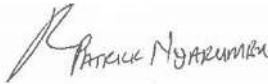




FLEXIBLE WORKING POLICY

Policy number and category	HR 12	Human Resources
Version number and date	5	January 2022
Ratifying committee or executive director	Transforming Our Culture and Staff Experience Committee	
Date ratified	March 2022	
Next anticipated review	March 2025	
Executive director	Executive Director of Strategy People and Partnerships	
Policy lead	People Manager	
Policy author (if different from above)	Same as above	
Exec Sign off Signature (electronic)		
Disclosable under Freedom of Information Act 2000	Yes	

POLICY CONTEXT

- Birmingham and Solihull Mental Health Foundation Trust recognises the importance of a work-life balance for employees and supports current legislation in relation to the right to request flexible working.
- All employees regardless of their length of service with the Trust, have the right to request flexible working and Trust managers have a duty to consider all such requests.

POLICY REQUIREMENT

- The purpose of this policy is to provide employees and managers with guidance on how to apply and respond to and consider requests for flexible working.
- This policy links in with other family friendly policies.

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1 INTRODUCTION

1.1 Rationale

The new guidance detailed below and throughout this policy supercedes all previous guidance and requirements in previous policies.

In July 2021, NHS Employers and the NHS Staff Council released information regarding changes in relation to flexible working in line with the NHS People plan (relating to employees in NHS England and Wales). These changes are being implemented in order to support the recruitment and retaining of NHS employees and support the health and wellbeing of NHS employees.

The key changes are as follows:

New contractual terms enable employees to:

- Request flexible working from the start of their employment (new employees no longer have to wait 26 weeks to submit a request).
- Make an unlimited number of applications for flexible working, rather than being able to submit one per rolling 12 months.
- Submit applications without having to justify requests or provide specific reasons

The purpose of this policy is to provide employees and managers with guidance on how to apply and respond to requests for flexible working.

The Trust acknowledges that flexible working opportunities:

- Aid the recruitment and retention of employees.
- Encourage parents to return to work following maternity, paternity or adoption leave
- Allow employees to accommodate the demands of family life and provide a work-life balance.

These changes are effective 13th September 2021.

1.2 Scope (Where, When, Who)

The Trust is dedicated to ensuring our values of being compassionate, committed and inclusive are part of our every day behaviours and this policy has been developed in line with our Trust Five Year Plan to ensure that our people are given the opportunity for flexible working, to enhance their work/life balance, improve retention and improve staff experience through effective team working.

The purpose of this policy is to support current legislation in relation to the right to request flexible working and to facilitate discussions between managers and employees to consider flexible working patterns and to find a solution that suits both the employee and the Manager.

This policy applies to all Trust employees and should be adopted by all managers and anyone wishing to request flexible working options.

The Employment Act gives the right to request to work flexibly and states that employers have a duty to consider all requests on a case by case basis. The legislation does not give employees a right to work flexibly, however the Trust will accommodate requests, where possible, dependant on service needs.

The needs of the service provision will however always be the principal consideration. As a result of that, there will be circumstances when a manager is unable to accommodate the employee's desired work pattern, due to the needs of the service.

1.3 Principles (Beliefs)

All Employees, with the exception of bank only and agency workers have the statutory right to request flexible working regardless of their length of service with the Trust. Trust managers have a duty to give full consideration to all such requests on a case by case basis. In cases where there is a condition covered by the Equality Act that is considered a disability, the Trust has a legal obligation to fully consider and make every effort, where possible, to reasonably accommodate these requests

Please note, informal/temporary requests can also be made and this must be made explicit when applying.

An employee can request flexible working arrangements, which include changes that relate to (not exhaustive):

- Different hours of working such as: *part time hours, annualised hours, compressed hours, job share/job split, shift variations (i.e. twilights)*
- Different time of working such as: *flexi time, term time, shifts, staggered times, self-rostering*
- Different places of work such as: *home working, working from an alternative Trust site.*

Further information on types of flexible working can be found in appendix 2.

2 POLICY (What)

Under the new rules, employees can make an unlimited number of requests at any stage during their employment.

Managers are expected to explore and promote flexible working during recruitment, RMS (regular management supervision) and appraisals.

2.1 Although employees do not need to provide any justification or have a specific reason for requesting flexible working, some reasons as to why flexible working may be beneficial are detailed below. Please be aware, these reasons are not prescriptive.

- Parents/Carers
- Caring for Relatives
- Enhanced Work life Balance

Applications for Flexible Working must be submitted via the application form (**Appendix 2**) to the employees Line Manager as per the policy.

The main responsibility for agreeing and implementing any flexible working arrangements rests with the line managers. They can contact People Department for procedural advice and guidance if necessary.

In order to enable the Trust to have a clear process for managing and monitoring, all flexible working arrangements have to be confirmed in writing with a copy of the agreement filed on the employees personnel file and ESR is to be updated (if necessary i.e. reduction or increase in hours).

Employees should be aware that where approved applications which constitute a change to contractual terms, the employee therefore has no automatic right to change back to the previous working pattern, unless the application seeks or it is agreed that the new working pattern to run for a specified time period only. For employees wishing to make permanent changes, this can be considered in line with the business need following an annual review.

A trial period may be agreed between the employee and the line manager should it be deemed a helpful step. The length of the trial period, which would be reviewed when completed, would be decided by the line manager on case by case scenario.

3 PROCEDURE

Line Managers are encouraged to discuss options of flexible working with employees in their RMS and/or ADR

- 3.1.1 To request flexible working the employee must make a considered application in writing, using the attached application form at least 12 weeks (unless in exceptional circumstances) in advance of the time when they would wish to commence the flexible working pattern (**Appendix 2**).
- 3.1.2 Within 28 days of receiving the request the Manager must arrange to meet with the employee to discuss the requested pattern of work and how it might be accommodated. If necessary, other work patterns should also be discussed at that time if the proposed one could not be accommodated.
- 3.1.4 The employee may be accompanied to the meeting by a Trade Union representative or work colleague however it will be their responsibility to arrange this. If the work colleague or representative is unable to attend the meeting it is the employee's responsibility to re-arrange the meeting within 7 working days of the original meeting date, at a time that is convenient to all parties.
- 3.1.3 A letter should be sent to the employee to arrange the meeting and if the employee fails to attend a meeting, in order to discuss their application, on more than one occasion without reasonable explanation, the application will be treated as being withdrawn.
- 3.1.4 Within 10 working days of this meeting the Manager must write to the employee to either:
 - Agree the new work pattern and provide a start date. A letter detailing salary (if any change), annual leave and bank holiday entitlement should accompany this.
 - or**
 - Provide clear business grounds as to why the application cannot be accepted and the process for appeal.
 - A compromise arrangement
- 3.1.5 All flexible working agreements will be subjected to a review at least 12 months after they are put in place unless a shorter/longer review period is agreed. For employees wishing to make permanent changes, this can be considered in line with the business need following an annual review.
- 3.1.6
- 3.1.7 Should service needs change during the agreed Flexible Working period the Trust has the right to consult with the employee to review the terms of the agreement and

where possible reach a compromise on revised the terms which meet both parties needs.

- 3.1.8 Flexible working agreements that have been put in place as a result of occupational health advice in relation to reasonable adjustments will not require a review unless there is a change in circumstances. Please be aware, it is the employees responsibility to inform their manager of any changes in conjunction with the Trust Sickness Policy.
- 3.1.9 If at any time the employee wishes to withdraw their application to work flexibly they must confirm this in writing to their manager..
- 3.1.10 Any agreed extensions must be put in writing.
- 3.1.11 In the event that the manager dealing with the application is absent from work due to leave or illness when the application is submitted, an automatic extension applies. The time limit will commence either on the manager's return or 28 days after the application is made, whichever is sooner. The whole process should take no longer than 12 weeks.

3.2 Declining Flexible Working Requests

The Trust must give full consideration to the request. If a request is turned down it must be clearly justified on one of the following grounds:

- Additional costs
- Detrimental effect on meeting patient demands
- Inability to re-organise work amongst remaining employees
- Inability to recruit
- Detrimental impact on quality or performance
- Insufficiency of work during times or hours the employee proposes to work
- Planned structural change.

- 3.2.1 Failure to provide reasonable justification on one of the above grounds may result in an employee making a complaint to an employment tribunal.
- 3.2.2 In all cases, if a manager is unable to accommodate the requested flexible working pattern, the case should be referred to the People Directorate for further advice.
- 3.2.3 All correspondence from line managers in relation to accepting/declining flexible working should be put in writing on the official Trust letter head.

3.3 Reasonable Alternatives

If a request cannot be accommodated in the current specific area of work, managers should undertake a scoping exercise to see if the request could be accommodated in another area of the service or Trust. This is to be done with support from the People Directorate and in collaborative discussion with the employee to determine what would be reasonable.

3.4 Right to Appeal

- 3.4.1 An employee has a right of appeal against their Manager's decision. The appeal process is designed to be in keeping with the overall aim of encouraging both Managers and employee to reach a satisfactory outcome at the workplace (see section 3.3) Appeals should be put in writing to either the Clinical Nurse Manager/Divisional Manager or Associate Director or equivalent.
- 3.3.2 In the event that the Manager refuses requests to work flexibly and any appeals must be based on the belief that there has been:
 - Inaccurate facts
 - The failure to consider the request appropriately
 - The failure to follow the procedure

3.3.3 In the event of the exhaustion of the Trust's internal process, the employee can apply to an Employment Tribunal, who can make an award and order the employer to reconsider its decision, therefore it is essential managers assess applications and seek appropriate advice and alternatives in the first instance.

3.3.4 Staff are encouraged to raise concerns and feel psychologically safe therefore if they do feel confident to professionally challenge a decision with their manager they should access other avenues such as their People Team representative (found on Connect under the People Directorate information tab) or the Freedom to Speak Up Guardian (FTSU). **Please note, there will be a different member of the People team advising the appeal panel to ensure objectivity.**

Appeals must be received in writing no later than 10 working days from the date of the letter that informed the employee of the outcome.

Trade Union representatives are available to support employees with completing appeal paperwork. Information on how to contact Trade Union representatives is available on Connect.

A hearing must be arranged within **10 working days** of receipt of the appeal form, in order to discuss the appeal.

3.3 Annual Leave

Annual leave is to be booked in line with the terms of the flexible working agreement, for example if an employee is working compressed hours and requires annual leave on one of those days the hours due to be worked that day is to be booked.

For information on bank holiday entitlement when on a flexible working agreement please refer to the Annual Leave guidance

Please note, ESR must be updated to ensure that the correct annual leave is calculated.

4 RESPONSIBILITIES

Post(s)	Responsibilities	Ref
All staff (Incl Employees, Managers, People Directorate etc.)	<ul style="list-style-type: none"> • Be aware of the policy and its provisions. • Consider the possible impact a change of their working pattern might have on the service provision. • Complete the application with honesty and integrity. • Inform the line manager as soon as possible of any changes in circumstances that lead to the flexible working application being made. • Consider all requests based on a case-by-case merit but with consideration to the service needs. • Record the requests and ensure any requests and changes are reflected in ESR. • Provision of advice and guidance on the process, and related employment law. 	
Employee's Responsibilities	<p>In making an application, it is important that the employee considers the following:</p> <ul style="list-style-type: none"> • Which working pattern will best support them at work 	

	<ul style="list-style-type: none"> • The potential implications of their application; financial and other, on the service provision, service users, fellow work colleagues and how these might be realistically accommodated. 	
Manager's Responsibilities	<p>It is the manager's responsibility to:</p> <ul style="list-style-type: none"> • give full consideration to any request to work flexibly, • follow the outlined procedure, • comply with the outlined timescales (unless otherwise agreed), • Ensure the full application form has been completed • Ensure that ESR has been updated if there has been a change in contracted hours to avoid overpayments/underpayments. <p>In the event that any request to work flexibly is declined, Managers need to provide clear rationale for the reasons why they are unable to accommodate the desired work pattern.</p> <p>Copies must be kept on the employees personnel file ESR must also be updated to reflect a flexible working agreement is in place. For support on how to do this please contact the ESR team and/or People and Culture Team Representative.</p>	
People Directorate Support	<p>The People department would be involved in the process in a support/advisory capacity only.</p> <p><u>Further information</u> on the right to request flexible working is available from the Advisory, Conciliation & Arbitration Service (ACAS) via http://www.acas.org.uk/index.aspx?articleid=1616</p>	
Fraud	<p>All employees, including managers need to be made aware and understand the relevant rules and policies regarding flexible working.</p> <ul style="list-style-type: none"> • The person making the request has read the relevant policy/guidance/instructions etc. • the information provided is true, • that nothing which is required has been omitted (to the best of that person's knowledge) • notification that information may be shared to prevent or detect fraud and who it may be shared with • and a warning that providing false or misleading information may result in disciplinary action, prosecution, civil legal action and referral to a health profession regulator if appropriate. <p>If there are any concerns that fraud may have occurred then any suspicions of fraud should be referred to Anti-Crime Specialist, Director of Finance, Fraud Champion or the NHSCFA via the NHS Fraud and Corruption Reporting Line 0800 028 4060 or online www.cfa.nhs.uk/reportfraud</p>	
Service, Clinical and	Ensure that the policy is being utilised appropriately and	

Corporate Directors	in timely manner.	
Policy Lead	To ensure that the policy is in line with current legislation requirements and utilised correctly	
Executive Director	To ensure that any concerns regarding the policy and its use are considered as appropriate.	
People Directorate	Ensure the policy complies with the latest legislation.	

5 DEVELOPMENT AND CONSULTATION PROCESS

Consultation summary		
Date policy issued for consultation	September 2022	
Number of versions produced for consultation	1	
Committees or meetings where this policy was formally discussed		
PDMG	December 2022	
Where else presented	Summary of feedback	Actions / Response
Trade Unions	Updated – Employment Law Changes	

6 REFERENCE DOCUMENTS

Family Friendly Policies (HR 08 – HR 15)

7 BIBLIOGRAPHY

[Employment Act 2003](#)

Amendments to the act 2007, 2011, 2014

<http://www.acas.org.uk/index.aspx?articleid=1616>

8 GLOSSARY

Not applicable.

9 AUDIT AND ASSURANCE

Element to be monitored	Lead	Tool	Frequency	Reporting Arrangements	Acting on Recommendations and Lead(S)	Change in Practice and Lessons to be shared
Feedback from Managers and employees	People Operations	Appeals Process	As appropriate.	Workforce Committee	Line managers	As appropriate
Appropr	People	Appropriate	6	Workforce	Line	As

iate use and application of the policy.	Operations	engagement forums, seeking advice by line managers when necessary.	months	Committee	managers	appropriate
Declining of Flexible Working Application	People Operations	Via Line managers/CNM's/AD's (or equivalent)	As appropriate	Workforce Committee	Line Managers	As appropriate
Appeals against Flexible Working	People Operations	Via Line Managers/CNM's/AD's	As appropriate	Workforce Committee	CNM's/AD'S	As Appropriate

10 APPENDICES

Equality Impact Assessment (appendix 1)
Application form. (Appendix 2)
Manager's guide. (Appendix 3)

APPENDIX 1

Equality Analysis Screening Form

Title of Proposal	Flexible Working Policy		
Person Completing this proposal	Laura Wright	Role or title	People Manager
Division	Corporate	Service Area	People Directorate
Date Started	December 2021	Date completed	January 2022
Main purpose and aims of the proposal and how it fits in with the wider strategic aims and objectives of the organisation.			
<p>Birmingham and Solihull Mental Health Foundation Trust recognises the importance of a work-life balance for employees and supports current legislation in relation to the right to request flexible working.</p> <ul style="list-style-type: none"> • Guidance for who and what is eligible for flexible working • Process for applying for flexible working • Guidance for managers and employees • Agreed action to be taken by whom and when 			
Who will benefit from the proposal?			
<p>All employees of the Trust are able to put in a request for flexible working.</p> <p>The Trust acknowledges, recognises and supports the importance of a work/life balance and the impact this can have on an employee's wellbeing. This policy sets out a clear procedure, and identifies the responsibilities of each party concerned when considering entering a flexible working application.</p> <p>Results from the 2021 Staff Survey provided the following responses to questions relating to flexible working:</p> <ul style="list-style-type: none"> • Can I approach my immediate manager to talk openly about flexible working? 74.9% of respondents said yes. • I am satisfied with opportunities for flexible working - 61.8% which has decreased from the 2020 score (64.5%) 			
Impacts on different Personal Protected Characteristics – Helpful Questions:			

