Flexible Working Guidance Toolkit

Exploring the Art of the Possible

Contents

Appendices

We work
flexibly

1. Introduction

Welcome to the Trust's Flexible Working Guidance Toolkit which supports our **Flexible Working Policy** and should be read in conjunction with this Policy**.**

The NHS People Plan has provided a clear commitment to tackling workforce shortages. One of the seven promises within the NHS People Plan sets out the ambition to provide people with greater choice over their working patterns to support work-life balance and to help the NHS remain an employer of choice. This was further reinforced by changes to Section 33 of the NHS Terms and Conditions of Service (Agenda for Change) which provides contractual rights in relation to requesting flexible working.

The NHS definition of Flexible Working is:
"An arrangement which supports an individual to have greater choice in when, where and how they work."

The Trust is committed to improving opportunities for flexibility regardless of job role or reason. Achieving **Timewise Accreditation** has reinforced our commitment to support you to **'bring your whole self to work'.** We will positively explore ways with you in which you can better balance your work and personal life. This will enhance the **health and wellbeing and recruitment & retention** of colleagues, whilst maintaining service delivery and patient care.

You have the contractual right to request flexible working from **day one** of employment and flexible working opportunities will be considered at all stages in your career, **regardless of role, band, or the reasons for you wanting to work flexibly.** The Trust is committed to affording this right to all colleagues employed by the Trust, not only those whose terms and conditions are determined by the NHS Terms and Conditions of Service (Agenda for Change).

The advantages of Flexible Working:

For the Trust	For You
• Attracts people to the Trust • Increases ability to recruit • Improves employee morale, empowerment and engagement • Enhances organisational performance • Reduces the need for overtime • Can help with seasonal fluctuations e.g. winter bed pressures • Reduces levels of absenteeism • Improves the organisation's image as an employer of choice • Improves employee retention • Can alleviate recruitment difficulties • Helps to cover a 24hr/365 days a year service • Reduces off duty issues	• Helps to achieve a better work-life balance • Enables planning around personal and/or family life • Improves health and wellbeing • Enables professional skills to be maintained without the need to retrain • Improves commuting challenges • Provides stability and security • Enhances productivity

2. Roles & Responsibilities

2.1 Employees' Responsibilities:

When applying to work flexibly you will need to:

- Balance your own needs against those of your colleagues and the provision of the service
- Provide a clear plan of how it is proposed that you will work, indicating how work commitments will be met, how this may impact on the team/department and suggest how any impact can be addressed;
- Consider the potential impact of a move to flexible working on your pay, pension and other terms of your contract
- Understand that it will not always be possible to agree to flexible working arrangements and any solution will meet the needs of the individual and the service at a particular time.
- Consider whether you wish to pursue the Escalation Stage (see Section 5.5) if your request is not able to be accommodated within your immediate department/work area.
- Accept an extension to timescales relating to a decision on your Flexible Working request, if you choose to pursue the Escalation Stage.

2.2 Managers' Responsibilities:

Managers carry responsibility for effectively and fairly implementing and operating the Flexible Working Policy within their department. Managers must make every effort to reasonably consider and accommodate flexible working requests, taking into account:

- The effect of the proposed change on the work of the team/department and whether this could be accommodated;
- The effect on the morale and performance of the applicant if the application is turned down;
- The impact on other members of the team, including others who may wish to work similar working hours;
- Issues such as the performance management and supervision of the applicant and how access to continual development would be maintained;
- Whether a trial period of the proposed working pattern would be helpful to understand the impact;
- Ensure that the European Working Time and Health and Safety regulations are adhered to.

Where Flexibility Works Best

In addition, it is also a manager's responsibility to:

- Maintain a central record of all formal flexible working requests and decisions in ESR using Manager Self Service
- Ensure that individual requests are considered appropriately and that there is transparency in the process
- Deal promptly and supportively with all requests, in a fair, equitable and consistent manner;
- Discuss any non-standard working arrangements with E-Rostering colleagues when considering requests to obtain systems advice.
- Maintain electronic and written records of all aspects regarding the management of the application
- Initiate the Escalation Stage process as appropriate (unless the individual has requested for this not to be followed) and meet with the individual at the end of the Escalation Stage to confirm the flexible working decision.
- Review flexible working arrangements with the individual to assess the impact of the working arrangements and its ongoing requirement; or when circumstances change whichever is the sooner. Flexible working should be discussed regularly during Wellbeing Conversations and PDRs. If a flexible working request is denied and, during the following months circumstances change, this may enable a manager to reconsider the original request.
- Complete the electronic ESR form (including any E-Rostering information) to ensure that any changes to contractual and pay arrangements are made accordingly, and record working pattern on ESR accordingly.

2.3 Human Resources' Responsibilities
- Provide advice to both employees considering making an application and line managers dealing with an application regarding contractual implications of proposed arrangements and implementation of the Flexible Working Policy;
- Attend Flexible Working meetings if required.
- Assist the line manager to co-ordinate the Escalation Stage process.
- Monitor flexible working appeals and report to JNCC.

3. Flexible Working Options

Informal Flexible Working Arrangements

When requesting informal Flexible Working arrangements, they are usually agreed between you and your line manager as and when needed and do not normally require a formal contractual change. Examples of informal arrangements could include:

- Shift/session swaps
- Mixing shifts/sessions (e.g. working some long and some short shifts/sessions)
- Time off in lieu (TOIL)
- Flexing Working Hours
- Staggered hours where start, finish and lunch/break times can be variable (usually set around a period of 'core hours')
- Hybrid Working (where you have a defined Trust base but you are able to work from home or another site for part of your working week).

You and your manager are encouraged to have informal flexible working discussions on an ongoing basis during Wellbeing Conversations and during regular 1:1 meetings.

Formal Flexible Working Arrangements

Some of these working arrangements may initiate a change to your contract and therefore may impact upon your pay (including unsocial hours' payments), pension and/or annual leave calculations.

Formal flexible working options include:

- Annualised hours – working your contracted hours flexibly throughout the year without affecting your regular salary payment.
- Term time working – concentrating your working hours within school term times to provide time off during school holidays.
- Voluntary reduction in working time – working fewer hours for an agreed period.
- Part-time working – where working hours are less than standard full-time hours.
- Compressed hours – where your contracted working hours are compressed into fewer days.
- Set days
- Job sharing – you and one or more people share responsibility for your current role.
- Flexitime – working flexible hours during the day within defined limits.
- Team Based Rostering – where colleagues within a team organise themselves to work the shifts/hours that need to be covered at the appropriate skill mix to meet the needs of the service, overseen by the line manager.
- Flexible Retirement
- Hybrid working (* see section 4 below)

It may be possible for a combination of Flexible Working options to be requested and worked e.g. Compressed hours combined with Hybrid working.

Further details and information about some of the above formal flexible working arrangements are provided in Appendix 1.

4. Hybrid Working

Flexible Working relates to **Where, When and How** you work and Hybrid working is one of the options that determines **Where** you work.

Hybrid Working is where you have a defined Trust base but you are able to work from home or another site for part of your working week.

The Trust has introduced a standardised approach to Hybrid working using job role categories and these categories are used to set expectations regarding hybrid working. Teams with colleagues able to work in a hybrid way will use **Team Principles** to decide on the pattern of hybrid working within the team taking into consideration operational business and colleague needs.

* A formal flexible working request is therefore not required to enable Hybrid Working (unless, in rare circumstances, a request is made by you to work your entire contracted hours from home and home is to be your base location).

All roles can be assigned to one of 4 categories:

- **On-site with flexibility** - this is for colleagues whose role requires them to work on-site usually because the nature of their work requires some level of face to face contact, however there is a level of flexibility where they could work remotely on occasions. This is likely to include Nurses, Doctors, and AHPs.
- **On-site fixed** - this is for colleagues whose role requires them to work on-site for all of their working time. This is likely to include housekeepers, porters, and security staff
- **Remote / On-site hybrid with fixed desk** - this is for colleagues who can work remotely for at least 40% of their working week but they are required to have a specific working environment when they are on-site. This is likely to include medical secretaries, IT technicians, specialist nurses, procurement, and staff with a disability requiring specific equipment.
- **Remote / On-site hybrid with hot desk** - this is for colleagues who can work remotely for at least 40% of their working week and do not require a specific working environment when on-site. These colleagues would be required to book a hot desk when attending one of our sites. This is likely to include corporate areas such as finance, HR, digital, and information.

Detailed information regarding these categories is provided in Appendix 2.

You will be assigned to one of the 4 categories based upon your **job role.** Teams will then complete a **Team Principles** document (Appendix 2) to agree on the following factors:
- Requirements for on-site working and any rotas for on-site cover
- How key information will be cascaded to those hybrid working
- What equipment will be required
- Frequency and planning of team meetings and events
- How the team will keep in contact

Additional documents to support Hybrid Working can be found in Appendix 2.
Any flexible working arrangements need to balance patient needs, service needs, the wider team's needs and ensuring that the health & wellbeing of all colleagues is maintained.

5. Procedure to Request Flexible Working

The right to request versus the right to work flexibly – The changes to Section 33 of the NHS Terms & Conditions are limited to the right to <u>request</u> flexible working, they do not give a right to insist on this. The Trust is committed to enabling a flexible working culture to be valued and embedded. All requests will be considered on an individual case by case basis including any equality implications with an emphasis on exploring and mutually agreeing solutions. It is the intention that any such requests are approached with an open mind set considering whether and how a request can be agreed, and if not, why not with the principle ethos: 'flexible working – making the possible happen'.

5.1 Application

All formal flexible working requests should be made via **ESR Self Service** wherever possible. A 'how to' guide is provided in Appendix 3. Where you are unable to submit your request to your line manager via ESR, you are able to complete the Flexible Working Application Form (Appendix 4a) and submit this to your line manager who will be required to **create a record of your flexible working request within ESR using Manager Self Service**. A 'how to' guide is provided in Appendix 3 for managers. A separate Form that may be used to request Flexible Retirement can be found in Appendix 4b.

When requesting to work flexibly you will be asked to consider:
- Whether your request will impact on the quality & delivery of service?
- What effect it will have on your colleagues/team?
- How flexible you can be with what you are asking?
- What if your manager is able to accommodate part but not all of your request?
- How will it affect your health and wellbeing?

5.2 Acknowledgement

After receiving your flexible working request, your manager will acknowledge this via ESR **within 14 days** and you will receive an electronic notification. If your request is made using a Flexible Working Application Form, your manager will input your flexible working request details into ESR, creating a centralised record, using Manager Self Service (Appendix 3) and then acknowledge your request to you in writing (Appendix 5).

If your manager is able to agree to your request immediately based upon the information you have provided, they will discuss and confirm this decision to you via ESR and also by letter, confirming any revised contractual terms and the start date of your new working arrangement (Appendix 6).

If further information is required on receipt of your Application, your manager will arrange a **Flexible Working Exploration Meeting** with you to discuss your request (Appendix 7). This meeting must take place **within 28 days** of receiving your request in ESR/receiving your Flexible Working/Flexible Retirement Application Form.

5.3 Flexible Working Exploration Meeting

The Flexible Working Exploration Meeting will provide an opportunity for you to discuss your desired work pattern and length of time you are requesting it for in depth and to explore whether and how it may be accommodated. It will also provide an opportunity for you to discuss and consider alternative working patterns within your current area of work if accommodating your initial request is not possible. If you wish, you can arrange to be

represented at this meeting by your accredited workplace Trade Union representative or be accompanied by a work colleague although this is not a requirement. An HR representative may be asked by your manager to attend this meeting if required.

If a trial of your requested working arrangements is agreed at this meeting, timeframes for a review of the arrangements/ when a decision will be made regarding your request will be mutually agreed.

5.4 Flexible Working Request Decisions

Following full consideration of your request at the **Flexible Working Exploration Meeting**, your manager will confirm whether your request or a mutually agreed alternative arrangement can be accommodated within your immediate department/work area. If it has been approved, your manager will confirm this to you via ESR and also in writing **within 14 days** of the meeting (Appendix 6)

When deciding whether your flexible working request can be accommodated within your **immediate department/work area**, your manager's considerations may include:
- The nature of your job in terms of tasks, use of equipment and workload
- The potential impact of your requested change on service delivery/quality of patient care & experience
- The potential impact on your colleagues and team work
- The cost implications and/or potential savings and other benefits

Your manager may also seek a view from Divisional and/or HR colleagues and E-Rostering colleagues at this stage to discuss whether and how your request might be accommodated. Any manager considering declining a request should discuss the situation with their HR Advisory Team colleague.

Whether or not a Flexible Working Exploration Meeting has been held, if your request has been approved, your manager will confirm any changes to your terms and conditions, your new working pattern and start date within the outcome letter (Appendix 6). This will be an amendment to your terms and conditions of employment. *You should note that, if you agree to the change, you will have no automatic right to return to your original pattern of work (unless agreed for a defined period) if you wish to change again in the future.* However, open discussions regarding flexible working are encouraged between you and your manager on an on-going basis.

If, despite full consideration of your request, your manager is unable to accommodate your request *within your immediate department/work area,* an **Escalation Stage** will then be followed **(unless you confirm that you do not wish this to happen).**

5.5 The Escalation Stage

The **Escalation Stage** enables the Trust to support you to explore other possible solutions, including whether the form of flexibility you are seeking can be accommodated in a different team, location or role, outside of your current department/work area. If an opportunity is identified, this may initially be arranged on a trial or temporary basis for a mutually agreed period of time and subject to a review.

If your manager is unable to accommodate your request *within your immediate department/work area* you will be asked by your manager to confirm whether you wish to explore further opportunities via the Escalation Stage and, if so, if you are willing to accept an extension of timescales to allow for the **Escalation Stage** to be followed.

If you wish to use the Escalation Stage, you will be asked by your manager to complete a **Flexible Working Escalation Check List** (Appendix 8) to confirm what roles/band, location you are willing to consider in your search for a role that better meets your requested work pattern.

The **Escalation Stage** will be effective for a maximum period of **8 weeks** commencing from the date of the Flexible Working Exploration Meeting. The Escalation Stage process is detailed in Appendix 9.

Whilst this Stage is progressing, your manager will record a **'Pending Decision' in ESR** and a *final outcome decision will only be confirmed once the Escalation Stage has been completed following consideration of any alternative options*. Conversations between you and your manager during the Escalation Stage will be confirmed in writing by your manager including alternative options that you have considered during this time.

If an alternative option within the Trust (which supports your requested working arrangements) has been identified by you, offered to you and accepted, even if initially on a trial or temporary basis, this will be confirmed by your manager in writing and via ESR. Your new manager will also confirm your new working arrangements.

5.6 Outcome Decision following Escalation Stage

If no alternative options have been successfully identified by you during the Escalation Stage, your manager will **meet with you at the end of the 8-week period.** If you wish, you can arrange to be represented at this meeting by your accredited workplace Trade Union representative or be accompanied by a work colleague although this is not a requirement. An HR representative may be asked by your manager to attend this meeting if required. Your manager will confirm the outcome of your original flexible working request and provide objective reasons as to why your request is not able to be supported at this time within your immediate department/area of work. This will be confirmed by your manager via ESR and in writing, providing you with information regarding a right of appeal (Appendix 10).

5.7 Appeal

If you are not satisfied with the outcome of your flexible working request, you have the right to appeal against this decision. Your appeal should be made in writing to your line manager **within 7 calendar days** of the date of receiving the outcome in ESR or written confirmation from your manager (whichever is the earlier), outlining the reasons for your appeal. The appeal will be handled in accordance with the Appeals section of the Trust's Grievance Policy.

5.8 Timescales

All flexible working requests, including appeals, should be considered and decided upon within a period of 2 months from the first receipt of the request, unless an extension to timescales has been mutually agreed (to enable you to explore alternative opportunities available within the Trust using the **Escalation Stage**).

A flowchart showing expected timescales for the process is shown in Appendix 11.

6. NHS Employers & Timewise Flexible Working Guidance Documents

NHS Employers in collaboration with Timewise have developed two Flexible Working Guidance/Toolkit documents for Managers and Individuals. The content of these documents provides further insights into and case study examples of how Flexible Working can be embraced within a wide variety of roles and professions within the NHS.

They provide additional ideas and resources to assist both Individuals (requesting Flexible Working) and Managers (considering how requests might be accommodated).

These Guidance documents can be accessed via the following links:

flexible-working-toolkit-for-line-managers.pdf (england.nhs.uk)

flexible-working-toolkit-for-individuals.pdf (england.nhs.uk)

18th August 2022
(Updated October 2023)
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APPENDIX 1

Formal Flexible Working Arrangements

The following sections detail how the various flexible working options operate.

1. **Job Sharing**
   This option is where two or more people jointly share the responsibilities of one or more full-time job(s), dividing the hours, duties and pay between them:

   With Job Sharing the actual post is divided between two or more people, who may apply jointly or separately for the post. Job sharing is different to part-time working since the job sharers jointly carry the responsibility for the full time post. Each person has a permanent contract with pro rata benefits and shares a job description. The working week is split either into whole days or half days so that someone is always representing the post. The employees will ensure that the partners are not on leave during the same week.

   1.1 Who might wish to job share?
   Managers should consider requests for job sharing in the light of all circumstances. Job share practices should be determined by mutual agreement between the manager and employee and not be detrimental to the needs of the service.

   ➤ Anyone who wishes to work and who has responsibility for caring for dependants, such as children or elderly relatives.

   ➤ Anyone returning to work from maternity leave who no longer wishes to work full time.

   ➤ Staff preparing for retirement who wish to reduce their hours of work (see below).

   ➤ Anyone wishing to combine work with part time education or training.

   ➤ Newly qualified employees for whom there are insufficient full time posts available.

   The above list is not exhaustive.

   1.2 Opportunities for Job Share
   Opportunities to apply for job share exists:

   ➤ **On Appointment:**
   Responding to a full time position, making clear during recruitment and selection procedures that they wish to take the job on a job share basis.

   ➤ **During Employment:**
   An existing employee with the Trust who has been working full time decides to change to job share

   By joining with a colleague, to submit a joint application for a full time post.

   1.3 Points to consider before individuals decide to job share:
   Sharers applying together for a position should submit a joint statement outlining the way the work will be divided, which should include the following:

- Who will work when?
- How will the tasks be divided?
- Will there be an overlap/handover period?
- What forms of communication are required?
- Bank Holidays to be pro-rata.
- Communication and handover

Communication in all job shares is a vital ingredient. Regular, clear and consistent communication and handover of work between sharers is essential; an overlap period may be the solution.

1.4 Contracts of Employment for job sharers

Each partner is issued with the usual statement of main terms and conditions of employment, with a special clause stating that the post is a job share, and that the partners are required to co-operate in making the partnership work.

1.5 Termination of Job Share

When one job share partner leaves and no replacement can be found, the situation should be considered in the light of all circumstances between the employee and line manager. This may include:

- The post will be offered to the remaining partner(s)
- Re-deployment of the remaining partner
- Re-allocation of some of the duties of the full-time post
- Creating a part time post

2. Term Time Working

This option is where staff work during the school term but not during school holidays. Term time working is a provision for staff who are unable to work during school holidays. These periods are unpaid and annual leave is normally to be taken during school holidays. Employment is deemed continuous. Employees may choose to take all school holidays, including half terms, as unpaid leave or just specific ones e.g. summer and Easter holidays.

2.1 To Calculate Whole Time Equivalent (WTE) for Term Time Only Staff:

To be able to calculate the WTE the following information is required:
- Contracted weekly hours (A)
- Number of actual weeks worked (B)
- Full time annual leave entitlement depending on length of service (C) – *refer to table below*

No. of Years service	No. of hours per year based on 37.5 hours per week over 52.143 weeks	Agenda for Change Annual Leave Entitlement *(by Days based on full time)*	Bank Holidays *(By Days based on full time)*	Annual leave & Bank Holiday Entitlement *(in hours based on full time)*	Total hours available to work
Under 5	1955.36	27	8	(27+8) x 7.5=262.50	1955.36 - 262.50 = 1692.86

After 5 years	1955.36	29	8	277.5	1677.86
After 10 years	1955.36	33	8	307.5	1647.86

This information should then be put into the following formula:

$$\frac{\text{Hours worked per week (A)}}{37.5} \quad x \quad \frac{\text{Full time hours worked (37.5) x Number of weeks worked (B) (e.g. 40)}}{\text{Total number of hours available to work (52.143 weeks x 37 ½) – (Annual leave + general public holidays in hours (C))}}$$

This gives a working formula as follows:

$$\frac{(A)}{37.5} \quad x \quad \frac{37.5 \times (B)}{}$$

1692.86 (C) I	Under 5 years service
1677.86 (C) ii.	After 5 years service
1647.86 (C) iii.	After 10 years service

Example 1:

An employee who has a substantive full time contract, working 37.5 hours per week requests a term time only contract of 39 week. The employee has 6 years service

$$\frac{37.5 \text{ hours per week}}{37.5} \quad x \quad \frac{37.5 \times 39 \text{ weeks}}{1677.86} \quad = 0.87\text{wte}$$

Example 2:

An employee who has a substantive part time contract, working 32 hours per week request a term time only contract of 42 weeks. The employee has 1 years service

$$\frac{32 \text{ hours per week}}{37.5} \quad x \quad \frac{37.5 \times 42 \text{ weeks}}{1692.86} \quad = 0.79\text{wte}$$

2.2 The salary paid to holders of term time only contracts includes a payment for:
- Hours worked across the defined number of term time weeks
- Annual leave as appropriate for length of service
- 8 days general public holidays (pro rata)

In order to ensure that the correct payment is made to staff on a Term Time Only contract for hours worked, annual leave and general public holidays, managers need to complete the relevant Term Time Contract Details Form in the Trust's Leave and Pay Policy; and return it with the commencement or changes form.

3. **Flexible Start/Finish Times**

Where employees can choose their own start and finish time around fixed core hours. However, this arrangement can only apply where there is no requirement for fixed shifts.

Traditional Flexitime: employees work their standard hours over a week but are not wholly confined to specific times to work them. Start and finish times are varied to suit the needs of the employee within service requirements but employees are expected to work during core periods.

Example:
A flexitime system for full time employees could operate as follows:

The working day would be divided into five periods:

Starting Time	-	Between 8am - 10am
Core Time (am)	-	10am to 12pm (All staff to be in attendance)
Lunch Period	-	12pm to 2pm (Minimum 20 minutes to be taken)
Core Time (pm)	-	2pm to 4pm (All staff to be in attendance)
Finishing Time	-	Between 4pm to 7pm

Recording system

An auditable system for recording hours worked must be in place.

All staff must be available to work within the core periods. However they can work either side of the core times provided a minimum of 20 minutes (preferably 30 minutes) lunch break must be taken in order to comply with the Working Time Directive and this must be within the specified period. Employees must work their weekly hours (e.g. 37.5 from Monday to Friday) within these conditions.

Individual departments may wish to devise their own system for core hours and recording in order to meet their specific service needs and ensure appropriate cover is available at peak times.

4. **Annualised Hours**

This option incorporates where employees work a specific number of hours each year, with the hours being unevenly distributed throughout the year:

The traditional weekly based contracted hours are expressed over a full year. These hours will be worked in blocks of time to meet the needs of the Trust and the employee.

It is worked out as follows:

No. of hrs per Time.	X	52.143 weeks in the year less	=	Net Working
Working week		Annual Leave & Bank Holidays		

All other time is non-working time and is not defined by annual leave. Hours are worked by arrangement over the full year and can be static or varied, day to day or week to week or even seasonally by mutual consent. The employee can be paid a regular monthly salary or choose to be paid per hour on a month to month basis, filling in weekly time sheets.

5. **Compressed Hours** (Shorter Working Week)
   This option incorporates hours worked in a shorter week/fortnight.

   If operating a system of a shorter working week/fortnight, employees may choose to work e.g. a 4 day week or a 9 day fortnight. Full hours must still be worked but can be distributed over a minimum of 4 or 9 days. Similar opportunities should also be afforded to part time workers e.g. 24 hours per week over 3 days.

   Example:

   An example of a 37.5 hour week worked over a 9 day fortnight might be as follows:

Weeks	Mon	Tues	Wed	Thurs	Fri	Total Hou
Week 1	9-7	9-7	9-7	9-7	Off	38 hours
Week 2	8-4	8-4	8-4	8-4	9-4.30	37 hours

6. **Flexible Retirement Options**
   Additionally, within the rules of the existing NHS Pension Schemes, there are a range of alternatives available for employees to consider as they approach retirement.

   Advice on Pensions should always be obtained via SBS on 0300 3301 346 or the NHS Pensions Agency on 0300 330 1346 or 0191 279 0571 or at www.nhsba.co.uk on the options below.

   The alternatives for employees, broadly, under each NHS Pension Scheme are:
   - To **Wind Down** into part-time work, remaining in the same role

   - To **Step Down** into a less demanding, lower-paid role in a way that preserves pension entitlement from the higher level post

   - To **Retire & Return** and start receiving pension, however the employee may continue with part-time or full-time work (dependent upon an individual's circumstances).

   - To **Draw Down (Also known as Partial Retirement) –** taking part of your pension whilst continuing in employment (1995 Scheme members are able to apply for this with effect from 1st October 2023)

   Examples cited within this guidance should be viewed as broad illustrations only. Employees should consult with their immediate line manager to discuss individual circumstances. *Managers and individual employees are encouraged to obtain specific information from the SBS Pensions and the NHS Pensions Helpline*. Employees may also seek advice from their own Independent Financial Adviser.

   6.1 Wind Down
   Defer retirement and move into part-time work

   6.1.1 Pension benefits for part-time employees are calculated on the whole time equivalent pensionable pay. Therefore, moving from full-time to part-time work within the same grade/band, rather than retiring, will not affect the final

pensionable pay calculation used to determine your pension benefits. However, a difference may occur where special allowances, for example a night shift allowance, are not attached to a part-time role.

6.1.2 Employees who defer retirement and continue to work part-time will continue to build on their pension entitlement. For example, someone working 4 years at 50% of full-time will be credited with 2 extra years of contribution to the scheme.

6.2 Step Down
Defer retirement and take up a less demanding, lower paid role

6.2.1 The general rule is that pension income is set as a proportion of pensionable earnings in accordance with the relevant NHS Pension Scheme provisions. The proportion is dictated by the number of years each member of staff has participated in the scheme. However, through negotiation with their manager, an employee may step down into a lower paid role, whilst preserving pension rights already earned at the previous, higher level.

6.2.2 The key aspect of this option is the availability of a suitable role and the formal agreement of the Trust that the higher level of pension entitlement should be preserved. This option can be particularly valuable where the employee has critical skills and experience to contribute to patient care, and where the new role facilitates transfer of this experience to other employees.

6.2.3 It is important that agreements of this kind are notified to the Pensions Agency within at least 3 months of the agreed move in role.

6.3 Retire and Return
Retire, receive a pension and return to work

6.3.1 Employees wishing to retire and return to work after retirement e.g. full-time, part-time or for short periods will be required to seek their manager's agreement in advance of claiming their pension.

6.3.2 Future earnings usually will have no effect on their pension. Any such arrangement, however, must be confirmed in writing to the employee by the appropriate manager. From 1 April 2023, employees who have taken their pension from the 1995 section of the NHS Pension Scheme and return to work in the NHS will be able to join the 2015 Scheme and build up further pension if they wish.

6.3.3 The conditions attached to this option are:

Individuals who decide to retire and are aged under 60 cannot earn more through pension and post retirement employment than their actual salary at retirement. Where this happens, their pension will be reduced to bring total income down to the required level.
The Trust's requirement is that individuals must have a 24-hour break in employment before returning to work.

In line with the Pensions Act 2008, individuals who retire and re-join the Trust (and who do not wish to join the 2015 NHS Pension Scheme on their return) will be automatically enrolled into NEST, (National Employment Savings Trust). Individuals can choose to opt out of NEST by contacting NEST direct, details can be obtained from Human Resources.

Once an individual retires and receives their pension benefits in relation to their NHS service, this service will no longer be counted as "reckonable" for redundancy purposes (NHS Terms and Conditions of Service). Where an individual takes their pension benefits and returns to work, reckonable service will begin from the date of employment after the break in service.

Individuals who decide to retire, are under 60 years old and who have taken Voluntary Early Retirement with actuarially reduced pension are excluded from the above conditions. Individuals should seek their own independent pension advice.

6.4   Draw Down/Partial Retirement
Individuals can claim their pension and work in a more flexible way without having to leave their job.

6.4.1   Prior to October 2023, this was already possible for pension benefits that individuals have earned in the 2008 Section or 2015 Scheme. From 1 October 2023, it can also include their 1995 Section benefits.

6.4.2   From age 55, individuals will be able to take from 20% up to 100% of all their pension benefits in one or two drawdown payments, without having to leave their current job. Members of the 1995 Section who have a protected minimum pension age of 50 will also be able to claim pension benefits without leaving their job. To do this between the ages of 50 and 55, 100% of an individual's pension benefits need to be taken. From age 55, they will be able take from 20% up to 100% of their benefits in one or two payments, without having to leave work.

6.4.3   Employees will be able to continue building up their pension in the 2015 Scheme without taking a break in employment or changing jobs. They can carry on working and just need to reduce their pensionable pay by a minimum of 10% for a period of 12 months.

6.4.4   To apply for Partial Retirement, an individual will need to complete a Flexible Retirement Application Form (Appendix 4b) and discuss and agree their application with their line manager. Discussions regarding how they wish to achieve the 10% reduction in pensionable earnings will be held with their line manager supported by a member of the HR Advisory Team. Once their Application is agreed by the line manager, an individual should complete a AW8 Retirement Benefits Claim Form and a Partial Retirement Supplementary Form to claim their pension. This will include a section for the Trust to confirm the agreed new working arrangements and for the individual to confirm what percentage of their pension they would like to take.

The Partial Retirement Application Process & Flowchart can be found in Appendices 4d and 4e.

Hybrid Working Categories

4 categories for hybrid working have been agreed for our Trust, these are shown below:-

- **On-site with flexibility** - this is for colleagues whose role requires them to work on-site usually because the nature of their work requires some level of face to face contact, however there is a level of flexibility where they could work remotely on occasions. This is likely to include Nurses, Doctors, and AHPs.

- **On-site fixed** - this is for colleagues whose role requires them to work on-site for all of their working time. This is likely to include housekeepers, porters, and security staff

- **Remote / On-site hybrid with fixed desk** - this is for colleagues who can work remotely for at least 40% of their working week but they are required to have a specific working environment when they are on-site. This is likely to include medical secretaries, IT technicians, specialist nurses, procurement, and staff with a disability requiring specific equipment.

- **Remote / On-site hybrid with hot desk** - this is for colleagues who can work remotely for at least 40% of their working week and do not require a specific working environment when on-site. These colleagues would be required to book a hot desk when attending one of our sites. This is likely to include corporate areas such as Finance, HR, Digital, and Information.

Colleagues will be assigned to one of these categories based on their role, if they feel they have been assigned to an incorrect category they can raise concerns with their line manager or HR.

