PUBLISHED INFORMATION REQUEST

Reference: 8325
Description: Staffing - Flexible Policy & Adoption

Response

I am investigating Flexible Policy and Adoption within NHS Trusts and as a result would appreciate if you would be able to answer the following questions under the freedom of information act:

1. Do you offer flexible working policies to address the different types of flexible working listed below (Yes/No):

   a) Part-time working Yes
   b) Flexitime - Yes
   c) Job sharing - Yes
   d) Compressed hours - Yes
   e) Annual hours - Yes
   f) Term-time working - Yes
   g) Home working - Yes
   h) Voluntary time – we are unable to answer this question as we do not understand what is meant by Voluntary time
   i) Zero-hour contracts – The Trust does not offer Zero-hour contracts to employees. Workers are hired on a flexible bank contract and work the hours they choose.
   j) Other - Yes

2. Please provide the number of staff accessing flexible working by the following staff groups in the years 2017/18 and 2018/19 (Headcount):

<table>
<thead>
<tr>
<th></th>
<th>2017/18</th>
<th>2018/19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical</td>
<td></td>
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<tr>
<td>Nursing</td>
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<td>AHP/Scientific</td>
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<td>NMNC</td>
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<tr>
<td>Total</td>
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</table>

Trust Headquarters:
Westmorland General Hospital
Burton Road
Kendal
LA9 7RG

Chair: IAN JOHNSON
Chief Executive: AARON CUMMINS
The Trust is able to provide this information, but as the data is not centrally held and the complexity associated with gathering on five sites (Royal Lancaster Infirmary, Westmorland General Hospital, Furness General Hospital, Queen Victoria Hospital and Ulverston Health Centre) it is believed that this will take over 18 hours to complete.

The Trust considers the above/part of the above request for information exempt under Section 12(1) of the Freedom of Information Act (2000) as we believe responding would exceed the appropriate limit. For the NHS this is regulated as 18 hours of staff time, costed at £450, for each request or multiple requests off the same person under Section 12 (4) (a).

3. Please provide the following details around flexible working requests and agreements over the past 12 months (Headcount):

<table>
<thead>
<tr>
<th></th>
<th>Total number of staff</th>
<th>Number of flexible working requests</th>
<th>Number of flexible working agreements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Female</td>
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<tr>
<td>16-40 Years of Age</td>
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<tr>
<td>40+ Years of age</td>
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</table>

Please see response to Question 2.

4. On average, how long does a flexible working agreement last (Years/Months)?

Where requests are agreed, these should be reviewed at least every 12 months.

5. Are flexible working agreements recorded against the employee HR record (ESR)?

No, the flexible working agreements are not recorded against the employee HR record.

6. What % of vacancies in your organisation have been specifically targeted at reaching individuals seeking flexible working arrangements?

Our vacancies are not targeted towards flexible working unless it is on a job share basis; however, all members of staff have the option of discussing flexible working at interview.

7. Has your organisation seen any quantifiable or measurable returns through the implementation or adoption of flexible working?

This information is not logged centrally and therefore we are unable to quantify returns.

8. Is training available to managers around dealing with flexible working?

   a. What % of managers have received training around flexible working?

      There is no specific training. However, we have clear guidelines within our policies.

[Type text]
Process and Providers of flexible working

9. **Please provide details on the organisation’s application process for a member of staff wishing to engage in a flexible working arrangement. Within which, please indicate whether this process is manual or supported via an electronic system.**

   It is a manual process, not supported by an electronic system. Please see the attached Work and Home Life Policy Version 1.2.

10. **Does your organisation use any 3rd party systems to enable or facilitate the flexible working application process and flexible working arrangements?**

   b. **Please provide the name of the system[s] used**

   The Trust do not use a third party system to track, enable or facilitate flexible working applications.
<table>
<thead>
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<th><strong>Unique Identifier:</strong></th>
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<tbody>
<tr>
<td>Policy</td>
<td>CORP/POL/137</td>
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<thead>
<tr>
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<th><strong>Version Number:</strong></th>
</tr>
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<tbody>
<tr>
<td>Work and Home Life Policy</td>
<td>1.2</td>
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<table>
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<tr>
<th><strong>Scope:</strong></th>
<th><strong>Classification:</strong></th>
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<tr>
<td>Trust Wide</td>
<td>Organisational</td>
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<table>
<thead>
<tr>
<th><strong>Author / Title:</strong></th>
<th><strong>Responsibility:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Christopher Brisley, Workforce Advisor</td>
<td>Workforce &amp; Organisational Development</td>
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</tbody>
</table>

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<tr>
<th><strong>Replaces:</strong></th>
<th><strong>Head of Department:</strong></th>
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</thead>
<tbody>
<tr>
<td>Version 1.1, Work and Home Life Policy, Corp/Pol/137</td>
<td>Lyn Hadwin, Head of Workforce Delivery</td>
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<th><strong>Date:</strong></th>
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<th><strong>Date:</strong></th>
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<th><strong>Review dates may alter if any significant changes are made</strong></th>
<th><strong>Review Date:</strong></th>
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<tbody>
<tr>
<td></td>
<td>01/11/2020</td>
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</tbody>
</table>

**Which Principles of the NHS Constitution Apply?**
Please list from principles 1-7 which apply
1, 3, 4,

Principles

**Which Staff Pledges of the NHS Constitution Apply?**
Please list from staff pledges 1-7 which apply
1, 2, 3, 4, 5,

Staff Pledges

Does this document meet the requirements of the Equality Act 2010 in relation to Race, Religion and Belief, Age, Disability, Gender, Sexual Orientation, Gender Identity, Pregnancy & Maternity, Marriage and Civil Partnership, Carers, Human Rights and Social Economic Deprivation discrimination? Yes

**Document for Public Display:** Yes

**Reference Check Completed by……….Paul Tickner…………Date……..14/11/2017……..**

To be completed by Library and Knowledge Services Staff
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<td>11</td>
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</tbody>
</table>
BEHAVIOURAL STANDARDS FRAMEWORK

To help create a great place to work and a great place to be cared for, it is essential that our Trust policies, procedures and processes support our values and behaviours. This document, when used effectively, can help promote a workplace culture that values the contribution of everyone, shows support for staff as well as patients, recognises and celebrates the diversity of our staff, shows respect for everyone and ensures all our actions contribute to safe care and a safe working environment - all of which are principles of our Behavioural Standards Framework.

**Behavioural Standards Framework – Expectations ‘at a glance’**

<table>
<thead>
<tr>
<th>Introduce yourself with #hello my name is...</th>
<th>Value the contribution of everyone</th>
<th>Share learning with others</th>
</tr>
</thead>
<tbody>
<tr>
<td>Be friendly and welcoming</td>
<td>Team working across all areas</td>
<td>Recognise diversity and celebrate this</td>
</tr>
<tr>
<td>Respect shown to everyone</td>
<td>Seek out and act on feedback</td>
<td>Ensure all our actions contribute to safe care and a safe working environment</td>
</tr>
<tr>
<td>Put patients at the centre of all we do</td>
<td>Be open and honest</td>
<td>For those who supervise / manage teams: ensure consistency and fairness in your approach</td>
</tr>
<tr>
<td>Show support to both staff and patients</td>
<td>Communicate effectively: listen to others and seek clarity when needed</td>
<td>Be proud of the role you do and how this contributes to patient care</td>
</tr>
</tbody>
</table>
Flexible Working Options

- Job Sharing
- Working from Home / Flexible Locations
- Part-Time Working
- Compressed Hours
- Flexitime
- Staggered Hours
- Flexible Retirement
- Career Breaks
- Term-time Working or Annualised Hours

Making a Request

Staff member emails or writes to their manager detailing the request (including date to start, if an existing request exists, how the proposed change might impact the department and stating if the request is made under the Equality Act)

A meeting should be held within 28 days to discuss the request and make a decision

Once a meeting has taken place the manager should email or write to the individual summarising the discussions and clearly stating if the application was approved or not

If the member of staff disagrees with the decision they can appeal by emailing or writing to the next manager up. This manager should arrange a formal meeting to review the request and make a decision

Key Changes

What is different in the new policy?

