

Reference Number: FOIAH2425/450
From: Press/Media
Date: 12 November 2024
Subject: Hybrid Working

Q1 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)

A1 [Information exempt under Section 21 of the Freedom of Information Act 2000 - 'Information reasonably accessible to the applicant by other means'.](#)

This information is available on our website, it can be found in our 2024/25 Disclosure Log, please see FOI Request Ref: 269:

<https://www.alderhey.nhs.uk/about/foi/disclosure-logs/>

Q2 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)

A2 [Information not held – the Trust does not routinely collate or hold this information centrally as part of its management or performance data.](#)

Q3 How many days per week are hybrid employees allowed to work from home?

A3 [Information not held – the Trust does not routinely collate or hold this information centrally as part of its management or performance data.](#)

Q4 Remote Working Policy: I would appreciate it if you could share a copy of the remote working policy implemented within the organisation.

A4 [Please see attached - *Flexible Working Policy*](#)

Q5 How long has this been the policy and has it changed since the pandemic?

A5 [As per A4](#)

Q6 Monitoring Work Hours: How do you ensure that remote or hybrid workers fulfil their full contractual hours?

A6 [Information not held – the Trust does not routinely collate or hold this information centrally as part of its management or performance data. This is managed by individual department managers.](#)

Q7 Laptop Purchases in 2024: In the year 2024 so far, how many new laptops have been procured specifically for remote or hybrid working?

- A7 Information not held – the Trust does not routinely collate or hold this information centrally as part of its management or performance data. Laptops are procured by departments based on their own business needs.
- Q8 Cost of Laptop Purchases: What has been the total cost associated with the procurement of these laptops in 2024 so far?
- A8 Information not held, as per A7.



FLEXIBLE WORKING POLICY AND PROCEDURE – E3

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Version	Date	Author	Status	Comment
6	July 2024	Chloe McKay	Current	Updates made to include new legislative changes
5	November 2021	Donna Winrow	Archived	
4.1	March 2021	Katie Toner	Archived	Extended for a further 6 months
4	June 2018	Katie Toner	Archived	
3.1	February 2018	Melissa Swindell	Archived	Interim extension
3	March 2015	Melissa Swindell	Archived	
2	July 2007	Improving Working Lives Action Group	Archived	
1	February 2004	Improving Lives Action Group	Archived	

CONTENTS

Section	Page Number
Trust Flexible Working Policy	
Foreword by Louise Shepherd	4
1.0 Introduction	5
2.0 Policy Scope	5
3.0 Rights and Responsibilities	6
4.0 Types of Flexible Working and Definitions	8
5.0 Benefits of Flexible Working	9
6.0 Monitoring	9
7.0 Further Information	10
8.0 Equality Impact Assessment	10
 Trust Flexible Working Procedure	
1.0 Introduction	14
2.0 Making An Application To Work Flexibly	14
3.0 Reasons For Turning An Application Down	15
4.0 Appeal Process	15
Appendix A – Flexible Working Types and Definitions	16
Appendix B – Making Flexible Working Requirements Flowchart	19
Appendix C – Flexible Working Application Form	21

TRUST FLEXIBLE WORKING POLICY

Foreword by Louise Shepherd

I am delighted to write the foreword for the Trust's new Flexible Working Policy. This policy represents a further step forward in developing a working environment focussed on balancing your personal need to be able to flex working arrangements over the course of your time with the Trust and for us to maintain high quality services for our children and young people.

There have been changes over the years to how we are expected to support people when they want to change their working arrangements to accommodate things like caring responsibilities or other non work related commitments. From day one of your employment with us you can make a request to work flexibly and expect a clear response to explain whether we can or can't accommodate that request. We believe there is real benefit not only to you in the ability to work flexibly but also to the Trust. Organisations where a range of flexible working arrangements have been embraced report that it helps support retention and the feeling people have of being valued by their employer. We also recognise that where we have shortages of available staff it makes sense from a delivery perspective to be able support working patterns in creative ways in order to attract people and encourage them to stay as part of the team at Alder Hey Children's Hospital.

There are various ways in which flexible working arrangements can be used to help you establish and maintain a healthy work life balance which are described in this Policy.

You may notice a difference in the tone and language of this policy in comparison to the one it replaces. We're working hard to make all of our policies and the way we do business with our people simpler, less formal and more person-centred. We are also trying to make our policies easy to read and understand by avoiding too much jargon and to explain any abbreviations. We want everyone at the Trust to feel respected and included, and how we communicate key messages and policies is a crucial part of that.

Louise Shepherd
Chief Executive

1.0 Introduction

- 1.1 Alder Hey Children's NHS Foundation Trust (the Trust) recognises that the high standards and quality of the services it provides for our children and young people are achieved through the dedication and efforts of our people. The Trust also recognises that in order to provide our services our people need to be able to work flexibly to help balance their home and work life needs wherever that is possible and practicable.
- 1.2 The Trust is aware that effective flexible working arrangements will always aim to balance the needs of the individual with these key organisational factors; patient/service user safety and experience, valuing our people, service delivery and capacity, and team effectiveness. The Trust also recognises there are a range of entitlements set out in relevant legislation and in the NHS Terms and Conditions of Service Handbook, Sections 33 and 35, that are designed to support our people to work in a flexible manner which at the same time maintains the services we are required to deliver.

