# Flexible Working Policy / Employee Requests to Change Contracted Hours.

<table>
<thead>
<tr>
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<th>Version 2.0</th>
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<tr>
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<td>Strategic Workforce Group</td>
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<td>Chair of PRAMG</td>
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<td>HR Manager (Equality and Policy Development)</td>
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The Trust strives to ensure equality of opportunity for all, both as a major employer and as a provider of health care. This policy has therefore been equality impact assessed to ensure fairness and consistency for all those covered by it, regardless of their individual differences, and the results are available on request.
Executive Summary

This policy outlines the rights of all employees with 26 weeks or more continuous service with the Trust, to request flexible working arrangements to assist them to balance their work commitments with their home and family life or to amend their current employment contract. It demonstrates University Hospital Southampton NHS Foundation Trust’s (UHS) commitment to flexible working as an integral part of managing staff health and wellbeing whilst at the same time supporting the Trust’s recruitment and retention strategy. We consider flexible working options to be a part of an integrated approach to the organisation of work within the Trust whilst maintaining the healthy work/life balance of our staff.

All staff requesting a change of their contracted hours, for whatever reason, need to follow this procedure. Only one request to change an employment contract can be made in any 12 month period by the employee. In exceptional circumstances only, Managers may grant discretion for individuals to make additional requests to change contracted hours within the same 12 month period.

All requests must be subject to review on an annual basis as part of the employee wellbeing discussion in the appraisal / job planning process.

Any of the following arrangements constitute flexible working and may be requested by any employee (regardless of parental or carer status) with qualifying length of service at UHS:

- Part time hours (permanent or temporary)
- Job share
- Flexi time
- Annual/averaged hours
- Compressed working week
- Home working
- Flexible retirement

Please see process flowchart at Appendix E.

1.0 Introduction

University Hospital Southampton NHS Foundation Trust (UHS) recognises the need to develop positive flexible working arrangements to allow staff to balance work responsibilities with other aspects of their lives.

Whilst we support the need for individuals to maintain a healthy work-life balance, managers must ensure that the needs of individuals do not override the needs of the service or compromise the health and wellbeing of the wider team.

1.2 Scope

This policy document does not form part of the employee’s terms and conditions of employment. It operates within the framework of the following legislation:

- The Flexible Working Regulations 2002 (and subsequent amendments)
- Employee Study and Training Regulations 2010
- The Work and Families Act 2006 (and subsequent amendments)
It covers all employees who are substantively employed by UHS and have 26 weeks continuous service with the Trust. It does not cover agency workers, students, doctors in training, contractors or volunteers.

To ensure fairness and equity the Trust sees the opportunity to request flexible working arrangements as a natural right for all members of staff regardless of their parental or carer status. The right to request flexible working arrangements is therefore available to all staff that have 26 weeks continuous service with UHS.

In accordance with the Equality Act (2010) this policy supports the principles of equality and diversity and no individual will be treated less favourably than others because of any of the following protected characteristics:

- Age
- Gender
- Ethnicity
- Disability
- Religion / Belief
- Sexual Orientation
- Pregnancy / Maternity
- Marriage / Civil Partnership
- Gender Re-assignment status

1.3 Aim / Purpose

This policy outlines the obligations for UHS as an employer with regard to flexible working arrangements.

The objectives of this policy are to:

- Ensure compliance with legislation in relation to family friendly working arrangements
- Ensure managers are aware of their responsibility to provide flexible working options
- Ensure staff are aware of the range of flexible working options available to them and how to make a request for flexible working or to make a change to their employment contract.

1.4 Definitions

**Annual hours contracts** - Where an employee works a specific number of hours each year, with the hours being unevenly distributed throughout the year. A contract of this type would be considered in services where there are identified fluctuations in workload / throughput.

**Compressed working week** – Where an employee works their full contracted hours compressed into fewer longer days e.g. works 37.5 hours over 4 days instead of 5 days.

**Flexible retirement** - A number of flexible retirement options are open to employees leading up to full retirement from work. Further details on flexible retirement options can be found at the NHS Pensions Agency website.

**Flexi-time** - Where employees can choose their own start and finish time around fixed core hours.

**Home working** - Where an employee works from home for all or part of their hours with a computer and/or telecommunication link to their organisation.

**Job sharing** - Where two or more employees share the responsibilities of one or more full-time job(s), dividing the hours, duties and pay between them.