Both categories of hybrid workers will be expected to work off-site for a minimum of 40% of their working week (2 days for full time workers), they could work up to a maximum of 100% off-site depending on the needs of their role, this will be discussed and agreed using the team principles document.
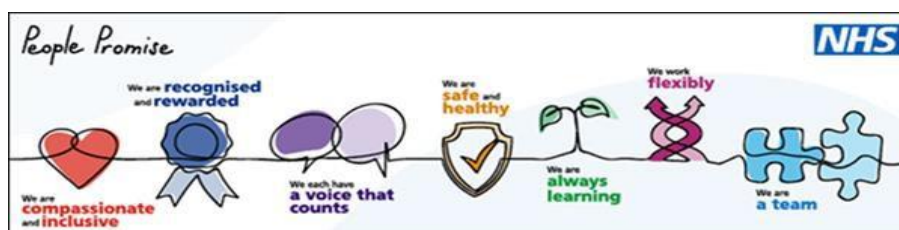
Appendix 2b

How to develop Hybrid working Team Principles

Introduction

The NHS People Plan promises to enable its people to work flexibly as part of its People Promise and also one of the 9 key areas of focus.

Worcestershire Acute Hospitals Trust (the Trust) has committed to improving flexible working opportunities as part of its People Strategy 2021-2023 and as part of our Staff Promise. The ambition is to put patients first through a culture built on trust, high performance, collaboration and focus on delivering the best service. The aim is to enable flexibility about how, when and when our staff work. Limitations on flexibility need to be based on clear operational need.

The Trust has developed a set of organisational principles for Hybrid workers. Managers and employees will need to collectively consider and agree the best methods and place of work to get the best outcomes for the patients, the organisation, themselves and their teams; this will be done by developing a set of team principles.

Organisational Principles
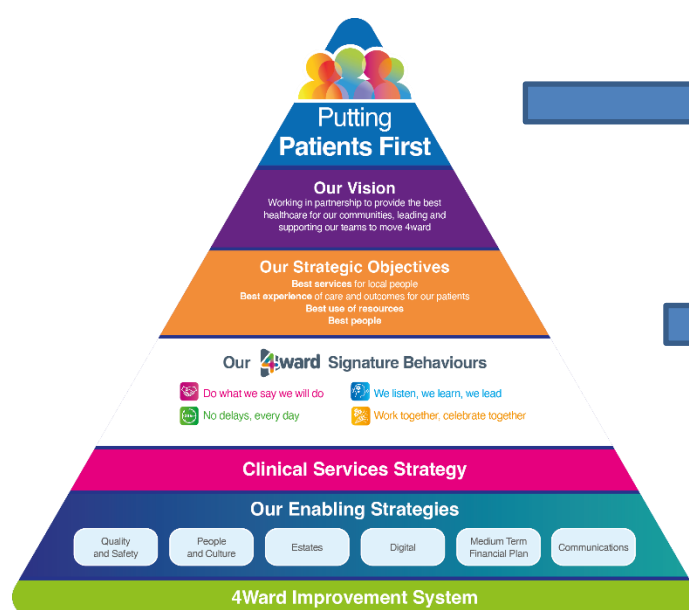
Putting patients first is everyone's first priority

We do this by:

- Working as a team to develop **team principles** around how we work to ensure we meet patient and service needs
- Hybrid working means being able to work from home or another site for part of your working week
- Managing performance by outcomes
- Ensuring we have regular face to face contact
- Ensuring everyone has the right equipment, advice, and guidance for hybrid working in a safe and secure way

Team Principles

- Team Principles are a way of collectively agreeing the way in which teams work together flexibly. We recognise that not all team members may want to change their working practices but all team members should take part in the team principles discussion as this is about how the team work together.

- When developed alongside our 4ward Behaviours, team principles will facilitate productive flexible working.

- Team Principles balances empowering staff to work more flexibly whilst keeping putting patients first as everyone's priority.

- Team Principles are about taking the organisational framework and making it work at a team level by discussing the benefits of flexible working and formalising the practicalities of how it works for service delivery.

Developing Team Principles

- Make sure you are aware of expectations set at a Directorate or service level that may impact of how you agree your team principles and flexible working arrangements for team members e.g. consideration of collaboration opportunities between Divisional administrative support teams to enable efficient use of time and resources on site.

- Have an initial conversation with individual team members before the team principles meetings to get some idea of who wishes to work in a hybrid way.

- Set aside some time to bring your team together. Developing your team principles should only take approximately 1.5 hours, so why not develop these as part of a team meeting or a whole team away day.

- Familiarise yourself with organisational principles and 4ward behaviours that set the framework for informing your own team principles.

- Make sure you set up dates to review your Team Principles to ensure that service delivery and customer service needs are being met and that flexible working arrangements for those choosing this workstyle are working well.

Running your Team Principles Meeting

- To open up the discussion, spend 20-30 minutes (either in groups or as a whole team) considering the following questions:

    - *What are our top priorities for the year ahead?*
    - *What are the key things we need to deliver as a team and how do we as individuals contribute to this?*
    - *What potential opportunities do flexible/hybrid working open up for us? Could we deliver our services differently?*
    - *What potential challenges might we come across and how do we get past them?*

- Some team members may wish to remain on their current arrangements. They should still be included in the Team Principles meeting so that the whole team can collectively agree how flexible working will be supported by the team.

- Use the team principles template to agree the practicalities and arrangements you need to put in place across your service or team.

- Remember, this isn't a static agreement that just stays locked away. Team principles are meant to flex and change based on your team's needs or new ways of working. Therefore, agree as a team when you will come back and review these again. This should be reviewed at least annually.

- Following the team principles discussion individual requests to adopt specific / permanent working patterns or arrangements (e.g. Term Time Only, condensed hours and non-working days) should be made through the Trust's Flexible Working Application.

- Share the completed Team Principles document with your team as these will form the basis of future conversations in your 1:1's with your team members. In addition, make sure your Team Principles are shared with your line manager.

- An Equality Impact Assessment (Supporting Document 1) must be completed and discussed at your meeting for any impact on customers. Please note that managers should consider the impact on any current (or potential) staff separately as this may be of a sensitive or confidential nature to individual employees so that any impacts have been identified and acted upon appropriately

Appendix 2c

<u>Team Principles Template</u>

Team Principles for Worcestershire Acute Hospitals Trust **xxx (insert name of team)** - 'How we will work'	
Date Agreed: XXXX	**Review Date: XXXX (eg 3 months from date agreed)**
What's important to us as a team about how we work?	*Being clear on what we are trying to achieve as a team, our outcomes and deliverables and deadlines* *Discuss 4ward signature behaviours* *Being able to collaborate, share information, offering a joined-up service, supporting each other, feeling trusted and empowered* *How do we manage different workstyles – those who wish to adopt flexible working with different start/finish times* *Discuss hybrid working categories and what they mean to everyone in the team*

Where and when we will work to best deliver services?	• How will we organise ourselves? If, due to the nature of our work, someone is required to be in the office each day, for example: customer facing receptionist – agree who will cover via a team rota?
Please note that if a team member is seeking to change their formal working pattern on a longer term basis (e.g. to compressed hours, 9 day fortnight, regular home working) they will need to submit a formal Flexible Working Application since this will mean a change to their contract.	• What tasks can be completed off-site and which on-site? What are the barriers to shifting some of these tasks and how to we overcome these?
	• Where are the options we can work from to best deliver services e.g. main office, home, another site or other suitable location
	• What informal flexibility can we build in as a team? (e.g. how many days of the week should we work off-site etc.)
	• How do we determine which time and locations are suitable for working? Emphasise that staff must have WiFi, be Display Screen Equipment (DSE) compliant, adhere to the Information Policy guidelines etc.
	• How do we establish and communicate boundaries around working time? What is normal working time and therefore when are team members deemed on off duty, when is/isn't it acceptable to send emails, make phone calls etc.? How do we ensure team members are not working excessive hours and taking adequate rest?
	Note that hybrid working is not classed as protected time and employees are required to come onto site during their working day if the service requires them to do so.

How we will communicate, meet and support one another?	*How will we keep in touch when working off-site?* *How often will we meet and how will we run these meetings? Face to face, MSTeams or a combination (and how do we manage and coordinate that?)* *How can we make best use of technology to enhance how we communicate?* *How will we ensure the team feel connected?* *How will we provide support/ training/coaching and mentoring for all team members?*
What are the practical things we will need to do to make this work for us as a team?	*How will we implement clear desk arrangements when in the office?* *Where will we share/save information electronically?* *How will team members know where we are and when we are free? e.g. Agree to Outlook calendars are being shared, kept up to date/open, MS Teams presence up to date* *What other things might we need to think about when out of the office? Lone working, DSE etc.*
What improvements and/or support might we need to consider in order to	*Are there some processes or practices that we might need to change/do differently?* *What support might we need to make this successful?* *What training might we need a refresher on? e.g .DSE*

make the most of the opportunities to work flexibly?	
Is there any potential impact on our customers/service?	• *Consider Equality Impact Assessment*

Appendix 2d

<u>Tips for managing a Hybrid team and virtual meetings</u>

1. **Agree ways of working.** Uses the Team Principles template to agree how you will work together, how you keep each other updated, and how frequently. Explore and agree your new approach to working together in a hybrid way. Openly share what each of you needs and try to develop a team routine to keep connected and accommodate your team members diverse needs. Arrange a regular opportunity for the team to meet face to face.

2. **Remember the Trust's vision 'Putting patients first is everyone's first priority.** Remind your team about the big picture and how their work fits into it. Review short-term goals regularly and adjust as needed.

3. **Set expectations and trust your team.** Be clear about mutual expectations and trust your team to get on without micromanaging. At the earliest possibility, have a conversation with each team member to supportively refocus and agree their tasks and goals. It may not be possible to keep doing the same things they usually would do in the way they would usually do them. In some instances, your team may even need to shift the focus of their work entirely. People deal with change in different ways. Empower your team members by actively listening to their concerns, encouraging them to stay positive, and ensuring that you are there to support them to feel valued and productive.
Focus on results rather than activity, when we manage by outputs we are asking our teams to implement specific projects/actions or deliver specific initiatives, very much dictating the actions of our teams. When we manage by outcomes/results we are defining the outcome we expect our teams to achieve and measuring them against that outcome. This creates autonomy and accountability.

   Setting Goals
   Firstly we need to define the outcomes for our team/service, start by setting goals, ideally team goals that they contribute to, this helps everyone understand their purpose and the role they play in the team. Ideally we need to set SMART goals.

S	Specific	What needs to be achieved and by when?
M	Measurable	What data do we need to measure performance?
A	Achievable	Is the goal achievable? What capabilities and capacity do we need to deliver?
R	Relevant	How does this goal link to our strategic objectives?
T	Time-based	What is the deadline

   Agree responsibility
   Who is ultimately responsible for delivering the goals that will help us achieve the outcome? Be clear about the RACI framework

R	Responsible	Who is responsible for completing the goal, actually doing the work?

A	Accountable	Who is ultimately accountable for the goal and will review before it's completed?
C	Consulted	Who needs to be consulted or provide input into the goal?
I	Informed	Who needs to be kept in the loop on the project?

Review progress
Build in 'check-in' reviews to check on progress on goals and measure performance against the goals. Create a learning culture where we have honest and open discussions with constructive feedback.

4. **Make sure team members have the support and equipment they need.** This includes any coaching they might need to use online systems or work in a hybrid way. Keep your calendar visible and maintain a virtual open door. Have a regular well-being conversation with each team member.

5. **Communicate Regularly. Have a daily virtual huddle.** This is essential for keeping connected as a team, to check in on each other's well-being and keep workflow on track. It needn't be long, but regularity is key. Keep the routine of regular one-to-ones and team meetings. This maintains a sense of structure and continuity for all
.

6. **Share information and encourage your team to do the same.** Without physical conversation, opportunities to pick up information in passing are more limited. Share appropriate updates or learnings from other meetings and projects and invite your team to do the same. Agree how you will share information from meetings.

7. **Tailor your feedback and communications.** Listen closely and read between the lines. Not being in the same room means you don't have extra information from body language or tone to get the sense of what people are thinking or feeling, particularly in more difficult conversations. Home in on what's not being said and ask questions to clarify your interpretation.

8. **Ensure online meetings are effective.** Be explicit about actions and summarise. Spell out clearly any actions that need to be taken and by whom. Summarise meeting takeaways and circulate notes promptly.

9. **Help foster relationships and well-being.** Make time for social conversations. This increases rapport and eases communication between people who may not meet often. It also reduces feelings of isolation and improves team work

10. **Maximise technology, video calls and chat apps:** There are a variety of ways to stay virtually connected using different software. Rather than sending emails, pick up the phone. Use team video calls or a team group chat to keep connected. A list of available software and apps is listed below. Remember good information governance when sharing data in these new ways.

11. **Be inclusive:** Appreciate the diversity of your team and be inclusive by encouraging everyone to have a voice when sharing ideas. Build upon each other's diversity of experience to help you all to adjust. You may even find that it's an opportunity to get to know each other even better and feel more empowered to celebrate the diversity of your team. Being forced to rapidly work in new ways will impact each team member differently. Ensure that you pay extra attention to your team's well-being and be compassionate toward their individual circumstances as they adjust to new ways of working. Working in a hybrid way may make it harder for some people to engage,

so ensure that you foster an inclusive culture where everyone in the team feels engaged and able to contribute.

12. **Model healthy hybrid working behaviour.** Ensure you take regular breaks and communicate during working agreed hours

13. **Celebrate achievements:** Take time to celebrate achievements, no matter how big or small. This will help you as a team to keep motivated as you adjust to your new ways of working.

Tips for Virtual Meetings:

•**Treat it like a normal meeting:** Whilst it may feel different, try to run it like a normal meeting. Bringing a cup of tea to them is fine!

•**Have an agenda/structure/purpose:** Keep focused, flexible and ensure everyone is clear on the purpose of the meeting and what you need out of it. It's also good to have regular video calls with the simple intention of checking in on each other too!

•**Have a lead/chair:** Having someone to lead the meeting enables you to keep focus and ensure that everyone has a voice and can contribute equally.

•**Encourage inclusive conversation:** It may feel strange at first, and that's ok. It's even harder if you just use audio, as you can't see each other. Remember, we communicate mostly through our body language, so try and use video calls where you can. You may need to exert extra effort to talk/engage in the virtual meeting at first if this is not something you are used to. If you notice a colleague is a little quieter than usual, feel free to check-in and what they can contribute.

•**Share documents:** Most video chat software enables you to share screens and/or share documents. This enables you to visually work on things together and brings focus to your meeting.

•**Size of group:** Adapt your agenda depending on the size of the group. For example, 1-to-1 and small groups are likely to be able to have more focused and exploratory discussions. However, larger groups are better suited to giving information. For very large information giving meetings, you may want to disable voice conversations and use chat boxes for comments, as it can be difficult to manage too many voices at once

Appendix 2e

Guidance for Hybrid Working

1. **Set up a designated workspace.** Set up space for yourself to work in, somewhere you can focus on tasks without being distracted and set up with everything you need for a normal working day. Ensure it is well ventilated and light. If possible keep it separate to your general living space and if not pack equipment away at the end of the working day. Communicate with the people you live with about your working day.

2. **Establish a routine.** Agree a start and end time to your work. Get dressed into work clothes to help you to mentally switch to work mode. Ensure you schedule regular breaks. Write a daily to list of realistic, achievable tasks to keep you focused.

3. **Make sure you have all the technology and equipment you need.** This includes a reliable and secure internet connection, any necessary files, hardware and software, remote access, and knowledge of how to get IT support.

4. **Stay healthy.** Consider using your normal commuting time to do something else productive such exercise. Eat healthily and get plenty of sleep. Stay active, either by taking a walk or doing simple stretches and exercise at home, being active reduces stress and increases energy levels

5. **Know when to step away from your desk.** Be clear about when your working day begins and ends and take breaks to refresh. It's easy to let yourself be 'always on' when your home and office are the same place. Avoid awkward, static postures by regularly changing position. Avoid eye fatigue by changing focus or blinking from time to time. When work is over, be sure you switch off to avoid burnout. Agree 'core hours' as a team. It's important to take regular breaks to engage in short mental and physical distractions to re-energise you. Build a diversity of things to break-up your new routine and it's ok to do 'home based' activities, for example: put the washing on, do an online workout video, check in with your family, engage in a mindfulness activity, help the children with their schoolwork.

6. **Stay in conversation.** Contribute regularly to team chats/group emails. Ask about what people are working on and share what's on your plate. Being physically separated means it is important to stay connected.

7. **Foster relationships**. Make time for non-work chats as you would in the workplace and use video calling to maintain face-to-face contact**.**

8. **Be clear in your communication.** Speaking in person gives you visual and audio cues that help you communicate. Conversing remotely removes a lot of that extra information so make your communications extra clear and concise. Remote conversations can easily be misinterpreted as it's harder to read body language, tone of voice and other visual and audio cues. Stay mindful of this.

9. **Reframe your role** It can be challenging at first as your sense of purpose and belonging to your team has changed overnight. You may not be able to do all the things you used to, and you may feel a little lost or frustrated. This is to normal. Focus on what you can do and what your role can become, what's manageable and

what's realistic. It may mean being a little bit more flexible. Work this through with your manager and agree your new priorities as soon as you can.

10. **Set goals and to-do lists**: Setting goals or simple to-do lists helps to keep you motivated. Celebrate achieving these goals, no matter how big or small. This will give you a positive sense of accomplishment when adjusting to your new way of working.

11. **Balancing home-life responsibilities**: It's likely that there will be others in your household with you, and they are important too. Your partner may be working from home, or you may have childcare or other caring responsibilities. You may feel overwhelmed at first when trying to balance work with home-life. It's ok to feel this way whilst you adjust. Sit down with everyone who shares your home and openly discuss how you are going to make this work together and consider developing a 'shared routine'.

12. **Hybrid Working and Sole Carer Responsibilities:** When working from home as part of a hybrid working arrangement, either as an agreed informal or formal flexible working option, you should ensure that your working environment supports you to work productively. If you are a sole carer for example and you request to work some/all of your contracted hours from home, you must ensure that other arrangements are in place for dependent young children and/or older adults to be cared for during your working hours. Homeworking should not be used as a replacement for childcare/older adult care and will only be agreed as a mutually beneficial flexible working arrangement for both you and the Trust. It is acknowledged that there may be exceptional circumstances when you request to work from home due to the short term illness of a dependent child/older adult; in such cases you should discuss and agree your working arrangements with your line manager.

13. **Being distracted out of loneliness**: Without our colleagues for company and motivation, our minds may become more easily distracted and lose focus. This may be harder if you don't share your home with anyone else. Try putting the radio on or listening to music, as these background distractions will help you to feel less lonely and enable you to focus better on your work. If you do have others living with you at home, make sure to build regular breaks together to stay connected as part of your shared routine.

14. **Ask for support when needed.** Speak out when you need assistance, further training or support. Your manager, colleagues and you are part of a team and should be supporting each other, especially when not on-site.

15. **Make hybrid working work for you.** Change where you sit, put on music, whatever helps you work, go for a walk during your lunch break, use the time that you spent commuting to do something which improves your wellbeing.

Appendix 2f

How to order equipment

The Trust is responsible for providing the following for all staff who work for all or a substantial period of time from home with:

1) **Appropriate device (PC or laptop)** - with an encrypted hard disk drive to ensure data security. An IT Request Form is required to request equipment. Employees will be expected to provide their own internet connection at their own cost if access to the internet and Trust network is needed
https://coronavirus-briefing.tfemagazine.co.uk/assets/1/digital_response_to_support_covid.v3.6.docx

2) **Mobile phone** – on a case by case basis depending on need
https://coronavirus-briefing.tfemagazine.co.uk/assets/1/digital_response_to_support_covid.v3.6.docx

3) **Office Furniture** - Staff should deal with this in the following order:
   a) take home equipment from the Trust site, following agreement from their manager
   b) order a desk and / or chair through the Trust catalogue. For options and details on the options available click here - https://coronavirus-briefing.tfemagazine.co.uk/assets/1/remote_working_equipment_options.docx and the form is available here - https://coronavirus-briefing.tfemagazine.co.uk/assets/1/remote_working_equipment_formjune_2021.docx the Hybrid Working Equipment Agreement Form which must be completed before ordering any equipment.
   After your equipment requirements have been approved by your manager and when you raise your requisition in IPROC for any hybrid working equipment; please ensure that your preferred full delivery address including post code is typed in the 'note to buyer' box. Please do not use the 'item description' or 'justification' box as it may get cut off and not be visible to the Procurement Buyer and there may be a risk of your equipment being delivered to one of the Trust sites instead.

Employees will be responsible for assembling any office equipment that is ordered for them. If this presents a challenge due to a disability they should contact their manager. Any office equipment that is provided through the Trust catalogue/purchased would remain the property of the Trust and the employee would be required to return it or pay for it if they left the Trust's employment. If the employee wishes to return the equipment, they are responsible for arranging to return to the Trust site. They should contact their manager and make arrangements to return the equipment. If the employee wishes to keep the equipment then they must make the following payments which will be deducted from their final salary.