- All staff can apply for flexible working even if they do not have a legal right to do so
- Requests for flexible working are no longer made via a form. Staff can request flexible working by email or letter to their manager
- All guidelines are now included within the appendices of the policy
- Informal discussions and agreements are promoted, as these can remove barriers for those who wish to apply for flexible working

Legalities

- Anybody with 26 weeks continuous employment who has not applied for flexible working in the prior 12 months has the legal right to apply for flexible working (though there is no legal obligation to automatically grant the request)
- Managers should meet to discuss a request within 28 days
- Managers should consider requests relating to reasonable adjustments for staff covered by the Equality Act 2010
- Requests and appeals must be considered, decided upon and implemented (if applicable) within three months of receiving the request

This Policy on a Page is a tool for staff and managers. It is a summary and should be used in conjunction with the full policy.
1. SUMMARY

The University Hospitals of Morecambe Bay (the Trust) strives to be “a great place to be cared for; a great place to work” and an organisation which provides quality, compassionate care and supports its staff. For this ethos to be embedded, our organisational culture should recognise the value of a healthy work and home life balance and support staff in achieving it. Such an approach helps to ensure that staff are at their best when they are in work, allowing them to deliver the best possible care.

The Trust takes a zero-tolerance approach to discrimination on the grounds of age, disability, gender, gender identity or reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. This policy should be applied in a fair manner in line with the Equality Act 2010 and our Trust Values. The Trust is committed to Partnership working and this policy has been developed in collaboration with Trade Unions/professional organisations.

This policy supersedes any previous Trust Work-Life Balance policy and guidelines.

2. PURPOSE

The evidence base for improved work and home life balance shows that it can result in:

- Improved staff engagement, commitment and motivation
- A more efficient and productive workforce and organisation
- Better retention of valuable employees
- Reduced levels of absence, sickness and stress through improved health and wellbeing
- Better service provision
- Working hours that best suit our patients, our services and individual members of staff
- Greater creativity and innovation
- An environment where staff can flourish and achieve their full potential

The promotion of a work and home life balance for all employees will enable us to be fully inclusive, where we meet the needs of all staff, including those from protected groups, promoting a diverse workforce with a greater diversity of thought.

There are also additional benefits in regards to the recruitment process, as we can attract a diverse range of candidates, help promote the benefits of working for the Trust and establish UHMB as an employer of choice.

This policy is written to help staff achieve this and support managers in actively promoting a healthy work and home life balance within their teams. Managers should listen with fascination, show compassion & understanding and act with intelligence when considering flexible working requests. Additionally, managers should also ensure all staff are aware of the Work and Home Life policy and the flexible working options available to them.
3. **SCOPE**

This policy applies to all current employees of the Trust and should be read in conjunction with the terms and conditions of employment.

4. **POLICY**

4.1 Making a Request

An individual wishing to work flexibly should request to meet their manager informally to discuss their request. It is recommended that the individual writes to or emails their manager with the details of their request before the meeting, detailing:

- The change to working conditions they are seeking and the date they would like the change to take effect
- Whether they have made a previous application for flexible working and the date of that application
- What changes to working conditions they are seeking and how they think this may affect the business e.g. cost saving to the business
- If they are making their request in relation to the Equality Act 2010, for example, as a reasonable adjustment for a disabled employee

Once a request is received a meeting should be held as soon as possible but within 28 days of the request being received.

In this meeting, an individual should discuss the details of their request and demonstrate consideration for how this request may impact the service their department provides, and how it could be mitigated. In demonstrating this, it might be necessary for discussions to take place between the individual and other team members prior to a request being agreed.

Where the individual making the request can demonstrate that they have taken the potential impact upon the department into consideration, and sought views and opinions from colleagues, it can help with their request being approved and can demonstrate how patient care and consideration of colleagues is put at the centre of decision-making.

Where an approval or refusal is made it is best practice for this to be documented in a letter or e-mail, with the arrangements confirmed and discussions summarised. Where requests are agreed these should be reviewed at least every 12 months.

It may be helpful for the arrangement to be agreed on a trial or temporary basis, to allow both the employee and their manager to see how the new working pattern works in reality. The duration of the trial period should be documented with a review meeting diarised in at that point.

Flexible working options can be tailored to fit the circumstances of the individual and each type of flexible working should not be seen as mutually exclusive. For the different types of flexible working options available please refer to appendix 1.

