



University Hospitals Sussex

NHS Foundation Trust

Freedom of Information Office C/O Company Secretary

Worthing Hospital

Worthing BN11 2DH Lyndhurst Rd

27/05/2022

Re: Freedom of Information Request FOI220103

Thank you for your recent request for information under the Freedom of Information (FOI) Act 2000.

We are now in a position to respond to your request.

Your request:

Under the terms of the Freedom of Information Act 2000, please provide me with full details of any policy your trust in place that means some clerical or managerial staff are able to work from home for at least some of the time.

These may be known internally as hybrid, blended, agile or smarter working arrangements. Examples can be found here <https://www.rdash.nhs.uk/publications/agile-working-policy/#:~:text=The%20purpose%20of%20this%20policy,are%20relevant%20to%20agile%20working> and here <https://www.shsc.nhs.uk/sites/default/files/2021-11/Agile%20Working%20Policy%20%28HR%20053%20V1%20October%202021%29.pdf>

Regarding your trust, please can you:

1. Send me a full copy of your current policy on this issue
2. Let me know how many of your staff are currently approved for hybrid working - ie they do not have to be in the office every day. If you are able to say what department they are in that would be ideal ie 10 from communications, 5 directors/heads of service etc
3. If it is not included in the policy, please let me know if there is an expected proportion of time that these staff must spend in the office each week or month

Our response:

Under Section 1(1)(a) of the Freedom of Information Act (FOIA), the Trust can confirm that it holds information relevant to your request and this has been provided where possible below.

Please note University Hospitals Sussex NHS Foundation Trust was formed on 1 April 2021, with the merger of Brighton and Sussex University Hospitals NHS Trust and Western Sussex Hospitals NHS Foundation Trust.

1. Please refer to the attached documents relevant to your request:

- FOI220103 – Flexible Working – Worklife Balance – Guidance
- FOI220103 – Remote Working – Managers Guidance
- FOI220103 – Policy – Work Life Balance – Flexible Working

2. Information about staff working arrangements in this context is not held centrally by the Trust. Such arrangements are agreed on a case by case basis between managers and staff. Any effort to compile this information would require a Trust-wide audit of the arrangements made across all departments and services. Such information cannot, therefore, be provided within the appropriate limit as specified in the Fees Regulations and section 12 [*cost limit*] of the Act is applicable in these circumstances. We regret any inconvenience this may cause.

University Hospitals Sussex NHS Foundation Trust has studied the work involved in processing this part of your request and has estimated that the cost of complying with this would exceed the appropriate limit as set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. The limit set down by the regulations for public authorities is £450, which amounts to a maximum of 18 hours of search and retrieval time charged at £25.00 per hour, the hourly rate also specified in the regulations. The Trust considers that it would take in excess of 18 hours to retrieve and extract the information in the format that you have requested.

Subsequently, it would cost the Trust more than £450, the limit specified in the regulations. Under section 12 of the Freedom of Information Act, the Trust is therefore not obliged to provide the information that you have requested.

3. There is no prescribed or expected proportion of time that individuals must spend in the office. Time spent in the office depends on local agreements and discussions between staff and their managers.



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<http://nationalarchives.gov.uk/documents/information-management/ogl-user-guidance.pdf>

If you require clarification or if we can be of any further assistance, please do not hesitate to contact us at: UHSussex.foi@nhs.net

If after contacting us with any questions or concerns you remain dissatisfied with the outcome of your enquiry, you have the right to appeal. Complaints should be made within 40 working days of the Trust response. We are not obliged to carry out an internal review into the processing of your request after this period. If you wish to submit a complaint, please provide the basis for your appeal by emailing us or write to:

Freedom of Information Office
C/O Company Secretary
University Hospitals Sussex NHS Foundation Trust
Worthing Hospital Lyndhurst Rd,
Worthing BN11 2DH

After we have reviewed your complaint, if you are still not satisfied with the outcome of your appeal you can contact the Information Commissioner's Office. This can be done via their website - <https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/> or via telephone - 0303 123 1113.

We hope you are happy with the processing of your request and find the information provided helpful.

Yours sincerely,

Freedom of Information Office
University Hospitals Sussex NHS Foundation Trust