

	<b>Policy</b>
<b>DOCUMENT TITLE:</b>	<b>Work-Life Balance Policy</b>
<b>DOCUMENT NUMBER:</b>	<b>ELHT / HR23 V4</b>
<b>DOCUMENT REPLACES Which Version</b>	<b>HR23 V3.2 Flexible Working Lives HR24 V2.4 Job Sharing HR19 V3.2 Employment Break</b>
<b>LEAD EXECUTIVE DIRECTOR DGM</b>	<b>Director of Human Resources and Organisational Development</b>
<b>AUTHOR(S):</b> Note should <u>not</u> include names	<b>Assistant HR Business Partners</b>

<b>TARGET AUDIENCE:</b>	<b>All Trust Personnel</b>
<b>DOCUMENT PURPOSE:</b>	The Trust recognises that at various stages in employees working lives domestic and family commitments may change. The Trust recognises that quality healthcare can only be delivered through a highly skilled and committed workforce and that it is essential to attract, develop and retain high calibre employees. To achieve this, the Trust supports the principle of Work-Life Balance as an important means of improving employee wellbeing and improving recruitment and retention.
<b>To be read in conjunction with (identify which internal documents)</b>	<ul style="list-style-type: none"> <li>• <b>Work-Life Balance Guidance Document</b></li> <li>• <b>Agenda for Change Terms and Conditions</b></li> <li>• <b>Chartered Institute of Personnel and Development</b></li> </ul>

<b>SUPPORTING REFERENCES</b>	<ul style="list-style-type: none"> <li>• <b>Employment Act 2002</b></li> <li>• <b>Improving Working Lives Practice Plus</b></li> <li>• <b>Work and Families Act 2006</b></li> <li>• <b>Department for Business, Enterprise and Regulatory Reform</b></li> <li>• <b><a href="http://www.opsi.gov.uk/Acts/acts2002/ukpga_2002022_en_7#pt4-pb1-l1g47">http://www.opsi.gov.uk/Acts/acts2002/ukpga_2002022_en_7#pt4-pb1-l1g47</a></b></li> </ul>
------------------------------	---

<b>CONSULTATION</b>		
	<b>Committee/Group</b>	<b>Date</b>
<b>Consultation</b>	HR Policy, Terms and Conditions Group	05/09/2018
<b>Approval Committee</b>	JNCC	25/10/2018
<b>Ratification date at Policy Council:</b>	November 2018	
<b>NEXT REVIEW DATE:</b>	November 2021	
<b>AMENDMENTS:</b>	Full review of policy	

## **CONTENTS**

1. Introduction
2. Types of Work Life Balance Options
3. Eligibility
4. Flowchart - Making & Handling WLB Requests
5. Subsequent Changes to WLB Arrangements
6. Responsibilities of Staff
7. Updating
8. Return to Work from an Employment Break
9. Disputing an outcome of a WLB Application
10. Monitoring and Review

## **1. Introduction**

- 1.1 This policy sets out how employees submit a Work-Life Balance (WLB) request and how the management will respond.

ELHT must seriously consider any applications made by employees, and only reject it if there are good business reasons for doing so. The Trust can reasonably decline applications where there is a legitimate business reason.

## **2. Types of Work Life Balance Options**

There is a wide range of WLB options available to all staff. The following options are described further in the guidance document.

- Part Time Working
- Flexi Time
- Staggered Hours
- Compressed Hours
- Term Time Working
- Annualised Hours
- Home Working
- Unpaid Leave
- Flexible Retirement
- Reduced hours following sickness or major life event
- Job Share
- Employment Break

## **3. Eligibility**

- Any employee can submit a WLB request under this policy if they've worked continuously for the Trust for the last 26 weeks.
- Only one WLB request per employee will be considered within a 12 month period.
- Employees must note that if a WLB request to change their contractual working hours is approved, there will be a permanent change to their terms and conditions of employment unless temporary arrangements have been agreed.
- There will be a minimum requirement of one year's continuous service between employment breaks. Normally, a new application must be made for each break requested. Employees must provide at least 3 months' notice prior to commencement of the intended break.

#### 4. Flowchart - Making & Handling WLB Requests

##### Employee Submits Request to Manager

*Application form can be located on the HR Portal*

Prior to making an application employees should consider the implications of the request both in terms of their terms and conditions of employment and in particular the effect on their salary, but also whether the request is in their consideration viable for the operational requirements of the team/department and how the working pattern will work in practice.