**Objectively justifiable** – This means that there must be a sound business reason for refusal of a flexible working request. Examples of objectively justifiable reasons would be:
- Burden of additional costs
- staff and patient safety reasons
- detrimental impact on quality / performance of service

**Part time working** - Where an employee works by mutual agreement, to a pattern and number of hours which are less than the full time contracted hours of an employee in the same staff group.

### 2.0 Trust Related Policies

This policy has links with, and should be read in conjunction with the following Trust policies:

- Leave Policy (with particular regard to sections on Career Breaks, Carer Leave and Parental Leave)
- Managing Attendance Policy
- Professional and Study Leave Policy for Consultants
- Grievance Procedure
- Supporting Staff Through Difficult Times Policy
- Recruitment and Selection Policy
- Retirement Policy
- Maternity, Maternity Support and Adoption Leave Policy
- Organisational Change Policy

### 3.0 Roles and Responsibilities

**Chief Executive**

The Chief Executive and Trust Board hold corporate accountability for ensuring the Trust is compliant with all current legislation including employment legislation.

**Director of Nursing and Organisational Development**

The Director of Nursing and Organisational Development is the executive responsible for the Human Resources Department.

**Director of Human Resources**

The Director of Human Resources holds delegated responsibility for ensuring that the Trust has robust policies and procedures in place which are legally compliant and adhere to the principles of fairness, equality and diversity.

**Divisional HR Business Partners (HRBP)**

Divisional HRBP’s will be responsible for monitoring all rejected applications for flexible working in their Division, on an annual basis and for providing advice and guidance on the application and implementation of this policy. Non-compliance with this policy will be reported via the HR Governance Group for consideration of further action.

**Managers / Heads of Departments**

Managers and Heads of Departments are responsible for ensuring that all staff are aware of this policy and how to apply for flexible working arrangements. They have a responsibility to promote and implement employment practices in accordance with this policy which support staff wellbeing and enable a healthy work/life balance to be maintained.
Managers are responsible for accepting applications for flexible working from their staff and for carefully considering individual requests whilst balancing the need to deliver a safe and effective service to our patients and other service users.

**Refusal of requests for flexible working must be objectively justified based on sound organisational and service need.**

Managers are responsible for providing written responses to all requests for flexible working and where the request is refused for providing objectively justifiable reasons, giving clear, demonstrable operational reasons why the request is not practical. Refusals should be supported by evidence where appropriate e.g. example rosters or risk assessment documentation.

Managers must ensure that any request for change of an employment contract, for whatever reason, is requested formally using the enclosed application form, a copy of which should be placed on the employees personal file.

Managers should note that changes to employment contracts for service change purposes e.g. changes requested by the Manager / Trust should follow the Organisational Change Policy.

**All Staff**

All staff should be aware of the options open to them around flexible working and should be aware of how to request flexible working arrangements should they wish to do so.

**Staff should be aware that flexible working is not an absolute right, and decisions regarding the application of flexible working agreements must be made based on service needs.**

Staff should complete a Flexible Working / Change of Contract Application Form when requesting any change of their employment contract, regardless of the reason for the request, and must be aware that they can only make one request during any 12 month period.

**4.0 Policy / Procedure**

**4.1 Policy Statement**

Managers will reasonably consider all individual requests for flexible working but must ensure that requests are considered in the context of maintaining quality services, and from the perspective of the wider team.

UHS offers all staff with 26 weeks continuous service with UHS, regardless of their parental or carer status, the right to request flexible working arrangements under this policy in order to help them maintain a balance between their working life and their other commitments.

All posts will be considered for flexible working unless there is a clear, objectively justifiable, operational reason why this is not practical.

It should be noted that for consultant medical staff, an application for flexible working will trigger a job plan review in line with the consultant job planning process.

Any requests for flexible working that are granted must be subject to annual review as part of the annual appraisal / job planning process. This is to:

- avoid the continuation of historical flexible working arrangements when they are no longer required by the individual employee
- enable the granting of other requests where appropriate
- meet the changing needs of the service.
Only one request for flexible working can be made by an employee in any 12 month period irrespective of what the request is being made for e.g. an employee who makes a request for flexible working to help with childcare arrangements cannot make a second request within the same 12 month period for the same or different purposes (see list below).

