

## 1. Policy Statement

NHSBT is committed to providing flexible and adaptable working arrangements which support you to have greater choice in when, where and how you work. This may include changes to your working pattern, hours and role, and/or the location in which your work takes place. Having a flexible working arrangement can help you to have better notification of and predictability in your work schedules and so may facilitate greater variation in your work.

Flexible Working can unlock new opportunities for and contribute to better mental health, wellbeing and engagement. Through Flexible Working opportunities, it is our intention that work-life balance can be enhanced to benefit personal and career needs and aspirations, while considering operational requirements. In addition, NHSBT actively supports those with caring responsibilities including colleagues who look after children or a family member, partner or friend who needs help because of their illness, frailty, disability, a mental health problem or an addiction and cannot cope without their support.

We encourage and value the option to request to work flexibly for all employees working across the entire organisation and in different job roles, regardless of reasons. We promote a positive culture of flexible working at the point of recruitment and through regular engagement in one-to-ones, PDPR's and team discussions. Flexible working is also part of our strategy for attracting and retaining talent, which explicitly includes promoting the option of flexible working. In addition, flexible working is built into our diversity and inclusion (D&I) policies.

Our commitment to inclusion across race, sexual orientation, gender, age, religion, identity, all abilities, disabilities and experiences drives us forward every day and this is reflected in this Policy.

Those who have an agreed flexible working agreement will not be treated any less favourably in terms of pay rates or selection for promotion.

In accordance with current legislation and every employee has the statutory right to make an application to work flexibly. Flexible working means you can request to vary your working hours, working pattern or place of work. This policy makes you aware of our process for requesting Flexible Working. As with all of our [NHS Terms and Conditions](#), it is important to read those sections that may vary in the devolved administrations.

Managers are encouraged to think broadly and creatively, explore all options and seek practical arrangements which support you to work flexibly. Good flexible working arrangements should balance your needs with three key organisational factors:

- Maintaining safe, high quality, efficient services that are appropriately resourced;
- Maintaining work-life balance; and
- Providing the best experience for donors.

All flexible working applications will be considered on a case-by-case basis. This will be achieved by starting from a presumption that the flexible working request can be accepted, and full consideration will be given to how the proposal could work. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working pattern.

When making your request, you are advised that you ensure you have obtained the necessary information about the impact your requested changes may have on your salary, annual leave, pension, and benefits etc. To help you with this, you may wish to:

- Check [NHS Terms and Conditions](#)
- Look at [People First](#) (e.g. [Flexible Working](#), [Pension](#) and [Pay](#) pages)
- Speak to your Manager
- Contact [HR Direct](#)
- Speak to your Union Representative

This list is not exhaustive

You are advised that you can make more than one flexible working request per year regardless of the reasons for them and from day one of your employment.

There are various types of flexible working that can be considered including:

- Job Splitting an existing full-time post
- Reducing your hours
- Staggered Hours
- Compressed hours
- Changes to working pattern
- Flexitime
- Annualised hours
- Self-Rostering
- Home based working
- Term time working
- Additional Employment
- Home-based Working (please refer to the Agile Working Policy)
- Hybrid Working (please refer to the Agile Working Policy)
- Leaving Work and claiming your NHS Pension and returning to NHSBT (Flexible Retirement) \*

\*If you are in an NHS pension scheme, you may wish to explore what options you have to claim your pension and request to return to work for us. This may include:

- Working in the same or a different role that you do currently;
- Dropping your hours by 10% and claiming part of your pension;
- Retire and Return;

For more information, see the [Flexible Retirement Policy](#) and supporting [FAQs](#).

When using this policy, you will also need to refer to the [Flexible Working FAQs](#) and supporting Agile Working Policy.

## 2. The Process

### Talk to your Manager

The right to apply for Flexible Working is available at all stages of your NHSBT career and from day one of your employment. As soon as you start to have thoughts about any personal situations that may impact your work or think about any changes that may need to happen to support you, you should talk with your manager. This will allow you to explore, informally, some of your thoughts and options

ahead of your formal application. Your manager should encourage and not discourage you from making an application, regardless of their views during an informal conversation. The formal process ensures that all applications are considered fairly; that a compromise should be reached wherever possible; clear reasons are given for any applications that are declined; and that you are able to appeal an outcome.

Some short-term requests may be dealt with in an informal way with your manager. This may be appropriate in circumstances of (for example) health issues where a permanent change is not required. You should approach your manager, with the reasons for your request and how you would like this to be accommodated by the implementation of an informal flexible working agreement.

An informal flexible working arrangement is usually agreed between you and your manager as and when needed and do not normally require a formal contractual change. Examples of informal arrangements could include:

- Swapping shifts/sessions
- Mixing shifts/sessions (e.g., working some long and some short shifts/sessions)
- Time off in lieu (TOIL)
- Flexitime
- Staggered hours where start, finish and lunch/break times can be variable (usually set around a period of 'core hours')
- Working from home (a role in which you have a defined office base but can work at home on a short-term basis or temporarily for part of your working week) For long-term or ongoing working from home, see Agile Working Policy to make a formal application.