Leaving Trust's employment within 0-6 months of equipment purchase	Must repay 100% equipment cost
Leaving Trust's employment 6-12 months of equipment purchase	Must repay 50% equipment cost
Leaving Trust's after 12 month of equipment cost	No requirement to repay

Appendix 2g

Hybrid working self-assessment checklist

Name: Line Manager:	Date of completion:
Address of where assessment undertaken:	Division: Directorate/Department:

The Working Environment/Working Practices			
Question	Yes	No	Comments
Is all of the portable electrical equipment which is used for work free from obvious damage and defects?			
Are the electrical sockets which are used to supply work equipment overloaded?			
Are all electrical cables correctly routed so they do not pose a trip hazard?			
Is the work area kept tidy and waste paper disposed of regularly? (consider confidential papers which may need to be shredded)			
Is there a clear and unobstructed escape route for you and any other occupiers in case of emergencies e.g. fire?			
Are there suitable smoke detectors installed in the home and regularly tested?			
Are the floors and floor coverings in good condition and do not present a trip hazard?			
Are the floors and traffic routes kept free from obstructions e.g. paper, work equipment etc.			
Are work items, papers, files etc. stored appropriately so they do not pose a risk?			
Are procedures in place to ensure that family members or others who are in the home do not have access to confidential information e.g. not being overheard while on the phone or access to written or electronic information?			
Is the computer locked with a password and confidential files locked away when not in use?			

Do you carry out any significant manual handling activities associated with your home working?			
If significant manual handling is involved, has a manual handling risk assessment been carried out?			
Have you completed the Mandatory Manual Handling training?			
Is there suitable and sufficient heating, lighting and ventilation?			
Is there a first aid kit available?			
Is homeworking permitted in the terms of your buildings and contents insurance, (where applicable)?			
Is homeworking permitted in the terms of your tenancy, (where applicable)?			
Do you have a reliable broadband connection?			
Do you have any health and wellbeing/security concerns caused by homeworking?			
Have you completed the Display Screen Equipment checklist? DSE Assessment Blank Template 2021.			

Any other comments you have regarding your working environment, please list here:

Please send the completed checklist to your Line Manager

Signature:……………………………………………………………..

Job Title:……………………………………………………………

Date:………………………………………………………

Tips to ensure safe hybrid working

1. Ensure you have an appropriate desk/ office chair. See guidance on ordering equipment.
2. Maintain a good posture
3. Work at a desk or table with adequate knee/foot clearance so that you can sit / stand close to your laptop.
4. If possible use a separate keyboard and mouse with your laptop.
5. Position the keyboard and mouse directly in front of you within easy reach.
6. Position your laptop so that the top of the screen is level with your eye height. If you do not have a laptop riser, use a box file or some books to raise your laptop. Or plug in a separate monitor if you have one.
7. If sitting ensure the lumber spine is supported your shoulders are relaxed (not slumped, not elevated), and that there is no unwelcome pressure on the back of your knees. Do not sit or stand for too long – change your posture every few minutes and take regular micro-breaks away from your laptop.
8. It is not ideal to sit on the sofa / couch or lounge chair, with the laptop on your lap as this give you the false comfort concept and you are less likely to move as frequently as required. Consider the heat generated by the laptop could make your legs too warm. If this is the only place that is available for you to use then sit upright and keep your spine in-line, use a cushion to support your lumber spin if required, try to raise the laptop on a cushion or lap table to reduce the need to hunch the shoulders and bend the neck forward. Set a timer to ensure that you move and stretch at regular intervals throughout the day
9. Plan for breaks/pauses/changes in activity throughout the day.
10. If you experience any issues with your equipment or posture due to hybrid working inform your Line Manager immediately.

Appendix 3   **MAKING REQUESTS THROUGH YOUR PORTAL ON ESR:**

Click on "*My Employment*" and then click on "*Flexible Working*"

Any existing flexible working applications will show here. Select "Create New Request"

Employee Flexible Working Requests

Employee Summary

Employee Name   Drew, Deborah   Employee Number   21074710

Please select which assignment / supervisor this flexible working request is for.
* Assignment Number (Supervisor Name) 21074710 (Faulkner, Elizabeth) ▼

Applications for Flexible Working

Assignment Number	Process StartDate	Type of Request	Requested Change	Date Submitted	Date Received	Decision Required By	Application Status	Process End Date	Available Action
21074710	04-May-2021	Home Working	Other	04-May-2021			Submitted		

Complete the boxes in the form and select the appropriate request from the drop down box:

Select what the change is in this box:

Request a new Flexible Working Arrangement

The remaining boxes are FREETEXT so you can explain your request here for your manager to consider. A request will automatically be sent to your manager when you press "**Submit**":

You will receive a confirmation that your manager has received your request:

Confirmation of receipt of application for flexible working

OK

To   Drew, Debbie
Sent   04-May-2021 12:55:54
ID   892077469

Dear Deborah Drew

I confirm that I received your request to change your work pattern on: 04-May-2021 .

You will be notified of the decision on this application within three months of this date, unless a longer deadline for this is agreed.

Elizabeth Faulkner

Return to Worklist
☑ Display next notification after my response

OK

Information
This notification does not require a response.

Worklist >

Logged In As 365DREWDE01

APPROVING OR DECLINING A FLEXIBLE WORKING REQUEST ON ESR USING MANAGER SELF SERVICE:

You can respond via the automated emails. By clicking this box you will be sending an acknowledgement only. You will still need to log on to Manager Self Service to record your decision.

– OR…. If the individual has submitted their request using a Flexible Working Application Form rather than via ESR,

You should record their request centrally by selecting "*My Team Assignment Information*" **and the** "*Flexible Working* "from the dropdown menu:

Select the Staff Member by clicking on the appropriate "**Action**" ICON

and then "**Create a New Request**"or deal with a request that has been submitted via the staff member here by clicking Update Request which will appear in Manager Action here:

Maintain Employee Flex Work Requests

Cancel   Submit

Employee Summary

Employee Name

Flexible Working Request Details

* Type of Request   [▼]   * Position 1   [▼]
Date Submitted   20-Aug-2021 📅   Position 2   [▼]
[📅]   Position 3   [▼]
Application Complete?   [▼]   Other Applications?   [▼]
* Requested Change   [▼]

Current Work Pattern   [   ]

Future Work Pattern   [   ]

Arrangements and Outcome

Agreed Arrangements   [▼]   Agreed Arrangements End Date   [📅]
Meeting 1 Date   [📅]   Meeting 2 Date   [📅]
Decision Required By   20-Nov-2021 📅   Decision Date   [📅]
Outcome   Pending Decision [▼]   Outcome Details   [📅]
Effective Change Date   [📅]   Decision Letter Sent   [📅]
Process End Date   [📅]

> If the FW request has been made using a FW Application Form, the Manager will need to populate these fields. NB this information will already be populated if the staff member has submitted via Self Service. You should record the date received in the appropriate field

Make sure you record "**Pending decision**" in the **"Outcome"** field with a date of up to 2 weeks for "**Decision Required by**" which will send you a reminder. Leave all other fields blank until the decision is made. Then press "**Submit**". **This will enable you to go back into the request to update it when the decision/escalation process is complete.**

An automated email will be sent to the individual to confirm that this decision is pending.

Once the meeting has taken place with the employee in line with the Policy, a decision needs to be recorded via Manager Self Service. You need to log in in the same way and the Flexible Working Request will show on the individual's record as *"Pending Decision"*. Click back on *"Update Request"* under *"Manager Action"* here:

The following are key fields that need to be completed by the Manager on Self Service correctly or they will affect the timescales that are showing up on reports.

Maintain Employee Flex Work Requests

Cancel Submit

Employee Summary

Employee Name Hilton, Ashley   Assignment Number 11302222

Flexible Working Request Details

Type of Request Flexitime
Date Submitted 04-Aug-2023
Date Received 04-Aug-2023
Application Complete? Yes
Requested Change Change working days/shifts

Position 1 37610694|OLM/ESR Systems Officer, WI
Position 2
Position 3

Current Work Pattern TEST
Future Work Pattern TEST

These fields will all be populated by the employee if they requested via Employee Self Service. Managers can also fill these in if they are inputting centrally

Change Pending Decision to either accepted or escalated or rejected

Arrangements and Outcome

Agreed Arrangements
Meeting 1 Date
Decision Required By 04-Nov-2023
Outcome Pending Decision
Effective Change Date 07-Aug-2023
Process End Date 04-Aug-2023

Agreed Arrangements End Date
Meeting 2 Date
Decision Date
Outcome Details
Decision Letter Sent

Agreed Arrangements end date is the date that any temporary change ends. Outcome Details is a free text field

Agreed Arrangements will be chosen from drop down which will be either Permanent, Temporary, Trial or Informal

Process End Date is the date that you made the decision. If the Escalation Process has been followed, this will be at the end of this process. This is important as this stops the clock on the timescale for decision

Decision Date is the date that the Manager made the decision whether this is accepted or rejected (following Escalation Stage as appropriate). The decision must be confirmed in writing and the date letter sent should be recorded. If contractual changes are being made a Staff Changes Form must also be completed and submitted to update the employee's employment record in ESR.

APPENDIX 4a

FLEXIBLE WORKING APPLICATION FORM

(This Form should only be used if you are <u>unable</u> to submit your Flexible Working Request using ESR Self Service)

Name: _____

Job Title: _____

Department: _____

Current Hours / Pattern of Work: _____

Have you previously applied for flexible working?   YES / NO

If YES, please give date: _____/_____/_____

Proposed start date of flexible working: _____/_____/_____

Proposed period for flexible working arrangements:

Please indicate below, by ticking the preferred option which flexible working option you wish to apply for:

Flexible Working Options	Please Tick
Reduction in hours [flexible/fixed]	
Job Share	
Term Time Working	
Flexible start/finish times	
Annualised Hours	
Compressed Hours	
Set days	
Other (please state)	
NB Flexible Retirement – the separate Flexible Retirement Form should be completed instead of this Form (but only if you are not able to submit your request using ESR Self Service) See Appendix 4b	

Please note that a formal flexible working request is not required for Hybrid Working

Please provide further information on the flexible working arrangement you would like to request (e.g. full time compressed hours over 9 days with flexible day off)

_____
_____
_____
_____

Please provide further information if your request relates to something covered by the Equality Act 2010 (e.g. to make a 'reasonable adjustment' for a disability you have)

_____
_____

Please provide below your thoughts around requesting this pattern of work and as to why this request should be supported addressing the following:

- Proposed hours and pattern of work:
- How you propose to meet all current work commitments:
- What effect will this have on your colleagues/team:
- What effect will this have on the delivery of the service you provide:
- Any problems that you foresee and how they could be overcome:
- In what ways could you be flexible about your flexibility:
- What are the benefits to your team/department/Trust?