Managers should also understand that some staff have a legal right to apply for flexible working, however those who do not have are not prevented from applying. Those staff who have a legal right to apply:

- Have 26 weeks continuous employment with the Trust on the date the application is made
- Have not applied to work flexibly under this right during the past 12 months

Though there is a legal right in the above circumstances to have a request considered,
there is no legal obligation to have a request granted.

4.2 Making a Decision – for Managers

Managers have a responsibility to understand and assess how working patterns impact the service that their department delivers.

In making a decision whether to agree a request, managers have the responsibility to:

- Consider requests from all staff who wish to change their existing working patterns
- Take the time to meet with staff who want to discuss flexible working options
- Ensure that honest and open communication is maintained
- Assess any potential impact upon service delivery and how each request will impact this
- Understand health and safety responsibilities, including any lone worker issues and working time regulations
- Understand that individuals make flexible working requests for a number of reasons and a manager’s own perception of importance should not influence the decision-making process
- Should not scrutinise why a member of staff is making a particular request, as this can discourage flexible working and potentially cause embarrassment or resentment between staff
- Consider pay and benefit implications which may be adjusted on a pro-rata basis and the effects of the proposed changes. Any changes should be explained and agreed with the individual member of staff
- Understand any additional costs which may be incurred
- Address how work could be reorganised amongst existing staff
- Understand any potential impact that agreeing a request could have on quality or performance
- Take into consideration any planned structural changes within the department
- Take into consideration any impact on, or due to, pre-existing flexible working arrangements within the team
- Take into consideration any impact on colleagues and their existing working patterns and workload.

Managers should also be aware that they are required by law to consider requests for flexible working options as part of the Trust’s duty to make reasonable adjustments under the Equality Act 2010 for employees who belong to a protected group.

Additionally, managers have a responsibility to ensure that any individual who makes a request to work flexibly is not treated less favourably than their colleagues because of their application.

Where a request cannot be accommodated, a manager should offer an alternative where possible.

Requests and appeals must be considered and decided upon within three months of the receipt of the request.
4.3 Appealing a Decision

There may be circumstances where a manager is unable to agree to a flexible working request or offer an alternative that the employee agrees to. In circumstances where an employee is not happy with the decision made they can appeal the decision by writing to the appropriate next level of management. This manager should arrange a formal meeting to review the application and should also abide by the principles and timeframes outlined in section 4.2.

As noted in section 4.2, requests and appeals must be considered and decided upon within three months of the receipt of the request.

4.4 Further Information and Advice

Advice for making or reviewing a flexible working request is available for staff and managers through the Trust’s Ask SAMI workforce advisory service.

5. ATTACHMENTS

<table>
<thead>
<tr>
<th>Number</th>
<th>Title</th>
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<tbody>
<tr>
<td>1</td>
<td>Equality &amp; Diversity Impact Assessment Tool</td>
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6. OTHER RELEVANT / ASSOCIATED DOCUMENTS

Unique Identifier | Title and web links from the document library

7. SUPPORTING REFERENCES / EVIDENCE BASED DOCUMENTS

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8. DEFINITIONS / GLOSSARY OF TERMS

<table>
<thead>
<tr>
<th>Abbreviation or Term</th>
<th>Definition</th>
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9. CONSULTATION WITH STAFF AND PATIENTS

Enter the names and job titles of staff and stakeholders that have contributed to the document

<table>
<thead>
<tr>
<th>Name</th>
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10. DISTRIBUTION PLAN

Dissemination lead: Christopher Brisley

Previous document already being used? Yes

If yes, in what format and where? Policy on TPDL

Proposed action to retrieve out-of-date copies of the document: Replace previous policy with new policy

To be disseminated to: All managers and staff

Document Library

Proposed actions to communicate the document contents to staff:
Include in the UHMB Friday Corporate Communications Roundup – New documents uploaded to the Document Library Communication through Divisional Management Team meetings

11. TRAINING

Is training required to be given due to the introduction of this policy? No

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<th>Action required</th>
<th>Implementation Date</th>
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## 12. AMENDMENT HISTORY

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<td>Page 4</td>
<td>Policy on a Page added</td>
<td>01/11/2020</td>
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<tr>
<td>1.2</td>
<td>02/02/2018</td>
<td>Appendix 1 (page 16)</td>
<td>Added: Doctors applying for career break/sabbatical</td>
<td>01/11/2020</td>
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</table>
Appendix 1: Options for Creating a Work and Home Life Balance

Job sharing

Where two (or more) employees share the responsibility and accountability of one full time job, and receive salary and benefits on pro-rata basis. This can allow for part-time working for positions with the Trust which carry a greater level of responsibility. It can mean that the Trust is able to utilise the unique skill-sets and experience of two employees for one post.