This should be confirmed in writing (a letter, email etc). Any short term and/or informal arrangements should be **no longer than two months**. If you require the change to be continued, you should make a formal request for a permanent change.

Should you wish to make a change to your working conditions because of a health issue or recognised disability, discuss this with your manager prior to making a request. You should refer to the [Attendance Policy](#) if this is applicable. In addition to the [Flexible Working](#) process, the [Attendance Policy](#) and [Workplace Reasonable Adjustments policy](#) will provide further details.

### How to make your application

You will need to complete, a [Flexible Working application](#). You must be clear about the change you are requesting and when you would like it to start. To ensure that proper consideration is given to your application, and operational requirements, you must not have two flexible working applications running concurrently however, you may have one flexible working request and one agile working request running concurrently. This will ensure that each application has the maximum time allowed for consideration including any appeal process. The more information your manager has, the easier it is for a fair and informed decision to be made. However, you do not have to share confidential information should you prefer not to.

If accepted, your flexible working changes are considered to be permanent, and you will have no right to return to your original working pattern. To ensure that multiple applications are kept to a minimum, and that the arrangements are still fit for purpose, it is suggested that both parties review the new arrangements on a regular basis, at least once a year.

### Once you have made your Flexible Working request

#### Deciding on your request

Your Manager will make a formal record of your [Flexible Working Request](#) to ensure fairness and equality of outcomes. They will make their decision objectively, based on balance and compassion and will consider your request as soon as possible. They may need to ask you for additional information to allow them to fully consider your request and, if not able to agree immediately, explore and discuss potential alternatives. If your request can be accommodated, there may be no need for

a formal meeting on agreement between you both and therefore your manager will write to you to confirm details of the change and start date.

However, in most cases, it is likely your manager will meet with you to discuss the detail of your request. This should be in an appropriate and confidential place, and agreeable to you both or it may be done via telephone conference if your manager is not based in your place of work.

After discussing your availability, you will be invited to a meeting to discuss your request. You have the right to be represented by a representative of a Trade Union you belong to or be accompanied by an NHSBT employee.

Should you not respond to a request for further information or fail to attend the meeting or appeal meeting without good reason, your manager is entitled to consider your application as withdrawn.

Your manager must consider applications from all employees regardless of full or part time. Requests will be responded to in a timely manner. It is a legal requirement under law that the process including any appeal is completed within two months of the request date. If this cannot be accommodated your manager must agree with you an extension to this date.

In respect of applications under the Agile Working Policy, if discussed and agreed with your line manager, all applications for home working will require further approval from the relevant People and Culture Partner.

Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working pattern.

### **Agreement to your request**

Your manager will confirm the outcome in writing within 7 calendar days of the meeting to you.

They will complete the process to action a contractual change where appropriate, to ensure there are not any over or under payments and advise any other employees who need to be aware of the changes.

Once accepted, your flexible working changes are permanent unless agreed for a fixed period of time. If permanent changes are made and you wish to change your arrangements again then you will need to submit another request. You should agree with your manager a start date for the new pattern or working arrangements. Sometimes it is helpful to put in place review dates to ensure that they are working as expected by both parties.

### **Application Declined**

Should your request not be accepted. The reason for this will be given in writing to you by your manager. They must detail their reasons clearly and should only be for a business / operational reason such as:

- Burden of additional costs to the department
- Our inability to reorganise and redistribute your work
- Our inability or not to recruit additional employees
- Impact on quality and/or performance
- The inability to meet customer demand
- Not enough work for the times you propose to work, or
- Planned structural changes to the business

Your manager will explore and discuss with you all options in an effort to accommodate your flexible working request. Sometimes however, although your request may not be agreed in full, there may be a compromise position or other alternative options that could be offered. Your manager will discuss these with you as part of the process. In addition, sometimes a trial period might be necessary to test whether the new arrangements will be appropriate for both parties. Trial periods can be for any length

of time but normally up to two months in the first instance. This will be discussed and agreed with your manager before any agreed trial starts and confirmed in writing.

## **Appeal**

If your request is not accepted, your manager will explain and discuss this with you. They will need to provide full details as to why they think that your application is not workable or where a compromise cannot be reached. Should you feel that your manager has not given full consideration to your application or has not followed process, you will have the right to appeal their decision.

Your appeal must be in writing to your manager's manager, stating your full reasons for appeal within 14 calendar days of receiving the written outcome of the meeting.

The manager receiving an appeal should contact [HR Direct](#) to report the appeal and to seek appropriate advice and support.

An appeal meeting will be held without reasonable delay. It is a legal requirement under law that the process including any appeal is completed within two months of the request date. If this cannot be accommodated your manager must agree with you an extension to this date. A manager not previously involved with your request and with working knowledge of your current working arrangements, will review your request. You and your manager may attend this meeting and you have the right to be accompanied by a representative of a Trade Union you belong to, not acting in a legal capacity, or by an NHSBT employee. The appeal manager will decide if the policy has been followed and your request was appropriately considered. They will listen to any information you and your manager wish to present. You will receive the outcome of the meeting in writing within 7 calendar days. There is no further appeal stage after this.

