



## Flexible Working Policy

This policy is applicable to our current academies and the central trust team

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**Statement of intent**

**One Multi Academies Trust** believes that allowing staff to work from home can increase their motivation, promote a healthy work-life balance, reduce staff member stress, and improve performance and productivity.

The Trust recognises that there may be an increased risk to the health and safety of staff members when working alone at home. Under the Health and Safety at Work etc. Act 1974, the Trust has a duty to ensure, as far as is reasonably practicable, the health, safety, and welfare of its staff members.

The Trust and its academies appreciate that staff may be tempted to work longer hours if they work from home and that this will be monitored to ensure appropriate work, life, balance is in place.

Considering the above, this policy has been created to outline the risks associated with working from home and the procedures that are in place to minimise hazards and ensure good practice. This policy also includes guidelines for costs, equipment, insurance, and data protection.

For the purpose of this policy, the terms ‘staff’ and ‘staff members’ have been used to refer to all staff to which this policy applies – specific terms, such as ‘teachers’ and ‘support staff’ are used where provision only applies to the said group.

## **1. Legal framework**

This policy has due regard to legislation and statutory guidance, including, but not limited to, the following:

- Employment Relations (Flexible Working) Act 2023
- Flexible working (Amendment) Regulations 2023
- Health and Safety at Work etc. Act 1974
- The Management of Health and Safety at Work Regulations 1999
- Equality Act 2010
- The UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- The Academy Staffing (England) Regulations 2009
- The Working Time Regulations 1998
- DfE (2020) 'Principals' standards'
- DfE (2022) 'Flexible working in academies'

This policy also operates in line with the following academy policies and documents:

- Working from Home Risk Assessment
- Data Protection Policy
- Staff Attendance and Absence Policy
- Cyber-security Policy
- Disciplinary Policy and Procedure
- Privacy Notice for Pupils and Their Families
- Lone Worker Policy
- Records Management Policy
- Display Screen Equipment (DSE) Policy
- Mental Health and Wellbeing Policy
- Technology Acceptable Use Agreement for Staff
- Staff Equality, Equity, Diversity, and Inclusion Policy

## **2. Roles and responsibilities**

The Trust is responsible for:

- Ensuring the academy meets its statutory and legal obligations regarding health and safety at work, equality and staff member pay.
- Ensuring the academy has due regard for the need for academy staff, including executive leaders, to achieve a healthy work-life balance.
- Ensuring that the Trustees and LAB Governors themselves adhere to the working limits set out in The Working Time Regulations 1998.
- Alongside the Principal, conducting an equality impact assessment of this policy and the academy's arrangements for flexible working to ensure all staff members can make flexible working requests for their individual needs.

The Principal is responsible for:

- Ensuring staff are deployed and managed well, with due attention paid to workload and working conditions.
- Establishing and overseeing the academy's working from home and working overtime systems and processes to enable all staff to work effectively and comfortably.
- Ensuring all staff are aware of, and uphold, their professional responsibilities when working from home and working overtime.
- Ensuring that there are arrangements in place for identifying, evaluating, and managing risks associated with working from home.
- Ensuring that there are arrangements in place for monitoring incidents associated with working from home.
- Reviewing flexible working requests in conjunction with the LAB.
- Responding to flexible working requests within two months.
- Consulting with staff members before rejecting any flexible working requests.
- Reviewing the effectiveness of this policy bi-annually and communicating any changes to all members of staff.
- Tracking who has access to flexible working and their experiences of it and ensuring that any staff members utilising flexible working are treated fairly.

The Academies' Site Managers are responsible for:

- Ensuring that all staff are aware of this policy and its requirements.
- Taking all reasonable steps to ensure that staff members working from home are at no greater risk than staff members working within the academy.
- Ensuring that risk assessments are conducted regularly, in collaboration with the principal.
- Putting procedures and safe systems of work into practice, which are designed to eliminate or reduce the risks associated with working from home.
- Ensuring that members of staff identified as being at risk are provided with necessary information, instruction, and training, including refresher training, as necessary.
- Managing the effectiveness of preventative measures through a robust system of reporting, investigating, and recording incidents.
- Ensuring that appropriate support is provided to staff involved in any incident.

