



# ASPIRATIONS

## FLEXIBLE WORKING REQUEST POLICY

Version control	
Aspirations Flexible Working Policy [2019-09-01]	Update to align with revised job titles and changed governance arrangements.
AAT Flexible Working Policy [2019-06-01]	Provisional review undertaken. No changes other than to logo.
AAT Flexible Working Policy [2016-09-01]	<p><b>This Policy has been subject to consultation with the recognised trade unions but has not been jointly agreed. Despite the absence of joint agreement about the Policy, The Trust has decided to implement the Policy with effect from 1 September 2016.</b></p> <p>Earlier version control details are shown on "consultation version 2016-02-19" available from the Trust's Director of HR.</p>

<b>Date of next review:</b>	<b>September 2021</b>	<b>Owner:</b>	<b>Director of HR &amp; Compliance</b>
<b>Type of policy:</b>	<b>Network</b>	<b>Approving Body:</b>	<b>Board</b>

## **1. Introduction**

- 1.1 The Aspirations Academies Trust (Aspirations/ the Trust) is committed to dealing with flexible working requests in a reasonable manner. This Policy is intended to ensure that statutory provisions are appropriately observed and matters considered with due reference to the ACAS Code of Practice (“handling in a reasonable manner requests to work flexibly”).

## **2. Scope**

- 2.1 This procedure applies to all employees (teaching and operational staff) employed by Aspirations. Applications will be considered for employees who have at least 26 weeks of continuous service with the Trust.

## **3. Equal Opportunities**

- 3.1 The Flexible Working Policy must always be applied fairly and in accordance with employment law and the Aspirations Equal Opportunities Policy.

## **4. Responsibilities**

- 4.1 The Aspirations Board is responsible for maintaining fair, consistent and objective procedures for matters relating to staff across all areas of the Trust, including its academies. Accordingly it shall arrange for the Flexible Working Requests Policy to be reviewed periodically, consulting as appropriate, including with unions in accordance with the Aspirations Trade Union Recognition Agreement.
- 4.2 Within each academy, the Principal, in conjunction with the Regional CEO, has overall responsibility for the internal organisation, control and management of matters concerning the implementation of the Flexible Working Policy.
- 4.3 Within each academy and other work areas, managers will have responsibility delegated to them consistent with their job roles for matters concerning the application of the Flexible Working Policy.

## **5. Procedure for Flexible Working Requests**

- 5.1 Flexible working requests shall be considered with reference to statutory requirements for employees who have 26 or more weeks of continuous service with the Trust.
- 5.2 For an application to be considered, the Trust’s Flexible Working Request Application Form must be used with all relevant parts of the form duly completed.
- 5.3 The Trust shall deal with requests in a reasonable manner with due reference to the ACAS Code of Practice.
- 5.4 For all staff whose main place of employment is one of the Trust’s academies, the application must be submitted to the Principal of the Academy. Where the employee’s appointment is to a Regional Team, the application must be submitted to the Regional CEO. Where the employee’s appointment is to the Trust’s central management team, the application must be submitted to either the Managing Director or the Director of HR and Compliance.
- 5.5 The manager receiving an application as set out in 5.4 may deal with the matter on behalf of the Trust directly or delegate this responsibility to a suitable manager. Hereafter in this Policy, the person dealing with the application on behalf of the Trust is referred to as “the manager”.

- 5.6 The manager shall consult the ACAS Code of Practice when considering the request and shall, where considered appropriate, arrange a meeting with the employee. The purpose of the meeting will be for the manager to ensure they fully understand the flexible working request and to consider with the employee any factors that are considered significant by the manager in making a decision. The manager will provide at least 3 working days' notice of any such meeting unless agreed otherwise with the employee.
- 5.7 The manager shall make a decision and provide written confirmation to the employee within 28 days of the decision being made. The written notification must be issued within 8 weeks of the date on which the application was originally received as set out in 5.4. The 8 week period may be extended where this is agreed between the manager and the employee.
- 5.8 Where the request is agreed or partly agreed, the written confirmation shall include:
- A statement of the agreed changes
  - The start date of the changes

A new contract or notification of change to contract shall also be issued.

- 5.9 Where the request is rejected or part rejected, the written notification shall set out the reason(s) for the rejection. The reason(s) for rejection must include one or more of the following:
- the burden of additional costs
  - an inability to reorganise work amongst existing staff
  - an inability to recruit additional staff
  - a detrimental impact on quality
  - a detrimental impact on performance
  - detrimental effect on ability to meet customer demand
  - insufficient work for the periods the employee proposes to work
  - a planned structural change to your business

A rejection notification should also set out the right to appeal.

