Our Ref: NG/RM/24405
Date: 20th November 2024

Nicola Griffiths
Deputy Director of Governance
North Staffordshire Combined Healthcare NHS Trust
Lawton House
Bellringer Road
Trentham
ST4 8HH

Reception: 0300 123 1535

Dear

Freedom of Information Act Request
I am writing in response to your e-mail of the 11th November 2024. Your request has been processed using the Trust's procedures for the disclosure of information under the Freedom of Information Act (2000).

Requested information:
Under the Freedom of Information Act 2000 I would like to request the following information from your organisation:
1. Staff Count: Could you please provide the current total number of staff employed by the Trust? (please could this be broken down by each year from 2019 to 2024)
2. Remote/Hybrid Workers: How many staff members are currently designated as remote or hybrid workers? (please could this be broken down by each year from 2019 to 2024)

Year (@ 31st March)	Number of staff	Work base listed as Home
2019	1536	0
2020	1626	0
2021	1613	1
2022	1771	27
2023	1866	132
2024	1935	188

Please note we cannot breakdown staff numbers to "remote/hybrid working" as this is not recorded. Above is the number of staff that have default base recorded as home instead of a Trust location.

3. How many days per week are hybrid employees allowed to work from home? **N/A**

4. Remote Working Policy: I would appreciate it if you could share a copy of the remote working policy implemented within the organisation. **Please see Appendices 1 and 2 attached.**

5. How long has this been the policy and has it changed since the pandemic?
Agile Working Policy has been in operation since February 2021 and was last reviewed April 2024.

Chair: Janet Dawson
Chief Executive: Dr Buki Adeyemo
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6. Monitoring Work Hours: How do you ensure that remote or hybrid workers fulfil their full contractual hours? **Staff are monitored via timesheets/e-rosters, and regular supervision with line managers.**

7. Laptop Purchases in 2024: In the year 2024 so far, how many new laptops have been procured specifically for remote or hybrid working? **The Trust assigns laptops based on mobility needs across roles rather than specific remote or hybrid categorisations. This includes roles requiring community mobility or use at multiple Trust bases. A breakdown of laptops procured specifically for remote, or hybrid working is not available.**

8. Cost of Laptop Purchases: What has been the total cost associated with the procurement of these laptops in 2024 so far? **We've interpreted '2024' as the fiscal year to date (April–October). To date the Trust has not purchased any laptops.**

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review of the management of your request. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to: Dr Buki Adeyemo, Chief Executive, North Staffordshire Combined Healthcare Trust, Trust Headquarters, Lawton House, Bellringer Road, Trentham, ST4 8HH. If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Nicola Griffiths
Deputy Director of Governance

Chair: Janet Dawson
Chief Executive: Dr Buki Adeyemo
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3.49 Agile Working Policy	
Lead executive	Chief People Officer
Authors details	People Operations Lead

Type of document	Policy
Target audience	This policy applies to all Trust employees working at any level within the organisation.
Document purpose	This policy sets out the standards for how employees can work more flexibly from locations, whether it is from Trust sites or through home working. The policy covers all Agile Working arrangements including working from other Trust sites rather than a fixed base, in addition to working from home. The policy will enable both managers and staff to gain a better understanding of Agile Working and understand the basic principles, which can then be considered and applied to specific roles.

Approving meeting	PWG JNCC PCDC	Meeting date	12th March 2024 21st March 2024 3rd April 2024
Ratification date	3rd April 2024	Review date	30th April 2027

Trust documents to be read in conjunction with	
Document code	Document name
1.75 / 1.75a	Domestic Abuse Policy / Staff Domestic Abuse Policy
3.07	Management of Change Policy
3.11	Supporting Attendance at Work Policy
3.25	Flexible working and Employment Break Policy
5.41	Lone Worker Policy
5.42	Display Screen Equipment Policy
7.03	Information Security / data protection
7.08	Information Governance Policy

Document change history		Version	Date
What is different?	Comment from H&S re ensuring individuals set up right if working from home, and not working excessive hours. In response, added catching up in 1:1 with mgrs. More information included around home working. Application form and risk assessment separate to policy. Addition re working overseas to be done separately as a SOP.		
Appendices / electronic forms			
What is the impact of change?	None.		

Training requirements	There are no specific training requirements for this document.

Document consultation	
Directorates	Associate Directors, Deputy Director of Operations
Corporate services	Partnership Working Group, JNCC
External agencies	https://www.gov.uk/expenses-and-benefits-homeworking

Financial resource implications	Potential provision of additional equipment dependent upon the style of working and work base as defined within the policy.

External references
1. AfC Terms and Conditions – Section 35

Monitoring compliance with the processes outlined within this document	

Equality Impact Assessment (EIA) - Initial assessment	Yes/No	Less favourable / More favourable / Mixed impact
Does this policy / document, or the implementation or outcomes of the policy / document, affect one or more group(s) less or more favourably than another (see list)?		
− **Age** (e.g. consider impact on younger people/ older people)	No	
− **Disability** (remember to consider physical, mental and sensory impairments)	No	
− **Sex/Gender** (any particular M/F gender impact; also consider impact on those responsible for childcare)	No	
− **Gender identity and gender reassignment** (i.e. impact on people who identify as trans, non-binary or gender fluid)	No	
− **Race / ethnicity / ethnic communities / cultural groups** (include those with foreign language needs, including European countries, Roma/travelling communities)	No	
− **Pregnancy and maternity, including adoption** (i.e. impact during pregnancy and the 12 months after; including for both heterosexual and same sex couples)	No	
− **Sexual Orientation** (impact on people who identify as lesbian, gay or bi – whether stated as 'out' or not)	No	
− **Marriage and/or Civil Partnership** (including heterosexual and same sex marriage)	No	
− **Religion and/or Belief** (includes those with religion and/or belief and those with none)	No	
− **Other equality groups?** (may include groups like those living in poverty, sex workers, asylum seekers, people with substance misuse issues, prison and (ex) offending population, Roma/travelling communities, looked after children, local authority care leavers, and any other groups who may be disadvantaged in some way, who may or may not be part of the groups above equality groups)	No	
If you answered yes to any of the above, please provide details below, including evidence supporting differential experience or impact.		
Enter details here if applicable		
If you have identified potential negative impact: - Can this impact be avoided? - What alternatives are there to achieving the document without the impact? Can the impact be reduced by taking different action?		
Enter details here if applicable		
Do any differences identified above amount to discrimination and the potential for adverse impact in this policy?	Yes / No	

If YES could it still be justifiable e.g. on grounds of promoting equality of opportunity for one group or any other reason?	N/A
On balance, is it considered that a Full Equality Impact Assessment is required?	Yes / No
Enter details here if applicable	
Where an adverse, negative or potentially discriminatory impact on one or more equality groups has been identified above, a full EIA should be undertaken. Please refer this to the Diversity and Inclusion Lead, together with any suggestions as to the action required to avoid or reduce this impact. For advice in relation to any aspect of completing the EIA assessment, please contact the Diversity and Inclusion Lead at Diversity@northstaffs.nhs.uk	
Was a full impact assessment required?	No
What is the level of impact?	Low

Contents   Page

1. POLICY STATEMENT

1.1 This partnership and recognition agreement, between North Staffordshire Combined Healthcare NHS Trust ('the Trust') and its recognised Trade Unions is based on mutual trust and respect for each other's role and responsibilities taking into account local, regional and national context and drivers. With a shared purpose of acting in the best interests of our staff and the communities served by the Trust.

1.2 This policy supports the application of our Trust Values which guide our actions and behaviour as an employer and provider of services.

These are Proud to **CARE**:

Compassionate	Caring with compassion, it's about how we listen, what we say, what we do
Approachable	Friendly, welcoming, sharing ideas and being open
Responsible	Taking personal and collective responsibility, being accountable for our actions
Excellent	Striving for the best, for high-quality safe care and continually improving

2. DIVERSITY AND INCLUSION STATEMENT

The Trust aspires to ensuring Outstanding diversity and inclusion in its role as both an NHS service provider and as an employer. We are committed to continually improving our services and ensuring that these are safe, personalised, accessible and recovery-focused (SPAR) for all our patients, service users, visitors and carers. We are also committed to providing excellent employment experiences for those who work within our services. In short, we aim to see that everyone using our services - or working within them - experiences our CARE Values: compassion, approachable, responsible and excellent.   The Trust does not tolerate any form of racist, cultural, religious, sexist, misogynistic, ableist biphobic, homophobic and/or transphobic discrimination, bullying and harassment in any of our services, whether from service users and patients, members of the public, or those working on behalf of the Trust. Action will always be taken where this occurs. We work continuously to develop a positive culture of outstanding inclusion for all.

3. SCOPE

The Agile Working Policy applies to all Trust employees working at any level within the organisation. The nature and extent of agile working will depend upon the job undertaken and considerations will include the impact on the ability to meet service demand.

The Trust recognises the need to develop modern working practices to enable employees to have a good work life balance. In addition, new technologies such as video conferencing are making it easier to access and process information remotely and virtually meet with service users and connect with colleagues, while working from a variety of locations, including home working.

Agile working is the term used to describe how employees can work more flexibly from locations, whether it is from Trust sites or by varying degrees of home working. It could also be described as "the ability to work in the place and at the time most appropriate for the task in hand".

This policy sets out an overall framework to enable, implement and maintain more flexible and progressive ways of working while providing opportunities for staff members to shape their working lives. The framework, as set out by the policy, provides a medium for consistency and fair practice when considering agile working.

This policy will enable both managers and staff to gain a better understanding of agile working and understand the basic principles, which may then be considered and applied to specific roles.

Although the nature of many roles within the Trust cannot be classed as totally agile, there is considerable scope in many roles for a degree of agile working. The different ways in which agile working can be undertaken is dependent on the demands and needs of the role, considering the individual's preferences and circumstances, and the service an employee is engaged in. It is possible, with careful planning and a degree of best practice evaluation, for some staff to carry out their duties from a variety of different locations.

It is important to state that with roles that cannot be worked in an agile way, the Trust is still committed to making every effort to support every member of staff in being able to maintain the best work life balance possible and this could be through flexible working options.

Work should not solely be about where we go, but also what we do.

Agile Working can offer benefits to our staff and also patients and service users the key benefits are:

For staff, Agile Working can:

- Improved work life balance

- Reduce travelling time to and from work and save on the cost of commuting.

- Enable greater flexibility of when hours are worked.

- Increase wellbeing, health and happiness – reduced stress, better sense of control.

- Increase engagement as a result of autonomy and trust at work.

- Provide an opportunity to manage their own working days more efficiently.

- May enable work to be completed, where concentration is important, by avoiding the interruptions that can be part of an office environment;

- Create greater green benefits of reduced carbon footprint e.g. reduction in commuting.

- Create greater opportunities to share, collectively develop and embed knowledge and innovation.

Benefits to the Trust can include:

- Allows the Trust to provide improved services by allowing more routes of access to some patients and service users;

- Create an environment which allows employees to achieve an improved work life balance with potentially greater job satisfaction and motivation which can lead to improved morale and productivity;

- Improve the recruitment and retention of skilled and experienced employees by offering a range of work styles to match individual work preferences;

- Lower our carbon footprint, through reduced emissions from reduced travel;

- Improve inclusion opportunities for our workforce by widening access to employment with the Trust and also in providing more options for some staff who may have a disability, etc.;

- May enable the trust to make better use of its buildings and estate.

- May reduce the costs of travel expenses and free up working time previously spent travelling.

- Further develop and improve the Trust's capability for knowledge creation, development and innovation.

It is important to note that agile working is not a solution for all staff members and that for some people agile working may not be suitable for a number of reasons, such as suitability of home environment. Also, some staff thrive better in a working environment where they can interact with colleagues on a face to face basis.

4. AGILE WORKING AGREEMENTS

Key to this policy is the agreement made between the employee and manager to conduct work in an agile manner. The best way for this to be progressed is to convene an Agile Working Conversation. This can be instigated by the employee or the manager. However when there is an organisational requirement for changing an employees base to that of a contractual home base this process should not be used to replace the usual management of change processes. For new employees this may be addressed during the recruitment processes.

Agile working provides staff with more options with regards to where, when and how they undertake their roles by introducing an element of choice which will also need to ensure that the needs of the service are best met. Agile working allows staff to influence how they carry out their role and promotes varying levels of flexibility. It is based on the concept that work is an activity we do, rather than solely a place we go to.