Academies IT are responsible for:

- Ensuring all laptops used for work have sophisticated anti-virus software and malware protection.
- Ensuring all data that is transferred using the internet, e.g. via email, is encrypted and pseudonymised prior to transfer.
- Ensuring all staff are aware of the data protection principles outlined in the UK GDPR.
- Ensuring laptops used for lone working are resilient, can efficiently recover lost data and have sophisticated cyber-security.
- Ensuring all members of staff working from home adhere to the Data Protection Policy.

Staff are responsible for:

- always Upholding their professional duties when they are working from home/remotely and working overtime.
- Submitting flexible working requests to the Principal, subject to their approval, before beginning their lone working.
- Explaining what changes are required, for how long, when and the location of work for any flexible working requests.
- Taking reasonable care of themselves when working from home/remotely and working overtime.
- Following the guidance and procedures outlined in this policy for safe working practices.
- Reporting any incidents that may affect the health and safety of themselves or others to the health and safety officer and asking for guidance as appropriate.
- Taking part in any training conducted to meet the requirements of this policy.
- Reporting any dangers or potential dangers they identify, as well as any concerns they may have in respect of working alone at home to the principal.

### **3. Working overtime/extra hours**

All staff will be remunerated in accordance with their contract for any overtime worked.

Teachers will be paid for working their contracted hours per academic year.

These hours relate to, but are not limited to, the following:

- Classroom teaching
- PPA
- Meetings
- Marking and assessment
- Lone working
- Academy-organised CPD activities

Any teacher who exceeds their contracted hours, will not be paid for their additional work, except for staff attending extracurricular trips and activities.

The LAB will ensure that any expenses incurred by staff members because of taking on additional work will be reimbursed where necessary.

Stipulations of paid overtime will be outlined in staff members' contracts.

Staff will work overtime at their own liberty; they do not need to request permission, but they cannot log it as working hours.

If staff choose to work overtime, they will continue to adhere to their duties, regarding safeguarding, health and safety and data protection.

No staff member will be required to work on a weekend or public holiday unless their contract of employment explicitly states this as a requirement.

Any work completed outside ordinary working hours will be considered as overtime and not part of lone working expectations. In most cases, extra hours approved in advance will be taken as toil.

Any support staff required to work Saturdays will receive time and a half.

Any support staff required to work Sundays will be paid double time.

#### **4. Working from home/remotely**

Each academy and the Trust recognises its obligation to ensure that any member of staff that can work from home/remotely should do so and arrangements will be put in place to ensure that this is possible for eligible staff members.

The Principal will determine the physical workforce required to meet the needs of the academy's pupils and decide whether it is possible for staff undertaking certain roles to work from home without disrupting face-to-face education.

For the purposes of this policy, working from home/remotely will be understood to include lone working; staff members working by themselves without close or direct supervision.

Each academy will not treat working from home as:

- An automatic contractual right through express or implied terms; it is granted at the academy's discretion and requires prior approval from the Principal.
- Intended to create a situation in which staff members feel obliged to work excessive hours.
- Subject to funding as the benefits are seen as being mutual.
- A condition in which the academy must provide equipment for use at home, e.g. stationery unless agreed in advance.
- A substitute for the care of dependants, e.g. children.

The academy will ensure it meets its duty to assess and advise on the risks associated with home working for staff members and ensure that the environments are safe for working practice.

Staff will be expected to meet their duty to take reasonable care of themselves when lone working, as well as any other people affected by their work.

