

## Flexible Working Policy

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**Printed copies are for reference only. Please refer to the electronic copy for the latest version**

## Contents

<b>1. Introduction.....</b>	<b>3</b>
<b>2. Purpose.....</b>	<b>3</b>
<b>3. Objectives of this Policy or Procedure .....</b>	<b>3</b>
<b>4. Policy Statement .....</b>	<b>3</b>
<b>5. Scope .....</b>	<b>3</b>
<b>6. Responsibilities .....</b>	<b>3</b>
<b>7. Definitions.....</b>	<b>4</b>
<b>8. Policy or Procedure Implementation.....</b>	<b>4</b>
<b>9. Regulatory Requirements/ References .....</b>	<b>7</b>
<b>10. Evaluation Measures.....</b>	<b>7</b>
<b>11. Related Documents .....</b>	<b>7</b>
<b>12. Appendices .....</b>	<b>7</b>
<b>Appendix 1 – Form to Request Flexible Working.....</b>	<b>7</b>
<b>Appendix 2 – Equality Impact Assessment (EIA) Tool .....</b>	<b>9</b>

## **1. Introduction**

All Caregivers have the statutory right to request flexible working. Under the statutory procedure, you can make two requests in every 12-month period. This policy sets out our approach to flexible working requests under the statutory procedure.

This policy does not form part of your contract of employment, and we reserve the right to amend or withdraw it at any time.

## **2. Purpose**

The purpose of the policy is to set out the statutory rights of employees to request flexible working and how Holy Cross Hospital will deal with and respond to requests.

## **3. Objectives of this Policy or Procedure**

We aim to create an inclusive culture that supports a good work-life balance. We care about your health and wellbeing and want to invest in an environment where everyone can thrive.

## **4. Policy Statement**

We are committed to ensuring that all line managers receive support so that they are capable to give full and proper consideration to flexible working where appropriate, in accordance with the law.

We believe that flexible working can increase staff motivation, promote work-life balance, enrich employee wellbeing and improve performance and productivity.

## **5. Scope**

This policy applies to employees (Caregivers) employed by us. It does not apply to workers, volunteers, bank staff, contractors, consultants or any self-employed individuals working for the organisation.

## **6. Responsibilities**

Caregivers – to follow the procedure below when making a flexible working request.

Line Managers – to consider any requests in line with the procedure below, ensuring all requests are dealt with in a timely, fair and compliant manner, seeking HR support where appropriate.

HR – support caregivers and line managers in interpreting of the statutory guidance and the policy/process. Attend flexible working meetings held to consider requests

## 7. Definitions

Caregivers (means Employees of Holy Cross Hospital)

## 8. Policy or Procedure Implementation

### Types of flexible working

We will consider requests for any type of flexible working with an open mind. Examples of flexible working include:

- Increasing or reducing contracted hours
- part-time working
- homeworking
- flexible hours (for example flexible start and finish times); and
- compressed hours (for example a four-day working week or nine-day fortnight).
- hybrid working, where staff split their time between attending the workplace and working remotely [*see below* for more on our approach to hybrid working].
- part-time working.
- flexible hours (for example flexible start and finish times); and
- compressed hours (for example a four-day working week or nine-day fortnight).

### Hybrid working

The majority of our employees, by the very nature of their roles eg catering, health care workers, reception, maintenance, are required to be on-site. It is Holy Cross Hospital's approach that support roles eg HR, Finance, should normally be on-site to support their colleagues. Being on-site facilitates communication and collaboration between teams. Roles are advertised as on-site. However, if an individual requests a temporary or permanent move to hybrid working, we will consider the request, in line with statutory guidance.

### Making a request for flexible working

All requests must be made in writing by filling in our form for submitting a flexible working request, which is available at **Appendix 1**. This should be submitted to your line manager, copying in [humanresources@holycross.org.uk](mailto:humanresources@holycross.org.uk).

Any request made under this policy must include:

- the date of the request.
- the changes that you are seeking to your terms and conditions of employment.
- the date on which you would like the change to come into effect.
- a statement that this is a statutory request.
- if the request relates to a disability.
- if and when you have made a previous application for flexible working; and
- if you have made a previous request, when you made that application.

If your request does not contain all the required information, you will be asked to resubmit it with the necessary additional information.

If you have submitted a flexible working request, you must wait until that one has been considered and any appeal has been dealt with, before submitting another.

### **Timescales**

Once you submit your flexible working request, it will be dealt with as soon as possible. However, all requests will be dealt with within two months, from receipt of the request to notification of any appeal decision.

The timescales within this policy may be extended where this is mutually agreed.

### **Consultation meeting**

Your line manager will arrange a consultation meeting to discuss your flexible working request. The consultation meeting will normally be held within seven calendar days of receiving your request. However, if this is not possible, you will be informed of the reason for any delay. HR department will also be invited to the meeting.

You may, if you wish, ask a fellow worker or a trade union official to attend the meeting with you

The consultation meeting is an opportunity for you to explain how the proposed working arrangements would benefit you and for us to consider and discuss any alternative flexible working options that may be available and suitable for you and the organisation.

At the consultation meeting, we urge you to be as open as possible about your needs so that we can engage in a constructive discussion about what is feasible.

### **Considering your request**

After the meeting, your line manager will consider your proposed flexible working arrangements carefully, weighing up:

- the potential benefits to both you and the organisation; and
- any adverse impact of implementing the changes.

Each request will be considered on a case-by-case basis - agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working patterns.

### **Notifying you of the decision**

The HR department will inform you in writing, usually within seven calendar days after the consultation meeting, of your line manager's decision.

