

Dundee Negotiating Committee for Teachers



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DNCT/13

Flexible Working

Dear Colleague,

The attached circular is an update to DNCT/13 (Flexible Working)

Your sincerely,

Gillian Milne (Management)

David Baxter (Teachers)

Joint Secretaries

DUNDEE CITY COUNCIL – CHILDREN AND FAMILIES SERVICE

FLEXIBLE WORKING – GUIDELINES FOR TEACHERS AND ASSOCIATED PROFESSIONAL STAFF

The Council believes that the promotion and support of flexible working, as part of Our People Strategy, can bring significant benefits both to employees and service users. Flexible working enables employees to achieve a healthy balance between their job and their personal commitments. This helps to improve employees' morale and wellbeing and thereby increases their effectiveness at work, resulting in improved customer service, increased efficiency and reduced costs.

Flexible working is also a key element in the Council's drive to find new and better ways of working through the smarter use of information and communication technology.

The Council will therefore promote and support flexible working. It will welcome all reasonable requests to work flexibly but the overriding issue when considering a proposed change to a work arrangement will be its likely effect on service delivery. Where a change is likely to adversely affect service delivery, the request will not be approved.

Careful consideration will be given to requests and any refusal of an application to work flexibly will be based upon one, or more, of the following grounds:

1. Burden of additional costs
2. Detrimental effect on the efficient and effective operation of the council's services
3. Inability to re-organise work among existing staff
4. Detrimental impact on performance or quality of work
5. Lack of work during the periods the employee proposes to work
6. Planned structural changes

Guiding Principles

Our aim is to ensure we deal with requests for flexible working in a fair, transparent and consistent way.

- Employees must have 26 weeks continuous service to apply for flexible working.
- Requests for flexible working will normally be dealt within 30 working days.
- Where discussion is required, the Head Teacher in the first instance will meet with the employee to discuss the arrangement requested.
- Where a request cannot be accommodated, we will seek to discuss alternative options.
- Where approved, the change in working pattern will normally constitute a permanent change to an employee's terms and conditions.
- There is an option to request a temporary variation to your hours for up to one year. You should indicate on the flexible working form.
- Where a request cannot be approved, an appeal can be raised.
- Employees may be accompanied by a work trade union representative or work colleague at any meetings to discuss flexible working request and at any appeal.
- Normally, unless under exceptional circumstances, an employee will only be able to submit one request for alternative working arrangements within any twelve month period.

If the flexible working arrangement is a temporary one, then the Council reserves the right to review such individual cases during the annual staffing exercise.

For those in promoted posts, in accordance with JS/19/75 no employee will be automatically turned down because they hold a leadership or guidance position. Due consideration will be given to alternative ways of working with the balance of the decision on trying to accommodate the employee wherever possible.

Request for flexible working

You can make a request for flexible working if you have at least 26 weeks continuous service with Dundee City Council. For teaching staff, flexibility can be requested as follows:-

- Part-time working e.g. reduced working week – 0.8, 0.5 etc.
- variation in hours of work e.g. the actual times you work
- job-share (refer to the Job Sharing Scheme for Teaching Staff)

Making a request for flexible working

Requests will be considered as they are submitted however to enable decisions to be made in line with the time line set out in this document, it is preferable that requests are made no earlier than 6 months in advance of the proposed start date of the proposed arrangement. Where due to staffing requirements being unknown and therefore management not being in a position to make a decision management will issue a letter deferring the decision and advise staff the application will be retained and advise the date a final decision will be made by.

Submission Process

1. You should submit the completed request for flexible working form (Appendix B) to your Head Teacher.
2. If your Head Teacher needs more information to consider your request, they will meet with you within 20 working days of receiving the form to discuss the request and clarify any points. You may request to be accompanied at this meeting. The Head Teacher will require to discuss the application with the relevant Service Manager before final approval is given. All applications will be acknowledged within 20 days by your Head Teacher (Appendix D, Template 1).
3. You will be informed of the outcome within 10 working days of the meeting. If more time may be needed, this will be agreed with you and confirmed in writing. If we cannot accommodate your request, we will seek to discuss modifications or alternatives with you, or we may ask that you try the flexible working arrangement for a trial period by negotiation. You will be advised of the reasons for refusal and of the right of appeal. If the request is approved, it will result in an amendment to your terms and conditions of employment being issued to you.
4. If approved, the Service Manager will email the approved flexible working request form to Head Teacher for information and to CBSS Staffing Team timeously to avoid any over/under payment. Payroll will amend the employee's pay and calculate any over/under payment of salary. CBSS will issue amended terms and conditions.
5. If not approved, the Service Manager will contact Head Teacher to discuss with the employee and letter of refusal issued by Head Teacher (Appendix D, Template 2).
6. If you are unhappy with the decision, you have the right of appeal to the Head of Service.

The Appeal Process

If the decision made is to refuse the request, the employee may raise an appeal. The appeal must be made within 14 days of the decision being confirmed in writing. An appeal must be made in writing to the Service Manager.

The Service Manager will arrange to meet with the employee and the Head Teacher, normally within 14 days from when they receive the request and may seek advice from Human Resources at the appeal meeting.

You may also consider lodging a grievance, in accordance with DNCT/3 – Grievance procedures

Practical arrangements

You should be aware that some changes to your working hours, for example reducing the total number of hours you work, will affect other terms and conditions such as pay and may affect your pension.

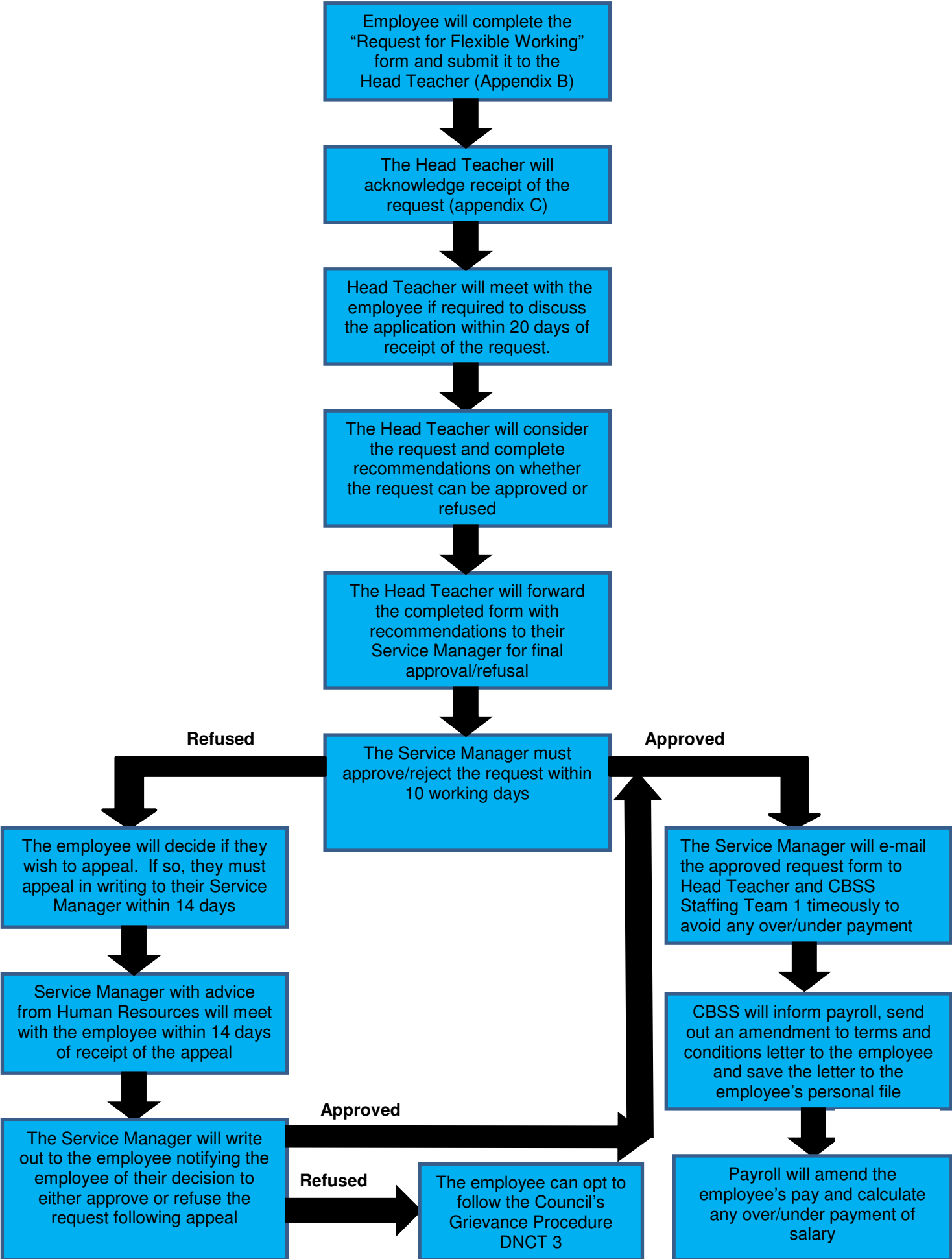
| Leave for part time teachers is covered by DNCT17.