The academy will ensure staff who contractually work from home may have the right equipment to be able to perform their role from home, including:

- The supply of a telephone and/or broadband line, for the exclusive purpose of conducting work related to the academy.
- Relevant ICT equipment, including DSE, e.g. a PC or laptop.
- Furniture, including a desk, chair, and lockable drawers.
- A mobile phone, where appropriate.
- Consumables, such as printer paper and ink, and stationery.

Staff will not use items purchased or provided for home working for personal use.

Staff will, where required, be able to use personal items for working from home, if it meets health and safety requirements.

Staff members may be able to use academy equipment for home working purposes where this is already provided by the academy, e.g. academy laptops.

The academy will reimburse expenses at its own discretion and any expenses will be agreed at the start of the home working agreement with staff.

The academy will complete a risk assessment for support staff working from home to ensure their working environment is fit for purpose and suitable for their needs.

## **5. Equipment**

If a staff member is provided with a academy device, an agreement will be written and signed between the Principal and the staff member prior to commencing home working, outlining the terms and conditions of usage and costs, where applicable.

If the academy remains a frequent work base for a member of staff and equipment is retained on the premises, the academy will not usually provide staff members with additional equipment to use at home; however, this will be decided on a case-by-case basis where the need arises.

Any defects on academy equipment used for home working will be reported to the ICT technician for repair.

Where staff members are required to use their own personal equipment, they will take reasonable steps to maintain this equipment to ensure that it is in good working order.

Staff members will ensure that they have suitable telephone and broadband available and contact their provider in the event of any technical issues.

Laptops or computers used for work will be protected by anti-virus software and malware protection – these systems will be checked on a **weekly** basis by the user.

The ICT technician will not be responsible for providing ICT support to equipment owned by staff members.

The academy will endeavour to loan academy equipment to staff to support their home working where possible.

Any DSE being used by staff at home will be used in line with the academy's DSE Policy.

## **6. Data protection**

Staff members will adhere to the UK GDPR's security principle when working remotely.

The academy's HR will be responsible for ensuring that all staff members adhere to the academy's Data Protection Policy when working from home/remotely.

Staff will receive **annual** training regarding what to do if a data protection issue arises.

Wherever possible, personal data will not be taken home by staff members for the purposes of home working, due to the risk of data being lost or the occurrence of a data breach.

The academy will update its privacy notices to cover any use of data whilst staff are working from home/remotely.

Privacy notices will be distributed to individuals and written in a clear, concise manner.

If any unauthorised person has access to data, this is considered a data breach.

Any breach of confidentiality will be dealt with in accordance with the academy's Disciplinary Policy and Procedure.

### **Data usage and sharing**

Sensitive personal data is encrypted and only transferred to a home device if this is necessary for the member of staff to carry out their role.

Staff members who require access to personal data to enable them to work from home will first seek approval from the Principal, and it will be ensured that the appropriate security measures are in place by the ICT technician and the DPO, e.g. secure passwords and anti-virus software.

Any data that is shared via email between colleagues will only be sent if it is necessary for the member of staff to carry out their role.

When sending confidential information, staff will always check that the recipient is correct before sending.

### **Data collection and handling**

Data collected during home working, such as test scores or information about the personal circumstances of pupils, will be processed and stored in line with the academy's Data Protection Policy and Records Management Policy.

Data will only be collected during home working if it is necessary for the member of staff to carry out their role.

Staff will not collect unnecessary data while working at home if it can be done whilst the member of staff is in academy later.

Any data collected will only be kept for as long as it is required for the purposes for which it was collected.

Data is managed in line with the academy's Data Protection Policy.

## **Data security**

Any data transferred from a work to a home device will be encrypted or pseudonymised so that if any data is lost, stolen or subject to unauthorised access, it will remain safe until it can be recovered.

