



**University Hospitals Sussex**  
NHS Foundation Trust

**Work Life Balance**  
**Managers' Guidance**

## Managers Guide to Work Life Balance

### **1.0** Purpose

- 1.1 This guidance is designed to support the Trust's Work Life Balance Policy.
- 1.2 At University Hospitals Sussex we recognise that a positive work-life balance benefits everyone by improving health and wellbeing, staff satisfaction, inclusion and productivity.
- 1.3 Patient First is our Trust-wide approach to promoting and improving quality of care for our patients. As we strive to provide continuous, excellent care for our patients it is important that the needs of our service and availability of our workforce are matched. Through the 'Our People' strategic theme there is a focus on the importance of supporting staff to deliver high quality services, with the recognition that if staff are able to achieve a positive work-life balance it will result in a more engaged and happy workforce. High levels of engagement improve job performance and increase satisfaction at work and lead to improved quality, mortality and safety measures.

### **2.0** Key Principles

- 2.1 Any staff member can apply to work flexibly for any reason. Our aim is to positively encourage flexible working and we believe that it benefits everyone if people are able to achieve a positive work-life balance.
- 2.2 We welcome flexible working across all job roles from point of hire to support staff work-life balance and to support retention of staff. Wherever possible, reasonable flexible working requests will be agreed. All requests will be considered objectively and we will only decline a request if all alternatives have been explored and if there are genuine business reasons for doing so.
- 2.3 The Trust will seriously consider any application made for flexible working by following a fair procedure. It is important to note that some types of flexible arrangements may not be suitable for certain posts or Departments and each request will be considered on an individual basis and any reasons for refusal will be put in writing.
- 2.4 Staff are encouraged to have an informal discussion with their manager to explore flexible working options available and how they will work in practice. The purpose of this informal stage is to seek and reach an agreement prior to making a formal request. In most cases, it should not be necessary to submit a formal request, but all new working patterns agreed should still be documented.
- 2.5 Staff are asked to inform their manager of their request for flexible working at the earliest opportunity and to give a minimum of 3 months' notice of the required change wherever possible.

2.6 All staff will have equitable access to flexible ways of working and this should be encouraged for everyone to apply.

2.7 In managing flexible working requirements, the following principles will always apply:

- **Openness and Transparency** – the staff member's options and how decisions are reached will be open and shared with them at all times.
- **Fairness and Equity** – staff members will be treated fairly and equitably, as individuals, recognising that we are all unique.
- **Consistency of Approach** - the options detailed in the policy will be applied consistently to all staff, whilst taking into account individual differences as indicated above.
- **Confidentiality** – personal information given to the Line Manager and Human Resources regarding the staff member's circumstances will be treated in confidence.

### 3.0 Types of flexible working

- **Part-time working** - where working hours are less than standard full-time hours and you work to a pattern and number of hours by mutual agreement.
- **Voluntary reduction in working time** – working fewer hours for an agreed period and at a reduced salary.
- **Fixed work patterns** – to allow certain days of work and certain days off to enable staff to meet their personal and/or caring commitments.
- **Term-time working** – working during the school term but not during school holidays.
- **Job sharing** – where two or more people share responsibility for one or more full-time jobs, dividing the hours and duties between them.
- **Annualised hours** – working a specific number of hours each year, with the hours being unevenly distributed throughout the year

- **Remote working** - where all or part of your role is undertaken from home, either on a regular or occasional ad hoc basis (see separate Homeworking Guidance for more information).
- **Flexible retirement** – depending on the pension scheme of the individual, a staff member can choose when they want to retire and may wish to apply to reduce their hours or work part-time (see the Trust's Retirement Guidance for further details).
- **Different shift patterns** - to allow staff to have a work-life balance as well as enabling the service to balance its service need.
- **Flexi-rostering/Self-rostering** – using periods of work of differing lengths within an agreed overall period.
- **Flexi-time** – staff choose their own start and finish times around fixed core hours.
- **Compressed hours** - where staff work their total number of agreed hours over fewer days. For example: compressing a five-day week into four days.

