



**Workforce**

## **Flexible Work Pattern Policy**

# Aim

The Flexible Work Pattern Policy aims to provide a framework to support:

- employees when considering and requesting options for a flexible work pattern
- managers when considering, agreeing to, or proposing options for a flexible work pattern

# Scope

This policy applies to all employees.

If the arrangement is about a change to work location only, please refer to the [Flexible Work Location Policy](#). If the request relates to both work pattern and work location, both policies apply.

This policy complies with current legislation and meets the aims of the [Public Sector Equality Duty](#) of the [Equality Act 2010](#).

# Definitions

Examples of flexible work patterns include:

- **Annualised hours** is where contracted hours are calculated as a total number of hours over the year instead of a weekly number of hours. The employee's working pattern may consist of both fixed and unallocated shifts. With reasonable notice, the employer can use unallocated shifts for surges in demand.
- **Compressed hours** is a working pattern where employees complete their contracted hours within fewer working days. For example, they may work 37.5 hours over 4 days instead of 5 days.
- **Flexi-time** is a system where employees can choose when they work, subject to working an agreed number of hours over a specified reference period. Employees may have a core period of the day when they must be at work. It allows employees to carry over a debit or credit of hours between reference periods.

- **Job-sharing** is a form of part-time working where 2 or more people share the responsibility for a job in a structured way.
- **Part-time** is where an employee is contracted to work less than the recognised full-time hours.
- A **reduced working year** is a work pattern with agreed periods when the employee does not work. The salary of the post is reduced proportionately to the hours worked. An example of a reduced working year is a term-time contract.
- **Self-rostering** allows team members to schedule their shifts while maintaining agreed service levels.
- **Temporary reduced working** hours allows employees to request a reduction in their contracted hours for a temporary period.

This list is not exhaustive.

## Roles and responsibilities

There is a range of standard expectations which underpin all policies. [Read more and standard roles and responsibilities](#). In addition, the following specific responsibilities apply to this policy.

### Manager

The manager should:

- apply the Flexible Work Pattern Policy fairly and consistently
- consider impact on the service and on colleagues of an employee request
- consider all applications and make sure they do not unreasonably refuse an employee request
- make sure requests for a flexible work pattern are responded to promptly and, if declined, provide reasons for refusal
- assess roles and duties to establish suitability for flexible working in response to an employee request
- plan for effective team working

- complete all appropriate contractual documentation if a change is agreed
- update appropriate systems to reflect the new work pattern
- review working arrangements with the employee regularly, at least once per year, or if circumstances change

## Employee

The employee should:

- consider working arrangements that balance their own needs with the needs of colleagues and the service
- fully consider the implications and potential loss of any contractual rights before committing to a change in hours
- get information about the impact on their pension from the SPPA
- initiate a review of working arrangements if circumstances change
- participate in a regular review of working arrangements

## Procedure

Flexible work pattern arrangements can be temporary or permanent. They offer flexibility around how and when an employee carries out their role.

These working arrangements must balance the needs of the individual and their role with the following organisational factors:

- patient or service user experience
- staff experience
- service delivery and service capacity

When considering the situations in which a flexible work pattern may be suitable, please refer to the following:

- [Guide for managers](#)
- [Guide for employees](#)

## Request by employee

The procedure for requesting a flexible work pattern is outlined in the [Flexible Work Pattern Policy flowchart](#).

Employees who request flexible work pattern arrangements should discuss them with their manager in the first instance.

Discussions should consider the needs of the service and the health, safety, and wellbeing of the employee. The issues that both parties must consider are outlined in the guides for managers and employees.

The discussions should also consider the parts of the job that:

- can be done with an alternative work pattern
- must be done during standard hours for that service

The employee should complete a [Flexible working request form](#). If the request includes home as a work location, the employee must also complete a [Health, safety, and wellbeing self-assessment](#).

Once completed, the employee should send both forms to their manager.

The manager must acknowledge the employee's request within 7 calendar days. They should then arrange a meeting to discuss it with the employee within 28 calendar days from the receipt of the request. If necessary and agreed upon by all parties, the manager can extend the time.

The employee is entitled to submit 2 flexible working requests within 12 months.

## **Agreement**

The employee will be entitled to all terms and conditions relevant to the flexible work pattern agreement. Leave entitlement will be adjusted if there is a change in contracted hours.

Under this policy, when the manager and employee agree to a change, both parties should sign a [Flexible work pattern agreement](#).

Once the manager approves the employee's flexible work pattern proposal, the written agreement should confirm their hours and working pattern. It should also confirm if this is for a temporary period.

## **Review**

On an annual basis, the employee's flexible work pattern arrangements should be reviewed. If the employee's home is one of their work locations, the manager should also review their completed [Health, safety, and wellbeing self-assessment](#).

A formal review of the agreement should take place every 2 years. This is to allow a review of the employee's situation and to consider other employee requests. If the agreement is being ended, the employee should be given 3 months' notice of the date of the change to their work pattern unless mutually agreed otherwise.

The review could form part of the job planning process for medical and dental staff. For all other employees, it could form part of the appraisal process. An employee or manager can request a review at any point. A review should also take place where circumstances or requirements change.

## **Refusal of the request**

An employee's request for a flexible work pattern should be supported where possible. The manager should consider an alternative work pattern for the employee if the request cannot be supported.

A manager should only refuse a request for valid service or organisational reasons such as:

- adverse impact on service delivery or quality
- adverse impact on work colleagues
- health, safety, and wellbeing considerations

A manager may decide to refuse the employee's request. If so, their decision, including the reasons for refusal, should be confirmed in writing within 7 calendar days of the meeting. More detail is provided in the following documents:

- [Guide for managers](#)
- [Guide for employees](#)

## **Appeal process**

The employee will have a right to appeal within 14 calendar days of receipt of the written outcome of the request. When exercising this right, the employee must identify the reason for their appeal.

The appeal panel will be chaired by the next level of management and supported by an HR adviser who has not previously been involved in the process.

The appeal panel Chair will inform all parties of the arrangements for the hearing in writing no later than 14 calendar days before the hearing. The

hearing and outcome must take place within 3 months of the application being submitted.

The process for the appeal should be managed in line with the [Formal hearing guide](#).

## **Outcome**

Following the appeal hearing, the Chair will write to all relevant parties within 7 calendar days to confirm the outcome. The letter should include the rationale behind any decision regarding the employee's grounds for appeal.

The outcome of the appeal will be final for this application.

## **Related policies**

The following policy is related to the Flexible Work Pattern Policy:

- [Flexible Work Location](#)