To ensure reasonable precautions are taken when managing data, staff will avoid doing the following:

- Keeping personal data on an unencrypted external hard drives and storage media
- Sending work emails to and from personal email addresses
- Leaving logged-in computers and files unattended
- Using a home device where other family members can access personal data
- Bringing a work device home that has data on an unencrypted hard drive
- Using an unsecured Wi-Fi network at home to access data

Laptops or computers used for home working will be assessed by the ICT technician prior to home working using the following checks:

- System security check – the security of the network and information systems
- Data security check – the security of the data held within the systems
- Online security check – the security of any online service or system, e.g. the academy website
- Device security check – the security of the personal device, including any 'Bring your own device' (BYOD) systems

Before any device is used for home working, it will be sent to the ICT technician for a 'stress test' where the security systems will be assessed, evaluated, and checked for regularity.

Staff members will adhere to the procedures outlined in the academy's Cyber-security Policy when transporting academy equipment and data.

Staff will use devices where data is adequately encrypted, and the correct software is installed.

Staff working from home/remotely will be encouraged to go paperless, where possible, as paper files cannot be protected digitally and may be misplaced.

If the use of paper is unavoidable, the academy requires staff members to store paper copies of personal data in a lockable container, such as a filing cabinet, in a secure location within their homes.

If sensitive data is taken off the academy premises to allow staff to work from home, it will be transported in a lockable bag or container.

## **Data removal**

Data will not be kept for longer than is necessary.

Unrequired digital data will be deleted as soon as practicable.

Any paper copies of data which are no longer required will be disposed of safely or shredded.

## **7. Confidentiality**

Members of staff will ensure the confidentiality, integrity, and availability of their device systems at all times.

No personal data will be shared between staff and pupils via email.

When emailing parents or pupils, the bcc function will be used to protect the email addresses of others.

Staff members are not permitted to let their family members or friends use any academy equipment, in order to protect the confidentiality of any personal data held on the device – any member of staff found to have shared personal data without authorisation will be reprimanded by the principal in line with the Disciplinary Policy and Procedure.

Staff will be informed that if an unauthorised person enters the room whilst the member of staff is accessing data, the device in use should be locked immediately.

Staff will be informed that if they need leave their device unattended, the device in use should be locked or taken with them.

The ICT department will lock volumes on the cloud or VPN service the academy uses so that files cannot be saved to local drives.

Devices will automatically lock after **one minute** of inactivity to avoid an unauthorised person gaining access to the device.

Staff will not verbally disclose personal data over the phone in the presence of an unauthorised person.

## **8. Assessing risks**

The academy will meet its duty to assess risks of staff members working from home and provide effective control measures to manage these risks and promote safe working practices.

The Principal and health and safety officer will conduct individual risk assessments following each application and will discuss the outcomes at the meetings held to discuss applications.

Applications may be rejected if the level of risk associated with a staff member working from home is too high, or the risks cannot be managed effectively.

Risk assessments will be reviewed **annually**, or when there has been a significant change in working practice.

All documentation of risk assessments will be kept for as long as it is required and disposed of securely after the retention period outlined in the academy's Records Management Policy.

All staff who work from home are required to undertake a Display Screen Equipment (DSE) and risk assessment of their home working provision **annually**, which is to be returned to your line Manager

## **9. Costs and expenses**

The academy will not contribute to any household expenses incurred whilst performing home working duties, e.g. heating, lighting, or council tax.

The academy will not reimburse any costs for travel between staff members' homes and the academy and/or trust premises.

## **10. Communication**

All staff members working from home/remotely will be contactable throughout normal working hours by the Principal or other colleagues.

Arrangements for contact will be agreed prior to commencing home working, which usually involves regular contact with the principal to monitor working practices.

A staff member's phone number and home address will not be shared without their permission.

The academy will recognise that staff working at home have the right to privacy out-of-hours and should be able to separate their working and home lives, and so communication will only be compulsory during working hours.

The academy will continue to support staff in line with the Staff Wellbeing Policy when staff are working from home.

The academy will continue to offer staff working from home opportunities for CPD where possible.

Staff members will not be permitted to arrange visits to their home from pupils or clients. Any meetings of this kind will always be conducted on the academy premises to maintain professionalism and safety.

Professional visits to a staff member's home by academy staff members will only take place in exceptional circumstances, such as to conduct a risk assessment, for welfare reasons or security purposes.

Arrangements will be established by the Principal for staff members to sign in and out at the **academy office** and indicate what time they will be returning to the premises.

The Principal may request that staff members attend the academy on any normal working day, e.g. to attend meetings.

If staff members need to report sickness or absence when they are due to be home working, they will adhere to the usual procedures outlined in the academy's Staff Attendance and Absence Policy and will inform the principal of their absence by **7:00am**.

If any incidents or near-misses occur in a staff member's home, they will be required to report these to the health and safety officer immediately so that appropriate action can be taken.

A meeting will be held with the principal and health and safety officer following any incident and, if necessary, another risk assessment of the staff member's home will be conducted.

## **11. Insurance**

The academy will hold liability insurance that provides cover for the legal liabilities of the academy and its staff members.

The liability insurance policy held by the academy will cover staff members who work from home; however, this will not cover staff members for personal liabilities arising from non-work activities.

Staff members will be advised to ensure that they have their own domestic insurance policies in places for household contents and buildings.

## **12. Requests for flexible working**

Whilst responding to all requests for flexible working, the academy will review job roles possible for flexible working and include this in job adverts. The academy will be upfront about what working arrangements are possible to ensure that people who need flexibility are able to work without the requirement to ask once they have become a member of staff at the academy unless further alterations are required.

The academy will ensure that every staff member is able to make a flexible working request and will review what options are possible for flexible working.

The academy recognises its obligation to enable all staff to request flexible working from the first day of their employment.

The academy will ensure that all flexible working requests are responded to within two months, including where an appeal is heard.

Staff members will be able to make a flexible working request twice every 12 months.

Staff members will be responsible for describing in their flexible working request the following:

- The changes that are required
- How long the changes are needed
- When the changes should be made
- Where they will be working

Staff members will not be expected to explain what impact a flexible working request would have on the academy.

All requests must be made in writing to the Principal by filling in the requisite application form, which can be found in [Appendix A](#) and is also available from the [academies HR](#).

Where the request is being made by a member of staff with a disability as part of a request for a reasonable adjustment to their working arrangements, the staff member should state this in the written application.

The academy will not reject out-of-hand a request that does not contain the required information. The academy's HR Administrator will explain to the member of staff what additional or amended information they need to provide and ask them to resubmit the request.

The academy will consult with staff members before rejecting a flexible working request.

### **13. Meeting to discuss a flexible working request**

Once the Principal receives the request, it will be dealt with as soon as possible, but no later than the deadline set out below.

The Principal will usually arrange a meeting at a convenient time and place to deal with the request.

Where a request can be approved without further discussion in line with the terms stated in the staff member's written application, a meeting will not be necessary, and the staff member will be informed in writing of the decision.

Staff members have the right to be accompanied by a work colleague or a trade union representative at any flexible working meeting. Colleagues or trade union representatives will be entitled to speak and confer privately with the staff member but may not answer questions on their behalf.

The meeting will take place in a private meeting room so that the discussion is kept away from other staff members.

The aim of the meeting is to find out more about the proposed working arrangements and how they could be of benefit to both the staff member and the academy.

### **14. Outcome of a flexible working request**

After the meeting, the Principal will consider, in consultation with the staff member, the proposed flexible working arrangements carefully, weighing up the potential benefits to the staff member and to the academy against any adverse impact of implementing the changes.

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 staff member to be granted a similar change to their working pattern.

The staff member will be informed in writing of the decision as soon as is reasonably practicable after the meeting, but no later than the deadline set out below.

The request may be granted in full or in part. For example, the academy may propose a modified version of the request, the request may be granted on a temporary basis, or the staff member may be asked to try the flexible working arrangement for a trial period.

The staff member will be given the right to appeal the decision if their request is not upheld or is upheld in part.

Unless otherwise agreed, the changes to the staff member's terms and conditions will be permanent.

### **15. Reasons for rejecting a flexible working request**

The Principal will not reject any flexible working requests without consulting the staff member first.

Where an agreement cannot be met, the Principal will give reasons for the rejection of any request. Those reasons must be for one or more prescribed business reasons, which are as follows:

- Costs do not justify the amendments to the staff member's working conditions
- An inability to reorganise work among existing staff
- An inability to recruit additional staff
- A detrimental impact on quality
- A detrimental impact on performance
- A detrimental effect on ability to meet customer demand
- Insufficient work for the periods the staff member proposes to work
- A planned structural change to the business

If a request has been rejected, the staff member will be informed which of those reasons applies in writing, and of the appeal procedure.

### **16. Flexible working requests that are granted**

If the request is upheld in full or in part, the staff member and the Principal will discuss how and when the changes will take effect.

Any changes to terms and conditions, and the date on which they will commence, will be put in writing, and sent to the staff member as an amendment to their contract of employment or written statement of terms and conditions of employment as soon as is reasonably practicable.

### **17. Timescales**

All requests will be dealt with within a period of two months from first receipt to notification of the decision on any appeal.

The Principal will hold the meeting (or phone call, if appropriate) within 28 days of receiving the request and notify the decision to the staff member within 14 days of the meeting, so that there is enough time for any appeal to be concluded.

Time limits detailed in this policy may be extended where the staff member and academy agree. For example, the principal and the staff member may agree to extend the time limit to give the staff member a trial period on the flexible working arrangements.

### **18. Appeals**

Staff members who are dissatisfied with the outcome of their request are allowed to lodge an appeal in writing within 14 days of the notification, with the appeal to be heard within 14 days.

Any appeal must be dated and must set out the grounds on which the appeal is being made.

A meeting will be held to discuss the appeal. As explained above, a staff member should be given the right to be accompanied.

The staff member will be informed in writing of the outcome of their appeal, and the reasons for the decision, within 14 days of the appeal meeting. There is no further right of appeal.

### **19. Problems with a flexible working request**

If a staff member is dissatisfied or unclear at any stage throughout the process, they should seek clarification from the Principal.

If a staff member is dissatisfied with the way in which their request has been managed, they can raise a grievance under the academy's complaints and grievance procedures.

The Principal will have regard to the academy's Staff Equality, Equity, Diversity, and Inclusion Policy when considering flexible working requests.

If a staff member fails to attend a meeting, including an appeal meeting, and then fails to attend a rearranged meeting without good reason, their application will be deemed to have been withdrawn.

### **20. Policy statement review**

This policy will be reviewed to ensure it remains up-to-date, relevant, and aligned with the Trust's strategic objectives, regulatory requirements, and best practices. The review process will be conducted as follows:

- **Policy Owner Review**  
The Policy Owner will conduct an initial review to assess any necessary updates or amendments.
- **Executive Team Policy Committee**  
The revised policy will be presented to the Executive Team Policy Committee for further evaluation and recommendations.

- **Trust Board Approval**

Following review and necessary revisions, the policy will be submitted for formal approval by the Trust Board in accordance with the scheduled review cycle.

For details on the specific review schedule, please refer to the review table on the front page.

**21. Flexible working request: staff member pro forma**

**1. Personal details**

<b>Name</b>	
<b>Staff or payroll number</b>	
<b>Manager</b>	
<b>National insurance number</b>	

**Date of any previous request to work flexibly under this right (maximum of two requests every 12 months):**

Day/Month/Year \_\_\_\_\_

<b>What changes are required for your flexible working request?</b>	
[Please include changes to working pattern, location, hours worked and any other details you deem necessary]	
<b>How long will these changes need to be in place?</b>	
<b>When do these changes need to be implemented?</b>	
<b>Staff member name</b>	
<b>Date</b>	

Please return marked 'private and confidential' to: [The Principal/CEO/ Line Manager](#)