

# FLEXIBLE WORKING POLICY

## Policy reference – LCCGHR16

SUMMARY	To provide a process to ensure that all employees have the right to make a request for flexible working and that it will be considered based on the needs of the individual against business/service needs in line with employment law and good practice.
AUTHOR	eMBED Health Consortium HR Team
VERSION	V 1.1 Draft
EFFECTIVE DATE	13/09/2021
APPLIES TO	All employees
APPROVAL BODY	Remuneration and Nomination Committee in Common
RELATED DOCUMENTS	Annual and Special Leave Policy, Employment Break Policy, Retirement Policy, Working Time Regulations Policy, Managing Sickness Absence Policy, Disciplinary Policy, Health and Safety Policy, Information Security Policy, Organisational Change Policy, Claims Handling Policy and Procedure for Clinical Negligence, Liabilities to Third Parties and Property Expenses Schemes Claims Local Guidance Note No. 1/18 – New Ways of Working and Using the Workstyle Template
REVIEW DATE	September 2025

### VERSION CONTROL SHEET

Version	Date	Author	Status	Comment
V1.0	15.3.18	Becky Blackburn	Final	Full review of Policy with transition to a single CCG
V1.1	23.09.2021	Lara Parkinson		Update to reflect changes to the national terms and conditions Changes to section 6.2.1, 6.3.1, 6.4.1, 7.1.1, 7.1.2, 7.1.3, 7.1.5, 7.2.1, 7.2.2, and supporting application form in Appendix A
	10/11/21		Final	Approved by SPF and RemNom

## CONTENTS

Section	Page
1. Purpose	4
2. Scope	4
3. Equality Statement	4
4. Accountability	4
5. Implementation and Monitoring	4
6. Responsibilities	5
6.2 Employees	5
6.3 Line Managers	5
6.4 Human Resources Team	6
7. Procedure to Apply for Flexible Working	6
7.1 Eligibility	6
7.2 Application	6
7.3 Approving the Application	7
7.4 Declining the Application	8
7.5 Right of Appeal	8
8. Types of Flexible Working	9
8.1 Flexi Time	9
8.2 Time Owing	10
8.3 Part Time Working	10
8.4 Condensed Hours	10
8.5 Annualised Hours	11
8.6 Term Time Working	11
8.7 Job Sharing	12
8.8 Home Working	12
8.9 New Ways of Working	14
8.10 Flexible Retirement	15
8.11 Voluntary Reduced Working Time	15
9. Reporting Absence	15
10. Disclosure and Barring Service	15
11. Security, Data and Confidentiality of Information	15
12. Health and Safety	16
13. Associated Policies	16
Appendix	
A Flexible Working Request Application Form	17
B Letters	19
Equality Impact Assessment	24

## **1. PURPOSE**

- 1.1 NHS Leeds Clinical Commissioning Group (CCG) is committed to offering flexible, modern employment practices which recognise a sensible balance between the employee's home and work life. As part of its commitment to improving the working lives of employees, the CCG recognises the need to support flexible working wherever requests can reasonably be accommodated in line with business needs.
- 1.2 The aim of this policy is to provide a clear and consistent framework to address individual needs and provide support to employees who may wish to adopt an integrated approach to create flexible working systems that benefit all. It also meets statutory requirements by allowing employees with caring responsibilities to request flexible working. The policy is also expected to:
- promote the CCG as an Employer of Choice by offering flexible patterns of working to aid recruitment and meet the organisation's commitment to equality of opportunity.
  - improve employee retention by enabling employees to have an effective work/life balance.
  - reduce absenteeism by enabling adequate personal time outside of work for employees to meet personal commitments.
  - increase efficiency by using flexible working to meet peaks in work patterns.
  - improve morale and motivation of employees who benefit from flexible working.
  - support the CCG's New Ways of Working.

## **2. SCOPE**

- 2.1 This policy will apply to all employees directly employed by the CCG.

## **3. EQUALITY STATEMENT**

- 3.1 In applying this policy, the CCG will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation. In addition, the CCG will ensure that employees and job applicants are not unreasonably discriminated against on the basis of other characteristics including socio-economic status, offending background, political affiliation and trade union membership. An Equality Impact Assessment is used for all policies and procedures.

## **4. ACCOUNTABILITY**

- 4.1 The Chief Executive is accountable for this policy.

## **5. IMPLEMENTATION AND MONITORING**

- 5.1 The Remuneration and Nomination Committee is responsible for formal approval and monitoring compliance with this policy, following consultation with employees and Trade Union representatives. Following ratification the policy will be shared with staff in the e-bulletin and will be available on the website.
- 5.2 The policy and procedure will be reviewed periodically by the Senior Management Team in conjunction with Human Resource and Trade Union representatives where applicable. Where review is necessary due to legislative change, this will happen in a timely manner.
- 5.3 The CCG is committed to ensuring that all personal information is managed in accordance with current data protection legislation, professional codes of practice and records management and confidentiality guidance. More detailed information can be found in the CCG's Confidentiality and Data Protection and related policies and procedures.

