

Education and Learning Directorate
Policy

**FLEXIBLE WORKING POLICY
FOR TEACHING STAFF AT ALL LEVELS**

2021

1. INTRODUCTION

1.1 Flexible working is a way of working that suits the needs of the employee. It is a way of sharing, staggering or breaking up the normal working day or week in order to improve work/life balance. Dumfries and Galloway Council (the Council) recognises the importance of work life balance and providing employees with an opportunity to manage their time at work in a flexible manner.

1.2 The availability of flexible working for employees is subject to operational and service needs being maintained.

2. THE BENEFITS OF FLEXIBLE WORKING

The benefits of flexible working include: reduced levels of stress; better work/life balance; more job satisfaction; reduced sickness absence; good-quality staff retained; continuity of staffing; employers have a greater talent pool from which to recruit.

3. PRINCIPLES OF FLEXIBLE WORKING

3.1 All employees (not just parents or carers) have the legal right to request flexible working if they have worked for the same employer for at least 26 weeks. The law **does not** give an automatic right to flexible working, but employers **must** respond to requests. A teacher can only make a request under the legislation once in any 12-month period.

3.2 **A request for flexible working should:** be made in writing; make clear that this is a statutory request; state the date of the application, make clear the change being requested to working arrangements; state how this change might impact upon the school/college and how any such effect might be dealt with; include a statement saying if, and when, any previous application was made.

3.3 The employer has to consider seriously a request for flexible working. The employer must consider a request in a 'reasonable manner', which involves weighing up the benefits for the employee and the school/college against any potential adverse business impact. Decisions regarding requests and appeals must be made within three months of the request being made. The employer can treat the request as withdrawn if the employee misses two meetings to discuss the request.

3.4 If the employer **accepts** the request, or accepts it with modifications, they should write to the employee confirming the decision and start date no later than 28 calendar days after the request was approved. The employer should also write to the employee notifying them of the variation to their contract (e.g. working hours and pay).

3.5 If the employer **rejects** the request, they must have a sound business reason for doing so, which should be conveyed in writing. If the employer rejects the request, there is a right of appeal.

3.6 Business reasons may include:

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

4. APPEALS PROCESS

If a request for flexible working is refused the employee (teacher) may appeal this decision. The appeal must be made in writing and submitted to the Schools' Manager. They will convene a meeting, within one working month of the appeal being submitted, between the employee and the manager. The employee then the manager will be invited to present their views. The employee is entitled to be represented by a trade union representative. A final decision will be made within 5 working days.

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Document History

Scheme Guidance

Version	Revision Date	Previous Revision Date	Summary of Changes
2.0	29 April 2021		Policy title changed to be relevant for TEACHING STAFF AT ALL LEVELS

Committee Approval

Version	Committee	Committee Date
1.0	LNCT	22/05/2018