Flexible working requests can be made for many purposes, such as:

- As part of a reasonable adjustment to work for a disabled employee
- As part of a return to work programme following a period of long term ill health
- On return to work following maternity leave
- To support a flexible retirement plan
- For childcare purposes
- For carer purposes
- To facilitate a period of training / development e.g. attendance at college
- To pursue a personal interest
- To maintain a healthy work/life balance

This list is not exhaustive.

This procedure covers requests for flexible working arrangements or for a change in an employment contract, from the employee only. Managers are reminded that changes in employment contracts for service reasons are not covered by this policy and should follow the Organisational Change Policy.

There may however be exceptional circumstances where it would be appropriate for a manager to request that an employee makes a change to their employment contract e.g. on the advice of Occupational Health, or to allow an employee to make a second request within the 12 month timeframe.

It may be appropriate in some cases for flexible working arrangements to be agreed on a short-term basis only e.g. for a period of 3 months. In this case the change of contract form must clearly state an end date and the manager is responsible for ensuring that arrangements are reviewed prior to the end date and contracts are appropriately amended to reflect the end of the flexible working arrangement.

In situations where both partners in a relationship are employees of the Trust, both have the right to request individual flexible working arrangements. Employees should be aware that managers will still need to assess the requests in accordance with the needs of the individual department / service and no guarantees can be made that fixed working patterns can be agreed around their partner’s working arrangements.

Managers will wherever possible take into consideration an employee’s preferred working pattern when planning and preparing their monthly rosters but they cannot guarantee any fixed working patterns on a continuous or permanent basis. All arrangements will be reviewed on an annual basis as part of the appraisal process.

For purposes of monitoring flexible working arrangements e.g. flexi-time, the minimum countable unit of time will be 15 minutes. Working times should be rounded up or down to the nearest 15 minutes.

4.2 Range of Flexible Working Options

Any of the following arrangements constitute flexible working and may be requested by employees at UHS:

- Part time hours (permanent or temporary)
- Job share
- Flexi time
- Annual/averaged hours
- Compressed working week
- Home working
- Flexible retirement

Further details about each of these options can be found at Appendix D of this Policy.
4.3 Procedure for requesting flexible working arrangements

This Policy outlines the right of an employee with 26 weeks continuous service with UHS, to request flexible working arrangements or to make a change to their employment contract and to have their request seriously considered by the Manager. It does not require the Manager to agree the request, although if a request is refused there must be a sound and objectively justifiable business reason for doing so given in writing.

This procedure should be followed for all requests for flexible working / change of contract regardless of the reason for the request. It is also the procedure that is required by legislation (the Flexible Working Regulations 2002) and it is therefore important that the required timescales are adhered to.

The employee should make the request in writing by completing the application form at Appendix A of this policy. The application should set out the working pattern they want and should also state how they feel that pattern could be made to work in the proposed place of work.

The Manager has 28 days from the receipt of the application to either accept the proposal or to arrange a meeting with the employee (and a representative if they wish to bring one) to consider the request. This meeting should be an opportunity to discuss the request, the issues it raises in the workplace and any compromises required from either party.

The Manager should write to the employee within 14 days of the meeting to detail the outcome and decision (Appendix B or C). If the request has been declined then the manager must give as much detail about why this decision has been made and why it is not practical for the service to implement the requested change.

Once an agreement is made the subsequent contract becomes a permanent contract and the employee has no automatic right to revert to their original working pattern.

Only one request may be made within a 12 month period. The date will be determined by the date of the start of the new contract of employment or the date of a request that has been previously refused.

The reason for being unable to comply with the employee’s request must be clearly related to the work required and not just a matter of administrative difficulty for the Manager. Some justifiable reasons for refusing a request will include:-

- inability to re-organise work amongst remaining staff
- where an additional employee cannot be recruited as a replacement or job share partner
- detrimental impact on working lives of other staff
- detrimental impact on quality of service
- detrimental impact on performance of service
- inability to meet demands of service
- inability to recruit extra staff due to local or national shortages
- burden of additional costs
- insufficient work available during time period requested

The applicant has a responsibility to have considered and suggested how the request can best be met within the working team. Where possible the request should be considered and consulted upon with the whole team affected by the change respecting the rights of privacy and confidentiality of the individual.

Where appropriate, managers should provide evidence to support the decision to reject a request for flexible working e.g. give examples of rosters, risk assessment documents, evidence of inability to recruit to posts.

