



SEFTON COUNCIL

WORK LIFE BALANCE

Policy and Procedure for Schools

Produced by Personnel; Schools Team

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Signed:

Chair:

Headteacher:

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1. **Introduction.**

The purpose of this policy is to identify potential methods of achieving a work life balance.

Work-life balance is about people having a measure of control over when, where and how they work. It is achieved when an individual's right to a fulfilled life inside and outside paid work is accepted and respected as the norm, to the mutual benefit of the individual, business and society.

2. **Scope**

(a) This policy applies to all staff employed within school.

(b) This policy covers the following:

- (i) Special Leave
- (ii) The right to request Flexible Working

(c) This policy will not cover the following which is covered by separate policies:

- (i) Maternity Leave
- (ii) Maternity (Paternity) Support Leave
- (iii) Adoption leave

3. Special leave

3.1 Procedure

- 3.1.1 Note: Special Leave in any of the circumstances described above will only be granted on the submission of a completed request form (in the case of 'Family/Domestic Crises' this may be completed after the event). If it is discovered that a false reason has been given for the purpose of obtaining Special Leave, this will be considered as a subject of potential disciplinary action.
- 3.1.2 Any queries relating to Special Leave should be directed to the Head teacher.
- 3.1.3 Employees wishing to apply for Special Leave for bereavement care for seriously ill dependant/partner, family/domestic crisis, visits abroad and religious holidays should complete application form (SL1, Appendix 1) prior to the leave being taken and give a reasonable amount of notice, having regard to the circumstances. In cases of visits abroad and religious holidays, a minimum of 4 weeks notice should be given.
- 3.1.4 It is recognised that, in exceptional circumstances, it may not be possible to complete the application form prior to the absence from work, e.g. bereavement/domestic crisis. Under such circumstances this form should be completed immediately on return to work.
- 3.1.5 If Special Leave is requested to care for a seriously/terminally ill partner/dependant, written notification should be obtained from the patient's doctor to confirm the need for care and a copy should be attached to the application form.
- 3.1.6 Written evidence of the need for Special Leave for other reasons should be provided wherever possible.
- 3.1.7 The application form should be submitted to the Governing Body via the Headteacher. The Governing Body has the discretion irrespective of whether leave has been taken or not, to grant Special Leave. The form will be returned to the employee stating the Governing Body's decision as soon as possible. This should be copied to the Headteacher who should (a) record Special Leave on the employee's personnel file and/or timesheet, where appropriate, and (b) complete Form SL2 (appendix 2) - Notification to Finance - Salaries/Wages.
- 3.1.8 If an application for paid leave is refused after the leave has been taken, flexi, annual or unpaid leave will be counted against the absence.
- 3.1.9 The Governing Body will need to have regard to the following guidelines and to the circumstances of each case and ensure that employees who submit an application are given a decision in advance of the event.

3.2 Adoption Leave

- 3.2.1 Refer to the adoption leave policy.

3.3 Domestic/Personal Reasons

3.3.1 The granting of Special Leave is at the discretion of the Governing Body, and may be with or without pay, in accordance with the guidelines set out below

3.3.2 The Employment Relations Act 1999 gives employees the right to have reasonable time off from work when it is necessary for them to deal with unexpected or sudden emergencies which occur in relation to their dependants. The special leave provisions comply with the regulations.

3.4 Definition of Dependant and Partner

3.4.1 For the purpose of the Special Leave provisions:

- A *dependant* is defined as:-
 - (i) anybody living in the household of the employee who is directly dependant on the employee for financial or domestic support;
 - (ii) any person who lives separately from the employee but who at times of illness requires domestic support from the employee. This may include a close relative, e.g. child, parent, brother or sister of the employee

- A *partner* is defined as:
 - (i) one of the parties in an ongoing and stable relationship.

3.5 Bereavement

3.5.1 It is not proposed to define "close" or "distant" relative as it is recognised that personal relationships in families will vary, for example, the employee may have been brought up by his/her grandparents rather than his/her natural parents.

3.5.2 Each case should be considered in accordance with the individual circumstances.

3.5.3 Within the existing provisions for Special Leave, the Governing Body is recommended to grant up to 5 days paid leave to employees who require time off on the death of a partner, dependant or close relative to make funeral arrangements, attendance at the funeral and to attend to probate matters.

3.5.4 Where an employee wishes or is required to attend the funeral of a distant relative, the Governing Body is recommended to grant 1 day Special Leave with pay. It is recommended that some allowance be made for out of town travel if required.

3.6 Funeral of a close personal friend

3.6.1 It is recommended that half a day's paid leave, plus travelling time, is granted for attendance at the funeral of a close personal friend.

3.7 Attending funeral in professional educational capacity

3.7.1 If a member of staff is required to attend a funeral in a professional educational capacity, it is recommended that half a day's paid leave, plus travelling time, is granted.

3.8 Care for Seriously Ill Dependant/Partner

3.8.1 It is recognised that situations may arise when employees are required to care for a seriously or terminally ill partner/dependant.

3.8.2 It is not proposed to lay down a minimum or maximum amount of Special Leave, but to make recommendations as to what would be fair and reasonable in individual circumstances.

