

## Flexible Working Policy

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<b>Summary</b>	

<b>Version</b>	<b>Date</b>	<b>Control Reason</b>	<b>Title of Accountable Person for this Version</b>
v4	06/08/2014	Update of job titles	Head of HR
v5	December 2014	Policy updated due to change in legislation	Head of OL&D & HR
v6	December 2019	Updated policy	HR Department
Reference Documents		Electronic Locations (Controlled Copy)	Location for Hard Copies
Consultation: Committees / Groups / Individual			Date
Quality and Workforce Committee			December 2019

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## **1.0 PURPOSE**

At PC24, we support home working and flexible working where possible. All employees have the legal right to request flexible working (as long as certain criteria are met), not just parents and carers.

## **2.0 SCOPE OF THE POLICY**

All employees who meet the eligibility criteria as detailed in the policy will be considered for flexible working.

## **3.0 RESPONSIBILITIES**

### **Directors**

Will take steps to ensure that the culture of the organisation is one where flexibility in the workplace is embraced when possible.

### **Managers**

Should take a positive approach towards flexibility in the workplace whilst also considering the impact on the service as well as staffing requirements.

Should follow the body of this policy document, including meeting all timescales and ensure the correct procedure is carried out.

Should consult with HR when considering a rejection of a request, meeting with the employee to explain their decision and, where appropriate, explore other options.

### **HR Department**

Will provide guidance to managers who seek to refuse a request for flexible working. If an employee appeals against a refusal the HR department will review this appeal and meet with the employee to discuss this.

### **Employees**

Have a responsibility to think carefully about their desired working pattern before making an application, making their request clear.

Are reminded that any change in working hours may affect entitlements such as pay, pensions and annual leave.

#### **4.0 DEFINITIONS**

**Flexible Working** – a way of working that suits an employee's needs, e.g. having flexible start and finish times, or working from home.

**Annualised Hours** – an employee's hours expressed as a total number of hours worked during the course of the year

**Job Share** – an arrangement by which two employees share the work and pay of a single full-time job

**Term Time** – the time of year when schools, universities and colleges are holding classes

**Part Time** – Determined when employees work for fewer than 30 hours per week

#### **5.0 FLEXIBLE WORKING PROCEDURES**

PC24 is committed to assisting you in balancing the demands you have outside of work, with your work duties. The following procedure should be followed by you and the organisation, when considering requests for flexible working.

##### **5.1 Eligibility**

You have a right to request flexible working as long as you:

Have been continuously employed by PC24 for a minimum of 26 weeks

Have not already applied for flexible working during the past 12 months (12 month rolling period).

##### **5.2 Making a Request for Flexible Working**

You can ask to change the number of hours you work, the times when you work, and the place where you work. You can also ask to change to a different pattern of working hours.

To do this, you need to apply in writing by completing the flexible working application form (see Appendix 2) and return it to your Line Manager.

The application should state:

The date of the application, the details of the change you are seeking, and when you would like the change to take effect

Any effect you feel the request may have on the business and your colleagues and how, in your opinion, you could make it work

Confirm to PC24 as to whether you have made a flexible working request in the past 12 months (rolling 12 month period).

Let the organisation know if you are making the request in relation to the Equality Act 2010, e.g. as a reasonable adjustment for a disability

### **5.3 Considering your Request**

Your Line Manager will arrange a meeting with you to discuss your request. The meeting will be held within 28 calendar days of receipt of the request, and someone from the HR Department may also be present. At this meeting you may be accompanied by a colleague of your choice.

It may be that a meeting is not required if your Line Manager is happy to approve the request and does not need to discuss it in detail with you.

PC24 will only refuse an application should the proposal result in one or more of the following:

- An unacceptable burden of cost to the organisation

- A detrimental effect on PC24's ability to meet the needs of the patients
- Your work could not be re-organised amongst existing staff
- An inability to recruit additional employees to make up your hours
- It would affect the quality/performance of work in your team or department
- There would not be enough work during the times you have proposed to work
- A conflict with planned structural changes

Once the meeting has taken place and the application considered, your Line Manager will provide you with a written response within 14 calendar days.

If the request is accepted, it is important to note that this will be a contractual change, and you will receive a contract variation letter from the HR Department, this will outline the changes to your terms and conditions.

If the application is refused, then a full written response detailing the reasons for the refusal will be given.

## **5.5 Appeals**

You have the right to appeal if your application for flexible working is refused. This must be made in writing clearly stating your grounds of appeal, and should be made within 14 calendar days of receipt of the written reason for refusal. The details of the person you should appeal to will be documented in your response letter.