- 5.10 In order to appeal against a rejected (or part rejected) application, the employee must submit a written notification of appeal to be received by the manager within 5 working days of the rejection letter having been issued.
- 5.11 The appeal letter should set out the reason for the appeal.
- 5.12 The manager receiving the appeal should liaise as appropriate in order for the appeal process to progress.
- In respect of an application considered at Academy level, if the original decision was made other than by the Principal, the Principal should normally consider the appeal. If the Principal made the original decision, the appeal may be considered by the Regional CEO, or a member of the Aspirations central management team or a member of the Regional Board.
  - In respect of an application considered at Regional level, if the original decision was made other than by the Regional CEO, the Regional CEO should normally consider the appeal. If the Regional CEO made the original decision, the appeal may be considered by the Managing Director or as delegated by the Managing Director.
  - In respect of an application considered within the central management team, if the original decision was made other than by the Managing Director, the Managing Director shall consider the appeal or delegate this responsibility to another suitable manager. If the Managing Director made the original decision the appeal would be considered by a member of the Trust Board.

- 5.13 Normally an appeal decision will be made within 10 working days of an appeal being received. Where the appeal manager believes it appropriate to arrange a meeting with the employee to consider the appeal, at least 3 working days' notice will be given, unless otherwise agreed with the employee. A written confirmation of the decision shall be given within 5 working days of the decision being made.



# ASPIRATIONS

## **Form FW(A): Flexible working request application form**

### **Note to employees**

The law provides the right for eligible employees to ask to work flexibly.

Employees of Aspirations Academies Trust should use this form if they wish to make a flexible working request in accordance with the statutory provisions.

Any such request should be submitted for consideration as set out in paragraph 6.4 of the Trust's Flexible Working Policy.

Before completing this form, it is recommended that you read the GOV.UK guidance on flexible working: <https://www.gov.uk/flexible-working/overview>

Requests shall be considered and decided upon in a timescale that, including potential appeal, would be no more than three months, unless otherwise agreed between you and the relevant manager considering your application. In view of the possible timescale, you are advised to submit your application well in advance of the date you wish the request to take effect.

To assist in the consideration of your request, it is advisable to provide as much relevant information as possible. It is important that you complete all the questions as otherwise your application may not be valid. When completing sections 3 and 4, think about what effect your change in working pattern will have both on the work that you do and on your colleagues.

Once you have completed the form, you should immediately forward it for consideration as set out in paragraph 5.4 of the Flexible Working Request Policy (you might want to keep a copy for your own records).

If your request is granted, this will be a permanent change to your terms and conditions unless otherwise agreed.



**Flexible working request application form**

**1. Personal Details**

Name:

Job title:

**Employee statement:**

I submit this application as I would like to apply to work a flexible working pattern that is different to my current working pattern. I make this application in accordance with my right provided under section 80F of the Employment Rights Act 1996.

I confirm I meet each of the eligibility criteria as follows:

- I have worked continuously as an employee of the Aspirations Academies Trust for the last 26 weeks.
- I have not made a request to work flexibly under this right during the past 12 months.

*If applicable, date of any previous request to work flexibly under this right:*

*Please note, if you are unable to confirm that you meet the above eligibility criteria then you are not entitled to make a request to work flexibly under the statutory procedure. You may approach the Principal to ask if a request you make other than under the statutory procedure will be considered.*

**2a. Describe your current working pattern (days/hours/times worked):**

**2b. Describe the working pattern you would like to work in future (days/hours/times worked):**

**2c. The date I would like this working pattern to commence from is:**

**3. Impact of the new working pattern**

I think this change in my working pattern will affect the Aspirations Academies Trust and colleagues as follows:

**4. Accommodating the new working pattern**

I think the effect on Aspirations Academies Trust and colleagues can be dealt with as follows:

**Declaration**

In submitting this application for the consideration of the Trust, I confirm the details as set out under “employee statement”.

Signed:

Date:

**Confirmation of Receipt** (to be completed and returned to employee)

Dear:

I confirm that I received your request to change your work pattern on:

Date:

The timescale in which you will be notified of the decision, including any such time that may be necessary for an appeal process shall be no more than three months from this date, unless a longer timescale is agreed for the decision to be made.

From: