

Flexible Working Policy

Issue Date	Review Date	Version
August 2019	Extended to January 2022	5.3

Purpose

University Hospitals Plymouth NHS Trust values its staff and is therefore committed to providing a balance between employees' professional and personal lives. It recognises a variety of flexible working practices which contribute to both the needs of employees and the Trust.

The desire for flexible working must however, be balanced with any requirement to provide a 24 hour service, 7 days a week. Every effort will be made to accommodate flexible working as far as is reasonably practical.

Who should read this document?

All staff

Key Messages

Provide a culture which enables all employees to balance work requirements with outside commitments.

To give Trust employees access to a change in their hours of working, whilst considering the needs of our patients.

To develop positive employment practices and benefits which promote equality of opportunity in employment.

Provide a comprehensive range of employment practices to assist retention of existing staff and encourage new recruitment.

Core accountabilities

Owner	HR Business Partner
Review	JSNC
Ratification	Director of People
Dissemination (Raising Awareness)	HR Business Partner
Compliance	HR Business Partner

Links to other policies and procedures

Appeals Policy
Maternity Policy
Adoption Policy

Version History

3.1	March 2007	JSNC
3.2	July 2009	Reformatted, EIA, Dissemination Plan & Checklist included
4.1	November 2010	Amended in line with Equality Act 2010

4.2	July 2014	Document Extension Granted
5	October 2014	Ratified at JSNC
5.1	February 2016	Updated to new policy format
5.2	August 2019	Minor change due to update of Retirement Policy
5.3	August 2021	Extension Granted to January 2022

The Trust is committed to creating a fully inclusive and accessible service. Making equality and diversity an integral part of the business will enable us to enhance the services we deliver and better meet the needs of patients and staff. We will treat people with dignity and respect, promote equality and diversity and eliminate all forms of discrimination, regardless of (but not limited to) age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage/civil partnership and pregnancy/maternity.

An electronic version of this document is available on Trust Documents. Larger text, Braille and Audio versions can be made available upon request.

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1 Introduction

University Hospitals Plymouth NHS Trust values its staff and is therefore committed to providing a balance between employees' professional and personal lives. It recognises a variety of flexible working practices which contribute to both the needs of employees and the Trust.

The desire for flexible working must however, be balanced with any requirement to provide a 24 hour service, 7 days a week. Every effort will be made to accommodate flexible working as far as is reasonably practical.

2 Purpose, including legal or regulatory background

AIMS AND OBJECTIVES

- Provide a culture which enables all employees to balance work requirements with outside commitments.
- To give Trust employees access to a change in their hours of working, whilst considering the needs of our patients.
- To develop positive employment practices and benefits which promote equality of opportunity in employment.
- Provide a comprehensive range of employment practices to assist retention of existing staff and encourage new recruitment.

3 Definitions

TYPES OF FLEXIBLE WORKING REQUESTS

- Annualised Hours.
- Compressed Hours.
- Flexible Retirement.
- Job Share.
- Part time working.
- Voluntary Reduced Hours.

4 Duties

REQUEST PROCEDURE

An employee must have worked for the Trust for over 26 weeks to be eligible to apply for flexible working and can only make one request in a 12 month period, unless exceptional circumstances apply.

If an employee wants to make a request for flexible working, they should complete a [Request Form for Flexible Working](#) and submit it to their manager. Please note that all requests must be in writing.

The manager will arrange a meeting with the employee within a maximum period of 28 days at which the request will be discussed. Staff have the right to be accompanied to this meeting by a trade union representative or a work colleague.

At the meeting the request will be discussed taking into account the areas of consideration. The manager will write to the employee to communicate the decision within a maximum period of 28 days from the date of the meeting.

Those in Consultant and Associate Specialists posts must be also approved by the Service Line Director and Medical Director.

MANAGERS RESPONSIBILITIES

When considering a request the manager will be required to give a clear written explanation if the request is refused, and can only be for one or more of the following reasons:

- Extra costs which will damage the organisation.
- The work cannot be reorganised among other staff.
- People cannot be recruited to do the work.
- Flexible working will affect quality and performance.
- The organisation will not be able to meet service needs.
- There's a lack of work to do during the proposed working times.
- The organisation is planning changes to the workforce.

5 Key elements

RIGHT OF APPEAL

Should a request be refused, staff have the right of appeal. The appeal should be registered with the employee's Service Line Cluster Manager or Head of Service within 10 working days of a written refusal for the request for flexible working being received from the manager.

The hearing of the appeal should take place within a maximum period of 4 weeks from receipt of the appeal. The employee will be given at least a weeks' notice of the date of the hearing. In certain circumstances this may need to be extended and this will be communicated to the manager and employee.

