



# Implementing flexible working

## PLEASE NOTE

The Employment Relations (Flexible Working) **Act** received Royal Assent on 20 July 2023 and is expected to come into force in 2024. This will introduce new protections for employees and new requirements for employers in relation to statutory flexible working requests. This collection of resources will soon be updated in line with the new legislation.

## About this resource

This guide has been developed to support leaders to think strategically with their staff about their school's approach to flexible working. It contains best practice steps to help with embedding a flexible working culture. This guide is for leaders in all settings including special schools, alternative provision and pupil referral units, and trusts.

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# Step 1 Learn

Learn to gain a strong and current understanding of flexible working and what it looks like in a school context. This includes familiarising yourself with the different types of flexible working.



The Department for Education defines flexible working as ‘arrangements which allow employees to vary the amount, timing, or location of their work’ <sup>1</sup>.

Types of flexible working include (but are not limited to) the below arrangements:



### Part-time working

- Part time: working less than full-time hours. Employees can work full time but still have flexible work arrangements in place.
- Job share: two or more people doing one job and splitting the hours.
- Phased retirement: gradually reducing working hours and/or responsibilities to transition from full-time work to full-time retirement.



### Varied hours

- Staggered hours: the employee has different start, finish and break times.
- Compressed hours: working full-time hours but over fewer days.
- Annualised hours: working hours spread across the year, which may include some school closure days, or where hours vary across the year to suit the school and employee.



### In-year flexibility: these types of flexible working are sometimes referred to as ‘informal’ flexibility.

- Personal or family days: days of authorised paid leave during term time to which all employees in a school are entitled.
- Lieu time: paid time off work for having worked additional hours.
- Home or remote working: the employee carries out work off site. For example, Planning Preparation and Assessment time conducted off site, or leaders carrying out some duties from home.

[Flexible working in schools - GOV.UK \(www.gov.uk\)](https://www.gov.uk) and webinars available here [Home | Flexible working in Multi-Academy Trusts and schools \(flexibleworkingineducation.co.uk\)](#) can help with this.

[Asking for flexible working: Making a flexible working request - Acas](#), can provide further information about flexible working across sectors.



<sup>1</sup> De Menezes, L.M. and Kelliher, C. (2011) Flexible working and performance: a systematic review of the evidence for a business case. International Journal of Management Reviews. Vol 13, No 4. pp 452–74



# Step 2 Explore

Collect and analyse data to gain a broad understanding of flexible working in your school/setting/trust. [Flexible Working Ambassador MATs and Schools can provide support with this.](#)



Collect data on flexible working amongst your staff and in relation to your recruitment process. This will help you to build an understanding of what is already in place.

### Data you might collect includes:

- Types of arrangements already in place. This should include opportunities for informal flexible working, such as Planning, Preparation and Assessment time off-site.
- What is the approach to ad-hoc flexibility, for example requests for occasional time off to attend important family events, and how do staff feel about this?
- Reasons for flexible working – this enables you to identify whether arrangements are limited to a narrow group and can help you to broaden requests for flexible working, promoting equality and diversity in your school.
- Attrition rates – consider how you can monitor whether staff are leaving because of lack of flexibility. For example, via an exit interview.
- How many staff would like to work flexibly and what kind of arrangements they are interested in, including ad-hoc arrangements such as a family or personal day.
- How staff feel requests for flexibility are received by leaders.
- What staff perceive the impact of flexible working to be, including of leaders working flexibly.
- When recruiting, whether jobs are advertised flexibly, and how successful they are compared to jobs advertised without flexibility.
- Consult with staff who are working or have worked flexibly.
- Consult with trade unions to build a picture of the process and gather ideas for improvement.

Analyse your data and findings to understand the range of formal and informal flexible working arrangements in your school, where you have role models and how best to use them, what is working well and where you can go further.





# Step 3 Plan

Plan to identify key priorities for implementing flexible working.



It is good practice to adopt a proactive whole-school strategic approach to implementing flexible working. Timewise Consultancy training, funded by DfE, [Flexible Working in Schools - YouTube](#) shows you how to be strategic by moving from a reactive 'request-response' model to a proactive 'whole-school response' model. It encourages you to think about where, when and how roles might be done rather than limiting your thinking to responding to requests as they arise.