Details on the pro rata arrangements for the working year and working week are found under the following

SNCT PART 2: SECTION 3 - WORKING YEAR AND WORKING WEEK 3.9 states

“The pro rata arrangements for teachers on part-time contracts, relating to remaining time, shall occur on days when the teacher is employed. The exception to this rule is parents’ meetings when the part-time teacher will comply, on a pro rata basis, with the arrangements agreed for the establishment.”

Flexible Working Request Flowchart



DUNDEE CITY COUNCIL – EDUCATION DEPARTMENT

FLEXIBLE WORKING – TEACHERS AND ASSOCIATED PROFESSIONALS

REQUEST FOR FLEXIBLE WORKING FORM

To be completed by the applicant and forwarded to their Head Teacher. You should retain a copy of the form and should be contacted regarding the request within 20 working days.

Full Name	
Post	
School	
Workplace Address	
Work Telephone Number	
Pay Number	
Do you have at least 26 weeks continuous service	Yes No
When would you like this change to take effect (Please tell us the date you'd like your new pattern to start)	
Is this a permanent change (The change in working pattern will normally be a permanent change to your terms and conditions)	Yes No If no, when would you like the change to end:
Type of application (delete as required)	Reduction of Hours Change in working pattern Job Share (as per appendix E) Other (please detail) _____

1 ➤ I wish to work flexibly for the following reason (please state below)

2 Describe your current working pattern (e.g. full time or days worked - if part time etc.)

3 Describe the working pattern you would like to work

4 I have discussed this request with (e.g. Principal Teacher, colleagues etc.)

5 Any other information

Please sign, date and pass to your Head Teacher

Signed:

Date:

Department Action:

Date of meeting with employee:

Date request for Flexible Working received, acknowledged to employee and passed to Service Manager for final approval:

.....

Head Teachers Decision:

Agreed:

Not agreed:

NOTE:

PLEASE NOTE THIS ARRANGEMENT SHOULD NOT COMMENCE UNTIL APPROVAL IS RECEIVED BY SERVICE MANAGER.

Please use this space to record detail of your decision and the factors you took into account in reaching your decision. If you have agreed a modified or alternative arrangement, please detail that arrangement and the effective date.

Reasons and details why the flexible working request was not approved:-

- Burden of additional costs
- Detrimental effect on efficient and effective operation of the service
- Inability to re-organise work among existing staff
- Detrimental impact on performance or quality of work
- Lack of work during the periods the employee proposes to work
- Planned structural changes
- Other reason (detailed below)

Reasons for not agreeing:-

**FLEXIBLE WORKING
REQUEST FOR FLEXIBLE WORKING – DEPARTMENTAL RESPONSE**

To be completed within the Request Timeframe of receipt of request.

What is your decision

Accept the request and confirm start date as	Start Date:
Agree a modified or alternative arrangement	
Refuse the request only on the grounds of one or more statutory prescribed reasons below	

Head Teacher can accommodate this request:
(Please circle)

Yes	No
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Service Manager signature:

Communicating your decision:-

Date you informed employee: Note: Head Teacher should write to the employee within the request timeframe	
Date you notified Corporate Business Support Services of outcome	

Signed:..... **Date:**

Name (Service Manager):

Template Letters

Template 1 - Acknowledgement of Flexible Working Request

Dear

REQUEST FOR FLEXIBLE WORKING

I write to confirm receipt of Request for Flexible Working form dated xxxx. Please note a response will be given within the terms of the flexible working procedure.

Yours sincerely

Enter Name

Head Teacher

Template 2 - Refusal of Flexible Working Request

Dear

REQUEST FOR FLEXIBLE WORKING

I refer to your application for flexible working and on behalf of the Executive Director of Children and Families Services I confirm that your request has not been approved due to (select one or more of the following)

- the burden of additional costs
- the detrimental effect on efficient and effective operation of the service
- the ability to re-organise work among existing staff
- the detrimental impact on performance and quality of work
- planned structural changes
- Other reason (as detailed by manager)

You have the right to appeal this decision. If you choose to exercise this right you must do so, in writing, to xxxx (Service Manager), within 14 days of receipt of this letter.

Yours sincerely

Enter Name

Head Teacher