2.0 Policy Scope

- 2.1 This policy describes the entitlement of **all Trust employees** to the right to request to work flexibly from day one of their employment with the Trust, therefore all Trust employees are covered by this policy. It is expected that this right is promoted as part of the recruitment process for any of our roles at the Trust. The right also covers employees on fixed term or other temporary contracts. In accordance with the relevant legislation and NHS terms and conditions of service this policy explains what employees can expect when they request flexible working arrangements. As there is not an automatic right to flexible working the policy makes it clear what employees can expect by way of an explanation as to why their request cannot be accommodated if this is the case.
- 2.2 The policy identifies the various types of flexible working the Trust supports and what the different types of flexible working mean in practice. Many of the flexible working arrangements described in this policy and supporting procedure can result in changes in working hours that may affect pay, annual leave and NHS Pension contributions and entitlements. It is important that employees applying for flexible working patterns are aware of the implications for them on these factors. Employees may wish to seek advice from NHS Pensions, Payroll, HR or their Trade Union representative, to discuss these factors further.
- 2.3 The policy and supporting procedure aims to identify how discussions between our people and their managers should be facilitated to find a solution that suits both the needs of individuals and the needs of the service where a flexible working arrangement is being requested. The policy and supporting procedure identifies the most common flexible working arrangements to inform discussions and applications people may wish to make. Employees have a responsibility to think about their desired working pattern when making an application and managers are required to promote flexibility whilst also considering the impact on the service. This policy encourages regular flexible working conversations to take place with employees and managers.

2.4 This policy does not cover the following in detail:

Working from home, hybrid and agile working arrangements – there are specific provisions made for this in **Section 35 of the NHS Terms and Conditions of Service Handbook** which need to be taken into account when locally determining arrangements that meet both the needs of the service and those of the individual employee. The Trust recognises that there are benefits that can be achieved for both the employee and the Trust where the type of work required in certain roles enables working from home and/or a mix of the relevant Trust base or identified locations. We aim to establish the most effective blend of these arrangements to maintain high quality services for our patients and service users and to support the needs of individual employees. See **Appendix A** and flexible working toolkit for an outline of the definitions and procedural process relating to home, hybrid and agile working.

Reasonable Adjustments – the Trust has a **Reasonable Adjustments Policy** which should be referred to and read in conjunction with this policy where situations arise and there is an indication that a reasonable adjustment should be considered, eg in relation to supporting return from sickness absence or due to a disability. Any considerations and rights relating specifically to adjustments to working arrangements that may include flexibility of hours, location, type of work, adaptations to work, etc, in these circumstances should be managed under the Reasonable Adjustments Policy.

3.0 Rights and Responsibilities

3.1 Legislation - the **Employment Relations (Flexible Working) Act 2023** requires the Trust to ensure the following, which are incorporated in this policy and supporting procedure:

- that employees can make a request to work flexibly from the first day of their employment with the Trust;
- that employees can make applications to work flexibly without having to identify the reasons for their request, what effect this might have on the organisation or how the change they are requesting might be managed by the Trust;
- that employees are made aware through policies and practice that they are entitled to request to work flexibly and there is no limit on the number of requests that they can make (whilst the legislation only provides for 2 requests in any 12 month period);
- that the Trust will not be able to refuse a request unless the employee has been consulted with about this decision;
- that any decision to turn down a request to work flexibly is communicated in writing to the employee with clear reasons as to why their request cannot be accommodated;

- that the Trust must provide an escalation point and appeal procedure for employees to use where their application is turned down; and
- that the Trust is expected to make a decision in two months following the request to work flexibly being received.

3.2 Employee's Responsibilities

- i. To complete and submit the necessary flexible working application form (included at **Appendix C**).
- ii. To understand any impact that the flexible working arrangement may have pay and pension.
- iii. To ensure the application is made well in advance of when the desired changes to working arrangements are required from. A minimum of one month's notice is required in order to enable the manager to meet the timeframes set out in the supporting Flexible Working Procedure. For any approved applications the start date of the flexible working arrangement would be dependent on service needs.
- iv. Be prepared to reach a compromise with their manager, should their desired flexible working arrangements not be able to be fully accommodated.

3.2 Manager's Responsibilities

- i. To promote flexible working options at the point of recruitment and through regular staff engagement via one-to-ones, health and well-being conversations, appraisals and team discussions.
- ii. To consider requests in accordance with the Flexible Working Policy and Procedure.
- iii. Ensure the Electronic Staff Record (ESR) System is kept up to date with agreed flexible working arrangements.
- iv. To complete a HR Change E-form if there are any changes to the employee's working hours.
- v. To update ERoster with the employee's new flexible working pattern.
- vi. To ensure the appropriate amendment to contract is issued via the change form process.
- vii. To respond within time limits set within the Flexible Working Procedure unless there are exceptional reasons for not being able to do so.
- viii. To only turn down a request where the service needs make it impossible to agree to the initial request or any alternative options proposed.
- ix. Managers are reminded that flexible working requests can only be declined once you have met with the individual and any alternative patterns have been explored both with the individual and the manager's manager.
- x. To provide the employee making the application with a written response to the request which includes clear reasons (1 of the 8 statutory business reasons) as to why the request cannot be accommodated. This response must be provided within the set timescale unless there is an exceptional reason for not being able to do so. If such circumstances the manager must communicate any delay to the decision being given to the individual.
- xi. To ensure that any variation in the working pattern is fully discussed with the employee and that this recorded in writing.

