# Flexible Working Policy

**Author:** Karen Williams, HR Team Manager and HR Business Partner  
**Date:** 14 April 2016  
**Version:** 1  
**Sponsoring Executive Director:** Hywel Daniel, Acting Director of People and Organisational Development  
**Who will present:** Hywel Daniel  
**Date of Board / Committee meeting:** 28 April 2016  
**Committee/Groups that have received or considered this paper:**  
Wales Partnership Forum  
Executive Team  
Joint Negotiating Committee (JNC)

**The Board / Committee are asked to:** (please select one only)  
- [x] Approve the recommendation(s) proposed in the paper  
- Discuss and scrutinise the paper and provide feedback and comments  
- Receive the paper for information only

**Link to Public Health Wales commitment and priorities for action:**  
(please tick which commitment(s) is/are relevant)  
- [x] Priorities for action  
- Include relevant priority for action(s)
1 Introduction

Board are asked to approve two workforce policies that have recently been reviewed and recommended for approval by the JNC and approved by Executive Team.

2 Background

Both the Flexible Working Policy and the Redeployment Policy have been prioritised for review due to the impending move to Capital Quarter 2.

3 Timing

It is recommended that these policies are approved and adopted by Public Health Wales as soon as possible. The Executive Team approved the policies on 13 April 2016.

4 Description

This policy sets out Public Health Wales’ commitment to creating a more flexible workplace to enable the recruitment and retention of staff and to facilitate a healthy work-life balance that is essential to the health and wellbeing of our workforce.

5 Recommendation

The Board are asked to approve this policy with immediate effect.
# Flexible Working Policy

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(please tick which commitment(s) is/are relevant)

- [ ]  
- [ ]  
- [ ]  
- [x]  
- [x]  

Priorities for action: include relevant priority for action(s)
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1 Policy Statement

1.1 Public Health Wales NHS Trust is committed to equality of opportunity for all its’ staff and to developing working practices and employment policies that support work-life balance. This policy provides examples of the different types of flexible working arrangements that may be suitable for some individuals and teams including arrangements for managing requests for flexible working.

2 Introduction

2.1 Public Health Wales is committed to creating a more flexible workplace to facilitate a healthy work-life balance that is essential to the health and wellbeing of our workforce. There are a range of organisational benefits to adopting flexible working arrangements. Adopting such arrangements can help to:

- consolidate effective working relationships and increase engagement between managers and staff
- lead to increased commitment and loyalty from staff, and a willingness to go the “extra mile” at times of business need
- increase staff retention, as being flexible about the way people work, supporting and valuing their contribution, and looking after their welfare, means that employees are more likely to remain in the organisation and/or return after a spell away.
- Reduce costs associated with recruiting and training a new employee, retains expertise within the organisation and reduces turnover of valued staff, as well as retaining valuable skills and experience
- increase organisational attractiveness as an employer of choice to potential employees – recent research indicated that more employees would choose the opportunity to work flexibly rather than receive a cost of living pay rise.

2.2 For staff, there are also a range of benefits:

- Being in control of their work, and the way they work, helps people to take responsibility and in turn to become more self-sufficient, empowered and more productive in their role.
• Allows flexibility to meet family needs, personal obligations, and life responsibilities conveniently, not just for parents and people with carer responsibilities, but to many other people in the workforce at various stages of their working life.

• There may be less commuting time; in turn reducing stress and time lost to sickness or other absence

• People have different needs at different stages of their working lives. Rigid adherence to traditional patterns and methods of working may discriminate against people who are unable to conform to more conventional ways of working.

3 Policy aims and objectives

3.1 This policy sets out Public Health Wales’ commitment to creating a more flexible workplace to enable the recruitment and retention of staff and to facilitate a healthy work-life balance that is essential to the health and wellbeing of our workforce.

3.2 The purpose of the policy is to advise staff of different flexible working options available and their rights in respect of flexible working.

4 Scope

4.1 The policy will apply to all employees of Public Health Wales.

In accordance with the Equality Act (2010) this policy supports the principles of equality and diversity and no individual will be treated less favourably than others because of any of the following protected characteristics:

• Age
• Gender
• Ethnicity
• Disability
• Religion / Belief
• Sexual Orientation
• Pregnancy / Maternity
• Marriage / Civil Partnership
• Gender Re-assignment status

5 **Principles**

5.1 It is acknowledged that flexible working can take many forms, some of which are described below. However, this list is not exhaustive and should be used a starting point for discussions between individuals and line managers.

5.2 The following principles must be adhered to when considering flexible working:

- All requests for flexible working should be approached on the assumption that they will be granted unless there is a legitimate business reason for refusing it.

- All employees have the right to request any form of flexible working.

- Employees must follow the same process when requesting flexible working, and shall be treated equally and fairly when having their requests considered.

- Any form of flexible working must meet the needs of the organisation and employees and each request for flexible working will be considered individually and will be assessed on its own merit, and consider the impact on other employees.

- Employees working flexibly will not be treated less favourably in relation to access to training or promotional opportunities.

- The application of flexible forms of working should not result in Public Health Wales incurring additional costs without objective justification.