The appeal panel will comprise of the Service Line Cluster Manager or Head of Service and a senior member of the Human Resources Department. The employee has the right to be accompanied by a representative of their trade union or a workplace colleague.

The appeal panel will advise the employee of the decision either immediately or within 7 working days. In either case the decision will be confirmed in writing within 7 working days. This is the end of the appeal procedure and therefore no further appeal mechanism will operate within the Trust.

FLEXIBLE WORKING ARRANGEMENT REVIEWS

Flexible working arrangements will be reviewed on an annual basis to ensure arrangements are still meeting the needs of the individual and the Trust.

FURTHER GUIDANCE

There may be occasions where the time limits within the procedure can be extended with the agreement of both the manager and the employee. Making a record of the agreed variation will always be good practice as otherwise misunderstandings may occur.

6 Overall Responsibility for the Document

The HR Director is responsible for ratifying this document. The HR Business Partner has the responsibility for the dissemination, implementation and review of this policy.

7 Consultation and Ratification

The design and process of review and revision of this policy will comply with The Development and Management of Trust Wide Documents.

The review period for this document is set as default of five years from the date it was last ratified, or earlier if developments within or external to the Trust indicate the need for a significant revision to the procedures described.

This document will be approved by the JSNC and ratified by the Executive Director.

Non-significant amendments to this document may be made, under delegated authority from the Executive Director, by the nominated author. These must be ratified by the Executive Director and should be reported, retrospectively, to the approving committee.

Significant reviews and revisions to this document will include a consultation with named groups, or grades across the Trust. For non-significant amendments, informal consultation will be restricted to named groups, or grades who are directly affected by the proposed changes

8 Dissemination and Implementation

Following approval and ratification, this policy will be published in the Trust's formal documents library and all staff will be notified through the Trust's normal notification process.

Document control arrangements will be in accordance with The Development and Management of Trust Wide Documents.

The document author(s) will be responsible for agreeing the training requirements associated with the newly ratified document with the named Executive Director and for working with the Trust's training function, if required, to arrange for the required training to be delivered.

9 Monitoring Compliance and Effectiveness

The Trust will undertake regular audit of the processes specified in this policy. It should be noted that the responsibilities in this policy are legally enforceable and that managers failing to uphold their responsibilities may find themselves in breach of internal disciplinary policies and legislation.

ACAS - flexible working guidance.

Dissemination Plan			
Document Title	Flexible Working Policy		
Date Finalised	October 2015		
Previous Documents			
Action to retrieve old copies			
Dissemination Plan			
Recipient(s)	When	How	Responsibility
All Trust staff		Information Governance StaffNet Page	Information Governance Team

Review Checklist		
Title	Is the title clear and unambiguous?	Yes
	Is it clear whether the document is a policy, procedure, protocol, framework, APN or SOP?	Yes
	Does the style & format comply?	Yes
Rationale	Are reasons for development of the document stated?	Yes
Development Process	Is the method described in brief?	Yes
	Are people involved in the development identified?	Yes
	Has a reasonable attempt has been made to ensure relevant expertise has been used?	Yes
	Is there evidence of consultation with stakeholders and users?	Yes
Content	Is the objective of the document clear?	Yes
	Is the target population clear and unambiguous?	Yes
	Are the intended outcomes described?	Yes
	Are the statements clear and unambiguous?	Yes
Evidence Base	Is the type of evidence to support the document identified explicitly?	Yes
	Are key references cited and in full?	Yes
	Are supporting documents referenced?	Yes
Approval	Does the document identify which committee/group will review it?	Yes
	If appropriate have the joint Human Resources/staff side committee (or equivalent) approved the document?	Yes
	Does the document identify which Executive Director will ratify it?	Yes
Dissemination & Implementation	Is there an outline/plan to identify how this will be done?	Yes
	Does the plan include the necessary training/support to ensure compliance?	Yes
Document Control	Does the document identify where it will be held?	Yes
	Have archiving arrangements for superseded documents been addressed?	Yes
Monitoring Compliance & Effectiveness	Are there measurable standards or KPIs to support the monitoring of compliance with and effectiveness of the document?	Yes
	Is there a plan to review or audit compliance with the document?	Yes
Review Date	Is the review date identified?	Yes
	Is the frequency of review identified? If so is it acceptable?	Yes