- xii. To explore other possible flexible working patterns with the employee and the manager's manager if unable to grant their desired flexible working request.
- xiii. To use an agreed trial period wherever possible to test the feasibility proposed working pattern.
- xiv. To set review dates with the employee to ensure that the service can continue to accommodate the arrangements on an ongoing basis.

3.3 Human Resources Responsibilities

- i. To provide managers and employees with advice relating the Flexible Working Policy and Procedure.
- ii. Collate and report on the number of employees who have flexible working arrangements in place that are logged on ESR so that these can be reported as part of the regular workforce data that is received by the Divisions, Corporate Directorates, the People and Well-Being Committee and at Trust Board level.
- iii. To log and track any applications for Flexible Working that are declined, reporting any concerning trends or patterns that may mean certain groups (eg those with protected characteristics) are being disproportionately impacted by these decisions.

3.4 Accredited Trade Union Representatives Responsibilities

The employee has a right to be represented by an accredited representative of a recognised Trade Union or by a work colleague who is an employee of the Trust at any formal meetings or appeal stages of the procedure. The representative will be able to provide advice to the employee and, will be allowed to contribute to meetings or any formal hearings to put forward the employee's case on their behalf. However, they will not be permitted to answer questions on behalf of the employee.

3.5 Chief People Officer Responsibilities

The Chief People Officer must ensure the HR team are fully aware and trained in the relevant people management policies and procedures to enable team members to provide clear and consistent advice on matters arising that employees and managers may seek advice on. In addition the Chief People Officer is responsible for ensuring appropriate central data collection and reporting takes place to inform local, division/corporate service level, People and Well-Being Committee and Trust Board level discussions and decisions in relation to flexible working.

4.0 Types of Flexible Working and Definitions

- 4.1 Flexible Working incorporates a wide variety of working patterns and practices. Employees can request changes to the days, times, or hours they are required to work. Details of the most common types of flexible working arrangements in use across the Trust are listed below and detailed in **Appendix A**. There may be other flexible working alternatives that employees wish to have considered through an application. These are not discounted by not being on the list and

managers are expected to give any proposals put forward by their employees full consideration before reaching a decision.

- i. Part-time working
- ii. Flexi time
- iii. Compressed hours
- iv. Job sharing
- v. Term time working
- vi. Annualised hours
- vii. Home working, Hybrid/Agile Working Arrangements
- viii. Career Break

Please note that partial retirement, whilst a way of working flexibly, has a separate process which is detailed in the Trust's Retirement policy.

- 4.2 Any arrangements that are agreed must be covered by a written confirmation and supported by an amendment to contract, with a review date included.

5.0 Benefits of Flexible Working

- 5.1 Flexible working patterns that suit the changing circumstances of peoples' lives are an important way to secure a motivated and committed workforce. A commitment to flexible working brings several benefits:

- Attraction and retention of people which in turn can reduce recruitment costs and improve continuity of service for patients and service users;
- Improved staff engagement;
- Supports people in maintaining their well-being and attendance at work
- Can improve productivity;
- Empowers people to take more ownership and control of their working life and work/life balance;
- Supports people when they may need to accommodate changes in their life, eg to help accommodate caring responsibilities, to support educational commitments, to start to reduce work commitments to achieve ambitions in other parts of life.

6.0 Monitoring

- 6.1 Workforce data will be provided to ensure application of the policy and decisions being made in relation to it are being actively monitored and reviewed by Divisional Directors and their senior teams or their Corporate Service Directorate equivalents. The appropriate HR Business Partner for the area will be part of that monitoring and review process. The People and Well-Being Committee and Trust Board will receive regular reports providing overview data for the Trust, which highlight recurring issues or areas that need to be addressed.
- 6.2 The People and Well-Being Committee will ensure that this policy is reviewed at the necessary intervals and updated as appropriate.

7.0 Further Information

References

[ACAS Guide to Flexible Working](#)

[NHS Employers](#)

[NHS Terms and Conditions of Service Handbook](#)

Employment Relations (Flexible Working) Act 2023

Associated Documentation

(available on the Trust [Document Management System \(DMS\)](#))

Special Leave Policy

Maternity, Paternity, Adoption and Shared Parental Leave Policy

Retirement Policy

Recruitment policy

Induction Policy

Equality, Diversity and Human Rights Policy

Reasonable Adjustments Policy

Supporting Staff Health and Well-Being Policy

8.0 Equality Impact Assessment

8.1 The Trust is required to ensure all of its policies are assessed to ensure they do not disproportionately impact on people who have protected characteristics as set out in the Equality Act 2010. Where it is identified that the policy may be at risk of impacting negatively on any group the Trust is required to show how it intends to mitigate against this. The following Equality Impact Assessment has been undertaken relating to the Flexible Working Policy.

