



CST FLEXIBLE WORKING POLICY

1. SCOPE

- 1.1 Our people are our most important and valuable asset. Therefore we are committed to creating a professional environment where flexible working is enabled within reasonable business considerations.
- 1.2 Flexible working is a way of working that suits an employee's needs, for example having flexible start and finish times.
- 1.3 All employees have the legal right to request flexible working. This is known as 'making a statutory application'.
- 1.4 Employees must have worked for CST for at least 26 weeks to be eligible.
- 1.5 This policy covers CST and its subsidiary organisations. For brevity, the term CST used throughout should be taken to mean CST and its subsidiary organisations.
- 1.6 This policy ensures that statutory applications are given careful consideration in a reasonable manner, are fair and consistent and conform to all statutory regulations and agreed best practice.

2. TYPES OF FLEXIBLE WORKING

- 2.1 There are different types of flexible working:
 - **Job sharing:** Two people do one job and split the hours.
 - **Working from home:** It might be possible to do some of the work from home or anywhere else other than the normal place of work.
 - **Part time:** Working less than full-time hours (usually by working fewer days).
 - **Compressed hours:** Working full-time hours but over fewer days.
 - **Flexitime:** The employee chooses when to start and end work (within agreed limits) but works certain 'core hours', e.g. 10am to 4pm every day.
 - **Annualised hours:** The employee has to work a certain number of hours over the year but they have some flexibility about when they work. There are sometimes 'core hours' which the employee regularly works each week, and they work the rest of their hours flexibly or when there's extra demand at work.
 - **Staggered hours:** The employee has different start, finish and break times from other workers.



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- **Phased retirement:** Default retirement age has been phased out and older workers can choose when they want to retire. This means they can reduce their hours and work part time.

3. PROCESS

3.1 Making a statutory application

3.1.1 If an employee wishes to make a statutory application for flexible working, they should put this in writing to the Executive Officer.

3.1.2 The application must include:

- The date;
- A statement that this is a statutory request;
- Details of how the employee wants to work flexibly and when they want to start;
- An explanation of how they think flexible working might affect the business and how this could be dealt with, e.g. if they're not at work on certain days;
- A statement saying if and when they've made a previous application.

3.1.3 Employees can only make one application for flexible working a year.

3.2 Withdrawal of a statutory application

3.2.1 An employee may withdraw their request at any time.

3.2.2 CST reserves the right to treat an application as withdrawn if the employee misses two meetings to discuss an application or appeal without good reason, e.g. sickness. In this instance, we will notify the employer that we are treating the request as withdrawn.

3.3 Consideration and decision

3.3.1 CST will consider the request and makes a decision within 3 months - or longer if agreed with the employee.

3.3.2 The Executive Officer will normally arrange a meeting with the employee to discuss the application within 28 working days.

September 2018

Charitable Company Limited by Guarantee, Registered in England, Charity Number 1107640, Company Number 05303883
VAT Registration Number 270 0880 18

CST Registered Office; George Spencer Academy, Arthur Mee Road, Stapleford, Nottingham NG9 7EW - Tel 0115 917 0142



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3.3.3 If CST as the employer agrees with the application, we will write to the employee with a statement of the agreed changes and a start date for flexible working. We will also change the employee's contract to include the new terms and conditions. This will be done as soon as possible but no later than 28 days after the request was approved.

3.3.4 If CST as the employer rejects the application, we will meet with the employee to outline why the application has been rejected. The reasons for rejecting the application will also be put in writing to the employee. We will set out the business reasons for rejecting the application, for example:

- Extra costs that will damage the financial position of the charity;
- The work cannot be reorganised among other staff;
- Flexible working will affect quality and performance;
- We will not be able to meet Members' demands;
- There is a lack of work to do during the proposed working times; or
- We are planning changes to the workforce

3.3.5 If we reject a statutory request, we will inform the employee of their right to appeal.

3.4 **The appeal / resolution process**

3.4.1 CST recognizes that there is no statutory right of appeal in relation to statutory applications for flexible working, but we are committed to best practice. Therefore an appeal/ resolution process is set out here.

3.4.2 If the employee wishes to appeal against the decision to reject a statutory application for flexible working, they should put their appeal in writing to the Chief Executive Officer, stating why they disagree with the business reasons for rejecting the application.

3.4.3 The Chief Executive Officer will arrange for a panel of two trustees to hear the employee's concerns as soon as possible. This meeting will normally be held within 28 working days of the appeal being received in writing.

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- 3.4.4 The employee may be accompanied to the meeting by a Trade Union representative, friend or companion. The employee must let the Chief Executive Officer know who their representative will be at least one working day before the meeting.
- 3.4.5 If the employee has any particular reasonable need, for example, because a disability, they can also be accompanied by a suitable helper.
- 3.4.6 The employee's representative can address the meeting in order to put the employee's case; sum up the employee's case, respond on the employee's behalf to any view expressed at the meeting and ask questions on the employee's behalf. The employee's representative can also confer with employee during the meeting.
- 3.4.7 The employee's representative has no right to answer questions on behalf of the employee; address the meeting if the employee does not wish it; or prevent the employee from explaining their case.
- 3.4.8 Where the employee has identified a representative and they have confirmed in writing to the Chief Executive Officer that they cannot attend the date or time set for the meeting, it will be postponed for no more than five working days from the date set to a date or time agreed with the employee's representative provided that it is reasonable in all the circumstances. Should the employee's representative subsequently be unable to attend the rearranged date, the meeting may be held in their absence or written representations will be accepted.
- 3.4.9 Such meetings will not normally be arranged for days when the employee is not in work.
- 3.4.10 The panel will confirm their decision in writing within 5 working days of the date of the meeting.
- 3.4.11 If the employee does not accept the decision on appeal, they have the right to complain to an employment tribunal if they believe that CST:
- Did not handle the request in a 'reasonable manner'
 - Wrongly treated the employee's application as withdrawn
 - Treated an employee poorly because of their flexible working request

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- Rejected an application based on incorrect facts.

3.4.12 CST hopes that the appeals process, where it is used, will resolve the employee's concerns.

4. REVIEW

This procedure may from time to time be reviewed and amended or updated in the light of working experience, employment law and case law and the circumstances of the Charity. An up-to-date copy will be retained in the workplace for employees' perusal.

Authorised signatory

Date 21 September 2018; Revised 2 November 2018

Date of review: July 2019

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