



Blessed Edward Bamber  
**Catholic Multi Academy Trust**

**Company No:** 9111449  
**Registered Office:** St. Mary's Catholic Academy  
St. Walburga's Road, Blackpool FY3 7EQ  
**Telephone:** 01253 396286  
**Website:** [www.bcmat.org.uk](http://www.bcmat.org.uk)  
Registered in England & Wales

## THE BLESSED EDWARD BAMBER CATHOLIC MULTI ACADEMY TRUST FLEXIBLE WORKING ARRANGEMENTS POLICY AND PROCEDURES

### Introduction & Scope

The Blessed Edward Bamber Catholic Multi Academy Trust is committed to providing flexible working arrangements to recruit and retain staff and in its role as a reasonable employer.

This procedure shall apply to all staff employed by the Blessed Edward Bamber Catholic Multi Academy except those on agency/supply contracts or who have been employed by the Trust for less than 26 continuous weeks. Any changes to working patterns under this procedure will be permanent. An employee may only make one application for flexible working in any twelve month period commencing on the date the previous application was submitted to the academy's head teacher.

Qualifying employees will be able to apply to the academy/Trust to change certain terms and conditions of employment relating to:

- hours they are required to work,
- the times they are required to work,
- their place of work.

Any application for flexible working must:

- be in writing and be signed and dated
- Are you making your request in relation to the Equality Act 2010, for example, as a reasonable adjustment for a disabled employee
- state that it is a request to change terms and conditions of employment;
- specify the change applied for and the date on which it is proposed the change should become effective;
- explain what effect, if any, the employee thinks making the change applied for would have on the academy/Trust and how, in their opinion, any such effect might be dealt with;
- state whether any previous applications have been made, with dates.

### Contractual Effect of Accepted Applications

Accepted applications will mean a permanent change to the employee's own terms and conditions of employment. It is important therefore that, before making an application, the employee gives careful consideration to which working pattern will help them best and to any financial implications it might have on them, in cases where the desired working pattern will involve a drop in salary.

	THIS POLICY DOES NOT CREATE CONTRACTUAL OBLIGATIONS ON THE TRUST	
Page 1 of 3		

## 1. Making a Determination

A meeting will be called between the employee and his / her Head teacher to discuss the application within 28 days from the date the application is received. The date of receipt will be taken as the date on which it would be delivered in the ordinary course of post – 2 days after posting. If the request is hand-delivered to the head teacher in person, the date of delivery will be the date of receipt. At this meeting, both parties will explore any potential issues with the request and if appropriate consider alternative work patterns.

Employees may be accompanied at any meetings under this procedure by a work colleague or Professional Association / Trade Union representative if they wish so long as the head teacher is informed at least 24 hours in advance of the meeting.

Where employees are accompanied the work colleague or Professional Association / Trade Union representative may address the meeting but may not answer questions on behalf of the employee. They may confer with the employee during the meeting. The companion is entitled to time off during working hours to attend the meeting. Employees are encouraged to seek advice from their Professional Association/Trade Union representative if applicable for assistance in making the written application at the initial or appeal stage.

Head teachers may be accompanied by a HR representative or senior colleague at any meeting under this procedure.

The head teacher must consider each request on its own merits in light of its current service requirements. In considering business reasons academy/Trust must be careful not to inadvertently discriminate against particular employees because of their protected characteristics.

The head teacher should give a decision in writing within 10 days of that meeting. This should:

- be dated;
- accept the request, outline the contract variation and establish a start date;
- confirm any compromise agreed in the meeting; or
- reject the application, providing a business grounds and an explanation as to why the business ground is relevant in the circumstances, together with details of the appeal process. There are eight business grounds on which an application may be reasonably refused:
  1. The burden of any additional costs is unacceptable to the academy/Trust.
  2. An inability to re-organise work amongst existing staff
  3. An inability to recruit additional staff
  4. The employer considers the change will have a detrimental impact on the quality of education provided to the children or young people/quality of business support provided
  5. The employer considers the change would have a detrimental effect on the business ability to meet customer demand
  6. Detrimental impact on performance of the individual or team.
  7. There is insufficient work during the periods the employee proposes to work.
  8. Planned structural changes, for example, where the employer intends to reorganise or change the business and considers the flexible working changes may not fit with these plans.

Where flexible working arrangements are agreed, they may take time to implement, e.g. for recruitment of a Job Share partner and may be conditional on such arrangements.

Effective date: September 2015

Version 1.1

Blessed Edward Bamber Catholic Multi Academy Trust

	THIS POLICY DOES NOT CREATE CONTRACTUAL OBLIGATIONS ON THE TRUST	
Page 2 of 3		

## 2. Right of Appeal

Employees have a right of appeal against the decision where requests are refused.

Any appeals must be submitted in writing to the Executive Director within 10 days of being notified of the original decision stating the grounds for appeal.

An appeal meeting will be arranged within 10 days of receiving the letter of appeal. At the meeting the Executive Director will receive advice from a HR representative.

The employee may be accompanied by a Professional Association/ Trade Union representative or work colleague.

The Executive Director will inform the employee of the outcome of the appeal in writing within 10 days after the date of the hearing. Where the Executive Director upholds the appeal and thus agrees to the implementation of the desired working pattern, they must specify the agreed change and the date from which the change will take effect. Alternatively, where the Executive Director dismisses the appeal, they must set out the grounds on which the refusal is based.

## 3. Withdrawal of a Request to Work Flexibly

A request will be considered as withdrawn if:

- The employee submits written notification to their head teacher that they wish to withdraw their request.
- The employee fails, without reasonable cause or explanation, to attend the meeting to discuss the application or the appeal meeting more than once (i.e. fails to attend two meetings);
- The employee unreasonably refuses to provide the head teacher with information required in order to assess whether the contract variation can be granted.

## 4. Extension of Time Periods

Extensions to any deadlines given within these procedures may be agreed between the head teacher/Executive Director and the employee making the request. Details of such agreements should be confirmed in writing to the employee.

These extensions are permissible as long as the overall process from submission of an application to work flexibly to a determination being made does not extend beyond three calendar months excluding academy/Trust holidays.

Effective date: September 2015

Version 1.1

Blessed Edward Bamber Catholic Multi Academy Trust

	THIS POLICY DOES NOT CREATE CONTRACTUAL OBLIGATIONS ON THE TRUST	
Page 3 of 3		