

# **Inclusive and Flexible Working Policy**

<b>Reference Number:</b>	This will be applied to all new ICB-wide PPSs by the Governance and Corporate Affairs Team and will be retained throughout its life span.
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<b>Name of responsible Committee and date approved or recommended to Governing Body:</b>	People Committee
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## VERSION HISTORY

<b>Date</b>	<b>Version</b>	<b>Changes made to previous version</b>	<b>Engaging and Endorsing Stakeholders, Committees / Meetings / Forums etc.</b>
October 2023	1	New policy to replace Flexible Working Policy dated July 2022	Human Resources Team, Staff Partnership Forum, Staff Forum, Execs, EQIA Quality Assurance, PAG and People Committee

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## **1. Scope**

- 1.1. This policy applies to all Coventry and Warwickshire Integrated Care Board (ICB) employees regardless of their length of service, including Very Senior Managers and Medical & Dental Staff.
- 1.2. This policy does not apply to agency staff or workers engaged on contracts for service refer to the terms of the individual's engagements.

## **2. Introduction**

- 2.1. This policy sets out the rights of individual staff to request inclusive and flexible working arrangements.
- 2.2. For guidance on how to apply this policy please refer to the Inclusive and Flexible Working Arrangements Procedure document.
- 2.3. This policy has been developed to ensure compliance with the Employee Relations Act (Flexible Working) 2023, NHS Terms and Conditions of Service Handbook, Section 33 and the NHS People Plan.
- 2.4. Inclusive and flexible working arrangements will also enhance staff health and wellbeing, recruitment and retention and equality, diversity and inclusion in the ICB.
- 2.5. The policy provides the rules the ICB and its employees will follow when considering flexible and inclusive working arrangements.
- 2.6. Separate guidance on Agile Working is available and sets out the overall expectations particularly relating to office, on site and remote working.

## **3. Details of Policy**

- 3.1. The ICB offers colleagues the option to request flexible working from day one of employment.
- 3.2. The option to request flexible working is offered regardless of role, grade or reason for wanting to work flexibly
- 3.3. All flexible working requests will be approached with a view to accommodating the request or agreeing a suitable alternative. Whilst it may not be possible to meet all requests, every effort will be made to reach a mutually satisfactory agreement
- 3.4. The exact arrangements for flexible working will be based on balancing:
  - the individuals needs and preferences
  - patient/service user and staff experience
  - service delivery
  - work-life balance of colleagues
- 3.5. Each request will be considered on a case-by-case basis.
- 3.6. Requested changes may be temporary or permanent.
- 3.7. The ICB and managers will give special consideration to individuals with a statutory right to request flexible working, in order to ensure that the organisation complies with its legal obligations for example for disabled

staff, staff with dependants, job applicants under the Equality Act and staff who are returning from maternity leave.

- 3.8. The ICB offers a range of flexible working options for individuals to consider (as set out in appendix A). Alternative arrangements may be considered, please seek HR advice if something different is proposed.
- 3.9. Those who have an agreed flexible working pattern will not be treated any less favourably in terms of pay rates, selection for promotion etc than colleagues who do not work a flexible working arrangement. Any adjustments to pay and benefits will be pro-rated that of a full time individual
- 3.10. There is no limit on the number of flexible working requests that can be made, however the number and frequency of requests should be reasonable and not disruptive.
- 3.11. New inclusive and flexible work agreements may be subject to a trial period.
- 3.12. Where appropriate, vacant roles may be advertised as open to flexible working requests.
- 3.13. Requests will be processed within 2 months unless otherwise agreed
- 3.14. If a request is not agreed the employee has the right of appeal within 14 days of being notified of the decision. The employee will have the right to be accompanied by a work colleague or TU representative for the appeal.
- 3.15. Full details of the process can be found in the Inclusive and Flexible Working Procedure.

#### **4. Duties/Responsibilities**

- 4.1. Manager Responsibilities:
  - Ensure that flexible working requests are reported to HR for proper recording and reporting
  - accommodate flexible working requests or find suitable alternatives where possible
  - follow this policy and process and to support colleagues to find a work life balance arrangement that works for them.
  - recognise that each person is different, and it is important to be aware that individuals may need different work adjustments, or other levels of support.
  - ensure that staff who request flexible working arrangements are aware of the implications (if any) on their terms and conditions of employment e.g. salary, annual leave, pension. Managers should seek the assistance of a Human Resources representative where necessary.
  - agree review periods and discuss flexible working as part of regular 1:1s and appraisals and other conversations to consider whether any additional or alternative arrangements are needed to meet either your needs or those of the ICB.

- 4.2. Employee Responsibilities:
- Consider the options available to them to help support a positive work life balance and seek support when appropriate.
  - Consider the impact of you working flexibly/differently on your colleagues, service provided and where relevant, patient care.
  - Start informal conversations with their line manager if they are considering making a request for flexible working
- 4.3. Human Resources Responsibilities:
- Provide support and advice to managers and individuals regarding this policy, process and flexible working options
  - Record and report on flexible working requests
  - Update this policy and process when required

## 5. Dissemination and Implementation

- 5.1. This policy will be available in the ICB Document Library
- 5.2. This policy will be supported by an Inclusive and Flexible Working Arrangements Procedure

## 6. Training

- 6.1. Recruitment processes will highlight flexible working policy
- 6.2. Induction processes will highlight this policy
- 6.3. Managers will be supported to promote and use this policy through induction and when necessary
- 6.4. Managers will include flexible working options in regular 121s

## 7. Monitoring Compliance

- 7.1. Flexible working requests and their outcomes will recorded by HR and reported as appropriate.

## 8. Monitoring Table

Aspect of compliance or effectiveness being monitored	Monitoring method (i.e. regular audits/reviews)	Individual/department responsible for the monitoring	Frequency of the monitoring activity (i.e. Monthly/Annually)	Group / committee which will receive the findings / monitoring report	Group / committee / individual responsible for ensuring that the actions are completed

Number of applications	Manager reporting	HR	Monthly (internally / HR), by exception to Execs	Execs	HR
Outcomes	Manager reporting	HR	Monthly (internally to HR), by exception to Execs	Execs	HR
EDI	Manager reporting	HR	Monthly (internally to HR), by exception to Execs.  Annually in Equality Report	Execs/People Board	HR

## 9. Staff Compliance Statement

All staff must comply with this ICB-wide policy and failure to do so may be considered a disciplinary matter leading to action being taken under the ICB's Disciplinary Policy. Actions which constitute breach of confidence, fraud, misuse of NHS resources or illegal activity will be treated as serious misconduct and may result in dismissal from employment and may in addition lead to other legal action against the individual/s concerned.

A copy of the ICB's Disciplinary Policy is available on the ICB website.

## 10. Equality & Diversity Statement

In applying this policy, the ICB will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

## 11. Ethical Considerations

The ICBs recognise their obligations to maintain high ethical standards across the organisations and seek to achieve this by raising awareness of potential or actual ethical issues through the Policy consultation and approval process.

**12. Definitions**

12.1. None

**13. References and Bibliography**

13.1. Employee Relations Act (Flexible Working) 2023

13.2. NHS Terms and Conditions of Service Handbook, Section 33

13.3. NHS People Plan

**14. ICB Associated Records**

14.1. Inclusive and Flexible Working Arrangements Procedure



## **Appendix A – Inclusive and Flexible Working Options**

*(The list below is an example taken from the NHS Staff Handbook section 33)*

- Fixed working patterns to give certainty over hours worked and/or location
- Part-time working (any number of hours under 37.5)
- Flexi-time around core hours including staggered start and finish times
- Compressed/elongated hours to allow work to be condensed or stretched in a regular pattern or over a specific time period, such as seasonal working
- Average hours working patterns to allow a set number of hours to be averaged out over an agreed reference period e.g., annualised; bi-annualised; quarterly; monthly
- Term-time working
- Job-share
- Flexible retirement
- Team self-rostering
- Homeworking for some or all of the working pattern