

## 2.8 Flexible Working Policy

### Introduction

- This policy is intended to provide guidance on your statutory entitlement to request flexible working. Crick Pre-School will consider all requests in a reasonable manner and in accordance with timescales within this policy.

### Scope

- If you have been continuously employed by Crick Pre-school for 26 weeks, you have the statutory right to request a change to one or more of the terms and conditions of your employment. The request must relate to one or more of the following terms and conditions of employment:
  - A change to the hours you work
  - A change to the times when you are required to work
  - Whether you carry out your work from home or your normal place of work.
- You are only able to make one request in a 12 month period.
- This policy applies to all staff members. It does not apply to agency workers, consultants or self-employed contractors.

### Policy statement

- Crick Pre-School will consider each flexible working request on a case by case basis. The fact that Crick Pre-School has been able to agree one request does not necessarily mean that it will be able to agree to further requests.
- Requests will be considered and a decision reached inclusive of the appeal procedure within three months from receipt of the request, unless mutually agreed otherwise. The timeframes set out in this policy are otherwise indicative only and may be extended or varied at Crick Pre-School's reasonable discretion.

### Making a request

- A request should be made in writing and submitted to the Committee Chairperson in good time and ideally at least two months before you would like the changes to take effect.

### The Consultation Meeting

- A meeting will be arranged with you after your application has been submitted. The meeting may also be attended by another member of the Committee. You may bring a colleague to the meeting as a companion if you wish. Your companion will be entitled to speak during the meeting and confer privately with you, but may not answer questions on your behalf. The meeting will normally be held at the Pre-School during working hours unless this is not convenient to either you, the Pre-School or the other attendees.
- The consultation meeting will be used to discuss your request for flexible working. You will be able to explain how the arrangements will accommodate your needs. You will also be able to discuss what impact your proposed working arrangements will have on your work and that of your colleagues. If we cannot



accommodate the arrangements you have requested, discussion at the meetings also provides an opportunity to explore possible alternative working arrangements.

- Crick Pre-School will carefully consider the benefits of the requested changes in working conditions for you and the Pre-School and weigh these against any adverse impact of implementing the changes,
- Your request (and your appeal) may be refused where the Pre-School considers that one or more of the following grounds apply:
  - The request would, if agreed, impose a burden of additional costs on the Pre-School
  - The request would, if agreed, have a detrimental effect on the ability to meet parents/carers' or children's demands
  - The Pre-School is unable to reorganise work among existing staff
  - The Pre-School is unable to recruit additional staff
  - The request would, if agreed, result in a detrimental impact on the level of quality at the Pre-School
  - The request would, if agreed, result in a detrimental impact on the level of performance at the Pre-School
  - The work available to be done during the period you propose to work under your request would be insufficient
  - Planned structural changes mean that the Pre-School cannot agree to your request.

### **Notification of a decision**

- Usually within 28 days of the Consultation Meeting, the Pre-School will notify you in writing of its decision. Where the Pre-School agrees to your request, we will also confirm the variation agreed to and the date from which it is to take effect. Where your request is not agreed the Pre-School will also confirm the grounds for refusal, explaining why the grounds apply in the circumstances and also confirm your right to appeal.
- If your request is accepted, or where we propose an alternative to the arrangements your request, the Committee Chairperson 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 files to confirm the variation to your terms of employment.
- 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.

### **Appeals**

- You have the right to appeal the Pre-School's decision not to agree to your request. Such an appeal must be exercised in writing within 5 days after the day of the Pre-School's decision is given, giving full details of why you wish to appeal. Your notice of appeal must be dated and sent to the Committee Chairperson.
- The Pre-School will hold a meeting to discuss your appeal as soon as possible, usually within 14 days of your notice of appeal being given. The appeal meeting will be held by a person who has not been involved in the Consultation Meeting. The appeal meeting will normally be held at the Pre-School during working hours unless this is not convenient to either you, the Pre-School or the appeal attendees.
- You may be accompanied to the appeal meeting by a fellow worker.

- The Pre-School will notify you in writing of its decision within 14 days of the appeal meeting. Where the Pre-School upholds your appeal, the Pre-School will also specify the variation agreed to and the date from which it is to take effect. Where your appeal is dismissed the Pre-School will also confirm the grounds for refusal and explain why the grounds apply in the circumstances. The decision at appeal stage will be considered final and concludes the procedure. You have no further right to any further appeals thereafter.
- If your request is accepted, or where we propose an alternative to the arrangements you request, the Committee Chairperson 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 files to confirm the variation to your terms of employment.
- 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.

### Withdrawal of Application

- You may withdraw your request or your appeal at any time before the Pre-School reaches a decision. The Pre-School may regard your application as withdrawn (and will notify you as such) where you have failed without good reason to attend a Consultation Meeting or an appeal meeting more than once, or you have refused without good reason to provide the Pre-School with the information that is required to assess whether the request should be agreed.

### Status

- This policy does not form any part of any staff member's contract of employment and we may amend it at any time<sup>1</sup>.

This policy was adopted at a meeting of	Crick Pre-School
Held on	<hr/> 12 <sup>th</sup> December 2018
Last reviewed	<hr/> 8 <sup>th</sup> December 2021
Date to be reviewed	<hr/> December 2022
Signed on behalf of the management committee	<hr/>



Name of signatory	<hr/> Clare Thompson
Role of signatory (e.g. chair/owner)	<hr/> Chair

<sup>1</sup> However employees are expected to follow the stated guidelines. This policy may be updated and reviewed at any time by the Pre-School committee and any amendments will be communicated to you.