Overall Responsibility	Is it clear who will be responsible for co-ordinating the dissemination, implementation and review of the document?	Yes
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Core Information	
Date	February 2016
Title	Flexible Working Policy
What are the aims, objectives & projected outcomes?	<p>Plymouth Hospitals NHS Trust values its staff and is therefore committed to providing a balance between employees' professional and personal lives. It recognises a variety of flexible working practices which contribute to both the needs of employees and the Trust.</p> <p>The desire for flexible working must however, be balanced with any requirement to provide a 24 hour service, 7 days a week. Every effort will be made to accommodate flexible working as far as is reasonably practical.</p>
Scope of the assessment	
Collecting data	
Race	There is no evidence to suggest there is a disproportionate impact on race.
Religion	There is no evidence to suggest there is a disproportionate impact on religion. Where a flexible working request is made on the grounds of religion, this will be considered alongside the needs of the service.
Disability	There is no evidence to suggest there is a disproportionate impact on disability. Flexible working request on health or disability grounds will be considered (with input from Occupational Health where deemed appropriate) alongside the needs of the service.
Sex	There is no evidence to suggest there is a disproportionate impact on sex.
Gender Identity	There is no evidence to suggest there is a disproportionate impact on gender identity.
Sexual Orientation	There is no evidence to suggest there is a disproportionate impact on sexual orientation.
Age	There is no evidence to suggest there is a disproportionate impact on age.
Socio-Economic	No impact.
Human Rights	No impact.
What are the overall trends/patterns in the above data?	That there are no significant impacts.
Specific issues and data gaps that may need to be addressed through consultation or further research	None.

Involving and consulting stakeholders				
Internal involvement and consultation	Policy Sub Group. JSNC.			
External involvement and consultation	None.			
Impact Assessment				
Overall assessment and analysis of the evidence				
Action Plan				
Action	Owner	Risks	Completion Date	Progress update

Appendix 3 - Guidance Notes for Managers & Staff

Where a manager agrees to a new working pattern, the manager should implement this within a reasonable timescale of the new working pattern being agreed.

The employee will have the ability to appeal within 10 working days of being notified of the manager's decision and this is designed to encourage both parties to reach a satisfactory outcome within the department.

An employee cannot make another application if they have made one during the past 12 months.

The right is specifically designed to cater for long-term flexible working arrangements. Requests will be limited to one a year. If an employee's application is accepted it will be a permanent change to their terms and conditions of employment.

When an application is unsuccessful the manager should provide specific information to explain why. This must include a clear business reason (or reasons), which justifies why the working arrangement cannot be accepted (Refer to section 4 above).

There may be occasions where the time limits within the procedure can be extended with the agreement of both the manager and the employee. Making a record of the agreed variation will always be good practice as otherwise misunderstandings may occur. Other than that the time limit will only be extended where the manager who would be expected to consider the application is absent because of annual leave or sick leave. In such circumstances the manager will have 28 days to arrange the meeting from the day of their return back to work.

If there is agreement to the new working arrangements there is no automatic right to transfer back to the original working arrangements, unless it is agreed in writing at the time of the change that this is fixed term in nature. A further request to change working arrangements must be made in accordance with this policy.

If an employee wishes to notify their manager that they wish to withdraw their application, they should do so in writing. Where this is not forthcoming the manager should write seeking clarification that the employee has withdrawn their application.

Appendix 4 - Annualised Hours

1. Annualised Hours

An annualised hours contract is similar to a normal contract of employment except that instead of working a set number of hours each week, the hours are expressed as the number of hours to be worked in a year. For example, traditionally a full time Staff Nurse is contracted to work 37.5 hours per week, whereas a full time Staff Nurse on an annualised hours contract is contracted to work a notional 1,955 hours in a year.

Annualised hours contracts are not temporary contracts. However, it may be appropriate to fill some of them on a temporary basis.

2. Benefits

Annualised hours bring positive benefits to the organisation and the individual:

- Staffing levels can be more easily matched with the fluctuations in workload over the course of each year.
- There is more flexibility in provision for extended shifts and 24 hour service.
- Absenteeism can be reduced because employees take more responsibility for their own working hours.
- Use of bank and agency staff will be reduced.
- Unforeseen additional staffing costs become less likely.
- The ability to modify working patterns to suit personal circumstances.
- Level salary payments each month even though hours worked may vary.
- The opportunity to have blocks of time off in the quieter periods of the year.
- Knowing personal rosters in advance.
- Allows employees to be scheduled to work from 0 hours to a maximum of 48 hours per week.

3. Potential Drawbacks

- Potential destabilising effect of change.
- Alienating employees through failure to build support into the scheme.
- Agreeing and calculating special duty payments and sickness pay.
- Possible loss of earnings from extra hours working.
- Being asked to change rostered hours at short notice.
- Pressure put on caring responsibilities or other domestic activities during periods of longer working.

4. Pay

Employees on annualised hours contracts are on the same salary scales as employees on standard contracts.

5. Annual Leave

Employees on annualised hours contracts receive the same entitlement to annual leave and Bank Holiday/Statutory holiday as employees on standard contracts.

6. Booking Time Off/Leave

Annual leave and requested time off should be booked in the normal way. It will be recorded as '0' hours worked.

