

# Working Flexibly Policy

## Policy document provenance

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<b>Related policies and documents:</b>	<ul style="list-style-type: none"><li>• Hybrid Working Policy</li><li>• Equality, Diversity and Inclusivity Policy</li><li>• School Teacher Pay and Conditions Document</li><li>• Trust Standard Terms</li><li>• Flexible working in schools – gov.uk</li></ul>

Unless there are legislative or regulatory changes in the interim, this policy will be reviewed on an annual basis. Should no substantive change be required at this point, the policy will move to the next review cycle.



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## 1.0 Policy statement

- 1.1 The increasing burdens of work placed on those working in the education sector, both teachers and non-teaching staff, have for a considerable time been linked to an increasing rate of attrition and problems retaining teachers, associates and academy leaders. The COVID-19 pandemic caused a considerable increase in the work undertaken by all of those working in schools and, as with many other sectors, amplified retention issues that were already present.
- 1.2 Whilst other sectors having found ways to offer greater flexibility to workers, at Dixons we know we need to look again at the work environment (workload, terms of service, hard and soft benefits, and pay and reward) to offer maximum flexibility not just as part of any retention strategy but to ensure the best environment for members of staff to provide high quality teaching to the students and communities we serve.
- 1.3 For these reasons we require our leaders to accommodate requests for flexibility in working arrangements positively, and to initially approach all reasonable requests with an assumption that they can be accommodated rather than the reverse; only declining requests where this would have a detrimental impact on our ability to meet the challenges of our mission to challenge educational and social disadvantage in the north, educational attainment and the ability to deliver high quality services through our academies and central teams.

## 2.0 Scope and purpose

- 2.1 We recognise that working in the education sector can, at times involve coping with high workload and a need to deliver high quality teaching and other inputs with limited resources and time. This policy aims to set out a range of ways that, where appropriate, we can be flexible in the way our people work, whilst allowing all our members of staff to deliver on our mission to challenge educational and social disadvantage in the North.
- 2.2 The principles of this policy apply equally to all members of staff across our trust regardless of length of service, type of contract, full-time or part time; however, we recognise that not every option will work for every person. The needs of our academies and business services teams to ensure a well-staffed, high-quality environment for our students must always take priority but our managers and leaders are encouraged to be innovative and accept requests to be flexible where this is possible.

## 3.0 Flexible working requests

- 3.1 Where a member of staff seeks to make changes to their current working arrangements (e.g. working hours, working days or working location), they should make a flexible working request, in keeping with the current regulations, to their principal or the relevant functional lead / member of our trust executive team. Examples of requests that might be made include:
  - a job-share arrangement with one or more other member of staff
  - working from home or on a hybrid basis
  - moving to part-time working or making a request to 'compress' the current hours into fewer days
  - altering the start / finish time of work

### Eligibility

- 3.2 All members of staff in our trust are eligible to make a flexible working request from the first day of employment with our trust; they may make up to two such requests in any rolling 12-month period.

### Making a flexible working request

- 3.3 The member of staff should write to the relevant principal, functional lead or member of our trust executive team setting out:
  - that they are making a flexible working request
  - the changes that they would like to see made to their terms and conditions in as much detail as possible
  - the date from which they would like the change to be effective, this should be at least a month after the date of the request
  - if the request is being made in relation to the Equality Act 2010 e.g. if the request concerns childcare or other family commitments, religious or cultural requirements, or adjustment because of disability / long term health condition
- 3.4 If there is any information missing from the application, the relevant manager will speak to the employee to explain what further information is required and to ask them to resubmit the application. In this case, the request will not count as one of the two requests they are entitled to make within a 12-month period, until it is completed and resubmitted.
- 3.5 Where it is possible to agree to the request as stated in the application, the relevant manager should write to the individual accepting the request and setting out the start date; there will be no need for a meeting to be arranged under this policy where this happens. The manager should speak with our trust HR team to ensure that the appropriate changes are made to an individual's terms, conditions and pay.