_____

_____

_____

_____

_____

_____

After full consideration, if this request is unable to be accommodated within your immediate department/area of work the Escalation Stage process will be followed (unless you ask for this not to happen). Would you wish to explore other opportunities within the Division/Trust using the Escalation Stage process?

YES/NO

Signed: _____   Print:_____

Date: _____/_____/_____

For Manager's Use Only:

Manager's Actions	Date
Flexible Working Application received:	
Flexible Working Request inputted into ESR via Manager Self Service:	
Flexible Working Application Acknowledgement within 14 days via ESR or Letter:	
Invite to Flexible Working Exploration Meeting Letter sent:	
Flexible Working Exploration Meeting: *(if meeting applicable, to be arranged within 28 days of receipt of ESR request/this application)*	
Flexible Working Request Approved* for Immediate Department/Area of Work? YES / NO & PENDING *(please circle)*	
If approved*, date outcome letter sent to employee: *(Outcome letter to be sent within 14 calendar days of meeting)*	
Trial Period? YES / NO *(please circle)*	
ESR Change form completed *(if appropriate)*	
ESR updated with new working pattern	
Equipment arranged to enable Flexible Working option *(if applicable)*	
If request not able to be accommodated in immediate department/area of work:	
Date Escalation Stage started:	
Date Escalation Stage finished:	

Date Final Decision Meeting held:	
Date outcome letter sent to employee:	
Appeal Received: YES / NO *(please circle)*	

Manager's Signature: _____   Date: _____/_____/_____

Print: _____

APPENDIX 4b

FLEXIBLE RETIREMENT APPLICATION FORM

To be Completed by Employee **(Only if unable to submit request via ESR Self Service)**

Employee's Name: ....

Personal Number: .... Date of Birth: _____/_____/_____

Department:... Directorate:...

Under the Trust's Flexible Working Policy, I would like consideration to be given to my chosen flexible retirement option as indicated below:
* Please tick preferred option

Option 1 [ ] **WIND DOWN** - Defer retirement and move into part-time work

Option 2 [ ] **STEP DOWN** - Defer retirement and take up a less demanding lower paid role

Option 3 [ ] **RETIRE & RETURN** - Retire, receive a pension and resume working (NB a minimum requirement of 3 months' notice for this option)

Option 4 [ ] **PARTIAL RETIREMENT (DRAW DOWN) –** Access pension, reduce pensionable pay and continue to work (NB a minimum requirement of 3 months' notice for this option)

My preferred date of change would be: ....…......………..

If my request is unable to be accommodated, I would like to progress with the Flexible Working Escalation Stage process YES/NO

Signed: .... Date: _____/_____/_____

To be completed by Manager
(Complete (a) or (b) as appropriate)

I have discussed the above employee's request with them on _____/_____/_____ (Date)
and have advised them to seek specialist financial advice when considering this request.

(a)   The above employee's request to take flexible retirement _____(Option Name)
has been agreed with effect from _____/_____/_____ (Date)

OR
(b)   The employee's request is not able to be accommodated within their current role/ department/area of work, give reason(s) below:
_____
_____

NB The Flexible Working Escalation Stage Process (Section 5.5 and Appendix 9) must be followed (unless the employee does not wish this to be progressed)

Manager's Signature: _____
Manager's Name: _____
   Date: _____/_____/_____ ....

APPENDIX 4c

FLEXIBLE RETIREMENT – RETIRE & RETURN PROCESS

1. Individual initiates request to Retire & Return in ESR Self Service (selecting 'Other Flexible Working' option) or completes Flexible Retirement Application Form (Appendix 4b).
2. Line manager acknowledges receipt of request via ESR Manager Self Service or in writing.
3. Line manager arranges a Flexible Working Exploration Meeting with the Individual to discuss their request to Retire & Return.
4. If the Line Manager is able to accommodate this request in principle, they will need to complete and submit an Authority to Recruit (ATR) via NHS Jobs to gain approval to recruit into the role (following the individual's retirement).
5. The process of Retire & Return necessitates the need for the individual to provide contractual notice to terminate their employment contract. This will therefore require a Leaver Form and subsequently a Starter Form to be completed by the Line Manager.
6. Only once ATR approval has been given via Trust processes, is the Line Manager able to confirm the Retire & Return request with the individual.
7. The individual must complete an **AW8 Retirement Benefits Claim Form** and submit this to the Trust's Payroll Provider (SBS Pensions) **3 months prior to their planned retirement date.** This is in order to enable NHS Pensions to calculate and process payments.
8. The AW8 Form can be obtained through SBS Pensions on 0303 123 1144. The Pensions/Payroll team will provide the Form, estimate of benefits and instructions on how to complete the form.
9. The Line Manager will be required to **verify the individual's birth date, marriage / civil partnership and birth dates of children**. The Line Manager will need to see original copies of documents, make copies of these documents and sign them stating that they are true copies of the originals. These will need to be submitted with the AW8 Form:
10. The Line Manager must also complete a **Leaver Form** when the individual completes the AW8 Form. *The AW8 Form cannot be processed until the Leaver Form has been processed, therefore this must be completed at the same time as the AW8.*
11. The Trust requirement is that the individual must have at least a **24-hour break** in service between retiring from and returning to work. A new Starter Form will need to be completed.
12. Line Managers must contact the relevant Recruitment or Medical Resourcing Team in Human Resources to initiate pre-employment clearances as required and detailed within the Trust's Pre-employment check matrix, and complete the new contractual documentation, once the Retire & Return request is approved.
13. If however the individual's request to Retire & Return, following full consideration by the Line Manager is unable to be accommodated within the immediate Department/work area, the Flexible Working **Escalation Stage** will be followed (unless the individual does not wish to follow this process) to identify if the request to Retire & Return may be accommodated elsewhere within the Trust. The Line Manager will **initiate the Escalation Stage process** by contacting the relevant HR Advisory Team colleague via the HR Enquiries In-Box **wah-tr.hrenquiries@nhs.net**

APPENDIX 4d

FLEXIBLE RETIREMENT – PARTIAL RETIREMENT PROCESS

1. Individual initiates request to take Partial Retirement in ESR Self Service (selecting 'Other Flexible Working' option) <u>or</u> completes the Flexible Retirement Application Form (Appendix 4b) and sends this to their line manager. If the request is received via Flexible Retirement Application Form, the manager must input this request into ESR using Manager Self Service (see Appendix 3).

2. Line manager acknowledges receipt of request via ESR Manager Self Service or in writing to the individual.

3. Line manager arranges a Flexible Working Exploration Meeting with the Individual to discuss their request to take Partial Retirement and to discuss how the individual proposes to achieve a minimum 10% reduction in pensionable earnings for a period of 12 months. A member of the HR Advisory Team should also be present at this meeting.

4. If the Line Manager is able to accommodate this request, the individual and line manager, supported by the HR Advisory Team representative will complete a **Partial Retirement Supplementary Form.** Once completed, this Form will be signed off by the Line Manager and the individual.

5. The individual must also complete an **AW8 Retirement Benefits Claim Form** and submit this, **together with the completed Partial Retirement Supplementary Form** to the Trust's Workforce Information Team **wah-tr.workforceinformation@nhs.net**. This email needs to confirm how the 10% reduction in pensionable pay is going to be achieved and then this will be submitted electronically to the Trust's Payroll Provider (SBS Pensions). The individual must allow time to submit their Partial Retirement Forms, no less than **3 months prior to their planned Partial Retirement date.** This is in order to enable NHS Pensions to calculate and process payments.

6. The AW8 Form and Partial Retirement Supplementary Form can be obtained through SBS Pensions on 0303 123 1144. The Pensions/Payroll team will provide these Forms, estimate of benefits and instructions on how to complete the forms.

7. The Line Manager will be required to **verify the individual's birth date, marriage / civil partnership and birth dates of children** on completion of the AW8 Form. The Line Manager will need to see original copies of documents, make copies of these documents and sign them stating that they are true copies of the originals. These will need to be submitted with the AW8 Form.

8. If the individual's request to take Partial Retirement is accepted by the Line Manager, the manager should confirm this decision via ESR Self Service and also in writing to the individual. The Line Manager will also need to submit a Staff Changes Form to the HR Workforce Team to reflect the 10% reduction in pensionable pay.

9. If the individual's request to take Partial Retirement, following full consideration by the Line Manager, is unable to be accommodated within the immediate Department/work area, the Flexible Working **Escalation Stage** will be followed (unless the individual does not wish to follow this process) to identify if the request to take Partial Retirement may be accommodated elsewhere within the Trust. The Line Manager will **initiate the Escalation Stage process** by contacting the relevant HR Advisory Team colleague via the HR Enquiries In-Box **wah-tr.hrenquiries@nhs.net**

10. If the individual is unsatisfied with the outcome of their partial retirement request, they can submit an appeal in writing to the Line Manager within 7 calendar days of the date of receiving the outcome in ESR or written confirmation (whichever is the earlier). The appeal will be handled in accordance with the Appeals section of the Trust's Grievance Policy.

APPENDIX 4e

PARTIAL RETIREMENT REQUEST FLOWCHART

Employee requests Partial Retirement via ESR Self Service or by completing the Flexible Retirement Application Form & submits to Line Manager

↓

Line Manager creates and maintains a centralised record of Partial Retirement request in ESR, acknowledges and reviews the request (within 14 days)

↓

Manager arranges Exploration Meeting with Employee within 28 days of request and arranges for HR Advisory Team Representative to attend meeting to discuss 10% reduction in pensionable pay options

If request approved

↓

Line Manager notifies Employee of decision via ESR and in writing within 14 days of the FW Exploration Meeting. Manager completes decision outcome field in ESR.

↓

Employee and Line Manager complete **Partial Retirement Supplementary Form** (with support from HR Advisory Representative). Employee completes **AW8 Form**. Employee sends both completed Forms to HR Workforce Information who then send to SBS Pensions.

↓

NB Where required, the Line Manager will also need to submit a Staff Changes Form to the HR Workforce Team to reflect the 10% reduction in pensionable pay.

If request unable to be accommodated in Department/Area of Work

↓

Line Manager notifies Employee of decision and offers Employee the FW Escalation Stage (unless Employee does not wish this to be followed). ESR Outcome field to be updated according to decision and decision confirmed in writing to the Employee

↓

If Escalation Stage to be followed, Employee completes Escalation Stage Checklist and Escalation Stage is progressed (max period of 8 weeks from FW Exploration Meeting)

↓

Line Manager meets with Employee at the end of Escalation Stage process and confirms final outcome decision via ESR and in writing.