It must be noted however, that there is no expectation for staff to work at home and the Trust will not compel any member of staff to do so even if the management of change process is invoked (exceptions would only be in exceptional circumstances such as the case of public health restrictions). Staff members have the right to a separation of work and home environments if that is their wish. It has been recognised that personal circumstances or personal preference may influence an employee's decision with regards to home working. In such cases where an individual does not want to work at home, other elements of agile working can still be considered, for example, working at an office base or hot desking (Hot-desking is where employees are not assigned their own desk but when they are in the office can use any desk or an available desk within a designated area, always being mindful that confidentiality is maintained)..

Please see flow chart (appendix 10.4) below

4.1   Agile Working Conversation

Where there is a request for an agile working conversation by the employee the employee's line manager will arrange to meet with the staff member within 14 calendar days. The following points (not exhaustive) are important to consider when exploring implementation of an agile working agreement:
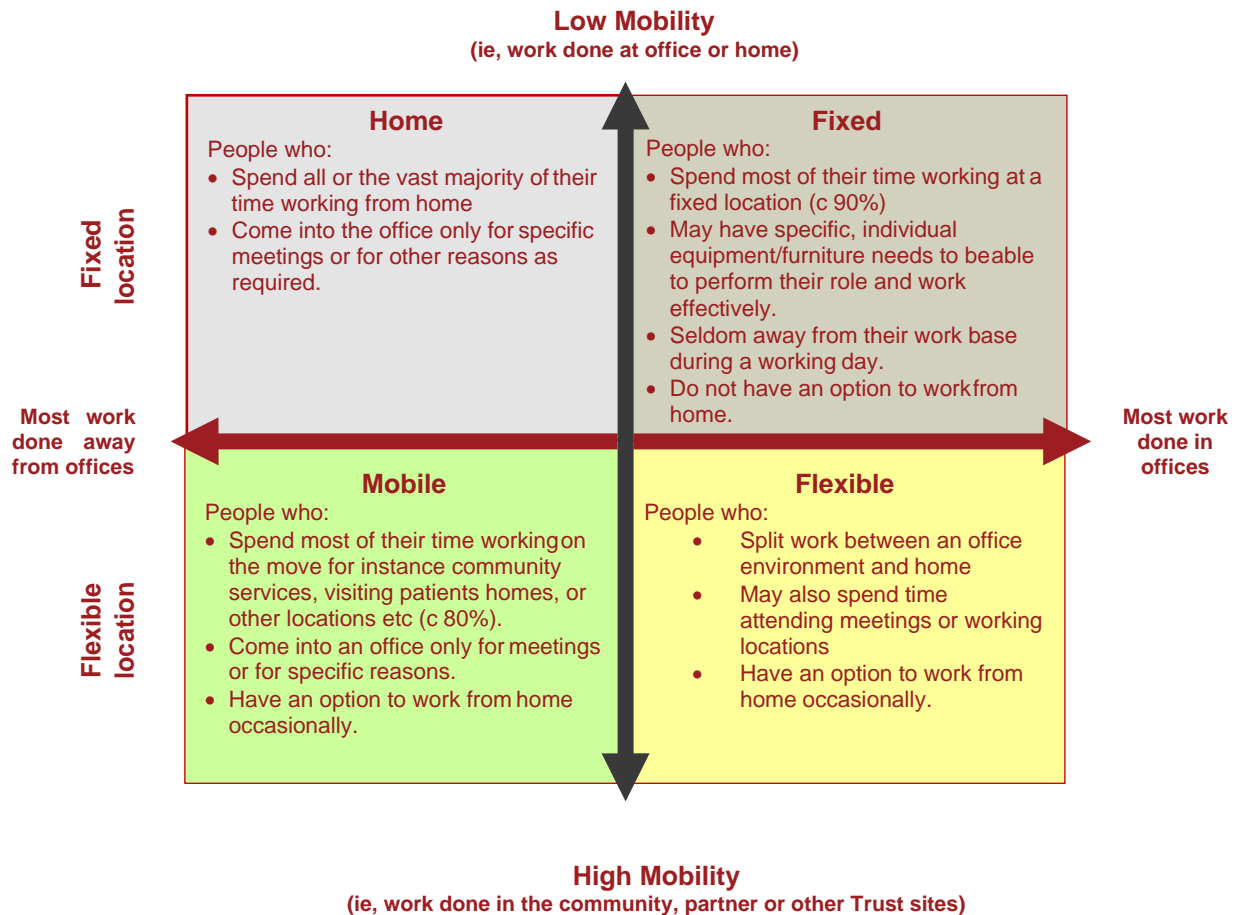
- The staff members preference in working arrangements (Work styling)
- The role of the staff member
- Effect on the service delivery
- Team working implications
- The home working environment if appropriate including, Job Role Suitability and Suitability Risk Assessment
- Communication channels. Including any training necessary.
- Confidentiality considerations
- Equipment requirements including provision of IT
- Health and wellbeing considerations
- Working hours (including stressing the importance of taking breaks).
- Disability considerations – reasonable adjustments
- Ongoing line management arrangements (annual leave, supervision, regular contact etc.)
- Training and development requirements including mandatory training.

The agile working agreement will be informed by considering a work style for the staff member (see section 4.2) and flow chart (appendix 10.4 below).

The staff member must also be made aware of any financial or other implications such as Utility tax relief, home insurance implications. https://www.gov.uk/expenses-and-benefits-homeworking

4.2   Workstyles

The matrix below defines the 4 workstyles for Trust staff, as defined under the Agile Working Principles to clarify the concept of Agile Working. It is important for the manager and employee to discuss and agree the employee's workstyle in the Agile Working Conversation, remembering that agile working can empower employees to work where, how and when they choose; subject to business needs.

Low Mobility
(ie, work done at office or home)

Home
People who:
- Spend all or the vast majority of their time working from home
- Come into the office only for specific meetings or for other reasons as required.

Fixed
People who:
- Spend most of their time working at a fixed location (c 90%)
- May have specific, individual equipment/furniture needs to be able to perform their role and work effectively.
- Seldom away from their work base during a working day.
- Do not have an option to work from home.

Fixed location

Most work done away from offices

Most work done in offices

Mobile
People who:
- Spend most of their time working on the move for instance community services, visiting patients homes, or other locations etc (c 80%).
- Come into an office only for meetings or for specific reasons.
- Have an option to work from home occasionally.

Flexible
People who:
- Split work between an office environment and home
- May also spend time attending meetings or working locations
- Have an option to work from home occasionally.

Flexible location

High Mobility
(ie, work done in the community, partner or other Trust sites)

Those employees who fall in the low mobility range (i.e. **Fixed** or **Home**) are generally at a desk for approximately 90% of the time. They rarely attend meetings or work from alternative locations. This may be fixed in the office or fixed at home, depending on the role.

Staff who have a more mobile workstyle are usually able to work from a variety of locations. **Flexible** staff are those individuals who spend most of their time working in an office environment although may frequently be away from a desk attending meetings, working from other Trust sites or working occasionally from home.

Mobile staff have a designated base (as with **flexible** staff) but are generally working across the Trust or out in the community, for instance when visiting patients and service users' homes. This cohort of staff have less of a requirement to be at a base and may be able to, or choose to, undertake office duties from an alternative building / touchdown site which may be closer to their current location, or from home.

The most appropriate workstyle will be confirmed in writing by the manager when confirming the outcome of the agile working conversation. It is important that the agile working conversation ensures that the employee fully understands the concept of work styling, how this will affect them and most importantly, consider the best practical and operational arrangements for working in this way. Expected work outputs for the employee and the arrangements for communication, support and management processes should also be discussed and agreed and need to be in place before the employee commences agile working.

4.3 Application Process

4.31 Informal Discussion
Use opportunities to discuss the agile working arrangements prior to a formal application, this can help both the individual and manager.

4.32 Exploratory Stage
A formal discussion between the manager and individual upon receipt of a formal request to discuss the request, this stage may be omitted if it is possible for the manger to agree the request straight away. The exploratory stage is for the line manager to work through the request with the individual and what they want to achieve and to identify and evaluate options for achieving it. This could involve more than one conversation.

At this stage the line manager and individual should also agree whether and how any proposals are discussed with other team members.

An employee has the right to bring a companion who can be a trade union representative or a colleague to any meeting to discuss their application for flexible working.

All possibilities should be explored as far as reasonably practical. If agreement is reached the outcome must be confirmed in writing, including a review date (no longer than 12 months) and a copy of the paperwork shared with the People Operations Team (HR) via peopleoperations@combined.nhs.uk.

At this point it is not possible to decline a request, a note should be made of all options covered in the exploration stage and the request should be escalated to the next level of management (see escalation stage for next steps).

4.33 Escalation Stage

This stage is used when the line manager and individual have not been able to reach agreement on a solution in the exploratory stage. The agile working request will be reviewed by the next level

of management to check for other possible solutions including whether this request could be accommodated in a different team, location or role.

The manager reviewing at this escalation stage must check whether or not consideration has been given to any relevant protected characteristics of the individual under the Equality Act and where appropriate these have been taken into account.

More time to explore and investigate alternative options may be required at this time, an extension to the timescale should be mutually agreed. Investigations may consider:
• Using an alternative manager to gain a second opinion to verify that a solution within the team can / cannot be found.
• Potential openings in other teams/locations e.g. vacancies, unused hours, unfilled hours/shifts.

Where a move to a new team/location is identified as a possibility a meeting between the individual and prospective new manager is recommended and a trial period could be considered. A trial in these circumstances ideally should be for two working weeks, excluding any annual leave, at the end of which a review meeting should be scheduled, this time period, as agreed by both employee and employer, will be considered an extension of the flexible working application process.

4.4   Outcome of the Agile Working Conversation

Once an employee's workstyle has been explored and agreed, an Agile Working Agreement Form (Appendix A) must be completed and shared with the employee within 7 calendar days of the agile working conversation. The agile working agreement needs to identify the designated contractual base the employee. This should be the place of work where the employee will be located for the majority of their working time. A base should be identified to ensure travel expenses between work sites are calculated correctly.

Clear and realistic objectives should be agreed between the employee and the manager to enable performance to be managed considering outcomes rather relying on presence. This should be reviewed on a regular basis through supervision, appraisals and regular 1 to 1 discussions. Employees will be expected to deliver the outcomes agreed with their manager. Methods of communication should also be agreed to ensure both parties are fully informed, using a combination of face to face conversations (physical and virtual), emails, video conferencing, telephone and team meetings / briefing etc.

It is important to consider whether this could lead to channel overload if using too many forms of communication particularly thinking about how individuals cope with processing information.

Although agile workers may not necessarily work standard office hours (unless the role dictates this), it may be necessary to agree a work pattern (e.g. with the manager, the rest of the team and colleagues), so that all team members are aware of the individual's working hours, where they are located and know when and how to contact them. These should be agreed in advance allowing employees who are using their homes as part of their agile working arrangements, to have a right to privacy out of hours and be able to separate their working and home lives.

Agile working must not negatively impact the provision of services and therefore managers must ensure that they have systems in place to maintain suitable office presence if required.

4.41   Decision Stage - Agile Working Request Agreed

The solution agreed after either the exploration or escalation stage should be documented and the decision provided in writing to the individual, copied to the People Operations Team via email peopleoperations@combined.nhs.uk.

The documentation should clearly record:

- The provisions agreed and any changes e.g. change to number of hours, work pattern, work location, role and/or team
- Any agreed trial arrangement and timeframe, including how success of the trial will be determined.
- The duration of the agreement, is it temporary (to be reviewed on a minimum of an annual basis, review date to be included) or permanent.

4.42   Decision Stage – Agile Working Request Declined

If, following the escalation stage, a solution has not been agreed the line manager must provide written confirmation of this decision and the rationale of the outcome. This must provide the employee with robust clarification detailing the objectively justified reasons along with an account of the alternatives that were considered.

4.5   Right to appeal against outcome of the Agile Working Conversation

The employee has the right to appeal the decision if their request is refused. The employee may submit an appeal within 14 calendar days of being notified of a decision on their application. The appeal must be submitted in writing and clearly state the grounds on which the employee is appealing and addressed to the manager one level above the manager
responsible for the outcome of the decision stage.

Wherever practical the appeal will be arranged without undue delay and the appeal will be heard within 14 calendar days from receipt from the appeal submission (this is dependent upon diary availability, annual leave, absence etc.).