Equality Impact Analysis (EIA)

The Public Sector Equality Duty (section 149 of the Equality Act 2010) requires public authorities to have due regard for the for need to achieve the following objectives in carrying out their functions:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Please refer to Equality Analysis Step-Wise Guide for Policies when completing this form

Policy Name	Flexible Working Policy
Policy Overview	This policy will allow all Trust employees the right to request to work flexibly. This policy will not provide an automatic right to work flexibly, as there will always be circumstances where a desired work pattern cannot be accommodated. It aims to set out the requirements and entitlements in relation to flexible working.

Relevant Changes (if any)	Right to request to work flexibly from commencement of employment. Addition of home, hybrid/agile working references.	
Equality Relevance Select LOW, MEDIUM or HIGH	HIGH	
If the policy is LOW relevance, you MUST state the reasons here.	Click here to enter text.	
Form completed on:	Date: Click here to enter a date.	
Form completed by:	Name: Click here to enter text.	Job Title: Click here to enter text.

If LOW relevance, proceed to Approval and Ratification Section. No further information required

If MEDIUM or HIGH Equality Relevance, complete all sections		
Equality Indicators Identify the equality indicators which will or could potentially be impacted by the policy and include details of how they may be impacted. (use Equality Relevance to assess the impact on each protected characteristic)	Protected Characteristic	Mitigation
	Age <input checked="" type="checkbox"/> How: Click here to enter text.	Age may be a factor that drives an application for flexible working however age of applicants is not required as part of the application process.
	Disability <input checked="" type="checkbox"/> How: Click here to enter text.	Staff with disability may need reasonable adjustments that could include more flexible work arrangements – these may appropriate consideration under the Reasonable Adjustments Policy
	Gender reassignment <input checked="" type="checkbox"/> How: Click here to enter text.	Potential positive impact for employees undergoing gender reassignment process where adjusting their work patten might help them when undergoing their treatment.
	Marriage & Civil Partnership <input checked="" type="checkbox"/> How: Click here to enter text.	All staff have the right to request flexible working regardless of marital status.
	Pregnancy or Maternity <input type="checkbox"/> How: Click here to enter text.	For women returning from maternity leave who may apply in order to manage childcare responsibilities and work-life balance.
	Race <input type="checkbox"/> How: Click here to enter text.	Ethnicity of applicants is not required as part of the application process so should not feature as a reason not to fully consider potential flexible working.
	Religion or Belief <input checked="" type="checkbox"/> How: Click here to enter text.	Potential positive impact on employees who may wish to work flexibly in order to observe religious practices.

	<p>Sex <input checked="" type="checkbox"/></p> <p>How: Click here to enter text.</p>	<p>Recognising the high proportion of female employees monitoring will be in place to continuously check that applications from female workers are not turned down in comparison with those made by male employees.</p>
	<p>Sexual Orientation <input type="checkbox"/></p> <p>How: Click here to enter text.</p>	<p>Sexual orientation is not required to be identified as part of the application process however if it appears through monitoring that employees who identify as LGBTQ+ are more likely to have their application turned down action will be taken to address this.</p>
	<p>Human Rights (FREDA principles) <input checked="" type="checkbox"/></p> <p>How: Click here to enter text.</p>	<p>Equality under the FREDA principles, Article 14 Prohibition of discrimination</p>
<p>Equality Information & Gaps What equality information is available for protected groups affected by the policy? If none available, include steps to be taken to fill gaps.</p>	<p>This document takes into account current employment legislation and must be implemented in conjunction with the Trust's Equalities Framework, The Trust's Equality & Human Rights Policy and Equality and Diversity legislation.</p> <p>Managers have a responsibility not to discriminate in their management practices, the provision of their service or relation to the employment of staff and practices while in employment with the Trust. The Trust monitors and publishes information on the profile of its workforce based on age, disability, ethnicity, gender and marital status and appropriate actions will be recommended by the People and Well-Being Committee to address any issues arising that suggest the Trust is not meeting its obligations in relation to fair and non discriminatory treatment of all employees in relation to flexible working.</p>	
<p>Stakeholder Engagement What stakeholders are engaged to help understand the potential effects on protected groups? See Gunning Principles for public consultation requirements. How has consultation influenced the policy?</p>	<p>Trade Union Officials and managers were consulted with on the development and ratification of this Policy. Feedback from these groups was acted upon and the Policy was amended to reflect any comments made.</p>	
<p>Interdependency How will this affect other policies, projects, schemes from an equality perspective?</p>	<p>NEEDS CHECKING AND UPDATING</p> <p>Special Leave Policy – E14 Maternity, Paternity, Adoption and Shared Parental Leave Policy – E22 Retirement Policy – E18 Disciplinary Policy E5 Supporting Staff Health and Well-Being Policy (was Sickness & Absence Policy E4) Resolution Policy (Bullying & Harassment Policy E24 Grievance Policy E7) Equality, Diversity & Human Rights Policy C47</p>	

	Recruitment and Selection Policy – E2 Induction Policy – E6	
Public Sector Equality Duty Include a summary of how each of the PSED requirements have been considered in order to demonstrate compliance with the Act.	a) Eliminate discrimination, harassment, victimisation etc Click here to enter text.	
	b) Advance equality of opportunity Click here to enter text.	
	c) Foster good relations Click here to enter text.	
	Has the Public Sector Equality Duty been met? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> It is intended that application of this policy will ensure that no group will be affected more or less favourably than another on the basis of any protected characteristic. However monitoring arrangements will be put in place to monitor the impact of this policy for reasons of age, disability, pregnancy or maternity and sex. The supporting procedure has a review and appeals process and advice of the Equality and Diversity Manager will be taken, if necessary, if the reason of the appeal appears to be for reason of discrimination.	
Monitoring Include details of how the equality impact will be monitored.	The Trust monitors and publishes information on the profile of its workforce based on age, disability, ethnicity, gender and marital status and appropriate actions will be recommended by the People and Well-Being Committee to address any problems.	
Review of Equality Analysis (if indicated)	Rationale for review: Click here to enter text.	
	Changes made: Click here to enter text.	Reason for change: Click here to enter text.