## **6. RESPONSIBILITIES**

- 6.1 Good working relations are vital for the CCG to operate successfully and provide services. There is a joint responsibility for management, trade unions and employees to accept the responsibility of working together on issues in good faith and with the shared intention of facilitating good working relations.

### **6.2 Employees**

- 6.2.1 It is the responsibility of employees to ensure that they:
- apply in advance of when they wish the change to take place;
  - provide a carefully considered application
  - are prepared to discuss their application with their manager in an open and constructive manner;
  - are flexible where a mutually agreed compromise is required;
  - agree to regular review periods to ensure the pattern of working is still valid and meets the needs of the business as well as themselves;
  - carry out CCG work activities in accordance with their working pattern, during agreed working hours;
  - adhere to all CCG policies whatever working location or working pattern. This includes the Managing Sickness Absence policy;
  - comply with local arrangements whatever location or working pattern.

### **6.3 Line Managers**

- 6.3.1 It is the responsibility of line managers to ensure that they:
- give consideration to the request for flexible working in accordance with set procedure, acting fairly and consistently;
  - adhere to the time limits as set out in this policy;
  - provide the appropriate support and information to the employee throughout the course of the application;
  - only decline a request where there is a recognised business need and submit any declined requests to the HR team for further review
  - review flexible working patterns at agreed intervals (recommended 3 to 6 month review period) to ensure the pattern is still valid/effective;
  - manage the termination of flexible working arrangements with HR advice and support as required;

- ensure that employees who request a flexible working arrangement are aware of the implications (if any) on their terms and conditions of employment e.g. salary, annual leave, pension. Managers should seek assistance from HR where necessary;
- review flexible working arrangements within teams to determine whether or not they are having a detrimental impact on individuals within those teams and/or to team working and/or service delivery and to take necessary steps to mitigate against this where identified.
- Submit a copy of all requests and their outcomes to the HR team for monitoring

#### **6.4 Human Resources Team**

- 6.4.1 The Human Resource representative will:
- provide advice and support on all aspects of this policy to ensure application and support.
  - Carefully monitor all flexible working requests to identify patterns or challenges across the business

### **7. PROCEDURE TO APPLY FOR FLEXIBLE WORKING**

#### **7.1 Eligibility**

- 7.1.1 In line with section 33 of the NHS terms and conditions, this policy allows any employee, from their first day of employment onwards, the right to apply for flexible working but does not guarantee a change will be made. Every reasonable effort will be made to support employees to work flexibly.
- 7.1.2 Employees can make more than 1 flexible working request per year and can do so regardless of the reasons for request
- 7.1.3 The CCG encourages applicants to provide a reason the request is being made, especially if it relates to a reasonable adjustment, but the applicant is under no obligation to provide one.
- 7.1.4 All requests will be given full consideration and no reasonable request will be refused. However, in certain circumstances the needs of the business may not allow for the request to be granted. If it is felt that a request cannot be accommodated at first, line managers should seek support from the HR team before denying a request.
- 7.1.5 If a request is denied, a full and detailed reason for the refusal will be given in writing to the employee. Any flexible working requests will be considered on a case by case basis. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working pattern.
- 7.1.6 All flexible arrangements which are not confirmed as a permanent contractual change are offered on a rolling temporary basis. This may result in a termination to the temporary or trial working pattern/arrangement and reversion back to the previously agreed working pattern/arrangement.
- 7.1.7 All flexible working agreements should be subject to regular review, led by line management, to ensure that they still meet business need.

#### **7.2 Application**

- 7.2.1 Employees must request flexible working in writing to their line manager using the form in Appendix A. The employee should give as much notice as possible and within the minimum timescales set out in the following paragraph.
- 7.2.2 Upon receipt of the application the line manager must meet with the employee within 28 days to discuss the full details of the request. Within 14 days of that meeting the line manager should respond in writing with the decision. If additional support is needed to review a decision that would have initially been declined, or where annual leave or sickness absence prevent these timescales from being achieved they may be extended.
- 7.2.3 The employee has the right to be accompanied by their trade union representative or a work colleague not acting in a legal capacity at this meeting.
- 7.2.4 Employees should tell their employer in writing if they want to withdraw their application.
- 7.2.5 The CCG can treat an application as withdrawn if the employee misses two meetings to discuss an application or appeal without good reason, e.g. sickness.
- 7.2.6 The CCG must tell the employee they are treating the request as withdrawn.

### **7.3 Approving the Application**

- 7.3.1 The line manager should confirm in writing the approval of the flexible working request and confirm the arrangements in full regarding working hours, annual leave etc., and the date from which the revised working pattern will take effect.
- 7.3.2 Consideration should be given to the intervals at which the revised working pattern will be reviewed and this should be documented and confirmed to the employee.
- 7.3.3 The line manager should complete a change form (if there is a contract variation i.e. change in hours) and forward this to the Human Resources Department along with copies of all correspondence in relation to the flexible working request for the personal file.
- 7.3.4 Where a request for a permanent change to an employee's working arrangements is requested, the CCG reserves the right to put in place a trial period, the length of which will be at the director's discretion but will normally be between 3 and 6 months, to establish whether or not the new working arrangements meet service needs and suit the needs of the employee. Once the line manager approves the application where any variation in contractual terms is permanent, the employee has no automatic right to change back to the previous working pattern.
- 7.3.5 Flexible working arrangements should be reviewed on a regular basis in line with service requirements. The organisation requires reasonable notice if the employee wishes to review the agreed arrangements or terminate the agreement early, taking into account service delivery and business need. Likewise the organisation has the authority to review or terminate flexible working arrangements with reasonable notice for a justifiable business need, following discussion with the individual and in

consideration of their personal circumstances, taking into account the CCG's obligation to act lawfully in accordance with current equality legislation.