3.8.3 A period of up to 5 days paid leave may be granted, on production of written notification from the partner/dependant's doctor to confirm the need for care. This period of paid leave may be extended at the discretion of the Governing Body if warranted by the individual circumstances.

3.9 Family Responsibilities/Visits Abroad

3.9.1 The following situations are included in these guidelines in recognition that there will be times when employees will need to be absent from work due to exceptional circumstances.

3.9.2 Various options are available at the discretion of the Governing Body to enable a flexible approach to be taken in such situations, and the granting of Special Leave is one of these options.

3.10 Family/Domestic Crises

3.10.1 In the event of unforeseen family or domestic problems arising, employees may sometimes require an immediate and short term absence from work to make alternative child care arrangements, provide care themselves or make other domestic arrangements.

3.10.2 The Governing Body has discretion to decide how many days should be granted for such emergencies, and it is suggested that in most circumstances up to 2 days paid leave in any one academic year would be adequate.

3.11 Visits Abroad

3.11.1 For those staff who are entitled to annual leave:

- a) The following guidelines are provided in recognition that even the maximum entitlement of annual leave may not be sufficient for employees who may wish to visit relatives abroad.

- b) It is also recognised that the taking of all annual leave in one block can be detrimental to the well-being of employees, possibly increasing sickness absences and allowing no further time in the year for relaxation or coping with the unexpected.
- c) It is recommended that the Governing Body consider the following points when requests for annual leave to be taken in one block or extended annual leave are received:
- such requests should be granted at the discretion of the Governing Body where the operational needs of the School permit;
 - employees should be advised to retain a portion of annual leave to be taken at a later date in the leave year;
 - up to a maximum of 1 month's unpaid leave may be granted, in addition to annual leave, in any rolling 3 year period, to employees who wish to visit relatives abroad.

3.11.2 For those staff who are not entitled to annual leave each application will be considered on an individual basis.

3.12 Weddings

3.12.1 For term time staff only: One day's paid leave should be granted for attendance at the wedding of a close relative, or for the member of staff's own wedding where this occurs unavoidably in term time.

3.12.2 For staff who works 52 weeks per year whenever possible, annual leave or flexitime should be taken in these circumstances, if appropriate.

3.13 Religious Holidays

It is recognised that some employees may wish to be absent from work to celebrate a religious holiday which does not coincide with Bank Holidays currently granted.

3.13.1 For those staff who work term time only, up to 1 day's paid leave may be granted at the Governing Body's discretion.

3.13.2 For staff who work 52 weeks per year whenever possible, annual leave or flexitime should be taken in these circumstances, if appropriate.

3.13.3 If appropriate, the Governing Body may wish to consider allowing an employee to work on a Bank Holiday and take a day in lieu to celebrate their religious holiday if this is operationally feasible.

3.14 Furniture removal/ Moving house

3.14.1 For those staff who work term time only, up to one day's paid leave may be granted for moving house, or for the removal of furniture, where presence is essential and it is not possible to make alternative arrangements in the school holidays.

3.14.2 For staff who work 52 weeks per year whenever possible, annual leave or flexitime should be taken in these circumstances, if appropriate.

3.15 Degree Ceremonies

3.15.1 One day's paid leave may be granted for attendance at a degree ceremony or speech day where a son or daughter is an actual participant.

3.15.2 For staff who work 52 weeks per year whenever possible, annual leave or flexitime should be taken in these circumstances, if appropriate.

3.16 Examinations/Study Leave

3.16.1 Leave for the purposes of sitting examinations applicable to the individual's professional role is to be granted with pay, subject to approval by the Governing Body.

3.16.2 Leave with pay for the purpose of special study immediately prior to an examination (as outlined above) may be granted at the discretion of the Governing Body with a recommendations of 1 day's leave for 1 examination day and pro rata.

3.17 Cancer Screening

3.17.1 Necessary paid time off shall be granted to staff for the purpose of cancer screening.

3.18 Time Off for Medical Appointments

3.18.1 The following arrangements have been agreed in respect of all employees for hospital, doctor or dentist appointments.

3.18.2 Employees have an obligation to minimise time off work.

3.18.3 In this connection, medical appointments must be arranged at the beginning or end of normal opening hours and, if possible, outside normal opening hours. Normal opening hours are 09.00 a.m. to 4.30 p.m. Monday to Friday.

3.18.4 Where an appointment is within normal opening hours paid time off will be given for the actual time away from work subject, normally, to a maximum of 2 hours, after which, time off will be unpaid.

3.18.5 It is recognised that certain appointments may last longer than 2 hours, e.g. some hospital appointments or regular treatment. In these circumstances the employee must notify the Headteacher in advance of such a possibility. The Headteacher has the absolute discretion in these circumstances to allow paid time off for the actual time taken.

3.18.6 The time off is subject to prior approval by the Headteacher.

- 3.18.7 It is a condition of the time off that employees must provide suitable evidence of the appointment and attend for work before and after the appointment on the same day, where this is practicable.
- 3.18.8 Where a medical appointment is attended during a period of sickness absence, it will be treated as sick leave.
- 3.18.9 These arrangements also apply to employees who are subject to the Flexible Working Hours Scheme.

3.19 Granting of Leave for Attendance at Job and Course Interviews.

3.19.1 It is the policy of the School to grant time off for employees to attend job and course interviews. The nature and locality of the interview will determine whether paid or unpaid leave will be granted. In any event, evidence of the interview must be provided. The following paragraphs identify what particular circumstances warrant paid and unpaid leave.