## **Handling requests to work flexibly in a fair way**

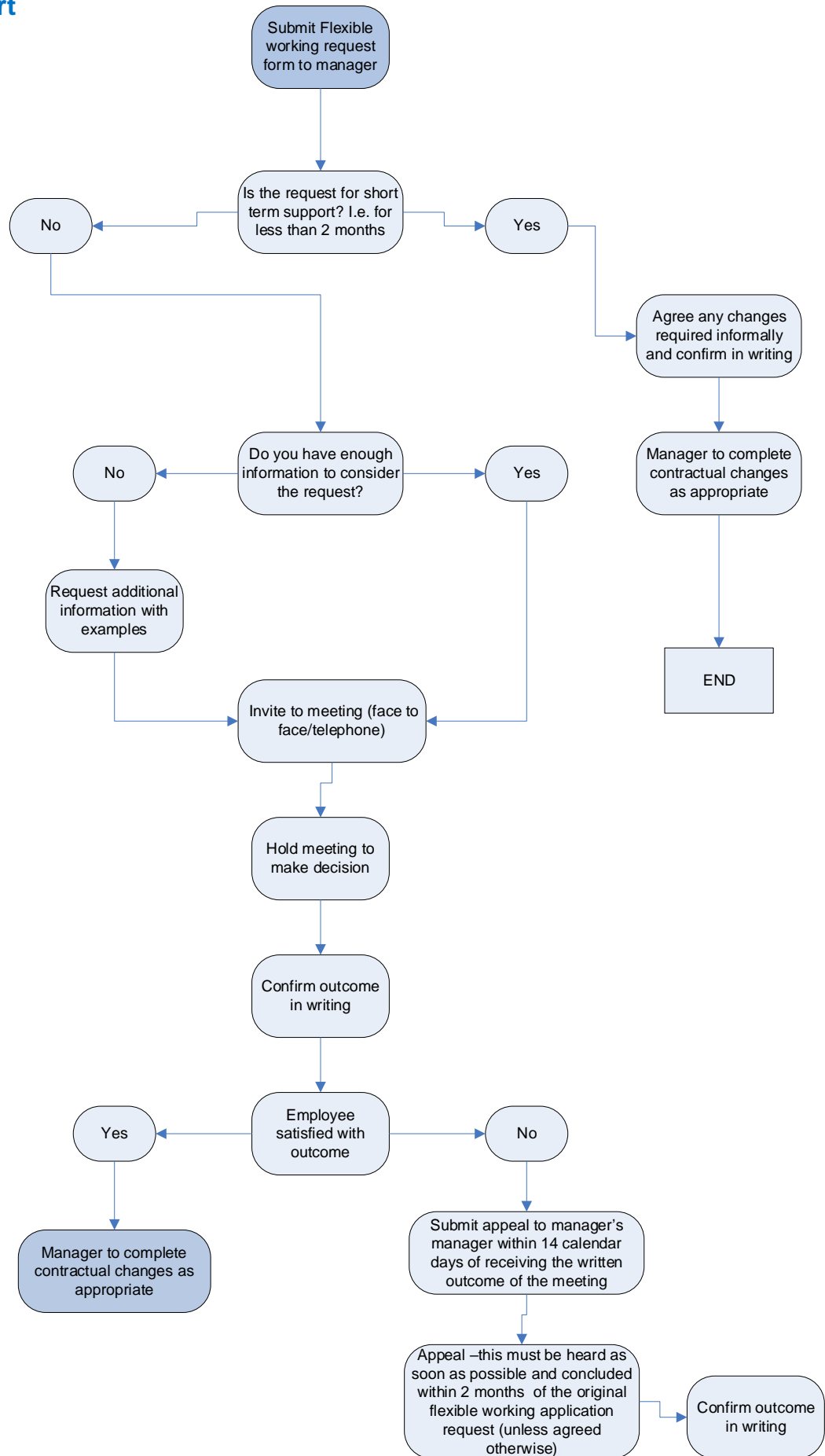
If your manager receives more than one request to work flexibly close together, they will be considered in the order they are received. Having considered and approved the first request your manager will consider its impact on the business and can take that into account when considering the second request.

If your manager receives more than one request at the same time, each business case should be considered on its own merits. In this situation, your manager must have a discussion with all of the employees making requests to see if there is any room for adjustment or compromise, exploring all potential options and opportunities, prior to reaching their decision. In addition, your manager may consider asking for volunteers to alter their working patterns, if this helps to accommodate the request.

## **Confidentiality**

All conversations must be kept confidential by all parties involved. We appreciate that this can sometimes be difficult when working in a small team or close environment; however, so that the issues raised can be brought to a swift conclusion and everyone feels able to move on, confidentiality must be maintained.

### 3. Flowchart



## 4. Policy Approval and Review

Policy version	UCD/People/FlexibleWorking010v3.2
Title	Flexible Working Policy
Approved by SPC	September 2023
Equality Impact Assessment completed	March 2024
Counter Fraud check	March 2024
This document replaces	UCD/People/Flexible Working010v3.1
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Review Date	October 2025
Author	Joanne Brown
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