



## The Right to Request Flexible Working **Scheme**

### Employee Guidelines

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## 1. **INTRODUCTION**

These guidelines are intended to assist employees in making a request under the scheme and should be read in conjunction with the Right to Request Flexible Working Scheme

## 2. **FREQUENTLY ASKED QUESTIONS**

### ***Who can make an application?***

The right to make an application under the scheme is available to all employees of the Council/Governing Body (who

- Have worked for the Council/Governing Body continuously for 26 weeks at the date the application is made (excluding agency workers)
- Have not made another application to work flexibly under the right during the past 12 months

### ***When can I apply?***

At any time providing you meet the criteria above

### ***How often can an application be made?***

One application a year can be made. Each year runs from the date when the application was made.

### ***What kind of changes can be applied for?***

There is scope to apply for a wide variety of different types of working pattern. Eligible employees can request to:

- Change the hours they work
- Change the times when they are required to work

A request may be as simple as asking to start half an hour later than usual to enable you to drop your child off at school to a reduction in working hours, or a change of shift pattern. Individual circumstance will determine the type of change you may need.

**It is important to recognise that Flexible Working incorporates a wide variety of working practices and that a flexible working arrangement can be any working pattern other than your normal working pattern.**

***How long do agreed changes last?***

If an application is accepted under the scheme the changes are **permanent** and you cannot go back to your original hours/pattern once a change has been agreed under the scheme.

***Can I withdraw my application?***

Yes, but you must do so in writing on the Flexible Working Notice of Withdrawal Form (Form FW7), you should send it to the Head teacher (Chair of Governors in case of Head teacher) who will confirm in writing that the application has been withdrawn.

***If I withdraw my application can I apply again?***

Not immediately, you will have to wait 12 months before you can apply again.

***Can management withdraw my application?***

Yes, if you fail to attend two meetings without reasonable cause or if you refuse to provide the required information to enable the Head teacher (Chair of Governors in case of Head teacher) to make a recommendation.

***Can I have a Trial Period?***

You cannot ask for a Trial Period but if the Head teacher (Chair of Governors in case of Head teacher) considering your request is unsure about the impact the requested arrangement would have on the service, it is possible that he/she may wish to agree a trial period with you. **(See 2.8 & 2.9 of the Scheme).**

***Can I ask for a temporary change?***

It may be that you will need to make temporary changes to your working pattern because of a particular problem that is not expected to be permanent. Any such request **should not be requested under this Scheme.**

You should discuss with your Head teacher any temporary problem you may have. Your Head teacher in conjunction with the Chair of Governors and appropriate Committee of the Governing Body will deal with this type of request in a sympathetic and supportive manner bearing in mind both your needs and the needs of the service. Any agreement made for a temporary change will be set out clearly (in writing); a time limit agreed and will be monitored on a regular basis.

If an agreed temporary change becomes a permanent requirement then an application should be made in accordance with the Right to Request Flexible Working Scheme.

***If in doubt speak to your Head teacher or contact your Human Resources section for advice.***

***Who considers the application?***

For the purpose of the scheme the Head teacher (Chair of Governors in case of Head teacher) will make a recommendation to the HR Committee of the Governing Body to consider the application.

***Can an application be refused?***

Yes, but only where a clear business reason exists. A list of such reasons can be found in 2.7 of the Scheme.

***Are there time limits for consideration of requests?***

Yes, these are clearly set out in Section 3.1 of the Scheme and a procedure flowchart can be found on page 8 of these guidelines. Copies of the forms referred to in the procedure are attached.

***Can time limits be extended?***

Yes but only if agreed between yourself and the Head teacher or if the Head teacher (Chair of Governors in case of Head teacher) is absent from work due to leave or illness when the application is received, if this is the case then the time limits will apply from the date of the return of the Head teacher/Chair of Governors or 28 days after the application was made whichever is the soonest.

***What happens when I have put in a request?***

The Head teacher (Chair of Governors in case of Head teacher) will hold a meeting with you to discuss your application; the exact procedure to be followed is contained in Section 3.1 of the Scheme. It would help your case if you have thought about how the change you have requested may affect the people you work with and the provision of the service within which you work. You should also think about how any possible problems can be overcome. This will help the appropriate officer come to a decision.

***Can I be accompanied to the meeting?***

Yes by a work colleague or Trade Union Representative, who can speak in the meeting and confer with you but cannot answer any questions on your behalf, (See Section 3.1 of the Scheme).

***Can I appeal if my request is refused?***

Yes, the procedure and time limits are set out in Section 3.1 of the Scheme. You can also be accompanied at the appeal meeting

***Who hears the appeal?***

The Grievance Appeals Committee of the Governing Body, together with a representative from Human Resources who will be present in an advisory capacity.

***What happens if I lose my appeal?***

Your application has been refused and you cannot apply again for another twelve months.

***Can I appeal to anyone else?***

Not unless your application has not been dealt with properly under the procedure, then you may have the right to pursue a claim to an Employment Tribunal

**PROCEDURE FLOWCHART – HOW DOES THE PROCESS WORK?**