Employees requesting flexibility will be treated equally and fairly in the workplace with equal rights to training or promotion opportunities and will not receive less favourable treatment as a result of working flexibly.
Employees in the NHS Pension Scheme should be aware how any agreed changes may affect their pension. Further details can be obtained via the SBS pensions helpdesk.

4.4 Appeals procedure

If an application has been declined and the employee is unhappy with the reasons given, or if an application for flexible working cannot be met in full or in part, they may use the grievance procedure to appeal against the decision. Please see the Trust Grievance Policy for details of the procedure to be followed.

5.0 Implementation

This policy will be available to all staff via Staffnet. Managers should ensure that staff are aware of the content of this policy and the associated application process.

HR Business Partners and managers are responsible for providing advice to operational managers on the implementation of this policy.

6.0 Process for Monitoring Compliance / Effectiveness

The purpose of monitoring is to provide assurance that the agreed approach is being followed – this ensures we get things right for patients, use resources well and protect our reputation. Our monitoring will therefore be proportionate, achievable and deal with specifics that can be assessed or measured.

Any identified areas of non-adherence or gaps in assurance arising from the monitoring of this policy will result in recommendations and proposals for change to address areas of non-compliance and/or embed learning. Monitoring of these plans will be coordinated by the group/committee identified in the monitoring table.

Monitoring information will be analysed and used to review and revise this policy and procedures to ensure its continuing effectiveness.

<table>
<thead>
<tr>
<th>What aspect of compliance with the document will be monitored</th>
<th>What will be reviewed to evidence this</th>
<th>How and how often will this be done</th>
<th>Sample size</th>
<th>Who will coordinate and report findings</th>
<th>Which group or report will receive findings</th>
</tr>
</thead>
<tbody>
<tr>
<td>The manager must provide objective justification for refusing flexible working requests.</td>
<td>All flexible working applications that have been refused by the Manager.</td>
<td>Each time a request is refused by a Manager</td>
<td>100% of requests refused.</td>
<td>Divisional HR Business Partners will review the documentation each time a request for flexible working is refused. An annual report will be prepared by each Divisional HRBP (September)</td>
<td>HR Governance Group will receive the annual reports from divisions.</td>
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</tbody>
</table>
7.0 Review of this policy

This policy will be reviewed in three years or as and when legislation changes. The next planned review and update of this policy will be in June 2016.
FLEXIBLE WORKING / CHANGE OF EMPLOYMENT CONTRACT
APPLICATION FORM

Personal Details

Name: Job Title:
Department: Care Group:
Division: Assignment Number:

To the Employer

Under my right provided in the Flexible Working Policy, I would like to apply to work a different / flexible working pattern that is different to my current working pattern / employment contract. I confirm I meet the eligibility criteria as follows:

- I have worked continuously as an employee of UHS for the last 26 weeks.
- I have not made a request to work flexibly / change my employment contract under this right during the past 12 months.

I would like to work flexibly / change my employment contract in order to:

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

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

(you may continue on a separate sheet if necessary)

I would like this working pattern to commence from date:

Impact of the new working pattern

I think the change in my working pattern will affect my employer and colleague as follows:
Accommodating the new working pattern

I think the effect on my employer and colleagues can be dealt with as follows:
(Please provide evidence where appropriate)

Signed:                                      Date

NOW PASS THIS APPLICATION TO YOUR EMPLOYER

........................................................................................................................................

Cut this slip off and return it to your employee in order to confirm your receipt of their application.

Employer’s Confirmation of Receipt (to be completed and returned to employee)

To:

I confirm that I received your request to change your work pattern / employment contract on:

I will arrange a meeting to discuss your application within 28 days following this date. In the meantime you might want to consider whether you would like a workplace colleague or Trade Union Representative to accompany you at the meeting.

From:
Note to the Employer

You must write to your employee within 14 days following the meeting with your decision. This form can be completed by the employer when accepting an application to work flexibly / change an employment contract. If you cannot accommodate the requested working pattern you may still wish to explore alternatives to find a working pattern suitable to you both.

To: ___________________________  Date: ___________________________

Following receipt of your application and our meeting on (INSERT DATE)
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. However, I 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 commence 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 and you have no right in law to revert back to your previous working pattern.
To:                                                                                                                                                Date:

Following your request for flexible working / change of contract, I have considered your application carefully but conclude that I am unable to accommodate your request. We have discussed alternative flexible working arrangements but have been unable to agree any other pattern of work that would be suitable both for you and the Department.

Your application has been declined due to the following justifiable business reasons:
(please give as much detail as possible as to why the request would not be practical to implement at this point in Time, providing evidence where appropriate e.g. rosters or risk assessment documents).

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

Signed:

Date:
APPENDIX D  FLEXIBLE WORKING OPTIONS

1. Part-time working

Staff may request contracted hours which are less than the normal full time hours for that particular role e.g. less than 37.5 hours/week or less then 40 hours per week for consultant medical staff.

Work carried out over and above the contracted part-time hours will be considered and paid as ‘excess hours’ up to the point of the standard full-time hours.

Part-time employees are eligible for annual leave on a pro-rata basis. Contracts of employment will state annual leave entitlement and this can be worked out by using the annual leave calculator on Staffnet.

Part-time employees will accrue pensionable service in proportion to the hours worked – i.e. an employee working 50% of full time hours would accrue 6 months pensionable service in a working year (See Flexible Pensions).

Employees requesting to move from full-time to part-time working may do so either on a permanent basis or on a temporary basis (period to be agreed with manager).

Voluntary reduction in hours for a temporary fixed term

This option may be proposed by the employee or the manager and will be most widely used when there is a temporary need for shorter hours for more than a few weeks to meet health, personal needs or caring responsibilities but where it is not expected that the change will need to be a permanent arrangement.

Specific examples are

- a parent who’s child is starting school but because of their birth date may only attend part time in the first term or
- an employee returning to work with a health problem which is likely to take longer than a month’s phased return to improve or
- an employee with a close relative needing additional care for a limited period or
- a need to undertake a concentrated period of study or research for a professional qualification which cannot be supported by normal study leave.

If the temporary reduction in hours cannot be accommodated in the immediate area of employment, consideration should be given in consultation with the employee to temporary redeployment to another area of the Care Group / Division that can support the required working pattern.

It should be made explicitly clear on the change of contract form and/or in ESR that the reduction in hours is temporary only and a clear end date should be given.

2. Job Sharing

All posts should be open to job sharing wherever possible, however in certain circumstances it may not be appropriate or practical e.g. training posts or posts of a certain seniority where it is essential for one individual to hold full accountability for the remit of the post. **Individual Managers do not have the authority to decide if a post is suitable or unsuitable for job sharing.** Decisions to exclude certain roles from job sharing opportunities must be taken in conjunction with HR and the appropriate professional lead and must be applied consistently across all Divisions. Divisional HR Business Partners have responsibility to maintain a check of consistency in relation to job sharing roles.
Job sharing enables recruitment from a wider pool of experienced staff and encourages equal opportunities in recruitment and promotion for those on flexible working patterns promoting retention of skills and work life balance for those seeking to maintain their career progression.

The benefits of job sharing include:

- maintenance of proportionate part time cover during annual leave and sickness
- fresh ideas initiated by each other
- partners learn from each others varied experience
- a sharing of the stresses and problems of the role
- improved performance in post
- increased motivation provided by flexible arrangements.

If on advertising for a full time position the best person for the job is a job share applicant and no partner is available, the Trust will advertise for the other half of the job share post to achieve compatible working arrangements. Requests through Recruitment Vetting Panels (RVP) should clearly state that the job advert is part of a job share arrangement.

Each partner in the job share will be issued with an individual contract of employment and conditions of service pro rata to the hours worked. Their terms and conditions of service including incremental points will be determined by individual previous service and this may lead in some cases to job share partners being on different salaries within the agreed pay scale.

Leave and Bank Holidays will be shared pro rata to the hours worked. There is no requirement of a job share applicant to work full time to cover a partner's absence on annual leave or sickness. It will however be the exception for both to take leave at the same time unless this is a benefit to the service. This ensures at least a measure of continuity during absence and is one of the benefits of a job share arrangement.

Enhancements for excess hours will only be paid if a job share partner exceeds the full time weekly hours of the post.

Job share partners should ensure that there is dedicated time allowed during working hours to ensure communication and handover. This may be accomplished by physical meetings, telephone, e-mail or a handover book and may be a daily or weekly handover period depending on the pattern of hours each partner works.

When one job share partner leaves the Manager will review the post as required by the Recruitment and Selection Policy to see if the post needs to be redesigned, whether alternative support could be provided for the remaining partner and if the hours required have changed. The decision will be discussed with the remaining job share partner who will be given the option to increase hours. If not the post will be advertised internally and if appropriate externally as a job share post.

If in exceptional circumstances, all recruitment efforts fail to find another partner and there are no alternative ways of covering the duties the Manager may then review the duties to revert them to two part time posts if possible.

Managers interviewing two people who have already expressed a desire to operate a job share should initially interview each applicant separately to determine that they each meet the essentials of the person specification criteria. Then interview them both together to discuss their complementary skills and experience and ensure their compatibility, commitment and proposed arrangements are acceptable.

If the best applicant for the post has requested a job share without a partner to share it with or the other half of a partnership has been rejected at shortlisting or interview the Manager may initially offer the applicant full time or alternative part time hours but if this is rejected at least one attempt should be made to find another suitable job share partner through advertising or the job share register.

Managers will treat each job share partner as individual employees for the purposes of training and development and communication and will ensure that each sharer receives an annual appraisal.
3. Flexi-Time Scheme

A flexi-time system should generally only be agreed for whole departments in consultation with the staff of that department. It is rarely if ever operated by individual staff. It may however, be appropriate for individuals where employees hold ‘singleton’ posts e.g. do not belong to a wider team.

Flexi-time schemes are not suitable for all teams / employees. Flexi-time would not be suitable for:

- patient facing clinical and non-clinical services where healthcare services are required to be delivered on a 24 hour, 7 day a week basis or
- where shift systems are in place.

Conventional flexi time systems are divided into three time periods: core time, flexi time and non-work times.

Core time is when all staff are required to be on duty to deal with peaks of workload. It is usually a period each morning and afternoon and will typically be 10.00am - 12.00pm and 14.00hrs - 16.00hrs every working day. Core time is to be determined by Department Managers depending upon nature of the work undertaken by the individual department.

Non-work time covers the hours when no staff may be at work i.e. between 19.00hrs and 07.30am. Non-work times is to be determined by Department Managers depending upon nature of the work undertaken by the individual department.

Flexi-time is the remaining time when staff may choose whether to work or not to suit their particular circumstances.

A daily record sheet will be held and completed by each employee in the scheme. An example of a form is attached below. Where E-Rostering is in place then monitoring of worked hours should be done via E-Rostering.

The taking of an unpaid lunch break is compulsory for staff that work more than 6 hours per day. They must include a break of at least 30 minutes on the daily record sheet.

The defined reference period of the flexi-time will be four weeks or a calendar month during which a defined maximum number of hours may be built up or owed back to the Department. This will be pro-rata to the hours worked by each individual. It is normal for the credit hours to be greater than the debit hours.

Credited hours must be taken within each 4-week reference period. No hours may be carried forward into the next reference period.

Any excess credit hours not taken at the end of the 4-week reference period will be written off, except in exceptional circumstances where the Manager or supervisor has been unable to permit staff to take time off due to workload or lack of cover.

Time off in core hours taken as a result of a flexi time system must be agreed in advance with the Manager and must be at the Managers discretion.

Abuse or misuse of a flexi-time system will be viewed seriously and could result in disciplinary action being taken against an individual or that person being withdrawn from the scheme.

The Manager is responsible for checking the daily record sheets and for ensuring accumulated credit hours are taken before the end of the 4-week reference period.
FLEXI-TIME SHEET – EXAMPLE ONLY

Name: 4 weeks commencing:

Contracted hours per 4 week reference period:

<table>
<thead>
<tr>
<th>Hours</th>
<th>Authorised Absences</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flexible am :</td>
<td>Annual Leave (AL)</td>
</tr>
<tr>
<td>Core am :</td>
<td>Bank Holidays (BH)</td>
</tr>
<tr>
<td>Flexible Lunch :</td>
<td>Sickness (S)</td>
</tr>
<tr>
<td>Core pm:</td>
<td>Special Leave (SL)</td>
</tr>
</tbody>
</table>

Flexible pm:

Weekly Record of Attendance (time should be rounded-up to the nearest 15 minutes)

<table>
<thead>
<tr>
<th>Day</th>
<th>From</th>
<th>To</th>
<th>Hours worked to nearest 15 minutes.</th>
<th>Cumulative Total (+ or -)</th>
</tr>
</thead>
<tbody>
<tr>
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Checked and approved by Supervisor / Department Manager:
4. Averaged Hours Contracts (also known as Annualised Hours Contracts)

This form of contract is available to medical staff, whose terms and conditions of employment allow additional programmed activities (APA) to be offered on a mutually agreed annualised basis.