#### 4.0 Informal Flexible Working

4.1 Staff may agree informal flexible working arrangements with their managers on a day by day basis or for ad-hoc and/or extended periods of time. Sometimes this will be necessary due to unexpected events, such as major incidents or situations such as the global pandemics. The circumstances may mean that staff will need to be free to work more flexibly and the Trust needs to enable managers, teams and colleagues to be able to do so.

4.2 Examples of informal flexible working may include:

4.2.1 – Flexible daily hours of work – starting and ending the day at certain times mutually agreed with the line manager within their contracted hours.

4.2.2 – Working from alternative locations – regularly working somewhere other than your usual place of work or base, utilising technology such as Microsoft Teams.

4.2.3 – Ad Hoc compressed hours – allowing staff to work their contracted hours over a shorter than normal period when required, rather than being a permanent change to their working hours

4.3 Staff should have an informal discussion with their line manager prior to making a formal request. A meeting should be held between the staff member and manager to hold initial discussions to ensure the proposal is the best solution for both the service and the individual. This may require more than one conversation. The aim of this informal stage is for the line manager to work through with the member of staff what they want to achieve and evaluate the options for achieving this.

- 4.4 Line managers should approach flexible working conversations openly and creatively and where appropriate, consult with other team members who might be directly affected, to discuss working patterns, workload and cover before a decision is made. This approach ensures that the impact of the flexible working request takes into consideration all members of the team. It is good practice for regular discussions about flexible working to be built into on-going line management interactions through induction, one to one meetings, team meetings, health and well-being conversations and annual appraisals. The purpose of these is to explore staff members' needs and wishes and what flexible working options may be available to them. It is important that the line manager maintains confidentiality of the reasons why the staff member has made the request to work flexibly.
- 4.5 If an informal request can be approved then the line manager should record the informal flexible working arrangement on the form in Appendix 2 and a copy given to the staff member. A further copy should be forwarded to the HR Team for recording and reporting purposes.

## **5.0 Formal Flexible Working Procedure**

- 5.1 If at the informal stage it has not been possible to reach agreement on a solution, a formal application should be made. The purpose of the formal stage is to check for other possible solutions including whether the form of flexibility the staff member is seeking could be accommodated in a different team, location or role. Line managers should seek advice from HR when considering the formal request for flexible working.
- 5.2 Formal requests should be made in writing to the staff member's line manager, where possible using the application form at Appendix 1. Alternative methods of applying should be allowed, including verbal or email applications, as long as the points that follow are addressed by both the staff member and the manager when they meet to discuss the request and provided the outcome is confirmed in writing.
- 5.3 The application should state the flexible working pattern required, the reason for the change, whether it is needed on a temporary or permanent basis and the date the proposed change would become effective. A minimum of three months' notice should be given wherever possible.
- 5.4 The application should confirm if a request is being made in relation to the Equality Act 2010, for example reasonable adjustments for a disability or health condition or for carer responsibilities.
- 5.5 The application may state what impact the staff member believes the proposed working pattern may have on the service and colleagues as well as possible solutions to overcoming any potential negative impact. A staff member does not have to justify their request but may wish to submit supporting information about the reasons for the request and any potential service impact on an optional basis.
- 5.6 The proposed flexible arrangements will not commence until agreed by the manager.

- 5.7 If it has not been possible to agree the flexible working request at an informal stage, a formal meeting will be held between the manager and staff member to discuss the application in depth and consider how it may be accommodated. This meeting must be held as soon as practicably possible and within 14 calendar days of receipt of the completed application form.
- 5.8 During the meeting the member of staff is entitled to be accompanied by a recognised Trade Union/Staff Side representative, work colleague or Staff Network Representative.
- 5.9 All requests should be considered carefully and all possible working arrangements should be identified to meet both the needs of the individual staff member and the service. Wherever possible the Trust will agree all reasonable flexible working requests. The manager should consider that flexible working arrangements can be short-term and sometimes a trial period can give the opportunity for both parties to see if the proposed arrangements will work going forward. This includes considering whether the flexibility required could be offered in another role, team or Department.
- 5.10 The staff member will be advised of the decision in writing within 14 calendar days from the date of the meeting.
- 5.11 If the flexible working request is agreed, the manager will send to the staff member a flexible working acceptance form, confirming the new working arrangements and start date.
- 5.12 Both the manager and staff member may decide that a trial period should be implemented as part of the flexible working request. The trial period will allow both parties to review how the arrangements work in practice and whether or not they are likely to create any practical difficulties for the department or Trust as a whole. If a trial period is agreed, it should be for a defined period and with an agreed review date. This review will determine whether the regular remote flexible working can be implemented.
- 5.13 The line manager and staff member should record the details of the remote working application form, making clear the start and end date of the trial period. The Trust, where necessary will be able to change either the start or end date of the trial period. At the end of the agreed trial period the Trust reserves the right to require the staff member to revert to their previous working arrangement.
- 5.14 Before embarking on a trial period, both the line manager and staff member should agree to extend the statutory time limit under of three months, unless the trial period will be completed within the three month decision period

5.15 If a request cannot be accommodated, the organisational reasons for this should be put in writing. The application for flexible working can only be refused if there is a clear business reason which falls into one or more of the following categories:

- The burden of any additional costs is unacceptable to the organisation
- An inability to reorganise work amongst existing staff
- Inability to source additional staff
- A detrimental impact on quality
- A detrimental impact on performance
- The change would have a detrimental effect on the ability to meet patient and/or service user demand
- Insufficiency of work for the proposed period(s) of work
- Planned structural change(s) to the organisation

The manager should ensure that the written reasons include an assessment of the potential impact of declining the Flexible Working Request.

## 6.0 Reviews

- 6.1 Flexible working arrangements should be periodically reviewed as part of regular one-to-one meetings and health and well-being conversations between the manager and staff member and annually as part of the Appraisal/Welfare Appraisal discussion. This is to ensure that the arrangements continue to meet both the needs of the individual and the service.
- 6.2 A staff member can request flexible working or a change to flexible working arrangements if their circumstances change.
- 6.3 A review of flexible working arrangements does not necessarily mean that the arrangements need to change. When a flexible working request has been agreed it becomes a contractual change to the staff member's terms and conditions of employment. If there is a need for the arrangements to change then this can either be agreed mutually or the individual staff member will be consulted with in accordance with the Trust organisational change policy. Line managers should seek advice from HR on any proposed changes.
- 6.4 Services may need to review the flexible working arrangements of a team, Ward or Department periodically to ensure that they continue to meet both individual staff members' needs and operational needs, or if there are a high number of flexible arrangements or multiple requests are received, with a view to retaining and accommodating as many of the staff members' requests for flexibility as possible.

## 7.0 Appeals Process

- 7.1 The staff member can appeal the decision to decline their flexible working request within 7 calendar days from the date of the flexible working application rejection form (appendix 3) or outcome letter by writing to the Assistant Director of HR.
- 7.2 The staff member should detail the reasons for the appeal along with any supporting evidence. The original decision maker will be asked to respond to the appeal and it's important that they have all the information so that they can provide a response.
- 7.3 The staff member will then be invited to attend an appeal hearing where they will be given the opportunity to explain the reasons for their appeal and will be asked to provide any documents relating to their appeal, five calendar days before the meeting.
- 7.4 The staff member will be invited to attend an appeal hearing, where they will have an opportunity to explain the reasons for your appeal.
- 7.5 The staff member has the right to be accompanied during the appeal meeting by a recognised Trade Union/Staff Side representative, Staff Network member or work colleague. The staff member will be required to make the arrangements for their representative to attend the hearing.
- 7.6 A letter confirming the appeal outcome will be sent to you within 10 working days of the hearing.

## **8.0 Monitoring and Evaluation**

- 8.1 The implementation and compliance of the Work-Life Balance Policy will be monitored on a regular basis with the outcomes reported to the UHSx Partnership Forum.
- 8.2 Where review is necessary due to legislative change that impacts on the provisions of this Policy, it will be amended accordingly in partnership with staff side and the Staff Networks.