*The employer and the employee may agree to extend the time limits in the procedure.*

*Within 14 Days*

Employee and Manager meet to discuss the application

*Within 14 Days*

Manager must:

- Consult with other staff affected
- Considers request thoroughly
- Communicates Outcome in Writing

##### If Request Approved:

Permanent change to terms and conditions to take place, and agree with employee the date the change will be effective from.

Manager can also consider whether the following is appropriate:

- Trial Period
  - Fixed Period for arrangement
- If so must be agreed with employee in advance.

##### If Request Declined:

- Can only be declined for one of the business reasons listed in policy.
- Full details of reason for declining the request must be provided in writing to the employee.

##### How employee disputes the outcome:

Employees will be entitled to a written explanation where an application is declined. If both parties cannot come to an agreement, The employee should submit a 'Request for resolution' via the Trust resolution policy. Employees may wish to consult with their Staff Side Representative for advice before doing so.

Employee has the right to the following:

- Representation by either a union rep or a colleague.
- To withdraw the request at any stage.

## **4.0 Procedure for Making and Handling WLB Requests**

A flow chart of this procedure is available on page 4.

### **4.1 Meeting between Manager and Employee**

A meeting must be held to discuss;

- The circumstances and reasons surrounding the request.
- The employees reasoning why this request is appropriate for their role/department/team, and their thoughts on how it will work in practice.
- Ensure that the employee understands the impact that this request will have to their terms and conditions of employment if approved including pay.
- Any concerns that the manager has regarding the request and what further information they will be requesting to assist their decision making. Both parties can identify other potential options or solutions.
- Identify the other employees that this request may have an impact on and make the employee aware that they will be consulted on the request prior to a decision being taken.
- Manager has 14 days to consider the request, within this time they also need to consult with any other employees who have been identified as being affected by the request.

### **4.2 Right to be accompanied**

Employees have the right to be accompanied at all formal stages of the process by an accredited Trade Union representative or work colleague. Trade union representatives can also provide advice and support at the informal stages of the process.

### **4.3 Extension to the Time Limits**

The employer and the employee may agree to extend the time limits in the procedure. The employer must confirm any extension in writing to the employee and complete Section D in the application form (please refer to the HR Portal).

In addition, there will be an automatic extension of the timescales in which the employer has to arrange the first meeting when the individual who would usually consider the application is absent due to sickness or annual leave within the usual 28-day period.

### **4.4 Agreeing the WLB Request**

If the manager is able to accommodate the request and it meets the service requirements of the department, then the decision to agree the WLB request needs to be communicated in writing.

Managers who do not envisage any impact from the WLB arrangements should agree changes without the need for a trial period.

### **4.5 Use of Trial Periods**

The manager may want to agree to a new working pattern arrangement for a time limited period. However, this should only be used if there are any foreseeable service constraints or future changes that are due to be implemented. In such circumstances the manager should fully discuss this with the employee so they are aware of what the constraints or future changes are, prior to receiving the outcome in writing.

If a trial period is to be utilised, the start and end date of the trial period should be agreed in advance with the employee.

At the end of any agreed trial period, the manager should hold another meeting with the employee to review how the revised working pattern has worked out and whether or not to make the arrangement permanent.

One advantage of agreeing to a trial period is that, if an employee's request ultimately has to be declined, the decision will be based on experience rather than the manager's assumption that the arrangements are not workable.

#### **4.6 Declining the WLB Request**

The manager should only refuse a WLB request for one of the following business reasons:

##### **Change in Working Pattern / Arrangement**

- The burden of additional costs;
- The detrimental effect on the ability to meet customer demand;
- The inability to re-organise work among existing staff;
- The inability to recruit additional staff;
- The detrimental impact on quality;
- The detrimental impact on performance;
- The insufficiency of work during the periods the employee proposes to work;
- Planned structural changes
- Current and anticipated skills shortages

##### **Employment Break Request**

- Current and anticipated skills shortages
- Ability to guarantee re-employment in same/similar post
- Ability to continue running the service
- Ability to recruit a temporary replacement on a fixed-term temporary or secondment basis.
- Any financial implications
- The balance between the needs of the employee and the needs of the service
- Forthcoming organisational change or service changes pending
- The scheme may not be available to those employees who have documented 'unsatisfactory' performance, absence or disciplinary warnings currently on their record. General entitlement will be subject to the approval of the appropriate Director but should not be unreasonably refused.

Normally, a new application must be made for each break requested. Employees must provide at least 3 months' notice prior to commencement of the intended break.

Each application will be considered by the staff members Manager on the merits of the individual case, and a decision made normally within 14 calendar days following receipt of an application. Full details should be provided, in writing, to the staff member if an application has been rejected, clearly explaining the reasons for so doing. Managers are reminded to consider the short, medium and long term implications on service delivery when considering employment breaks.

## **5.0 Subsequent Changes to WLB Arrangements**

The trust reserves the right to consult employees regarding their WLB arrangement, however any change proposed would be mutually agreed prior to its implementation. Equally, an employee may request to change their WLB arrangement. Agreement to any change would be subject to the needs of the service.

## **6.0 Responsibilities of Staff**

- 6.1 All employees must understand their contractual agreement for their own professional registration updating, e.g. for NMC purposes.
- 6.2 If the employee fails to comply with the agreed arrangements for the employment break, the manager may cancel the arrangements, after giving the employee the opportunity to explain the situation.
- 6.3 Applicants will be notified in writing and provided with reasons on the decision regarding the employment break. When deciding whether to support an application, the authorising manager should consider that the individual has a clear commitment to continuing a career with the Trust, and the reasons for requesting an Employment Break are valid. If the application has been approved, it is for the manager and individual member of staff to establish at the outset as much as possible of the detail and conditions in relation to the employment break and return to work. This must be agreed and recorded on the application form.

## **7. Updating**

- 7.1 Employees are required to arrange a pattern of contact with the workplace. Details of such contact will be agreed with the manager prior to the period of absence. Professionally registered employees may need to renew their registration whilst on an employment break. In these circumstances, it may be agreed that employees work a few shifts to allow them to maintain their registration.
- The following contact may also be appropriate;
- Attending appropriate training, update or briefings
  - Receiving policies, procedures, notes of meetings, staff journals etc.
  - Meetings with the manager and colleagues at appropriate intervals
  - Informing any changes in work organisation
- 7.2 It should be noted that, where appropriate, it is the employee's own responsibility to attend any compulsory training/refresher course to maintain statutory registration or competence to practice.
- 7.3 In cases where the employee is out of the country the manager will agree an appropriate programme prior to their return to work.
- 7.4 Owing to the need for a practising midwife to undertake a statutory refresher course regularly, the implications of taking an employment break for him/her must be discussed with a Supervisor of Midwives.

## **8. Return to Work from an Employment Break**



- 8.1 If the employee is to take a maximum of one year's employment break, then it may be possible to guarantee they return to the same job, grade and appropriate area as the vacant post can be filled on a temporary basis.
- 8.2 Where the employment break is in excess of one year, the applicant may return to as similar a job as possible.
- 8.3 Return to work after a break may be considered on a flexible basis, e.g. part time, job share. After an employment break of a year or more, the return to work will be subject to medical clearance.
- 8.4 Employees will also be required to give written notification of returning to work. Where the career break is for less than a year, 2 months' notice of return is required. For breaks of longer than a year, 6 months' notice of return is required.
- 8.5 The manager will meet with the employee to discuss details of their return to work. The manager will also consider any request to return on a different basis (e.g. reduced hours, job share).
- 8.6 The manager will arrange for refresher/re-orientation training and a health check with the Occupational Health Department prior to recommencing employment.

## **9. Disputing an outcome of a WLB Application**

- 9.1 Employees will be entitled to a written explanation where an application is declined. If both parties cannot come to an agreement, the employee should submit a 'request for resolution' via the Trust Resolution Policy. Employees may wish to consult with their Staff Side Representative for advice before doing so.

## **10.0 Monitoring and Review**

- 10.1 All applications and outcomes should be recorded; it is the responsibility of the Manager to forward a copy of the relevant application form to the appropriate Human Resources Business Partner. Managers must keep records of both successful and unsuccessful applications for a minimum of 12 months.
- 10.2 This Policy will be reviewed once every three years as a minimum by the Human Resources Department in conjunction with the Trust's Joint Negotiating Consultative Committee.