7. Managing Hours

It is the responsibility of the manager to monitor the hours being worked to ensure that they do not fall or rise above a reasonable level. At the end of a year a debit or credit of 5% can be carried over. For example, a full-time Staff Nurse (1,692 hours) can carry over up to 84 hours into a new financial year.

8. Maternity Leave

Entitlement to maternity leave is as per the Trust's Maternity Leave policy and procedure. It is the same entitlement as employees on standard contracts.

9. Sickness

When an employee is sick, they will be credited with their notional weekly hours. They will, however, be recorded in the normal way as sickness absence.

10. Stand Down Arrangements

If the demand for staff decreases over a shift, a manager may instruct an employee to 'stand down' i.e. finish their shift early. If the hours worked are more than two hours less than the rostered shift, they will be marked on the timesheet, plus an additional hour to compensate for disturbance.

11. Terminating Employment

It is the responsibility of the manager to arrange for any hours over or under worked, to be shown on a termination/change of circumstance form. Payroll will make the appropriate adjustments to pay. This includes payment for hours that have been overworked and reclaiming monies from final pay for hours under worked.

Record of Hours Worked

It is the responsibility of the employee to fill in the hours worked on a daily basis.

At the end of each week, this will be checked and signed by the manager. The information will be collated on a monthly basis and individual work records provided for each employee.

For examples of calculation of target hours please see below.

ANNUALISED HOURS: EXAMPLE OF CALCULATION OF TARGET HOURS

PART TIME QUALIFIED NURSE

Notional weekly hours = 17 hours

Multiplied by number of weeks in a year (52.1429)

Notional annual hours = 886 hours

Less annual leave entitlement

7 working weeks x 17 hours = 119 hours

Net hours to be worked per annum = 767 hours

Net hours to be worked in 6 month target period = 384 hours

Net hours to be worked in 3 month target period = 192 hours

Net hours to be worked in 1 month target period = 64 hours

ANNUALISED HOURS: EXAMPLE OF CALCULATION OF TARGET HOURS

PART TIME NURSING AUXILIARY

Notional weekly hours = 20 hours

multiplied by number of weeks in a year (52.1429)

Notional annual hours = 1043 hours

Less annual leave entitlement

6 working weeks x 20 hours = 120 hours

Net hours to be worked per annum = 923 hours

Net hours to be worked in 6 month target period = 461 hours

Net hours to be worked in 3 month target period = 231 hours

Net hours to be worked in 1 month target period = 77 hours

ANNUALISED HOURS: EXAMPLE OF CALCULATION OF TARGET HOURS

FULL TIME QUALIFIED NURSE

Notional weekly hours = 37.5 hours

Multiplied by number of weeks in a year (52.1429)

Notional annual hours = 1955 hours

Less annual leave entitlement

7 working weeks x 37 ½ weeks = 263 hours

Net hours to be worked per annum = 1692 hours

Net hours to be worked in 6 month target period = 846 hours

Net hours to be worked in 3 month target period = 423 hours

Net hours to be worked in 1 month target period = 211 hours

Appendix 5 - Compressed Hours

1. Compressed Hours

Compressed hours can be defined as working time reorganised so that the same weekly basic hours are worked, e.g. 4 or 4½ days: or 9 days out of 10 day fortnight.

2. Principles of Compressed Hours

The effect of working compressed hours is to increase the length of those days worked in order to free up daytime or night time.

The manager must be satisfied that there is adequate cover, by appropriately skilled staff, so as not to compromise service delivery, or health and safety of staff and/or patients.

The other members of the department should not be subjected to any undue burden of work during the absences of the employee who is working compressed hours. The department should be consulted before agreement is given to working compressed hours.

It may be necessary to limit the number of employees absent at any one time. Care must be taken not to contravene the Working Time Regulations. In addition, consideration must be given to security and personal safety.

Work performed at unusual times without supervision should be monitored against pre set targets.

To avoid confusion or miscalculation, annual leave entitlement should be expressed in hours rather than days for employees working compressed hours.

Appendix 6 - Flexible Retirement

1. Flexible Retirement

Within the rules of the NHS Pension Scheme, there are a range of alternatives for people as they approach retirement. Simply stopping work and starting to draw a pension is not the only option.

The Department of Health has produced two booklets; guidance for managers and guidance for staff regarding flexible retirement. If you are an employee considering flexible retirement or a manager who has received a request for flexible retirement, please contact the Human Resources Department for copies of the booklets.

Appendix 7 - Flexi Time

1. Flexi-Time

Flexi-time allows employees greater freedom to balance work requirements with outside commitments, whilst also providing longer periods of cover over the working week. Employees can build up a debit or a credit of hours worked within each period.

