



## Flexible Working Policy

Ribbons Preschool is committed to providing equality of opportunity in employment and to developing work practices and policies that support work-life balance. This Flexible Working Policy gives eligible employees an opportunity to formally request a change to their working pattern in accordance with the statutory procedure for such requests. It also allows any employee to make such a request informally without following the statutory procedure.

No-one who makes a request for flexible working will be subjected to any detriment or lose any career development opportunities as a result.

We are not obliged to agree to a request for flexible working, but do have a legal duty to consider such requests seriously. Managers are encouraged to facilitate requests unless they cannot be accommodated for business or operational reasons, which are defined in greater detail in the 'Formal Request: Decision' section below.

### **FORMS OF FLEXIBLE WORKING**

Flexible working can incorporate a number of possible changes to working arrangements:

- a) reduction or variation of working hours;
- b) reduction or variation of the days worked; and/or
- c) working from a different location.

Such changes may also involve starting a job share; working a set number of hours a year, rather than a week (annualised hours); working from home (whether for all or part of the week); working only during term-time (part-year working); working compressed hours; and/or working flexi-time.

### **ELIGIBILITY**

You may make an application for flexible working, providing you meet the following eligibility requirements:

- a) you must have 26 weeks' continuous service with Ribbons Preschool at the date the request is made; and
- b) you must not have made a request to work flexibly in the previous 12 months.

### **APPLICATION PROCEDURE**

If you are interested in flexible working, please speak informally with Abigail Welsh or Kate Watkins-Freeman to discuss

your eligibility, the different options and the effect of your proposed work pattern on colleagues and service delivery, before submitting a formal or informal request.

You will need to submit a written application for a flexible working request to be considered under the formal procedure.

The application should be submitted to your manager in good time and ideally at least two months before you would like the changes to take effect. It should:

- a) state that it is a flexible working request;
- b) explain the reasons for the request, especially if you think the Equal Opportunities Policy may be relevant, for example, if the request concerns childcare or other family commitments, religious or cultural requirements, or adjustments because of a disability;
- c) provide as much information as possible about your current and desired working pattern, including working days, hours and start and finish times, and give the date from which you want the changes to take effect;

d) identify the effect the changes to your working pattern will have on the work that you do, the work of your colleagues and on service delivery. If you have any suggestions about dealing with any potentially negative effects, these should also be included in the application; and

e) provide information to confirm that you meets the eligibility criteria set out above, including the dates of any previous formal requests for flexible working.

In most cases, we will need to have a meeting with you before making a decision. In some cases, we may be able to approve the request without a formal meeting, although it will usually be helpful for us to discuss the request with you to ensure it is the best solution.

If we are able to agree to a proposal without the need for a meeting, we will write to you, confirming the decision and explaining the changes that will be made to your contract of employment.

#### **FORMAL REQUEST: MEETING**

Where necessary, your manager will arrange a meeting with you. You may bring a colleague to the meeting as a companion, if desired. The companion will be entitled to speak during the meeting and confer privately with you, but may not answer questions on your behalf.

In most cases, the meeting will be held at your usual place of work. We will try to ensure that the meeting is held at a time and place that is convenient to everyone.

The meeting will be used to discuss the working arrangements requested. You will be able to explain how the arrangements will accommodate your needs, and will also be able to discuss what impact the proposed working arrangements will have on your work and that of your colleagues. If Ribbons Preschool cannot accommodate the arrangements requested, discussion at the meeting also provides an opportunity to explore possible alternative working arrangements.

Your manager may suggest starting new working arrangements under an initial trial period to ensure that they meet your needs and those of your team.

#### **FORMAL REQUEST: DECISION**

We will notify you of the decision in writing as soon as possible.

If your request is accepted, or where we propose an alternative to the arrangements, your manager 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 file to confirm the variation to the 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.

If your manager needs more time to make a decision, for example, where they need more time to investigate how the request can be accommodated or to consult several members of staff, they will discuss this with you.

There will be circumstances where, due to business and operational requirements, Ribbons Preschool is unable to agree to a request. In these circumstances, your manager will write to you:

- a) explaining the business reason(s) for turning down the application; and
- b) setting out the appeal procedure.

The eight business reasons for which Ribbons Preschool may reject a request are:

- a) the burden of additional costs;

- b) detrimental effect on ability to meet customer demand;
- c) inability to reorganise work among existing staff;
- d) inability to recruit additional staff;
- e) detrimental impact on quality;
- f) detrimental impact on performance;
- g) insufficiency of work during the periods that you propose to work; and
- h) planned changes.

By way of an example, Ribbons Preschool are required by law to ensure that all areas are covered by a minimum level of staff numbers at all times. If we consider that your proposal for flexible working will mean that we are unable to meet the minimum level of staff numbers required of us, your request will be rejected as it will have a detrimental effect on our ability to meet customer demand (and other business reasons may also apply).

#### **FORMAL REQUEST: APPEAL**

If a request is rejected, you have the right to appeal. Any appeal must:

- a) be in writing and dated;
- b) set out the grounds on which you are appealing; and
- c) be sent to your manager within 14 days of the date on which you received the written rejection of your request.

Your manager will arrange for a meeting to take place following receipt of an appeal. We will try to hold the meeting at a convenient time for all those attending. You may be accompanied by a colleague of your choice.

Where possible, the appeal meeting will be conducted by a manager who has not been previously involved in considering the request.

You will be informed in writing of the decision as soon as possible after the appeal meeting.

If an appeal is upheld, you will be advised of your new working arrangements, details of any trial period, an explanation of the 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 file to confirm the variation to the terms of employment.

You should be aware that changes to your terms of employment will be permanent and you will not be able to make another formal request until 12 months after the date of your original application.

If the appeal is rejected, the written decision will give the business reason(s) for the decision and explain why the reason(s) apply in your case. You will not be able to make another formal request until 12 months after the date of your original application.

#### **EXTENDING TIME UNDER THE FORMAL PROCEDURE**

There may be exceptional occasions when it is not possible to complete consideration of your request within the expected time limits. Where an extension of time is agreed with you, your manager will write to you confirming the extension and the date on which it will end.

If you withdraw a formal request for flexible working, you will not be eligible to make another formal request for 12 months from the date of your original request. In certain circumstances, a formal request will be treated as withdrawn. This will occur if you fail to attend a meeting and a re-arranged meeting, or an appeal meeting and a re-arranged appeal meeting, without good cause.

In such circumstances, your manager will write to you confirming that the request has been treated as withdrawn.

#### **MAKING AN INFORMAL FLEXIBLE WORKING REQUEST**

If you are ineligible to make a formal request for flexible working, you may make an informal request to your manager, who will consider it according to the business and operational requirements of Ribbons Preschool.

It will help your manager to consider the request if you:

- a) makes the request in writing and confirm whether you wish any change to your current working pattern to be temporary or permanent;
- b) provides as much information as possible about your current and desired working pattern, including working days, hours and start and finish times, and give the date from which you want the desired working pattern to start; and
- c) think about what effect the changes to your working pattern will have on the work that you do and on your colleagues, as well as on service delivery. If you have any suggestions about dealing with any potentially negative effects, these should also be included in the written application.

Your manager will advise you what steps will be taken to consider the request, which may include inviting you to attend a meeting, before advising on the outcome of your request.

If you require any further advice on this procedure, you should contact Abigail Welsh or Kate Watkins-Freeman .

This policy was adopted on: 23.09.21

Signed on behalf of the preschool: K.Watkins-Freeman

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