



HR POLICIES & PROCEDURES (HR/C18)

FLEXIBLE WORKING POLICY

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EQUALITY IMPACT ASSESSMENT

FLEXIBLE WORKING POLICY

1. INTRODUCTION

- 1.1 The South Central Ambulance Service NHS Foundation Trust (the Trust) is committed to being a top performing organisation and to improving the working lives of its staff. Integral to this is the Trust's understanding that many staff need to achieve a healthy balance between their home and work life. Having the ability to work in a flexible way helps many staff to achieve this balance and is an important factor in enabling the Trust to recruit, retain and motivate staff to ensure the provision of a high quality emergency service and to support the delivery of improved service outcomes.
- 1.2 Having a flexible workforce enables the Trust to effectively meet peaks and troughs in service demand as they occur and thus provide better patient care.
- 1.3 The Trust recognises the increasing demand for more flexible working patterns in order to accommodate personal commitments staff may experience at different stages of their working lives.
- 1.4 The Trust is committed to promoting a culture where requests for flexible working are received positively and agreed where possible so that service provision is unaffected, whilst ensuring that we assist people in maintaining a healthy balance between their work and their personal life. However employees and management need to be realistic and to recognise that not all flexible working options will be appropriate for all roles.
- 1.5 The Trust values of Teamwork, Caring, Professional and Innovation underpin everything we do to support our vision of saving lives and enabling patients to get the care they need. SCAS aims to nurture a healthy culture, based on all staff demonstrating their role-relevant values-based behaviours within their working lives. All staff are expected to model their behaviours to support SCAS with its strategic aims to become an Employer, Partner and Provider of Choice.
- 1.6 There is no legal right to flexible working, simply a right to make the request (along with a reasoned supporting case). However, requests for flexible working should be made realistically and be mindful of the impact it will have on the delivery of the Trust's service. All requests will be seriously and sympathetically considered.

All arrangements will have an initial and regular review dates built in and/or may only apply for a specified time period subject to circumstances

Flexible working is any type of working arrangement that gives some degree of flexibility on how long, where and when an employee works. The following are examples of the work patterns that an employee may request and are explained in detail in appendix 1 and in line with AfC section 34.

- Part-time
- Flexitime
- Annualised hours
- Term-time-only working
- Job Sharing
- Compressed hours
- Working from home

2. SCOPE & PURPOSE

This policy applies to all employees of the Trust but it does not apply to volunteers or bank workers.

- 2.1 To enable all staff to request working patterns which will help them to achieve a healthy balance between their home and work life.
- 2.2 To provide all necessary information required to make an application for flexible working.
- 2.3 To provide a framework to enable managers to support staff making requests for flexible working.

3. EQUALITY STATEMENT

The Trust is committed to promoting positive measures that eliminate all forms of unlawful or unfair discrimination on the grounds of age, marriage and civil partnership, disability, race, gender, religion/belief, sexual orientation, gender reassignment and pregnancy/maternity or any other basis not justified by law or relevant to the requirements of the post. The Trust will therefore take every possible step to ensure that this procedure is applied fairly to all employees regardless of the above mentioned protected characteristics, whether full or part-time or employed under a permanent or a fixed-term contract or any other irrelevant factor.

By committing to a policy encouraging equality of opportunity and diversity, the Trust values differences between members of the community and within its existing workforce, and actively seeks to benefit from their differing skills, knowledge, and experiences in order to provide an exemplary healthcare service. The Trust is committed to promoting equality and diversity best practice both within the workforce and in any other area where it has influence.

Where there are barriers to understanding; e.g. an employee has difficulty in reading or writing, or where English is not their first language, additional support will be put in place wherever necessary to ensure that the process to be followed is understood and that the employee is not disadvantaged at any stage in the procedure. Further information on the support available can be sought from the HR Department.

Flexible working arrangements apply to all women and men of all ages, and are not simply aimed at staff with parenting or caring responsibilities.

4. APPLYING FOR FLEXIBLE WORKING

Before making an application for flexible working, it will be necessary to demonstrate your awareness of business need by considering the practical implications of your request and how the department and Trust may cope with these. It may be harder to work flexibly in some posts than in others, particularly where other members of the team have already established shift patterns or where service needs may be adversely affected.

You should put your application for flexible working in writing to your line manager using the Application for Flexible Working form at Appendix 2.

Under normal circumstances an employee can only make one request in a 12 month period, in line with the ACAS Code of Practice

An application should be in writing and should include the following information using Appendix 2:

- date of making the request;
- the nature of the flexible working changes requested;
- the reason for the request;
- the date from which you would like the proposed change to come into effect ;
- what effect, if any, you think the change may have on the Department/Trust;
- suggestions for how any such effect might be dealt with;
- whether you have applied for flexible working hours previously and if so, when.