Following on from the appeal meeting the employee will then be informed of the outcome to their appeal within 14 calendar days of the appeal meeting and receive written confirmation of the outcome. If an appeal is upheld the written decision must:
• Include a description of the new working pattern.
• State the date from which the new working pattern is to take effect.
• Be dated. If an appeal is dismissed the written decision must:
• State the grounds for the decision. These will be appropriate to employee's own grounds for making the appeal.
 • Provide an explanation as to why the grounds for refusal apply in the circumstances.
• Be dated. The above timeframes may be extended with the agreement of both the employee and appeal manager and / or where is not practicable to achieve the timeframes due to capacity / annual leave / absence
. These time limits may be extended with the agreement of both the employee and appeal manager.

The employee will have the right to be represented by their trade union or work colleague at all stages of an appeal.

4.6   Trialling new agile working arrangements

Where there is some uncertainty about whether the agile working arrangement is practical for an employee and / or the Trust, a trial period may be agreed. If a trial period is arranged the Trust will allow sufficient time for an employee and their manager to implement and become used to the new agile working practices before making any decisions on the viability of an arrangement longer-term.

4.7 Differences to Flexible Working

Whilst flexible working is the term used to describe a work pattern that has been designed for an individual, usually to help that person balance work and home life and to accommodate a particular need, agile working is the term used to describe how employees can work more flexibly from locations, hence allowing individuals to find the most productive way to complete a task.

All employees are able to request flexible working; the Trust has a legal duty to consider any request seriously. The Flexible Working Regulations 2014 do not specifically highlight agile working as a type of flexible working; this is a key difference between flexible working and agile working. Applications for flexible working must be made in accordance with the Trust's Flexible Working and Employment Break Policy.

5. <u>STANDARDS AND PRACTICE</u>

5.1   Equipment

Equipment for agile working will be provided by the trust. There may be occasions due to supply issues that this may not be available straight away. Equipment will generally consist of laptops, docking stations, a monitor, keyboard, headset and mouse, this will be set up at the contracted base providing the ability to use a laptop whilst working in other locations.
Other equipment may be provided if needed though a disability assessment, such as voice recognition software or larger monitor. Personally adapted equipment such as a chair or desk riser will be provided to an individual should a Workstation Assessment or Access to Work assessment deem this necessary; however, this equipment will be provided at the place where they predominantly work (including at home) and not across multiple sites. Therefore, the individual will be responsible for ensuring that this equipment is available for their use wherever they work. Individuals will also need to consider that when working agile, they will need to ensure that they comply with DSE requirements to ensure their workstation is set up appropriately.

The manager, in consultation with the employee will determine the equipment to be provided. The Trust HIS will be responsible for determining and providing the appropriate equipment and technical requirements for the employee undertaking an agile working arrangement.
Please note that the Trust HIS service will not normally attend home premises, if support is needed and staff member would be required to bring equipment into trust premises for repair etc.

5.2   Health and Safety

Employees have a responsibility for their own and others health and safety while they are carrying out work activities regardless of the work location in accordance with the Trust's Health and Safety Policy.

Where employees use other Trust locations or other sites to work, they should familiarise themselves with the local arrangements for managing health and safety. They should ensure they are aware of fire safety arrangements to ensure they are fully conversant with the actions to be taken in the event of discovering a fire or on hearing the fire alarm signal and ensure they adhere to the local signing in and out arrangements.

Due consideration to lone working arrangements should be explored fully between the line manager and employee to ensure safe working arrangements are in place. This may also include reference to policies referenced on the front page of this document.

A full completed and signed Agile Working Agreement and a [DSE Assessment](#) will need to be carried out taking in to account all work locations. This will need to be carried out again if any substantial changes are made to the working environment or arrangements. Employees must fully participate in completing the necessary risk assessment paperwork and review this with their manager. This may well identify the need for specialist equipment such as chair or desk which will be supplied at the contracted base.

If working from home, even if it is only on an ad-hoc basis, the employee has a responsibility to ensure they have an appropriate workspace with adequate security, storage and screening from activities and noise in the rest of the home. There must also be adequate ventilation and lighting.

5.3 Data Protection, Security and Confidentiality

The Trust provides employees with access to the personal and confidential information they need to do their job. This information must not be disclosed to others who are not authorised to see it.

The Trust's information governance policies must apply at all times regardless of work location.

When working in a mobile manner, the employee is responsible for the security of equipment, files and any other information in their possession, including the transportation of such items whenever outside of the Trust office environment. It is particularly important to ensure that non-authorised personnel (in the home environment or whilst working off site) cannot gain access to confidential or personal information.

The Trust does not support providing printers in a home working environment, printers can be accessed via an alternative Trust site.

All efforts must be made to secure Trust equipment when being used at all locations. Wherever possible, this equipment should be locked away. At a minimum, all equipment should be stored out of sight of windows and doors to deter equipment being stolen.

No work-related emails or sensitive data should be sent to the employee's home email addresses. No confidential work-related files should be stored on an employee's own personal computer.

Any loss of equipment or information must be reported immediately to the employee's line manager.

5.4   Use of Video conferencing including but not limited to MS Teams / Zoom

It is vital to ensure that any work undertaken via videoconferencing is undertaken with regard to ensuring confidentiality. Any confidential sensitive or personal data must not be viewable over the video. Use of the Trust's Teams background is to be used for all Teams calls. For other video conferencing background blurring should be used to ensure privacy but this should not be relied upon as an information governance measure.

It needs to be considered that background insertion has the potential to hide other people present in the room which could present a breach of confidentiality so there may be occasions where there is an instruction for background insertion to be turned off.

Conversations must not be conducted that can be overheard or viewed by other members of a household or visitors to the premises. Use of headphones is recommended.

Standards of conduct in meetings conducted over video conference should not fall below what would be expected in physical meetings.

5.5   Insurance, Mortgage and Tenancy Arrangements

Computers and other items of equipment provided by the Trust as part of the agile working arrangement will be covered by the Trust's insurance policy.

If working from home employees are required to contact their own insurance company to inform them that they will be working at home. This does not usually result in an increase in premium and it is unlikely that working from home will affect cover. Employees working at or

from home are covered by the Trust's Employer's Liability Policy. Any accidents must be reported immediately in accordance with the Trust's usual reporting methods.

Although covered by the Trust's Employer's Liability Policy, employees working at or from home are advised to ensure their home contents policy has public liability cover for at least £1 million. This is a standard clause in most home insurance policies. If an employee does not have such cover then they should seek advice from their insurance company.

6.   Roles and Responsibilities

Managers hold the following responsibilities:
- To ensure that any request covered by this policy is requested formally using the enclosed application form.
- To consider any applications made under this policy, being open and responsive to requests and to accommodate requests where possible. In doing so they must give serious consideration to the impact of a request on both colleagues and service delivery. Managers have a primary responsibility for maintaining service effectiveness and quality and reviewing individual requests on a regular basis (at least annually).
- To maintain contact with employees whilst undertaking agile working ensuring their health and wellbeing.
- To maintain clear and accurate records of any agile working agreements and arrangements, copies of which should be placed on the employee's personal file.
- To ensure a high quality service to patients and service users by proactively planning for agile working. To achieve this, managers must understand required staffing levels and skill mix required in order to create a clear framework with agile working accommodated.
- To strictly adhere to the time limits outlined within the policy.
- To avoid any misunderstandings, managers should brief other team members and discuss any impact of the agile working request, before agreeing to the application.
- Where a request is refused to provide objectively justifiable reasons, giving clear, demonstrable operational reasons why the request is not practical. Refusals should be supported by evidence where possible e.g. rosters, occupational health or risk assessments.
- Managers need to consider the health, safety and wellbeing of employees this includes conversations with their employees to ensure they are not working excessive hours.
- Key points:

    Agree ways of working

    Review short-term goals

    Continue training and development

    Keep calendars visable (if possible due to confidentiality)

    Be flexible

    Be aware of overworking

    Make the most of technology

    Be consistent

-
6.1 People Operations Team and Staff Side hold the following responsibilities:
- To provide any support or advice to Managers / Employees as appropriate.

6.2 Employees hold the following responsibilities:
- To comply with the principles of this policy, being aware of the options open to them, the eligibility criteria and should use the attached form to apply for agile working.
- To be aware that requests must be objectively justified based on sound organisational and service needs, carefully considering the effect of their preferred method of working, on:
  - Patients and other service users
  - The Trust / Directorate
  - Individual members of staff
  - The team in which they work
- To submit a carefully thought out and fully completed request for an Agile Working Agreement.
- To be prepared to discuss their desired agile working arrangement with other members of their team.
- To ensure that the application is made well in advance of the date they wish it to commence, unless extenuating circumstances necessitate urgent consideration.
- To consider their own and colleague's health, safety and wellbeing.
- To attend meetings and be prepared to discuss their application in an open and constructive way.
- To be receptive to alternative suggestions.

7. Contracted Home-Based Working

Where there is a re-organisation of work locations and it is considered that a move to a contractual home base is required, a formal management of change process will be undertaken. All employees will be consulted on the proposal with suitable alternatives or reasonable adjustments being taken in to account. The Trust is committed to ensuring that no employee will be moved to a contracted home base if there will be any detriment to their health, safety or wellbeing. Contractual home working may also be seen as a reasonable adjustment under the Equality Act 2010. Managers may wish to seek the advice of Occupational Health to explore this.

Having a contracted home base will require the following:
- A formal management of change process

And / or
- An agile working request along with a job suitability and risk assessment process – with an annual review

A contractual home worker is an individual who undertakes the majority of their duties from their home. They will be required to travel to Trust and other locations in the course of their work, this may include attendance at team meetings, time outs, training etc. As far as possible, reasonable notice will be given however there may be times when this is not possible e.g. business continuity situations, critical events.

All employees who work from a contracted home base should be treated fairly and equitably and supported to work safely and effectively in their teams. All policies, procedures, behaviour standards and organisational values should apply equally to all employees regardless of their homeworking status.

Specific provision for contracted home-based working

Implications for travel costs – a contractual home base may have different implications for travel costs and tax. Following an extensive review the Trust has issued the following guidance:

Claiming Expenses with a Home Base. Employees who are based at home are able to claim mileage for each journey to/from a Trust site, up to a maximum of 30 miles each way. Information is available on the Trust CAT page.

Furniture and Equipment Provision – the Trust has produced a Home Working Support Package outlining the equipment that will be provided to support working from a home base

Broadband – there will be a requirement to have reliable broadband to support any working from home. This is not part of the Home Working Support Package. Employees are required to fund this

Tax Relief - According to government/HMRC guidance, employees may be able to claim tax relief for additional household costs if they have to work at home on a regular basis, for either all of or part of the week.

Employees cannot claim tax relief if they <u>choose</u> to work from home. This includes if:
- your employment contract lets you work from home some or all of the time
- you work from home because of coronavirus (COVID-19)
- your employer has an office, but you cannot go there sometimes because it's full

Employees can either claim tax relief on:

- £6 a week from 6 April 2020 (for previous tax years the rate is £4 a week) - employees will not need to keep evidence of extra costs
- the exact amount of extra costs employees have incurred above the weekly amount – employees will need evidence such as receipts, bills or contracts

Employees will get tax relief based on the rate at which they pay tax. For example, if they pay the 20% basic rate of tax and claim tax relief on £6 a week, they would get £1.20 per week in tax relief. Further information can be found here: [Claim tax relief for your job expenses: Working from home](#).

Unsocial Hours Provision – where staff are required to cover services in the evening, at night, over weekends and on general public holidays they should receive unsocial hours payments. If there is **no requirement** for the employee's work to be done during unsocial hours and it is their choice unsocial hours payments will not be made.

8. <u>**RELATED POLICIES**</u>

- Domestic Abuse Policy
- Flexible Working and Employment Break Policy
- Supporting Attendance at Work Policy
- Information Governance Policy
- Management of Staff Change Policy
- Lone Worker Policy
- Display Screen Equipment Policy
- Information Security / Data Protection

9. **APPENDICES**

9.1 Effective use of video conferencing

General
- Ensure your environment is set up to ensure confidentiality

- Ideally have camera set at eye level

- Cameras (if available) should be switched on unless internet connection is unable to maintain connection, though consideration needs to be given to individuals preference to privacy.

- Make sure lighting enables other participants in the call see you as clearly as possible. For instance, sitting in front of a strong light source (such as a window) may cast you in silhouette which makes it difficult for others to see you

- Be aware that some staff may make use of lip reading

- Use headphones if possible, to avoid audio echo.

