

Flexible Working Policy



Policy

At Tiny Oaks Day Nursery we believe that our staff members are its most valuable asset and we are committed to attracting and retaining the very best talent. We also appreciate that the UK workforce is becoming increasingly diverse and includes a high percentage of people with caring responsibilities, as well as those whose interests and aspirations impact on their time.

Tiny Oaks recognises the importance of helping its employees balance their work and home lives by offering flexible working arrangements that enable them to balance their work commitments with other priorities, whilst recognising that staffing levels must remain in line with the demands of the business at all times.

Procedure

ELIGIBILITY TO MAKE A STATUTORY REQUEST

To be eligible to make a request, employees:

- must have 26 weeks' continuous service with Tiny Oaks
- must not have made a request for flexible working within the previous 12 months of a new request
- must not be an agency worker unless returning from parental leave and satisfies the above points

Employees in all areas and levels of Tiny Oaks will be considered for flexible working regardless of their age, sex, sexual orientation, race, religion or belief, disability, marital status, pregnancy or maternity, or gender reassignment.

SCOPE OF A REQUEST

The Company recognises that eligible employees can make a request for one of or a combination of the following:

- job sharing
- part time working
- annualised hours
- compressed hours
- flexitime
- term time working
- swapping hours
- working from home

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Any agreement to a request for flexible working will take effect as a permanent variation to the employee's terms and conditions, unless it is mutually agreed that this will be a temporary variation.

APPLYING FOR FLEXIBLE WORKING

The application must:

- be made in writing and state that it is an application for flexible working under the statutory right to make a request
- state whether a previous application for flexible working has been made under this procedure and, if so, the date it was made
- specify the change applied for and the proposed date for the change to become effective
- explain the effect the employee thinks the change will have on Tiny Oaks and their colleagues and explain how any effect should be managed
- be signed and dated
- delivered by hand, email or by post to the address of work

The application must also state whether the variation requested is made in pursuance of a reasonable adjustment under the disability discrimination provisions of the Equality Act 2010.

Procedure for handling an application

THE NEEDS OF THE BUSINESS

Although we are committed to providing the widest possible range of working patterns for our workforce, both management and employees need to be realistic and recognise that the full range of flexible working options will not be appropriate for all jobs across all areas of the business.

When a request for flexible working is received, we will need to take in to account (but not limited to) the following:

- the cost of the proposed arrangement
- the effect of the proposed arrangement on other staff
- the level of supervision that the post-holder requires
- the structure of the department and staff resources
- an analysis of the tasks specific to the role, including their frequency and duration
- an analysis of the workload of the role
- detrimental effect on quality of service and/or to meet customer demand

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A confidential discussion regarding the application will be held between the employee and their line manager within 28 days of the application, unless the line manager notifies the employee in writing of their agreement to the variation.

- the time and place of the discussion will be convenient to both the line manager and the employee.
- the employee has the right to be accompanied by a colleague or union representative should they wish, and the name of the person must be given to the line manager holding the meeting in advance of the meeting. The attending person will be permitted to address the meeting and confer with the employee, but not answer questions on their behalf.

Once a decision has been reached, the employee will be informed within 14 days of the discussion. Where the decision is to agree to the application, the notice will specify the contract variation that has been agreed and the date the variation will take effect.

Where the decision is to refuse the application, the notice will state which of the specified grounds for refusal are considered to apply and contain an explanation of why this ground applies.

An employee may appeal against the decision to refuse the application within 14 days of the decision. The notice of appeal must be in writing, setting out the grounds for appeal and sent to the Director of Tiny Oaks.

The Director will discuss the appeal with the employee within 14 days after receipt of the appeal, unless the Director notifies the employee in writing of the decision to overturn the original decision and specifies the variation which is now agreed and the date on which it will take effect. If an appeal meeting is held:

- the time and place must be convenient to both the Director and the employee
- within 14 days of the date of the appeal discussion, the Director will give the employee written notice of the appeal decision
- where the appeal is upheld, the notice will specify the contract variation agreed to and state the date on which it is to take effect
- where the appeal is not upheld, the notice will state the grounds for the decision and contain an explanation as to why those grounds apply. The notice will also state that there is no further right of appeal.

An application for flexible working will be concluded within 3 months of the date of the application, unless an extension of time is mutually agreed.

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REFUSAL OF AN APPLICATION

The employee will be informed of the refusal of their application in writing.

The application may be refused on one or more of the following statutory grounds:

- a burden of additional cost on Tiny Oaks
- a detrimental effect on Tiny Oaks' ability to meet customer demand
- an inability to re-organise work among existing staff
- an inability to recruit additional staff
- a detrimental effect on quality
- a detrimental effect on performance
- insufficient levels of work during the periods of proposed work
- a planned structural change

WITHDRAWAL OF APPLICATION BY EMPLOYEE

The employee can withdraw their application at any stage before agreement. The employee should write to their line manager stating they wish to withdraw their application.

Where the employee fails to attend a meeting or appeal meeting on more than one occasion or they refuse to provide reasonable information to allow their application to progress, without a valid reason, Tiny Oaks will consider that the application has been withdrawn and will confirm the withdrawal of the application to the employee in writing.

NON-STATUTORY REQUESTS FOR FLEXIBLE WORKING

Ineligible employees may make an informal request for flexible working. This should be made, in writing, to their line manager with information of their proposed pattern of working, the date they propose this to take effect, whether this variation is temporary or permanent, and how any negative effects of the proposed working pattern can be managed.

This request will be considered in line with Tiny Oaks' operational and staffing needs.

<i>This policy was adopted on</i>	<i>Signed on behalf of the nursery</i>	<i>Date for review</i>
<i>16/1/2023</i>	<i>m khaira</i>	<i>16/01/2024</i>