If **MEDIUM** or **HIGH** relevance, the EA should be reviewed annually. Complete Approval and Ratification Section.

Approval & Ratification of Equality Analysis		
Policy Author:	Name: Chloe McKay	Job title: HR Manager
Approval Committee:	Employment Policy Review Group	Date approved: 01/05/2024
Ratification Committee:	People and Well-Being Committee	Date ratified: 01/07/2024
Person to Review Equality Analysis:	Name:	Review Date:
Comments:	Click here to enter text.	

TRUST FLEXIBLE WORKING PROCEDURE

1.0 Introduction

- 1.1 The Trust Flexible Working Procedure is designed to be read in conjunction with the Trust's Flexible Working Policy. This document aims to help all employees, managers and their team members, understand what they need to do in relation to making and considering applications to work flexibly.

2.0 Making An Application To Work Flexibly

- 2.1 Any Trust employee can make an application to work flexibly from the first day of their employment. Ideally the desire to work flexibly and what can potentially be accommodated will have been discussed in an open manner as part of any recruitment process with those who have just joined the Trust. The most common forms of flexible working and definitions are listed in **Appendix A**.
- 2.2 To make an application to work flexibly, the following stages should be followed. A flowchart developed by the national NHS Staff Council can be found at **Appendix B**. This identifies the key stages that an application will go through to be fully considered and responded to.

Stage One – informal discussions take place with the employee and line manager. An employee is interested in working flexibly and discusses with their manager their proposed flexible working pattern.

Stage Two – formal application submission. An employee interested in working flexibly will need to complete the application form which can be found at **Appendix C**. This must be submitted to the line manager with a copy being sent to the HR team so they can log the application centrally. There is no requirement for the employee to share the reason for their request, nor to provide an explanation of what effect their requested change may have on the employer or how this change might be dealt with.

Stage Three – discussion should take place with line manager within **10 working days** of receipt of the application. If the application is approved the formal response will be confirmed in writing to the employee. The Manager will send the response to the HR team for the monitoring of flexible working requests and so that there is a record on the employee's personal file. The manager should also share a copy of the outcome with the E-roster team so that the work pattern can be updated. In addition a change form will need to be completed by the line manager to trigger an amendment to contract of employment being issued by the HR team.

Stage Four – following the meeting above, if the manager is unable to accommodate the request, they will need to seek approval from their line manager to decline the request. The outcome of this stage should be provided

to the employee applicant within **5 working days** of the meeting above. If the outcome is that the application is turned down the reasons will be provided. The outcome letter will indicate that the employee has the right to appeal against the decision, the process to do so (including reference to the appeal form) and timeframe within which to submit an appeal.

- 2.3 The expectation is that the formal application process, from receipt of a completed application form to an appeal outcome will take no longer than **2 months** in total.

3.0 Reasons For Turning An Application Down

3.1 Every effort should be made to accommodate flexible working requests. Adopting flexibility within teams can improve productivity, wellbeing and a sense of improved control over work/life balance. This has to be considered in the context of continuing to provide services, often in challenging environments and with limited staffing resources. There will be an appropriate balance to be maintained by managers in ensuring equity of access to flexible working opportunities while ensuring the services remain appropriately covered. This can be achieved, in part, by ensuring trial periods and regular reviews to assess how the arrangement is delivering for both the employee and the team/service.

3.2 There are occasions when an application cannot be accommodated, even when alternative options have been discussed and considered. In these circumstances there may be a range of reasons for the application being turned down. The reasons must be based on service-related grounds (relating to the 8 statutory business reasons). There are some examples of grounds that may be appropriate below, however this list is not exhaustive.

- extra costs that will damage the business
- the work cannot be reorganised among other staff
- people cannot be recruited to do the work
- flexible working will affect quality
- flexible working will affect performance
- the business will not 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

4.0 Appeal Process

4.1 If an employee is dissatisfied with the outcome of their flexible working application they can submit an appeal by completing the section D on the flexible working application form. The appeal can be on the grounds of the procedure not being correctly followed or on the basis that they believe their application has not been given appropriate consideration. The employee must submit their appeal to the Manager's Line Manager's Manager, or equivalent

i.e., grandparent principle adopted, within **5 working days** of the receipt of the decision to turn down their application. Appropriate arrangements will be made for an appeal hearing to consider the case. The outcome of the appeal hearing will be the final stage available to the employee.

