

**WRITTEN QUESTION TO THE MINISTER FOR EDUCATION
BY DEPUTY J.H. PERCHARD OF ST. SAVIOUR
ANSWER TO BE TABLED ON TUESDAY 30th APRIL 2019**

Question

Will the Minister advise what policies and legislation are used within schools when assessing a request made by a teacher returning from maternity or paternity leave to reduce their hours from full-time to part-time; by whom such requests are considered; on what grounds such a request would be denied; and whether, in denying any such request, it is a requirement for the reasons for turning it down to be given?

Answer

Maternity leave

The Government of Jersey has a Maternity Leave policy that applies to all staff and office holders employed on either a permanent or non-permanent basis. In addition, there are guidelines for Managers for managing all aspects of Maternity Leave including the return to work of staff. The guidelines state clearly that if an employee wants to return to work on reduced hours or request other flexible working arrangements, then they should put their request in writing to the Line Manager. Upon receipt of the request, Line Managers should consider them favourably taking into account business and operational needs and the impact on other members of the team. When considering a request for reduced hours, the Line Manager should not agree anything until they are certain what is being requested can be accommodated. When considering the request, Line Managers should also refer to the Flexible Working policy for further guidance.

Paternity leave

The Government of Jersey also has a Paternity policy and Guidelines for Managers which applies to all staff and office holders employed on either a permanent or non-permanent basis. As with the Maternity policy, employees wishing to change their working hours should do so in writing to their Line Managers. When considering the request, Line Managers should also refer to the Flexible Working policy for further guidance.

The Flexible Working policy outlines what constitutes flexible working and what the Line Manager and employee are responsible for. The employee is responsible for making a written application to request any change to their existing working arrangements. However, the policy does state that employees do not have an automatic right to work in a specific flexible way as this may not be able to be accommodated.

The Line Manager is responsible for considering any requests from the employee, giving the application careful consideration and to be as accommodating as business and operational needs of the service permit, taking into account the impact on all members of the team. If refused, the Line Manager must supply the member of staff with a verbal and written explanation. If a request is refused, an employee can challenge this decision by writing to the Director General (or nominee) within 5 days of the request being declined. The Chief Officer will determine if the request was reasonably refused (normally for business and operational needs) and their decision is final.