2. Principles of Flexi-Time

Flexible working hours allow employees within set limits, to choose when to start and finish work, provided they are present during certain core times. During a period of 4 working weeks, they must work the total contracted hours.

There are periods of time at the beginning and end of each day, when the absence of employees is accepted, as long as there is an accepted level of coverage overall (e.g. between 7.00am and 10.00am and 4.00pm and 7.00pm). Core times can be agreed locally with the manager. By allowing a reduction in staffing levels in this way, it is likely to allow the workplace to be open for longer if required (e.g. 7.00am until 7.00pm). Hours of attendance must be recorded daily and verified by the departmental head/manager. They must be added up at the end of each week and cumulatively over the 4 week period.

At the discretion of the manager, employees may carry any excess/deficits in the number of hours they are required to work, but this has to be cleared every 3 months.

It is recommended that the hours carried over, do not exceed the equivalent of one working day per 4 week period.

3. Benefits

Flexi-time brings positive benefits to the organisation and the individual.

- Reduces absenteeism among employees who would rather take time off than report in late.
- Enables extension of hours.
- Improves recruitment and retention of employees.
- Gives some scope to match peak staffing with peak demand during the core hours of work.
- Being able to fit domestic commitments in around the start or the finish of the ordinary working day.
- Being able to miss the worst of the rush hour.
- Choosing to work early or late when there are fewer interruptions.
- Being able to log extra hours worked and take them back later.
- Being able to consolidate credit hours into a half-day or day off.

4. Potential Drawbacks

- Ensuring that essential working times are covered.
- Additional management time spent supervising the scheme and dealing with requests for time off.
- Employees may be working unsupervised during early or late times.
- Competition to take popular times off.

5. Control and Monitoring

To ensure that flexi-time is successful, it is essential that although the aim is to provide flexibility for the workforce, the demands of the service must take priority over the personal needs of staff. It must be closely monitored to avoid abuse. To avoid failure, the system must be based on trust.

Although a department may be encouraged to introduce flexi-time, it is advisable to set up a trial scheme in the first instance and to regularly review with the staff.

Appendix 8 - Job Share

1. Job Share

Job sharing shall be defined as a formal arrangement where 2 or more employees voluntarily share the duties and responsibilities of one or more full time post(s), dividing the hours, duties and pay between them. Where requested, consideration must always be given as to the suitability of posts for job share.

2. Principles of Job Share

The working arrangements and responsibilities for a particular job shall be determined and agreed (preferably in writing) by the departmental manager, in full consultation with the job sharers.

General terms and conditions applicable to full time employees shall apply to job sharers jointly. Entitlements for which employees qualify by length of service (e.g. long service leave and maternity leave), shall be calculated individually on a proportional basis according to the number of hours worked.

The sharing of hours does not necessarily have to be evenly divided, but sharers must be capable of undertaking all the duties of the job description. The job sharers must be compatible. They should be encouraged to identify the potential problems and how they may be resolved as well as the benefits of the arrangement.

The job sharers must agree how they will communicate with each other and how often. Some kind of overlap may be required to ensure continuity of service and care.

A job share should only be agreed when all details have been discussed and agreed by all parties involved. A written agreement between the manager and the job sharers is advisable to avoid confusion/problems in the future.

4. Benefits

Job sharing brings positive benefits to the organisation and the individual.

- Allows recruitment and retention of skilled, experienced employees who may not be available for or willing to do full time work.
- Reduction in staff turnover.
- Greater flexibility during peak demand periods.
- Greater continuity - less absence for domestic reasons and the impact of absence due to sickness is halved.
- Two people bring a wider range of views, ideas and skills to the post.
- A way of easing people back into employment or out into full retirement.
- Individuals are committed because they do not want to let their job share partner down.
- People working reduced hours are likely to be fresher, more energetic and creative in the hours they are working.

5. Pay

The salary for each job sharer shall be the minimum of the grade or where applicable, in accordance with the usual starting formulae; and then calculated as a proportion based on the number of hours worked by that person. It is therefore possible that job sharers sharing the same post and working the same number of hours, will not receive the same salary.

6. Overtime

Payment at the appropriate enhanced overtime rates will normally be made to the individual where additional hours are worked in excess of the post's full time hours (not the individual job sharers normal contracted hours). However, it should be noted that where appropriate time off in lieu will be granted instead.

7. NHS Pension Scheme

Although job sharers have the same entitlement as full time employees, it is advisable for them to check the effects on their pension entitlement before committing to working fewer hours than the normal working week.

8. Annual Leave

Entitlement to annual leave (including Bank Holidays), shall be proportionate to the number of hours worked in relation to the normal working week. Where possible, job sharers should be encouraged to take annual leave at different times, but there are no formal restrictions relating to this.

9. When one Partner Leaves

When an existing partner leaves, the remaining partner will be offered the post on a full-time basis either as a temporary or permanent arrangement. If this is not acceptable the post for the second partner should be advertised.

Sharers should on no account be expected to find their own partners. It is however good practice for them to be consulted throughout the recruitment process.

If a second partner cannot be recruited the job share arrangement may be discontinued. This may involve ultimately transferring the existing partner to a part-time position elsewhere on a commensurate grade.

Appendix 9 - Voluntary Reduced Hours

1. Voluntary Reduced Hours

This is where the employee works reduced hours for an agreed and defined period at a pro rata reduced salary with a guarantee that they can return to full time working when that period ends.

2. Main Principles of Voluntary Reduced Hours

The number of hours to be worked, the times at which they are to be worked and the impact on annual leave provision must be clearly planned at the outset, as must the date normal working is to be resumed.

Before offering voluntary reduced hours to employees, parameters need to be set that meet the needs of the Trust whilst still offering worthwhile flexibility to individual employees.

3. Benefits

Voluntary reduced hours brings positive benefits to the organisation and the individual.

- Can be used as a good opportunity to review working practices and how we deliver services.
- Seen as a flexible employer.
- Achieving a balance between work and other aspects of life.
- Ability to continue working and earning a living.
- Keeps skills up to date.
- Continuity of staying with the same employer, with same terms and conditions.

4. Potential Drawbacks

- Communication needs to be ensured so that part time staff are involved.
- Additional administration costs.
- Additional other costs, e.g. uniforms; other benefits.
- Resisting pressures from others to work longer hours than agreed.
- Keeping up to date including training.
- Possible impact on pension.

5. NHS Pension Scheme

It is advisable for an employee to check the effects on their pension entitlement before committing to working fewer hours than the normal working week.

Appendix 10 - Working Outside of Normal hours

1. Working outside Normal Hours

Such an arrangement is dependant upon there being an operational need for work outside normal hours and there being no adverse effect on service delivery at times an employee is absent during normal working hours.

2. Main Principles of Working Outside Normal Hours

Managers need to consider the appropriateness of paying 'premium rates'. There may be an existing, or new, business need for work to take place at such times.

Care should be taken to ensure that excessive working at 'quiet periods' does not lead to feelings of isolation in the individual undertaking work outside of normal hours. Work performed at unusual times without supervision needs to be monitored against mutually agreed pre-set targets.

The manager must be satisfied that there is adequate cover, by suitably skilled staff, to provide the appropriate level of service.

The other members of the department should not be subjected to any undue burden of work during the absences of the employee who is working outside normal hours.

Appendix 11 - Part Time Working

1. Part Time Working

This is where the employee works reduced hours at a pro rata salary. Part time working allows employees greater freedom to balance work requirements with outside commitments.

Where requested, consideration must always be given as to the suitability of posts for part time working. However, such an arrangement is dependent upon there being no adverse effect on service delivery at times an employee is absent.

2. Main Principles of Part Time working

The number of hours to be worked, the times at which they are to be worked and the impact on annual leave provision must be clearly planned.

Before offering part time hours to employees, parameters need to be set that meet the needs of the Trust whilst still offering worthwhile flexibility to individual employees.

Appendix 12 - Home Working

1. Home Working

This option may be considered on an ad hoc basis or as a temporary reasonable adjustment to an employee's role due to personal circumstances, where agreed with the line manager.

Further guidance should be sought from the line manager.

Appendix 13 - Request Form for Flexible Working

REQUEST FORM FOR FLEXIBLE WORKING

This form should be completed by the individual requesting flexible working and then passed to their manager for consideration.

Note to the employee :

All employees who have worked for the Trust for over 26 weeks may apply for flexible working, under the provision of the Trust's Flexible Working Policy & Procedure.

Note to the manager :

This is a formal application made under the Trust's Flexible Working Policy & Procedure to apply for flexible working. You have 28 days after the day you receive this application in which to meet with the employee to discuss their request. You then have 28 days from the date of the meeting to confirm your decision using either the Flexible Working Application Acceptance Form (Appendix 15) or the Flexible Working Application Rejection Form (Appendix 16)

You should confirm receipt of this application using the attached confirmation slip.

1. Personal details :

Name : Pay no

Address : Job Title

..... Dept

Home Tel no Manager

Work Tel no Manager's Tel No

I would like to apply to work a flexible working pattern that is different to my current working pattern under the provisions of the Trust's Flexible Working Policy & Procedure.

2a. Describe your current working pattern (days/hours/times worked) :

2b. Describe the working pattern you would like to work in the future (days/hours/times worked) :

2c. I would like this working pattern to commence from :

3. Impact of the new working pattern :

I think this change in my working pattern will affect my manager and colleagues as follows -

4. Accommodating the new working pattern :

I think the effect on my manager and colleagues can be dealt with as follows :

5. Previous applications :

Have you made a previous application for flexible working to the Trust ?

Yes No

If yes, when ?

Please note if there is agreement to the new working arrangements there is no automatic right to transfer back to the original working arrangements, unless it is agreed in writing at the time of the change that this is fixed term in nature. A further request to change working arrangements must be made in accordance with this policy.

Signed Date

Now pass this application to your manager

Managers - cut this slip off and return it to your employee in order to confirm your receipt of their application

Manager’s Confirmation of Receipt (to be completed & returned to employee)

To :

I confirm that I received your request to change your work pattern on :.....

I shall be arranging a meeting to discuss your application within 28 days of the above date. In the meantime you may wish to consider whether you would like a trade union official or work place colleague (not acting in a legal capacity) to accompany you at the meeting.

Signed Date

Appendix 14 - Flexible Working Request Acceptance Form

FLEXIBLE WORKING REQUEST ACCEPTANCE FORM

Note to the manager :

You must respond to your employee with your decision within 2 weeks of your meeting to discuss the application. This form should be used when accepting an application to work flexibly. If you cannot accommodate the requested working pattern you may still wish to explore alternatives to find a working pattern suitable to you both.

Please note that the Flexible Working Application Rejection Form (Appendix 16) should be used if the employee's working pattern cannot be changed and no other alternatives can be found.

To : Pay No

Following receipt of your application and our meeting on

I have considered your request for a new flexible working pattern.

- I am pleased to confirm that I am able to accommodate your application
- I am unable to accommodate your original request but am able to offer the alternative pattern which we have discussed and you agreed would be suitable to you

Your new working pattern will be as follows :

Your new working arrangements will begin from :

Notes to the employee :

Please note that the change in your working pattern will be a permanent change to your terms and conditions of employment. There is no automatic right to transfer back to the original working arrangements, unless it is agreed in writing at the time of the change that this is fixed term in nature. A further request to change working arrangements must be made in accordance with this policy.

Please note that flexible working requests are limited to one per year and you will therefore be unable to submit a further request for flexible working until one year from the date this pattern begins.

If you have any questions about the information provided on this form, please contact me to discuss them as soon as possible.

Manager's Name :

Title :

Signed :

Date :

Notes to the manager :

Please place a copy of this form on the employee's personal file and return the original to the employee.

Appendix 15 - Flexible Working Request Rejection Form

FLEXIBLE WORKING REQUEST REJECTION FORM

Note to the manager :

You must respond to your employee with your decision within 2 weeks of your meeting to discuss the application. This form should be used when declining an application to work flexibly. Before completing the form you must ensure that full consideration has been given to the application. You must state the business ground(s) (see attached guidance) as to why you are unable to agree to a new working pattern and the reasons why the ground(s) applies in the circumstances.

To : Pay No

Following receipt of your application and our meeting on

I have considered your request for a new flexible working pattern.

I am sorry but I am unable to accommodate your request for the following business ground(s) :

The grounds apply in the circumstances because :

(You should explain why any other work patterns you may have discussed at the meeting are also inappropriate. Please continue on a blank sheet if necessary).

If you are unhappy with this decision you may appeal against it. Details of the appeal procedure are set out below.

Manager's Name :

Title :

Signed :

Date :

Notes to the manager :

Please place a copy of this form on the employee's personal file and return the original to the employee

The Appeal Process

To the employee

If your manager turns down your request for flexible working, you have the right to appeal against the decision as per Section 5 of the Flexible Working Policy & Procedure.

If you wish to appeal, you must submit a completed Flexible Working Appeal Form (Appendix 17) within 10 working days of written refusal for the request for flexible working being received.

To the manager

If you turn down your employee's request for flexible working, your employee has the right to appeal against your decision as per Section 5 of the Flexible Working Policy & Procedure.

FLEXIBLE WORKING GUIDANCE NOTES FOR REFUSING A REQUEST

An application can be refused only where there is a clear business reason. The business ground(s) for refusing an application must be from one of those listed below:

Business ground for refusing a request :

- Burden of additional costs
- Detrimental effect on ability to meet customer demand
- Inability to reorganise work amongst existing staff
- Inability to recruit additional staff
- Detrimental impact on quality
- Detrimental impact on performance
- Insufficiency of work during the periods the employee proposes to work
- Planned structural changes

In addition to providing a specific business ground, managers must include an explanation about why the business ground applies in the circumstances.

How to ensure the explanation accompanying the business ground is sufficient :

- State why the business ground is relevant and why the request cannot be accepted
- Use plain English and avoid the use of unfamiliar jargon
- Include relevant and accurate facts
- Ensure the explanation is not overly complex or unnecessarily long

It is not a requirement for managers to provide a lengthy and complex explanation looking to cover each argument in fine detail. The aim is for managers to explain to employees, in terms that are relevant, why the requested working pattern cannot be accepted as a result of the business ground applying in the circumstances.

Appendix 16 - Flexible Working Appeal Form

FLEXIBLE WORKING APPEAL FORM

Note to the employee :

If your application has been refused, you may appeal against your manager's decision using this form to make your appeal. You should set out the grounds on which you are appealing, and do so within 10 working days of receiving written notice that your application for flexible working has been turned down.

1. Personal details :

Name : Pay no

Address : Job Title.....

..... Dept

Home Tel no Manager

Work Tel no Manager's Tel No

To :

I wish to appeal against the decision of my manager to refuse my application for flexible working. I am appealing on the following grounds :

(please continue on a blank sheet if necessary)

Signature Date

Please submit this form to your Service Line Manager.

Appendix 17 - Flexible Working Appeal Response Form

FLEXIBLE WORKING APPEAL RESPONSE FORM

Note to the appeal panel:

You should complete this form when replying to an appeal that an application to work flexibly has not been properly considered. You must return this form to the employee, giving notice of your decision, within 7 working days after the appeal meeting. If you decide to turn down the appeal, you must state the grounds for your refusal.

To : Pay No

Following our meeting on I have considered your appeal against the decision to refuse your application to work a flexible working pattern.

I accept your appeal against the decision and am therefore able to accommodate your original request to change your working patterns as follows :

Your new working arrangements will begin from

Note to the employee:

Please note that the change in your working pattern will be a permanent change to your terms and conditions of employment. There is no automatic right to transfer back to the original working arrangements, unless it is agreed in writing at the time of the change that this is fixed term in nature. A further request to change working arrangements must be made in accordance with this policy.

I am sorry but I must reject your appeal for the following ground(s) :

The ground(s) apply because :

(Please continue on a separate sheet if necessary)

Name :

Title :

Signed :

Date :

Please place a copy of this form on the employee's personal file and return the original to the employee

Appendix 18 - Flexible Working Extension of Time Limit Form

FLEXIBLE WORKING EXTENSION OF TIME LIMIT FORM

Note to the manager / appeal panel :

This form should be completed when confirming agreement with your employee that you wish to extend a time limit for part of the procedure from that set out in the Trust's Flexible Working Policy & Procedure. You may extend the time limit for any part of the process, providing your employee agrees to the extension.

To : Pay No

I wish to extend the amount of time that the Trust's Flexible Working Policy & Procedure allows me to :

- Arrange a meeting to discuss your application (28 days)
- Notify you of my decision regarding your application (28 days)
- Arrange a meeting to discuss your appeal (4 weeks)
- Notify you of my decision regarding your appeal (7 working days)

I wish to extend the time limit to This means that I will have until to complete the necessary action. I need the extra time for the following reason :

If you agree to this extension, please complete the slip below and return it to me

Signed Date

Note to the employee :

To allow proper consideration of your request, your manager may wish to extend the permitted time limit for any part of the process. Your manager will need your agreement to any extension of the time limit. If you agree to the above request, please complete the agreement slip below and return it to your manager.

Cut this slip off and return it to your manager in order to confirm your acceptance of their request

Employee's Agreement to Time Extension (to be completed and returned to manager)

To

I accept your request to extend the amount of time to :

- Arrange a meeting to discuss my application (28 days)
- Notify me of your decision regarding your application (28 days)
- Arrange a meeting to discuss my appeal (4 weeks)
- Notify me of your decision regarding your appeal (7 working days)

I agree that the time limit will now be meaning that you have until to complete the necessary action.

Name Pay no

Signed Date

Appendix 19 - Flexible Working Notice of Withdrawal Form

FLEXIBLE WORKING NOTICE OF WITHDRAWAL FORM

Note to the employee :

This form should be completed to notify your manager that you wish to withdraw your application to work flexibly. Once you have withdrawn your application, you will not be able to make another application until 12 months from the date your original application was made

To :

I wish to withdraw my application to work flexibly which I submitted to you on

I understand that I will not be able to make another flexible working application until 12 months after the above date.

Name Pay No

Signed Date

Now return this form to your manager

Note to the manager :

Once your employee has completed this form and returned it to you, the application is considered as withdrawn and you are not required to give it any further consideration.

You should complete the slip below and return it to your employee to confirm your receipt of the withdrawal notice.

Return this slip to your employee in order to confirm your receipt of their withdrawal notice.

Manager's Confirmation of Withdrawal (to be completed and returned to employee)

To Pay no

I confirm that I have received notice that you wish to withdraw your application for flexible working which you submitted to me on

Under the right to apply, you will not be eligible to submit another application until 12 months after the above date.

Signed Date