- 7.3.6 A mutual agreement between CCG and employee should be made if any changes are to be made to working hours/pattern. If this cannot be agreed informally, it is recommended that HR advice is sought to determine whether or not a formal change process is required. Any contractual change would be conducted as a formal change management process, under the principles of the CCG's Organisational Change Policy, allowing the right for the individual to be accompanied by a Trade Union Representative or work colleague not acting in a legal capacity and includes the right to appeal, as outlined in section 7.5 below. Any such appeal must be lodged by the employee, within 10 days of receipt of the outcome letter confirming a contractual change.
- 7.3.7 Any agreed flexible working agreement should be in adherence with the CCG's Working Time Regulations Policy and Agenda for Change terms and conditions of employment.

#### **7.4 Declining the Application**

- 7.4.1 Applications for flexible working may be declined based on business needs, examples are below (the list is not exhaustive). The business grounds for rejection should be made clear to the employee and recorded as part of the application (appendix B):
- extra costs that will damage the business;
  - the work can't be re-organised among other staff;
  - people can't be recruited to do the work;
  - flexible working will affect quality and performance;
  - the business won't be able to meet customer demand;
  - there's a lack of work to do during the proposed working times;
  - the business is planning changes to the workforce.
- 7.4.2 If the request is declined line managers and employees are encouraged to explore further flexible working options which are suitable for the service and reach a compromise.

#### **7.5 Right of Appeal**

- 7.5.1 If a request for flexible working is declined then the employee may appeal in writing to the next level manager, within 10 working days after the date they were notified of the decision, against which they are raising an appeal, setting out the grounds of their appeal. All appeals in relation to this policy involving contractual changes will be managed under the mechanism of the CCG's Organisational Change Policy, or as superseded by policy of another name to this effect.
- 7.5.2 Appeals will be formally considered by an appropriately constituted panel not previously involved in their case. The outcome of this appeal will be final. Employees can lodge a grievance via the Grievance Policy if they believe the process has not been applied correctly, including the process for requesting a flexible working request and the method by which this is managed. Except in exceptional

circumstances the appeal will be conducted within 10 working days of the notification of appeal being received.

- 7.5.3 All flexible working requests should be considered and a decision reached within three months of receipt of application, or longer if agreed with the employee.

## **8. TYPES OF FLEXIBLE WORKING**

**As far as practicable the CCG will accommodate requests for flexible working as follows:**

### **8.1 Flexi-Time**

8.1.1 The aim of flexi-time is to provide a degree of freedom for employees to determine the pattern of their working day. All patterns of working must be discussed and agreed with the manager since the needs of the service are the main consideration. It should be noted that flexi-time may not always be possible due to business requirements. This section provides an overview of formal flexi-time working.

8.1.2 Those teams of employees working under a flexi-time arrangement should each take an equitable share of responsibility for covering the service during normal working hours. It is not the purpose of flexi-time to enable employees to routinely accrue additional time off based on a system of core time and flexible time in each working day. All core hours must be worked. Flexible hours provide a degree of flexibility for the remaining hours of work. These may be chosen according to the wishes of the individual employee but must take into account the needs of the service and the circumstances of colleagues.

8.1.3 The flexi-time system will be based on a four-weekly cycle. For full time employees a maximum of 7 hours 30 minutes credit or debit time can be accrued in the four weeks. This time will be reduced on a pro rata basis for part time employees. Core times are the times an employee is expected to be at work. These are between:

- 10.00 am to 12.00 noon
- 2.00 pm to 4.00 pm

Flexible time is time outside of the core hours where an employee may be at work. These are (subject to adjustment by the manager based on the needs of the service and team):

- 7.30 am to 10.00 am
- 12.00 noon to 2.00 pm
- 4.00 pm to 6.30 pm

Time worked outside these hours will not normally be counted as time worked, without the specific agreement of the manager. A maximum of four core periods may be taken off in a calendar month, but only when the needs of the service allow. Lunch times will not be counted as paid hours and must not be less than half an hour or more than two hours. Annual leave should not be used to write off debit hours accumulated. Employees should not work in excess of 9 hours per day on a regular basis, and the working week must not exceed 48 hours in line with the Working Time Regulations.

- 8.1.4 When working under the flexi-time arrangement all employees must keep an up to date record of hours worked on a daily basis, using the flexi-time record which can be accessed on the CCG's shared drive. The employee should sign the form to confirm that the information contained on the form is accurate and to acknowledge that any misrepresentation of the hours worked may lead to disciplinary proceedings. The manager must check and then countersign the form. It is recommended the manager keeps a record of the forms for a maximum period of two years. The manager may use these to monitor patterns of work.
- 8.1.5 It is not necessary to be in credit before flexi-leave is taken, however, this must not exceed 7 hours 30 minutes (one standard day) or pro rata for part-time staff, at any point.
- 8.1.6 Both the employee and their manager have the right to end the flexible working arrangement at the end of the next four week period. If a manager wishes to end the flexible working arrangement they must seek advice from the HR Team prior to any action being taken. If the flexible working arrangement is terminated by either party the flexi hours should be adjusted to ensure that no credit or debit is outstanding on the last day of that four week period.

## **8.2 Time Owing**

- 8.2.1 Employees may accrue time owed to them when there is an organisational requirement for them to work beyond their normal contracted hours. All time recorded should normally be with the prior agreement of the line manager. A time owing sheet should be completed each time a person accrues time owing or takes time back, signed by the employee and line manager.

## **8.3 Part Time Working**

- 8.3.1 Part time working is an established area of flexible working. In some cases an employee may wish to reduce their hours to part time for a period of time to combine work and personal commitments and then return to full time work at a later date. Or they may wish to reduce their hours on a permanent basis. This will be considered in line with business needs.

## **8.4 Condensed Hours**

- 8.4.1 Condensed hours is a flexible working arrangement which enables an employee to work their contracted hours over a shorter period of time than a standard working week.
- 8.4.2 An example of this is a 9 day fortnight where an employee may work a total number of contracted hours for a two week period, over 9 days instead of 10 days (i.e. working 75 hours over 9 days). This would average out and equate to the same weekly hours of 37.5 hours. The individual hours worked in a normal day are 8 hours and 20 minutes excluding meal breaks. The day not worked in the fortnight would normally be the same day every fortnight so that the service could accommodate this arrangement, with a reasonable amount of flexibility to cover service need and personal circumstances. A 9 day fortnight arrangement cannot be worked in

conjunction with the flexi-time scheme to accrue additional flexi leave; however there may be some flexibility with the number of hours they work each day. In this case an up to date record of hours worked on a daily basis using the flexi-time record should be used and signed off by the line manager in line with 8.1.4. The 9 day fortnight is only applicable for employees who work full time hours. Annual leave and public holidays are calculated in hours for employees who work non-standard shifts. When booking annual leave or bank holidays the number of working hours must be deducted i.e. 8 hours 20 minutes and not 7 hours 30 minutes.

## **8.5 Annualised Hours**

- 8.5.1 Annualised hours enables employees to vary their working hours over a full year period rather than over days or weeks. This arrangement enables the employee to match working hours to their personal commitments and to the requirements of the job which can take account of peaks and troughs in workload.
- 8.5.2 When establishing annualised hours the total number of hours to be worked for the year should be agreed and stated in the contract. This should not exceed the total number of hours which would be worked in a year by a full time employee and should take into account annual leave and general public holiday entitlement. The year should be calculated per financial year, 1<sup>st</sup> April to 31<sup>st</sup> March and any deficit of hours be made up in this timeframe. The employee and line manager must take responsibility to ensure the correct number of hours are worked.
- 8.5.3 The arrangement for when these hours are worked or how they are distributed through the year is subject to business need and must be agreed between the employee and the line manager. The maximum number of hours to be worked in any one day or week must be agreed with the employee and must not contravene the Working Time Regulations. A system must be set up to record hours worked and this must be monitored by the line manager on a regular basis. Annual leave and Public holidays will be included in the agreed annual hours and will need to be calculated in hours rather than days or weeks. Please seek advice from a HR representative to calculate working hours.

## **8.6 Term Time Working**

- 8.6.1 Term Time working enables employees to work for an agreed number of weeks or hours per year. Unlike the facility to vary the number of weeks/hours worked on an annual basis, term time working is based on pre-determined weeks during the year. This working pattern will primarily be suited to parents of young, school-age children, to enable them to care for their children during school holidays, without incurring additional childcare costs.
- 8.6.2 Employees may be contracted for a specified number of weeks per year and paid only for those weeks worked. In this case employees would not work during some or all of school/college holiday periods. Alternatively employees can be contracted for a specified number of weeks per year to cover holiday periods only and are paid for those weeks worked.
- 8.6.3 In order to avoid the situation where employees have certain weeks without pay their salary could be paid on a pro rata basis throughout the year to maintain a regular income. If an employee leaves part way through the year any shortfall in pay will be paid in their final payment, and any overpayment will similarly be deducted. Employees working term time are entitled to annual leave which should be taken in

school holidays. This annual leave entitlement should be off set against the weeks the employee does not work.

## **8.7 Job Sharing**

8.7.1 Job sharing is an arrangement whereby two people choose to share one full time job and the salary and benefits are divided between them according to the amount of time they each work. Each person's terms are equivalent to those of a full time employee, though pro rata. "Full time" means 37.5 or more hours per week on average. The organisation supports job sharing as a voluntary arrangement on the part of both managers and employees. Both parties to a job share role are jointly responsible for ensuring that it works. A job share will originate in one of the following ways:

- From a vacant post which is advertised as open to job share applicants.
- From a request from two or more existing employees who submit a joint application as a 'ready made' partnership to job share a full time post.
- From one existing employee who requests a job share, the other share of the post to be advertised.

In the case of an existing employee requesting a job share, the request should only be approved when a suitable candidate is appointed to the remainder of the post.

8.7.2 There are a number of important factors to be considered when recruiting to a job share post as follows:

- Clear definition of the duties and responsibilities of the post and how they are to be shared.
- How to ensure equal effort of all job share partners.
- Flexibility of job sharers.
- Communication in terms of effective handover periods between one job sharer to the other.
- Increased supervision may be required initially by managers.
- Administration and associated costs may be higher, for example for training and development.

8.7.3 If for any reason one partner in a job share arrangement leaves, the post will be automatically offered as a full-time post to the remaining job sharer. When the remaining job share partner does not wish to work full time the single job share post will be advertised following normal procedures. Where, after all reasonable efforts, another suitable job share partner cannot be found and it is necessary to cover the post full time, the remaining job share partner will, wherever possible, transfer to another suitable post accommodating as far as possible the hours of work already agreed. If the remaining partner is unable to work on a full time basis then the manager should consider other solutions. Only in exceptional circumstances, when all the above options have been exhausted, will the termination of the existing job sharer's employment be considered.

## **8.8 Home Working**

- 8.8.1 Home working can either be a formal agreement where an employee works part of their contractual hours from home, as an alternative base point, or informally, for a few agreed hours, to complete project work, specific pieces of work etc.
- 8.8.2 Employees wishing to work from home who do not currently have home as their contractual base, should complete a Flexible Working Request Application Form (Appendix A). Where home is the contractual base, it is a requirement that a risk assessment is also carried out, in accordance with the CCG's Health and Safety policy, which falls under the CCG's Health and Safety duties and that the home working arrangement is subject to the recommendations of this assessment. Please see relevant policy. As part of this assessment the line manager and the employee must consider the impact of home working not only on the individual but on the rest of the team.
- 8.8.3 For details of arrangements covering emergency time off for the care of dependants, see the Annual and Special Leave Policy. Working from home does not give license to the member of staff to carry out parental and/or other caring responsibilities during work time or to carry out activities other than CCG work during working times. If this does occur it could constitute a disciplinary matter and in which case actions could be taken under the CCG's Disciplinary policy.
- 8.8.4 Where an employee requests to work from home permanently or for a lengthy period of time, the following should be considered. The list is not comprehensive.
- How to ensure the employee does not feel isolated and how links with the organisation will be maintained.
  - The cost of equipping the home in terms of access to mobile devices if required.
  - Health and Safety including Workstation risk assessment.
  - Telephone, electricity and insurance costs.
  - Stationery supplies.
  - Confidentiality/security.
- 8.8.5 It is important to agree how workloads and hours worked will be monitored. The employee should be aware of times they are required to attend the CCG's office, for team meetings, one to ones etc. and to attend in person when required by the CCG. The employee should maintain their electronic calendar to indicate their daily whereabouts; they should be contactable by telephone during working hours and respond to contact from the CCG in a timely way, where a response is required. If this does not occur it could constitute a disciplinary matter and in which case actions could be taken under the CCG's Disciplinary policy.
- 8.8.6 Tax Relief
- The employee will need to notify the Inland Revenue that they are working from home for a set period of time or permanently as there are tax benefits associated with home working, where expenses are paid by the employer. However, in order to be eligible for tax relief, it will normally be necessary for the contract of employment to require the employee to work from home. Where working from home is optional, it is very unlikely that HMRC will accept a deduction for any expenses paid by the CCG.
- 8.8.7 Business Rates

Any home working may make part of the property used liable to a business rate, if the work materially detracts from the use of the dwelling for domestic purposes. The home worker is advised to check their individual circumstances with their local Council. The CCG is not liable to pay for any financial increase from domestic rate to business rate.

#### 8.8.8 Insurance

The CCG requires all home workers to inform their insurance company that they work at home and of any equipment owned by the CCG that is kept there. The CCG is not liable to pay for any increase on insurance premiums. It is the responsibility of the employee to inform their home insurance provider that they are working from home and provide any details that maybe required.

#### 8.8.9 Employer's Liability

Employees working at, or from home, in the ordinary course of their duties, are covered by the CCG Employer's Liability under the Claims Handling Policy and Procedure for Clinical Negligence, Liabilities to Third Parties and Property Expenses Schemes Claims although this would normally require a risk assessment on their home. This can be done on a self-assessment basis provided they have the necessary skills to conduct a risk assessment and there is something on their file to indicate that it has been carried out. Any accidents must be reported immediately in accordance with the CCG's guidelines

#### 8.8.10 Public Liability

Although covered by the CCG Employer's Liability, employees working at, or from home, are advised to ensure their home contents policy has public liability cover which is a standard clause in most home insurance policies. If an employee does not have such cover then they must notify his/her manager who should seek appropriate advice.

#### 8.8.11 Mortgagee/Landlord

Before commencing home working employees are advised to check for any implication that working at home may have on their mortgage or rent. The CCG will not be responsible for any additional costs as a result.

### 8.9 New Ways of Working

The CCG is committed to providing a range of flexible working options for employees in order to maintain a committed and skilled workforce able to deliver high quality, cost effective services in an environment which maximises opportunities for employees to balance work and personal commitments. New ways of working is a recently adopted approach for the CCG that covers a wide range of working styles so that employees can try to find the best fit for the job that they do to maximise beneficial outcomes such as increased productivity and innovation. It is recognised that some CCG roles may prevent the employee from being totally flexible with their working arrangements. However, there is considerable scope in many cases to adopt a flexibility of working such as working at a variety of different CCG locations due to the needs of their role, working within the community and/or at partner sites, ad-hoc

home working and hot-desking. The way an employee undertakes the new way of working will depend upon their role and the demands and needs of the department they work in.

Working at a location other than contractual base does not give license to the member of staff to carry out parental and/or other caring responsibilities during work time or to carry out activities other than CCG work during working times. If this does occur it could constitute a disciplinary matter in which case actions may be taken under the CCG's Disciplinary Policy.

#### **8.10 Flexible Retirement**

An employee who is due to retire may reduce their hours; vary their working hours and days to prepare for retirement by submitting a flexible retirement request in writing to their line manager. Requests will be considered in line with this Policy taking into account service delivery and business need.

#### **8.11 Voluntary Reduced Working Time**

This is where employees work reduced hours by agreement with manager at a reduced salary.

The above is not an exhaustive list of flexible working arrangements.

#### **9.0 Reporting Absence**

Any sickness absence is recorded in line with the Managing Sickness Absence Policy.

#### **10.0 Disclosure and Barring Service**

If an employee's working practice changes and they start working in different bases, then consideration needs to be made about whether the change in working practice requires them to have a DBS check. For example, if an employee starts to use a base in which they come into contact with vulnerable people then they may require a DBS check if they do not already have one.

#### **11.0 Security, Data Protection and Confidentiality of Information**

All staff are required to meet all of the CCG's Information Governance requirements as detailed in Information Governance policies, procedures and guidelines, regardless of their place of work. In addition they must be able to document and demonstrate how those requirements will be met. Managers must be able to evidence that they are satisfied that there are processes in place to meet the Information Governance requirements and that they are being met.

Employees have a duty of care to take all reasonable steps to safeguard equipment from loss or damage. Valuable objects such as laptops should not be left unattended in vehicles. Failure to keep equipment or information secure will be considered a very serious matter and could result in disciplinary action being taken.

All personal information generated must be kept in a secure place i.e. locked in a drawer. Nothing containing personal information is to be thrown away with normal household rubbish.

Any confidential waste is to be gathered up and securely transported to the office on the home worker's next scheduled visit/review. Once in the office, it will be disposed of in the normal way with the other confidential waste that is produced.

## **12.0 Health and Safety**

Risk Assessments must be carried out for all activities undertaken whilst working at home in the same way they are conducted for those activities undertaken in a workplace, in accordance with the Health and Safety Policy. A further assessment should be completed if a member of staff moves house, or circumstances change within the environment in which they are working.

All staff must inform their manager in the event of accidents, incidents or dangerous occurrences. Initial reports should be by telephone, followed by appropriate action such as entering the incident on the appropriate reporting system.

## **13.0 Associated Policies**

Working Time Regulations Policy  
Annual and Special Leave Policy  
Managing Sickness Absence Policy  
Disciplinary Policy  
Retirement Policy  
Organisational Change Policy  
Health and Safety Policy  
Information Security Policy  
Information Governance Policy  
Claims Handling Policy and Procedure for Clinical Negligence, Liabilities to Third Parties and Property Expenses Schemes Claims  
Local Guidance Note No. 1/18 – New Ways of Working and Using the Workstyle Template

**APPENDIX A**

**Flexible Working Request Application Form**

**PART A – Employee to complete**

<b>Name:</b>		<b>Employee No.</b>	
<b>Job Title:</b>		<b>Contact no:</b>	
<b>Team :</b>		<b>Line Manager:</b>	
<b>My application is due to a reasonable adjustment</b>		<b>Yes</b>	<b>No</b>

**Describe your current working pattern and contracted hours (days/weeks/hours/months worked/working arrangement):**

--

**Describe the working pattern/arrangement you would like to work in future:**

--

**Describe the reason for your request:**

--

**Please tick the relevant flexible working option this falls under:**

<b>Flexi Time</b>	<input type="checkbox"/>	<b>Part Time Working</b>	<input type="checkbox"/>
<b>Condensed Hours</b>	<input type="checkbox"/>	<b>Annual Hours</b>	<input type="checkbox"/>
<b>Term Time Working</b>	<input type="checkbox"/>	<b>Job Share</b>	<input type="checkbox"/>
<b>Home Working</b>	<input type="checkbox"/>	<b>Other please state</b>	<input type="text"/>

<b>I would like this to commence from (confirm date)</b>	
<b>If on a trial or temporary basis please state the end date</b>	
<b>Impact of the new working pattern: I think this change in my working pattern will affect my employer and colleagues as follows:</b>	
<b>Accommodating the new working pattern: I think the effect on my employer and colleagues can be dealt with as follows:</b>	

**Employee Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**PART B – Line Manager’s Authorisation**

<b>Application Approved (please tick)</b>	<b>Yes</b>		<b>No</b>	
<b>Basis of approval</b>				
<b>Permanent Contractual Change</b>				
<b>Trial basis</b>				
<b>Temporary Rolling Basis</b>				
<b>IF APPROVED</b>				
<b>Commencement Date</b>		<b>Review Date</b>		
<b>Comments</b>				
<b>IF DECLINED</b>				
<b>Please state reasons for not granting flexible working</b>				
<b>Was additional support sought before declining the application?</b>			Y/N	
<b>Date employee notified in writing of the outcome and right of appeal</b>				

**Signed and dated** \_\_\_\_\_  
\_\_\_\_\_

**Signed and dated**

**Line Manager**

**Senior Manager’s Authorisation**

Copy to: HR Department (for the employee’s personal file)

## **APPENDIX B**

### **Letter 1 - Confirmation of receipt of application**

Flexible Working Hours -

#### **FLEXIBLE WORKING**

Dear

**Confirmation of receipt of application** (Line manager to complete and return to employee)

I confirm that I received your request for flexible working, dated [Insert Date] to change your work pattern as follows on \_\_\_\_\_.

I would like to meet with you to discuss your request on [insert date, time and location]

In accordance with our policy, please be advised you are welcome to be accompanied by a colleague or a trade union representative at the meeting.

Yours sincerely

Name

**Job Title**

Copy to: HR Department (for the employee's personal file)

## Appendix B

### Letter 2 – Outcome to Flexible Working Application

Dear

I write further to your application for flexible working, made on [DATE] and our meeting of [DATE].

I am pleased to confirm I am able to accommodate your flexible working request/we were able to reach an agreement further to your flexible working request.

*Or*

I am pleased to confirm I am able to accommodate your flexible working request/we were able to reach an agreement further to your flexible working request on a temporary basis, as discussed in our meeting. This will be reviewed on INSERT DATE. At this point we will assess whether this new flexible working pattern has been successful and is able to continue.

Your new working pattern will be effective from [INSERT DATE]

*Or*

I am pleased to confirm I am able to accommodate your flexible working request/we were able to reach an agreement further to your flexible working request as discussed in our meeting. This will be reviewed on INSERT DATE. At this point we will assess whether this flexible working pattern has been successful and is able to continue.

*Or*

Your new temporary working pattern will be effective from [INSERT DATE]

The agreed flexible working pattern is detailed below:

[INSERT DETAILS OF NEW WORKING PATTERN]

This will be reviewed on INSERT DATE. At this point we will assess whether this flexible working pattern has been successful and is able to continue.

All other terms and conditions will remain the same; however salary, annual and bank holiday leave will be calculated on a pro rata basis if your new working hours are less than full-time.

[ONLY INCLUDE BELOW PARAGRAPH IF THIS IS A PERMANENT CHANGE]

Please be advised this new working pattern is a permanent variation to your contract and there is no right by law to revert to your previous pattern. I would also like to make you aware that the CCG has no statutory obligation to consider more than one flexible working application per year, per individual.

[ONLY INCLUDE BELOW PARAGRAPH IF REQUEST IS REFUSED OR AGREED IN PART]

If you are unhappy with the decision taken, you have the right to appeal against it. Should you wish to appeal, please do so, in writing, to *[THE MANAGER OF THE STAFF MEMBER WHO HAS REJECTED THE REQUEST/SOMEONE OF EQUIVALENT LEVEL]*, clearly setting out the grounds of your appeal. This appeal will need to be submitted within 10 working days of receipt of this letter.

Yours sincerely

Name

**Job Title**

Encl. Minutes of meeting

Copy to: HR Department (for the employee's personal file)

## Appendix B

### Letter 3 – Trial Flexible Working Agreement Confirmed as Permanent Contract Change

Dear

I write further to my previous letter when I confirmed that your flexible working request had been granted for a trial period of *[INSERT TIMESCALE]*.

I am pleased to confirm the temporary flexible working pattern we agreed upon has been successful and therefore you may continue with this pattern. This will now become a permanent variation to your contract and there is no right by law to revert back to your original working pattern.

All other terms and conditions will remain the same; however salary, annual and bank holiday leave will be calculated on a pro rata basis if your new working hours are less than full-time.

Please be advised this new working pattern is a permanent variation to your contract and there is no right by law to revert to your previous pattern. I would also like to make you aware the CCG will not normally consider more than one flexible working application per year, per individual.

If you are unhappy with the decision taken, you have the right to appeal against it. Should you wish to appeal, please do so, in writing, to *[THE MANAGER OF THE STAFF MEMBER WHO HAS REJECTED THE REQUEST/SOMEONE OF EQUIVALENT LEVEL]*, clearly setting out the grounds of your appeal. This appeal will need to be submitted within 10 working days of receipt of this letter.

Yours sincerely

Name

**Job Title**

Copy to: HR Department (for the employee's personal file)

## Appendix B

### Letter 4 - Trial Flexible Working Agreement NOT Confirmed as Permanent Contract Change

Dear

I write further to your application for flexible working, made on *[DATE]* and our meeting of *[DATE]*.

*[Following A temporary trial, while I accommodated your request, I have to advise...]* I am unable to *[continue to]* accommodate your request *[on a permanent basis]* for the following business ground(s) *[DELETE THE GROUNDS WHICH DO NOT APPLY]*:

- extra costs that will damage the business
- the work can't be reorganised among other staff
- people can't be recruited to do the work
- flexible working will affect quality and performance
- the business won't be able to meet customer demand
- there's a lack of work to do during the proposed working times
- the business is planning changes to the workforce

The grounds apply in this circumstance because *[INSERT DETAILS]*

During the meeting, we discussed alternative flexible working patterns. However, these too are inappropriate due to *[INSERT DETAILS]*

If you are unhappy with the decision taken, you have the right to appeal against it. Should you wish to appeal, please do so, in writing, to *[THE MANAGER OF THE STAFF MEMBER WHO HAS REJECTED THE REQUEST/SOMEONE OF EQUIVALENT LEVEL]*, clearly setting out the grounds of your appeal. This appeal will need to be submitted within 10 working days of receipt of this letter.

Yours sincerely

Name

**Job Title**

Copy to: HR Department (for the employee's personal file)

## Equality Impact Assessment

<b>Title of policy</b>	Flexible Working Policy	
<b>Names and roles of people completing the assessment</b>	HR Team, eMBED Health Consortium	
<b>Date assessment started/completed</b>	Started: 11/05/2018	Completion: 11/05/2018

1. Outline	
<b>Give a brief summary of the policy</b>	To provide a process and framework for support to managers and employees who make a request for flexible working and other flexible arrangements to balance the needs of the employee and the needs of the business.
<b>What outcomes do you want to achieve</b>	The CCG is committed to providing a range of flexible working options for employees in order to maintain a committed and skilled workforce, able to deliver high quality, cost effective services in an environment which maximises opportunities for employees to balance work and personal commitments.

2. Evidence, data or research	
<b>Give details of evidence, data or research used to inform the analysis of impact</b>	The impact assessment is informed and supported by a holistic performance framework for equality and diversity across the suite of HR policies.

3. Consultation, engagement	
<b>Give details of all consultation and engagement activities used to inform the analysis of impact</b>	Consultation has taken place with management sub groups of the CCG and staff.

4. Analysis of impact	
This is the core of the assessment, using the information above detail the actual or likely impact on protected groups, with consideration of the general duty to;	

eliminate unlawful discrimination; advance equality of opportunity; foster good relations

	<p><b>Are there any likely impacts?</b></p> <p><b>Are any groups going to be affected differently?</b></p> <p><b>Please describe.</b></p>	<p><b>Are these negative or positive?</b></p>	<p><b>What action will be taken to address any negative impacts or enhance positive ones?</b></p>
<b>Age</b>	No		
<b>Carers</b>	Yes, there are specific criteria for staff with caring responsibilities who can apply for flexible working as a statutory right.	Positive	Managers are to consider requests to support this particular group; this should not impact on other employees as the procedure allows for any employee to request flexible working.
<b>Disability</b>	Yes	Positive	Potential positive impact in staff with disabilities where adjusting their work pattern might help them to continue to work.
<b>Sex</b>	Yes		Whilst open to men and women, it is possible that more women with caring commitments will benefit from this policy to balance caring responsibilities. It remains the case that women are more likely to be carers than men.
<b>Race</b>	Yes	Positive	It is not considered that the flexible working framework would have any differential impact on people of different racial groups. However, where different racial groups face specific cultural necessities which may require a different working pattern, the flexible working policy will provide

			a mechanism to address this need
<b>Religion or belief</b>	Yes	Positive	Where groups of staff require a different working pattern to support them to follow their religion or belief, the flexible working policy may help to address this need.
<b>Sexual orientation</b>	No		This policy will be applied consistently and therefore should have no impact on this protected characteristic.
<b>Gender reassignment</b>	No		This policy will be applied consistently and therefore should have no impact on this protected characteristic.
<b>Pregnancy and maternity</b>	No		This policy will be applied consistently and therefore should have no impact on this protected characteristic.
<b>Marriage and civil partnership</b>	No		This policy will be applied consistently and therefore should have no impact on this protected characteristic.
<p><b>If any negative/positive impacts were identified are they valid, legal and/or justifiable?</b></p> <p><b>Please detail.</b></p>		<p>No anticipated detrimental impact on any equality group. The policy is applicable to all employees and adheres to the NHS Litigation Authority Standards, statutory requirements and best practice. Makes all reasonable provision to ensure equity of access to all employees. There are no statements, conditions or requirements that disadvantage any particular group of people with a protected characteristic.</p>	

#### 4. Monitoring, Review and Publication

<b>How will you review/monitor the impact and effectiveness of your actions</b>	The organisation will use staff survey's in measuring the effectiveness of flexible working policy (by equality characteristic group) and how this has impacted on both the organisation and employees - without compromising health and safety.		
<b>Lead Officer</b>	Lara Parkinson, Head of People & OD	<b>Review date:</b>	September 2025

#### 5. Sign off

<b>Lead Officer</b>	Lara Parkinson, Head of People & OD		
<b>Director</b>	Sabrina Armstrong, Executive Director of Corporate Services	<b>Date approved:</b>	10/11/21