

# Flexible Working Policy

Version No: 6

## Document Summary:

The NHS People Plan and People Promise sets out a series of commitments, one of which is we work flexibly which states:

- *We do not have to sacrifice our family, our friends or our interests for work.*
- *We have predictable and flexible working patterns – and, if we do need to take time off, we are supported to do so.*

These commitments seek to give staff greater choice over their working patterns, helping them to achieve a better work-life balance. This approach cements STHK as an employer of choice, as well as being part of the solution in addressing the current workforce shortages in the NHS, through attracting new joiners and returnees and better retaining current staff.

This document provides a clear and simple scope and procedure for applying, considering and responding to staff requests for flexible working based on a foundation of a flexible culture, universal right of access that is not segmented by gender, age, parenthood, or other specific demographics.

<b>Document status</b>	Approved	
<b>Document type</b>	Policy	Trust wide
<b>Document number</b>	STHK0009	
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<b>Review date</b>	<b>*3 years from approval date 31/11/2024</b>	
<b>Accountable Director</b>	Director of Human Resources	
<b>Policy Author</b>	HR Business Partner	
<b>Target audience</b>	All staff	

**The intranet version of this document is the only version that is maintained. Any printed copies should therefore be viewed as “uncontrolled”, as they may not contain the latest updates and amendments.**

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## Document Control

Section 1 – Document Information	
<b>Title</b>	Flexible Working Policy
<b>Directorate</b>	Workforce
<b>Brief Description of amendments</b>	
Updated to reflect legislation changes	
<b>Does the document follow the Trust agreed format?</b>	Yes
<b>Are all mandatory headings complete?</b>	Yes
<b>Does the document outline clearly the monitoring compliance and performance management?</b>	Yes
<b>Equality Analysis completed?</b>	Yes

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<b>Consultation Completed</b>	<input checked="" type="checkbox"/> Trust wide <input type="checkbox"/> Local <input type="checkbox"/> Specific staff group
<b>Consultation start date</b>	Click here to enter a date.
<b>Consultation end date</b>	Click here to enter a date.

Section 3 – Version Control		
Version	Date Approved	Brief Summary of Changes
5	30/11/2021	Updated to reflect legislation changes
	Click here to enter a date.	
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Section 4 – Approval – <i>To be completed by Document Control</i>	
<b>Document Approved</b>	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Approved with minor amendments
<b>Assurance provided by Author &amp; Chair</b>	<input checked="" type="checkbox"/> Minutes of Meeting <input type="checkbox"/> Email with Chairs approval
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## Quick Reference Guide

A clear and simple scope and procedure for applying, considering and responding to staff requests for flexible working based on a foundation of a flexible culture, universal right of access that is not segmented by gender, age, parenthood, or other specific demographics.

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## 1. Scope

This document provides a clear and simple scope and procedure for applying, considering and responding to staff requests for flexible working based on a foundation of a flexible culture, universal right of access that is not segmented by gender, age, parenthood, or other specific demographics. It also incorporates key changes to the NHS terms and conditions of service (NHS TCS) handbook; Section 33 comes into effect on 13 September 2021.

A Flow Chart detailing the Flexible Working Process appears at Appendix 1.

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## 2. Introduction

The Employment Act 2002 requires all employers to consider certain requests for changes to employee's terms and conditions to enable flexible working opportunities.

The NHS Staff Council, on behalf of NHS trade unions and employers, jointly agreed revisions to Section 33 of the NHS terms and conditions of service handbook, to include a new day one right to request flexible working, with no limit on the number of applications and regardless of the reasons for a request. The improvements are designed to support and facilitate a cultural change to ensure flexible working is available to all NHS staff. The contractual changes took effect on 13 September 2021.

There are also new requirements for better centralised oversight of processes to ensure greater consistency of access to flexible working. This includes an escalation stage for circumstances where a line manager is not initially able to agree a request.

As part of these contractual changes, STHK is expected to promote flexibility options at the point of recruitment and through regular staff engagement through one-to-ones, appraisals and team discussions.

