



OLD BUCKENHAM HALL

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# Flexible Working Policy

October 2013



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## **Flexible Working Policy**

### **The statutory right**

Employees who are parents of children aged under 17 or disabled children aged under 18 have a statutory right to apply for a change to the terms and conditions of their employment to have flexible working arrangements to look after their children. Employees who are carers of specified categories of adults have the same statutory right. In order to make a request under the statutory right, you must have worked for the School for a continuous period of six months at the date of application. You must also meet *each* of the following eligibility criteria:

#### ***Childcare***

- you have responsibility for the upbringing of either a child under 17 or a disabled child under 18
- you are either the mother, father, adopter, guardian, special guardian, foster parent or private foster carer of the child, or you have a residence order relating to the child, or you are married to or the partner or civil partner of the child's mother, father, adopter, guardian, special guardian, foster parent or private foster carer or a person in whose favour a residence order is in force in respect of the child.
- you are making the request to help care for the child
- you are making the request no later than the day before the child's 17th birthday or 18th birthday where the child is disabled.
- you have worked continuously for the School for the previous 26 weeks
- you have not made a request to work flexibly under the statutory right during the past twelve months.

#### ***Adult care***

- you are making this request to help care for an adult aged 18 or over who is either married to you, or is your partner or civil partner, or is your relative or who lives at the same address as you. For these purposes a "relative" means a mother, father, adopter, guardian, special guardian, parent-in-law, step-parent, son, son-in-law, step-son, daughter, daughter-in-law, step-daughter, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, uncle, aunt or grandparent, and this includes adoptive relationships and relationships of the full blood or half blood or, in the case of an adopted person, such of those relationships as would exist but for the adoption
- you have worked continuously for the School for the previous 26 weeks
- you have not made a request to work flexibly under the statutory right during the past twelve months.

### **Flexible working generally**

In addition to statutory rights, it is the School's policy to try and be flexible on working patterns for all employees, although priority will always be given to those employees who do have the statutory right to request flexible working so that the School can comply with its

legal obligations. All employees are eligible to apply for flexible working regardless of their seniority, current working pattern, age, sex, race, religion, sexual orientation, whether they have a disability or whether they are employed on a permanent or fixed-term basis.

You can apply to vary the number of hours you work, the times you work or your place of work (between your home and the School). Although the School is committed to being flexible on working patterns for its employees, you must recognise that the requirements of the school are paramount and it may not be appropriate or possible for flexible working arrangements to apply to all jobs across all areas of the school.

### **The flexible working application procedure**

You should comply with the following procedure to make your application for flexible working arrangements:

- make your request in writing to the Business Manager, setting out the flexible working arrangement you seek.
- within 28 days of receipt of your application, the Business Manager will set up a meeting with you to discuss the changes you have proposed, the effect of the proposed changes and any possible alternative work patterns that might suit. You may be accompanied at this meeting by a work colleague
- the Business Manager will consider your request and will make a practical business assessment on whether, and if so, how it could be accommodated
- the Business Manager will discuss your application with the Headmaster and your line manager and together, they will reach a decision.
- the Business Manager will notify the decision to you within 14 days of the meeting. If the School accepts your request, it will write to you, establishing a start date and providing a written note of the contract of employment variation. If your application is refused, the School will explain the grounds for refusal in writing and confirm the internal appeal procedure
- where your request is agreed to, it constitutes a permanent change to your terms and conditions of employment. This means you do not have the right to revert to your previous pattern of working at a future date
- you can appeal in writing against a refusal within 14 days of receipt of the School's rejection letter. The School will then set up a meeting with you and the Chair of Governors, to discuss your appeal within 14 days after receiving your appeal letter. After that meeting has been held, the School will write to you within 14 days to notify you of the outcome of your appeal.

### **Grounds for refusal**

The School may refuse your flexible working application on one or more of the following grounds:

- the burden of additional costs
- the detrimental effect it would have on the School's ability to meet standards and demands
- the School's inability to reorganise work amongst existing staff
- the School's inability to recruit additional staff
- the detrimental impact it would have on quality
- the detrimental impact it would have on performance
- the insufficiency of work available during the period when you propose to work
- the School's planned structural changes.

In refusing an application, the School will provide details relating to why the particular ground applies in the circumstances.

*Please note that each request for flexible working will be dealt with individually, taking into account the likely effects the changes will have on the School, the work of the department in which you are employed, your work colleagues and the particular circumstances of the case. This means that if the School agrees to one employee's request, this does not set a precedent or create a right for another employee to be granted the same or a similar change to their work pattern.*

### **Monitoring and Review**

This policy will be monitored by the Governing Body on a termly basis. The Business Manager/Headmaster will be required to make a report on all requests for flexible working and their outcomes.

This Policy will be reviewed by the Business Manager on an annual basis or when there are changes in legislation.

Anne-marie Shropshire  
Business Manager

~~Jan 2011~~  
~~March 2012~~  
Oct 2013