3.19.2 **PAID** leave will be granted for attendance at:

- i) Interviews within Sefton M.B.C. for internal posts;
- ii) interviews within public and voluntary sectors for up to a maximum of 3 days or 21 hours per annum (voluntary organisations are defined as any registered charity and voluntary bodies which receive financial assistance from the Council). In particular circumstances this maximum may be exceeded at the discretion of the headteacher e.g. a trainee who has completed his/her qualifications but for whom no suitable post is readily available;
- iii) interviews leading to acceptance on a recognised training course
- iv) Enrolment for recognised training courses during normal working hours.
- v) Where an employee is facing redundancy and is actively seeking alternative employment reasonable paid time off should be allowed.

3.19.3 **UNPAID** leave will be granted to attend interviews.

- i) outside the public and voluntary sectors.

3.19.4 For employees who work 52 weeks per year may wish to use annual in these circumstances. Where the employee has exhausted annual leave, unpaid leave of absence or credit leave (*advancement of annual leave to be made up*) may be granted.

3.19.5 Employees leaving the local government service are entitled to

holidays earned up to the date of leaving. Annual leave will, therefore, only be advanced where it can be earned prior to the possible date of leaving, otherwise the employee can be expected to have 'excess' leave deducted from their final payment.

3.20 Maternity Leave and Maternity Support Leave

3.20.1 Refer to the Maternity Handbook.

3.21 Public/Other Duties

3.21.1 Attendance at Meetings of Outside Bodies

(a) Leave with pay will be granted where an employee is required to attend meetings of outside bodies (e.g. parent governors, professional bodies excluding Trade Unions).

3.21.2 Trade Union Duties

(a) Leave with pay will be granted for an employee to attend meetings for Trade Union duties at the discretion of the Governing Body. Leave with pay will be granted for annual conferences subject to a limitation on numbers.

3.21.3 Magisterial Duties

(a) Leave will be granted with pay for magisterial duties.

3.21.4 Jury Service

(a) An employee receiving a summons to serve on a jury must report the fact to his/her Governing Body, who shall grant leave of absence unless exemption is secured. An employee serving as a juror shall claim the allowance for loss of earnings to which he/she is entitled under the Jurors' Allowance Regulations currently in force. The employer shall then deduct from the employee's full pay an amount equal to the allowance received.

3.21.5 Service with Non-Regular Forces (e.g. to attend annual training camps and special courses)

(a) Leave will be granted with pay.

3.21.6 Serving as a Member on Another Local Authority

(a) Leave will be granted with pay.

3.21.7 Court Appearances

(b) Leave to attend court as a witness in a criminal action should be treated the same as Jury Service attendance.

- (b) Any instances involving civil actions should be referred to the Head teacher.

3.21.8 Election Duties

- (a) Leave will be granted with pay to any employee who works on a Polling Station or as a Visiting Presiding Officer.

4. Flexible Working

4.1 School recognises the need of its employees to balance their work and personal responsibilities; it also recognises its obligations under the Government's Flexible Working Regulations 2002 (effective from 6th April 2003) and the Flexible Working (Amendment) Regulations 2006 (effective from 6th April 2007).

4.2 This procedure is designed to meet the requirements of the legislation and to provide opportunities for employees to balance their work with their caring responsibilities at home.

4.3 Scope

4.3.1 The scheme is available to all employees who have caring responsibilities for:

- children; or
- other family members (this includes care for a spouse, partner, civil partner or relative); or
- an adult who lives at the same address as the employee, but does not fall in to the above category (ii)

4.3.2 Employees must have worked continuously for Sefton for 26 weeks (at the date of application)

4.3.3 Only one request for flexible working arrangements can be submitted during the period of one academic year.

4.3.4 Requests for flexible working arrangements can be made on a permanent basis or for a temporary specified period dependent upon the circumstances of the case but there is a presumption that temporary arrangements will last no longer than one year.

4.3.5 All requests must be made in writing on the appropriate form and submitted to the Headteacher. The employee must specify the flexible working pattern requested and the date the employee proposes the change should become effective.

4.3.6 The employee must also consider the effects and impact of their proposed request on service provision and be able to offer reasonable and practicable solutions as to how such effects could be overcome.

4.4 Procedure

- 4.4.1 Requests for flexible working arrangements must be submitted on the appropriate form and submitted to the employees Headteacher for consideration.
- 4.4.2 The Headteacher must arrange a meeting to consider the request and the meeting must take place within 28 days of receipt of the written request. The Headteacher may seek advice from a member of the Schools Team (The time limits will be automatically extended where the Headteacher who would ordinarily consider the application is absent because of annual leave or sickness absence. The 28 day period begins when the Headteacher returns to work or 28 days after the application is made, whichever is the sooner. Therefore, in the case of long term sickness absence the application would need to be actioned by the Deputy Headteacher.
- 4.4.3 The purpose of the meeting will be to explore in detail the request and how the proposed working arrangements may be accommodated. If it is considered that the proposals are not practicable alternative arrangements can be explored.
- 4.4.4 Within 14 days of the meeting the Headteacher must provide the employee with a detailed written response either;
- accepting the request and establishing a start date;
 - confirming any alternative working arrangements discussed or any compromise situation agreed at the meeting;
 - providing detailed reasons for the rejection of the request which must be covered by one of the specified 'business grounds' namely;
 - the burden of additional costs; detrimental effect on the ability to meet customer demand;
 - inability to re-organise work among existing staff;
 - inability to recruit additional staff; detrimental impact on quality or performance;
 - insufficiency of work during the periods the employee proposes to work;
 - planned structural changes;
- 4.4.5 In some circumstances the Headteacher may need an extended period of time to adequately consider the request and assess the possibility of re-organising working arrangements. Where it is considered that an extended time period will be required this should be agreed at the meeting and confirmed in writing to the employee, e.g. attempts to recruit additional staff would obviously need an extension to the 14 day timescale. However, a written response can be provided, within the 14 day timescale, advising of the arrangements which will be put in place to try and address the situation.

4.5 Right of Appeal

- 4.5.1 If the employee is not satisfied with the written explanation and is not satisfied that the business grounds apply to their case then the employee has the right of appeal against the Headteacher's decision.
- 4.5.2 An appeal must be submitted to the Clerk to the Governors within 14 days of receipt of the written decision.
- 4.5.3 An appeal hearing will be arranged and the meeting will take place within 14 days of receipt of the appeal submission. Where this timescale cannot be met all parties must be advised.
- 4.5.4 The Governors Appeals Committee will be advised at the appeal hearing by a member of the Schools Team.
- 4.5.5 Prior to the appeal hearing the Governors Appeal Committee will be provided with a copy of the original request and the Headteachers written response.
- 4.5.6 At the appeal hearing the employee will outline his/her grounds of appeal and highlight why he/she feels the Headteacher's "business grounds" for refusing the request are flawed. The Headteacher will outline the reasons for his/her decision.
- 4.5.7 The Governors Appeal Committee will consider the case and confirm his/her decision in writing. The Governors Appeal Committee may:
- uphold the Headteacher's decision;
 - make proposals/recommendations and refer the matter back to the Headteacher/employee for further consideration;
 - reject the Headteacher's decision and uphold the request;
- 4.5.8 No further right of internal appeal exists.

4.6 General

- 4.6.1 The employee is entitled to be accompanied at all stages of the procedure by a TU Representative or work colleague.
- 4.6.2 Changes to the specified timescale must be agreed jointly. If no agreement is reached and the matter has not been dealt with within the specified time limits the employee will be entitled to advance to the appeal stage.
- 4.6.3 Any Employee wishing to reduce their hours must be aware that, if a redundancy situation arises, a reduction in hours will significantly reduce any redundancy payment.
- 4.6.4 Approved permanent and temporary working arrangements must be confirmed in writing to the employee. All temporary working arrangements must specify the agreed period with the start and end dates clearly stated.

4.6.5 The operation of this procedure will be the subject of review by the Governors, which may result in changes, subject to consultation with the Trade Unions and to approval by the cabinet member.

4.7 Examples of Flexible Working Arrangements

4.7.1 School has approved "in principle" a range of Flexible Working Arrangements.

4.7.2 Approval is "in principle" as there are a number of arrangements that can be considered and each one will depend on an individual's circumstances, the job they are doing and other considerations.

4.7.3 The following are examples of flexible arrangements.

- (a) Job Sharing Scheme - Job Sharing is when two people share the duties, responsibilities and hours of one post. Sefton has had a Job Sharing Scheme since 1991 Full details of this scheme are enclosed in this policy at section 5.
- (b) Compressed Working Week - This is an arrangement when normal full-time hours are worked over, for example, four days a week.
- (c) "V" Time - This stands for voluntary reduced working hours and is an arrangement, which allows an employee to reduce their hours and their pay usually for a temporary period for a specific purpose.
- (d) Term-Time Only Working - This is self-explanatory and is of clear benefit to employees with school age children.
- (e) Annualised Hours - In this arrangement the hours normally worked throughout the year are arranged to a pattern that best suits the employee and the job.
- (f) Flexiplace - This is the least common arrangement and is more job orientated. It can be applied when a job requires travelling round rather than being based in one office and it can sometimes include some working from home.

4.7.4 All the above arrangements can be considered and applied for and are available at the discretion of the Governing Body.

5. JOB SHARING SCHEME

5.1 Introduction

The purpose of this information is to:

- explain Job Sharing and some of its advantages
- provide guidance and advice to the Headteacher

- recommend administrative systems to operate the Scheme

5.2 What is Job Sharing

- 5.2.1 Job sharing exists when two people share the hours, duties and responsibilities of one full-time post. It is distinguished from most part-time work by the deliberate division of duties that would normally be the responsibilities of one full-time employee.
- 5.2.1 By providing the choice for the majority of jobs to be done by one person full-time or two people sharing the hours, the School promotes equal opportunities in its widest sense. Job sharing has the potential to improve women's job opportunities, particularly for those who have been out of the labour market for a number of years. It also enables both men and women with family commitments to continue working at their original level of skill and status, their pay pro rata to the hours worked.