#### Further examples of a whole-school strategic approach include:

- Facilitating an open conversation with staff about what they need or would like. For example, encouraging requesting flexible working through an annual email from the headteacher asking whether anyone is interested in discussing their working pattern and offering reminders at staff meetings to speak to the leadership team.
- Designing a process for managing requests which accommodates the needs of staff, leaders and others (such as the school's timetable).
- A staff survey in which questions around working patterns are included.
- A formal, proactive discussion as part of the annual objective-setting or performance management conversation.
- Informal conversations initiated by senior leaders and or line managers.
- Reviewing these arrangements over time.
- Establishing a staff focus group to explore perceptions of flexible working.

Review the characteristics of your flexible working approach and areas for development, then develop a plan for implementation. This should be discussed and agreed with your staff and you may also wish to discuss this with recognised trade unions.



- The stages below set out priorities you could consider depending on where your school is on the flexible working journey and where you want to get to.
- When planning, it is important to understand that although flexible working is helpful in improving work/life balance for staff, working part time should not be considered as a way of managing a heavy workload. If staff are feeling overwhelmed by workload, we would suggest working with them to review and address workload issues. [The School workload reduction toolkit](#), developed alongside school leaders, is a helpful resource for schools to review and reduce workload.





### 3.1 Introducing

- Draft a flexible working policy and consider how this relates to other policies, for example your special leave policy (consult with your staff, governing body/trust board, HR function and trade unions).
- Draft a template form for requesting flexible working.
- Communicate new policies and processes with staff.
- Hold a staff meeting to raise awareness of flexible working with all staff.
- Hold conversations about flexible working as part of line manager meetings.



### 3.2 Developing

- Ensure all staff are aware of and understand the policies and processes.
- Train manager in how to support flexible working.
- Embed and promote the whole-school offer as well as individual offers (e.g. Planning, Preparation and Assessment time to be taken from home).



### 3.3 Embedding

- Hold annual meetings to understand staff working conditions and wider commitment of staff.
- Plan for progression with staff alongside a flexible working offer.
- Review all job designs using the ‘where, when, how’ model as shown by [Timewise training](#).

Treat flexible working requests as ‘reason neutral’. Promote flexible working irrespective of the stage staff are at in their career and whatever their individual circumstances.

# Step 4 Deliver

Deliver implementation of key priorities.



## Considerations for implementation include:

- Plan check-in points for you to review progress of your implementation plan. This may include reviewing with your staff and governors/trustees.
- Be consistent in your communications about your flexible working approach.
- Be consistent in the application of your systems and processes for requesting flexible working.
- Identify and solve problems, make considered adaptations, consulting with staff and recognised trade unions as appropriate.
- Provide ongoing support.
- Celebrate success.





# Step 5 Sustain

To support how you will review and identify areas for further development.



Keep communicating with staff about your flexible working approach, this will ensure that your approach is universal, developed and sustained over time.

### Activities to monitor and evaluate your approach include:

- Monitor quantity of applications approved and rejected.
- Monitor whether flexible working requests are being made by staff at all levels.
- Consider opportunities for career progression for those working flexibly. Monitor whether those working part time are being promoted.
- Survey staff wellbeing.
- Survey staff understanding and experience of flexible working.
- Continue to monitor recruitment and retention data, types of arrangements in place and financial impact.
- Monitor diversity data and consider any links to flexible working. Schools and MATs are responsible for reporting on their data via the school workforce census across ethnicity, gender, disability and age. Gender pay gap reporting is mandatory for organisations (including MATs) with over 250 employees but other organisations are invited to report voluntarily. Guidance on gender pay gap reporting can be found here: [Gender pay gap reporting: guidance for employers - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/gender-pay-gap-reporting-guidance-for-employers). Ethnicity pay gap reporting is not mandatory, but you can find supportive guidance [here](#).
- Monitor pupil progress.





# Contact us

If you have a query regarding the flexible working toolkit please contact [DfE's flexible working team](#). If you have suggestions on resources we could develop as part of our toolkit, please [contact Capita](#).