- Any change to an employee's working pattern as a result of a request for flexible working is regarded as a permanent variation to the employee's contract, unless agreed otherwise. Once the pattern is agreed as a permanent change, there is no guarantee or automatic right to revert to the previous working pattern, and any such request would have to be handled as a new and separate request.
• Therefore it is important that it is made clear from the outset if the new working arrangements are permanent or temporary, and if they are temporary there must be a review date.

• Managers and staff may wish to trial the flexible working arrangement for an agreed period, with regular reviews and an agreed work-plan, before agreeing to a longer-term arrangement. In any event, all flexible working arrangements should be subject to regular review, at least on an annual basis.

• Requests for flexible working must be considered in the context of business and service need and can only be rejected for one of the following business reasons:
  
  i. the burden of additional costs;
  ii. an inability to reorganise work;
  iii. an inability to recruit additional staff;
  iv. a detrimental impact on quality or performance or to meet customer demand;
  v. insufficient work for the periods the employee proposes to work; and
  vi. a planned structural change*.

* applications in these circumstances may be accommodated on a temporary basis, pending planned structural change.

6 Roles and responsibilities

6.1 Relevant responsibilities are detailed accordingly in each relevant part of the policy.

7 Types of flexible working

7.1 Flexible working encompasses a range of options including (but not exclusive to):
  
  • Part-time working
  • Job sharing
- Flexible hours
- Local Flexi-time schemes
- Compressed hours
- Annualised hours
- Term-time working
- Staggered start and finish times
- Home-working (subject to conditions of Home-working Policy)

N.B. Separate guidance is available on special leave, employment breaks, retire and return and annual leave purchase scheme.

7.2 Part-time working

Part time working means that employees can reduce their contracted hours below that of full time (37.5 hrs per week), enabling them to have more days off or a shorter working day.

7.3 Job-sharing

Two employees share the responsibilities, duties and benefits of a single post.

7.4 Flexible hours

Employees have the opportunity to access variable start and finish times on a basis that meets individual and business needs e.g. the ability to start work later if needed, with the agreement that time owed is made up at some other agreed time. This can be an ad hoc, or more formalised arrangement, according to need.

7.5 Local Flexi-time schemes

Flexitime is a formal scheme which allows employees some limited discretion around the start and end time of the working day. This is stipulated within a strict framework of prescribed core working times.

7.6 Compressed hours

Compressed hours arrangements allow individuals to work their normal hours of work over a shorter period of time than is standard. For example an individual can work a four day week or nine day fortnight but will have completed 37.5 hours or 95 hours on the other working days.
7.7 Annualised hours

Annualised hours is a method of organising work so that the employee works their contracted hours over the year rather than a set number per week. For example an individual can work longer days in the summer and shorter in the winter, or vice versa.

7.8 Term-time working

Term time working is a form of part time working where the employee works only during the school terms and is off work during the school holidays.

7.9 Staggered start and finish times

An employee’s start and finish times can be varied to better fit their domestic responsibilities, travel arrangements, or for work purposes, when these are able to be accommodated alongside business needs.

NB. The above list is not exhaustive and there may be other forms of flexible working that may be considered.

8 Making an application for flexible working

8.1 Any staff interested in making an application for flexible working should take the following action:

- Speak to their line manager to discuss what flexible working arrangements may be possible within the context of local business needs
- When ready to formally apply, complete the application form in Appendix A.
- Any agreement with the line manager will be confirmed by them in writing to the employee
- Any resulting contractual changes will be managed by the line manager who should inform the HR Department
- If a request is refused, an employee has a statutory right to appeal the decision which should be made using PHW’s grievance procedure.
9  **Awareness raising**

9.1 All staff will be made aware of this policy upon commencement with Public Health Wales. It can be viewed on the Public Health Wales Intranet or obtained via the Workforce and OD department.

10  **Monitoring and auditing**

10.1 The policy lead will monitor and audit this policy to ensure it is compliant with current legislation, and that it is implemented and adhered to.

11  **Information Governance Statement**

11.1 All Human Resource forms have the potential to contain staff or personally identifiable confidential information. Appendix 1 when completed by the staff member and his/her manager therefore must be afforded appropriate information security:

- The form must stored securely in a locked cabinet
- If held electronically, it must be password protected
- Appendix A should be kept as part of the staff members personal file and kept in summary format until the individuals 70\(^{th}\) birthday or until 6 years after cessation of employment
Appendix 1

Application for Flexible Working

Personal Details

<table>
<thead>
<tr>
<th>Name:</th>
<th>Payroll No:</th>
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<table>
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<th>Email:</th>
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Please explain what changes you are requesting


Is this request Permanent or for a temporary period? (if temporary please state period of time)


What impact (if any) will this variation have on the service?
What impact (if any) will this variation have on business delivery?

What are the benefits to you?

If the request is refused or amended, what would the impact be?
Employee
Signed:..............................................................Date:...........................................

Print: .................................................................

To be completed by the Manager

Date/s of meeting to discuss application:

Discussion points:

Outcome:

If application is rejected, outline reasons:
Details of review timescales:

Manager
Signed:………………………………………………Date:……………………………
Print: …………………………………………………

PLEASE EMAIL A COPY OF THIS FORM TO WELLBEING EMAIL INBOX