APPENDIX A

FLEXIBLE WORKING TYPES AND DEFINITIONS

Please note - Pay and other benefits can be affected when flexible working arrangements are applied. If in doubt about what this might mean for annual leave, pay, pension or any other benefits ensure advice is sought from the HR and/or Payroll team before any contractual changes are put in place. The list of types of flexible working and supporting definitions (as detailed below) is not exhaustive and there are local variations that may be accommodated, however this list serves to describe the most common forms of flexible working arrangements in the NHS.

Please note, partial retirement, whilst a way of working flexibly, has its own process to follow under the Trust's Retirement policy.

1. **Part time working** – working fewer hours than the standard 37.5 hours per week (employees on Agenda for Change pay bands) or 10 Programmed Activities per week (employees on Medical and Dental pay grades). This means that the employee will be working less than the standard full time hours for their band/grade. There is no set pattern to part time working and this is for local agreement between the employee and their line manager. It may involve:
 - i. A later start time and earlier finish time than someone working full time;
 - ii. Working mornings, or afternoons only;
 - iii. Working fewer days in the standard working week/shift pattern for the relevant area;
 - iv. Any other arrangement that means that the member of staff is contracted to work less than normal standard full-time hours.

2. **Compressed Hours** - this allows employees to work their total number of contracted hours over fewer working days, for eg a 5 day working week is compressed into a 4 day week.

An example of this would be:

An employee normally works 5 x 7.5 hour shifts. These hours are compressed into 4 x 9.38 hour shifts over 4 days rather than 5 days

In this example there would be no change to pay and pension entitlements.

3. **Job Sharing** - this involves two people employed on a part-time basis but working together to cover duties and responsibilities of a full-time post. The details of how this will work need to be clearly set out so that there is a common understanding about who is responsible for which areas of the role, how work

is shared between the two postholders, how handover of work takes place and what happens in terms of cover when one party is on leave, etc.

4. **Term Time Working** - this is a system whereby a member of staff can take a period of paid and unpaid leave during school holidays.

An example of this would be:

An employee working full time is paid for 52 weeks x 37.5 hours

Working term time only will mean that the employee will only work for 39 weeks (assuming a 39-week term). The remaining 13 weeks are unpaid. The employee will still work 37.5 hours during the 39 weeks when in work. They will then be paid a full time equivalent to take into account the reduction in hours as well as their annual leave entitlement. This is because their pay is averaged out over the full 52 weeks. The employee will not be entitled to take any annual leave during term time.

5. **Annualised Hours** - this is a system whereby the hours an employee is contracted to work are calculated over a whole year rather than a standard week. The hours will be split into two parts: *Rostered* hours and *Reserve* hours. Rostered hours are set shifts, or the hours that employees will be required to work each week. Reserve hours are hours that are unallocated and will be worked flexibly. The employee is paid for the unallocated Reserve hours and may be called upon to work them at short notice.

Annualised hours schemes can be implemented with a whole team or on a departmental basis and are particularly effective where there are fluctuations in activity over the course of a year. They give the Trust and employees extra flexibility to vary their patterns of work across each year to suit service need and individual preference.

6. Home Working, Hybrid/Agile Working Arrangements – Section 35 of the NHS Terms and Conditions of Service Handbook provides more detail on what employees can expect by way of a commitment to support this type of arrangement. The ability to accommodate requests to work as a home worker or on a hybrid/agile basis (please note hybrid and agile are used interchangeably to describe the same arrangement) will be determined to a large extent by the type of role that the employee is in and local determinants which identify how frequently employees are expected to attend their base or other Trust location to effectively deliver the requirements of their role.

A **homeworker** is someone who cannot perform their substantive duties anywhere other than home which is reflected in the terms of their contract of employment. There is an expectation that they attend a Trust base or other identified location(s) on an ad hoc basis.

The Trust has not set Trust wide expectations regarding home working and hybrid/agile working as there is a recognition this would be difficult to do as a

standard for the whole Trust given the nature of the different types of roles our employees have and the range of delivery requirements for our services. Further information for home working and the procedural process is detailed within the Flexible Working Toolkit.

7. A **career break** is an ideal option if you need between 3 months and 2 years away from work and would like to return. Normally you would not be able to work in the NHS whilst on a career break. Employees can apply for a career break if you have more than 24 months service.

Employees should get advice from the Human Resources department and speak to the Pensions team to understand how a career break will affect your pension before applying.

See section 34 of the [NHS Terms and Conditions Handbook](#): Employment break scheme for more information.

An employee wishing to take a career break should apply in writing to their manager setting out how long they would like to have a career break and reasons they would like to have a break. The career break application can be found in the flexible working toolkit.

The employee's line manager will meet with them to discuss their request and will confirm the outcome in writing as soon as possible. If an employee believes the reasons for refusing their career break are unfair, they should speak to their Human Resources representative or Trade Union representative.

If your career break is agreed, you will receive a written agreement which will outline the following:

- i. During a career break you won't be paid and you won't receive increments, but you will remain employed meaning your service won't be broken.
- ii. Your career break will not count as service when calculating annual leave, sick pay, contractual redundancy pay and any other benefits that are based on length of service.
- iii. You won't be entitled to any benefits such as sick pay during your career break.

If your role is affected by organisational change while you are on your career break, your manager will contact you to let you know and include you in the consultation process.

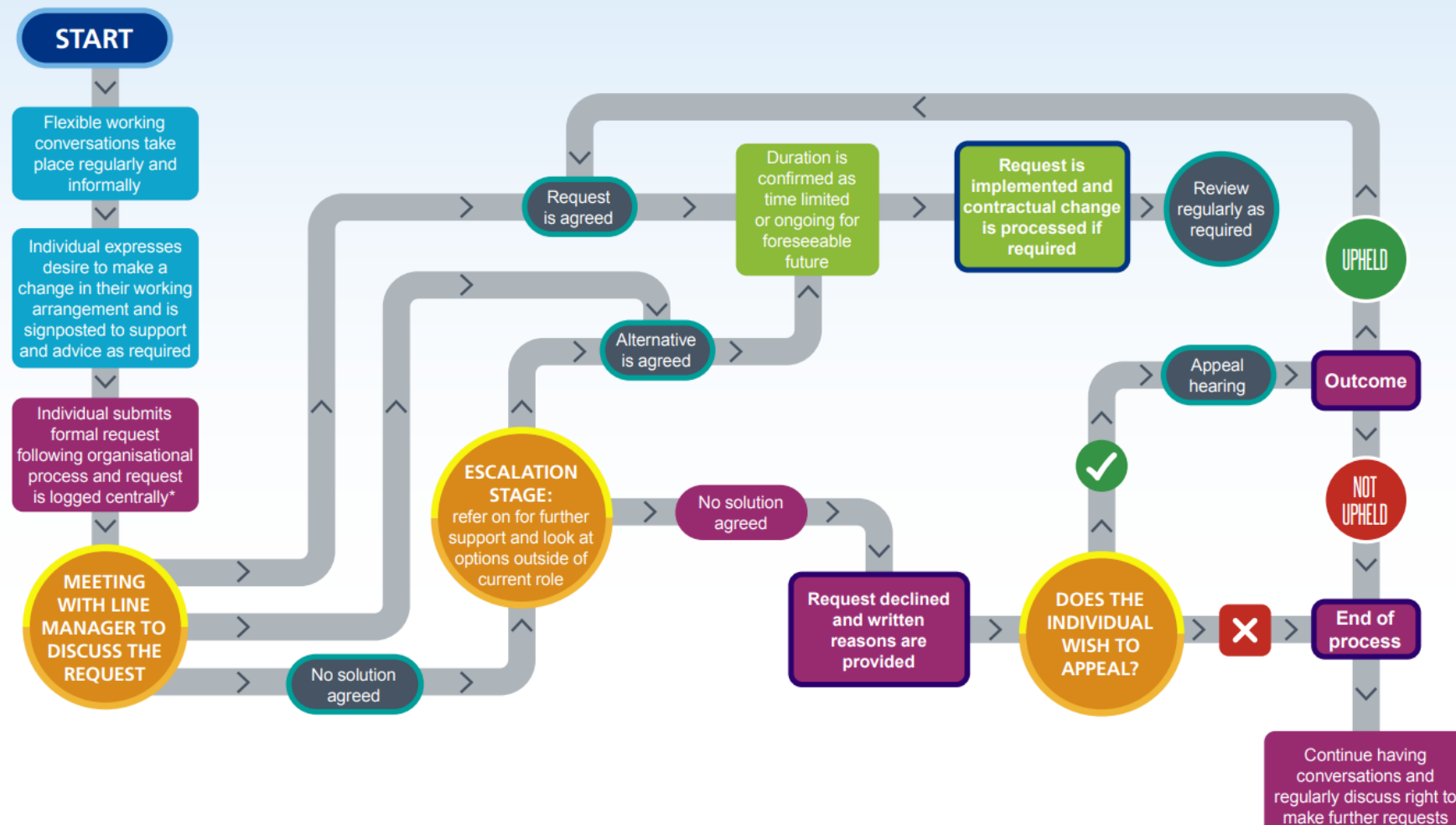
If you return to work within 12 months your manager will aim for you to return to your previous role. If your break is for more than 12 months, you may be asked to return to a similar role but with the same salary.

You should give notice if you want to return to work earlier, or later than the agreed date. You should give 2 months if the career break is less than 12 months and 6 months if the career break is more than 12 months.

You should keep up to date with your professional registration and your manager will agree with you how you will be re-inducted when you return. Further information in relation to career break can be found in the flexible working toolkit.

APPENDIX B - MAKING FLEXIBLE WORKING REQUESTS FLOWCHART

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.



APPENDIX C – FLEXIBLE WORKING APPLICATION FORM

Part A (to be completed by member of staff requesting changes)	
This form should be used to make an application for flexible working	
<p><i>Note to Manager</i></p> <p>This is a formal application made in accordance with the Trust's Flexible Working Policy. You are required under the terms of that policy to consider all applications seriously. The expectation is that the formal application process, from receipt of a completed application form to an appeal outcome will take no longer than 2 months in total.</p>	
1. Personal Details	
Name	Ward / Department
Job Title	Name of Line Manager
Date of Request	
2. Describe your current working pattern (i.e. days / hours / times / worked / location)	
3. Describe the working pattern you would like to work in the future (i.e. days / hours / times / worked / location)	

If your request is for hybrid working, please ensure you also complete below

Please tick the boxes to confirm you will carry out or have carried out the necessary actions

I can work from home and confirm that I have read and understood the guidelines.

I agree to complete a Display Screen Equipment self-assessment online, return to the DSE coordinator, discuss the recommendations with my manager, and agree with them the suitability of working from home for my individual circumstances.

I will inform my manager of changes to my home or personal circumstances, which could affect the suitability of homeworking for me such as a change in caring responsibilities, becoming sick etc.

If required, I will inform my landlord/mortgage provider of my intention to work at home.

If required, I will notify my insurance company of my intention to work at home and inform them of any additional equipment which has been provided by the Trust

I agree to take reasonable steps to ensure the safety and security of Trust equipment and data.

I am aware of and understand my responsibility to notify my manager when I am absent from work due to sickness or for any other reason.

I understand that if I have an accident while working remotely, I must inform my manager as soon as is practicable, seek appropriate medical help, and record the incident through completing an Accident Incident Report.

I would like the changes to my working pattern to be effective from (Date):

Signed:

Date:

Part B: Acceptance Form (to be completed by Manager)

Note to the Manager

You should arrange a meeting within 10 working days of the date of submission and return this form detailing your decision after the meeting.

Following receipt of your application on _____ (Date) and our meeting on _____ (Date) and exploring all options.

I have considered your request for a new flexible working pattern.

- I am pleased to confirm that I can accommodate your application
- I am unable to accommodate your original request. The reason(s) for this is (please detail under the appropriate heading(s) the reason for declining the original request):
 - extra costs that will damage the business
 - the work cannot be reorganised among other staff
 - people cannot be recruited to do the work
 - flexible working will affect quality
 - flexible working will affect performance
 - the business will not 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

However, I can offer the alternative pattern, which we have discussed (and is detailed below) and you agreed would be suitable to you.

Your new working pattern will be as follows:

Your new working arrangement will begin from _____ (Date)

This is a permanent arrangement and you will have no automatic entitlement to revert to your original working pattern, this does not preclude you from submitting further flexible working applications if required.

- A trial period (if required) will commence for a period of _____ month(s) .

Or

- As we agreed, this is a temporary arrangement for the following reason(s):

It will be reviewed on _____(date)

(at which point you may be required to revert to your previous working pattern)

Signed:

Date:

The Review Process

If your Manager is unable to agree to your request for flexible working, they will arrange for a review meeting with their line manager to further consider the request before confirming the outcome to you

Part C: Response following line managers Review (to be completed by immediate Manager's line manager)

Following the review of your request on: _____(Date)

I have considered your application to work flexibly.

Request Upheld

- I have reviewed your request and can advise we are now able to accommodate your request for flexible working.
- Your new working pattern will be:
 - Your new team will be:

Your new working arrangement will begin from_____ (Date)

This is a permanent arrangement and you will have no automatic entitlement to revert to your original working pattern, this does not preclude you from submitting further flexible working applications if required.

- A trial period (if required) will commence for a period of _____ month(s) .

Or

- As we agreed, this is a temporary arrangement for the following reason(s):

It will be reviewed on _____(date)

(at which point you may be required to revert to your previous working pattern)

Review undertaken and unable to accommodate request

- I am sorry the review has not been successful for the following reasons:
- extra costs that will damage the business
 - the work cannot be reorganised among other staff
 - people cannot be recruited to do the work
 - flexible working will affect quality
 - flexible working will affect performance
 - the business will not 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

You have the right to appeal this decision to your manager's line manager's manager within 5 working days of receipt of review decision.

Any appeal should be therefore submitted to _____ (manager to provide details if application has been declined).

Signed:

Date:

Part D: Appeal Process (following review by line manager) - to be completed by staff member

The Appeal Process

If your line manager manager's review does not agree with your request for flexible working, you have the right to appeal. If you wish to appeal you must complete this form. You must state on what grounds you are appealing and why you feel that the review decision was unfair. This form must be completed and returned to the appeal manager (your manager's line manager's manager) within 5 working days after you received written notice of the review decision. An appeal hearing will be arranged. At this appeal, you may be accompanied by a colleague or Trade Union representative.

Note for Staff Member and Appeal manager

This is an appeal process in accordance with the Trust's Flexible Working Policy and Procedure. The expectation is that the formal application process, from receipt of a completed application form to an appeal outcome will take no longer than **2 months** in total. Therefore, an appeal should be submitted within 5 working days of the decision.

- I wish to appeal my line manager's review of my application for flexible working. I appeal on the following grounds:

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Signed:**Date:****Part E: Response following Appeal (to be completed by Appeal Manager)**

Following the appeal of your request on: _____ (Date)

I have considered your application to work flexibly.

Appeal Upheld

- I have reviewed the line manager's decision and am now able to accommodate your request to change your working pattern. Your new working pattern will be:

Your new working arrangement will begin from _____ (Date)

This is a permanent arrangement and you will have no automatic entitlement to revert to your original working pattern, this does not preclude you from submitting further flexible working applications if required.

- A trial period (if required) will commence for a period of _____ month(s) .

Or

- As we agreed, this is a temporary arrangement for the following reason(s):

It will be reviewed on _____ (date)

(at which point you may be required to revert to your previous working pattern)

Appeal not upheld

- I am sorry the original review stands, and your appeal has not been successful for the following reasons:

This is the end of the process and there is no further line of appeal and no further recourse via the Grievance procedure.

Signed:

Date: