

Flexible Working Frequently Asked Questions

• How do I apply for flexible working?

You will need to complete a [flexible working request form](#). When completed this should be passed to your line manager for consideration.

• Does my manager have to reply within a specific timescale?

There is a legal requirement to complete the entire process, including any appeal, within 3 months. Therefore it is recommended that your manager meets with you within one month of your request being submitted.

• Can my manager refuse my request?

Your manager has a duty to consider your request but this does not mean that it will automatically be approved.

If your request is turned down your manager will need to write to you explaining why it has been turned down. Your request can only be rejected for one of the following business reasons:

- The burden of additional costs
- An inability to reorganise work
- An inability to recruit additional staff
- A detrimental impact on quality or performance or to meet customer demand
- Insufficient work for the periods the employee proposes to work
- A planned structural change

If your request is turned down you have the right to appeal to a more senior manager in accordance with the [Flexible Working Policy](#).

• If my flexible working request is due to childcare reasons, will it automatically be approved?

No, your manager has a duty to consider your request but this does not mean that it will automatically be approved. However, if the service needs can allow your flexible working request then it should be approved. If your request can not be supported because of genuine service needs your manager will write to you to explain the reasons for this. It may be possible, in some circumstances, for a compromise to be reached. However, you also have the right to appeal to a more senior manager in accordance with the [Flexible Working Policy](#).

• Once my flexible working arrangement has been approved is this a permanent arrangement?

Any changes made following a request for flexible working are permanent variations to your contract, unless agreed otherwise. This means that once the change has been implemented you have no right to revert to your previous pattern of working at a future date. Similarly, there is no scope your manager to insist that you revert to your previous working pattern. Therefore it is important that it is made clear from the outset if the new working arrangements are permanent or temporary, and if they are temporary there must be a review date.

• What can I do if my request is rejected?

If an application for flexible working is rejected, you have the right to appeal against the decision. You should do this by completing the [flexible working appeal form](#). Appeals should be put into writing, setting out the grounds for appeal, as soon as possible after receiving notice of the decision to reject the application (within 14 days).

The appeal form should be submitted to your line manager's manager, and heard by a more senior manager than the one who rejected your original application.

• If I work Term time only are all the school holidays annual leave?

When you work Term Time Only your pay and annual leave is based on the total amount of hours that you work during a school year. This total amount of hours will then be averaged out over 12 months of the year, thereby allowing you to receive the same pay every month.

Your annual leave entitlement will be worked out in a similar way and will be averaged out over the school holidays i.e. 13 weeks. As you will not have enough annual leave to cover you for all 13 weeks of the school holidays, only a proportion of each week will be annual leave, the rest will be unpaid.

• Will my Term time pay/hours be automatically recalculated when I reach 5 or 10 years annual leave entitlement?

No, it will be the responsibility of your manager to inform the payroll department when you have reached 5 or 10 years service. The payroll department will then recalculate your pay/hours accordingly.

• I work Term Time Only, how do I work out my annual leave if I am on sick leave during the school holidays?

Your manager should contact the HR Advisory Team for advice on how to work this out.