Health and Safety Policy	
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Policy prepared by	Director of Quality, Compliance & Excellence
Approved by	Educationwise Board
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Purpose

Educationwise recognises that flexible working can support employees to balance work with personal responsibilities, health, wellbeing and other commitments.

Educationwise will consider flexible working requests fairly, reasonably and with an open mind while ensuring that:

- Roles can continue to be performed effectively
- Learners, employers and other stakeholders continue to receive an appropriate service
- Quality and performance are maintained
- Work can be organised effectively
- The impact on colleagues and the wider organisation is considered

The statutory right is a **right to request flexible working**, not an automatic right to a particular working arrangement.

Scope

This policy applies to all Educationwise employees.

Employees have the statutory right to request flexible working from the **first day of employment**.

Flexible working may involve a change to:

- Hours of work
- Days of work
- Start or finish times
- Place of work
- Working pattern

Examples may include:

- Part-time working
- Flexible start and finish times
- Compressed hours
- Term-time working
- Job sharing
- Homeworking
- Hybrid working
- Staggered hours
- Annualised hours
- Other arrangements agreed between Educationwise and the employee

Not every form of flexible working will be suitable for every role.

Legal framework

Educationwise will have regard to relevant legislation and guidance, including:

- Employment Rights Act 1996

- Flexible Working Regulations 2014, as amended
- Employment Relations (Flexible Working) Act 2023
- Flexible Working (Amendment) Regulations 2023
- Employment Rights Act 2025 and relevant provisions as they come into force
- Equality Act 2010
- ACAS Code of Practice on requests for flexible working

Statutory and informal requests

Employees may discuss possible flexible working arrangements informally with their manager before making a statutory request.

Where an arrangement can be agreed informally, Educationwise and the employee may agree how it will operate without using the statutory process.

An employee may instead make a formal statutory flexible working request at any time.

A discussion with a manager does not prevent an employee from making a statutory request.

Number of statutory requests

An employee may make up to **two statutory flexible working requests in any 12-month period**.

Only **one statutory request can be live at any one time**.

A request remains live until:

- Educationwise makes a decision
- The employee withdraws the request
- Educationwise and the employee agree an outcome
- The statutory decision period ends

A request remains live during any appeal or agreed extension to the decision period.

Making a statutory request

A statutory flexible working request must be made in writing.

The request should include:

- The date of the request
- A statement that it is a statutory flexible working request
- The change requested to the employee's hours, times or place of work
- The date the employee would like the change to take effect
- Whether the employee has made a previous statutory flexible working request to Educationwise and, if so, when

Employees are not required to explain how their request would affect Educationwise or how any impact could be addressed.

Employees may provide additional information if they believe it would help Educationwise understand or consider their request.

Requests should normally be sent to the employee's line manager.

Requests connected to disability or other protected characteristics

A flexible working request may also raise separate responsibilities under the Equality Act 2010.

Where a request relates to an employee's disability, Educationwise will consider whether a **reasonable adjustment** is required.

The duty to make reasonable adjustments is separate from the statutory flexible working process.

Educationwise will also consider whether refusing or handling a request could result in unlawful discrimination.

Managers should seek appropriate People and Culture advice where a request may involve:

- Disability
- Pregnancy or maternity
- Religion or belief
- Sex
- Caring responsibilities
- Another protected characteristic or equality consideration

Considering a request

Educationwise will consider each request fairly and reasonably.

The starting point will be to consider **what may be possible** rather than automatically assuming that a request cannot be accommodated.

Consideration may include:

- The requirements of the employee's role
- Learner and employer needs
- Service delivery
- Quality
- Performance
- Workload
- Availability of work
- Impact on colleagues
- Communication and management arrangements
- Cost
- Technology or equipment
- Health and safety
- Security and data protection
- Any relevant equality considerations

Requests will be considered individually.

An arrangement agreed for one employee does not automatically mean that the same arrangement will be suitable for another role or employee.

Consultation

Where a request can be accepted in full without further discussion, Educationwise may approve it without a consultation meeting.

Where Educationwise is considering:

- Rejecting the request
- Partially accepting it
- Suggesting an alternative arrangement

the employee will be consulted before a final decision is made.

The consultation will provide an opportunity to:

- Understand the request
- Discuss potential benefits and difficulties
- Consider ways of addressing any concerns
- Discuss alternative arrangements
- Consider a modified request
- Consider whether a trial period may be appropriate

Consultation may take place in person or remotely.

An appropriate written record of the discussion will be maintained.

Educationwise will follow any additional statutory consultation requirements that come into force during the life of this policy.

Being accompanied

There is no statutory right to be accompanied at a flexible working meeting.

However, Educationwise will normally allow an employee to be accompanied where they make a reasonable request.

The companion may be:

- A work colleague
- A trade union representative
- An official employed by a trade union

The companion is there to provide reasonable support during the discussion.

Trial periods

Where the long-term impact of a proposed arrangement is uncertain, Educationwise and the employee may agree a trial period.

The trial arrangement should confirm:

- The arrangement being tested
- Start and end dates
- How it will be reviewed
- Any specific expectations
- What will happen at the end of the trial

A trial period does not automatically make the proposed arrangement permanent.

Temporary flexible working

Educationwise and an employee may agree that a flexible working arrangement will operate for a temporary period.

Where an arrangement is temporary, this will be confirmed in writing and should normally include:

- Start date
- End date
- Working arrangements during the period
- What contractual arrangements will apply afterwards

Outcome

The employee will be informed of the decision in writing.

Request accepted

Where the request is accepted, the written outcome will normally confirm:

- The agreed working arrangement
- The effective date
- Whether the arrangement is permanent or temporary
- Any agreed review arrangements
- Any contractual changes

Where a permanent flexible working request is accepted, it will normally result in a permanent change to the employee's contractual terms unless otherwise agreed.

Alternative arrangement

Where an alternative or modified arrangement is agreed following consultation, this will be confirmed in writing.

Request refused

A statutory request will only be refused for one or more of the permitted statutory business reasons.

Educationwise will explain the reason for its decision and how the relevant business reason applies to the request.

Statutory business reasons for refusal

The statutory business reasons are:

- The burden of additional costs
- 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 the ability to meet customer demand
- Insufficient work available during the periods the employee proposes to work
- Planned structural changes to the organisation

A request will not be refused simply because flexible working is inconvenient or because a manager personally prefers another working arrangement.

2027 flexible working reforms

The Employment Rights Act 2025 introduces further changes to the statutory flexible working process during 2027.

From the commencement of those provisions, where Educationwise is considering refusing a statutory flexible working request:

- The refusal must be based on one or more of the statutory business reasons
- Educationwise must consider whether refusing the request is reasonable
- The employee will be given an explanation of why Educationwise considers the refusal reasonable
- Educationwise will follow the statutory consultation process in force at that time

This policy will be applied in line with the legislation and ACAS Code of Practice in force at the date the request is considered.

Appeals

There is no statutory right to appeal a flexible working decision, but Educationwise provides an internal right of appeal.

An employee who wishes to appeal should normally do so in writing within **five working days** of receiving the decision.

The appeal should explain the reasons for requesting a review. These may include:

- Relevant information was not considered
- New information has become available
- The employee believes the request was not considered reasonably
- The employee believes the policy was not followed correctly

Where practicable, the appeal will be considered by someone who was not responsible for the original decision.

The employee may make a reasonable request to be accompanied by a work colleague or trade union representative.

The appeal decision will be confirmed in writing.

Timescale

Educationwise will make a final decision on a statutory flexible working request, including any appeal, within **two months of receiving the original request**.

Educationwise and the employee may agree to extend this period.

Any agreed extension should be recorded in writing.

Employees and managers should therefore act promptly throughout the process.

Withdrawal of a request

An employee may withdraw their request at any time.

Withdrawal should normally be confirmed in writing.

Where an employee fails to attend a flexible working meeting and a rearranged meeting without a good reason, Educationwise may consider the request withdrawn.

If Educationwise treats a request as withdrawn, the employee will be informed in writing.

Multiple requests within a team

Educationwise may receive flexible working requests from more than one employee.

Requests will be considered:

- Fairly
- Individually
- In the order and circumstances in which they arise
- Against the organisation's ability to accommodate the proposed arrangements

Previous approval of another employee's request does not automatically determine the outcome of a later request.

Managers should avoid making assumptions based on:

- Age
- Sex
- Disability
- Caring responsibilities
- Seniority
- Reason for requesting flexibility

Where it may not be possible to accommodate every request, managers should consider possible alternatives and seek People and Culture advice where appropriate.

Home and hybrid working

A request to work from home or on a hybrid basis is a form of flexible working.

Approval will depend on the requirements of the role and may consider:

- Learner and employer contact
- Meetings

- Team working
- Supervision
- Access to systems
- Confidentiality
- Data protection
- Cyber security
- Equipment
- Health and safety
- Performance
- Service requirements

An employee does not acquire an automatic right to permanent home or hybrid working simply because they have previously worked remotely.

Any contractual arrangement will be confirmed in writing.

Health and safety

Flexible working arrangements must be capable of operating safely.

Where homeworking forms part of an agreed arrangement, Educationwise and the employee must follow relevant requirements within the **Health and Safety Policy**, including Display Screen Equipment and homeworking arrangements.

Employees must report any health and safety concern relating to their working arrangements.

Data protection and security

Employees working flexibly must continue to comply with Educationwise's:

- Data Protection Policy
- Security Policy
- Confidentiality requirements
- Acceptable Use arrangements

Flexible working does not reduce an employee's responsibility to protect learner, employee or organisational information.

Performance and availability

Employees working flexibly remain responsible for meeting the reasonable requirements of their role.

This includes:

- Performance
- Quality
- Communication
- Attendance
- Agreed availability
- Learner and employer service

- Team responsibilities
- Meetings relevant to their role

Managers should manage performance consistently regardless of where or when an employee works.

Flexible workers should not be disadvantaged simply because they work a different approved pattern.

Recruitment

Where appropriate, Educationwise may consider whether flexibility can be built into roles when they are designed or recruited.

Flexible working options may be discussed with applicants where suitable.

Any arrangement agreed during recruitment will be confirmed as part of the employee's contractual terms.

Protection from detriment

An employee must not be subjected to unfair treatment, detriment or dismissal because they:

- Have made a statutory flexible working request
- Intend to make a request
- Have exercised rights connected with the flexible working legislation
- Have raised a genuine concern about the handling of their request

Confidentiality and records

Flexible working requests may contain personal information.

Information will only be shared where reasonably necessary to consider or implement the request.

Records will be stored and retained in accordance with Educationwise's:

- Data Protection Policy
- Privacy Policy
- Records Retention arrangements

Managers should avoid sharing unnecessary personal reasons for an employee's request with colleagues.

Responsibilities

Employees

Employees are responsible for:

- Providing the information required for a statutory request
- Participating constructively in consultation
- Considering reasonable alternatives
- Raising relevant equality or health and safety issues

- Following agreed working arrangements

Managers

Managers are responsible for:

- Considering requests with an open mind
- Following this policy
- Consulting before rejecting a request
- Considering alternatives
- Applying the statutory business reasons appropriately
- Avoiding discrimination
- Seeking People and Culture advice where appropriate
- Communicating decisions clearly
- Keeping appropriate records
- Meeting statutory timescales

People and Culture

People and Culture may:

- Advise employees and managers
- Support the flexible working process
- Provide guidance on legislation and procedure
- Support consideration of equality issues
- Support consultation and appeals where appropriate

Decision-making authority remains with the appropriate Educationwise manager or leader.

Related policies and procedures

This policy should be read alongside:

- Equality, Diversity and Inclusion Policy
- Health and Safety Policy
- Data Protection Policy
- Security Policy
- Reasonable Adjustment arrangements
- Grievance Procedure
- relevant People and Culture procedures

Monitoring and review

Educationwise will review flexible working arrangements and this policy through existing People and Culture and management arrangements.

The review may consider:

- Flexible working requests
- Outcomes and appeals
- Equality considerations
- Recruitment and retention
- Employee feedback

- Operational impact
- Changes to flexible working legislation
- Changes to the ACAS Code of Practice

This policy will be formally reviewed annually or sooner where a significant legislative, regulatory or organisational change requires it.