### Where a meeting is required

- 3.6 Where necessary, the principal, functional lead or member of our trust executive team considering the request will arrange to meet with a member of staff making a request within 10 working days of the request being received. The individual will be entitled to be



accompanied to the meeting by a trade union representative or work-based colleague; where the companion is unable to attend on the date and time originally set, then a request to move the date of the meeting by up to five working days to enable a companion to attend with them will be accepted.

- 3.7 All parties are expected to approach the meeting with a solution focussed approach, the purpose of the meeting will be to discuss:
- the requested changes and the reasons for making the request
  - where any flexibility exists in the changes being requested and what the limits of that flexibility may be
  - any alternative proposals that may be considered
  - whether any changes should start with an initial trial period
  - whether an agreement on a way forward can be agreed in the meeting

#### **Reaching a decision**

- 3.8 Following the meeting, the manager who led the meeting will consider the request and notify the requesting member of staff as soon as possible and, unless otherwise agreed (e.g. when a recruitment exercise is required), within 10 working days of the meeting.
- 3.9 If the request is accepted, or where alternative arrangements are proposed that we believe will have the same effect as the changes originally requested, the letter will set out:
- the exact changes to be made
  - the effective date of the changes
  - details of any trial period
  - the specific terms and conditions that have been amended
  - whether they are permanent or temporary
- 3.10 The requesting member of staff will be asked to sign and return a copy of the letter to confirm their agreement to the changes. The manager should speak with our trust HR team to ensure that the appropriate changes are made to an individual's terms, conditions and pay.
- 3.11 Unless otherwise agreed, and subject to any trial period agreed, the changes to terms and conditions will be permanent and there is no guarantee that any future request to reverse the changes made will be accepted.
- 3.12 If the request is declined, the letter will explain why and indicate which of the following reasons is relied upon for rejecting the request:
- our academy / our trust is unable to bear the burden of the additional costs agreeing to the request will create
  - agreeing to the request will be detrimental to our trust's / the individual's ability to meet student / trust / stakeholder demands
  - there is an inability to reorganise work amongst existing staff
  - there would be a need to recruit an additional member of staff / staff as a result of agreeing the request and it is felt we would be unable to do so
  - agreeing to the request would have a detrimental impact on quality and / or performance
  - there is an insufficiency of work during the periods it is proposed the individual works
  - there are future changes planned which would make agreeing to the proposed changes unreasonable

#### **Appeal**

- 3.13 Where a flexible working request is declined, the requesting member of staff has the right to appeal this decision to the relevant executive director / member of our trust executive team. The individual should make their appeal in writing, within 5 working days of receiving the notification that their request has been declined. The appeal should set out the grounds upon which the individual is appealing.
- 3.14 The leader receiving the appeal should write to the member of staff, acknowledging the appeal and arrange to meet with them within ten working days to discuss their appeal. The member of staff is entitled to be accompanied to the meeting by a work-based colleague or trade union representative.
- 3.15 Following the meeting, the hearing manager should write within ten working days to confirm their final decision on behalf of our trust.

## **4.0 Annualised hours working – associate staff only**

- 4.1 Whilst not suitable for all our roles, it may be possible to offer members of associate staff the opportunity to vary the number of hours worked in a week to suit the peaks and troughs in an individual, or team's, workload over the course of a year.



### **When the hours can be varied**

- 4.2 To ensure that the ability to annualise hours works for both our members of staff and our trust, principals, functional leads, members of our trust executive will establish principles for each role where an application to annualise hours is accepted. These will set out the weeks in which there is a reasonable expectation that a member of staff would work more than their contract hours and weeks in which there is an expectation they work less.
- 4.3 Managers will also be clear about meetings or other occasions which, unless the individual is on annual leave, it is mandatory to attend. This should include regular team meetings, important events which cannot be missed and days when the number of annual leave bookings means it would be impossible to operate without the remaining staff in work.
- 4.4 Staff will then be able to flex their working hours but remain responsible for ensuring their work is completed. If members of staff are finding it impossible to take advantage of the scheme based on the organisation's needs, established by their manager, they should request a meeting to identify what changes can be made and if the scheme is still appropriate to their role.