If the request is in relation to the Equality Act i.e. as a reasonable adjustment relating to a disability, this should be made clear on the application

The manager will acknowledge receipt of the request and arrange a meeting with the employee within 28 days of receiving your request. This time limit may be extended with the agreement of both the employee and manager. The meeting will provide the opportunity to explore the desired work pattern in depth, and to discuss how best it might be accommodated. It may only be possible to meet a request in part: it is important for an employee to think how flexible they can be as there may be alternative ways to meet the needs.

The employee is entitled to be accompanied by a Trade Union representative or work colleague at any formal meetings to discuss their request. They should make their own arrangements and let the manager know who will accompany them.

If the employee fails to attend a meeting and then fails to attend a rearranged meeting without good reason, their application will be deemed to have been withdrawn.

5. Responding to a flexible working request

Managers will consider the request on a case by case basis and in relation to the needs of the service and the department as a whole and seek advice from HR in accordance with the guidance provided. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working pattern

The request may be granted in full, in part or refused. A modified version of the request may be proposed, the request may be granted on a temporary basis or the employee may be asked to try the flexible working arrangement for a trial period.

Managers will balance the application with the needs of the service or department and may not always be able to accommodate requests for flexible working, although they will do all that is practicable to do so.

When agreeing to a flexible working request, managers must ensure the employee fully understands any impact this may have on their terms and conditions of service, including impact on salary and allowances.

The line manager will write to the employee **within 14 calendar days** of the meeting confirming their decision. The letter will either:

- agree the new working pattern, start date, details of trial period and review periods;

- confirm the compromise suggested and a date by which you should respond and arrange to meet again if required;
- explain why the request cannot be accommodated and clear business reasons for this as outlined below. This letter will also set out the procedure for appeal.

Please see template letters, Appendices 5 and 6

Where a request can, without further discussion, be approved as stated in the written application, a meeting to discuss the request may not be necessary. The employee will be informed of the organisation's agreement to the request by a confirmation letter (See Appendix 5)

Managers may refuse a request if there is a business reason for doing so, this reason will be from the following list in line with the ACAS code of practice:

- the burden of additional costs
- an inability to reorganise work amongst existing staff
- an inability to recruit additional staff
- a detrimental impact on quality
- a detrimental impact on performance
- detrimental effect on ability to meet customer demand
- insufficient work for the periods the employee proposes to work
- a planned structural changes to the business.

6. APPEALS

An employee may appeal against the decision if:

- they believe that the refusal or outcome of their request does not reflect the spirit of the Flexible Working Policy or
- they do not get a formal written response from your manager within the agreed timescale.

Appeals should be lodged, in writing, to the named HR representative within 14 calendar days of receipt of the letter explaining the outcome of your application. You should clearly outline the grounds for appeal and include any additional supporting information you wish to be considered.

Appeals will go to the next level of management for consideration, and a meeting at this level should be agreed within 14 calendar days of receipt of your appeal. The Manager will be supported at this meeting by an HR representative, and you are entitled to be accompanied by a Trade Union representative or work colleague.

Where appeals are dismissed, a letter should be sent to you within 14 calendar days of the meeting, outlining the grounds for the decision. There is no further right of appeal under this Policy.

7. WITHDRAWAL OF APPLICATION

You may withdraw your application for flexible working at any time in writing.

Also, the Trust reserves the right to treat an application as withdrawn in the following circumstances;

- where you: fail to attend a meeting to discuss your request on more than one occasion;
- unreasonably refuse to provide your manager with the information required to assess whether the request can be agreed.

In all cases, the manager will confirm the withdrawal in writing within the 14 day timeframe.

8. IMPLEMENTATION OF A FLEXIBLE WORKING ARRANGEMENT

Flexible working agreements apply to the individual in a particular job role but not to the job role or the individual alone.

Where a trial period is arranged; the length can be agreed on an individual basis up to a maximum of six months. During trial period, the flexible agreement remains on an informal basis, but the change to pay and unsocial hours, where applicable, will be made with effect from the beginning of the trial period. The employee will be provided with written confirmation of the new working pattern, including the start and end date of the trial period (although the manager may reduce or lengthen the trial period where necessary with agreement of the employee) and makes it clear it is only a temporary variation to the terms of the employee's contract.

The Trust will reserve the right, at the end of the agreed trial period, to require the employee to revert to their previous working arrangement.

If the trial period is successful for both the employee and the Trust, the flexible working agreement should be confirmed in writing and it then becomes a permanent change to terms and conditions of employment and associated remuneration where applicable will be varied permanently to the new working arrangements.

If it is agreed the flexible working arrangement will only be for a fixed term period, this will not be a permanent change. It should be confirmed in writing clearly stating the start and end date of the arrangement.

9. TERMS AND CONDITIONS

Once a flexible working arrangement has been agreed, it remains a requirement to fulfil the agreed contractual hours.

Where terms and conditions are permanently varied to accommodate a flexible working request, there will be no automatic right to resume previous working patterns. Any wish to revert to the original working pattern would, therefore, involve a further application and variation to contract.

Where working pattern hours are reduced below full-time, salaries, allowances and pay-related benefits will be reduced accordingly. These include:

- pay increases
- annual leave (including bank holidays)
- sick pay

- maternity pay
- unsocial hours premium

Certain benefits are not necessarily subject to direct proportionate adjustment because they are calculated over a timescale which may include a period of normal working. These include:

- pension (calculated on best of last three years)
- life assurance benefits and
- redundancy pay.

Staff should seek advice from the NHS Pension/NEST to understand the impact of such changes on their individual pension entitlements and/or seek independent financial advice.

Staff wishing to take a temporary break from employment should refer to the Employee Break Scheme document.

10. RELATED POLICIES

This policy should be read in conjunction with the following Trust policies:

- Employment Break Scheme Policy
- Paid and Unpaid Leave Policy
- Annual Leave Policy
- Maternity/Shared Parental Leave Policy
- Retirement Policy

11. MONITORING AND REVIEW

- 11.1 The effectiveness of this policy will be monitored regularly by HR who will provide data on the use of the policy as and when required.
- 11.2 In advance of the review date, the HR team will review and produce recommendations which will be shared via the recognised policy approval process (HR Policy Review Group) in time for the policy review date. An early review can be triggered by the Trust Board, HR or joint staff side if they have serious concerns about the policy or its implementation.

EXAMPLES OF WORKING ARRANGEMENTS AVAILABLE

1. Part-time Working

This simply means working any amount of hours less than those of a comparable full-time worker and the ways of doing so are as follows:

- Working a reduced number of hours each day;
- working a reduced number of days/shifts each week or each month;
- a combination of the two.

NB: there is no automatic right for an existing part-time worker applying for a full-time post to undertake the new post on a part-time basis.

Key issues to consider. Before an agreement with an employee can be finalised, the following points must be considered and agreed:

- Which tasks and responsibilities would the applicant undertake, and could these reasonably be contained within the part-time hours being proposed?
- Could the remaining tasks and responsibilities be reassigned?
- Does the applicant have line management responsibilities, on-call duties or a requirement to maintain contacts external to the organisation? If so, how would these responsibilities be discharged?
- How would the reduced hours fit with peaks and troughs of work and the availability of cover if necessary?
- Would other arrangements, such as job-sharing, be more appropriate?
- How would the hours be worked? (each day and week)
- What if additional hours were required? Would payment be made or time off in lieu given?
- Would the agreement require flexibility in terms of hours or days worked?

Would any special overlaps be required between the applicant and others? If a request for part time hours is based on specific days of the week, every effort will be made to ensure that wherever possible shifts will be allocated on the days requested but it should be noted that this will not always be possible and cannot be guaranteed, and therefore shifts will be allocated based on the needs of the service.

2. Flexitime

- With the approval of your line manager and working within set limits, employees can agree with management when to begin and end their working day
- All contracted hours must still be fulfilled for example, staff contracted to work 37.5 hours per week must still work their full number of hours
- This does not apply to workers on set shift patterns, and employees who may be required to work at core hours

3. Annualised Hours

Here, the total hours of work are agreed across the whole year (although they may be spread unevenly) with fewer hours worked at certain times; for instance, during school holidays. The Trust reserves the right to monitor employee hours in order to identify any areas of 'overspend' or 'underspend'.

Key issues to consider. Before an agreement with an employee can be finalised, the following points must be considered and agreed:

- Is there a pattern of peaks and troughs which could be accommodated by annual hours working without an adverse effect on service need?
- Could the service accommodate or adapt to lengthy periods of absence; eg, in school holidays? What maximum period of absence could the service or department tolerate?
- How would the working pattern be arranged? Eg, hours per week/month/day
- How would pay be administered? Options might include:
 - employing the employee through the bank/ zero hours;
 - if paid over twelve equal monthly instalments, instituting a recovery clause for any overpayment should the employee leave before completing the contracted hours for the period
- Would there be a need to recruit another person to cover the job during the remainder of the year? If so, could cover be provided by temporary or trainee staff?
- Would there be any additional costs incurred by covering absent periods with premium paid staff?