↓

If Employee unsatisfied with the outcome of their Partial Retirement request they can submit an Appeal

↓

Appeal Hearing held in accordance with Grievance Policy

NB: Please read this flowchart in accordance with The Flexible Retirement – Partial Retirement Process (Appendix 4d)

APPENDIX 5

Model Letter: Flexible Working Request Acknowledgement Letter **(only to be used if Line Manager unable to send acknowledgement via ESR notification using Manager Self Service)**

<Date>

PRIVATE AND CONFIDENTIAL
ADDRESSEE ONLY

<Name>
<Address>

Dear <Name>

Re: Formal Flexible Working Application Request

I am writing further to receiving your Flexible Working request on <Date>.

Your request will now be considered in accordance with the Trust's Flexible Working Policy and I will notify you of the decision at the earliest opportunity. It may be necessary for me to invite you to a Flexible Working Exploration Meeting to discuss your requested working pattern in further detail with you.

The decision regarding your request must be provided to you within a 2 month period unless a longer period of time is mutually agreed by us to e.g. allow for an Escalation Stage to be pursued.

If you have any queries regarding this letter, please do not hesitate to contact me on <contact number> or alternatively via email <email address>.

 Yours sincerely

<Line Manager's Name>
<Job Title>

Cc: Personal File

APPENDIX 6

Model Letter: Flexible Working Request Approval Letter

<Date>

PRIVATE AND CONFIDENTIAL
ADDRESSEE ONLY

<Name>
<Address>

Dear <Name>

Re: Flexible Working Application Request

I am writing further to receiving your Flexible Working request on <Date> and our Flexible Working Exploration meeting on <date> to discuss your request *(delete as appropriate)*.

I am pleased to inform you that your request for flexible working has been approved.
Your new working arrangements will be effective from <date> until <date>and you will now be working [details of hours and days etc.]. Please note that this represents an amendment to your terms and conditions of employment. The changes will also impact on the following terms and conditions including annual leave, salary *(delete/add as applicable)*.

We agreed to trial this arrangement for <x> weeks/months to see if it works effectively both for yourself and the Team/Service. *(delete as appropriate)*

We agreed that this arrangement will be reviewed on an on-going basis to ensure that it continues to meet both your needs and those of the Trust.

If you have any queries regarding this letter, please do not hesitate to contact me on <contact number> or alternatively via email <email address>.

Yours sincerely

<Line Manager's Name>
<Job Title>

Cc: Personal File

APPENDIX 7

Model Letter: Invitation to Flexible Working Exploration Meeting (to be held within 28 days of receipt of request)

<Date>

PRIVATE AND CONFIDENTIAL
ADDRESSEE ONLY

<Name>
<Address>

Dear <Name>

<u>**Re: Flexible Working Application Request**</u>

Thank you for your application to work flexibly which I received on <Date>.

I am writing to invite you to a **Flexible Working Exploration Meeting** to discuss your request on <date> at <time> at <room *(the room should be a confidential space)*, place>. Should you wish, you can be represented at this meeting by an accredited Trade Union representative or be accompanied by a work colleague although this is not a requirement. Please note it is your responsibility to ensure that your representative is aware of the arrangements of the meeting. *(If an HR representative is attending the meeting, provide their name/job title).*

The purpose of this meeting is to enable us to explore your flexible working request in depth and to discuss whether and how best it might be accommodated. It also provides an opportunity to consider other alternative working patterns should there be challenges in accommodating the work option outlined in your application.

Please could you confirm your attendance at this meeting by contacting me on <contact number>. If you are unable to attend the meeting at this time please contact me by <date - within 5 days> to re-arrange a more convenient time.

If you have any queries regarding this letter please do not hesitate to contact me on <contact number> or alternatively via email <email address>.

Yours sincerely

<Line Manager's Name>
<Job Title>

Cc: Personal File

APPENDIX 8

FLEXIBLE WORKING ESCALATION STAGE CHECK LIST

FIRST SECTION TO BE COMPLETED BY LINE MANAGER

Full Name of Employee, Job Title, Department, Division	
Date of Flexible Working Exploration Meeting:	
Date Manager confirmed unable to accommodate Flexible Working Request within immediate Department /Area of Work and a **PENDING outcome** is entered into ESR/confirmed to individual:	
Date Escalation Stage started (date of Exploration Meeting):	
Date Escalation Stage due to finish **(maximum 8 week period):**	
REMAINING SECTIONS TO BE COMPLETED BY INDIVIDUAL (with support from their Trade Union Representative or HR Representative if necessary)	
Details of Working Pattern Being Sought:	
Job Role & Band Being Sought:	
Location of Role Being Sought (Division/Trust Wide?)	

I ACCEPT THAT DECISION TIMESCALES (AS DETAILED IN THE FLEXIBLE WORKING POLICY) MAY NEED TO BE EXTENDED TO ALLOW FOR THE FLEXIBLE WORKING ESCALATION STAGE PROCESS TO BE PURSUED BY ME:

Employee's Signature: _____   **Date:** _____/_____/_____

Print: _____

Manager's Signature: _____   **Date:** _____/_____/_____

Print: _____

APPENDIX 9

<u>FLEXIBLE WORKING ESCALATION STAGE PROCESS</u>

- If Line Manager, (following full consideration of Flexible Working (FW) request at the Exploration Meeting with the Individual), is unable to accommodate the request within the *immediate team/Department,* they **start Escalation process by emailing the HR Enquiries In-Box** wah-tr.hrenquiries@nhs.net *(if Individual has confirmed they want to progress with the Escalation Stage).*

- Following the Exploration Meeting, the Individual must complete a **Flexible Working Escalation Stage Check List** (Appendix 8), detailing what they are willing to consider e.g. same/lower Band, Job Role, within Division/within Trust.

- The Escalation Stage will be for a period of 8 weeks from the date of the Flexible Working Exploration Meeting.

  <u>First Level of Escalation to Divisional Management Team (DMT):</u>

- Relevant HR Advisory Team colleague liaises with their Divisional Management Team (HRBPs to establish the approach to be used within their Divisions e.g. escalated FW requests are considered at weekly Approvals Meeting or equivalent).

- If no roles within the Division are identified to support the Individual's FW request, the HR Advisory Team co-ordinates progression to the Second Level of Escalation.

  <u>Second Level of Escalation - Priority 2 Redeployment - Overseen by HR Advisory Team colleague</u>

- The onus is on the Individual to review Trust vacancies advertised on the NHS Jobs website to seek an alternative role within the Trust that supports their requested flexible working pattern. The individual must also keep their Line Manager updated during the 8-week Escalation Stage period.

- If the Individual identifies a possible alternative role, they can apply for the role and, if they meet the job requirements, should be shortlisted and interviewed (after Priority 1 Redeployment candidates only i.e. those 'at risk' and seeking redeployment on organisational change or medical grounds).

- The individual is responsible for emailing the Trust's Recruitment Team (copying in the relevant HR Advisory Team colleague) informing them if they have applied for an alternative role and are a "Flexible Working Escalation Stage Priority 2 Applicant". The Recruitment Team will share the individual's Application with the recruiting manager confirming that the applicant should be considered for the position as a Priority 2 applicant in accordance with the Flexible Working Policy Escalation process. The HR Advisory Team colleague will liaise with the Recruiting Manager as required.

- The HR Advisory Team colleague emails the Line Manager and Individual at 7 weeks to prompt final discussion between Line Manager and Individual at the end of the Escalation Stage Process (8 weeks).

- At 8 weeks, the Line Manager meets with the Individual, discusses and records the alternative roles considered by the Individual during the Escalation period. The outcome of the original FW Request is confirmed to the Individual by the Line Manager via ESR and also in writing.

APPENDIX 10

Model Letter: Decision outcome letter – Flexible Working Request not approved

Date

PRIVATE AND CONFIDENTIAL
ADDRESSEE ONLY

<Name>
<Address>

Dear <Name>

Re: Flexible Working Application Request

Following our Flexible Working Exploration Meeting on <date> to discuss your request for flexible working, I am writing to inform you that after careful consideration, it has not been possible to agree to your request.

(Detail who attended this meeting)

(*Refer to the Escalation Stage process/timescales if this has been followed at the request of the individual. Include detail of other alternative roles considered/applied for during the Escalation Stage and the date of your meeting with the individual at the end of this Escalation process*.)

The reasons for this decision are **(insert reasons*)*

You have a right of appeal against this decision in line with the Flexible Working Policy and should you wish to exercise this right please put this in writing to (*name/title of person to receive appeal*) within **7 calendar days** of receiving this outcome, providing the reasons for your appeal. The appeals process is in accordance with the Appeals section of the Trust's Grievance Policy, a copy of which is enclosed for your information.

As part of an appeal hearing you have the right to be represented by an accredited Trade Union Representative or be accompanied by a work colleague acting in an unofficial capacity.

If you have any queries regarding this letter please do not hesitate to contact me on <contact number> or alternatively via email <email address>.

Yours sincerely

<Line Manager's Name>
<Job Title>

Cc: Trade Union Representative *(if applicable)*
        HR Representative (if applicable)
        Personal File

Enc. Grievance Policy

APPENDIX 11

FORMAL FLEXIBLE WORKING REQUEST FLOWCHART

Employee requests Flexible Working via ESR Self Service (or if not possible to use ESR), by completing the FW Application Form & submits to Line Manager

↓

Line Manager creates and maintains a centralised record of FW request in ESR, acknowledges and reviews the request (within 14 days)

Manager able to accommodate ↓ **Manager requires further information**

Line Manager discusses and confirms approval of Flexible Working request in ESR and also in writing to employee

↓

Line Manager completes electronic ESR Form (including any E-Roster information), to update ESR.

Line Manager invites Employee to a Flexible Working Exploration Meeting and meeting is held within 28 days of receiving original request

↓

If request approved

↓

Line Manager notifies Employee of decision via ESR and in writing within 14 days of the FW Exploration Meeting

↓

Line Manager completes electronic ESR Form (including any E-Roster information), to update ESR.

If request unable to be accommodated in Department/Area of Work

↓

Line Manager notifies Employee of 'Pending Decision' and initiates the FW Escalation Stage (unless Employee does not wish this to be followed)

↓

Employee completes Escalation Stage Checklist and Escalation Stage is progressed (max period of 8 weeks from FW Exploration Meeting)

↓

Line Manager meets with Employee at the end of Escalation Stage process and confirms final outcome decision via ESR and in writing.

If Employee unsatisfied with the outcome they can submit an Appeal

↓

Appeal Hearing held in accordance with Grievance Policy