



**NHS Oxfordshire**

# **FLEXIBLE WORKING POLICY**

**Date Produced: November 2010**

**Agreed at the Staff Partnership Forum: January 2011**

**Agreed at Executive Board: March 2011**

**Review Date: November 2012**

# Flexible Working Policy

## 1 Introduction

The Oxfordshire Primary Care Trusts are committed to improving the working lives of staff and helping them to achieve a balance between the demands of their jobs and personal lifestyle. A policy for flexible working aims to assist with achieving this goal. The policy is designed to help in situations where conflict between work and home creates difficulties and where temporary respite can relieve the situation and allow breathing space to re-establish balance.

The policy should be read in conjunction with detailed guidelines available from your manager or the HR Department.

### 1.1 Benefits of Flexible Working

It is recognised that the demands of modern living put many pressures on staff whether it be because of:

- Childcare
- Care of elderly relatives
- Meeting appointments for medical, household or financial reasons
- Transport problems
- Training or studying

In addition the demands on the health service mean that there may be peaks and troughs in work demand at different times of the week, month and year. A flexible working policy allows for both sides to develop local working practices, which meet these demands.

### 1.2 Scope

This policy applies to all Oxfordshire Primary Care Trust staff, at all levels and in all areas of work. It applies to men, women, full-time staff, part-time staff, managers and directors. Eligible employees will be able to request:

- A change to the hours they work
- A change to the times they work
- To work from home
- Other requests will be considered e.g. training or studying

### 1.3 A Legal Right to Request Flexible Working

With effect from April 2003 parents, including adoptive and foster parents, of children under 6 or of disabled children under 18 have the statutory right to apply to work flexibly in line with the following criteria:

- The employee must have 26 weeks continuous service at the date of application.
- The purpose must be to care for the child.
- Not have made another application to work flexibly during the past 12 months.

However, staff with other personal commitments are also encouraged to apply to work flexibly if they so wish to do so.

The statutory right to request flexible working has been extended to employees with 26 weeks' service who care or expect to care for adults who:

- are married to, or the partner or civil partner of the employee, or
- are a 'relative' of the employee (i.e. 'immediate or near relative'). A 'near relative' is a mother, father, adopter, guardian, son, daughter, brother, sister, uncle, aunt or grandparent of the employee. In-laws, half-blood relatives and step-relatives are covered, as are adoptive relationships
- falls into neither category but lives at the same address as the employee

#### **1.4 A Legal Right to Request Time off to Train or Study**

From 6 April 2010, employees of organisations with more than 250 employees can request time off work to train or study. The Employee Study and Training (Procedural Requirements) Regulations 2010, which are being introduced under the Apprenticeships, skills, Children and Learning Act 2009, are similar to those governing flexible working. Requests for time off to train or study will be recognised as a form of flexible working under this policy.

Employees have the right to request time off to train or study and to have this request considered in accordance with a statutory procedure, as detailed under paragraph 3. There is no absolute right to take time off for training, and no requirement for employers to pay employees during the time off or to pay for the training itself. The following criteria should apply:

- Employees must have completed 26 weeks' service at the date of their request.
- The request must include certain information such as:
  - details of the training or study;
  - where and when it would take place;
  - who would provide or supervise it;
  - what qualification (if any) would be achieved. Although the training or study does not have to lead to a qualification, it should improve employees' effectiveness at work and, therefore, benefit the organisation. The request must explain how this would be brought about.
- Once employees have put in a request, they cannot re-apply for another 12 months, irrespective of the outcome.

## **1.5 Safety**

When flexible working hours includes working outside normal working hours, it is of paramount importance that normal safety procedures are rigorously followed.

## **1.6 Discrimination and Equality of Opportunity**

Employees are valued for the contribution which they make and not according to their working patterns. There will be no discrimination against any member of staff who takes up the opportunities provided by this policy either by barring access to promotion or personal and professional development. Applications will also be considered for those staff who do not have the requisite 26 weeks' service in the Trust, at the discretion of the line manager.

## **1.7 Evaluation**

In evaluating the success of this policy the Trust will consider:

- The number of staff taking up flexible working opportunities
- The number of staff indicating awareness of the policy as measured by our annual Staff Attitude Survey.
- Policy user feedback

## **2 How does the Policy Work?**

The Trust has introduced an application process which should be followed when individuals request flexible working. An example of an application form can be found as Appendix A.

The Trust, individuals, and groups of individuals within the organisation have both rights and responsibilities where flexible working is being considered and all of these must be taken into account where any changes to working patterns is proposed.

The Trust has a responsibility to the patients and organisations it serves to continue to provide a high quality service.

The Trust has a responsibility to consider all requests for changes in working patterns fairly.

Staff have the right to ask for changes in their working patterns. They also have responsibility to consider the impact on other staff members and Trust services. They do not have an automatic right to change the way they work.

Staff affected by the flexible working arrangements of others have the right to be consulted, although they also have the responsibility to consider the needs of other team members.

All working options are to be agreed with colleagues, other team members and the line manager and should be in line with the achievement of team, department and organisational needs as well as those of the individual.

Employee attendance is recorded on a daily basis without formal accounting for hours worked. Individual employees are trusted to ensure that they do a fair day's work.

Flexible working provides for flexible starting and finishing times and a flexible lunch period.

The following are examples of flexible working patterns which the Trust will consider although any other proposals will be taken into account.

- Compressed hours (Appendix B)
- Part-time working (Appendix C)
- Job share (Appendix D)
- Term time working (Appendix E)
- V-Time (Temporary reduced hours) (Appendix F)
- Annualised hours (Appendix G)
- Flexi-time working (Appendix H)
- Homeworking (see separate Trust policy)
- Career break (see separate Trust policy)
- Special and Family/Career leave (see separate Trust policy)
- Zero hours – (see separate Trust policy)

**Brief details of all these working patterns and what they mean are given in Appendices B – H.**

### **3. Procedure**

#### **Step One**

Employee should read carefully the information on the option they are interested in.

Employee completes an application form for Flexible Working and submits form to line manager for consideration (See Appendix A).

#### **Step Two**

The Trust must consider the request by assessing whether the change can be accommodated within the service needs taking into account:

- Detrimental impact on patient care and services, quality, performance or ability to meet client demand.
- Burden of additional costs
- Inability to recruit additional staff, or re-organise work amongst existing staff
- Insufficient work during the periods the employee proposes to work
- Planned structural changes
- Impact on other staff

#### **Step Three**

A meeting should be held between both parties within 4 weeks of the receipt of the request to discuss the request and consider any alternatives.

The employee may be accompanied to the meeting by a work colleague or Trade Union Representative.

#### **Step Four**

The Trust is required to provide a written decision to the employee within two weeks of the meeting providing details of the outcome, the agreement with start date (if applicable) and/or alternative compromise discussed.

Any change made to an employee's pattern of work is a permanent change to the terms and conditions of employment, unless otherwise stated i.e. reviews of all flexible working patterns, and employees have no right in law to revert back to their previous working pattern.

If the request for flexible working is rejected then an explanation should be given in writing. Senior management may be asked to review any rejection of a request. A copy of this letter should be held on the employee's personal file.

Review meetings should be held when any flexible working pattern is agreed. The notice period for any change to a flexible working pattern should be no less than 3 months, unless agreed otherwise with affected individuals.

#### **Appeal**

The employee has the right to appeal against any decision made. The appeal should be made in writing to the next line manager.

A meeting to discuss the matter should be held within two weeks of receipt of the appeal. The employee has the right to be accompanied to the meeting by a work colleague or Trade Union Representative.

The decision of the appeal should be provided in writing within two weeks of the meeting.

#### **4. Areas to be considered after any request for flexible working are:**

The implications for pay, pension and annual leave should be made clear. In general terms all benefits will apply pro rata to the hours worked. Further guidance can be sought from the Human Resources department.

Managers must consider and document their arrangements for monitoring work and reviewing performance if the work schedule of the member of staff will no longer correspond to their own.

Arrangement for involvement in team activities should be planned jointly to avoid marginalisation.

Managerial consideration must be given to any cost implications, which could arise from agreement to the request for flexible working. There is no requirement for a request to be granted if financial consequences arise for the Trust.

## **5 Trial Periods**

In the case of all types of flexible working, consideration should be given to a trial period either to confirm the practicality of the proposed arrangement, or as a means of avoiding rejection of the proposal and limiting the use of this policy. A further application may be made after a period of 12 months from the date of the original application.

## **6. Review**

This policy may be reviewed and amended after two years of adoption.

Appendix A



Flexible Working Application Form

**Name:**  
.....

**Department:**  
.....

**Date of commencement in Trust:**.....

**Current Band:**  
.....5.....

**Current hours & Working Pattern (Days/ hours/times worked):**  
.....

**Please indicate below which flexible working option you wish to apply for:**

Part time hours	<input type="checkbox"/>	Zero hours	<input type="checkbox"/>
Job Share	<input type="checkbox"/>	Flexi-Time working	<input type="checkbox"/>
Term time Contract	<input type="checkbox"/>	Home working	<input type="checkbox"/>
Variable Time working (Temporary reduced hours)	<input type="checkbox"/>	Other (e.g. compressed hours, annualized hours etc)	<input type="checkbox"/>

**Describe the working pattern you would like to work in the future (days/ hours/ times worked):**  
.....

**Reasons for applying:**  
.....  
.....

**Please state how you think your new working pattern will impact your colleagues and the service delivered by the Trust:**

Date you would like the new working pattern to commence:

.....

**Please state how you think the effect of your new working pattern can be accommodated:**

Signed: .....

Date:

.....

**MANAGER TO COMPLETE:**

Date application received:

.....

Request Accepted

Request Refused

Please detail any agreements made with respect to accepting request or reasons for refusing the request:

.....

.....

.....

.....

.....

.....

Signature: .....

Date:

.....

*Please send a copy of this form to the employee and to the Human Resource Department. A payroll change form (yellow) must be completed for any changes made in the employee's working*

**Appendix B****Compressed Working Hours****Introduction**

Compressed Working Hours allows people to work their total number of agreed hours over a shorter number of working days e.g. you may work full time hours but over a period of 4 days a week instead of the usual 5 or alternatively 9 days per fortnight instead of 10.

**Benefits for Employees**

- Allows individuals to work a fewer number of days
- Allows individuals to maintain their full time hours which in turn will maintain their full time salary
- It may make travel easier for individuals and individuals may make savings on travel time as well as costs
- It could give individuals regular time off work for other commitments
- Parenting can be shared as both parents can opt to work compressed hours. This also helps to reduce childcare costs.

**Associated Problems for Employees**

- Individuals will need to think about working more hours on some days which may cause problems if they have caring responsibilities
- Working longer days can be tiring.

**How do Compressed Working Hours work?**

Compressed Working Hours are ideally suited to areas within the Trust where 24 hour working is needed, but there is no reason why they cannot be used effectively within other areas of the Trust. However, the needs of the service must be taken into account when a request for compressed hours is considered. Individuals who wish to apply for Compressed Hours will need to discuss this with their Line Manager in order to ascertain whether this method of working is suitable for their area of work.

Individuals can decide to work their full time hours over 4 days having 1 fixed day off per week; alternatively they can agree to rotate their day off. Working arrangements are dependent on agreement with the Line Manager/Clinical Lead in relation to service needs. In addition to this, individuals could compress the number of hours they work over a fortnightly basis working only 9 days per fortnight, once again with a fixed day or flexible day off. If more than one individual wishes to apply for Compressed Working Hours within a department, then it may be appropriate for the individuals to agree a rota system where they each take off a different day during the week in order for cover to be maintained within the department.

**Breaks**

Minimum breaks must be taken during the working day, i.e. a minimum break of 20 minutes must be taken if the working day is longer than 6 hours (Working Time regulations 1998).

### **How long would Compressed Hours last?**

Compressed Hours can be worked on a temporary or permanent basis. Individuals may wish to consider working compressed hours on a temporary basis where they have specific caring responsibilities e.g. an ill relative that would require them to have an additional day off in the week. Alternatively, they may be undertaking study in which a day off would prove beneficial to them. Alternatively, individuals could enter into this agreement on a permanent basis.

### **Annual Leave**

This will be calculated in hours as per the Agenda for Change calculation.

### **How will it affect pay and benefits?**

Salary and all pay related benefits are reduced pro rata from a full time entitlement. This will affect:

- Increases in salary Pension
- Life assurance
- Redundancy pay

Also affected will be:

- Annual leave
- Sick pay
- Maternity pay

<b>Question</b>	<b>Answer</b>
If I work part time can I vary the hours I work each week?	It may be possible to vary your weekly hours providing that you work your contracted hours within the period of 1 month. This would be in agreement with your manager and dependent on the needs of the service.
What if I work additional hours over and above my contracted hours?	The hours worked each week will be added for a monthly total. If you have worked more than your contracted hours then an adjustment will be made to offset these from the next months allocation. If your manager has agreed that you should receive an overtime payment then all additional hours must be agreed in advance.

How will payment for additional hours be calculated?	Payment for agreed additional hours is at the standard hourly rate until you have worked full time hours for the post within the month. Any hours worked in excess of this will be at overtime rates.
Can I agree to work only on certain fixed days of the week?	Only if there is no compromise to service standards or any adverse impact on the rest of the team.
Can my hours be worked outside 'normal' working hours	Yes as long as consideration is given to the same issues as someone opting for Flexitime

**Appendix C****Part-Time Working****Introduction**

The European Part-Time Working Directive defined part-time working as working “less than the normal hours of work of the comparable full-time worker”.

There are a variety of patterns of part-time work:

Working a reduced number of hours each day  
Working a reduced number of hours each week or each month

There is no right to reduce a post with full-time hours to one with part-time hours but all such requests will be sympathetically considered.

When considering whether a request can be performed on a part-time basis key issues are:

- Which tasks and responsibilities will the post holder undertake, and can these reasonably be contained within the part-time hours being proposed?
- Can the remaining tasks and responsibilities be reassigned?
- Does the post holder have line management responsibilities or a requirement to maintain contacts external to the organisation? If so how will these responsibilities be discharged?
- How would the reduced hours fit with peaks and troughs of work and the availability of cover if necessary?
- Would other arrangements such as job sharing be more appropriate?
- Impact on other staff

**Implementation**

Firstly agree the actual hours to be worked, ensuring that there is the opportunity for the employee to take a 20 minute break every 6 hours. This will depend on the needs of the service and the circumstances of the employee. The agreement must be realistic in terms of the time given to the tasks to be done. The impact on other staff should be considered and they should be consulted where appropriate.

There is no automatic right for a part-timer applying for a full time post on promotion to undertake the new post on a part-time basis.

**Appendix D****Job Sharing****Introduction**

Job sharing is a voluntary arrangement where the roles and responsibilities of a job are shared between 2 employees.

**Implementation**

Job sharing differs from part time working because job sharers agree to share accountability for the whole job. This means that they discuss how they could divide up the work and put this proposal to their manager. The arrangement has the constraint that if one job sharer leaves, the employment of the other is affected.

**What needs to be considered?**

Can the duties and responsibilities be clearly defined and measured for each person?

Do the job sharers have between them the skills necessary for the role?

Would the job benefit from longer than full time working hours per week?

Accountabilities for each job sharer must be established

What happens if one job sharer leaves?

- Seek a replacement
- If unable to find a replacement, offer the role on a full time basis or increased hours to the remaining job sharer
- If this is not possible then the job sharer should be replaced with a full time employee
- Under these circumstances the PCT would help the remaining job sharer seek an alternative role

**How will it affect pay and benefits?**

Salary and all pay related benefits are reduced pro rata, eg:  
Salary Increases, Life Assurance, Pension, Redundancy Pay, Annual Leave, Sick / Maternity Pay

Question	Answer
If I want to work a job share can the PCT find me a job share partner?	It is the responsibility of the individual to find a job share partner. The PCT can help by contacting any other person who has expressed an interest in job sharing or working part time and by placing an advert in the internal vacancy bulletin.

Do job sharers have to work on an equal split of time and responsibilities?	Not necessarily. This will depend on the job and the particular skills of the job sharers.
How is job sharing different from part time working?	Job sharers are inter dependent partners. If one leaves and a replacement cannot be found, the contract of the remaining job sharer could be terminated if no other part time or alternative job share post can be found. It is also important to remember that performance in a job share is assessed on the combined contribution of the job sharers and not on their individual input and effort.
What happens when one job sharer is sick?	There is no requirement for one job sharer to cover sick leave for the other. However the remaining sharer may agree to work extra hours.
What if a new job share partner can't work the same hours as the previous partner?	If one job sharer leaves the split of hours may have to be renegotiated in order to accommodate the needs of the new partner.
If another sharer can't be found, am I entitled to a redundancy payment?	No. But the PCT would help the remaining job sharer to seek an alternative role.

## Appendix E

### Term time working

#### Introduction

Term time working enables employees who have school age children to balance the responsibilities of their work and home lives. This option allows employees to work during term time whilst spending time away from work with their children during school holidays.

A role is more likely to be able to be performed on a term-time only basis if:

- The school holiday coincides with a natural dip in activity.
- Some of the work can be rescheduled to term-time.
- Other staff are readily available and sufficiently skilled to fill the gap.

Term time working staff will have the same statutory rights as other employees and entitlement to benefits such as annual leave on a pro rata basis.

There is an expectation that annual leave entitlement is taken during school holiday periods.

Should a vacancy occur in a post worked on a term time only basis the Trust reserves the right to review those arrangements.

#### Implementation

1. Agree the term dates and holiday dates for the whole of the school year.
2. Decide whether payment will cease during the unpaid period, or whether the salary will be reduced pro rata and paid in equal monthly instalments throughout the year.
3. Term time working arrangements should be reviewed on a regular basis, usually annually.

#### Annual Leave

Individuals on term time contracts will accrue (pro rata) annual leave entitlement during their worked weeks and this is added to the number of weeks that they are contracted to work. For example if someone is contracted to work 39 weeks they will accrue approximately 4 ½ weeks annual leave (depending on the normal full time entitlement for their post). These are added together to give a total of 43 ½ weeks for payment purposes. Annual leave is calculated as follows - a comparison has been made with a full time employee who has 5.4 weeks (27 days) annual leave and therefore works 46.6 weeks per annum ( $52 - 5.4 = 46.6$ ). **This is an example and will vary depending on the length of school terms and holiday entitlements for different roles.**

No. of weeks worked on term time contract **(39)**

$\frac{\text{No. of weeks worked on term time contract (39)}}{\text{No. of weeks worked on full time contract (46.6)}} \times \text{full time a/l} = \text{term time a/l}$   
**(5.6 weeks) (4.5 weeks annual leave)**

All annual leave must be taken during school holidays.

Using the example above an employee working 39 weeks who accrues 4 ½ weeks annual leave will be paid for 43 ½ weeks in equal payments over a period of 12 months.

Term dates and holiday's dates for the whole of the school year including inset days should be given to the line manager as soon as they are available.

### How will it affect pay and benefits?

Salary and all pay related benefits are reduced pro rata, eg:

Salary Increases, Life Assurance, Pension, Redundancy Pay, Annual Leave, Sick / Maternity Pay

Individuals will receive salary payments distributed equally in 12 monthly payments.

A proportion of annual leave is also included in these monthly payments.

Question	Answer
How many weeks would I be required to work?	Each term time contract is individually assessed as school terms can vary in length.
What happens to my annual leave?	A proportion of annual leave is paid every month as part of your regular salary. This arrangement results in individuals not being able to take annual leave during term time as their salary has been calculated on the basis that annual leave is taken during school holidays.
What happens if an urgent situation arises and I need to take leave during term time?	Under these circumstances you should speak to your manager who may agree that you can take carer, special or unpaid leave, at their discretion.
Can I work additional hours during school holidays?	Yes, if it is on an ad hoc basis with the agreement of your manager. These hours must be accurately recorded. However if this becomes a regular occurrence the term time contract will need to be reviewed.

## **Appendix F**

### **V-Time (Temporary reduced hours)**

#### **Introduction**

'Temporary reduced hours' working allows employees to reduce their work commitment for a specified period of time with a corresponding reduction in earnings. The purpose of this policy is to enable employees to deal with responsibilities outside work without having to leave or change to a permanent part time contract.

#### **Eligibility**

Employees must have at least one year's service with the Trust.

#### **Reduced Time Options**

Temporary reduced hours is available on either a 6 months or 1 year basis at the end of which you will be expected to either return to your full time post or permanently change to part time hours.

The options for reduced time working are:-

- To work a shorter day
- To take a half day or day off a week
- To take shorter blocks of time off at regular pre-determined intervals

#### **Procedure**

Employees who wish to apply for temporary reduced hours must normally give at least 3 months before commencement, however there may be extenuating circumstances:-

- Discuss with their Manager the possibility temporary reduced hours and put their request formally in writing detailing:-
  - Requested working hours per week
  - Time period : 6 months or 1 year
  - Reduced time option

#### **Terms and Conditions**

Employees must have at least 1 year's service with the Trust.  
At least 3 months notice (in writing) must be provided by the employee.  
Reduction in working hours must not exceed 50%.  
No down grading will result.

The employee should agree with the Manager, the reduce time option:-

- A shorter day
- Half day or day off per week
- Short blocks of time off at regular pre-determined intervals

Pay, benefits and holiday entitlement will be reduced accordingly (pro-rata) for the specified period of time.

If employees work over their agreed hours, they will be paid at the standard rate. Overtime will only be paid if full time hours are exceeded.

Following completion of the temporary reduced hours period, return to full time work is guaranteed; alternatively, a permanent re-assignment to part time hours if the employee wishes.

## Appendix G

### Annualised Hours Contract

#### Introduction

An annual hours system to organise working time on the basis of a number of hours over a year rather than per week. They comprise a number of basic rostered hours and in most cases, a number of unrostered reserve hours that cover additional operational requirements.

#### Benefits for Employers

- Tailor staffing levels to patients dependency
- Reduce the use of agency staff
- Minimise informal flexible working arrangements such as expecting staff to work at short notice
- Flexibility to managers and staff alike
- Greater predictability of costs for the employer.

#### Benefits for Employees

- Gives flexibility to the hours which are worked
- Allows the employee to balance outside commitments with work
- Still receive a stable income and be paid in equal monthly instalments regardless of the hours worked in that period.

#### Associated Problems for Employers

- Individuals may not achieve managers needs due to own commitments
- The need for the individual to be part of the team
- A system to monitor hours effectively i.e. to ensure staff work their contracted hours, reserved hours
- The hours worked must be in accordance with the Working Time Directive.

#### Associated Problems for Employees

- The need to monitor hours and maintain and administer the system to ensure the employee does not exceed the annual contracted hours
- May not feel part of the team
- May be called in at short notice
- May not be able to balance outside commitments with the service requirements.

