



CC_HR08 Flexible Working Policy

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1. Introduction

The right for working parents to request flexible working arrangements came into effect on 6th April 2003, through the provisions of the Employment Act 2002 and was amended on 30th June 2014 to cover all staff and any requests..

The essential part of this legislation from the Company's point of view is that employees have not gained a right to work flexibly but simply a right to put a request to the Company and for the Company to seriously consider it.

The Company should be aware that women seeking to return to work on adjusted hours after maternity leave can still claim unlawful sex discrimination if their employer refuses outright to consider a request to work flexibly.

2. Purpose

This procedure is designed to:

- Ensure the Company and the employee are aware of their rights and responsibilities in considering flexible working
- Ensure that all staff are treated fairly and consistently

3. General Principles

The Company and employee should bear in mind the following principles when considering a request for flexible working arrangements:

- Service delivery, clinical standards, health and safety or other legislative requirements must not be compromised or increase risk to staff and patients of the Company.
- Pay and benefits will be adjusted on a pro-rata basis, and the effects of the proposed change will be fully explained to and agreed with the employee before any contractual change is made. No such change should ever be considered permanent, as working arrangements will be regularly reviewed.
- Flexible working arrangements must be fair and equitable to all employees and must not be to the detriment of other staff.
- In considering requests for flexible working, the needs of the service must be fully considered.
- Any approved request for flexible working will be subject to a six week trial period, following which the new working arrangements will be reviewed.

4. Types of Flexible Working Arrangements

4.1 Part-time working

This is an arrangement whereby an employee works fewer hours than the full-time hours of the post, either by reducing the hours worked each day, and/or reducing the number of days worked.

4.2 Job sharing

This usually applies where two employees share the same duties and responsibilities of one full-time post, and share the associated pay, holiday and other benefits.

4.3 Term-time working

This is an arrangement whereby an employee is employed on a substantive basis and works regular full-time, part-time, or job share hours during the school term only. Payment of salary is proportioned equally throughout the year. Employees can have a maximum of 12 weeks off per school year, and would be expected to take their annual leave during school holidays.

4.4 Voluntary reduced working hours

This where an employee works reduced or variable hours for an agreed or defined period. Employees using this facility will work at a pro-rata reduced salary, holiday and benefits, with a guarantee that they will return to full time working (or their original working pattern) when the period ends.

4.5 Working from home

This is an arrangement where it is agreed that an employee may work some of their hours from home on an occasional basis. Contractually the Company would remain the employee's base. Home working opportunities may be very limited as there are a number of posts where home working is not practical.

If home working is agreed, the following needs to be confirmed:

- the employee has sufficient work that can be feasibly undertaken at home.
- the employee has the appropriate facilities and equipment available at home
- the days/hours to be worked at home are agreed with the Company in advance
- the employee provides details of how they can be contacted at home
- the employee is able to come into work from home should the Company urgently require it
- the employee complies with the Company's policies and procedures whilst working from home
- the Company will reimburse the cost of any business telephone calls made by the employee whilst working from home, on receipt of an itemised phone bill.

4.6 Compressed working week

This arrangement means that the employee works longer hours than the standard each day and therefore may work a shorter week or fortnight, whilst still working their contractual hours.

5. Requesting Flexible Working

An employee with more than 26 weeks service may apply to work flexibly

The Company will not approve applications for flexible working if the reason for the request is to enable the employee to take other paid employment.

A request for flexible working that will alter an employee's terms and conditions of employment should be made formally, using the flexible working application form. The application should clearly state:

- The changes requested
- The proposed date for the change to take effect
- The suggested impact on the Company, the service and the team
- How the employee thinks this change can be accommodated

(see application form in Appendix A)

The application should be sent to the Senior Manager at least 6 weeks before the proposed date for the change.

The Senior Manager will arrange to meet the employee within 30 calendar days of receipt of the application. The employee will be advised of their right to be accompanied at the meeting.

The Company will notify the employee of the decision within 14 calendar days from the meeting.

If the request is agreed the Senior Manager must make arrangements with the rest of the team and confirm that it will be subject to a 6 week trial. A review will be undertaken at the end of the trial period, and the arrangement will either be confirmed or may be modified to take account of the Administration/ Clinical team and service.

If the request is refused the reasons must be sent in writing and in some cases it may be appropriate to defer the decision. The employee must be notified of their right to appeal

An appeal must be submitted within 14 days of receipt of the decision. A meeting will be arranged between the Company, the employee and their representative.

The decision of the appeal is final – there is no further right of appeal.

6. What the flexible working policy does not cover:

- compassionate leave
- carer leave
- parental leave
- paternity leave
- adoption leave

- maternity leave

Flexible Working Application Form

Name:

Job title:

I would like to apply to work a flexible working pattern that is different from my current working pattern. In addition, I confirm that I have worked continuously with the Company for the last 26 weeks and that I have not made a request to work flexibly within the last 12 months.

What is your current working pattern?

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

When would you like this new working pattern to commence from?

Describe how you think the change in your working pattern may impact on the Company service, patients and team:

Describe how you feel your request can be accommodated:

Signed

Date.....

VERSION HISTORY TABLE

VERSION	DATE UPDATED	UPDATED BY	REASONS
08. HR Policy	07/12/2015	AB	Separated from HR archived HR policy. Policy template updated. Issued at V1.0.
V1.0	N/A	JH	Reviewed – all legislation up to date