<p><i>Does this proposal promote equality of opportunity?</i> <i>Eliminate discrimination?</i> <i>Eliminate harassment?</i> <i>Eliminate victimisation?</i></p>		<p><i>Promote good community relations?</i> <i>Promote positive attitudes towards disabled people?</i> <i>Consider more favourable treatment of disabled people?</i> <i>Promote involvement and consultation?</i> <i>Protect and promote human rights?</i></p>		
<p>Please click in the relevant impact box or leave blank if you feel there is no particular impact.</p>				
Personal Protected Characteristic	No/Minimum Impact	Negative Impact	Positive Impact	Please list details or evidence of why there might be a positive, negative or no impact on protected characteristics.
Age			X	Open to all employees, FTC, secondments and placements irrespective of age or level/grade within the organisation. This policy is not applicable to bank workers as all bank only workers are able to choose their shifts and have flexibility around the hours/shifts they can commit to. The staff are reasonably evenly spread between 26-40 ages range 10.56% to 12.48% and ages 41 to 60 groups ranging from 13.13% to 14.38%. Therefore, there is a reasonable balanced profile with no one age group negatively impacted. However, the Trust recognises that that flexible working will not always be suitable for every service, role or employee.
<p>Including children and people over 65 Is it easy for someone of any age to find out about your service or access your proposal? Are you able to justify the legal or lawful reasons when your service excludes certain age groups</p>				
Disability			X	In line with the Equality Act all employees will be treated fairly and reasonable adjustments will be made available where possible, in line with individual needs. Analysis of staff data shows that there is a small proportion of staff in the Trust who have indicated that they have a disability 5.38% there is however a higher percentage who have chosen not to specify – 10.23%. In opening the opportunity to consider flexible working the Trust recognises that that flexible working arrangements will not always be suitable for every service, role or employee.

Including those with physical or sensory impairments, those with learning disabilities and those with mental health issues Do you currently monitor who has a disability so that you know how well your service is being used by people with a disability? Are you making reasonable adjustment to meet the needs of the employee, service users, carers and families?				
Gender	X			The Trust profile has a higher percentage of female staff at 73.06% compared to 26.94% male. In opening the opportunity to consider flexible working the Trust recognises that that flexible working arrangements will not be suitable for every service, role or employee.
This can include male and female or someone who has completed the gender reassignment process from one sex to another Do you have flexible working arrangements for either sex? Is it easier for either men or women to access your proposal?				
Marriage or Civil Partnerships	X			Monitoring is built into the framework to use of policy to evaluate the support given to all protected characteristics to take where appropriate
People who are in a Civil Partnerships must be treated equally to married couples on a wide range of legal matters Are the documents and information provided for your service reflecting the appropriate terminology for marriage and civil partnerships?				
Pregnancy or Maternity			X	The Trust is committed to supporting employees following Maternity/Paternity leave and will continue to be flexible where possible.
Race or Ethnicity	X			Monitoring is built into the framework to use of policy to evaluate the support given to all protected characteristics to take where appropriate. Trust profile shows 37% BME, 50.6% white and 7.8% left blank and 4.7% did not state. The aim of the policy to provide managers and employees understand the process for agreeing and establishing flexible arrangements.
Including Gypsy or Roma people, Irish people, those of mixed heritage, asylum seekers and refugees What training does employees have to respond to the cultural needs of different ethnic groups? What arrangements are in place to communicate with people who do not have English as a first language?				
Religion or Belief			X	The Trust recognises flexibility is needed to accommodate religious festivals and celebrations. The Trust will provide flexibility where possible. Trust profile 40.46% Christian; 19.18% do not wish to disclose; 10.97% Atheism; 8.64% are unspecified and

				7.76% Islam and 'Other'; 2.91% Sikhism; 1.70% Hinduism. All employees can make a make request via this Flexible Working Policy. Trust recognises that that flexible working arrangements will not be suitable for every service, role or employee.
Including humanists and non-believers Is there easy access to a prayer or quiet room to your service delivery area? When organising events – Do you take necessary steps to make sure that spiritual requirements are met?				
Sexual Orientation	X			Trust profile 71.60% Heterosexual/straight; 16.11% did not state but declined to respond; 8.67% unspecified; 2.02% Gay or Lesbian and 1.42% Bisexual. Trust recognises that that flexible working arrangements will not be suitable for every service, role or employee.
Including gay men, lesbians and bisexual people Does your service use visual images that could be people from any background or are the images mainly heterosexual couples? Does employees in your workplace feel comfortable about being 'out' or would office culture make them feel this might not be a good idea?				
Transgender or Gender Reassignment	X			A flexible approach will be adapted to support employees who are going through the transition in line with the Trans Equality Policy for employees. Reasonable adjustments will be made available where possible to support employees further.
This will include people who are in the process of or in a care pathway changing from one gender to another Have you considered the possible needs of transgender employees and service users in the development of your proposal or service?				
Human Rights	X			Monitoring is built into the framework to evaluate the use of policy and support will be provided to all protected characteristics and where necessary to take action to avoid bias.
Affecting someone's right to Life, Dignity and Respect? Caring for other people or protecting them from danger? The detention of an individual inadvertently or placing someone in a humiliating situation or position?				
If a negative or disproportionate impact has been identified in any of the key areas would this difference be illegal / unlawful? I.e. Would it be discriminatory under anti-discrimination legislation. (The Equality Act 2010, Human Rights Act 1998)				

	Yes	No		
What do you consider the level of negative impact to be?	High Impact	Medium Impact	Low Impact	No Impact
			X	
<p>If the impact could be discriminatory in law, please contact the Equality, Diversity and Inclusion Lead immediately to determine the next course of action. If the negative impact is high a Full Equality Analysis will be required.</p> <p>If you are unsure how to answer the above questions, or if you have assessed the impact as medium, please seek further guidance from the Equality, Diversity and Inclusion Lead before proceeding.</p> <p>If the proposal does not have a negative impact or the impact is considered low, reasonable or justifiable, then please complete the rest of the form below with any required redial actions, and forward to the Equality, Diversity and Inclusion Lead.</p>				
Action Planning:				
How could you minimise or remove any negative impact identified even if this is of low significance?				
Provide training for managers on how to implement and review flexible working, Monitor and review the application of the policy guidance in relation to all employees, and in particular any different treatment being applied to those with protected characteristics				
How will any impact or planned actions be monitored and reviewed?				
Intention to review after 6 months to see how the training of managers has influenced the quality of stress risk assessments undertaken and the implementation of the related recommendations.				
How will you promote equal opportunity and advance equality by sharing good practice to have a positive impact other people as a result of their personal protected characteristic.				
Provide training for managers on how to carry out Stress Risk Assessments, Monitor and review the application of the policy guidance in relation to all employees, and in particular any different treatment being applied to those with protected characteristics				
Please save and keep one copy and then send a copy with a copy of the proposal to the Equality, Diversity and Inclusion Lead at bsmhft.hrsupport@nhs.net The results will then be published on the Trust's website. Please ensure that any resulting actions are incorporated into Divisional or Service planning and monitored on a regular basis.				

Appendix 2 – types of flexible working

Part Time/Less days

- This could be working less than the standard 37.5 hours per week (agenda for change staff) or 40 hours per week (medical staff)

Job Sharing

- Two people splitting the hours of one job i.e. one person works Monday-Wednesday and one works Thursday-Friday.
- Other examples of job shares include rotating weeks worked i.e. staff member 1 works one week, staff member 2 works the following week.
- One staff member works mornings and one works afternoons

Compressed Hours

- Working full time but over fewer days i.e. a condensed week working full time over four days meaning longer days.

Flexitime

- You choose when to start and end your work (within agreed limits) but work certain 'core hours'. An example of this working regular full-time hours could be core hours between 10 am and 4 pm where you start work at 09:30 and finish at 5.30 pm, or start work at 08:00 and finish at 4 pm.

Annualised Hours

- You will have a certain number of hours over the year but you will have some flexibility about when you work. There are sometimes 'core hours' which you would work regularly each week, and work the rest of your hours flexibly, or when there is extra demand at work.

Term Time Only

- You would only be required to work during periods that correspond with the school term time, enabling you to spend school holidays with your dependents. In most cases this means you would work for 39/52 weeks a year. Annual leave is taken within the school holidays and you work additional hours during your 39 working weeks to make up the outstanding hours.

Staggered Hours

- You could have a different start/finish and break times from other workers.

Different places of work

- Home working, working from an alternative Trust site.

Flexible Working Application Form

Please note; the application must be made at least 12 weeks before the requested pattern would be implemented, if the application is approved.

*It is recommended that you fully read the Trust’s Flexible working Policy before completing the application.

* Please carefully complete the form. Incomplete forms will impede the Trust’s ability to consider your request for flexible working and could delay the start date of the new arrangements, if the request is approved.

*Please forward your completed form to your line manager within indicated timeframe.

1. Personal Details	
Name:	Post:
Location:	Line Manager:
Reason for application (optional)	
(Optional) Childcare Responsibilities Caring Responsibilities Study Commitments Work-life Balance Other	If you would like to give a reason, please do so.
If accepted, I would like the new pattern to start on:	
Describe your current working pattern (days/hours/times of work) below:	
Describe the working pattern (days/hours/times of work) you would like to work below:	

Describe what impact, you think, such working pattern might have on the service delivery within your team:	
Describe how, you think, those effects can be minimised:	
Signature	Date

Guidance Note for Managers (Flexible Working)

The information below summarises the procedure that line managers need to adhere to in situations when Flexible Working is requested by their employees

This guidance note should be read in conjunction with the Trust's Flexible Working Policy.

1. As soon as your employee tells you that they intend to make an application for Flexible Working, advise them to read the Flexible Working Policy in detail and complete the required application in timely manner.
2. Remind them that the application needs to be submitted at least 12 weeks prior to the desired start date for the requested flexible pattern.
3. When considering a Flexible Working application, please keep in mind that the needs of the service are your primary concern, however, in line with national guidance, in order to support the retention and health and wellbeing of employees, flexible working discussions should be encouraged and all reasonable attempts must be made to accommodate the request.
4. Arrange to meet with the employee within 28 days of the receipt of the application to discuss it. Make sure that they are aware of their right to be accompanied to the meeting.
5. Notify your manager of the application that was made, make them aware of your decision and how it will affect the service provision.
6. Confirm the agreed outcome in writing within 10 days. Outline the "new" pattern as well as the review period for the pattern.
7. If you are refusing an application, make sure that you provide a full, business justification of your decision in writing. If rejecting an application, please consult with your designated People team for support and advice.
8. Unlike the previous policy, if the employee chooses to withdraw the application, remind them that there is no longer a timeframe to submit another one nor is there a 26 week period in which a new starter has to work before they are eligible to apply.
9. You can always contact the People Department via HR Support/ ext. 1380, for advice if you wish to but please keep in mind that the approving and management of Flexible Working applications is a line manager led process.

Date

Private and Confidential

Name
Address

Dear Ms / Mr X,

Re: Approval of your Flexible working Application.

Further to the meeting which took place on DATE to discuss your request for flexible working, I am writing to confirm that, as per our conversation, your request has been approved.

Your requested working pattern will commence on DATE, your work pattern / working hours will be:

- *Please explain in detail the working pattern that had been agreed and include changes to bank holiday/annual leave entitlements and salary if applicable.*

It was also agreed that this agreement will be reviewed in X months in line with the Trust's Flexible Working Policy.

Please be aware that the Trust reserves the right to review this agreement at any time should the needs of the service change.

All other terms and conditions of your employment will remain unchanged.

If you have any questions or concerns please, contact me at your earliest convenience.

Yours sincerely,

Name
Title

Cc: personal file

Name of the Service
Address of the Service

Date

Private and Confidential

Name
Address

Dear Ms / Mr X,

Re: Approval of your Flexible working Application.

Further to the meeting which took place on DATE to discuss your request for flexible working request, I am writing to confirm details of the discussion.

Your request for flexible working, as stated in your application, has not been approved for the following reasons:

- xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

Fortunately, we were able to mutually agree the following, alternative flexible working pattern:

- *Please explain in detail the working pattern that had been agreed and include changes to bank holiday/annual leave entitlements and salary if applicable.*

The work pattern will commence on DATE.

It was also agreed that this agreement will be reviewed in X months in line with the Trust's Flexible Working Policy.

All other terms and conditions of your employment will remain unchanged.

If you have any questions or concerns, please do not hesitate to contact me at your earliest convenience.

Yours sincerely,

Name
Title

Cc: personal file

Name of the Service
Address of the Service

Date

Private and Confidential

Name
Address

Dear Ms / Mr X,

Re: Rejection of your Flexible working Application.

Further to the meeting which took place on DATE to discuss your request for flexible working request, I am writing to confirm details of the discussion.

Your request for flexible working, as stated in your application, has not been approved for the following reasons:

- xxxxxxxxxxxxxxxxxxxxxx

Unfortunately, we were unable to agree a different, mutually beneficial pattern, during this meeting.

Please note, that as per the Trust's Flexible working Policy, you have a right to appeal.

If you choose to do so, please outline the reasons for your appeal in writing and forward it to NAME, TITLE within 10 days of the date of your receipt of this letter.

If you have any questions or concerns, please do not hesitate to contact me at your earliest convenience.

Yours sincerely,

Name
Title

Cc: personal fil