#### How Annualised Hours Scheme work

Annualised Hours Contracts are ideally suited to areas within the Trust where 24 hours cover is needed, but there is no reason why they cannot be used effectively within other areas of the Trust. Appointments will be made on Trust Terms and

Conditions and may be initiated in the following ways:-

Existing employees who for domestic reasons, wish to change to an Annualised Contract, should apply to the Line Manager/Clinical Lead following the normal application process.

### General Conditions

An Annualised Hours Contract can be offered to both full time and part time staff.

Thought needs to be given as to how the system of Annualised Hours is implemented into the normal patterns of work. These could include:-

- Varied and core working hours
- Minimum and maximum hours
- How the hours of work are recorded
- The rostering of annual leave
- Committed hours e.g. to cover absences, call in, training and meetings
- Additional hours
- Leaving arrangements, paying back hours not worked.

There is no one way of organising an Annualised Hours Contract.

### Contract of Employment

The maximum hours for an Annualised Hours Contract is equivalent to the normal full time hours within the particular Terms and Conditions the employee is appointed to:-

**Example:** Full time Staff Nurse –  $37.5 \times 52 = 1950$  inclusive of annual leave and Bank Holidays which equates to 262.5 hours of the total hours employed.

This would be pro-rata for part time staff.

**Example:** Part time average of 20 hours per week over the year, inclusive of annual leave and bank holidays.

$$20 \times 52 = 1040$$

Annual Leave: Total hours contracted for X full time entitlement of annual leave

Total hours for full time

$$\frac{1040 \times 262.5}{1950} = 140 \text{ hours}$$

### Salary

The individual will receive their salary equally distributed in twelve monthly payments.

## **Annual Leave**

Annual leave entitlement is inclusive of the total contracted hours; therefore the annual leave as stated within the Contract should be deducted from the total hours employed when annual leave is taken.

If you do have any queries regarding Annualised Hours Contract, then please contact Human Resources who would be able to discuss this in more detail with you.

## **Appendix H**

### **Flexi Time Working**

#### **Introduction**

Flexi Time Working is a way in which an individual employee (part time or full time) fulfils their contracted hours of work but may not work regular hours each day, or a regular pattern of hours each week.

The two main advantages of Flexible Working are that:-

- It allows staff greater flexibility
- It allows management and staff to respond more efficiently to fluctuating workloads

There may be departments where Flexi Time Working may not be feasible. However, where it is agreed to be feasible, the following points need to be taken into consideration:-

- The department is adequately staffed to provide the service required at all times
- Resources are fully utilised
- Discussions with HR and Staff Side representatives should take place.

It is the responsibility of each Line Manager overseeing Flexi Time Working to ensure that individuals work patterns that do not detract from the effective staffing and running of the department. This may mean an adjustment of core and flexible times.

Any individual groups who feel they are being unreasonably restricted should raise the matter through the Oxfordshire PCT's Grievance Procedure.

Flexi Time working may be revised to reflect services changes and do not form part of an individuals Contract of Employment with the Oxfordshire PCT

Fraudulent completion of Personal Time Records will be considered as a serious matter, and will be considered under the Oxfordshire PCT's Disciplinary Policy and Procedure.

Oxfordshire PCT reserves the right to end Flexi Time working arrangements if the System is abused.

#### **Model Agreement**

Managers, Staff, HR and Staff Side Representatives must negotiate departmental specific flexible working, assisted by the following model agreement.

## **Guidance for Operating Flexi Time Working**

### **Cover of Office/Service**

- Normal 'business' hours to be identified
- Staff must agree flexi hours with their Line Manager in advance and must accept that they do not have the right to insist upon working the same hours each day.

### **Hours of Work**

- Identify and agree 'core times' during which it is necessary for all staff to be present
- Identify and agree 'flexible times' where staff are able to start and finish at an agreed time.

### **Standard Hours**

- Identify and agree standard working week
- Identify and agree standard working day
- Identify and agree standard working half day
- Different staff groups within departments may have different working weeks.

### **Maximum Working Day**

- Identify maximum number of hours which may be worked each day (excluding lunch)
- Discretionary breaks need to be considered
- EU and National Legislation will need to be considered.

### **Breaks**

Minimum breaks must be taken during the working day, i.e. a minimum break of 20 minutes must be taken if the working day is longer than 6 hours (Working Time Regulations 1998).

### **Time Recording**

Each member of staff is required to complete a Personal Time Record

- Personal Time Records must be completed accurately on a daily basis.

### **Control Period**

- Identify a control period of 4 weeks
- Identify standard hours for the control period e.g. 4 x standard working week = standard hours for the control period
- Identify maximum number of hours or credit or debit to be carried over
- Designated Manager to total and initial weekly hours and complete

- Record sheet showing balance of hours at end of control period. The member of staff will receive basic pay over the control period.

### **Excess Hours and Time Off**

- Agreement is needed how/when to take annual leave
- Normally credit time is taken in flexible hours
- If time is taken in core periods, this must be within two control periods i.e. half a day per four weeks or one whole day per eight weeks.

### **Time Off**

Time off using excess hours must be agreed in advance by Line Manager.

### **Annual Leave, Sick Leave, Training Courses**

Days or half days taken off for annual leave, sick leave, study leave and other authorised absences etc, will be counted as standard working days/half days.

### **Dental/Medical Appointment**

- Appointment to avoid core hours if possible and time to be taken in flexible hours
- Ante-natal care appointments are exempt.

### **Travel to other Work Bases**

Travel time to other work bases will count towards working time.

### **Off Site Working**

Agree what arrangements are in operation.

### **Travel Delays Outside Staff Control**

Agree what procedures are in operation.

### **Overtime**

- Overtime is not part of Flexible working
- Arrangement for overtime work to be agreed by the Manager.

### **Termination of Employment**

Staff must balance hours before leaving.

**SAMPLE RECORD SHEET**

**Flexi Time Working**

Name: ..... Line Manager: .....

Four Weeks Commencing: ..... B/Fwd. Hrs: ..... Deb/Cred: .....

Total of Hours to be carried forward

	AM IN	AM OUT	PM IN	PM OUT	TOTAL	NOTES
<b>Monday</b>						
<b>Tuesday</b>						
<b>Wednesday</b>						
<b>Thursday</b>						
<b>Friday</b>						

Total Number of Hours Worked =

Total of Hours to be carried forward

	AM IN	AM OUT	PM IN	PM OUT	TOTAL	NOTES
<b>Monday</b>						
<b>Tuesday</b>						
<b>Wednesday</b>						
<b>Thursday</b>						
<b>Friday</b>						

Total Number of Hours Worked =

Total of Hours to be carried forward

	AM IN	AM OUT	PM IN	PM OUT	TOTAL	NOTES
<b>Monday</b>						
<b>Tuesday</b>						
<b>Wednesday</b>						
<b>Thursday</b>						
<b>Friday</b>						

Total Number of Hours Worked =

Total of Hours to be carried forward

	AM IN	AM OUT	PM IN	PM OUT	TOTAL	NOTES
<b>Monday</b>						
<b>Tuesday</b>						
<b>Wednesday</b>						
<b>Thursday</b>						
<b>Friday</b>						

Total Number of Hours Worked =

Flexi Hours: 08.30 – 10.00am/12.00 – 14.00pm/16.00 – 18.30pm: Total 4 wk. Period .....

Core Time: 10.00-12 noon / 14.00-16.00pm: Plus/Minus Hrs. B/Fwd .....  
 Minimum Lunch Time 20 Mins. Total for Period .....  
 Less Standard Period.....

Managers Signature:..... Debit/Credit Hrs. C/Fwd .....