### **Keeping track of hours worked**

- 4.5 A form is provided for tracking hours worked and the remaining balance, and it is the responsibility of each member of staff asking to work on an annualised hours basis to keep this form up to date and available for inspection by their manager or a member of our trust HR team at any time.
- 4.6 A minimum of 80%, and a maximum of 120%, of a member of staff's contracted hours should be worked in any week. It is the responsibility of individual members of staff, in conjunction with their line manager, to ensure that they do not accrue such a large balance as it will become impossible to take any hours remaining in an annual leave year. Members of staff who have worked less than the contracted number of hours at the point of leaving our trust will have a sum equal to the hours underworked deducted from their salary, those who have accrued a large balance of 'owed' hours at the point they leave our trust will receive a payment in lieu of those hours.

## **5.0 Nine day fortnight – teaching staff only**

- 5.1 A nine-day fortnight involves reducing the number of working days by 10%; for a regular, full time, teacher in our trust, this would involve working nine days over a two-week period, rather than the current ten. This is achieved through a combination of an allowance for PPA in excess of the minimum required in the School Teacher Pay and Conditions Documents and a reduction in student contact time into the days worked on site. This means that although working time is directed for the 'tenth day' when this work is actually carried out, and the location, is at the discretion of the member of staff as they do not have to attend work on this day; it is up to the staff member to manage their own workload and choose when and where to undertake the activities that would normally have been completed in this time.
- 5.2 Individual academies are responsible for timetabling in such a way that through an increase in the standard PPA allowance and through condensing teaching periods, there is an option to ensure as many members of teaching staff as possible have the option to have one day in every fortnight where they are not required to attend the academy premises.

### **Opting Out**

- 5.3 The changes brought in through this way of working will, initially, have no impact on the directed time calculation and do not make any change to the terms and conditions teachers are engaged on. Given the positive impact these changes are planned to have on workload and balance it is assumed that most teachers will, having seen example timetables for their academies, be happy to work in this way. Where a member of staff does not want to be timetabled in the way suggested they have the right to opt out, and to ask to be timetabled in keeping with the need to be on site on every working day.
- 5.4 In light of the complex nature of timetabling, and the need to avoid changes to the timetable mid-year where possible, teachers should inform their principal before 31 May of the preceding academic year, if they wish to opt out.
- 5.5 Where a teacher wishes to opt out after the publication of the school timetable for a particular academic year, we will honour the request as quickly as possible though, in some cases, as a result of timetabling and resourcing this may have to be the start of the following academic year. The relevant principal is responsible for reviewing the timetable and, if possible, making the necessary changes before informing the member of staff the date on which changes will become effective. Even where it is possible to accept the request mid-year, it will likely be the case that any changes will take a number of weeks / months to be made, and principals will incorporate the requests to opt out with other important changes (e.g. changes required as a result of staff resignations etc.)

## **6.0 Compressed hours working – associate staff only**

- 6.1 A member of staff can apply to compress their current contractual hours into a smaller number of days each week e.g. instead of working seven hours a day, five days a week to work 35 hours, a person may choose to work 8.75 hours a day for 4 days. Whilst this is not a solution that will work for everyone, the benefits of compressed hours working can include:
- improved work life balance
  - reduced cost on commuting and travel
  - increased productivity



- reduction in absence
- an ability to attract and retain talent

6.2 Where an employee wishes to compress their current working hours, they should make an application to the relevant principal, functional lead or executive team member in line with the procedure for making a flexible working request outline in section 5 of this policy

## **7.0 Hybrid working approach – all staff**

7.1 'Hybrid working' is a collective term for working arrangements that bridge the gap between our staff working 100% of their time at the same place of work and 100% of their time at home.

7.2 For our teaching staff, where they have timetabled PPA at the beginning or end of a school day, providing there are no meetings or events scheduled that would require their attendance, they may choose to take this time at home or another location away from their academy. Our trust approach to hybrid working is set out fully in our Hybrid Working Policy.

## **8.0 Review**

8.1 This policy has, at its formation, been subject to consultation with recognised trade unions, unless there are legislative or regulatory changes in the interim, this policy will be reviewed every two years; this will include consultation on any changes with recognised trade unions. Should no substantive change be required at this point, the policy will move to the next review cycle.