The benefits to the organisation of an embedded culture of flexibility are numerous:

- Recruitment and retention of a talented and diverse workforce
- Increase in staff motivation
- Reduction in absence level
- Encourage employees to continue or further develop their careers
- Help the Trust to attract high calibre staff by offering working practices which suit individual circumstances
- Provide an opportunity to integrate careers and personal life
- Provide flexibility for managers to employ and retain skilled and experience staff

## 3. Statement of Intent

This policy aims to provide a consistent approach to consideration of flexible working requests from all employees from day one of employment, with no restrictions on the number of requests that can be made in a given period. This policy also offers a clear and centralised process of escalation in instances where a line manager is unable to initially approve a request to work flexibly.

## 4. Definitions

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Definition	Meaning
<b>Flexible Working</b>	'Flexible Working' is a phrase that describes any working pattern that is adapted to suit your needs. Section 6.4 details the flexible working options available.

## 5. Duties, Accountabilities and Responsibilities

### a. Director of Human Resources

The Director of Human Resources has delegated responsibility for this policy and procedure.

### b. Trust Board

The Trust Board has overall responsibility for meeting the statutory and contractual requirements relating to flexible working and that this policy is implemented. The Trust Board has overall responsibility for ensuring all requests are considered in accordance with Section 33 of the Agenda for Change Terms and Conditions Handbook, and that there is a continuing commitment to the training of managers in the implementation of this, and all other Trust policies.

The Board is also expected ensure the Trust promotes flexibility options at the point of recruitment and through regular staff engagement through one-to-ones, appraisals and team discussions

### c. The Governance Board

The Governance Board has delegated responsibility from the Trust Board for oversight of this policy and provides assurance to the Trust board. The Workforce Council is responsible for the monitoring the policy and reports to the Governance Board.

### d. Managers

Managers at every level in the organisation should challenge assumptions about the way work is done, asking with curiosity why things are done the way they are and trialling new ways of working. They play a vital role in helping foster a culture that is open to change with all staff adopting a test and learn mind-set that forms part of the organisation's culture.

Managers are responsible for dealing with flexible working requests appropriately and equitably by following the procedure and principles in the spirit of a flexible culture, detailed in this policy.

### e. Staff Members

Staff members should ensure that requests for flexible working arrangements are submitted in accordance with this procedure. Employees should be aware that there may be some occasions where the Trust wishes to provide support but may be unable to grant an initial request in part or full, albeit the Trust offers assurance of upholding the spirit of *making flexible working the default, rather than the exception*, in line with NHS Employers guidance. In these instances the Trust and Employee will work collaboratively on a solution so far as is practicable.

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## f. Human Resources

The Human Resources Team will provide support and advice to managers and staff regarding the operation of this policy having regard to the organisational requirements and individual needs.

## 6. Process

### a. Right to Request Flexible Working

In line with revisions to Section 33 (Balancing Work and Personal Life) of the National (AFC) Terms and Conditions, with effect from 13 September 2021 the Trust will consider all requests from staff for flexible working arrangements from day one of their employment and although staff are entitled to submit multiple flexible working requests, staff are encouraged to leave a reasonable time frame between requests.

In accordance with legislation the Trust will consider any application made for flexible working by following a fair procedure. The law, however, does not provide an automatic right for staff to change their working arrangements and there may be circumstances when the Trust is unable to accommodate the desired working pattern. In this situation, alternative arrangements will be explored and the Trust will only refuse a request if there is a business reason for doing so. These reasons are set out in Section 6.1.6 of this policy.

Each request will be considered on the basis of the particular work involved and the effect the change could have on the individual, their team and patient care.

Although there is no requirement to provide the reason for a flexible working application, staff are encouraged to identify if their request is made as a reasonable adjustment under the Equality Act 2010 which places a duty on the Trust to help staff overcome a disadvantage arising from a disability, including mental impairment (such as dementia) or other protected characteristic. Further information regarding this option and the process involved can be obtained from the relevant People Partner team.

#### i. The Application Procedure

#### ii. Informal Arrangements

The Trust is committed to protecting the health and wellbeing of its staff. It recognises the importance of assisting them in balancing their work and home life and acknowledges that their individual circumstances are likely to change at different times during their career. Staff are therefore encouraged to regularly engage in informal conversations about flexible working arrangements with their managers during both one-to-one and wider team meetings.

The roster team is available to support these conversations and managers are advised to contact their e-roster advisor for advice and support when considering how to accommodate an individual's informal 'personal pattern' or formal flexible working arrangement.

#### iii. Formal Arrangements – Exploratory Stage

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It is important that before making a formal application, staff give careful consideration to which working pattern will work best with their personal circumstances including any financial implications it might have on, for example, their salary, pension, terms and conditions, and salary sacrifice schemes (such as a lease car or additional annual leave).

Applications should be made using the form provided as Appendix 2. The process could take up to 12 weeks to complete (and sometimes longer where an extension is requested) staff are advised to ensure they complete the form with care and submit it to their manager well in advance of the proposed date of change.

Although there is no requirement for an individual to justify the reason for their request, they are encouraged to identify whether their application forms a reasonable adjustment under the Equality Act 2010 to help them overcome a disadvantage arising from a disability including a mental impairment such as dementia or other long-term conditions.

The appropriate manager should acknowledge receipt of the formal request and, if they cannot agree to it right away, arrange to meet with the staff member normally within 14 calendar days, and no later than 28 days of receiving the request to explore the proposed work pattern in depth and discuss how best it might be accommodated.

This meeting also provides an opportunity to consider alternatives should there be problems in accommodating the work pattern outlined in the application.

If required, staff may be represented at the meeting by a trade union or professional body representative, or a work colleague employed by the Trust (who should not be a family member). The representative or colleague can address the meeting or confer with the applicant but is not allowed to answer questions on their behalf.

Within 14 calendar days of the date of the meeting the manager will write to the member of staff notifying them of the decision. This will include either agreeing to a new work pattern and start date, or advising them that, as a mutually agreeable outcome could not be reached, their application is being escalated to seek other possible solutions.

There may be instances where the manager is unsure whether the arrangements requested are sustainable within the service or is concerned about the possible impact on other staff members. Subject to the staff member's agreement, the flexible working arrangements may be implemented on a temporary or trial period rather than rejecting the request. In these situations the agreed temporary/trial arrangements must be confirmed to the staff member in writing. This should include review dates when the manager and staff member can jointly discuss if arrangements are working and whether the trial is sustainable and can be made permanent.

Please note, for Medical and Dental staff, flexible working requests should be submitted to the Clinical Lead and Directorate Manager.

#### iv. Formal Arrangements – Escalation Stage

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Managers and staff are encouraged to engage in constructive and creative dialogue when looking for a mutually agreeable outcome that balances the needs of the individual, their team and the service.

However, if the manager and staff member are unable to reach agreement during the exploratory stage outlined above, the manager will write to the member of staff within 14 calendar days notifying them of the escalation stage.

During this stage the manager will proactively check to see whether any further options exist for accepting the request. This may include, for example, whether the request could be accommodated in the wider team or service, e.g. through reviewing vacancies, and seeking advice from the People Partner Teams for other potential solutions. Note: Managers may wish to consider agreeing an extension to the time limit for this part of the procedure.

Where a solution is agreed as a result of the escalation stage, this must be documented in writing to the member of staff within 14 calendar days of the date of the first formal meeting unless an extension has been agreed.

This should include the details of the provisions agreed and whether it is a temporary or permanent arrangement.

#### v. Formal arrangements – Application Agreed

In addition to documenting the details of the agreed flexible working arrangement (as described above) the manager will:

- in the case of contractual changes, such as a reduction in hours, ensure that a variation form is raised and submitted to the Employment Services team in a timely manner to avoid the staff member being overpaid
- liaise with the roster team to ensure any change in hours/working patterns, etc. is reflected in the roster, and
- where applicable, update and notify staff members of the consequent change to their annual leave/public holiday entitlement.

Once approved, the application will mean a permanent change to the staff member's terms and conditions of employment (unless agreed between both parties as a temporary measure). Nevertheless, managers will continue to hold regular discussions about how well the flexible arrangement is working (for both the individual and their colleagues) and there is no limit on the number of requests that a staff member may make.

#### vi. Formal Arrangements – Application Denied

In the event that, despite exhaustive discussion at the escalation stage, it is still not possible to accommodate any kind of mutually agreeable flexible working arrangement, the manager must write to the staff member confirming the specific business reasons (listed below) that apply:

- burden of additional cost

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- detrimental effect on ability to meet service demand
- inability to re-organise work among existing staff
- inability to recruit additional staff
- detrimental impact on quality
- detrimental impact on performance
- insufficiency of work during the periods the staff member proposes to work
- planned structural changes.

The reason(s) for declining the request must be justified objectively and details of the alternative arrangements considered must be clearly documented.

A template letter is provided for this purpose as appendix 4.

#### vii. Extension of Limits

There may be exceptional occasions when it is not possible to complete a particular part of the procedure within the specified time limit – for instance, when an application is escalated. Any extensions will need to be agreed by both parties. The manager should keep a written record of the agreement.

#### viii. Withdrawn Application

An application may be treated as withdrawn if the staff member:

- decides to withdraw the application, or
- fails to attend a meeting to discuss the application including any appeal and subsequently re-arranged meeting without good reason.

In all circumstances a written record should be kept.

#### ix. Appeal Process

Staff members have 14 calendar days to appeal in writing from the date of written notification of the original decision if they believe the request was not handled reasonably in line with the policy. The appeal should be made to the next senior manager above the manager who made the decision at the first stage. For Medical and Dental staff, the appeal should be submitted to the Divisional Medical Director and the Assistant Director of Operations for the relevant directorate.

The next senior manager must acknowledge receipt of the appeal and arrange an appeal meeting to take place within 14 calendar days of receiving notice of the appeal.

Staff members may be represented at the meeting by a trade union or professional body representative or a work colleague employed by the Trust (who should not be a family member). The representative or colleague can address the meeting or confer with the applicant but is not allowed to answer questions on their behalf.

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The manager hearing the appeal must inform the staff member of the outcome of the appeal in writing within 14 calendar days of the date of the meeting using the template letter provided as appendix 6.

A written notice of the appeal outcome constitutes the Trust's final decision and is effectively the end of the application process.

## 7. Flexible Working Options

### a. Part- Time Working

Part-time hours are where an employee works less than a whole time equivalent (wte). Some examples are working mornings, afternoons or school hours, alternative weeks or certain days per week.

### b. Job Share

Job Share is where a post is shared by 2 post holders (usually 50/50). It is important to note that job share is not part-time working and therefore the job sharers are responsible for the whole job, including keeping each other up to date on developments and handing over work.

### c. Temporarily Reduced Hours

Reduced working hours enables staff to continue to work when they are unable to fulfil the demands of full time work because of short term caring and other responsibilities. Pay is reduced accordingly and the agreed period will not normally be longer than 3 months. Subsequently staff will have the right to resume to their substantive hours of work.

### d. Phased Return to Work

A phased return to work following prolonged illness is covered under the Attendance Management Policy and if this is appropriate will be discussed with the staff member in conjunction with Human Resources and Health, Work & Well Being Service.

### e. Term Time Working

Demand for health services does not tend to diminish significantly during the school holidays and people do still need care all year round. There is a limit, therefore, to the number of posts (if any) that each department can accommodate on term time only contracts, therefore, this needs to be discussed and agreed with their manager.

Staff members who work in term time only do not work at all during the school holidays. This means the member of staff will only work either 38 or 39 weeks of the year. There is no entitlement to annual leave outside of the school holiday period.

### f. Flexi Time

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Where agreed locally, Flexi time allows normal working hours to be varied to suit the organisation and the staffs' needs, for example working from 10.00am to 6.00pm or 8.00am to 4.00pm rather than 9.00am to 5.00pm (core hours). Working hours may be staggered as and when needed. Core hours need to be established and agreed for the service and cover arrangements for service provision needs to be the responsibility of the team. Not all departments will offer flexi time if this does not meet with the need of the particular service, instead flexible working arrangements will be considered as an alternative.

#### g. Annualised Hours

Where agreed locally, this is a system whereby an employee's contract is defined in the number of hours to be worked over a 12 month period. It allows for hours of work to be spread throughout the year, with fewer hours to be worked at certain times.

This pattern is suitable in situations where there are predictable variations in activity levels for teams of staff over different periods, or individual staff whose workload is particularly heavy at certain times of the year.

#### h. Longer Working Day/ Compressed Hours

This allows for flexibility where a set number of days do not need to be worked each week. Hours can be regulated according to the level of workload. For example 4 longer days could be worked instead of 5. However this must be within health and safety legal requirements and adherence to the European Working Time Regulations.

Such a request would depend on the resultant disruptions to the shift pattern of work colleagues.

#### i. Secondments

The Secondment Policy can be located on the Trust Intranet.

#### j. Employment Break

The Employment Break Policy can be located on the Trust Intranet.

#### k. Self-Rostering

This system can only be introduced either across a whole department or section and requires a team approach to agree on a particular work pattern and appropriate skill mix required for each shift. Staff have the opportunity to state their preferred working patterns before a rota is drawn up.

#### l. Working from Home

Working from home may be possible on certain occasions with prior notice subject to the agreement of the Manager. Further guidance on Home Working may be obtained from the Agile Working Toolkit which can be obtained from the HR Department.

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### m. Flexible Retirement

Retirement options are available for employees who wish to take flexible retirement. For further guidance the Retirement Policy and Procedure can be located on the Trust Intranet.

### n. Short Term Change

If the Staff Member is only looking for an informal change to their working hours or conditions for a short period, for instance to cope with a bereavement or temporary care issue this should be dealt with outside this policy to enable them to work to a temporary revised conditions of employment and revert back to their old conditions after a specified period. Staff members should contact HR for advice in the first instance.

## 8. Training

Managers should be fully conversant with this Flexible Working Policy and its application.

The Trust acknowledges the importance of awareness training for line managers to ensure the effective dissemination and implementation of this Policy. Working in partnership the Human Resources Department will provide appropriate support including policy briefing sessions, Toolkits, Policy Guides and information at Trust Induction.

## 9. Monitoring Compliance

### a. Key Performance Indicators (KPIs) of the Policy

No	Key Performance Indicators (KPIs) Expected Outcomes
1	Managers are meeting with employees within 28 working days following a request submission.
2	Managers are informing employees of their decision on a request within 14 working days from meeting with them.
3	Managers are seeking HR and operational colleague advice and feedback as part of the formal escalation process to creatively consider all opportunities to work flexibly and this is appropriately recorded
4	Managers are dealing with appeals appropriately and within appropriate timescales
5	Consultation process is appropriate
6	Approval process is appropriate
7	Archive process is appropriate

### b. Performance Management of the Policy

Minimum Requirement to be Monitored	Lead(s)	Tool	Frequency	Reporting Arrangements	Lead(s) for acting on Recommendations
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Audit of at least 3 procedural documents	Policy Governance Group	Random review of procedural documents to be agreed by the Policy Governance Group	Monthly review of sample of 3 procedural documents	Policy Governance Group and Quality Committee	Author(s) Policy Governance Group Members
95% of procedural documents on the intranet are within review date	Quality & Risk Office Manager / Assistant Director of Governance	Monthly report to be submitted to Policy Governance Group showing compliance	Monthly	Policy Governance Group and Quality Committee (annually)	Author(s) Policy Governance Group Members Lead Executive Director(s)

## 10. References

No	Reference
1	Equality Act (2010)
2	Work and Families Act (2006)
3	Employment Act (2002) particularly section 47
4	Employment Rights Act 1996 (and as amended)
5	The Flexible Working (Procedural Requirements Regulation) (2002) (SI 2002/ 3207)
6	The Flexible Working (Eligibility, Complaints and Remedies) Regulations 2002 (SI 2002/2866)
7	The Flexible Working (Eligibility, Complaints and Remedies) (Amendment) Regulations 2006
8	The Flexible Working (Eligibility, Complaints and Remedies) (Amendment) Regulations 2007
9	The Working Time Regulation 1998 (SI 1998/ 1883) (WTR)
10	The Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2002 (Amendment Regulations 2002) (SI 2002/ 2035)
11	Employment Protection (Part-Time Employees) Regulations 1995
12	Disability Discrimination Act 1995 (DDA)
13	The Disability Discrimination Act 1995 (Amendment) Regulations 2003
14	The Disability Discrimination Act 2005
15	The Maternity and Parental Leave, Paternity and Adoption Leave (Amendment) Regulations 2006 01744 62 666

## 11. Related Trust Documents

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No	Related Document
1	Trust Attendance Management Policy
2	Trust Secondment Policy
3	Trust Employment Break Policy
4	Trust Retire and Return Policy



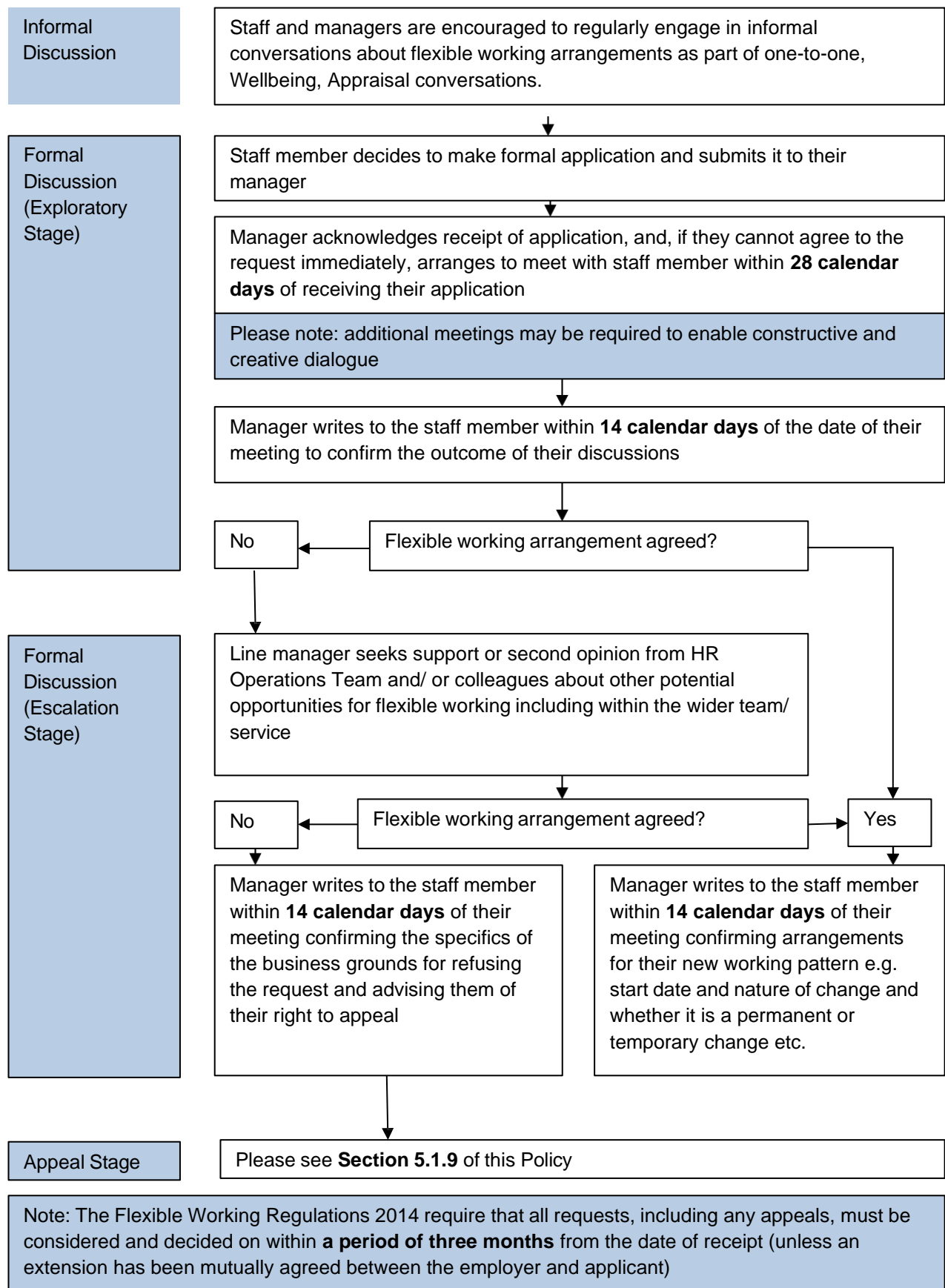
## 12. Equality Analysis Form

The screening assessment must be carried out on all policies, procedures, organisational changes, service changes, cost improvement programmes and transformation projects at the earliest stage in the planning process to ascertain whether a full equality analysis is required. This assessment must be attached to all procedural documents prior to their submission to the appropriate approving body. A separate copy of the assessment must be forwarded to the Patient Inclusion and Experience Lead for monitoring purposes. [Cheryl.farmer@sthk.nhs.uk](mailto:Cheryl.farmer@sthk.nhs.uk). If this screening assessment indicates that discrimination could potentially be introduced then seek advice from the Patient Inclusion and Experience Lead. A full equality analysis must be considered on any cost improvement schemes, organisational changes or service changes which could have an impact on patients or staff.

Equality Analysis			
<b>Title of Document/proposal /service/cost improvement plan etc:</b>		Flexible Working Policy	
<b>Date of Assessment</b>	30/11/2021	<b>Name of Person completing assessment /job title:</b>	Emma Radcliffe
<b>Lead Executive Director</b>	Director of Human Resources		HR Business Partner
<b>Does the proposal, service or document affect one group more or less favourably than other group(s) on the basis of their:</b>		<b>Yes / No</b>	<b>Justification/evidence and data source</b>
1	Age	No	Applicable to all staff
2	Disability (including learning disability, physical, sensory or mental impairment)	No	Applicable to all staff
3	Gender reassignment	No	Applicable to all staff
4	Marriage or civil partnership	No	Applicable to all staff
5	Pregnancy or maternity	No	Applicable to all staff
6	Race	No	Applicable to all staff
7	Religion or belief	No	Applicable to all staff
8	Sex	No	Applicable to all staff
9	Sexual Orientation	No	Applicable to all staff
<b>Human Rights – are there any issues which might affect a person's human rights?</b>		<b>Yes / No</b>	<b>Justification/evidence and data source</b>
1	Right to life	No	Not applicable to policy
2	Right to freedom from degrading or humiliating treatment	No	Not applicable to policy
3	Right to privacy or family life	No	Not applicable to policy
4	Any other of the human rights?	No	Not applicable to Policy
<b>Lead of Service Review &amp; Approval</b>			
<b>Service Manager completing review &amp; approval</b>		Ngozi Anya	
<b>Job Title:</b>		Head of Human Resources	

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## Appendix 1 – Flowchart Showing Stages of Flexible Working Request



## Appendix 2 – Flexible Working Form for Request for a Change in Work Pattern

Name:	Ward/Department/Directorate:
Job Title:	Length of Service
Current Number of Hours Worked:	Current Work Pattern:
Flexibility in Employment Request (please detail in box below)	
e.g. reduction in contractual hours, phased return, term time only, flexi time, annualised hours, weekend only, longer days/ compressed hours, team self-rostering	
Reason for Change:	
Proposed Hours:	Proposed Working Pattern:
If your proposal is temporary please state the length of time you would wish the arrangement to continue, (6 months – 3 months) etc.	
Employee Signature:	Date:

## Appendix 3 – Useful Contact Numbers

<p>Mersey and West Lancashire NHS Trust Teaching Hospital NHS Trust – HR Team</p>	<p>Medical Care Group Leanne Williams, HR BP <a href="mailto:Leanne.Williams2@sthk.nhs.uk">Leanne.Williams2@sthk.nhs.uk</a> Claire Lyon, HR Advisor <a href="mailto:Claire.Lyon2@sthk.nhs.uk">Claire.Lyon2@sthk.nhs.uk</a></p> <p>Surgical Care Group Sandra Cole, HR Business Partner <a href="mailto:Sandra.Cole@sthk.nhs.uk">Sandra.Cole@sthk.nhs.uk</a> Julie Crosby, HR Advisor <a href="mailto:Julie.Crosby@sthk.nhs.uk">Julie.Crosby@sthk.nhs.uk</a></p> <p>Corporate and Clinical Support Services Diana Lewis, HR BP <a href="mailto:Diana.Lewis@sthk.nhs.uk">Diana.Lewis@sthk.nhs.uk</a> Amy Chowdhury, HR Advisor <a href="mailto:Amy.Chowdhury@sthk.nhs.uk">Amy.Chowdhury@sthk.nhs.uk</a></p> <p>Community Services Emma Radcliffe HR BP <a href="mailto:Emma.Radcliffe@sthk.nhs.uk">Emma.Radcliffe@sthk.nhs.uk</a> Paul Jones <a href="mailto:Paul.Jones5@sthk.nhs.uk">Paul.Jones5@sthk.nhs.uk</a></p> <p>Medical Workforce Colette Hunt, HR BP <a href="mailto:Colette.Hunt@sthk.nhs.uk">Colette.Hunt@sthk.nhs.uk</a> Michelle Duckworth, HR Advisor <a href="mailto:Michelle.Duckworth@sthk.nhs.uk">Michelle.Duckworth@sthk.nhs.uk</a></p>
<p>Mersey and West Lancashire Teaching Hospitals NHS Trust - Workforce ED&amp;I Lead</p>	<p>Dr Laura Marks <a href="mailto:Laura.Marks@sthk.nhs.uk">Laura.Marks@sthk.nhs.uk</a></p>

