee feels that they have been treated unfairly or are dissatisfied with any stage of the flexible process, they should raise their concerns informally with **either their line manager or the People Team**

If informal discussions do not resolve the matter to an employee's satisfaction, they should raise a grievance under the organisation's grievance procedure.

The Employee Assistance Programme, Workplace Options, can provide advice and support, and can be contacted on 0800 243 458.

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Appendix A- Flexible Working Form

This form is designed to assist staff when submitting a request for flexible working, requests are considered in line with the policy and procedure for 'Requesting a different pattern of work' which can be found in the Flexible Working Policy.

Eligibility

All employees with over 26 week's service are eligible to make a request under the policy.

Proposed pattern of work

Please ensure that you build in a minimum of a 20 minute break when working for 6 hours or more.

Business reasons

When considering the request, your manager will need to decide whether it is possible to accommodate your proposal without harming the organisation. In order to help them, therefore please answer the questions in this section as fully as possible.

Process for considering requests

Your manager will arrange to meet with you within 28 days of receiving your request to explore your proposal further. The request will be considered in line with the 'Requesting a different pattern of work' policy and procedure located in the flexible working policy.

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Request for Flexible Working

Name:		Job title:	
Start date:		Date of request:	

Current Working Pattern						Proposed Working Pattern					
	Monday	Tuesday	Wednesday	Thursday	Friday		Monday	Tuesday	Wednesday	Thursday	Friday
Start time:						Start time:					
Finish time:						Finish time:					
Duration of breaks*						Duration of breaks*					
Total daily hours						Total daily hours					
Current Total Weekly Hours _____ *Minimum 20 minutes after 6 hours						Proposed Total Weekly Hours _____ *Minimum 20 minutes after 6 hours					

Reasons for Request

Please indicate your reason for making the request

- A. Statutory request to care for a child under the age of 17 or a disabled child under age 18 for which you have parental responsibility in line with the statutory right to apply for flexible working.
- B. Statutory request to care for adults
- C. Statutory request in relation to study or training
- D. Any other personal reason (further interests or responsibilities outside the workplace)

If A or B, please state your relationship to the child/adult: _____

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Business Case : Please answer the following questions to enable your manager to consider the impact of your request on the organisation. Please continue on a separate sheet if necessary.

How would you propose to manage the responsibilities and accountabilities in your role in the proposed hours?

If you have identified any barriers or difficulties in managing your responsibilities and accountabilities, please use this space to identify how these barriers or difficulties can be overcome:

Have you identified any support mechanisms that you feel would help to make this change a success?

If you have identified any barriers or difficulties to the support mechanisms you feel appropriate , please use this space to identify how these barriers or difficulties can be overcome:

What do you think the impact of the proposed changes will be on the success of the organisation?

If you have identified any barriers or difficulties for the success of the organisation, please use this space to identify how these barriers or difficulties can be overcome:

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What do you think the impact of the proposed changes will be on your colleagues and managers?

If you have identified any barriers or difficulties for your managers or colleagues, please use this space to identify how these barriers or difficulties can be overcome

Additional Information

Is there any additional information your manager should be aware of when considering your application?

Dates

What start date to you propose for this arrangement? _____

Have you made a request for flexible working before? YES / NO If yes please give date _____

Signature

Signed: _____

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Managers Decision

Comments following meeting/discussion

Signature

Signed Manager : _____ Date: _____

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