Where this is requested, encouraged or authorised, the responsible manager should consider:

- That work is clearly assigned and divided between the employees, and regularly monitored to ensure that an imbalance of work is not occurring between the two individuals.
- That clear lines of responsibility and decision making are created to avoid any confusion around who takes the lead on specific tasks or responsibilities.
- That the job sharers’ skill-sets and knowledge must complement each other and offer an effective combination of expertise.
- That excellent channels of communication must be in place between the employees undertaking the job share. Excellent communication will be needed to avoid misunderstandings, inaccuracies or a failure to relay important information.
- This opportunity for working flexibly could arise from a request from an individual or individuals, or could be utilised by a recruiting manager and stated in a job advert to attract a greater number of applicants.

Working from Home / Flexible Locations

It may be possible for an individual to do some or all of the work from home, anywhere else other than the normal place of work or at multiple and flexible locations.

Where this is requested, encouraged or authorised, the responsible manager should consider:

- A home-based working arrangement will only be entered into on a voluntary basis
- An employee cannot be directed to work from home
- A ‘one-off’ request to work from home does not require formal application
- Home-based work means regular performance of ordinary hours of duty at a home-based work site
- An employee who has entered into a home-based work agreement is prohibited from contracting out his/her work
- The duties to be performed whilst undertaking a home-based work arrangement should be clearly detailed and formalised prior to commencing such an arrangement
- Likewise measurement of output and supervision shall be agreed upon prior to the arrangement being in place
- Work that involves a high degree of individual autonomy and independence is most suitable for a home-based working arrangement
• Requests to work from home should not be used to disguise other issues such as a poor sickness/attendance record or childcare

• Under the Health and Safety at Work Act (1974), an employer must provide a safe working environment and duty of care as far as reasonably practicable for employees. The same applies to the home-based site. Therefore prior to an employee being granted approval to commence home-based work the following shall occur:
  o The Manager and the employee will clearly designate the area of the home-based site to be deemed as the worksite
  o The employee will carry out a Trust Risk Assessment form and Workstation Risk Assessment form (with the assistance of a trained Risk Assessor) to ensure that the basic health and safety requirements in setting up a work area have been met. In the event that the equipment/resources to be used at the home-based site do not meet safety standards, the home-based work arrangement will not be approved until appropriate changes have been made

• In the event of being injured in the course of performing work related duties, the incident/accident must be reported immediately by telephone to the employee’s senior manager in accordance with Trust policy

• Travel between home and the Trust work base is not considered to be in working hours. Therefore it is important to stipulate in the work agreement the hours and duties being performed at the home based site

• Prior to an employee being granted approval to commence home-based work the employer and the employee will complete an equipment checklist to determine items required by the employee in order to undertake their work duties at the home based site. The list includes method of communication such as telephone/mobile telephone, computing equipment and stationery

• It is preferred that all employees use equipment owned by the Trust when working from home. It is essential that Trust PC’s are always used for home working

• The employee is to take all reasonable precautions to ensure that equipment owned by the Trust and located in the designated work area of the home-based work site is treated in the same manner which applies at the employee’s usual place of work thus avoiding:
  o Damage to equipment
  o Damage to home-based site
  o Injury to themselves
  o Breach of confidentiality

• The completed Trust Risk Assessment and Workstation Risk Assessment forms should be submitted to the Manager and Trust Health & Safety Advisor

• The Divisional General Manager or Head of Department (as appropriate) should regularly review the home-based working arrangement and this can be withdrawn as appropriate.

• The Head of Department and home-based employee must ensure that arrangements are in place for the security of the computer network and that the employee whilst working from home will abide by the Trust policy

• The employee must be available for contact by phone by colleagues during specified hours of home-based work. Confidentiality of the employee’s home phone number and address must be maintained
• The consent of a home-based employee is required before access can be obtained to a home-based work site. Reasonable access should not be denied for reasons that include:
  ○ Routine maintenance of equipment and supplies
  ○ Assessing and monitoring security arrangements of equipment and documents
  ○ Health and Safety Inspections
  ○ IT incident investigation
  ○ Supervision

Part-Time Working

Working less than full-time hours (usually by working fewer days). There are no set number of hours that makes someone full or part-time; part-time working can be a good way of balancing work and personal commitments.

Points to consider for part time working:

• Part-time workers have the right not to be treated less favourably than a full time worker doing the same or similar work regarding the terms of employment (holiday entitlements and hourly pay rates are pro rata)

• Part-time workers have the right to request a written statement of reasons for any treatment which is less favourable than a comparable full time worker

• Part-time workers should be selected as a full time worker would be for promotion or redundancy

• Part-time workers should not be excluded from training simply because they work part-time

• Part-time workers should have any career break schemes, contractual and parental leave made available to them in the same way as for full-time workers

Compressed hours

Working full-time hours but over fewer days. This arrangement can improve an individual’s work and home-life balance whilst allowing them to maintain the same working hours. This can be considered either as a long term arrangement or to cover a short term difficulty.

If implemented managers need to be satisfied that the proposed work pattern complies with working time regulations and meets the needs of the department, for example, covering opening hours. Also assessing the impact working longer hours can have on an individual’s health and wellbeing.

An example of working compressed hours is to work a 37.5 hour week over 4 long days.
Flexitime
Where contracted hours are worked flexibly enabling an accumulated credit or debit of hours over a 4 week accounting period. Flexitime allows staff to choose variations of working patterns within fixed core hours which are set locally. It should be recognised that flexi time can only be applied in certain departments or work areas. Each department should establish their own flexible working rules that fit with the staffing levels and the needs of the department, with an appropriate record of start and finish times.

Managers should mould core times around peaks and troughs in forecast business activity relevant to individual departments to maintain the service. Managers and employees must ensure that the hours they work under the departmental flexitime system are compliant with EWTD rules.

Additional departmentally specific guidelines should be created to accommodate a flexible lunch time, ensuring that the minimum lunch period for any individual is 20 minutes, specifying if this can or cannot be taken at the end or beginning of a shift. Managers also need to set a limit on the number of debit (the number of hours worked less than the standard working hours) or credit (the number of hours worked over the standard working hours), as well as how much can be carried over to the next period.

Applying flexitime to a specific department would not mean that each member of staff would have to individually apply for flexible working.

Staggered hours
The employee has different start, finish and break times from other workers.

Flexible retirement
Flexible retirement may be addressed as a way of improving an individual’s work and home life balance. For further information and guidance, please visit the Retirement Portal on the Workforce Intranet page.

Career breaks
Definition: Unpaid time away from work on a long-term basis

Reasons for wishing to take a career break may include:

- Care of another dependent
- Training, Further education / Study Leave
- Voluntary/charitable work in the UK or abroad
- Working abroad
Members of staff on applying for a career break will not normally be allowed to take up paid
employment with another employer except where, for example, work overseas or charitable work
may broaden experience. In such circumstances written approval from the Assistant Director of
Operations or equivalent is required.

Eligibility and Terms:
The Career Break Scheme is available to all staff in the Trust's employment who have completed
at least twelve months' continuous NHS service

Employees wishing to take a career break should submit an application at least 3 months in
advance.

Each application for a career break will be considered on its individual merits, and a decision
reached by the Divisional General Manager or equivalent following consultation with the
employee’s line manager.

The career break can either be taken as a single period or as more than one period, however, the
needs of the service will need to be taken into account when this is considered

The member of staff and their line manager will agree to keep in touch either by visits or by letter
at regular intervals of approximately six months.

The member of staff whilst on a career break will not be paid apart from short-term temporary work
with the Trust which may be carried out during the period of break.

If a member of staff chooses to take a career break at any stage during their career their pay
progression would be 'frozen' at the pay point they have achieved at their last working day. The
member of staff, therefore, returns to work at the same pay point they left on including any cost of
living increase award during the career break period.

It is up to the individual member of staff to establish any effects the career break will have on their
financial situation including their pension.

A period of absence on the scheme will not be regarded as a break in service for either statutory
or NHS purposes. Only periods of paid employment during the break will, however, count as
reckonable service.

Details of the career break will be confirmed in writing to the employee.

Return to Work:
A member of staff shall give a minimum of two months' notice of intention to return to work if the
break is less than one year. If the break is for more than one year then the notice period should
be 6 months.

Should an employee wish to extend the period of the break or return early from a break then they
must formally request to do so through their line manager.

Employees, whose employment is subject to being registered with a professional body must either
maintain their registration during the period of their career break or must ensure that they re-
register prior to their return to work. Employees who must fulfil specific service or training criteria
to maintain or renew their registration must take this into account when considering a career break.

Duties on Return to Work:
For staff returning to work after a 12 month break or less, the Trust undertakes to provide re-employment in the original post, or, where this is not reasonably practicable, on duties of a broadly similar nature and on an equivalent salary point. However, for staff returning to work after a break of over 12 months, conditions relating to return to work will vary and be dependent upon a range of factors such as:

- service needs and requirements
- the nature of the employee’s current post
- the length of the career break
- the arrangements the manager is able to make to cover the career break
- the wishes of the individual employee (e.g. re full/part time working)
- the extent to which the employee needs to update their skills or knowledge

The employee’s contract of employment will cease on commencement of the career break.

Prior to resuming employment, the Trust will confirm in writing the terms and conditions of service of the position to which the employee will be returning. The revised contract will be subject to the appropriate Trust Terms and Conditions of Service.

It is an expectation that an individual returning to work following a career break will continue in the employment of the Trust for a period of at least two years unless otherwise agreed by the Divisional General Manager or equivalent.

Prior to resuming employment, career break employees will be required to obtain medical clearance from Occupational Health to determine their fitness to return to work.

Conditions regarding Training and Employment during Career Break:
The appropriate line manager will maintain regular contact with the employee and will send him/her appropriate literature and information.

Where refresher/update training is offered to staff this will also be offered to staff on a career break. Where the option to take up the training is voluntary, attendance will be without pay.

Where any training is mandatory for employees there will be a similar requirement for staff on a career break. This is likely to be on their return.

Doctors applying for career break/sabbatical:
As a general rule it is advised that doctors having a career break/sabbatical make an appointment with the Responsible Officer and/or Clinical Appraisal Lead to determine whether an appraisal is required before the leave commences.

Please note that the doctor on a career break/sabbatical will not have a prescribed connection to UHMB during the period of the career break and the GMC will be notified via GMC Connect. The circumstances for each doctor will be individual and need to be considered as part of a discussion with the Responsible Officer.
Term-time working or annualised hours

A worker remains on a permanent contract but can take paid/unpaid leave during school holidays.

The employee has to work a certain number of hours over the year but they have some flexibility about when they work. There are sometimes ‘core hours’ which the employee regularly works each week, and they work the rest of their hours flexibly or when there is extra demand at work.

Points to consider

Specifically, in relation to term time working the following points should be considered:

- School holiday breaks coincide with dips in activity.
- Some of the work can be re-scheduled to term time.
- A resourcing need can only be met by offering a term time contract.
- The protracted school holiday time absences will cause difficulties for other employees/team members in terms of skills being removed from the team as well as reduced staffing levels.

Some additional points which also need to be considered by the manager are:

- The overall nature of the work; are there peaks and troughs in workload? Can the work and required tasks be better organised?
- The time required to get the work done and the number of hours, days and times the employee wants to work.
- The shape of the team as a whole, the working patterns of all employees within the team.
- If unable to agree to the request consider what other possible working pattern can be accommodated.
- The ward or department team should also be consulted before any request for an alternative working pattern is agreed.

For help in calculating term-time or annualised hours please see the calculating-tool on the Work and Home Life policy page on the intranet.
Appendix 2: Equality & Diversity Impact Assessment Tool

Equality Impact Assessment Form

<table>
<thead>
<tr>
<th>Department/Function</th>
<th>Workforce</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lead Assessor</td>
<td>Christopher Brisley</td>
</tr>
<tr>
<td>What is being assessed?</td>
<td>Work and Home Life policy</td>
</tr>
<tr>
<td>Date of assessment</td>
<td>01/11/2017</td>
</tr>
<tr>
<td>What groups have you consulted with? Include details of involvement in the Equality Impact Assessment process.</td>
<td>Equality of Access to Health Group ☐ Staff Side Colleagues ☒ Service Users ☐ Staff Inclusion Network/s ☒ Personal Fair Diverse Champions ☐ Other (Inc. external orgs) ☐ Please give details:</td>
</tr>
</tbody>
</table>

1) What is the impact on the following equality groups?

<table>
<thead>
<tr>
<th>Equality Groups</th>
<th>Impact (Positive / Negative / Neutral)</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race (All ethnic groups)</td>
<td>Positive</td>
<td>This policy encourages applications for a greater variety of reasons and encourages managers to understand the value of the request from the applicant’s perspective</td>
</tr>
<tr>
<td>Disability (Including physical and mental impairments)</td>
<td>Positive</td>
<td>This policy encourages applications for a greater variety of reasons and encourages managers to understand the value of the request from the applicant’s perspective</td>
</tr>
<tr>
<td>Sex</td>
<td>Positive</td>
<td>This policy encourages applications for a greater variety of reasons and encourages managers to understand the value of the request from the applicant’s perspective</td>
</tr>
<tr>
<td>Gender reassignment</td>
<td>Neutral</td>
<td>No impact</td>
</tr>
<tr>
<td>Religion or Belief</td>
<td>Positive</td>
<td>This policy encourages applications for a greater variety of reasons and encourages managers to understand the value of the request from the applicant’s perspective</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td>Neutral</td>
<td>No impact</td>
</tr>
<tr>
<td>Age</td>
<td>Positive</td>
<td>This policy encourages applications for a greater variety of reasons and encourages managers to understand the value of the request from the applicant’s perspective</td>
</tr>
<tr>
<td>Marriage and Civil Partnership</td>
<td>Neutral</td>
<td>No impact</td>
</tr>
</tbody>
</table>

Positive:
- Advance Equality of opportunity
- Foster good relations between different groups
- Address explicit needs of Equality target groups

Negative:
- Unlawful discrimination, harassment and victimisation
- Failure to address explicit needs of Equality target groups

Neutral:
- It is quite acceptable for the assessment to come out as Neutral Impact.
- Be sure you can justify this decision with clear reasons and evidence if you are challenged
<table>
<thead>
<tr>
<th>Pregnancy and maternity</th>
<th>Positive</th>
<th>This policy encourages applications for a greater variety of reasons and encourages managers to understand the value of the request from the applicant’s perspective.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other (e.g. caring, human rights)</td>
<td>Neutral</td>
<td>Carers: There may be a positive impact on carers if the process is less formal. However, if there are a greater number of applications for other reasons this could also have a negative impact, as services/ departments can only accommodate a certain number of requests.</td>
</tr>
</tbody>
</table>

2) In what ways does any impact identified contribute to or hinder promoting equality and diversity across the organisation? This policy encourages managers not to make judgments or assign personal values to the reason for a flexible working application. Previously, flexible working legislation gave only those with caring responsibilities the right to apply, whereas now everyone has the right to apply. This policy reflects this change and recognises that flexible working applications may be made for a number of different reasons. The policy also removes some of the formality in making requests (whilst ensuring legal timeframes and response requirements are met) thereby potentially removing perceived boundaries that applicants may face. This may allow applications from a broader representation of staff.

3) If your assessment identifies a negative impact on Equality Groups you must develop an action plan to avoid discrimination and ensure opportunities for promoting equality diversity and inclusion are maximised. This should include where it has been identified that further work will be undertaken to further explore the impact on equality groups. This should be reviewed annually.

Action Plan Summary

<table>
<thead>
<tr>
<th>Action</th>
<th>Lead</th>
<th>Timescale</th>
</tr>
</thead>
</table>

This form will be automatically submitted for review for Policies and Procedures once approved by Policy Group. For all other assessments, please return an electronic copy to EIA.forms@mbht.nhs.uk once completed.