Pathway Trust

Flexible Working Policy

Policy effective from	25 October 2026
Policy owner	Director of People
Policy applies to	Berrow Church Primary School Burnham-on-Sea Infant School Castle Batch Primary School Charfield Primary School Cherry Garden Primary School Downend School East Huntspill Primary School Lyde Green Primary School Mangotsfield School Marlwood School Pawlett Primary School Priory Community School Severn Beach Primary School St Andrew's Church Junior School St Anne's Church Primary School The Castle School The King Alfred School Tortworth Primary School West Huntspill Primary School Worle Community School Pathway Partnership Teams
Policy changes since last version	Appendix removed (application form now in Pathway Bookmarks)

1. Policy statement

1.1 We are committed to providing equality of opportunity in employment and to developing work practices and policies that support work-life balance. We recognise that, in addition to helping balance work and personal lives, flexible working can raise staff morale, reduce absenteeism, and improve our use and retention of staff.

1.2 This policy gives eligible employees an opportunity to formally request a change to their working pattern in accordance with the statutory procedure for such requests.

1.3 Through this policy we will accommodate flexible working where possible, giving careful consideration to, and assessment of, the effect of, the requested change on the running of the school/trust for the benefit of the pupils and where granting flexible working would impact on that, requests may not be granted. Requests will be handled in a reasonable manner and appropriate consultation will take place with employees.

1.4 No-one who makes a request for flexible working or intends to make such a request will be subjected to any detriment or lose any career development opportunities as a result.

1.5 All requests will be handled appropriately and will not discriminate unlawfully against any employee in relation to any of the protected characteristics set out in the Equality Act 2010. Any requests for a reasonable adjustment relating to an employee's disability should be dealt with separately rather than as a flexible working request.

1.6 This policy does not form part of any employee's contract of employment and it may be amended at any time following consultation.

1.7 Employees who transfer to the trust on their pre-existing terms and conditions of employment by way of a TUPE transfer may have enhanced contractual entitlements. Where this is the case, those enhanced contractual entitlements will continue to apply, unless superseded by subsequent arrangements.

1.8 The trust is committed to ensuring any policy and procedure does not disadvantage any individual with protected characteristics in line with Equality Act 2010. All policies and procedures are checked to ensure they do not discriminate either directly or indirectly or present any barriers.

2. Scope and purpose of the policy

2.1 This policy applies to all employees. It does not apply to agency or casual workers, consultants or self-employed contractors.

2.2 Employees have a statutory right to request flexible working from their first day of employment with the trust. That right is recognised by the formal procedure in this policy. The criteria for deciding who is eligible to follow the formal procedure are set out in paragraph 5.

2.3 Any employee interested in flexible working can request an informal meeting with their Headteacher/Director to discuss the different options and the effect of their

proposed work pattern on colleagues and service delivery before submitting a formal or informal request.

3. Responsibility for implementing the policy

The trust has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework.

4. Forms of flexible working

4.1 Flexible working can incorporate a number of possible changes to working arrangements:

- Reduction or variation of working hours
- Reduction or variation of the days worked
- Variation of working pattern
- Requesting a sabbatical or career break.

4.2 Such changes may also involve: starting a job share; working a set number of hours a year, rather than a week (annualised hours); working from home (for part of the week); working only during term-time (part-year working); working compressed hours. Some of these arrangements may not be possible due to the nature of the work undertaken by the employee making the request, but decisions will be made in consultation with employees.

4.3 Employees should be aware that changes to working hours may affect pay and other benefits, for example pension, annual leave entitlement.

5. Eligibility for the formal right to request procedure

5.1 Requests under the formal procedure set out in paragraph 6 to paragraph 9 of this policy can only be made by employees who meet the criteria set out below.

5.2 To be eligible to make a request under the formal procedure, you must:

- Be an employee
- Not have made more than two formal requests to work flexibly during the last 12 months
- Only have one live request for flexible working at any one time

5.3 A request will be considered as live unless any of the following apply:

- A decision on the request has been made by the employer
- The request has been withdrawn
- An outcome to the request has been mutually agreed by the employer and employee

- The statutory timeframe to respond to the request has expired without a decision, withdrawal or a mutually agreeable outcome. It is envisaged this will only happen in rare and exceptional circumstances and the trust will always endeavour to comply with statutory deadlines.

5.4 A request continues to be live during any appeal or any extension to the procedure that an employer and employee have agreed.

6. Timescales

6.1 Requests will be dealt with within a period of two months from first receipt to notification of the decision on appeal, to meet statutory timeframes.

6.2 As a guide and to help ensure that requests are dealt with within this timescale:

- A meeting will normally be held with you within 10 working days of your request being received
- You will normally be informed in writing of the decision within 10 working days of the meeting
- Where an appeal is lodged, an appeal meeting will normally take place within 10 working days of receipt of the appeal and the outcome will be notified in writing normally within 10 days of the meeting

6.3 However there may be exceptional occasions when it is not possible to complete the procedure within the time limits. Where an extension of time is agreed with you, we will write to you confirming the extension and the date on which it will end.

6.4 If you withdraw a formal request for flexible working, normally you will only be eligible to make one other formal request within 12 months from the date of your original request. In certain circumstances, a request made under the formal procedure will be treated as withdrawn. This will occur if:

- You fail to attend a meeting and a re-arranged meeting, or an appeal meeting and a re-arranged appeal meeting, without good cause; or
- You unreasonably refuse to provide information we require to consider your request, without good cause.

In such circumstances, we will write to you confirming that the request has been treated as withdrawn.

7. Making a formal flexible working request

7.1 You will need to submit a written application using the flexible working request form, (found in the HR section on Pathway bookmarks) if you would like your flexible working request to be considered under the formal procedure. Once we have received a request we will consider it in line with the timeframes through the policy (see section 6).

7.2 Your written and dated application should be submitted to the Headteacher/Director in order to meet the requirements of the formal procedure and to help them to consider your request, should:

- State that it is a statutory flexible working request
- Explain the reasons for your request (especially if you think our Equality and Diversity Policy may be relevant, for example) if your request concerns childcare or other family commitments, religious or cultural requirements, or adjustments because of a disability
- Provide as much information as you can about your current and desired working pattern, including working days, hours and start and finish times
- Give the date from which you want your desired working pattern to start
- Provide information to confirm that you meet the eligibility criteria set out in paragraph 5 of this policy
- State whether you have made any previous formal requests for flexible working within the last 12 months and, if so, when
- Be submitted in good time and ideally at least two months before you wish the changes you are requesting to take effect

7.3 We might be able to agree to your proposal without the need for a meeting (which is the next stage of the formal procedure). If that is the case, the Headteacher/Director or another senior employee appointed by the Headteacher/Director will write to you within 14 days, confirming the decision and explaining the changes that will be made to your contract of employment.

7.4 If your proposal cannot be accommodated, a discussion between you and the person managing your request may result in an alternative working pattern that can assist you which would be confirmed to you in writing within 14 days of the discussion.

8. Formal procedure: meeting

8.1 Where necessary, the Headteacher/Director or another senior employee appointed by the Headteacher/Director will arrange to meet with you normally within 10 working days following receipt of your written application. The meeting may also be attended by a member of the trust's HR team. We will inform you if there is a delay in arranging this meeting. Your request may be discussed with your manager and necessary enquiries made regarding your proposals prior to the meeting.

8.2 You may bring a companion to the meeting if you wish who may be an official trade union representative or a work colleague. Your companion will be entitled to speak during the meeting and confer privately with you, but may not answer questions on your behalf.

8.3 The meeting will be used to discuss the working arrangements you have requested. During the meeting we will jointly consider and discuss any alternative flexible

working options that may be available and suitable for both you and the school/trust if the original request cannot be met.

8.4 It is possible that either parties may suggest starting new working arrangements under an initial trial period to ensure that they meet your needs and those of your team. In this case, we will set a review date, which will be detailed in the outcome, to meet with you again shortly before the end of the trial period to discuss how the new arrangements are working.

9. Formal procedure: decision

9.1 Following the meeting, we will consider your request carefully and notify you of the decision in writing within 14 days of the meeting.

9.2 Each request will be considered on a case-by-case basis; agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working patterns.

9.3 If your request is accepted, we will discuss with you how and when the changes might best be implemented and will confirm these in writing. Such confirmation will include details of the new working arrangements, details of any trial period, an explanation of changes to your contract of employment and the date on which they will commence. You will be asked to sign and return a copy of the letter. This will be placed on your personnel file to confirm the variation to your terms of employment. There may also be some additional practical matters, such as arrangements for handing over work, that your manager will discuss with you.

9.4 Unless otherwise agreed (and subject to any agreed trial period) changes to your terms of employment will be permanent. You will only be able to make one other formal request until 12 months after the date of your most recent request.

9.5 If we need more time to make a decision, this will be discussed with you. For example, they may need time to investigate how your request can be accommodated or to consult several members of staff.

9.6 There will be circumstances where, due to business and operational requirements, we are unable to agree to a request. In these circumstances, we will write to you:

- Giving the business reason(s) for turning down your application;
- Explaining why the business reasons apply in your case; and
- Setting out the appeal procedure.

9.7 If we reject a request it will be for one or more of the following eight business reasons:

- The burden of additional costs
- Detrimental effect on ability to meet pupil and/or school/trust demands
- Inability to reorganise work among existing staff

- Inability to recruit additional staff
- Detrimental impact on quality
- Detrimental impact on performance
- Insufficiency of work during the periods that you propose to work
- Planned changes

9.8 We will also set out such additional information as is reasonable to help explain the decision.

10. Formal procedure: appeal

10.1 You may appeal against the decision if your request is rejected, or an alternative arrangement from the one you requested is offered. For example, this may be on the grounds that new information is now available that was not available to be considered or if you feel your request was not handled reasonably in line with this policy.

10.2 Your appeal must:

- Be in writing and dated
- Set out the grounds on which you are appealing
- Be sent to the Headteacher/Director copied to hr@pathwaytrust.uk within 14 days of the date on which you received the written rejection of your request.

10.3 The Headteacher/Director will arrange a meeting normally within 10 working days following receipt of your appeal. The meeting will be held at a convenient time for all those attending and, as at the meeting that considered your request, you may be accompanied by a companion who may be your official trade union representative or another work colleague.

10.4 Where possible, the appeal meeting will be conducted by a panel of councillors/trustees who have not been previously involved in considering your request.

10.5 You will be informed in writing of the appeal panel's decision within 10 days following the appeal meeting.

10.6 If your appeal is upheld, you will be advised of your new working arrangements, details of any trial period, an explanation of changes to your contract of employment and the date on which they will commence. You will be asked to sign and return a copy of the letter. This will be placed on your personnel file to confirm the variation to your terms of employment. There may also be some additional practical matters, such as arrangements for handing over work, that your manager will discuss with you.

10.7 You should be aware that, unless otherwise agreed, changes to your terms of employment will be permanent and you will only be able to make one other formal request until 12 months after the date of your original application.

10.8 If your appeal is rejected, the written decision will give the business reason(s) for the decision and explain why the reason(s) apply in your case. You will only be able to make one other formal request until 12 months after the date of your original application.

11. Retention and data protection

As part of the application of this policy, the school/trust may collect, process and store personal data in accordance with our data protection policy. We will comply with the requirements of the Data Protection Legislation (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018). Records will be kept in accordance with our Privacy Notice], our Retention and Destruction Policy and in line with the requirements of the Data Protection Legislation.

12. Review of the policy

This policy is reviewed and amended annually by the trust. We will monitor the application and outcomes of this policy to ensure it is working effectively.