You will be invited into an appeal meeting which will be heard within 14 calendar days of receipt of the appeal. At this meeting you may be accompanied by a colleague of your choice.

### **5.6 Withdrawal of Application**

If you wish to withdraw your request for flexible working you should notify your Line Manager immediately.

Should your Line Manager determine that you have withdrawn your request due to non-attendance at meetings or failure to provide information, they will confirm the withdrawal of the application in writing.

## **6.0 RELATED POLICIES**

Recruitment and Selection Policy PC24POL12

Maternity, Paternity and Adoption Policy PC24POL47

Special Leave Policy PC24POL85

Equality and Diversity Policy PC24POL119

## **7.0 MONITORING COMPLIANCE**

The HR department will monitor the number of grievances received in the application of this policy, reporting any concerns to Quality and Workforce committee.

## **8.0 INFORMATION, INSTRUCTION AND TRAINING**

All managers will be provided with the relevant HR support when applying this policy.

All staff members will be made aware of this policy.

## **9.0 EQUALITY AND HEALTH INEQUALITIES**

PC24 is committed to an environment that promotes equality and embraces diversity in its performance as an employer and service provider. It will adhere to legal and performance requirements and will maintain equality and diversity principles through its policies, procedures and processes. This policy has been implemented with due regard to this commitment. To ensure that the implementation of this policy does not have an adverse impact in response to the requirements of the Equality Act 2010 this policy has been screened for relevance during the policy development process and a full equality impact analysis conducted where necessary. PC24 will take remedial action when necessary to address any unexpected or unwarranted disparities and monitor practice to ensure that this policy is fairly implemented.

## **10.0 PERSONAL INFORMATION**

This policy complies with the Data Protection Act 2018, therefore no Privacy Impact Assessment is necessary.

## **11.0 MAIN REFERENCES**

Employment Rights Act 1996

Flexible Working Regulations 2014

The Right to Request Flexible Working: An ACAS Guide

Employment Act 2008



## **Appendix 1      Equality and Health Inequalities Screening Tool**



# **Equalities and Health Inequalities – Screening Tool**

Version number: V1

First published: November 2016

To be read in conjunction with Equalities and Health Inequalities Analysis Guidance, Quality & Patient Safety Team, Urgent Care 24, 2016.

Prepared by: Quality & Patient Safety Team.

## Introduction

The purpose of this Screening Tool is to help you decide whether or not you need to undertake an Equality and Health Inequalities Analysis (EHIA) for your project, policy or piece of work. It is your responsibility to take this decision once you have worked through the Screening Tool. Once completed, the Head of your SDU or the Quality & Patient Safety Team will need to sign off the Screening Tool and approve your decision i.e. to either undertake an EHIA or not to undertake an EHIA.

The Quality and Patient Safety Team can offer support where needed. It is advisable to contact us as early as possible so that we are aware of your project.

When completing the Screening Tool, consider the nine protected characteristics and how your work would benefit one or more of these groups. The nine protected characteristics are as follows:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion and belief
8. Sex
9. Sexual orientation

A number of groups of people who are not usually provided for by healthcare services and includes people who are homeless, rough sleepers, vulnerable migrants, sex workers, Gypsies and Travellers, Female Genital Mutilation (FGM), human trafficking and people in recovery. Urgent Care 24 will also consider these groups when completing the Screening Tool:

The **guidance** which accompanies this tool will support you to ensure you are completing this document properly. It can be found at: <http://extranet.urgentcare24.co.uk/>

