Berkswich CE Primary School			
Reference Number G22	**Shared with Staff** October 2026	**Ratified by Governing Board** October 2026	**Review Date** October 2027
Policy Title	**Flexible Working Policy**		

Our Vision

At Berkswich CE Primary School our vision is rooted in John 10:10: that everyone may have 'life in all its fullness'. We want our staff to flourish as well as our pupils. We believe that fair, supportive and flexible working practices help staff to feel valued, to thrive and to give of their best; this policy is applied in that spirit.

Introduction

As an organisation, we believe at Berkswich CE that it is important that flexible working can increase staff motivation, promote work-life balance, reduce employee stress and improve performance and productivity.

Flexible working legislation gives all employees the right to apply for flexible working arrangements, at any stage of their career and regardless of their personal reasons for making the request. The organisation is committed to agreeing flexible working arrangements, provided that the needs and objectives of both the organisation and the employee can be met. This policy provides a fair and consistent basis for making applications and sets out the statutory grounds on which a request can be refused (Employment Rights Act 1996, section 80G). Its aim is to help employees achieve a good balance between work and their lives outside work, and to enable the school to retain skilled employees.

This policy is based on the Department for Education guidance Flexible working in schools (updated 26th October 2026) and on guidance and model policy provided by our HR provider, Principal HR Partner Limited (PHRP).

The organisation is committed to achieving this through:

- The application of consistent and fair processes in relation to flexible working requests in accordance with good practice and equal opportunities;
- Setting high standards of expectation consistent with the school community expectations of our organisation and relevant professional standards and ensuring that the outcomes for our young

people remain a priority;
- Adhering to the Employment Rights Act 1996 (as amended), the Equality Act 2010 and DfE guidance 'Flexible working in schools' (updated October 2026).

Scope

This policy applies to all staff. Employees may make a statutory request from their first day of employment; other staff may make a non-statutory request. This procedure does not form part of your contract of employment and may be varied from time to time. The procedure does not apply once you have left the organisation.

Responsibilities

Any reference to 'the organisation' refers to Berkswich CE Primary School. The appropriate level of authority will be determined according to the organisation's scheme of delegation. Requests from the Headteacher go to the governing board.

Accountabilities

The Headteacher is accountable for ensuring that managers are appropriately trained to implement this procedure and that a sufficient level of consideration is given to a flexible working request before any decision is made. Any determination made must be evidenced as fair and reasonable, in all of the circumstances.

The manager, Headteacher, governor or the panel considering a request is accountable for the decision and must ensure that the procedure has been followed and that a sufficient level of consideration is given to the request prior to their determination of any formal outcome. Any determination made must be evidenced as fair and reasonable, in all of the circumstances

All managers should:

- Comply with the timescales and requirements set out in this procedure;
- Ensure that at all times they treat the process as confidential;
- Promote and operate the procedure fairly and thoroughly;
- Present all information in a fair and unbiased way;
- Ensure that notes are kept and shared with the parties as appropriate.

Making a Flexible Working Request

Statutory requests must be made in writing on the Flexible Working Application Form (Appendix One), signed, dated and submitted to the Headteacher. The request must state that it is statutory, its date, the desired working pattern and start date, and any previous requests made. Requests should ideally be made at least three months before the proposed start date and should say if they relate to the Equality Act 2010 (e.g. a reasonable adjustment).

Employees may make up to two statutory requests in any 12-month period and may have only one live request at a time.

Flexible working means varying the amount, timing or location of work. Requests may include:

- part-time working, job share or phased retirement
- staggered, compressed or annualised hours
- personal or family days or lieu time
- home or remote working

- term-time working (contractual working hours are during school terms only)
- hybrid working (a mixture of working remotely and on school premises)
- flexitime (choosing when to begin and end work, within agreed limits and subject to the needs of the school)

Employees may request a combination of working options or suggest their own alternatives. Some arrangements may require a review of pay and benefits to ensure they remain consistent with the proposed changes and, where necessary, the employee's contract will be updated to reflect the agreed terms.

A request may be for a permanent change to terms and conditions; for a fixed period change in working pattern of between one and six months, after which the employee either returns to their previous pattern or applies for a permanent arrangement; or for a trial of a new working pattern of between one and three months, after which the arrangement either ends or continues as a permanent contractual change. Employees seeking a reasonable adjustment for a disability through a request for flexible working should say so in their request, and the organisation will consider this in line with its obligations under the Equality Act 2010. An employee who changes their mind may withdraw a request in writing (an email is sufficient).

Employees are encouraged to discuss a request informally with the Headteacher before applying, including any flexibility they can offer and whether a trial period would help. On receipt of the Flexible Working Application Form, the Headteacher will arrange a meeting to discuss the request. The purpose of the meeting is to find out more about the proposed changes to working arrangements and how they could benefit both the employee and the school.
On receipt of a request, the Headteacher will acknowledge it in writing via email. If the request can be approved in full, the Headteacher will confirm this in writing, stating the contract variation agreed and the date from which it takes effect, and the process is then complete. Otherwise a meeting will be arranged without unreasonable delay, with advance notice of the time, date and place. Meetings may take place in person, by video call or, if neither is possible, by telephone. A request cannot be rejected without a meeting.

At the meeting, the Headteacher and the employee will make sure all relevant information is understood before a decision is made, including the potential benefits or other impacts of accepting or rejecting the request and any practical considerations in implementing it. If the request cannot be accommodated, alternative working arrangements will be explored, including modification of the original request or a trial period. Employees should be aware that a change in contract, such as a reduction in hours or reallocation of duties, could affect pension, salary and other benefits, and advice can be sought from the payroll and pension providers. Consideration will also be given to the impact of the request on health and safety and how any hazards identified are to be controlled within a risk assessment. A record of the discussion will be kept.

If an employee cannot attend the meeting, they should contact the Headteacher immediately and give reasons, and the meeting will be rearranged. If an employee fails to attend a rearranged meeting without good cause, the Headteacher may treat the request as having been withdrawn. Each case will be considered on its own merits and any withdrawn request will be confirmed in writing.

Statutory requests will be dealt with within two months from the date the request is made, including the conclusion of any appeal.

The two-month period may be extended where the employee and the organisation agree. For example, to give the employee a trial period on the flexible working arrangements.

Any extension will be confirmed in writing. If it is likely that a decision will not be reached before the two-month period ends, the Headteacher will approach the employee in good time to discuss an extension.

Non-statutory requests, such as one-off or temporary arrangements that do not change the employee's contract, can be made to the Headteacher whether or not the statutory route is available.

Outcome of Flexible Working Request

After the meeting, the Headteacher will consider the proposed flexible working arrangements carefully, weighing up the potential benefits to the employee and to the school against any adverse impact of implementing the 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. Requests will be considered fairly, in a timely way and without discrimination under the Equality Act 2010. Flexible working will not be used to address excessive workload.

The Headteacher must consult the employee before rejecting a request, to explore alternatives. The Headteacher will inform the employee in writing of their decision as soon as practicable after the meeting and within the two-month decision period. The request may be granted in full or in part: for example, the school may propose amendments to 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.

Granting a flexible working request

If the decision is to grant the request, or grant it with modifications, the Headteacher will provide a written outcome to the employee confirming the request has been granted and when it will commence. Following this written outcome, the employee's line manager may wish to arrange a meeting with the employee to discuss how the changes will be implemented. A change granted under flexible working is a permanent contractual change (unless it is agreed on a temporary basis) and a variation to the employee's contract of employment must be issued.
The Headteacher will ensure that any necessary changes are made to the employee's payroll record and system, including the issue of a new statement of employment particulars where appropriate.

Rejecting a flexible working request

If a flexible working request is rejected, written reasons must be given to the employee.
A request should not be rejected unless there is a detrimental business impact and all options for finding a mutually agreed solution, including feasible options other than the working pattern originally proposed, have been explored. Any rejection must be supported by evidence and demonstrate that the request was considered fairly. The written reasons will include the specific ground(s) relied on, a brief explanation of how the ground(s) apply, and details of the appeal process.

Those reasons must be for one or more prescribed business reasons, which are:

- 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;
- a detrimental effect on ability to meet customer demand;
- insufficient work for the periods the employee proposes to work; and

- a planned structural/organisational change.

These reasons for rejection are prescribed by the legislation and a refusal should not be for any other reason. Employees may be able to complain to an employment tribunal.

Trial Period

A trial period may be agreed to determine whether the working arrangement will work in practice and whether it creates any challenges for the organisation. A trial period should precede any permanent contractual change. The Headteacher must notify the employee of the final decision within two months of the request for flexible working, unless an extension to the statutory time limit is agreed with the employee.
Where a trial period is proposed, the employee will be told the length of the trial and why the request has not been accepted at this stage. An employee who declines a trial period still has the right to appeal.

The terms of the trial period should be set out in writing including the start and end date of the trial period (including the right for the organisation to shorten or lengthen the trial period) and the changes that have been agreed. It should record that the organisation reserves the right, at the end of the agreed trial period, to require the employee to revert to their previous working arrangement. Any specific conditions of the trial period should also be specified. The document should be signed by both parties.

Right to be Accompanied

Employees do not have a statutory right to be accompanied by a trade union representative under Flexible Working legislation. However, the organisation does allow employees to be accompanied by a trade union representative or work colleague at meetings under this policy. If an employee's chosen companion is not available at the time proposed for the meeting or hearing, a mutually convenient time should be arranged within 5 working days of the original date. Employees do not have the right to be accompanied by anyone else such as a spouse, partner, other family member or legal representative.
An employee who wishes to be accompanied should give the Headteacher enough notice to arrange for their companion's attendance, and tell the Headteacher the companion's name and whether they are a trade union representative or work colleague.

It is advised to consider allowing employees to be represented at all meetings to ensure appropriate external advice is available. This supports the employee's understanding of the process and enables them to fully participate and engage with the employer.

The representative is allowed to address the meeting, to put and sum up the case, respond to any views expressed at the meeting and confer with their member/colleague during the meeting.

The representative does not have the right to answer questions on behalf of their member/colleague.

Appeal

An employee may appeal in writing to the Chair of Governors within 5 working days of the decision, stating their grounds. The appeal will be heard by governors not involved in the original decision, and must conclude within the two-month decision period unless a longer period is agreed with the employee.
The employee must clearly set out their grounds of appeal. An appeal meeting will be arranged without unreasonable delay, with advance notice so that the employee can prepare. The appeal will be

dealt with impartially, by governors who have not previously been involved in considering the request but who have sufficient authority to decide it, and all information and evidence available will be considered before deciding whether to uphold or reject the appeal. The employee will be informed of the outcome in writing, including what has been decided and why, taking account of the statutory two-month period. A record of the appeal meeting will be kept.

Employee responsibilities

Employees are responsible for completing the application form fully, in line with this policy and any other guidance provided; engaging fully in meetings so that the school can consider all material information relevant to the request; and making appropriate enquiries before applying, particularly where a request may affect contractual terms such as pay and benefits.

Manager responsibilities

When handling flexible working requests, the Headteacher and any manager involved must ensure that decisions comply fully with the Equality Act 2010, giving appropriate consideration to any protected characteristics that may be relevant to the request: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Any information disclosed by an employee in support of their request will be treated sensitively and without bias, and care will be taken not to discriminate unlawfully, directly or indirectly. Requests will be dealt with in a fair and reasonable manner, in line with correct facts and evidence, and with regard to the statutory time limit.

Data Protection

The organisation will comply with the provisions of UK data protection law. Employee data will be processed in accordance with the principles of that legislation, as necessary for the performance of the contract of employment and as set out in the organisation's privacy notice. Personal information about employees, including information in personnel files, will be held securely and privately in accordance with the organisation's Data Protection Policies and Procedures.

Minutes of formal meetings will be given to the employee for information and copies of notes, letters and other relevant documentation should be retained on file.

This policy can be made available in a range of formats and languages, including Braille and large print, on request to the Headteacher.

Appendix One

Berkswich CE Primary Flexible Working Request Form

This is a formal application for flexible working to change your current work pattern/location.
Please tick: ☐ Statutory request ☐ Non-statutory request

Once completed please return this form to your Headteacher

Section 1: Personal Details	
Name	Job title
Home address	Manager's name
	Contact number
Section 2: Have you made a flexible working request in the last 12 months? If yes, how many and when? Yes/No	
Section 3: Please give details of your current and requested working pattern (e.g., hours, days or location)	
Section 4: Please give details of how workload and the school's needs could be managed if your request were approved, any flexibility you can offer, and whether it relates to the Equality Act 2010 (e.g. a reasonable adjustment)	

Section 5: Start Date I would like my flexible working request to begin on (ideally 3+ months from now): If your request is to be temporary please give an end date:
Section 6: Declaration I have read and understood the Flexible Working Policy and I confirm my eligibility to apply. I can confirm the details given are correct and wish them to be considered. Signed: Date:

To be completed by Headteacher:

Date request received:	Date of meeting with employee:
Details of discussion:	
Decision and date notified:	
If not agreed, reasons for decision:	
Any adjustments to the proposal which were offered to the employee for consideration (including any trial period):	