## Appendix 4 – Outcome of Meeting Letter

Date

**Strictly Private & Confidential**

Employees Full Name  
Home Address Line 1  
Home Address Line 2  
Home Address Line 3  
Postcode

Dear First Name,

**Re: Request to Work Flexibly**

I am writing to confirm the outcome of our recent meeting held on xxx which was conducted in line with the Trust's Flexible Working Policy.

Delete as appropriate a), b) or c) below

At this meeting, I considered your request and I write to inform you that

a) I support your request and this new arrangement will begin on xxxx. There is no automatic right to transfer back to the original contract or working arrangements once a flexible agreement has been entered into.

b) I support your request on a trial basis and we will review this arrangement after three months. However, if during this trial period the new working arrangements are not working satisfactorily, then either party will have the right to return to the original contract and the date will be decided in agreement.

I will complete the payroll paperwork so that this change is reflected on the ESR system.

c) At this meeting I considered your request and I write to inform you that I do not support your request to work flexibly and my reason for this is (delete as appropriate)

- The burden of additional costs is unacceptable
- There is an inability to re-organise work amongst existing staff
- Inability to recruit additional staff
- The change will have a detrimental impact on quality
- The change would have a detrimental effect on the ability to meet patient care

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- There would be a detrimental impact on performance
- There is insufficient work during the periods proposed to be worked.
- There are a planned changes due to re-organisation / service changes

This decision incorporates feedback from HR and operational colleagues gained as part of the formal escalation process as follows: xxxxxx

You may wish to appeal against this decision and this should be to the Head of Human Resources, HR Department, Whiston Hospital within 7 days of receipt of this letter.

If you have any queries in relation to the above please do not hesitate to contact me.

Yours sincerely

**LINE MANAGER  
TITLE**

cc. personal file

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## Appendix 5 – Invite to Appeal

Date

**Strictly Private & Confidential**

Employees Full Name  
Home Address Line 1  
Home Address Line 2  
Home Address Line 3  
Postcode

Dear xxxxxx

**Re: Appeal**

I am writing to you further to your letter of **DATE**, in which you stated you wished to appeal against the decision made not to grant your flexible working request.

I would therefore like to meet with you on **DATE at TIME in VENUE**. Also present at this meeting will be **NAME, HR REPRESENTATIVE**. You have the right to be accompanied to this review meeting by a recognised trade union representative or a work based colleague. I would be grateful if you could inform me if you are to be accompanied and if so by whom at least a day before the meeting.

Please find enclosed papers that I have received in relation to your appeal and a copy of the Trust's Flexible Working Policy.

If you have any queries in advance of the meeting please do not hesitate to contact me.

**NAME**  
**TITLE**

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## Appendix 6 - Confirmation of Appeal Outcome



St Helens and Knowsley  
Teaching Hospitals  
NHS Trust

Date

### Strictly Private & Confidential

Employees Full Name  
Home Address Line 1  
Home Address Line 2  
Home Address Line 3  
Postcode

Dear First Name,

### Re: Appeal

I am writing to confirm the outcome of your appeal hearing which took place on **DATE** in line with the Trust's Flexible Working Policy. In your invite letter you were given the opportunity to be accompanied at this meeting and note that you were/ were not accompanied at this appeal **by NAME**.

The purpose of this meeting was to consider the decision not to grant your application to work flexibly.

Delete as appropriate \*

I can confirm that I upheld the decision not to grant your request for flexible working for the following reasons xxxxxxxxxxxx.

Please note that this is the concluding stage of the procedure and therefore this decision is final.

Or

I can confirm that I over turned the decision made not to grant your request for flexible working. I reached this decision due to the fact that .....[Detail reasons].

You will be able to commence your new working hours/ pattern of xxxxxxxx on xxxxxxxx and this will be initially for a trial period for 3 months and then it will be reviewed to assess if the arrangement is working satisfactorily. Please note that this is the concluding stage of the procedure and therefore this decision is final.

If you have any queries in relation to the above please do not hesitate to contact me

**NAME**  
**TITLE**

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