## Equality and Health Inequalities: Screening Tool

A

### General information

<b>A 1</b>	Title: What is the title of the activity, project or programme?  Flexible Working Policy			
<b>A2.</b>	What are the intended outcomes of this work?  To provide a framework for the application of changes to working patterns and conditions/			
<b>A3.</b>	Who will be affected by this project, programme or work?  All staff			
<b>B</b>	<b>The Public Sector Equality Duty</b>			
<b>B 1</b>	Could the initiative help to reduce unlawful discrimination or prevent any other conduct prohibited by the Equality Act 2010? If yes, for which of the nine protected characteristics (see above)?  <table border="1" style="width: 100%;"> <tr> <td style="width: 33%;">Yes</td><td style="width: 33%;"></td><td style="width: 33%;"></td></tr> </table> Summary response and your reasons: The policy may be enacted to reduce the impact of protected characteristics such as disability or pregnancy	Yes		
Yes				
<b>B 2</b>	Could the initiative undermine steps to reduce unlawful discrimination or prevent any other conduct prohibited by the Equality Act 2010? If yes, for which of the nine protected characteristics? If yes, for which of the nine protected characteristics?  <table border="1" style="width: 100%;"> <tr> <td style="width: 33%;"></td><td style="width: 33%;">No</td><td style="width: 33%;"></td></tr> </table> Summary response and your reasons:		No	
	No			
<b>B 3</b>	Could the initiative help to advance equality of opportunity? If yes, for which of the nine protected characteristics?  <table border="1" style="width: 100%;"> <tr> <td style="width: 33%;">Yes</td><td style="width: 33%;"></td><td style="width: 33%;"></td></tr> </table> Summary response and your reasons: The policy may be enacted to reduce the impact of protected characteristics such as disability or pregnancy	Yes		
Yes				
<b>B 4</b>	Could the initiative undermine the advancement of equality of opportunity? If yes, for which of the nine protected characteristics?  <table border="1" style="width: 100%;"> <tr> <td style="width: 33%;"></td><td style="width: 33%;">No</td><td style="width: 33%;"></td></tr> </table> Summary response and your reasons:		No	
	No			
<b>B 5</b>	Could the initiative help to foster good relations between groups who share protected characteristics? If yes, for which of the nine protected characteristics?  <table border="1" style="width: 100%;"> <tr> <td style="width: 33%;"></td><td style="width: 33%;">No</td><td style="width: 33%;"></td></tr> </table> Summary reasons:		No	
	No			

<b>B 6</b>	Could the initiative undermine the fostering of good relations between groups who share protected characteristics? If yes, for which of the nine protected characteristics?		
		No	
	Summary response and your reasons:		
<b>C</b>	<b>The duty to have regard to reduce health inequalities</b>		
<b>C 1</b>	Will the initiative contribute to the duties to reduce health inequalities?		
	Could the initiative reduce inequalities in access to health care for any groups which face health inequalities? If yes for which groups?		
		No	
	Summary response and your reasons:		
<b>C 2</b>	Could the initiative reduce inequalities in health outcomes for any groups which face health inequalities? If yes, for which groups?		
		No	
	Summary response and your reasons:		
<b>D</b>	Will a full Equality and Health Inequalities Analysis (EHIA) be completed?		
<b>D 1</b>	Will a full EHIA be completed? Bearing in mind your previous responses, have you decided that an EHIA should be completed? Please see notes. <sup>1</sup> Please place an X below in the correct box below. Please then complete part E of this form.		
			No
<b>E</b>	<b>Action required and next steps</b>		
<b>E 1</b>	If a full EHIA is planned: Please state when the EHIA will be completed and by whom. Name: Date:		
<b>E 2</b>	If no decision is possible at this stage: If it is not possible to state whether an EHIA will be completed, please summarise your reasons below and clearly state what additional information or work is required, when that work will be		

<sup>1</sup> Yes: If the answers to the previous questions show the PSED or the duties to reduce health inequalities are engaged/in play a full EHIA will normally be produced. No: If the PSED and/or the duties to reduce health inequalities are not engaged/in play then you normally will not need to produce a full EHIA.

	<p>undertaken and when a decision about whether an EHIA will be completed will be made.</p> <p>Summary reasons:</p> <p>Additional information required:</p> <p>When will it be possible to make a decision about an EHIA?</p>
<b>E 3</b>	<p>If no EHIA is recommended:</p> <p>If your recommendation or decision is that an EHIA is not required then please summarise the rationale for this decision below.</p> <p>Summary reasons:</p>

<b>F</b>	<i>Record Keeping</i>		
<b>Lead originator:</b>	P Mullen	Date:	Nov 2019
<b>Director signing off screening:</b>		Date:	
<b>Directorate:</b>		Date:	
<b>Screening published:</b>		Date:	

## Appendix 2 - Flexible Working Request Form

<b>Name:</b>	<b>Job Title:</b>
<b>Department:</b>	<b>Line Manager:</b>
<b>Describe your current working pattern (days/weeks/hours/months worked):</b>	
<b>Describe the working pattern you would like to work:</b>	
<b>Date you would like this to commence:</b>	
<b>Describe the impact you think this will have on your team, colleagues or service users:</b>	
<b>Line Manager Authorisation:</b>	

I agree / don't agree to the flexible working arrangements requested above

**Reasons for not granting flexible working** (please give brief outline below)

Signed:

Date:

Print name: