



Education and Learning Service

Highland Local Negotiating Committee for Teachers

**LNCT Agreement No. 38
Flexible Working Policy**

Updated June 2025

Flexible Working Policy

1. Introduction

- 1.1 The Highland Council believes that flexible working can increase staff motivation, promote work-life balance, reduce teacher stress and improve performance and productivity.
- 1.2 As an employer the Council is committed to recruiting, retaining, developing and motivating teachers by ensuring that they are able to balance work and personal commitments.

This policy applies to:

- Employees covered by the Scottish National Conditions for Teachers,

This policy does not apply to:

- Permanently contracted Associated Professionals as they are covered by the Corporate Policy, which can be accessed here:

[Flexible Working Policy Approved 2015 - People and Transformation](#)

2. Aims

- 2.1 The aims of this policy are to:
 - Promote flexible working to support effective service delivery and efficiencies within the Council.
 - Enhance the working environment for teachers by offering flexible working options which support work/life balance.
 - Provide a planned approach which creates a strong framework to balance service requirements and individual preferences while maximising service delivery and learning and teaching experiences.

3. Principles

- 3.1 This policy is focussed on service improvement and improving working lives. It is an overriding principle that service provision and particularly learning and teaching must not suffer and that there should be no detriment to colleagues as a result of the introduction of flexible working for any individual teacher. Where requests are made, the needs of the service and requirements of the job will be paramount.
- 3.2 As an employer the Council is committed to taking a proactive and flexible approach to the management of work issues and this will be reflected in the

decisions made by managers on behalf of the Council.

- 3.3 Each request will be considered on its own merits in the light of the requirement to provide quality education to our pupils. All requests to work flexibly will be considered objectively and will only be refused if there are sound service reasons for doing so. It must be noted that flexible working may be more difficult to accommodate for teachers.
- 3.4 The requesting teacher will receive written confirmation of the Council's decision. If unsuccessful this will include clear reasons why the service grounds are not considered to be met.
- 3.5 The Council provides teachers with the right of appeal to next level of management within the Service within 14 days of being notified of the decision.
- 3.6 Under this policy all applications for flexible working are requested by the teacher.

4. Application procedure and timescales

The timescale to deal with a request, including appeal process, must not exceed 2 months.

- 4.1 An eligible teacher who is seeking to make a change to their working arrangements within the scope of this policy should complete an Application for Flexible Working Form detailing the nature of the flexibility sought. The form should be submitted to the applicant's Headteacher and can be found here: [Local Negotiating Committee for Teachers Agreements | LNCT 38 - Flexible Working Policy](#)

The request can be for:

- A reduction in hours worked
 - A variation in working pattern
- 4.2 The Headteacher in close liaison with the Workforce Planning and Staffing team should consider whether or not the request could be accommodated as quickly as possible after receiving the formal application. If the request is agreed on the basis of the information submitted, the Headteacher, after agreeing the decision with the Workforce Planning and Staffing team should notify the teacher. The teacher will receive written notification of the variation in contract outlining the date from which it is to take effect.
 - 4.3 In some cases the Headteacher may wish to meet with the teacher to discuss the application before a decision is made. The meeting should normally take place as soon as possible following receipt of the application. Following the meeting, the Headteacher should notify the teacher of the decision, in writing as soon as possible.

Possible decisions include:

- Agreement to the original request.
- Compromise agreement (as discussed during the meeting).
- Not possible to accommodate the request at this time. No decision to refuse should be made without discussion with the teacher.

4.4 If the application has not been agreed then the teacher will be notified of the clear reason/s for refusal.

4.5 Teachers may choose to be accompanied to any meeting during this procedure.

5. Appeal Procedure

5.1 If the application is refused the teacher may appeal the decision. The appeal should be submitted in writing, setting out the grounds of the appeal, within 14 days of receipt of the written decision.

5.2 The applicant may appeal the decision if there is new information that was not available to the Headteacher at the time they made the original decision **or** if the applicant thinks that the application was not handled reasonably in line with this policy or statutory entitlement.

5.3 The appeal should be submitted to the Area Quality Improvement Manager using the Flexible Working Request Decision Appeal Form which can be found here:

[Local Negotiating Committee for Teachers Agreements | LNCT 38 - Flexible Working Policy](#)

6. Withdrawal of an Application

6.1 The Council may treat an application as being withdrawn where the teacher has:

- Notified the withdrawal orally or in writing
- Failed to attend a meeting under this procedure more than once without reasonable cause
- Refused to provide information necessary to assess the application without reasonable cause.

6.2 Except where the withdrawal has been provided in writing, the Council will confirm the withdrawal to the teacher in writing.

7. General

The timescale to deal with a request, including appeal process, must not exceed 2 months.

- 7.1 The timescales for considering an application or an appeal may be varied in exceptional circumstances, by mutual agreement of the parties.
- 7.2 There may be instances where the Headteacher is unsure that the arrangements requested are sustainable within the school or about the potential impact on other teachers. In such cases, the Headteacher and the teacher may agree for the arrangements to be in place on a temporary or trial period basis rather than rejecting the request. This would be to cover specific need only such as return from long term illness.
- 7.3 Subject to discussion with their Headteacher, the requesting teacher will be given time off during working hours to attend any meetings specified by this procedure.

8. Guidance

- 8.1 Guidance, information and tools will be developed and maintained in partnership through the Local Negotiating Committee for Teachers. Including:
- Flexible Working Guidance for Headteachers
 - Flexible Working Guidance for Teachers

9. Legislation

- 9.1 The development and application of this policy and appended procedures is guided by:
- Employment Rights Act 1996
 - Children and Families Act 2014
 - Flexible Working Regulations 2014 (SI 2014/1398)
 - ACAS Code of Practice
 - Equality Act 2010

10. Monitoring

- 10.1 The application of this policy will be monitored through the Highland Council LNCT.

Signed on behalf of The Highland Council		Signed on behalf of the Teachers' Side	
Name		Name	
Fiona Grant		Alistair Bell	
Designation		Designation	
Joint Secretary LNCT		Joint Secretary LNCT	
Date		Date	
3.06.2025		3.06.2025	