5.3 Eligibility for Job Sharing

- 5.3.1 The Job Sharing Scheme is available to all staff of the School, and the majority of staff who work for the School will be eligible to be considered for job sharing. Exceptions to this will be those who want free time to take up other employment that may:
- (a) Involve breaches of the employment contract;
 - (b) Give reasonable cause to suspect conflicts of interests (including financial) which would damage the School.
- 5.3.2 **All posts** will be open to an application for job sharing though some restrictions will exist, for example:
- (a) Some trainee positions involving course attendance (see the section on Training and Promotion)
 - (b) Positions where sharing would create additional costs e.g. residential positions providing accommodation; increased operational costs, etc.
 - (c) Where consistency of care is a fundamental factor.
- 5.3.3 Opportunities to share part-time posts may be restricted by the number of hours to be worked and jobs of less than, for example, 15 hours may, in practice, be difficult to share between two individuals. Such applications, however, will be given the same consideration, as applications to share full-time posts and the same principles will apply.
- 5.3.4 The decision to implement job sharing in respect of any particular post will rest with the Headteacher. If the headteacher believes job sharing cannot operate, the matter should, if appropriate, be discussed with the Trade Union representatives.
- 5.3.5 Specific details of the individual applicant or their personal circumstances will not be required but the reason for requesting job sharing, if known, should be stated.
- 5.3.6 This information will be retained for monitoring purposes only and will not be used to make decisions on future job share applications.

5.3.7 Each application will be considered on its own merits and it will be recognised that circumstances may vary and change with time.

5.3.8 Job sharers should be aware that, if a redundancy situation arises, a reduction in hours will significantly reduce any redundancy payment.

5.4 **Job Sharing for Existing Employees**

5.4.1 Existing employees can apply to share their own job i.e. reduce their own hours making room for a partner who must be recruited. It is also possible for two employees to apply as partners to share one job, leaving one full job vacant. In both cases the application procedure will be the same.

5.4.2 Applications should be made in writing to the Headteacher on the appropriate form (Appendix 3).

5.4.3 The Headteacher must arrange a meeting to consider the request and the meeting must take place within 28 days of receipt of the written request (The time limits will be automatically extended where the Headteacher, who would ordinarily consider the application, is absent because of leave or sickness absence. The 28 day period begins when the Head teacher returns to work or 28 days after the application is made, whichever is the sooner. Therefore, in the case of long term sickness absence, the application would need to be actioned by the Deputy Headteacher).

5.4.4 The purpose of the meeting will be to explore in detail the request and how the proposed working arrangements may be accommodated. If it is considered that the proposals are not practicable, alternative arrangements can be explored.

5.4.5 In considering job share applications, the Headteacher is recommended to be mindful of the following points:

- the operational requirements of the post
- specific duties of post
- degrees of continuity required, particularly in relation to judgement and decision making
- impact on client group
- ability to share or divide aspects of the job
- requirement to staff public counters during school hours
- administrative arrangements to facilitate the sharing
- "overlap" time or alternative methods of communication
- domestic circumstances of the applicant e.g. new mother

5.4.6 A positive attitude should be taken to applications, negative assumptions should be avoided and the ability of the applicant to make a success of a job share arrangement should not be underestimated.

5.4.7 The above points should be borne in mind and will be of particular importance if a job share application is refused.

- 5.4.8 Within 14 days of the meeting, the Headteacher must provide the employee with a detailed written response either;
- accepting the request and establishing a start date;
 - confirming any alternative working arrangements discussed or any compromise situation agreed at the meeting;
 - providing detailed reasons for the rejection of the request which must be covered by one of the specified 'business grounds' namely;
 - the burden of additional costs;
 - detrimental effect on the ability to meet demand;
 - inability to re-organise work among existing staff;
 - inability to recruit additional staff;
 - detrimental impact on quality or performance;
 - insufficiency of work during the periods the employee proposes to work;
 - planned structural changes.
- 5.4.9 In some circumstances, the Headteacher may need an extended period of time to adequately consider the request and assess the possibility of re-organising working arrangements. Where it is considered that an extended time period will be required this should be agreed at the meeting and confirmed in writing to the employee, e.g. attempts to recruit additional staff would obviously need an extension to the 14 day timescale. However, a written response can be provided, within the 14 day timescale, advising of the arrangements which will be put in place to try and address the situation.

5.5 Right of Appeal

- 5.5.1 If the employee is not satisfied with the written explanation and is not satisfied that the business grounds apply to their case, then the employee has the right of appeal against the Headteacher's decision.
- 5.5.2 An appeal must be submitted to the Clerk to the Governors within 14 days of receipt of the written decision.
- 5.5.3 An appeal hearing will be arranged and the meeting will take place within 14 days of receipt of the appeal submission. Where this timescale cannot be met, all parties must be advised.
- 5.5.4 The Governors Appeals Committee may be advised at the appeal hearing by a member of the Schools Team.
- 5.5.5 Prior to the appeal hearing, the Governors Appeals Committee will be provided with a copy of the original request and the Headteacher's written response.
- 5.5.6 At the appeal hearing, the employee will outline his/her grounds of appeal and highlight why he/she feels Headteacher's "business grounds" for refusing the request are flawed. The Headteacher will outline the reasons for his/her decision.
- 5.5.7 The Governors Appeal's Committee will consider the case and confirm his/her decision in writing. The Governors Appeals Committee may:

- uphold the Headteacher's decision;
- make proposals/recommendations and refer the matter back to the Headteacher/employee for further consideration;
- reject the Headteacher's decision and uphold the request.

5.5.8 No further right of internal appeal exists.

5.5.9 If the application is agreed, such agreement may need to be conditional on a suitable job share partner being found.

5.5.10 Care will need to be taken when considering applications for "uneven" job shares and attempting to meet an existing employee's requirements. The hours and duties of the remaining job will need to be attractive to prospective applicants or difficulties may be experienced in recruiting a partner.

5.5.11 The start date will be dependant on various factors as follows:

- If the job share consists of one person leaving half the job vacant or two partners leaving a whole post vacant;
- The hours and work pattern;
- The operational requirements of the School;
- The employee's domestic circumstances;
- Anticipated period of recruitment.

These will need to be fully discussed with the employee(s) and a mutually convenient date agreed.

5.6 Filling Vacancies on a Job Sharing Basis

5.6.1 Advertisements should include the statement "This post is open to Job Sharing" and advertisements for job share partners (i.e. half a post) should be carefully worded to reflect any arrangements that have been made with an existing employee.

5.6.2 Recruitment information sent to applicants should include appropriate details of the Job Sharing Scheme and employees nominated to handle recruitment should be prepared to deal with more specific or detailed enquiries.

5.6.3 Applications from potential job shares will be considered entirely on their merits alongside those from "full-time" candidates. It is not necessary for those applying for appointment on a job share basis to do so in conjunction with a possible partner. Joint applications will, however, be considered.

5.6.4 Applicants requesting job sharing, who are shortlisted, should be interviewed individually to assess their ability to do the job even where a joint application is made. Joint applications who appear suitable may, however, be seen together once the initial interviews have been held.

5.6.5 A meeting with the job sharing partners should be arranged prior to their start date in order that details of the working arrangements may be discussed. The arrangements made with any existing employee should be taken into account during the discussion.

5.7 Appointment

- 5.7.1 Job sharers will be appointed on individual contracts in accordance with employment law.
- 5.7.2 The Schools Team should be informed that the post will be filled on a job share basis.
- 5.7.3 The Statement of Particulars and Appointment Form should be issued to new employees within two months of their start date and revisions sent to existing employees within one month of the change.
- 5.7.4 Letters of appointment should include the specific details of the Job Share arrangement.
- 5.7.5 Conditions of Employment information necessary for the completion of these forms are detailed in paragraph 5.7 - 5.10.2 of this document.
- 5.7.6 Duties of the post will be stated in a job description in the agreed format with an addendum stating any special requirements as a result of the job sharing arrangements. The job description should be issued to the employee(s) before duties commence.

5.8 Working Arrangements

- 5.8.1 The alternative patterns normally worked by job shares are:

works each morning, one sharer each afternoon.

works the first half of the week, i.e. 2½ days while the other works the second half.

Alternate Weeks: work's full-time one week, the other works the next - this arrangement is less common.

Job Share arrangements do not always require a 50/50 split and other patterns of work will be given equal consideration.

- 5.8.2 The School and the Job Sharer must reach an agreement, before the job share starts, about the working pattern and the degree of flexibility that can be built into the Scheme. For example:

If it is impossible for an afternoon sharer to start work earlier than 2.00 p.m. this should be stated at the outset.

- 5.8.3 In some jobs good communication between partners is important, particularly when continuity of service or advice is essential. The use of a message or Day Book, dictating machine or Bring Forward facility on a computer (if available) should be explored as possible alternatives to an overlap in time.

5.9 If a job sharer is without a partner.

- 5.9.1 If a job sharer is without a partner because of resignation or promotion or permanent replacement arrangements should be made to fill the post as soon as possible. These should be in the form of:

- (a) offering the post on a full-time basis to the remaining sharer; then if not accepted
- (b) advertising for a suitable partner having regard to the working arrangements of the person in post.

5.9.2 If a job sharer is temporarily without a partner because of sickness, maternity leave etc., he/she should be given the opportunity of working full-time for the period in question. If this is not acceptable, normal cover arrangements will apply.

5.10 Conditions of Employment

5.10.1 Hours

The combined hours worked by both sharers must not exceed the total number of hours worked in the full-time job.

In situations where flexi-time operates this should be applied, wherever possible, to job sharers. Where amendments to the flexi-time system have been made to accommodate the requirement to cover public counters, this requirement should be met by all appropriate members of staff, not exclusively by job sharers.

5.10.2 Pay

This will be pro rata to grade for the post and number of hours worked, based on National Conditions of Service. Job sharers may be on different salary points within the scale or grade of the post according to qualifications, experience or length of service.

Normal incremental progression shall apply.

5.10.3 Overtime

Job sharers will not be asked to work additional hours other than in exceptional circumstances, e.g. the provision of cover for absence of the Job Share partner. Any additional hours worked will be paid at plain time. Overtime rates will not be payable unless a Job Sharer exceeds the hours per week of a full time member of staff.

5.10.4 Length of Service

For the purpose of assessing eligibility for increase in annual leave, sickness leave etc., service is not considered to be pro rata e.g. an employee commencing service in 1990 will be deemed to have five years service in 1995.

5.10.5 Sick

The NJC for Local Government Services and local agreement, or the Conditions of Service for School Teachers in England and Wales and Conditions Document, will apply, based on earnings which are pro rata to the hours worked.

5.10.6 Annual Leave

NJC and Sefton's Local Conditions of Service will apply, pro rata to the hours worked. Existing employees with a protected leave entitlement shall retain that entitlement pro rata to the hours worked.

Calculation of annual leave entitlement is simple if the job share arrangement is a straight division of the hours but becomes more complicated with an uneven division. To calculate leave entitlement the following approach should be adopted.

Any extra statutory days should be added to the leave entitlement at the beginning of the calculation and leave should be calculated in hours.

The following formulas will enable the leave entitlement for all job share arrangements to be calculated.

Actual hours worked ÷ full-time hours = pro rata figure

Pro rata figure x full-time leave entitlement = actual leave entitlement

Calculations should be rounded up to the nearest half hour. Calculating leave in terms of hours provides more flexibility for both the School and employees concerned, however, leave should not be taken in blocks of less than half a day until less than that amount is remaining, or in exceptional circumstances.

5.10.7 Bank Holidays

All bank holidays should be divided between sharers, pro rata to the hours worked. Arrangements for the division should be made well in advance and mutually agreed. See examples at Appendix 4.

5.10.8 Maternity, Adoption, Maternity Support Leave/Pay

NJC for Local Government Services and local agreements, or the Conditions of Service for School Teachers in England and Wales, will apply to leave and to payments pro rata to hours worked.

Female employees who wish to return to work on a job share basis after maternity/adoption leave should apply three months prior to their return to work. This should be made clear to the employee before she commences maternity/adoption leave. Information on job sharing and other flexible working arrangements is contained in the Maternity Booklet.

The requirement to return for a period of three months to retain maternity/adoption pay applies equally to women returning from maternity/adoption leave on a job share basis and will commence at the date of return.

5.10.9 Special/Compassionate Leave

The Special Leave Policy will apply to job sharers requesting special or compassionate leave.

5.10.10 Superannuation

All employees regardless of their hours of work are automatically eligible to join the Local Government Pension Scheme, or the Teachers' Pension Scheme.

The calculation for retirement benefits is the same for full-time and part-time members. However, if the implications for a full-time employee securing a job share arrangement (or any part-time work) will be that the pay used in the calculation is not the actual pay but the whole time equivalent and part-time membership is reduced accordingly, e.g.:

Miss Jones retires at age 65 with 10 years service at whole time (37 hours per week) and 10 years service at 10 hours per week. Membership calculation would be as follows:

10 years: whole time = 10 years reckonable service

10 years @: 10 hpw = 2 years 256 days

37 hpw

TOTAL 12 years 256 days

5.10.11 Periods of Notice

The period of notice to terminate the contract of employment will not be pro rata to hours worked but based on National or Local Conditions of Service for the full-time post.

5.11 Allowances and Expenses

5.11.1 Car Allowances

Entitlement to Essential or Casual User car allowance will be determined by the nature of the post.

If a Casual user allowance is allocated, it will apply to part-time employees in full on the same basis as full time employees.

If Essential user is allocated to the post, both sharers will receive a lump sum.

5.11.2 Interview Expenses

These will be paid in full, individually, to both sharers.

5.11.3 Grievance and Disciplinary Procedures

Matters of grievance and discipline will be handled through the School's Grievance and Disciplinary Procedures.

In all cases of grievance, discipline and in assessment of an employee's performance, any job sharer will be treated as an individual responsible for their own allocation of work, not the work of their partner.

5.11.4 Training

The long-term benefits of training to the individual and the School should be considered at all times and balanced with the operational requirements of the School. Job sharers will have the same access to training facilities as full-time employees. All applications for training, either in-house or external, should be fully considered and every effort should be made to grant them.

Course fees etc., where approved, will be paid in full. Day-release and study leave will be granted on a pro rata basis where appropriate. If the day-release falls on a working day, the employee will repay half the time. If the day-release falls on the employee's day off, they will be reimbursed half the time.

If job sharers applications for training are likely to cause operational difficulties, mutual agreements should be made. For example, one sharer attends a day release course this year and only essential internal courses. The second sharer attends suitable internal courses this year and has the opportunity for a day-release facility in the future.

Some trainee positions involving course attendance as stated in paragraph 5 may make job sharing impossible to operate. For example, positions requiring block release or sandwich courses.

Job sharers wishing to attend courses in their own time should be given encouragement and support to do so.

5.11.5 Promotion

Job sharers may apply for promotion either individually or as a unit. Applications will be considered individually on their own merit and offers of appointment can apply to an individual or partnership.

5.11.6 Communication of Job Share Scheme

Details of the Job Sharing Scheme should be made available to all existing and prospective employees.

Personnel staff, those nominated to handle vacancies and other appropriate staff should ensure they are aware of the details of the Scheme.

5.11.7 Review of Procedure

The operation of this procedure is subject to review by the Governing Body, which may result in changes, subject to consultation with the Trade Unions.

Guidance Notes

1. Please complete the Application for Special Leave form (SL1) to apply for Special Leave.
2. The form should normally be completed prior to the leave being taken and a reasonable amount of notice given, having regard to the circumstances.
3. It is recognised that in exceptional circumstances it may not be possible to complete this form prior to the absence from work. Under such circumstances the form should be completed immediately on return to work.
4. In cases of visits abroad and religious holidays, a minimum of **4 weeks** notice should be given.
5. Special Leave (including that claimed in retrospect - paragraph 3 above) is granted (**see note below*) at the Governing Body's discretion irrespective of whether leave has been taken or not.
6. If an application for paid Special Leave is refused (**see note below*), after the leave has been taken, flexi, annual or unpaid leave will be counted against the absence.
7. If Special Leave is requested to care for a seriously/terminally ill dependant, written notification should be obtained from the patient's doctor to confirm the need for care, and a copy should be attached to this form.
8. Written evidence of the need for Special Leave for other reasons should be provided wherever possible.
9. Applications for Special Leave will be returned to the employee, with a decision, as soon as possible.

Note: There is an **entitlement to take a reasonable amount of (unpaid) time off, in order to take necessary action, in respect of "Care for a Dependant". The Government suggest that, for most cases, **1 or 2 days** should be sufficient to deal with the problem.*

The Governing Body will need to have regard to the circumstances of each case and ensure that employees who submit an application are given a decision in advance of the event.

SHARING BANK HOLIDAYS

SPECIAL LEAVE - NOTIFICATION TO FINANCE - SALARIES/WAGES*

To be completed by authorised Manager/Supervisor when Special Leave is taken by an employee.

Name of Employee: _____

Department: _____

Department Number: _____ **Employee Number:** _____

Location: _____ **Job Title:** _____

Grade: _____

Period of Absence

<u>From</u>	<u>To</u>	<u>Please indicate with or without pay</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Please indicate category of Special Leave taken to assist in the monitoring of this scheme.

BEREAVEMENT	<input type="checkbox"/> 20	DOMESTIC CRISES	<input type="checkbox"/> 38
ILLNESS OF DEPENDANT	<input type="checkbox"/> 39	VISIT ABROAD	<input type="checkbox"/> 40
RELIGIOUS HOLIDAY	<input type="checkbox"/> 41		

*(a) This leave was approved by the Headteacher/Governing Body in accordance with the local Conditions of Service on Special Leave.

*(b) This leave has not been approved as Special Leave under the Local Conditions of service and unpaid leave has been taken.

I would be obliged if payment could be *made/deducted for this period.

Date: _____ **Signature:** _____

Job Title: _____

*Please delete as appropriate

Original To: Finance Department

Copy To: Supervisor/Manager for Personnel File

Details of Request

Please specify in detail the flexible working pattern requested and why. You must provide details of the proposed operative date and the reasons to justify the date claimed. You must include details of how your work would be affected by the proposed changes and how any such effects might be overcome to maintain service provision. (continue on attached sheet)

If you are applying to job share please specify if this is a single or joint application (if joint, please attach a copy of partners form and details of how you anticipate sharing the hours of the post).

Signed _____ Date _____

Please submit this form to your headteacher and keep a copy for your records.

Example 1

Two Job Sharers - (A) works all day Monday and Tuesday and the morning of Wednesday; (B) works the afternoon of Wednesday and all day Thursday and Friday.

	<u>Week 1</u>					<u>Week 2</u>				
	M	T	W	T	F	M	T	W	T	F
(A)	*1	1	½			1	1	1		
(B)			½	1	1				1	1

* Public Holiday

(A) is off on Monday in Week 1 as it is a public holiday and works an extra half day (pm) on the Wednesday of Week 2. (B) takes a half day off on the Wednesday (pm) of Week 2 in lieu of the public holiday.

Example 2

Two Job Sharers - as above.

	<u>Week 1</u>					<u>Week 2</u>				
	M	T	W	T	F	M	T	W	T	F
(A)	1	1	½			1	1			
(B)			½	1	*1			1	1	1

* Public Holiday

(A) is off on Friday in Week 1 as it is a public holiday and works an extra half day (am) on the Wednesday of Week 2. (B) takes a half day off on the Wednesday (am) of Week 2 in lieu of the public holiday.

Public holidays in relation to other permutations of job share arrangements can be apportioned using the same principle.

REQUEST FOR FLEXIBLE WORKING ARRANGEMENTS

Acknowledgement Slip

TO	Name:	
	Designation:	
	Section:	

I acknowledge receipt of your request for flexible working arrangements received on _____.

In order to consider your request in detail I have scheduled a meeting to be held on _____ at _____.

The meeting will take place at _____.

You are entitled to be accompanied at the meeting by your Trade Union Representative, a colleague or other person of your choice.

<i>Signed:</i>	<i>Date:</i>
_____	_____
<i>Print Name:</i>	

**APPEAL AGAINST DECISION TO REJECT REQUEST FOR FLEXIBLE
WORKING ARRANGEMENT**

Your appeal will not be considered unless this form is completed and returned to your Governors Appeals Panel within 14 days of receiving written confirmation that your request was rejected.

Name of Appellant:			
Post Title:		Work location:	
Grade:		SCP:	
Work Telephone No.:			
Trade Union:		Name of Rep:	

Details of Appeal

You must clearly state below your grounds of appeal identifying specific points on which you disagree with the decision.

Please attach a copy of your initial Request form and your Headteacher's response.

Signed _____ Date _____