Agreement of APA's should be an integral part of the annual job planning / appraisal process for all medical staff. In accordance with the terms and conditions of employment there is a minimum notice period of three months for termination of any additional programmed activities. For further details please see schedule 6 of the Consultant Terms and Conditions of Employment.

Other staff may request annualised hours contracts in line with this policy. Managers should ensure that there is a clear service need for this pattern of working e.g. identified fluctuations in work.

5. Compressed Working Week

This working pattern is where the full time hours for the post are condensed into less than 5 days or part-time workers work longer shifts to reduce the number of occasions they attend for work during the week.

Examples can be where 12 hour shifts are chosen as the preferred shift pattern by the area or individual, permanent night shift working or where the work is undertaken in a mix of long and short days in order to make optimum use of equipment or resources.

The employee's application for a compressed working week and the Manager's decision should be made in writing using the procedure outlined in the Flexible Working Policy. Particular attention should be paid to the requirements of the Working Time Directive on minimum daily rest periods or compensatory rest between spells of duty.

The long hours shifts can be worked on any shift of the 7 day week except where they are used to cover particular clinic sessions only available at set times.

In some areas it may not be necessary for all members of staff in the area to work the same pattern. The compressed working week is probably most practical in an area with a mixture of working patterns to enable rosters to be covered effectively and agreement to compressed working weekly hours must always be assessed and agreed according to service need and reviewed annually as part of the appraisal process.

No employee will be required to work longer than 12 hours in any shift (excluding rest breaks).

No cover is provided on the non-working days.

Annual leave and public holidays for staff working a compressed working week will be calculated in hours to take account of the variation in length of working days.

6. Working at Home and Home Working

Working at Home

Many employees occasionally work at home to complete a project free of interruption or catch up on reading. This is usually an informal short term arrangement and as such does not require a formal application for home working to be made, but can be agreed verbally between the individual and the Line Manager on an ad-hoc basis. It is essential to remember that any agreed home working must be clearly documented so that the wider team are aware of the arrangements in place and that the employee is not expected to attend the workplace on that specific day.

Working at home can also be useful to:
• provide uninterrupted time to concentrate on a specific piece of work (e.g. a report) away from email, telephone and visitors.
• allow staff to continue to work when it would otherwise be necessary to take leave (e.g. when snow prevents the employee from travelling to work).
• avoid wasted journeys to work between meetings off site.

It should be noted that requests for working at home **must be made in advance** and be agreed by the manager. **It is not acceptable to use a ‘working at home’ day as a substitute for a days sickness absence.**

**Home Working**

The Trust recognises that planned ‘frequent’ and ‘permanent’ home working arrangements can bring significant benefits to the organisation in terms of:

• Improving productivity, quality and flexibility of service delivery.
• Reducing demand on office space allowing office accommodation to be used more effectively.
• Freeing up of car parking spaces and reducing traffic flow and congestion on site.
• Assisting with recruitment and retention of a diverse workforce.
• Reducing absenteeism.
• Allows the Trust to flex its workforce in response to peaks and troughs of service activity.
• Enabling key functions to be continued in the event of a major incident, adverse weather conditions or transport infrastructure problems.
• Promoting smarter working and the improved use of Information Technology.

Not all roles or individual employees are suitable for permanent home working or for working at home on a more planned frequent basis.

**Roles Not Suitable for Home Working**

• Roles that are mainly ‘hands-on’ where people or goods need to be handled
• Roles where a physical presence on-site is required in order to respond to operational pressures of the service
• Roles which involve the supervision or management of a team / group of staff

These roles may still be considered for occasional home working arrangements under the Flexible Working Policy.

**Roles Suitable for Home Working**

• Roles where services or sources of information can be accessed / delivered safely off site
• Roles where there is no requirement for supervision or management of a team of staff
• Roles which do not require an on-site presence to respond to operational pressures
• Roles where the employee is not required to cover the work of other staff

Regardless of role, not all employees will be considered appropriate for home working. Home working demands the individual to demonstrate particular personal attributes such as:

• Self discipline
• Self motivation
• Reliability
• Ability to cope without direct supervision
• Good organisational skills
• Ability to manage time effectively and meet deadlines
• Ability to cope with conflicting demands of work and family
Home working would be considered a legitimate reasonable adjustment to enable a disabled employee to remain in employment as long as it was deemed safe to do so for both the Trust and the employee.

Individuals requesting frequent or permanent home working arrangements must make themselves aware of their individual responsibilities with regard to:

- Health and safety at work issues
- Data protection and confidentiality issues
- Changes to home insurance cover
- Communication

Managers need to ensure that they have completed a full assessment of the individual and the home circumstances prior to agreeing permanent home working arrangements. **No request will be granted until a full assessment has been undertaken using the Managers Guide below.**

Trust policies and procedures will continue to apply and home / remote workers will still be entitled to enjoy the same benefits, salary review, appraisals, training and development opportunities etc.

There may be restrictive covenants, lease terms or similar legal restrictions preventing the use of an employee’s home for business use. The employee is responsible for checking that all home and contents insurance policies provide adequate cover for home working.

Following a request for home working the manager needs to consider:

- The nature of the work / role
- The personal characteristics of the individual making the request
- The impact on local service delivery (positive or negative)
- Cost implications
- The impact on the team (positive or negative)
- The impact on the Trust (positive or negative)
- The home working environment

**The nature of the work**

- Is the work self-contained / how much of it can be carried out away from the office?
- Is the work measurable? e.g. project work, report writing, agreed outputs.
- Can the work be carried out without frequent supervision and checking?
- Does the role involve supervision / management of other staff?
- Is the role a high profile leadership / advisory role where the person needs to be available and visible within the organisation?
- Does the role depend on paper files / large numbers of hard copy records? Would there be any data protection issues?
- Is the role ‘customer facing’?
- Could there be any personal danger to the employee if they carried this work out at home?

**Personal characteristics of the individual making the request**

- Is the employee self motivated and self disciplined?
- Is the employee able to work without direct supervision?
- Does the employee currently have any disciplinary / performance warnings?
- Does the employee have a good attendance record?
- Is the employee trustworthy and reliable?
- Is the employee likely to suffer personal detriment to their health from a home working arrangement?
- Is the employee covered by the DDA and is home working considered to be a reasonable adjustment?
- Does the employee have a statutory right to apply for home working as part of a flexible working arrangement?

**Service delivery, cost implications and impact on the Trust**

- Would there be any adverse effects on service delivery if this employee worked at home?
- Would there be any detriment to patients?
- Are there any benefits to service delivery if this employee worked at home?
- Would there be any additional cost to the department or Trust if this employee worked at home? If so what?
- Would there be any cost savings to the department or Trust if this employee worked at home? If so what?
- Could this home working arrangement be potentially detrimental to the Trust’s reputation?
- Could this home working arrangement put any individual or the Trust at risk in any way?

**Impact on the team**

- Does the employee supervise or manage a team of staff? If so what would there be any adverse impact on the team if this employee worked at home?
- Any benefits to the team if this employee worked at home?
• Has this home working proposal been discussed with the team? Are there any issues to be resolved?
• Is the employee willing to co-ordinate their time to ensure that team links are maintained?
• Has consideration been given to how home working will impact on appropriate and fair cover of work in the office? e.g. annual leave cover or cover of telephones.

**Home working environment**

• Does the home / place where the work will be carried out meet health and safety requirements?
  Has a workstation assessment been carried out?
• Is the home environment conducive to work and not subject to frequent interruptions / distraction / noise?
• Is there enough space to work comfortably?
• Is there adequate storage to maintain confidentiality and ensure security of any Trust property?
• Will the home working arrangement affect the employees home insurance?
FLEXIBLE WORKING / CHANGE OF EMPLOYMENT CONTRACT
PROCESS FLOWCHART

I wish to consider a change of contract / flexible working arrangements.

I have 26 weeks continuous service with UHS

YES

This is the only change of contract / flexible working request I have made within the last 12 months.

YES

Complete a Flexible Working Application Form (Appendix A) and submit it to your manager.

Manager confirms acceptance of receipt of application and arranges a meeting within 28 days.

Hold meeting to discuss application. Write to employee within 14 days to confirm decision.

Application accepted.

Manager authorises change of contract and agrees start date. Application form filed in personal file.

Start new flexible working arrangement on agreed date.

Application rejected with objective justification given.

Continue to work as per contract. Resubmit a further application in 12 months time if appropriate.

Review flexible working arrangement annually as part of the annual appraisal / job planning process.

NO

Not currently eligible to apply – discuss with your manager.

NO