### **Where your request is granted**

Your request may be granted in full or in part. For example:

- we may propose a modified version of your request;
- your request may be granted on a temporary basis; or
- you may be asked to try the flexible working arrangement for a trial period.

Where your request is granted in full or in part, your line manager will meet with you to discuss how and when the changes might be implemented. HR may join this meeting if required.

Any changes to your terms and conditions of employment, whether permanent or temporary, will be put in writing and sent to you as an amendment to your contract of employment.

### **Reasons for rejecting a request**

While we are committed to encouraging flexible working patterns, we need to remain realistic. In some cases, it may not be possible for us to accommodate a request because of:

- the burden of additional costs;
- an inability to reorganise work among existing staff;
- an inability to recruit additional staff;
- a detrimental impact on quality;
- a detrimental impact on performance;
- a detrimental effect on ability to meet customer demand;
- insufficient work for the periods the employee proposes to work; and
- a planned structural change to the business.

We will not reject your request for any other reason.

### **Your right to appeal**

You have the right to appeal if your request for flexible working is rejected or only agreed in part.

Your appeal should be sent in writing to the HR Manager within seven calendar days of receiving our decision. Your letter should set out the grounds on which you are appealing. An appeal meeting, where possible with an individual who did not make the original decision, will be held within seven days of you lodging your appeal.

You may, if you wish, ask a fellow worker or a trade union official to attend the appeal meeting with you.

Following the appeal meeting, the relevant manager will inform you in writing, usually within seven calendar days, of the outcome. The outcome of the appeal is final.

### **Treating your application as withdrawn**

If the hospital arranges a meeting to discuss the request, including any appeal, and the Caregiver fails to attend both this meeting and a rearranged meeting without a good reason, the hospital may consider the request withdrawn. We will inform the employee of this in writing.

## Data protection

When managing your flexible working request, we process personal data collected in accordance with our data protection policy. Data collected from the point at which we receive a flexible working request is held securely and accessed by, and disclosed to, individuals only for the purposes of managing their request for flexible working.

## 9. Regulatory Requirements/ References

[Flexible working: Overview - GOV.UK](#)

[Acas Code of Practice on requests for flexible working \(HTML version\) - GOV.UK](#)

## 10. Evaluation Measures

Audit of this Policy and process sits with the HR Department. The policy will be reviewed every three years to ensure that the system described continues to provide an effective framework for preventing radicalisation at the Hospital, unless statutory changes mean earlier revision is necessary.

## 11. Related Documents

Not applicable

## 12. Appendices

### Appendix 1 – Form to Request Flexible Working

Request for flexible working		
Name of individual:		
Department:		
<p>All employees have the statutory right to request flexible working. Under the statutory procedure, you can make two requests in every 12-month period. If you have submitted a flexible working request, you must wait until that one has been considered and any appeal has been dealt with, before submitting another. If you are uncertain whether you are eligible to make a request, please contact the HR Team on <a href="mailto:humanresourcing@holycross.org.uk">humanresourcing@holycross.org.uk</a></p>		
Date form submitted:		
Previous applications for flexible working		
Have you submitted a previous request for flexible working? (If yes, please answer the next question.)	Yes	No

When did you submit your last two requests for flexible working?		
Are you a disabled person whose request for flexible working is related to your disability?	Yes	No
<b>I wish to submit a statutory request for flexible working as detailed below.</b>		
<p><b>Please set out the pattern of working that you are seeking. For example, if you wish to change your hours of work, please state what your current hours are and what you would like your new hours to be.</b></p>		
I would like the above change(s) to my working pattern to take effect on:		
I would like the above change(s) to my working pattern to be permanent:	Yes	No
If "No", I would like the above change(s) to my working pattern to be temporary and to end on:		
<p>Once you have submitted a valid application for flexible working, we will contact you to arrange a consultation meeting, which will normally take place within seven calendar days of the application being submitted. The consultation meeting is an opportunity for you to explain how the proposed working arrangements would benefit you and for us to consider and discuss any alternative flexible working options that may be available and suitable for you and the organisation.</p> <p>We urge you to be as open as possible about your needs so that we can engage in a constructive discussion about what is feasible.</p> <p>We treat personal data collected while managing your flexible working request in accordance with its data protection policy. Information about how your data is used and the basis for processing your data is provided in the GDPR employee privacy notice, if you need a copy please request from HR</p>		
<b>Signed:</b>		<b>Date:</b>



## Appendix 2 – Equality Impact Assessment (EIA) Tool

To be considered and where judged appropriate, completed and attached to any policy document when submitted to the appropriate committee for consideration and approval.

<b>Policy Title</b>	<b>Flexible Working Policy</b>
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		<b>Yes/No</b>	<b>Comments</b>
1.	Does the policy/guidance affect one group less or more favourably than another on the basis of:		
	Race	No	
	Gender reassignment	No	
	Marriage & civil partnership	No	
	Pregnancy & maternity	No	
	Ethnic origins (including gypsies and travelers)	No	
	Nationality	No	
	Sex	No	
	Culture	No	
	Religion or belief	No	
	Sexual orientation	No	
	Age	No	
	Disability- both mental and physical impairments	No	
2.	Is there any evidence that some groups are affected differently?	No	
3.	Is the impact of the policy/guidance likely to be negative?	No	
4.	If so, can the impact be avoided?	n/a	
5.	What alternatives are there to achieving the policy/guidance without the impact?	n/a	
6.	Can we reduce the impact by taking different action?	n/a	
7.	If you have identified potential discrimination, are any exceptions valid, legal and/or justifiable?	n/a	