- Test microphone to ensure others can hear you as clearly as possible

- Consider whether your location could be identified if on camera, i.e. street outside is visible.

- Consider what else is visible in the room

Meetings
- Chair to explain how meeting will be conducted

- Inform participants if meeting is being recorded

- Individual introductions can be used to check participants camera and audio

- Clicking on a 'Hands up' button by participants to request to speak through Chair

- Don't use chat or messaging function to have conversations that should be part of the meeting

- In large meetings it may be helpful for chair to have an assistant (which can be a fellow participant) to monitor requests

- Have a clear time frame for the meeting (ideally <90 mins) to avoid excessive time spent looking at screen.

- If necessary, factor in a comfort break

- Mute microphone when not speaking

For other uses of video conferencing such as 1:1 with patients much of the above will also be useful.

9.2 Appendix: Agile Working Request Form

Employee Name:	
Job Title:	
Team	
Current Work Location:	
Contact Number:	
Email Address:	
Current number of working hours per week/working pattern	

When applying for agile work the following information must be submitted to your line manager. This information will be the starting point for discussion between you and your line manager, and where necessary, your work colleagues. Your application will be returned to you if you do not complete all of the questions.

Which Work Style would you like to adopt?

Please state how it is envisaged that your chosen Workstyle will work?

What impact could this have on the service and work colleagues?

Signature: **Date:**

9.3 Appendix: Agile Working Agreement Form

Employee Name:	
Job Title:	
Team:	
Line Manager:	

The completion of this form confirms that the above named member of staff, together with their line manager, have fully considered all issues relevant to agile working as detailed below.

Once completed, this form confirms that the above named member of staff has received manager approval, which in turn will instigate any necessary training and the receipt of the appropriate IT equipment. A copy of this form is to be retained by the employee, with the original being held by the manager in the individual's personal file and will be reviewed regularly at 1:1's and during the employee's performance appraisal.

Trust managers must ensure that the requirements of the Flexible Working Regulations 2003 are met (as outlined within the Trust's Flexible Working Policy) and that the above named has read both the Agile Working Policy. Advice should be sought from the HR Operations Team if required.

Trust systems to be accessed	
Occasional Home Working applicable?	
Review Date	

Criteria	Yes	No	Date	Additional Comments
General				
Have the general and team / service benefits of agile working been explained and understood?				
Has the greater ability to work independently with reduced contact with colleagues, increased self-motivation and the ability to meet deadlines without regular supervision been discussed and explained?				

Criteria	Yes	No	Date	Additional Comments
How will communication between the manager and member of staff be maintained and Have the hours for telephone contact be agreed? *Managers and staff must ensure that the working time regulations are not breached by the arrangement.*				Please give details……..
How will performance be measured and outcomes monitored?				Please give details……..
Given the fact that agile working enables the working from various locations rather than purely at a designated base, have all the suitable locations been identified and discussed?				
Has the restructuring of day to day tasks to align with agile working principles been discussed and explained? (E.g. reduced travel enabling increased volume of home visits etc.)				
Has the travel claim / designated base process been explained and agreed where applicable?				Designated base will be: *Please state*
Has the allocation and use of IT and other equipment been discussed? *Can record details about what they are to receive to support the transition to agile working*				
Have any training needs been identified? *If so provide details of what they are.*				

Criteria	Yes	No	Date	Additional Comments
Have annual review arrangements been made? (Usually at 1:1s or supervision)				
If the post holder has a disability, have the requirements of the Equality Act 2010 been properly considered. Advice should be sought from HR or Occupational Health if needed.				
Have arrangements been made to ensure the safe storage of records and equipment when not in use? *E.g.: ensuring equipment is not stored in car's overnight*				

The section below is only to be completed if homeworking is to form part of the individual's formal agile working agreement

Home Working	Yes	No	Date	Additional Comments
Have arrangements been made to ensure the secure storage of records & equipment when at home?				
Have arrangements been made to ensure connectivity to the Internet?				
Is the employee aware of all health and safety issues and have all the appropriate assessments been completed?				
Has the employee consulted their insurance company?				

I have read and understood the Trust policies in relation to Information Governance and I understand that I am responsible for the equipment and information which I hold/use away from the work place.

I understand that abuse of the arrangement could lead to these arrangements being terminated and/or disciplinary action being taken against me.

In addition, I confirm that I am satisfied I have received the necessary information and guidance relating to Agile Working and I am ready to adopt the new working principles as outlined in the Agile Working Policy and associated documentation.
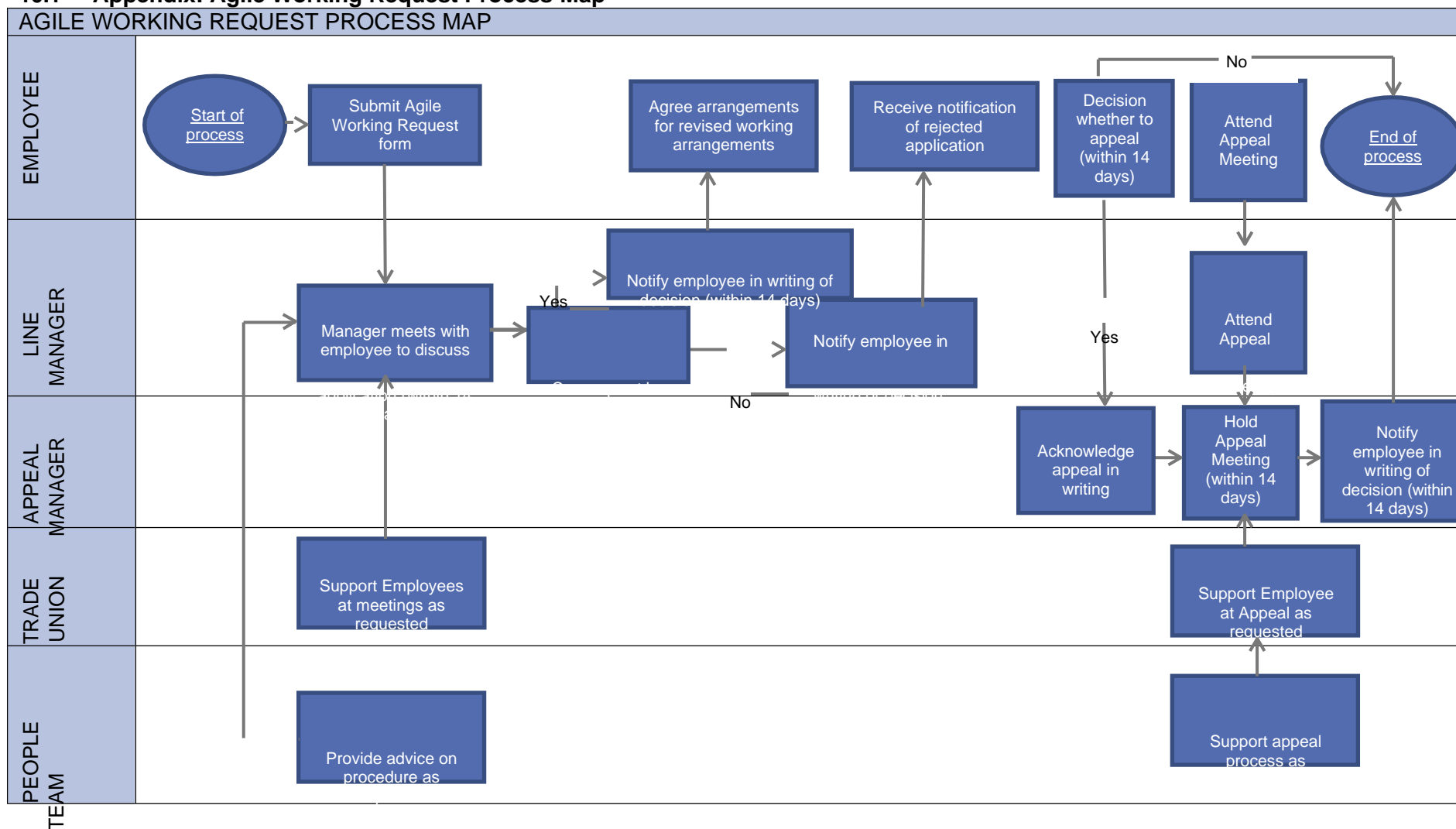
Additional Comments

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

Signed (Employee)	
Date	

I am satisfied that the above named has undertaken the necessary steps relating to the pre-implementation stage of Agile Working and I therefore sign off this member of staff in readiness for receipt of IT equipment:

Signed (Manager)	
Date	
Date for review of Agreement : No later than	

9.4   Appendix: Agile Working Request Process Map

AGILE WORKING REQUEST PROCESS MAP	
EMPLOYEE	
LINE MANAGER	
APPEAL MANAGER	
TRADE UNION	
HUMAN PEOPLE TEAM	

10.1 Appendix: Agile Working Request Process Map

AGILE WORKING REQUEST PROCESS MAP

EMPLOYEE

Start of process → Submit Agile Working Request form

Agree arrangements for revised working arrangements

Receive notification of rejected application

Decision whether to appeal (within 14 days)

Attend Appeal Meeting

End of process

No

LINE MANAGER

Manager meets with employee to discuss

Yes → Notify employee in writing of decision (within 14 days)

Notify employee in

No

Yes

Attend Appeal

APPEAL MANAGER

Acknowledge appeal in writing

Hold Appeal Meeting (within 14 days)

Notify employee in writing of decision (within 14 days)

TRADE UNION

Support Employees at meetings as requested

Support Employee at Appeal as requested

PEOPLE TEAM

Provide advice on procedure as

Support appeal process as

Training Needs Analysis for the policy for the development and management of Trustwide procedural / approved documents

Please tick as appropriate

There **is no** specific training requirements- awareness for relevant staff required, disseminated via appropriate channels (Do not continue to complete this form-no formal training needs analysis required)	✓
There **is** specific training requirements for staff groups (Please complete the remainder of the form-formal training needs analysis required- link with learning and development department.	

Staff Group	✓ if appropriate	Frequency	Suggested Delivery Method (traditional/ face to face / e-learning/handout)	Is this included in Trustwide learning programme for this staff group (✓ if yes)
Career Grade Doctor				
Training Grade Doctor				
Locum medical staff				
Inpatient Registered Nurse				
Inpatient Non-registered Nurse				
Community Registered Nurse				
Community Non Registered Nurse / Care Assistant				
Psychologist / Pharmacist				
Therapist				
Clinical bank staff regular worker				
Clinical bank staff infrequent worker				
Non-clinical patient contact				
Non-clinical non patient contact				

Please give any additional information impacting on identified staff group training needs (if applicable)

Please give the source that has informed the training requirement outlined within the policy i.e. National Confidential Inquiry/NICE guidance etc.

Any other additional information

Completed by		Date	

Flexible Working and Employment Break Policy

Lead executive	Chief People Officer
Authors details	Senior People Advisor

Type of document	Policy
Target audience	All Trust employees.
Document purpose	The purpose of this policy is to explain the procedures for all staff regarding flexible working and employment breaks and gives guidance, aligned to the ACAS code of Practice, on the main reasons for which these can be used.

Approving meeting	PCDC	Meeting date	3rd April 2024
Implementation date	3rd April 2024	Review date	30th April 2027

Trust documents to be read in conjunction with	
3.03	Compassionate and Special Leave Policy
3.11	Supporting Attendance at Work Policy
3.24	Recruitment and Selection Policy
3.19	Retirement Procedure
3.16	Leave for Parents and Guardians Policy
3.07	Management of Change Policy
3.47	E-Rostering Management Policy
3.02	Resolution and Grievance Policy
3.49	Agile Working Policy
4.02	Standards Of Business Conduct

Document change history		Version	Date
What is different?	- Update of policy names, email address - Slight revision of 2.1 to clarify that this is a day 1 right for all employees - Update of 3.1 to new diversity and inclusion statement. - Reduction of timescale by which the Trust must respond to a flexible working request from 3 months to 2 months		25/07/24

	- Removal of requirement for employee to justify their request or consider impact on Trust and colleagues.		
Appendices / electronic forms	- Appendix 2 updated to reflect revised application process		25/07/24
What is the impact of change?	- compliant with new legislation		25/07/24

Training requirements	NA, coaching/advice is available from People Operations Team

Document consultation	
Directorates	Partnership Working Group and Joint Negotiation Consultation Committee
Corporate services	Partnership Working Group and Joint Negotiation Consultation Committee
External agencies	Partnership Working Group and Joint Negotiation Consultation Committee

Financial resource implications	None

External references
1. www.nhsemployers.org/tchandbook 2. Code of Practice on handling in a reasonable manner requests to work flexibly	Acas 3. NHSE_Flexible_Flowchart_.pdf (nhsemployers.org) 4. https://www.england.nhs.uk/ournhspeople/online-version/lfaop/our-nhs-people-promise/the-promise/

Monitoring compliance with the processes outlined within this document	

Equality Impact Assessment (EIA) - Initial assessment	Yes/No	Less favourable / More favourable / Mixed impact
Does this document affect one or more group(s) less or more favorably than another (see list)?		
– **Age** (e.g. consider impact on younger people/ older people)	No	

– **Disability** (remember to consider physical, mental and sensory impairments)	No	Equality check added to decision process
– **Sex/Gender** (any particular M/F gender impact; also consider impact on those responsible for childcare)	No	
– **Gender identity and gender reassignment** (i.e. impact on people who identify as trans, non-binary or gender fluid)	No	
– **Race / ethnicity / ethnic communities / cultural groups** (include those with foreign language needs, including European countries, Roma/travelling communities)	No	
– **Pregnancy and maternity, including adoption** (i.e. impact during pregnancy and the 12 months after; including for both heterosexual and same sex couples)	No	Protects rights regardless of sexual orientation, age, race etc.
– **Sexual Orientation** (impact on people who identify as lesbian, gay or bi – whether stated as 'out' or not)	No	
– **Marriage and/or Civil Partnership** (including heterosexual and same sex marriage)	No	
– **Religion and/or Belief** (includes those with religion and /or belief and those with none)		
– **Other equality groups?** (may include groups like those living in poverty, sex workers, asylum seekers, people with substance misuse issues, prison and (ex) offending population, Roma/travelling communities, and any other groups who may be disadvantaged in some way, who may or may not be part of the groups above equality groups)	No	Equality Check added to decision process

If you answered yes to any of the above, please provide details below, including evidence supporting differential experience or impact.	
If you have identified potential negative impact: - Can this impact be avoided? Staff are required to complete mandatory education to ensure a safe service provision - What alternatives are there to achieving the document without the impact? Can the impact be reduced by taking different action?	
Do any differences identified above amount to discrimination and the potential for adverse impact in this policy?	No
If YES could it still be justifiable e.g. on grounds of promoting equality of opportunity for one group? Or any other reason	
NB – potentially adverse effects and indirect discrimination acknowledged in decision making process, equality check added to prompt the full consideration of any relevant protected characteristic	

Where an adverse, negative or potentially discriminatory impact on one or more equality groups has been identified above, a full EIA should be undertaken. Please refer this to the Diversity and Inclusion Lead, together with any suggestions as to the action required to avoid or reduce this impact. Discussed the above with the Inclusion & Diversity Lead – adjustments offered and made ensured equality and inclusion. For advice in relation to any aspect of completing the EIA assessment, please contact the Diversity and Inclusion Lead at Diversity@combined.nhs.uk	
Was a full impact assessment required?	
What is the level of impact?	

Contents

1 Introduction and background

1.1 All staff have the right to make flexible working and employment break requests, regardless of gender or gender identity, sexuality, parental status, family or other domestic circumstances. Where the term partner is used, this is regardless of gender and includes same-sex partners.

1.2 The Trust supports different ways of working which assist people in balancing work responsibilities with other aspects of their lives. The Trust offers Employment Breaks and Flexible Working as part of the commitment to arrangements which enable employees to balance paid work with their other commitments and responsibilities. The Trust recognises that a positive work/life balance benefits both employees through improved health and wellbeing and the Trust as staff are more productive and satisfied at work. Importantly flexible working forms a crucial part of creating modern and inclusive employment practices.

Enablers to flexible working

THE NHS STAFF COUNCIL
WORKING IN PARTNERSHIP

We work flexibly

Flexible working forms a crucial part of creating modern and inclusive employment practices. More action is needed to increase the uptake of flexible working across the NHS, to allow us to recruit and retain diverse talent and ensure that the NHS is an employer of choice.

Following employer engagement, this poster identifies the ten enablers to flexible working.

LEADING THE WAY
Leaders will provoke cultural change, challenge status quo and enable the principle of flexibility by default.

STAFF ENGAGEMENT
Talk to staff and use data to find out what they want in terms of flexibility. Support teams to define and improve flexible working practices that meets the needs of them and patients / services.

POLICY AND PROCESS
Ensure your policy and processes are up to date and are easily accessible by staff.

SUPPORTIVE LINE MANAGEMENT
Influence the attitudes and actions of managers by providing permission, support, and training to equip managers to deal with flexible working requests effectively.

JOB DESIGN
Design jobs with flexibility in mind as standard, recognising that flexibility is role dependant. Ask 'why not' rather than 'why'.

TECHNOLOGY
Technological solutions can improve rostering and help to manage live rotas. Rota design should be a collaborative process involving both employers and staff.

COMMUNICATION
Educate everyone on how to work flexibly so they can find the right balance. Promote flexible working to staff and managers to ensure that staff know what their options are.

SYSTEM WORKING
Collaborate with other organisations in your area to provide greater opportunities for staff to work flexibly.

INCLUSIVE
Flexible working will be inclusive and open to all. Policies and processes will be equally assessed and outcomes monitored.

DEFINING SUCCESS AND MEASURING IMPACT
Clearly define what successful flexible working looks and feels like. Regularly monitor and measure the effectiveness of flexible working practices to demonstrate its positive impact on patients and colleagues.

1.3 Employment Breaks and Flexible Working also assist the Trust to attract and retain the experience of staff, improve morale, increase motivation and decrease absenteeism consistent with the NHS commitment to the provision of high quality healthcare.

1.4   Employees also have access to other leave arrangements which recognise the additional personal commitments staff may have, please refer to 3.03 Compassionate and Special Leave Policy.

1.5   The policy supports application of our Trust values which guide our actions and behaviour as an employer and provider of services. These are:
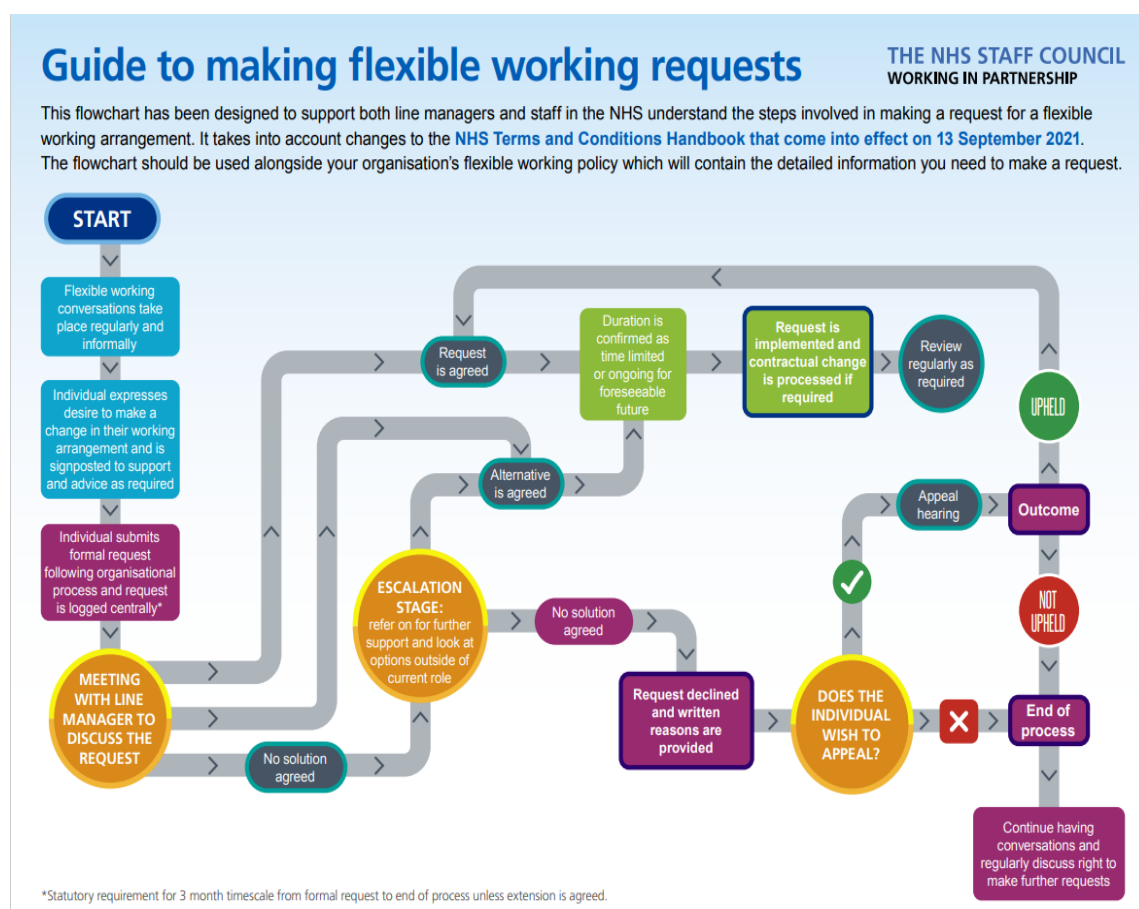
Proud to **CARE**:

Compassionate – Caring with compassion, it's about how we listen, what we say, what we do.

Approachable – Friendly, welcoming, sharing ideas and being open.

Responsible – Taking personal and collective responsibility, being accountable for our actions.

Excellent – Striving for the best, for high-quality safe care and continually improving.

1.6   Guide to making Flexible Working Requests – applications for flexible work patterns follow the prescribed route as per the AfC terms and conditions of service.

Guide to making flexible working requests

THE NHS STAFF COUNCIL
WORKING IN PARTNERSHIP

This flowchart has been designed to support both line managers and staff in the NHS understand the steps involved in making a request for a flexible working arrangement. It takes into account changes to the NHS Terms and Conditions Handbook that come into effect on 13 September 2021. The flowchart should be used alongside your organisation's flexible working policy which will contain the detailed information you need to make a request.

*Statutory requirement for 3 month timescale from formal request to end of process unless extension is agreed.

2 Scope

2.1 All employees are able to request flexible working from day 1 of employment; the Trust has a legal duty to consider any request seriously. Employees can make requests for flexible working at any point in their employment, for any reason.

2.2 Flexible working is incorporated into the recruitment and selection procedure and the Trust's commitment to flexible working included in all job advertisements.

2.3 The Employment Break procedure applies to all employees (both under Agenda for Change and Medical & Dental Terms and Conditions) of the Trust who have a minimum of 12 months service and have a firm intention to return to work after the Employment break.

3 Diversity and Inclusion Statement

3.1 These procedures should be applied equitably to all employees. The Trust aspires to ensuring Outstanding diversity and inclusion in its role as both an NHS service provider and as an employer. We are committed to continually improving our services and ensuring that these are safe, personalised, accessible and recovery-focused (SPAR) for all our patients, service users, visitors and carers. We are also committed to providing excellent employment experiences for those who work within our services. In short, we aim to see that everyone using our services - or working within them - experiences our CARE Values: compassion, approachable, responsible and excellent. The Trust does not tolerate any form of racist, cultural, religious, sexist, misogynistic, ableist biphobic, homophobic and/or transphobic discrimination, bullying and harassment in any of our services, whether from service users and patients, members of the public, or those working on behalf of the Trust. Action will always be taken where this occurs. We work continuously to develop a positive culture of outstanding inclusion for all.

4 Duties/Responsibilities

4.1 Managers hold the following responsibilities:
- To consider flexibility in to all job roles, in order to promote flexible working as an employee benefit.

- To ensure a high quality service to patients and service users by proactively planning for flexible working. To achieve this, managers must understand required staffing levels and skill mix required in order to create a clear framework within which flexible working can be accommodated.
- To ensure that staff are made aware of this policy and take a pro-active approach in promoting flexible working.
- To actively encourage staff to consider whether flexible working arrangements or reduced working hours may be appropriate following major life changing events, ill health or in line with service need.
- To ensure that any request covered by this policy is requested formally using the enclosed application form(s).
- To consider any applications made under this policy, being open and responsive to requests and to accommodate requests where possible. In doing so they must give serious consideration to the impact of a request on both colleagues and service delivery.   Managers have a primary responsibility for maintaining service effectiveness and quality and reviewing individual arrangements on a regular basis (it may be beneficial to review flexible working as part of the annual appraisal process to ensure this is done at least annually).
- To maintain contact with employees whilst on employment break including communicating any major service related changes and (where possible) including the employee in any consultations under the 3.07 Management of Change Policy.
- There is a requirement to consider flexible working options as part of the Trust's duty to make reasonable adjustments for disabled staff under the Equality Act 2010 and staff returning from maternity leave.
- To consider and process applications, and appeals promptly.
- To maintain clear and accurate records of any employment breaks, flexible working applications or job share agreements entered into and, when relevant, to handover such documents to more senior managers/ colleagues or successors copies of which should be placed on the employee's personal file and forward a copy of the application and outcome to the People Operations Team.

4.2   People Operation Team hold the following responsibilities:
- To provide any support or advice to Managers/Employees as appropriate.
- To maintain a central record of all flexible working requests and outcomes.
- To monitor and review the flexible working process.

4.3   Staff Side hold the following responsibilities:
- To provide any support or advice to Managers/Employees as appropriate.

4.4   Employees hold the following responsibilities:
- To comply with the principles of this policy, being aware of the options open to them and use the attached form(s) to apply for flexible working or an employment break or otherwise put their request in writing[1].
- To be aware that requests must be objectively justified based on sound organisational and service needs.
- To be flexible when making requests, considering options and alternatives to reach agreement on the request when possible.

5   Flexible Working

5.1   A good flexible working arrangement balances three key considerations:
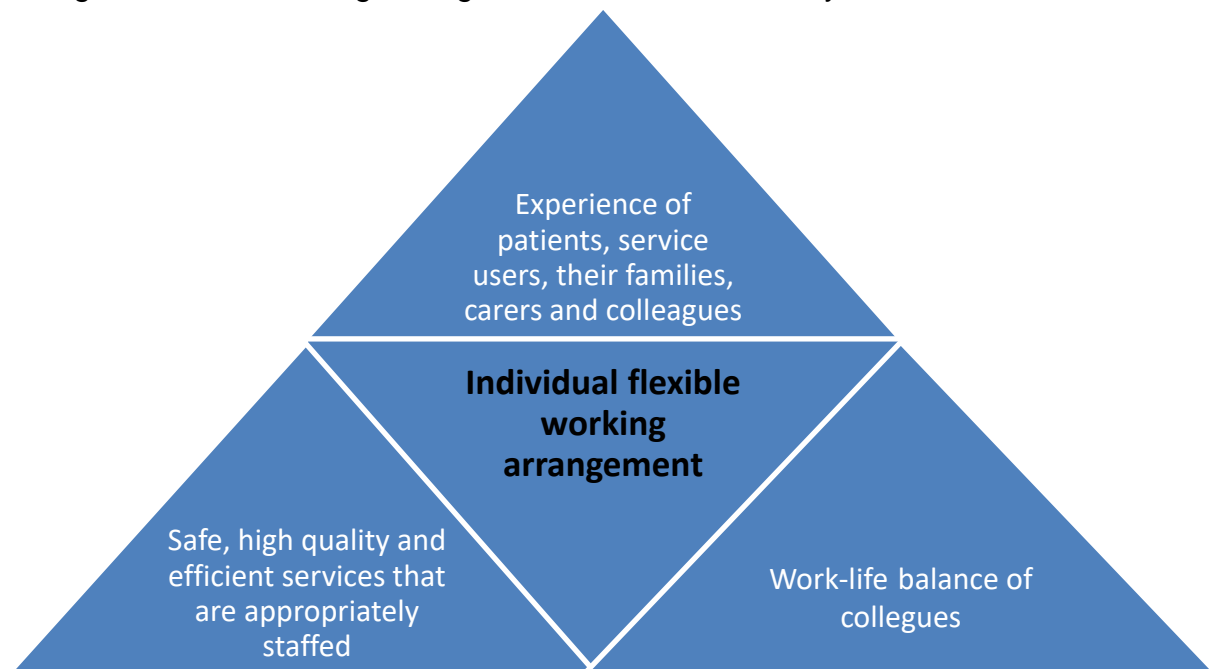
1) Experience of patients, service users, their families, carers and colleagues
2) Safe, high quality and efficient services that are appropriately staffed.
3) Work-life balance of colleagues

Informal flexible working arrangement

These arrangements are usually agreed between the individual and their line manager (or equivalent) as and when needed and don't normally require a formal contractual change.

---

[1] Legal requirement to put the request in writing.

Examples of informal arrangements could include:
- Swapping shifts/sessions
- Mixing shifts/sessions (e.g., working some long and some short shifts/sessions)
- Use of Time off in lieu (TOIL) - If you work additional hours at the request, or with the agreement, of your manager you will be entitled to take time off in lieu (TOIL). This will be on the basis of one hour off for every additional hour worked. TOIL should be taken as soon as possible after the date(s) additional hours have been incurred.
- Short term arrangements to flex start and finish times and/or work location

Formal (contractual) flexible working arrangement

These arrangements may initiate a change to an individual's contract as they can have an impact on pay, pension and/or annual leave calculations or have corporate governance implications.

5.2   Examples of the types of flexible working that may be applied for are outlined at Appendix 3. Flexible working requests can be made for **any** reason – and may be particularly supportive in the following circumstances:
- Staff with a disability or underlying health condition.
- Staff returning to work following maternity/paternity leave, parental leave or shared parental leave/adoption leave regardless of gender or sexual orientation.
- Staff in need of temporary changes to their employment arrangements, for example, following a domestic crisis, bereavement or health related issue.
- Reasons relating to personal cultural, religious or spiritual advancement or pilgrimage.
- Staff with caring responsibilities outside of work, such as caring for a child or adult with a health condition or disability.

5.3   Informal flexible working conversations can be held between employee and line manager at any time including one-to-one's, health and wellbeing conversation and appraisals. This may provide a helpful head start for when an employee does decide to make a formal request.

5.4   In reaching a decision regarding a request for flexible working, managers should consider the impact on service delivery and the needs of the entire team/ department to ensure that working arrangements are equitable and that the

opportunity to work flexibly can be provided to all. Whilst it is important to be positive and receptive to requests, and to be creative with flexible working patterns, one person's improved working arrangements should not be to the detriment of colleagues or the service.

5.5   Where it may not be possible to support the individual's initial request in the way proposed, it may be that an alternative arrangement could be agreed upon that is acceptable to both the individual and the needs of the team in which they work.

5.6   The flexible working request must be actioned from formal receipt to appeal stage within **2 months** unless an extension is agreed by both parties.

5.7   Once a request is made and accepted, it will normally be for a fixed period of time (normally no longer than 12 months but may be longer). At the end of the agreed time for the flexible working the application will be reviewed at which point it may be extended, revised or ended. On termination of the flexible working request it is expected that the employee's original working pattern will be re-established.

5.8   Each request is subject to an annual review as a minimum.

5.9   In the event that a permanent change to contractual terms and conditions is agreed, the employee has no right to revert back to the previous working pattern.

5.10   A fully completed and signed copy of the flexible working request must be retained on the personal file, given to the individual and shared with the People Operations Team. The completed form will serve as an agreed variation to contract when a flexible working arrangement is agreed.

5.11   Flexible working requests and outcomes are monitored centrally, please send copies of the application form at all stages to peopleoperations@combined.nhs.uk

5.12   NHS Employers flexible working hub provides lots of useful information on flexible working, flexible retirement and agile working.

6   **Flexible Working - Employee's responsibility**

6.1   To attend meetings and be prepared to discuss their application in an open and constructive way.   Consideration should be given and discussed in the exploration meeting(s) to the impact a revised working pattern may have upon:

- Patients and other service users
- The Trust/Directorate
- Other team members

6.2   To submit a completed application form (Appendix 2) to their line manager.

6.3   To be prepared to discuss their desired working pattern with other members of their team where appropriate.

6.4   To ensure the application is made well in advance of the date they wish it to commence, unless extenuating circumstances necessitate urgent consideration.

6.5   To be receptive to alternative suggestions and to be prepared to be flexible themselves in order to reach a practicable flexible working outcome in agreement with the employer.

6.6   NHS Employers offers a flexible working toolkit which provides advice on having conversations with your manager, tips for working flexibly and things to think about.   A toolkit for individuals.

7   **Points to consider when making an application**

7.1   Employees should think carefully about their request as they have no right to revert back to former hours/pattern of work should a permanent change be granted.

7.2   Employees should consider the date they would like the new working pattern to begin and take account of the fact that the process can take up to 2 months to complete and sometimes longer where a problem arises.

7.3   The more notice provided to the Trust the change is more likely to be implemented when it suits the employee. Once the application is complete it should be immediately submitted to the manager.

7.4 Any requests made for a reduction in hours will see a corresponding reduction in pay and related benefits i.e. annual leave, bank holiday and pension contributions.

7.5 It is in the employee's best interests to provide as much detail as possible about the pattern of work they would like to enable the manager to explore different options.

7.6 Employees going on maternity leave should think carefully about when to make a request, bearing in mind that they may need to attend meetings with their employer so that the request can be properly considered. If the employee wishes the changes to take effect on their return from maternity leave they should make the application in good time.

7.7 Employees are not required to provide up-front justification of the reason(s) for the request, however if they are able to foresee and possible pre-empt difficulties that may arise blocking their request or indeed if they can demonstrate how the requested working arrangement may enhance service provision it may assist the process of agreeing a mutually acceptable outcome.

8 Flexible Working - Manager's responsibility

8.1 To ensure a high quality service to patients and service users by proactively planning for flexible working. To achieve this, managers must understand required staffing levels and skill mix required in order to create a clear framework within which flexible working can be accommodated.

8.2 To seriously consider any application in accordance with this procedure, holding meetings (Appendix 4) as appropriate and allowing requests where they can, on a trial basis if necessary. Seeking support from the People Operations team where necessary, especially if planning to refuse a request, preferably prior to confirming the outcome to the employee.

8.3 To strictly adhere to the time limits as outlined in 5.6.

8.4 To have informal discussions with employees at any time e.g. one-to-ones, health and wellbeing conversations, appraisals.

8.5 To avoid any misunderstandings, managers should brief other team members and discuss any impact of the flexible working request, before agreeing flexible working applications as agreed at the exploration stage.

8.6   To decline a request only where there is an objectively justifiable reason. This means that there must be a sound business reason for a refusal of a flexible working request. Examples of objectively justifiable reasons (although not exhaustive) would be:

- Burden of additional cost i.e. bank and/or agency usage
- Detrimental effect on ability to meet needs of patients/ service users
- Staff and patient safety reasons
- Inability to reorganise work among existing employees
- Inability to recruit additional employees
- Detrimental impact on quality
- Detrimental impact on performance
- Insufficiency of work during the periods the employee proposes to work
- Planned structural changes

8.7   Any requests for flexible working that are granted must be subject to an annual review, this could be included as part of the annual appraisal/job planning process if appropriate. This is to:

- Avoid the continuation of historical flexible working arrangements when they are no longer required by the individual employee
- Meet the changing needs of the service.

8.8   To provide the outcome of the request in writing, the letter of response must include details of the agreed solution and the right to appeal (Appendix 2).

8.9   To follow up on any People Operations Team and/payroll actions following any agreed outcome such as but not limited to:

- where flexible working practices are agreed as a permanent change, a letter of variation will be issued by the manager which will detail the amendment to the employee's contract of employment
- updating of ESR/EASY/E-Rostering,
- relocation of personnel file to new manager

8.10   Allowing staff to work flexibly is an important part of creating a modern and appealing employment culture within the Trust, offering flexible working is one of the ways you can attract and retain a diverse workforce. NHS Employers line manager flexible working toolkit provides information on supporting your team to work flexibly.

9 Application Process

9.1 Informal Discussion

Use opportunities to discuss the flexible working arrangements prior to a formal application, this can help both the individual and manger.

9.2 Exploratory Stage

A formal discussion between the manager and individual upon receipt of a formal request to discuss the request, this stage may be omitted if it is possible for the manger to agree the request straight away. The exploratory stage is for the line manger to work through the request with the individual and what they want to achieve and to identify and evaluate options for achieving it. This could involve more than one conversation.

At this stage the line manager and individual should also agree whether and how any proposals are discussed with other team members.

An employee has the right to bring a companion who can be a trade union representative or a colleague to any meeting to discuss their application for flexible working.

All possibilities should be explored as far as reasonably practical. If agreement is reached the outcome must be confirmed in writing, including a review date (no longer than 12 months) and a copy of the paperwork shared with the People Operations Team via peopleoperations@combined.nhs.uk.

At this point it is not possible to decline a request, a note should be made of all options covered in the exploration stage and the request should be escalated to the next level of management (see escalation stage for next steps).

9.3 Escalation Stage

This stage is used when the line manager and individual have not been able to reach agreement on a solution in the exploratory stage. The flexible working request will be reviewed by the next level of management to check for other possible solutions including whether the flexibility the individual is seeking could be accommodated in a different team, location or role.

The manager reviewing at this escalation stage must check whether or not consideration has been given to any relevant protected characteristics of the

individual under the Equality Act and where appropriate these have been taken into account.

More time to explore and investigate alternative options may be required at this time, an extension to the timescale should be mutually agreed.

Investigations may consider:

- Using an alternative manager to gain a second opinion to verify that a solution within the team can / cannot be found.
- Potential openings in other teams/locations e.g. vacancies, unused hours, unfilled hours/shifts.

Where a move to a new team/location is identified as a possibility a meeting between the individual and prospective new manager is recommended and a trial period could be considered. A trial in these circumstances ideally should be for two working weeks, excluding any annual leave, at the end of which a review meeting should be scheduled, this time period, as agreed by both employee and employer, will be considered an extension of the flexible working application process.

9.4 Withdrawn applications

The manager must write to the employee in all instances were applications are withdrawn / considered withdrawn. There are 3 main reasons why an application may be treated as withdrawn:

1. Employee decides to withdraw their application
   An employee who withdraws their statutory request must withdraw their Flexible Working request in writing.

2. Employee fails to attend two meetings
   Where an employee fails to attend two meetings without providing a reasonable explanation and / or extenuating circumstance, their application will be considered to be withdrawn.

   The manager must:
   • Seek advice from the People Operations Team in this instance.
   • Advise the employee that the application is considered to have been withdrawn within 7 days of the scheduled meeting and confirm this in writing.

3. Employee refuses to provide the required information
There may be occasions when a manager considering a flexible working request requires more information to enable them to make a decision.

If an employee refuses to provide this information then their application may be considered to be withdrawn. The manager must:
- Seek advice from the People Operations Team in this instance.
- Advise the employee that the application is considered to have been withdrawn and confirm this is writing to the employee.

9.5 Trialling new flexible working arrangements

Where there is some uncertainty about whether the flexible working arrangement is practical for an employee and/or the Trust a trial period may be agreed. If a trial period is arranged the Trust will allow sufficient time for an employee and their manager to implement and become used to the new working practices before making any decisions on the viability of a new arrangement.

Where a trial period has been arranged the manager will provide the employee with a document that details their new working pattern and makes clear that it is only a temporary variation to the terms of the employee's contract. The employee will be informed in writing of the start and end dates of the trial period (although the organisation may reduce or lengthen the trial period where necessary with the agreement of the employee, usually the trial period process should not exceed 6 months, the trial period will be considered a mutually agreed extension to the flexible working application process). 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.

9.6 Decision Stage - Flexible Working Request Agreed

The solution agreed after either the exploration or escalation stage should be documented and the decision provided in writing to the individual, copied to the People Operations Team via email peopleoperations@combined.nhs.uk .

The documentation should clearly record:
- The provisions agreed and any changes e.g. change to number of hours, work pattern, work location, role and/or team

- Any agreed trial arrangement and timeframe, including how success of the trial will be determined.
- The duration of the agreement, is it temporary (to be reviewed on a minimum of an annual basis, review date to be included) or permanent.

9.7   Decision Stage – Flexible Working Request Declined

If, following the escalation stage, a solution has not been agreed the line manager must provide written confirmation of this decision and the rationale of the outcome. This must provide the employee with robust clarification detailing the objectively justified reasons along with an account of the alternatives that were considered.

10   Right to appeal decision stage

10.1   The employee has the right to appeal the outcome of the decision stage if their request is refused or is only agreed in part. The employee may lodge an appeal within 14 calendar days of being notified of the decision on their application. Details of how to appeal must be included in the letter of response to the request (Appendix 2).

10.2   The appeal must be submitted in writing and clearly state the grounds on which the employee is appealing and addressed to the manager one level above the manager responsible for the outcome of the decision stage.

10.3   Wherever practical the appeal will be arranged without undue delay and heard within 14 calendar days from receipt from the appeal submission (this is dependent upon diary availability, annual leave, absence etc.).

10.4   Following on from the appeal meeting the employee will be informed of the outcome to their appeal within 14 calendar days of the appeal meeting and receive written confirmation of the outcome.

If an appeal is upheld the written decision must:
- Include a description of the new working pattern.
- State the date from which the new working pattern is to take effect.
- Be dated.

If an appeal is dismissed the written decision must:
- State the grounds for the decision. These will be appropriate to employee's own grounds for making the appeal.

• Provide an explanation as to why the grounds for refusal apply in the circumstances.
• Be dated.

The above timeframes may be extended with the agreement of both the employee and appeal manager and / or where is not practicable to achieve the timeframes due to capacity / annual leave / absence.

11 Employment Break - General Guidance

11.1 The Trust attaches considerable importance to establishing and promoting effective arrangements for securing, retaining and encouraging skilled staff the opportunity to take unpaid leave from their employment on a medium/long term basis for a variety of reasons as part of its continuing commitment to equality of opportunity and its development of policies which assist in the recruitment and retention of staff.

11.2 Employment breaks can be requested for a wide range of domestic and personal development reasons; for example childcare, eldercare, care for another dependant (for example, a person of any age who has a serious illness or disability), training, study leave or work abroad. Requests may however be for another reason, the list is not exhaustive and each application should be considered on an individual basis, also taking account of the needs of the service.

11.3 Staff on Employment Breaks will not normally be allowed to take up paid employment with another employer except where, for example, work overseas or charitable work could broaden experience. In such circumstances written agreement from the employee's line manager should be obtained.

11.4 The maximum length of break should be five years. The minimum length of break should be three months.

11.5 The length of the break should balance the needs of the applicant with the needs of the service.

11.6 Employees can take more than one Employment Break with the Trust, but the total time must not exceed 5 years.

11.7 Employees do not resign when taking an agreed Employment Break, although there is a change to the contract of employment.

11.8 Employees may request an extension to the agreed Employment Break in exceptional circumstances by contacting their manager at the earliest opportunity. Any extension to the agreed period will be subject to the manager's approval taking account of the circumstances of the request and service needs and must not take the member of staff beyond five years in total for all employment breaks

11.9 Employees may request an earlier return date from an Employment Break by contacting their manager at the earliest opportunity. The minimum notice period required before a return to work should be two months if the break is less than a year and six months if the break is more than a year. Early return will be subject to the line manager's approval taking account of the circumstances of the request and service needs. In circumstances where another employee has been recruited to cover the Employment Break, an early return may not be possible.

11.10 The agreed date of return may be postponed on medical grounds for up to 28 calendar days. If an employee is unable to return after this period the Trust may review the right to return.

11.11 An employee returning from an Employment Break will be subject to medical clearance through the Occupational Health Service.

11.12 If an application for an Employment Break has been declined, this does not prevent an employee from making an application at a later point in their employment.

11.13 Specific rules apply regarding NHS pension arrangements during the break. Further information for Scheme members in England and Wales can be obtained from the NHS Pensions website at www.nhsbsa.nhs.uk/Pensions.

12 Employment Break - Procedure

12.1 The employee completes the "Application for an Employment Break" form and forwards this to their line manager for consideration.

12.2 The line manager completes the relevant information about whether the application is supported and how the post will be covered during the Employment Break period. The line manager forwards the form to the Associate Director of Directorate for approval.

12.3 When an application is declined, the employee should be notified of the reasons in writing. If an employee wishes to appeal against the decision they should follow the Trust's Resolution of grievance and disputes policy.

12.4 Where the application is agreed, before the break begins the line manager and employee will discuss/agree:

- that if the applicant returns to work within one year, the same job will be available, as far as is reasonably practicable.

- that if the break is longer than one year, the applicant may return to as similar a job as possible.

- that return to work will be at the equivalent salary level, reflecting national pay award increases that have occurred during the break (subject to the AfC band that they return to). There is no progression of pay scale increments during the Employment Break period.

- that the minimum notice period required before a return to work should be two months if the break is less than a year and six months if the break is more than a year. This is to allow the manager to source a suitable post, as described above.

- the arrangements for keeping in touch during the break. This should include a responsibility to include the employee in any communications regarding changes to services or contracts of employment under the Management of Change policy.

- the requirements on the applicant to keep up to date with their relevant professional registration needs, including attendance at specified training courses and conferences, and any assistance the employer may give in support of this.

- the training arrangements for re-induction to work.

- that the period of the break will count toward continuous employment for statutory purposes. Other provisions depending upon length of service, (e.g. pensions, contractual redundancy payments, annual leave entitlements, sick leave entitlements etc.) will be suspended for the period of the break.

- that no entitlement to maternity or adoption leave will arise during an Employment Break although a Employment Break could follow a period of maternity/adoption leave.

- any other conditions required either by the line manager or the applicant.

12.5 The agreed arrangements should be confirmed in writing to the employee prior to the commencement of the Employment Break.

12.6 Prior to the employee's return the line manager should discuss and agree the post that they will return to. The line manager should consider any flexible working request in line with this policy.

12.7 All applications and associated paperwork should be retained on the employee's personal file.

12.8 Employees hold the following responsibilities:
- To maintain contact with the line manager / employer during the course of an employment break.
- To inform the line manager / employer in a timely manner of any developments that materially impact upon the Employment Break agreement.
- Where relevant, to undertake any return to practice training before returning to work at the end of the employment break.
- To maintain sufficient knowledge, skills and professional registrations in order to take up their post at the end of the Employment Break.

13 Failure to Return

13.1 If the individual fails to return on the agreed date without notifying the Trust, it will be considered that they do not have an intention of returning. The manager will contact the individual in writing to confirm their intentions and they will be required to confirm that they no longer wish to be considered for return to employment with the Trust, if no response is received in 14 calendar days from the date of the letter the contract will be terminated.

Training Needs Analysis for the policy for the development and management of Trustwide procedural / approved documents

Please tick as appropriate

There **is no** specific training requirements- awareness for relevant staff required, disseminated via appropriate channels (Do not continue to complete this form-no formal training needs analysis required)	✓
There **is** specific training requirements for staff groups (Please complete the remainder of the form-formal training needs analysis required- link with learning and development department.	

Staff Group	✓ if appropriate	Frequency	Suggested Delivery Method (traditional/ face to face / e-learning/handout)	Is this included in Trustwide learning programme for this staff group (✓ if yes)
Career Grade Doctor				
Training Grade Doctor				
Locum medical staff				
Inpatient Registered Nurse				
Inpatient Non-registered Nurse				
Community Registered Nurse				
Community Non Registered Nurse / Care Assistant				
Psychologist / Pharmacist				
Therapist				
Clinical bank staff regular worker				
Clinical bank staff infrequent worker				
Non-clinical patient contact				
Non-clinical non patient contact				

Please give any additional information impacting on identified staff group training needs (if applicable)			
Please give the source that has informed the training requirement outlined within the policy i.e. National Confidential Inquiry/NICE guidance etc.			
Any other additional information			
Completed by	Eileen Wedgwood	Date	12/06/2024

Appendix 1 – Application for an Employment Break
(To be submitted to Employee's Manager)

Name of Applicant	
Occupation/Job Title	
Place of work	
Date of Commencement	
Hours of Duty	
Full Details of all Salary Sacrifice Schemes and Lease arrangements	
NHS Pension – what are your intentions (this will not be considered as part of the request but is required to ensure timely administration of your chosen option, note that you will be responsible for making any arrangements in regards to this).	
Requested duration of Employment break	
Purpose of Employment break. Please provide as much information as possible to support your application (use separate sheet where appropriate)	
Declaration and Signature of Employee **I understand that if an employment break is agreed, this will result in a period of no pay during which annual leave will not be accrued, this may also impact my pension. I understand that I am responsible for making all payments in relation to all salary sacrifice and lease arrangements. I also understand that I do not have the automatic right to revert back to my role if I return after 12 months. I confirm I understand and have considered these before making my application.** **Signed:**	
Date	

Comments of Manager Is the application supported or not. If **not** please give reasons	
Proposed action to cover the resulting vacancy	
Signature of Manager	
Date	
Associate Director of Directorate	**Approved / Not Approved**
Signature of Associate Director of Directorate	
Date	

Appendix 2 - Flexible Working Application Form

To achieve excellent staff experience, we want to create a work environment where staff feel valued, encouraged, and supported to succeed in their roles and to deliver high-quality patient care. The ambition of the Trust is to give people greater choice over their working patterns, helping them to achieve a better work-life balance.