4. Term-time-only Working

Employees remain on a permanent contract, either full or reduced hours, but are able to take leave of absence during the school holidays. School holidays total about 13 weeks in a year and are much longer than the normal annual leave allowances.

Term-time working is particularly difficult to reconcile with the requirements of the organisation.

A role is most likely to be able to be thus performed if:

- The school holiday coincides with a natural dip in activity;
- some of the work can be rescheduled to term-time;
- other staff are readily available and sufficiently skilled to fill the gap.

Key issues to consider. Before an agreement with an employee can be finalised, consider the following points, which must be agreed:

- Term-time-only contracts are really only suitable for when there is a nil demand for the services provided during school holidays.
- Could the service accommodate or adapt to lengthy periods of absence during school holidays? What maximum period of absence could the service or department tolerate?

- Would the Trust's needs be covered without unreasonable additional cost?
- What would be the impact on the rest of the team?
- The salary would be reduced pro rata and paid in equal monthly instalments throughout the year.

At the beginning of each school year, the term and holiday dates for the whole of the school year must be confirmed in writing.

5. Job Sharing

This is where two (or more) people undertake one role on a shared basis. There are two main kinds of job share:

- Shared responsibility – where two employees share all the responsibilities and tasks of a full-time job. The partners are interchangeable, with either partner able to pick up where the other left off. This is best suited to ongoing work. It is not suitable for project work.
- Divided responsibility – where two employees divide the tasks and responsibilities of one full-time position. This arrangement is useful where jobs require separate and distinct inputs or sets of skills.

Job sharing benefits staff who want to work part-time in a post that would normally be considered a single full-time appointment. There is no limit to the level of post to which job sharing can apply.

Key issues to consider. Before an agreement with an employee can be finalised, consider and agree the following points:

- Would the job need to be covered every day and/or at particular times?
- Are there peaks and troughs in the work, which need to be covered fairly?
- If the role requires a broad range of skills, would two (or more) people provide those skills between them?
- Accountabilities for each “job-sharer” would need to be clearly defined;
- Would a regular overlap or handover be essential? Could the financial implications of this be covered?
- What communication procedures would be required for efficient daily/weekly handover between partners?
- If there is a requirement to attend certain meetings, events or courses, how would continuity be achieved?
- Would there be an accommodation problem if the partners overlapped during the week?
- Could there be an undertaking for one partner to cover during holiday times, sickness absence or any other absence?
- What you would do should one job share partner leave. The employment of the remaining job-share partner may have to be terminated if all of the following are tried and are unsuccessful:
 - i) The way the hours are organised must allow for one of the sharers leaving and the vacancy thus created still being able to attract new candidates. Various patterns of splitting the week are possible:
 - ii) split days, split weeks, or alternating two- and three-day weeks (an

unequal split of hours could be considered);

- iii) consider offering the remaining partner the hours (whereupon, the post would revert to full-time) or,
- iv) give the remaining partner the option of transferring to any suitable vacant part-time post, should such a post be available (the hours of work being applicable to the vacant post);
- v) give the remaining job sharer the option of continuing the job share with a new partner and a new contract. In this case, the vacancy would be advertised to recruit a suitable replacement.
- vi) If one partner leaves and no replacement partner can be found and therefore the job share cannot continue, the

Trust will consider, in consultation with the remaining job sharer, a range of further employment alternatives including a further opportunity for the remaining jobsharer to revert to full time or move the post to part time hours .

6. Compressed Working

This arrangement allows staff to work their total number of agreed hours over a shorter number of working days. This can be done by working longer but fewer blocks of hours, for example starting early and/or finishing late. Employees can build up these additional hours which they are then able to take off as a day or half-day away from work.

Key issues to consider. Before an agreement with an employee can be finalised, the following points must be considered and agreed:

- The effect of working more hours if there are caring responsibilities;
- The effect of working longer hours on physical and mental health;
- Minimum break times must be taken during the working day according to Trust policy.
- Does the applicant have line management responsibilities or a requirement to maintain contacts external to the organisation? If so, how would these responsibilities be discharged?
- What Health & Safety or security issues would need to be considered when working outside of the “normal hours”?

7. Working from Home

This is where a, normally office-based, employee can still meet their contractual obligations by working from home for a short period of time or from time to time.

In either case, the work to be undertaken must be self-regulated and discrete to the extent that it can be undertaken outside the office.

Key issues to consider. Before an agreement with the employee can be finalised, the following points must be considered and agreed upon:

- Employees would be subject to the same performance measures, processes and objectives that apply to office-based employees.
- The additional costs that would be incurred by:

- An initial workstation / working area assessment at home (including health & safety issues)
 - costs of equipment used for work and work-related telephone bills
- Can a specific job be undertaken at home and is there clarity around what will be accomplished?
- Does the job involve constant personal interaction with colleagues/patients? (not suitable for home working)
- Could tasks be completed on a regular basis either at home or in the office?
- Would the applicant need to attend the Trust's offices for essential interaction with colleagues and training or development courses?
 - Additional costs must not be incurred by the Trust as a consequence of either Occasional/Temporary or Contracted Home Working arrangements/ insurance liability
- Employees are responsible for ensuring confidentiality whilst working from home. Trust property, including correspondence files, should be kept secure at all times.
- All details to be agreed, in writing, in advance of the arrangement being implemented.

APPLICATION FOR FLEXIBLE WORKING

1. Personal Details *(please print)*

Full Name: **Employee number:**

Job Title/Department:: **Location:**

Line Manager:

Date of flexible working request

2. Eligibility *(tick box as applicable)*

I have worked continuously as an employee of the Trust for the last 26 weeks.

I have made a request to work flexibly under this right during the past 12 months

I am making my application based on a reasonable adjustment under the Equality Act.

(Please ensure you detail this below or discuss with your manager)

Give the date of *any* previous request to work flexibly under this right:

3a. Describe your current working pattern :

- Days
- Hours
- Times worked

3b. Explain why you want to work flexibly and describe the working pattern you would like to work in future – please state if you are requesting specific days, hours or times to be worked

3c. I would like this working pattern to commence from: **Date:**

OR

I would like this working pattern to be for a fixed term period

from:

to:

4. Impact of the new working pattern.

I think this change in my working pattern will affect the Trust, Department, and colleagues as follows:

5. Accommodating the new working pattern.

I think the effect on the Trust, Department and colleagues can be dealt with as follows

6. Employee's Signature:

Date:

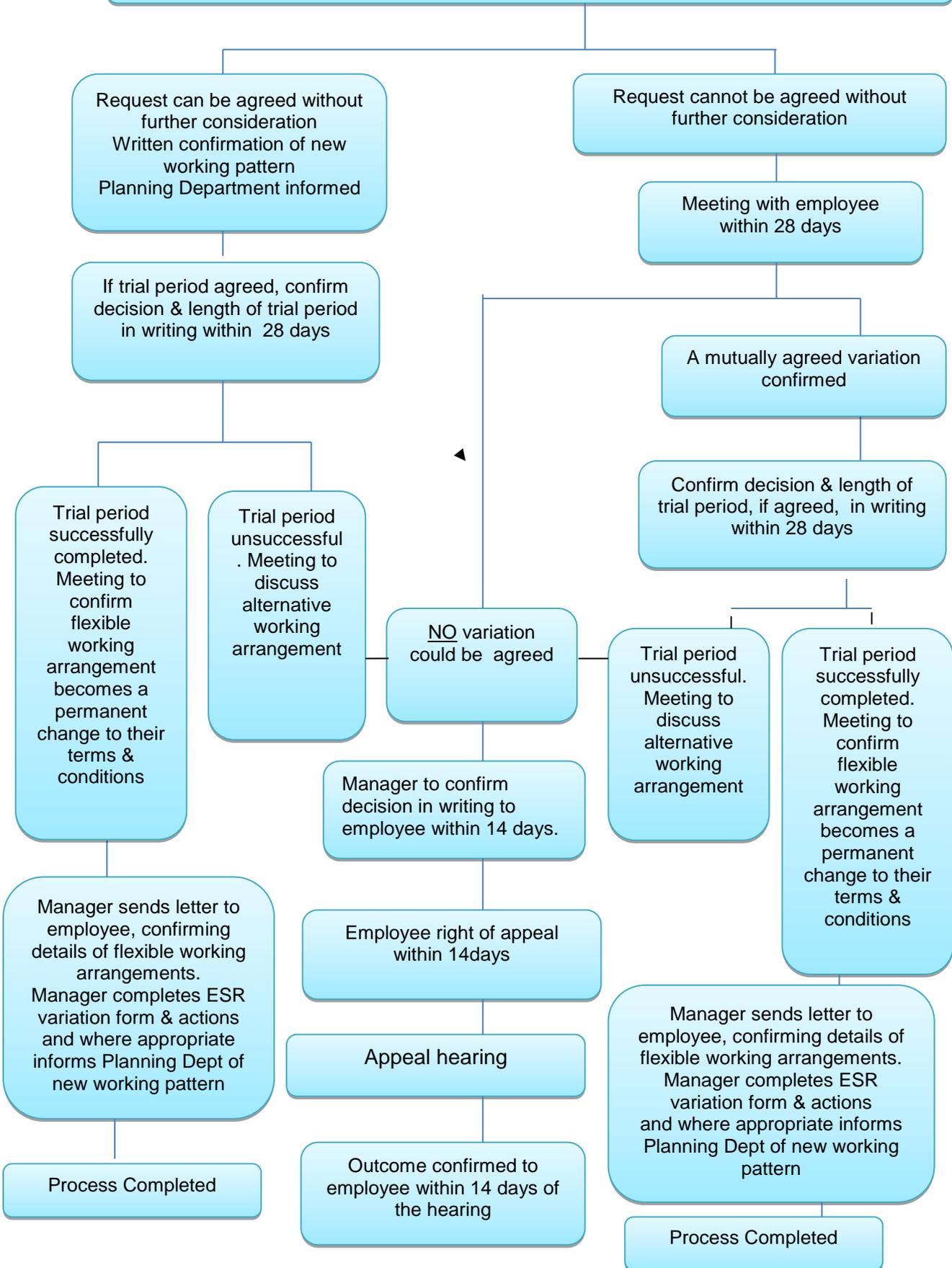
7. Manager's Signature:

Date:

Notes: Once you have completed the form, you should immediately forward it to your line manager (keep a copy for your own records). A meeting to discuss your request with you will be arranged within 28 days of the receipt of your application.

If the request is granted, this will be a permanent change to your terms and conditions and may affect your pay/unsocial hours

Flexible Working Requests: Decision Process



DEALING WITH FLEXIBLE WORKING REQUESTS:

MANAGEMENT GUIDANCE

1. ELIGIBILITY TO APPLY

- 1.1 If the employee has applied for flexible working in the 12 months previous to the date on which the application was made, under normal circumstances no further application can be made. However proposed arrangements or changes to existing arrangements may be reviewed.

2. THE APPLICATION

- 2.1 Please notify HR about any requests received under the Flexible Working Policy scheme and the outcome reached, so that this information can be monitored.
- 2.2 Judge each request on its merit and the prevailing circumstances. Bear in mind the need to be responsive to individual requirements, whilst taking into account the overall needs of the team and the service.
- 2.3 On receipt of an application, follow this process:
- 2.3.1 If you can agree to a request simply on the basis of the application itself, you should write to the employee as soon as possible within 28 days of the application specifying the contract variation, effect on terms and conditions and the start date and review date (and end date if applicable if temporary agreement).

3. FORMAL MEETING

- 3.1.1 If you cannot confirm the outcome of the request on the basis of the application itself, a formal meeting must be undertaken within 28 days of receipt of the written request.
- 3.1.2 Explore the following before the meeting takes place:
- Consult with relevant colleagues (other team members who may be affected, your own manager and your HR Advisor) on the implications of the proposed request.
 - Consider how best to accommodate the request without impairing service standards/delivery. In particular:
 - i) How will other colleagues/service users be affected?
 - ii) What trial period would be appropriate?
 - iii) What records will need to be maintained to accommodate the new arrangement?
 - iv) What processes need to be followed to administer adjustments to pay and benefits through Payroll?
- 3.2 If the original request cannot be accommodated, consider what other working patterns might be appropriate: you may be able to reach a compromise.
- 3.3 Take the opportunity to explore together in depth the desired working pattern, and to discuss how best it might be accommodated.
- 3.4 When agreeing to a flexible working request, explain clearly, and ensure the employee understands fully, the impact it will have on their terms and conditions.

4. GROUNDS FOR REFUSAL

4.1 You may refuse an employee's request to work differently where, after careful consideration, you believe that one or more of the following grounds apply:

- extra costs that will damage the business
- the work cannot be re-organised among other staff
- people cannot be recruited to do the work
- flexible working will affect quality and performance
- the business will not be able to meet customer demand
- there is a lack of work to do during the proposed working times
- the business is planning changes to the workforce

5. LETTER OF OUTCOME

5.1 You should have given the applicant an indication during the meeting of the likelihood of their application succeeding. In any case, you should write to confirm the situation no more than 14 days after the date of the meeting. In it you should explain either the new work pattern with a start date and review date (and, if applicable, an end date) or provide clear business grounds and reasons why the application has not succeeded.

5.2 If you are able to agree to the request, or agree to allow the employee to change their working pattern on a trial basis, then the letter of outcome must specify the details of what has been agreed and the date from which it is to take effect.

5.3 If you are not able to agree to the request, the letter of outcome must:

- Set out the grounds for refusal
- Explain the appeal procedure.

6. NEXT STEPS

6.1 If you are able to agree to the proposed changes, following the completion of the trial period, ensure that changes are confirmed in writing to the employee with a copy of the letter placed on the individual's personal file held with HR.

6.2 Complete the necessary ESR form, attach any relevant agreements and liaise with HR to ensure the request is properly processed.

7. THE EFFECT OF THE CHANGE

7.1 Where a manager agrees to the employee's request to change their working pattern, once the trial period has been successfully completed, this will be viewed as a variation to the employee's contract of employment and will become permanent. During the trial period the variation will be temporary and a review date and end date must be specified.

Template letter accepting a flexible working request

Date:

Ref: FWA.1.Y

Dear

Flexible Working Application

Further to your flexible working application received on **xxx** and our subsequent meeting on **xxx** to discuss your application, I am writing to confirm these discussions and the outcome of the meeting. You **were / were not** accompanied to this meeting **by xxx**. *If applicable* - An HR representative, **xxx** was also present.

Your application for flexible working was **(outline detail of request and the reason for request)**

We discussed the impact of this change on your salary, unsocial hours, pension and annual leave and you confirmed you were aware of the impact this would have on your entitlements and benefits.

We also talked through your request and the impact that this would have on the Trust, the department and your colleagues as outlined in your application. **(Acknowledge here if the applicant had given appropriate consideration to this element of their request or not)**.

In light of our discussions, I have given your request my consideration and taken the decision to approve your request. This is on the basis of:

Outline the changes agreed, the effective date, the length and the end date of the trial period and the date of the review of the trial period prior to confirming the flexible working arrangement. If the agreement is for a fixed term only, the start and end date must be clearly stated.

For operational staff – I requested that you immediately contact the Planning/Scheduling Department regarding your shifts which will be planned from **xxx**.

The working arrangements will be reviewed. Once the trial period has been successfully completed, this constitutes a permanent change to your terms and conditions. If at any time the flexible working arrangements are preventing the department from meeting the needs of the organisation, the Trust reserves the right to call a meeting to discuss the arrangements and propose changes.

I will ensure the appropriate documentation is completed and any change should be reflected in your **xxx** pay. You should monitor your pay and if the change does not go through in time, you are aware that any overpayment that might occur will automatically be recovered.

Yours sincerely

Template letter rejecting a flexible working request

Date:

Ref: FWA.2.N

Dear

Flexible Working Application

Further to your flexible working application received on xxx and our subsequent meeting on xxx to discuss your application, I am writing to confirm these discussions and the outcome of the meeting. You were / were not accompanied to this meeting by xxx. *If applicable* - An HR representative, xxx was also present.

Your application for flexible working was (outline detail of request and the reason for request)

We discussed the impact of this change on your salary, unsocial hours, pension and annual leave and you confirmed you were aware of the impact this would have on your entitlements and benefits.

We also talked through your request and the impact that this would have on the Trust, the department and your colleagues as outlined in your application. (Acknowledge here if the applicant had given appropriate consideration to this element of their request or not).

In light of our discussions, I have given your request my consideration and taken the decision that I am unable to approve your request. This is on the basis of:

(Outline the reasons for rejection, select from one or more of the following legal reasons)

- Extra costs that will damage the service/Trust
- The work cannot be re-organised among other staff
- People cannot be recruited to do the work
- Flexible working will adversely affect quality and performance
- The Trust will not be able to meet patient/client demand
- There is a lack of work to do during the proposed working times
- The Trust is planning change to the workforce

Under the Flexible Working Policy you have the right to appeal this decision. The appeal must be lodged, in writing, to xxxx HR Representative within 10 calendar days of the receipt of this letter. You should clearly outline the grounds for appeal and include any additional support information you wish to be considered.

Yours sincerely

Equality Impact Assessment Form Section One – Screening

Name of Function, Policy or Strategy: Flexible Working Policy

Officer completing assessment: Geraldine Shepherd

Telephone: 01869 365056

1. What is the main purpose of the strategy, function or policy?
To explain the different type of flexible working, and how staff can apply for them.
2. List the main activities of the function or policy? (for strategies list the main policy areas)
Guidance for managers through this process and how to appeal if unsuccessful.
3. Who will be the main beneficiaries of the strategy/function/policy?
Staff that would benefit from improvements to their work-life balance.
1. Use the table overleaf to indicate the following:- a. Where do you think that the strategy/function/policy could have an adverse impact on any equality group, i.e. it could disadvantage them? b. Where do you think that there could be a positive impact on any of the groups or contribute to promoting equality, equal opportunities or improving relations within equality target groups?

		Positive Impact	Negative Impact	Reasons
GENDER	Women	yes	N/A	This policy offers equal opportunities of flexible working for both men and women.
	Men	yes	N/A	This policy offers equal opportunities of flexible working for both men and women.
RACE	Asian or Asian British People	N/A	N/A	
	Black or Black British People	N/A	N/A	
	Chinese people and other people	N/A	N/A	
	People of Mixed Race	N/A	N/A	
	White/white other	N/A	N/A	
DISABILITY	Disabled People	N/A	N/A	
SEXUAL ORIENTATION	Lesbians, gay men and bisexuals	N/A	N/A	
AGE	Older People (60+)	N/A	N/A	
	Younger People (17 to 25) and children	N/A	N/A	
RELIGION/BELIEF	Faith Groups	N/A	N/A	
	Equal Opportunities and/or improved relations	N/A	N/A	Yes – ensuring that a fair and consistent process is followed for all Trust staff.

Notes:

Faith groups cover a wide range of groupings, the most common of which are Muslims, Buddhists, Jews, Christians, Sikhs and Hindus. Consider faith categories individually and collectively when considering positive and negative impacts. The categories used in the race section refer to those used in the 2001 Census. Consideration should be given to the specific communities within the broad categories such as Bangladeshi people and to the needs of other communities that do not appear as separate categories in the Census, for example, Polish.

5. If you have indicated that there is a negative impact, is that impact:		
	Yes	No
Legal (it is not discriminatory under anti-discriminatory law)	<input type="checkbox"/>	X
Intended	<input type="checkbox"/>	x
Level of Impact	High	Low
	<input type="checkbox"/>	x
If the negative impact is possibly discriminatory and not intended and/or of high impact then please complete a thorough assessment after completing the rest of this form.		
6(a). Could you minimise or remove any negative impact that is of low significance? Explain how below:		
Writing policy using clear language and simple structure.		
6(b). Could you improve the strategy, function or policy positive impact? Explain how below:		
7. If there is no evidence that the strategy, function or policy promotes equality, equal opportunities or improves relations – could it be adopted so it does? How?		

Please sign and date this form, keep one copy and send one copy to the Trust's Equality Lead.	
Signed: Amelia Spurin
Name: Amelia Spurin
Date: 13/2/15

Equality Impact Assessment Form Section Two – Full Assessment

Name of Function, Policy or Strategy: Flexible Working Policy

Officer completing assessment: Geraldine Shepherd

Telephone: 01869 365056

Part A

1. Looking back at section one of the EqIA, in what areas are there concerns that the strategy, policy or project could have a negative impact?

- Gender
- Race
- Disability
- Sexual Orientation
- Age
- Religion/Belief

2. Summarise the likely negative impacts:-

..... No likely negative impacts.

.....

.....

3. Using the table below, give a summary of what previous or planned consultation on this topic, policy, function or strategy has or will take place with groups or individuals from the equality target groups and what has this consultation noted about the likely negative impact?

Equality Target Groups	Summary of consultation planned or taken place
Gender	
Race	

Equality Target Groups	Summary of consultation planned or taken place
Disability	
Sexual Orientation	
Age	
Religion/ Belief	

4. What consultation has taken place or is planned with Trust staff including staff that have or will have direct experience of implementing the strategy, policy or function?

.....

.....

5. Check that any research, reports, studies concerning the equality target groups and the likely impact have been used to plan the project and guide or indicate what research you intend to carry out:-

Equality Target Groups	Title/type of/details of research/report
Gender	
Race	
Disability	
Sexual Orientation	
Age	
Religion / Belief	

6. If there are gaps in your previous or planned consultation and research, are there any experts/relevant groups that can be contacted to get further views or evidence on the issues?

Yes (Please list them and explain how you will obtain their views)

.....
.....

No

Part B

Complete this section when consultation and research has been carried out

7a. As a result of this assessment and available evidence collected, including consultation, state whether there will be a need to be any changes made/planned to the policy, strategy or function.

7b. As a result of this assessment and available evidence, is it important that the Trust commissions specific research on this issue or carries out monitoring/data collection?

(You may want to add this information directly on to the action plan at the end of this assessment form)

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

8. Will the changes planned ensure that negative impact is:

Legal?
(not discriminatory, under anti-discriminatory legislation)

Intended?

Low impact?

9a. Have you set up a monitoring/evaluation/review process to check the successful implementation of the strategy, function or policy?

Yes

No

9b. How will this monitoring/evaluation further assess the impact on the equality target groups/ensure that the strategy/policy/function is non-discriminatory?

Details:

.....
.....

