

ANGUS JOINT NEGOTIATING COMMITTEE FOR TEACHERS

Joint Secretary (Teachers' Panel)
Mike Callaghan
c/o EIS
Angus Local Association
310 Broughty Ferry Road
Dundee DD4 7NU

Joint Secretary (Angus Council)
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Service Leader
Schools and Learning
Angus House
Forfar DD8 1AN

26 September 2024

Dear Colleague

AJNCT/35 FLEXIBLE WORKING

This new local agreement sets out the principles and procedures to be followed to reflect statutory rights on flexible working applicable to teachers and is designed to support the wellbeing and job satisfaction of our teachers while maintaining high standards of education.

This new local agreement was approved by the Angus Joint Negotiating Committee for Teachers at its meeting on 13 June 2024, and subsequently ratified by the Staffing Sub-Committee on 24 September 2024.

Yours sincerely

**JIM HAMMOND
MIKE CALLAGHAN**

Joint Secretaries

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cc: Chief Executive
Director of Education and Lifelong Learning and Chief Education Officer
Director of HR, Digital Enablement and Business Support

FLEXIBLE WORKING ARRANGEMENTS

1 Introduction

We recognise the diverse needs and commitments of our teachers, and we aim to create a supportive and inclusive working environment to attract and retain teachers. Angus Council actively promotes a positive work-life balance and supports teachers to balance their professional responsibilities with personal and family commitments. The arrangements are designed to support the wellbeing and job satisfaction of our teachers while maintaining the high standards of education.

2 Eligibility

All Teachers, including those in promoted posts, are eligible to make two flexible working requests within a 12-month period from the start of their employment with the council. No employee should automatically be turned down because they hold a leadership or guidance position. Requests will be considered by the head teacher/manager based on individual circumstances and the operational needs of the school.

3 Flexible Working Options

- 3.1 There are a wide variety of flexible working practices, however, within a school-based setting and given the contractual requirements through Scottish Negotiating Committee for Teachers (SNCT), only a reduction or an increase in working hours is considered most suited to Teachers. Applications for other flexible working practices will be considered.
- 3.2 Reduced hours allow teaching staff to reduce their weekly hours. Teachers working reduced hours are employed on a part time basis. Pay and other entitlements are pro-rated to a full-time post. Class contact and all other contractual duties are pro-rated to the part time working hours.
- 3.3 A request could also be made by a part time teacher to increase their hours of work using this procedure.
- 3.4 In the case of an employee with a disability, the request may constitute a reasonable adjustment and advice should be sought from Human Resources in the first instance.

4 Procedure

4.1 Step 1

Teacher submits a request to the head teacher/manager using the [Flexible Working Application Form](#). The employee must clearly specify the current and proposed working arrangements and the date on which they would propose the change to become effective.

A decision must be made and communicated to the Teacher within two months.

An employee can withdraw their application in writing if they want to. Failure to attend planned meetings without reason may mean the application is withdrawn.

4.2 Step 2

Within 28 calendar days of receiving the request:

- if the request can be accommodated in full, the head teacher/manager can move to step 3 without the need for a meeting.
- if the request requires more consideration and discussion before a decision can be made, for example, where more information is required or there is a possibility the request may not be able to be accommodated in full or in part, a meeting must be arranged.
- [Meeting Invite](#) should be issued to the employee **at least** seven days before the meeting.
- the employee can, if they wish, be accompanied by a work colleague or a representative of a trade union at the meeting.
- Human Resources (HR) may be consulted by the head teacher/manager prior to the meeting. In some cases, and following discussion, an HR representative may attend the meeting. In these circumstances, the employee should be advised, in the Meeting Invite Letter, of the HR representative's attendance.

4.3 Step 3

Within 14 calendar days of the date of the meeting:

- The employee will be advised in writing of the decision in response to their request using the relevant [Approval of Flexible Working Application](#) OR [Refusal of Flexible Working Application](#).
- Flexible working requests submitted in line with the [Carers Support at Work Guidance](#) will be considered sympathetically and will not be unreasonably denied but are subject to the provisions of the service.
- If the request is accepted or if a trial period or an agreed compromise is reached within the meeting, the letter will:
 - include a description of the new working pattern,
 - state the date from which the new working pattern is to take effect, when it will be reviewed and if temporary, the date when the agreement will expire,
 - confirm that the approval is specific to the employee's current job, and if the employee moves to another job, a new flexible working application should be made,
- If the request is rejected the letter will:
 - state the ground(s) for refusing the request as per the consultation with the employee in step 2, and in accordance with the grounds for refusing an application outlined below,
 - provide a sufficient explanation as to why the ground(s) for refusal applies in the circumstances,
 - provide details of the employee's right of appeal.

4.4 Step 4

A copy of the Flexible Working Application Form and outcome letter should be sent to HREESERV@angus.gov.uk. If the flexible working request has an impact on salary, the head teacher/manager must also send a [Teacher Payroll Form](#).

5 Grounds for Refusal

An application can only be refused if there is a clear business reason. The business ground(s) for refusing an application must be from the following:

- The burden of additional costs.
- Detrimental effect on ability to meet service demand.
- Inability to reorganise work amongst existing staff.
- Inability to recruit additional staff.
- Detrimental impact on quality.
- Detrimental impact on performance.
- Insufficient work during the periods the employee proposes to work.
- Planned structural changes.

6 Appeals

The employee has 14 calendar days to appeal in writing to their Service Director after the date of notification of the decision.

- An appeal meeting heard by the Service Director or other nominated officer will take place within 14 calendar days of receipt of the appeal.
- The employee can be accompanied by a work colleague or a representative of a trade union at the appeal.
- A representative from Human Resources may attend the appeal meeting in an advisory capacity.
- Within 14 calendar days of the date of the appeal meeting the employee will be advised in writing of the outcome of the appeal.
- If the appeal is dismissed the written decision will state the ground(s) for the decision and provide an explanation as to why the ground(s) for refusal apply in the circumstance.
- This written notice of the appeal outcome is effectively the end of the formal procedure within the workplace.

7 Change in Working Pattern

7.1 Any request that is made and accepted will - unless otherwise agreed – be a permanent change to the employee's contractual terms and conditions and the employee has no right to revert to the previous working pattern (although after 12 months the employee can request a further change).

- 7.2 In deciding whether a change should be permanent or temporary, account should be taken of the nature of the change, the arrangements which need to be made to accommodate the change and the length of time for which the employee has requested the change.
- 7.3 Flexible working arrangements may also be agreed on a trial basis to ensure the arrangement has no negative impact on the employee or the service. Trial periods may vary in duration but should not normally exceed six months. The details of the trial period should be confirmed in writing in Step 3 above. A review must be carried out prior to the end of the trial period at which time amendments may be made and should be confirmed in writing. The trial period may be terminated by the employee or by management if there are negative effects and unless there are exceptional circumstances, one month's notice should be given by either party. If, during or at the end of the trial period, the request is refused, this should be confirmed in writing and will be considered as a refusal of the original request. In these circumstances, the employee may appeal as detailed above.

8 Happy to Talk Flexible Working

Recruiting head teachers/managers are encouraged to adopt the 'happy to talk flexible working' scheme during the recruitment process wherever possible. This is an open invite to job applicants to a discussion about flexible working options based on the needs of the post without any obligation on either side.

9 Data Analysis of Requests

Data will be gathered from Services to analyse the volume of flexible working requests received and will include the number approved, refused, the reasons for refusal and other data, as necessary.

Document Control

Date	Brief Summary of Changes	Review Date
April 2024	New AJNCT agreed to reflect statutory rights on flexible working applicable to teachers, rather than using the Angus Council policy.	April 2026

ANGUS COUNCIL
Application for Flexible Working

Before completing this form, please ensure you have read AJNCT/20 Flexible Working

Employee Details:

First Name:		Surname:	
Job Title:		Workplace:	
Directorate:		Service Area:	
Pay No.:		Pay Grade:	
Contact Work Tel No		Work Email Address:	
Have you made any previous flexible working requests in the last 12 months ?		YES <input type="checkbox"/> / NO <input type="checkbox"/>	
If yes, when ?		Date:	
Do you identify yourself as a carer?		YES <input type="checkbox"/> / NO <input type="checkbox"/>	

Current Working Arrangements

Please provide information about your current working arrangements – days worked, hours of work, any temporary arrangements, and timescales, etc.

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Proposed Working Arrangements

What work pattern are you requesting, please specify?

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Start Date

When would you like the new work pattern to start?	Date:
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Duration

Requests made and accepted will, unless otherwise agreed, be a permanent change to your contractual terms and conditions. Are you requesting flexible working as a permanent change?	YES / NO
If not, when would you like the temporary flexible working arrangement to cease?	Date:

Any other information

Please use this space to provide any other relevant information to help us consider your request.

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Please sign, date, and pass this form to your manager:

Employee signed:		Date:	
Manager's name:			
Manager signed:		Date:	

To be filled by manager:

Request accepted: Yes / No (please indicate)

If request is accepted, have you submitted a PF02 or teaching payroll sheet to HREESERV@angus.gov.uk: Yes / No (please indicate)

If request is not accepted, please state why not:

Please send completed form to HREESERV@angus.gov.uk

If any changes are required to be processed, i.e., change of hours, a PF02 or teaching payroll sheet needs to be submitted to HREESERV@angus.gov.uk for actioning. Staffing Section will record the outcome of the request for the Equally Safe at Work commitment and place these in the employee's personal file.

For requests where the outcome is an agreed temporary change working arrangements, in addition to emailing these on to HREESERV@angus.gov.uk, we would advise managers to store these locally for when the arrangement ends, as there may have a need to be reviewed it.

Data Protection

When managing an employee's flexible working request, the council processes personal data collected in accordance with its data protection policy, human resources data protection policy and employee privacy notice. Data collected from the point at which the council receives a flexible working request is held securely and is accessed by, processed by, and disclosed to, individuals only for the purposes of managing the request for flexible working. Further information can be found at Employee Matters - [Human Resources – Data Protection](#) or contact [Human Resources](#).

Letter 1 Meeting invite

REF: [EMPLOYEES INITIALS/ PAYNUMBER/ SERVICE]

[DATE]

Personal – To be opened by addressee only

[Mr/ Miss/Mrs/Ms Employee Full Name]

[Address Line 1]

[Address Line 2]

[Address Line 3]

[POSTCODE]

Dear [Employee Name],

FLEXIBLE WORKING

I refer to your flexible working application dated [date] which I received on [date].

In order that we can discuss your application for flexible working please meet with me at [time] on [date]. The meeting will be held in [meeting venue address]. [*If an HR Adviser is also attending, insert name and job title].

You may, if you wish, be accompanied by a work colleague or a representative of a trade union at the meeting. It is your responsibility to arrange such attendance.

When managing an employee's flexible working request, the council processes personal data collected in accordance with its data protection policy, human resources data protection policy and employee privacy notice. Further information can be found at Employee Matters - Human Resources – Data Protection or contact Human Resources.

In the meantime, if you have any queries or concerns regarding the content of this letter, please do not hesitate to contact me on [tel. number].

Yours sincerely

MANAGER NAME

DESIGNATION

Copy to:- CentralStaffing@angus.gov.uk (for personal file)
if applicable cc to HR Adviser if attending meeting

Approval of Flexible Working Application

REF: EMPLOYEES INITIALS/ PAYNUMBER/ SERVICE

[DATE]

Personal – To be opened by addressee only

[Mr/ Miss/Mrs/Ms Employee Full Name]

[Address Line 1]

[Address Line 2]

[Address Line 3]

[POSTCODE]

Dear [Employee Name],

FLEXIBLE WORKING

I refer to our meeting on [date] arranged to discuss your application for flexible working. I note you chose [not to be accompanied OR to be accompanied] by [name and capacity i.e., a representative of a trade union or a work colleague].

I now write to confirm that following our discussion, your request for flexible working has been approved on [a permanent basis OR temporary basis OR for a trial period of no more than 6 months].

As agreed, with effect from [date] your working hours will be as follows: [OR As agreed, with effect from [date] and until no later than [date] your working hours will be as follows:] [Summarise here the work pattern / hours agreed - advice and assistance with wording is available from HR if required) e.g., in the case of a reduction of hours worked this is a change to your terms and conditions of employment.

Therefore, your hours of work will [increase to [X] OR decrease to [X] OR remain at [X] hours per week]. *If term-time insert the following: [your working year will be based on [190/195/205] days per annum, working school term-time and in-service days only and an additional 10 days within school holiday periods. The timing of the additional days worked during school holidays will be agreed on an annual basis OR [specify fixed dates as appropriate].

If term time amend the following as appropriate: From [date] your salary will be equated to reflect your new working pattern. An equated salary takes into account the number of days worked and also the number of days annual leave and public holidays you are entitled to. We have made arrangements for you to use your annual leave entitlement accrued up to [date] prior to moving to term-time only working]. You will continue to be paid 12 equal monthly instalments. I have enclosed further guidance about the equated pay, annual leave and the calculation, which applies should term time working, or your employment with Angus Council come to an end.

[**As this working arrangement is for a trial period of [x] months, we have arranged to review the situation at [time] on [date]. I will confirm the arrangements for this meeting in due course.

A change in your hours of work has an impact on your annual leave accrual. Your annual leave entitlement will be automatically adjusted in MyView once the change in hours is processed by payroll. [Delete if not applicable].

Please note that in terms of the flexible working guidelines, you cannot submit more than two requests for flexible working within a period of 12 months from this date unless you qualify to be a carer under the Carers Support at Work Guidance.

Approval of your flexible working application is specific to your current job and if you move to another job, a new flexible working application must be made.

When managing an employee's flexible working request, the council processes personal data collected in accordance with its data protection policy, human resources data protection policy and employee privacy notice. Further information can be found at Employee Matters - Human Resources – Data Protection or contact Human Resources.

Finally, if you have any queries or concerns regarding the content of this letter, please do not hesitate to contact me.

Yours sincerely

MANAGER NAME

DESIGNATION

Copy to: HREESERV@angus.gov.uk

Refusal of Flexible Working Application

REF: EMPLOYEES INITIALS/ PAYNUMBER/ SERVICE

[DATE]

Personal – To be opened by addressee only

[Mr/ Miss/Mrs/Ms Employee Full Name]

[Address Line 1]

[Address Line 2]

[Address Line 3]

[POSTCODE]

Dear [Employee Name]

FLEXIBLE WORKING

I refer to our meeting on [date] arranged to discuss your application for flexible working. I note you chose [not to be accompanied OR to be accompanied] by [name and capacity i.e., a representative of a trade union or a work colleague].

I now write to confirm that, as per our discussion, your request for flexible working has been refused on the following grounds:

[*delete bullets as appropriate - refuse requests only on the grounds of one or more of the following statutory reasons:]

- The burden of additional costs.
- Detrimental effect on ability to meet operational demand.
- Inability to reorganise work amongst existing staff.
- Inability to recruit additional staff.
- Detrimental impact on quality.
- Detrimental impact on performance.
- Insufficient work during the periods the employee proposes to work.
- Planned structural changes.

As explained during our discussion, my decision is based on the [insert here the detail of your decision and factors taken into account].

The refusal of your flexible working application is specific to your current job, and if you move to another job, a new flexible working application could be made.

Please also note that in terms of the flexible working guidelines, you cannot submit more than two requests for flexible working within a period of 12 months from this date unless you qualify as a carer under the Carers Support at Work Guidance.

Finally, if you wish to appeal against my decision, then you must do so by writing to your Service Director, at [insert address] within 14 calendar days of receipt of this letter.

When managing an employee's flexible working request, the council processes personal data collected in accordance with its data protection policy, human resources data protection policy and employee privacy notice. Further information can be found at Employee Matters - Human Resources – Data Protection or contact Human Resources.

If you have any queries or concerns regarding the content of this letter, please do not hesitate to contact me.

Yours sincerely

MANAGER NAME

DESIGNATION

Copy to: HREESERV@angus.gov.uk