All employees can request flexible working from the first day they are employed in with us. You can make more than one flexible working request per year and can do so regardless of the reasons for them. If you have had a flexible working request declined, please note you cannot submit the exact same request again, unless circumstances in the department have changed such as a recruiting new staff, or different business needs.

Your manager will meet with you to discuss your request and provide an opportunity to explore the desired work pattern and to discuss how best it might be accommodated. It will also provide an opportunity to consider other alternative working patterns should there be problems in accommodating your desired work pattern with a focus on finding a solution and positive outcome.

Before you complete your application form please read through the NHS Flexible Working Toolkit. This is a great resource that will guide and support you to complete your application - Flexible Working Toolkit

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I wish to apply to work a flexible working pattern under statutory provisions.

Name: ………………………………Job Title……………………………………………

Team: ……………………….……………Directorate ………………………………….

Contact details eg telephone number/email…………………………………………..

………………………………………………………………………………………………..

Managers Name……………………………………………………………………………

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1 Please describe your current working pattern, e.g. No of days/hours/times that you work:

2 Please describe the working pattern you would like to request (days/hours/times/PA's) and the date you wish this to commence. Please state if you would like this arrangement to be permanent or temporary (provide a time frame if temporary). Working hours should be compliant with the Working Time Directive. **Use separate sheet if required.**

3 Accommodating the new working pattern
You do not have to complete this section but it may be helpful to note your ideas for how your request could impact on service delivery; how this may be beneficial or any barrier(s) you could think of that need consideration to support the discussion about your request. You may also give any other relevant supporting information that you wish to provide here**.**

4 Reason for the request (completion optional but helpful to specify if this is for an Equality Act 2010 reason to aid discussions and reasonable adjustment options):

Please complete as fully as possible, you will be expected to discuss the situation in detail with your line manager, you are entitled to have a staff side representative or colleague support you during the flexible working application discussion.

I understand that if a formal flexible working arrangement is agreed, this may impact my pay, pension and contract of employment. I also understand that I will not have the automatic right to revert back to my current working pattern. I confirm I understand and have considered this before making my application.

Employee Signature...Date ....
Pass this application to your manager once complete

Date form received by manager (*note the request process, including appeal must be concluded within 2 months from date of receipt unless an extension is agreed with the employee*)

Signature...Date..

Name…………………………………………..Designation………………………

Exploration Stage
To be completed by manager within 28 calendar days from receipt

Following receipt of your flexible working application and our meeting on …………………..
I have seriously considered your request and:-

☐ *I am pleased to confirm that I am able to accommodate your application.*

☐ *I am unable to accommodate your original request. However, I am able to offer the alternative pattern which we have discussed and you agreed would be suitable to you.*

Type of Request*	Change to working*	Your new working pattern will be as follows:
Agile/Hybrid Worker Annualised Hours Condensed Working Hours Contractual Homeworker Flexible Retirement Flexitime Job Share Other Flexible Working Part-Time Part-Year Working Partial Retirement Retire and Return Seasonal Working Staggered Working Hours Step Down Team Self Rostering Wind Down	Decrease hours – change to part time Decrease hours – remain part time Increase hours – change to full time Increase hours – remain part time Other	

Your new working arrangements are **informal/permanent/temporary/trial*** change to your employment contract.

Your new working arrangements will commence on …………………………………..

*Your new working arrangements will cease on (complete for temporary change)

…………………………, when you will revert back to your current working pattern.

Please note all outside/secondary employment (or amendments to existing secondary employment arrangements) which may conflict with the interests of the Trust, must be disclosed and discussed. To formally notify the Trust of other employment and/or amendments please complete and submit the https://cat.combined.nhs.uk/wp-content/uploads/2022/01/Declaration-of-secondary-employment.pdf available via the Trust intranet.
delete as appropriate

See section 8.6 for a list of business reasons, which if used must be substantiated.
☐ **I am sorry but I am unable to accommodate your request for the following business reason(s):**

These reason(s) apply in the circumstances because:

NB You should explain why any other work patterns you may have discussed at the meeting are also inappropriate and confirm which relevant protected characteristics under the Equality Act have been taken into consideration and how these have been taken into account. For example, women continue to bear greater responsibilities for child and dependent care than men and therefore refusing an application for flexible working that relates to these responsibilities may constitute indirect discrimination if the decision cannot be objectively justified. Include an assessment of the potential impacts of declining the request. Continue on a separate sheet if necessary.

Therefore, in line with the next stage of the Flexible Working application process, I am escalating your request to: [insert next level manager's name]

Line Manager name and designation…………………………………………………………

Signature …………………………………………………….. Date ……………………..

Escalation Stage
To be completed by manager within 28 calendar days (unless an extension is agreed)

Escalation outcome:

You have the right to appeal against this decision and if you wish to do so you should write to the next in line manager_____ setting out the grounds of your appeal within 14 calendar days of receiving this written notification.

Senior Managers Name and designation………………………………………………………

Signature………………………………………………………….Date……………………

RETURN THIS FORM TO THE EMPLOYEE, RETAIN A COPY ON THE INDIVIDUAL PERSONAL FILE AND SUBMIT A COPY TO THE PEOPLE OPERATIONS TEAM VIA EMAIL PEOPLEOPERATIONS@COMBINED.NHS.UK

Appendix 3 - Examples of Flexible Working

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 flexible working options are considered to be the typical arrangements that employees will request but the Trust recognises that there may be alternatives or a combination of options which are suitable to both the organisation and the employee:

Earlier or Later Start and Finish Times (Staggered working hours)
An employee might ask to vary their hours to allow an earlier or later start or finish time, whilst still working the same number of hours.

Part Time Working
The Part Time Work Directive defines part-time working as working "less than the normal hours of work of a comparable full time worker." There are a vast variety of patterns of part time work, these can include working a reduced number of hours each day or a reduced number of days each week or month.

Job Share
Job share is an arrangement where a full-time post is divided into two part-time roles. The two job holders then share the overall duties and responsibilities. Their skills and the hours each employee wishes to work must be compatible, and meet the needs of the organisation. Pay and benefits are shared in proportion to the hours each works. Job sharing can be considered where the creation of a single part-time post is difficult, or where two individuals wish to work part-time. The suitability of posts for job-sharing will be stated in any internal or external advertisements. An important aspect of job sharing is the ability for either job share partner to cover the absence of the other.

If a job share partner leaves, the post can revert back to a full time post if the remaining partner wishes to take on the additional hours, or the job share vacancy will be advertised. Where it is not possible to recruit a partner the Trust will consider employment alternatives in line with the Managing Change Agreement.

Annualised Hours
Annualised hours is a system where the total number of hours for a post during a year is calculated. The number of hours worked can vary from month to month as long as the total hours have been worked by the end of the twelve month period. An employee will not be required to work more than 48 hours on average over a 17-week period in accordance with the Working Time Directive (WTD). A contract of this type may be considered in services where there are identified fluctuations in workload.

Home Working

The Trust supports working from home, provided that the role can be undertaken effectively in a way that does not add undue disruption to the Trust or team. Homeworking arrangements may be either:

- Permanent homeworking – this will apply if you have a contractual arrangement that your main place of work is at home and spend the majority of your working time based at home.
- Regular homeworking – this will apply if your main place of work is Trust's premises, but you also work from home on a regular basis (for example one or two days each week).
- Occasional ad-hoc homeworking – this will apply if your main place of work is Trust's premises, but you also work from home occasionally on an ad-hoc basis.

Occasional ad-hoc homeworking may be agreed on an informal basis with the line manager. If an employee wishes to become a permanent homeworker, or set up a regular homeworking arrangement, they will need to discuss and agree this with their Manager via a formal flexible working request. All home working is subject to the expectations and provisions as set out in 3.49 Agile Working Policy, these include the need to ensure that employees meet the usual standards of work and security as other employees and adherence to the following guidelines:

- Ensuring the work environment at home meets health and safety, including Display Screen Equipment requirements.
- Regular communication is vital, the homeworker should be contactable via mobile phone and/or MS Teams. It is the responsibility of the homeworker to communicate regularly to their closest colleague(s)/ line manager/supervisor.
- Maintaining confidentiality and security of information and Trust assets.
- The homeworker will be expected to attend the office as their manager may require, including for the purposes of attending any regular or ad hoc meetings.
- Working from home is not a substitute for childcare.

Health and safety legislation imposes a duty on employees to take reasonable care of their own health and safety and that of others in the workplace (whether the workplace be the office or at home). The Trust expects honesty in reporting the homeworking environment and any serious accidents which happen while working at home. Homeworkers are responsible for:
• reporting any faults that could present a hazard to your own or others' health (e.g., family members and visitors)
• taking reasonable care of your own health and safety, and that of others'
• co-operating with The Trust on health and safety matters; and
• their own domestic electrical system

If the home is not/cannot reasonably be, deemed a safe place to work the Trust may insist work is undertaken in Trust premises.

Flexi Time

Flexi time is a system that allows employees to vary their actual working hours outside certain core times each day. This usually means that employees can vary their start and finish times to fit around their commitments outside work.

Self-Rostering

This is the practice of allowing employees greater control over the pattern of their working week. Parameters are set in advance to determine staffing levels, employees can then request that they would want to work within these parameters.

Flexible Rostering

Using periods of work of differing length within an agreed overall period.

Longer working Days / Compressed Hours

Any arrangement where employees work full time hours but over *less than* the standard 5 days by working longer days when on duty e.g. 4 days made up of 9.5 hour shifts instead of the more traditional 5 x 7.5 hour shifts.

Nine Day Fortnight

A variation on the Compressed Hours theme. A nine day fortnight is a system whereby the unit of working time is classed as a two week period during which employees work an alternating pattern of one five day week and one four day week.

Longer Days

Employees may request to work their contractual hours in longer days/shifts in order to have additional time off each week.

Variable Time Working

A variation on the annualised hour's theme. An employee may have a weekly or monthly contract to work for a fixed number of hours, but the times and days at which this work may be undertaken varies according to service needs and the needs of the individual on a daily basis.

Part year working including term-time only (TTO)

Part year and term-time only (TTO) working can take several forms for instance: working only during set periods e.g. school term times; working during term times and half terms but not during Easter, Christmas, and summer school holidays; working for an agreed proportion of all the school holidays in addition to term time or any other pattern where an employee is employed for the whole year but only works some weeks and not others.

Non-Standard work patterns and unsocial hours

A pattern which includes working in the evening or a weekend day – for example a request to work 1pm-9pm or Tuesday to Saturday with Mondays off.

Unsocial hours premiums are defined in section 2.1 of the TCS handbook as payable "where staff are required to work to cover services in the evening, at night,

over weekends and on general public holidays." If choosing to work unsocial hours and there is no service requirement for this then standard rate of pay will be received.

Agile Working

Working from a variety of bases which may include home, please refer to the Agile Working Policy for more details.

Appendix 4 - Flexible Working Discussion Template

Name and designation of employee:

Name and designation of Line Manager:

Third parties in attendance:

Date of Meeting:

Appendix 3 of the Flexible Working policy provides a non-exhaustive list of flexible working options. The applicant is entitled to be accompanied by a colleague or staff side representative for this meeting if they wish.

Record below
- work patterns/options discussed, both requested and any alternative considered
- rationale for any decision as to why an option would not work
- ensure and confirm which relevant protected characteristics under the Equality Act 2010 have been taken into consideration and how these have been taken into account e.g. women continue to bear greater responsibilities for child and dependent care than men and therefore refusing an application for flexible working that relates to these responsibilities may constitute indirect discrimination if the decision cannot be objectively justified
- potential impacts of declining the request
- If declining the request please give a detailed explanation as to why this is so i.e. which business reason as per section 8.6