

Policy Number	19.6
Policy Name	Flexi-Time for Office Based Staff
Policy Type	Divisional
Accountable Director	Amanda Oates
Author	Charlotte Kennedy
Recommending Committee	N/A
Approving Committee	N/A
Date Originally Approved	1/10/15
Next Review Date	1/10/18

This document is a valid document, however due to organisation change some references to organisations, organisational structures and roles have now been superseded. The table below provides a list of the terminology used in this document and what it has been replaced with. When reading this document please take account of the terminology changes on this front cover

Terminology used in this Document	New terminology when reading this Document
Calderstones Partnership NHS Foundation Trust	Mersey Care NHS Foundation Trust

SUPPORTING STATEMENTS – this document should be read in conjunction with the following statements:

SAFEGUARDING IS EVERYBODY'S BUSINESS

All Mersey Care NHS Foundation Trust employees have a statutory duty to safeguard and promote the welfare of children and vulnerable adults, including:

- being alert to the possibility of child/vulnerable adult abuse and neglect through their observation of abuse, or by professional judgement made as a result of information gathered about the child/vulnerable adult;
- knowing how to deal with a disclosure or allegation of child/adult abuse;
- undertaking training as appropriate for their role and keeping themselves updated;
- being aware of and following the local policies and procedures they need to follow if they have a child/vulnerable adult concern;
- ensuring appropriate advice and support is accessed either from managers, *Safeguarding Ambassadors* or the trust's safeguarding team;
- participating in multi-agency working to safeguard the child or vulnerable adult (if appropriate to your role);
- ensuring contemporaneous records are kept at all times and record keeping is in strict adherence to Mersey Care NHS Foundation Trust policy and procedures and professional guidelines. Roles, responsibilities and accountabilities, will differ depending on the post you hold within the organisation;
- ensuring that all staff and their managers discuss and record any safeguarding issues that arise at each supervision session

EQUALITY AND HUMAN RIGHTS

Mersey Care NHS Foundation Trust recognises that some sections of society experience prejudice and discrimination. The Equality Act 2010 specifically recognises the *protected characteristics* of age, disability, gender, race, religion or belief, sexual orientation and transgender. The Equality Act also requires regard to socio-economic factors including pregnancy /maternity and marriage/civil partnership.

The trust is committed to equality of opportunity and anti-discriminatory practice both in the provision of services and in our role as a major employer. The trust believes that all people have the right to be treated with dignity and respect and is committed to the elimination of unfair and unlawful discriminatory practices.

Mersey Care NHS Foundation Trust also is aware of its legal duties under the Human Rights Act 1998. Section 6 of the Human Rights Act requires all public authorities to uphold and promote Human Rights in everything they do. It is unlawful for a public authority to perform any act which contravenes the Human Rights Act.

Mersey Care NHS Foundation Trust is committed to carrying out its functions and service delivery in line the with a Human Rights based approach and the FREDA principles of **Fairness, Respect, Equality Dignity, and Autonomy**

TRUST POLICY/PROCEDURE
COMMITTEE

POLICY NO:

19.6_{v3.1}

DATE OF ISSUE: 1 October 2015

This procedure replaces No. 19.6 dated 1.9.12 which should be removed and destroyed

MEMORANDUM

SUBJECT: Flexi-Time for Office Based Staff
(Trust Wide)

DISTRIBUTION: Procedure Manual Holders/Trust Intranet

1. This memorandum introduces the policy for Flexi-Time for Office Based Staff.
2. The policy should be filed in numerical order in the Yellow Procedure Manual with the following entry in the index under "F" – Flexi Time for Office Based Staff Policy – 19.6".

References

19.0 Sickness Absence Policy
9.8 Resolution Procedure Procedure
9.7 Disciplinary Procedure
23.0 Shifts, Time Owing and Leave Procedure

The Trust aims to design and implement services, policies and clinical/non clinical procedures with measures that meet the diverse needs of our services, population and workforce, ensuring that none are placed at a disadvantage over others.

This procedure has been assessed using the Equality Impact Assessment. The outcome of the Initial Screening Assessment was that the procedure would not adversely affect any protected characteristics.

Version:	3.1
Ratified by:	Policy & Procedure Committee
Date Ratified:	25/9/15
Name of Originator/Author:	C. Kennedy, HR Advisor (Equality and Diversity)
Name of Responsible Committee:	Policy & Procedure Committee
Date Issued:	1/10/15
Review Date:	1/10/18
Target Audience:	Trust Wide

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SUMMARY OF AMENDMENTS

Section 2.3 - Other forms of Flexible Working can be identified in Trust Procedure 19.1 Special Leave and Flexible Working.

Section 3.2 - There may however be exceptional circumstances which allow for earlier start times or later finishing times however this would need to be authorised by the Senior Departmental Manager and be based upon service need

Section 4 - taken for any employee who works a shift in excess of 6 hours in duration.

Section 5.4 - . In circumstances where there is insufficient cover in place to meet the needs of the service flexi-leave may be cancelled at short notice.

Section 5.7 - Staff may , depending upon service needs

Section 10.2 - The manager will be responsible for ensuring appropriate application and regular monitoring of the procedure within their department and retaining records for a period of 12 months.

Section 14 – Equality and Diversity added

TRUST
POLICY/PROCEDURE

POLICY NO:

19.6_{v3.1}

DATE OF ISSUE: 1 October 2015

SUBJECT: Flexi-Time for Office Based Staff
(Trust Wide)

1. PURPOSE

- 1.1 Calderstones Partnership NHS Foundation Trust (*herein referred to as "the Trust"*) is committed to helping employees balance work and home life and to offering flexible working opportunities for employees for the mutual benefit of both the employee and the Trust.
- 1.2 The purpose of this policy is to encourage flexibility in the workplace at an organisational, departmental level in order to support adequate service delivery and support an individuals' work/life balance.

2. SCOPE

- 2.1 The Trust has established a general flexible working procedure that provides for Heads of Service to determine the suitability of allowing flexi-time to be worked for office based staff dependant on service need.
- 2.2 The eligibility for participation in the scheme will be determined on an individual basis in line with Heads of Service and will be in line with the underlying principles of this procedure. The key principle of this flexi-time system is that the needs of the service must come first.
- 2.3 Where formal flexi-time working cannot be worked, managers should consider other flexible working arrangements to support work/life balance of staff and the needs of the service. Other forms of Flexible Working can be identified in Trust Procedure 19.1 Special Leave and Flexible Working.
- 2.4 Staff employed in clinical roles and staff working in clinical areas are provided for in the Trusts Shifts, Time Owing and Leave Procedure 23.0.

3. CORE HOURS

- 3.1 Arrangement should be in place to cover the offices between normal business hours (*to be determined locally*). As a guide this should be between 09.00 and 17.00 Monday to Friday, unless otherwise agreed by the Head of Service/Department Manager.
- 3.2 The flexible working day generally provides for an earliest start time of 07.30 and a latest finishing time of 18.30. There may however be exceptional circumstances which allow for earlier start times or later finishing times however this would need to be authorised by the Senior Departmental Manager and be based upon service need.

3.3 Within these time parameters of 09.00 to 17.00 core times shall be as follows:

Morning Core Time: 10.00-12.00
Lunch: 12.00-14.00 (minimum 30 minutes)
Afternoon Core Time: 14.00-16.00

Departments with extended business hours may operate alternative core hours agreed by the Head of Service/Department Manager.

3.4 Core hours for part time employees or employees with flexible working options in place will be negotiated and agreed between the employee and the relevant manager/Head of Service.

4. STANDARD DAY

A minimum lunch period of 30 minutes must be taken for any employee who works a shift in excess of 6 hours in duration. Working lunch periods will only be permitted for urgent business reasons e.g. pre-arranged lunchtime meetings. In these circumstances a 30 minute break should be taken before the afternoons core time commences where possible.

5. FLEXI-TIME

5.1 A deficit or surplus of up to 8 hours may be carried forward at the end of each 4 week period and calculated pro rata for staff working part time hours.

5.2 Hours accrued in excess of 8 hours at the end of the 4 week period will be lost unless prior authorisation is given by the manager. An individual has a responsibility to alert their manager where excess hours are being worked to meet the needs of the service.

5.3 In exceptional circumstances where the business needs determine excess hours to be worked, Department Managers may authorise accrual of up to 16 hours for the 4 week recording period. Any hours over this would need to be authorised by a Head of Service/Department.

5.4 Application to take flexi-time accrued must be agreed with the manager prior to time being taken to ensure service needs are met and cover arrangements are in place. In circumstances where there is insufficient cover in place to meet the needs of the service flexi-leave may be cancelled at short notice. Flexi-Time taken will be recorded as 0 hours. For example if a member of staff is taking 4 hours of flexi time on one day then the hours worked will be recorded on the sheet for that day as 3.5 hours if they work 7.5 hours per day. Flexi-time may also be used in conjunction with annual leave.

5.5 Where there is insufficient accrual of flexi time, an individual will not be entitled to be absent on flexi-days in full or half day periods (*you cannot take a day or half a days leave using flexi time you do not have*) but may still work within the core hours providing you are no more than 8 hours in deficit.

5.6 The Heads of the Service/Department will consider circumstances when any event prevents or disrupts normal working hours and then determine the hours to be recorded taking all circumstances into account.

- 5.7 Staff may, depending upon service needs, take up to 2 optional breaks per day of 10 minutes each which must be recorded on their flexi sheet, and will be deducted from their flexi time balance. These optional breaks are if a member of staff leaves the premises for personal reasons during core hours, or if a member of staff leaves their desk to make a personal phone call during core hours. Any staff wishing to take a break must notify their supervisor and at busy periods they will need to be flexible over when these are taken. Staff may not take a break until they have arrived in the office and recorded their start time on their flexi sheet, and staff must return to the office following any break taken before they leave for the day.
- 5.8 Only in exceptional circumstances will employees be allowed to leave the premises once they have signed on back to work and during core hours.

6. EQUITY OF APPLICATION

- 6.1 Each member of staff will contribute equally to providing cover for their team and all staff will be provided with equal opportunities for utilising any flexi-leave accrued. There is an expectation that agreements will be made within each individual team and should this not be possible then flexi-time may not be appropriate in that area.
- 6.2 Whilst every effort will be made to avoid restrictions on the degree of flexibility under this scheme, staff will appreciate that they have a responsibility to see that work is done in a timely manner and for this reason it may be necessary in certain circumstances to impose restrictions on full flexibility.

7. LEAVE

All leave must be pre-authorized by the manager. In the event of sickness, staff are required to report this in line with the Trust's Sickness Absence Procedure 19.0.

8. GP AND DENTAL APPOINTMENTS

- 8.1 Appointments should be made, wherever possible, outside the core hours. Where this cannot be achieved and with authorisation, appointments may be attended within the core hours.
- 8.2 Employees are expected to arrange non-urgent health appointments outside of working hours, or to make up the time taken as agreed with their line manager. All such appointments are subject to agreement with the employees Line Manager and will be considered in line with the needs of the service and with the least possible disruption to service provision.
- 8.3 In exceptional circumstances where urgent medical or dental treatment is required, this would be treated as sickness absence.
- 8.4 For pre-planned appointments related to a disability under the Equality Act 2010 please refer to the Trusts Sickness Absence Policy 19.0.

9. TRAVELLING TIME

- 9.1 Where the nature of the work requires staff to travel to a number of different sites during the day, this is part of normal working time. Where staff are

required to attend another site directly from home or leave a site and go directly home the “work element” of this journey needs to be recorded.

For example, if a member of staff works at the Whalley site and commences work at 9.00am and it takes 30 minutes to get to work from home but they had a meeting at Marle-Scott House and this journey was 60 minutes from home then the additional 30 minutes of the journey would be classed as the “work element”.

9.2 The basic premise is that staff can include as part of their flexi-time the difference between the actual travel time to the site and the time it would take to get to base from home (*or home from base*).

9.3 Where the travelling time is less than the normal home to base journey the flexi-time starts on the arrival at the site and finishes when leaving.

For example, if a member of staff is generally based at Marle-Scott House and it generally takes one hour to get to work from home but they have a meeting on site in Whalley which only takes 30 minutes to get to from home then the staff member cannot claim travel time and only commences their shift on arrival at the site.

10. RECORDS

~~10.1~~ Staff are responsible for maintaining their own record of time worked each day of the week and reconciling this weekly on the standard electronic flexi-time form ~~which can be found in Common Tools on the Trusts G Drive G:\(Common Tools)\HR Forms and is entitled Flexitime Spreadsheet for their department, which managers will provide on request. At the end of each 4 week period the Flexi-time forms~~ must be signed by the individual and authorised by the manager.

~~10.2~~ Managers will be responsible for checking the calculations and ensuring that all carried forward figures reconcile to the previous months balance. The manager will be responsible for ensuring appropriate application and regular monitoring of the procedure within their department and retaining records for a period of 12 months.

10.3 False recording of hours worked will be treated as a disciplinary offence and managed in line with the Trust’s Disciplinary Procedure 9.7.

11. CEASING EMPLOYMENT or INTERNAL TRANSFERS

Where employment ends with the Trust or an individual transfers to another department, the manager should ensure that any deficits are made up or surpluses reduced during the notice period so that at the leaving date there is a nil surplus/deficit.

Where this is not possible any deficit of hours will be deducted from final salary payments where employment ends or lost unless agreed for carrying forward to the new post with the new department manager.

12. MISUSE

Misuse, breaches or falsification of records will be taken seriously and dealt with under the Trust's Disciplinary Procedure.

The procedure will be immediately withdrawn for anyone who breaches this in line with the Disciplinary Procedure.

13. **INEQUITABLE APPLICATION**

Should an employee have concerns regarding fair and equitable application of flexi-time by management this should be pursued through the Trusts Resolution Procedure 9.8.

The flexi-time system will be subject to review and could be withdrawn at any time by the ~~Director of Workforce~~relevant Executive Director for which reasons will be given and staff will be given one months notice, in writing.

14. **EQUALITY AND DIVERSITY STATEMENT**

Calderstones Partnership NHS Foundation Trust is committed to ensuring that, as far as it is reasonably practicable, the way we provide services and the way we treat our staff, reflects their individual needs and does not discriminate, directly or indirectly, against individuals or groups on the basis of their protected characteristics.

The Trust does not believe that this policy/procedure represents a significant advantage/disadvantage to any individual or group of individuals on the basis of their protected characteristics and confirms that the arrangements set out within the policy/procedure are acceptable/objectively justifiable by reference to the requirements of the Trust or the needs of the service.

The Trust will regularly review this document however should you feel that the policy/procedure requires amendment prior to the review date outlined (*on the cover page*), or represents a potential source of advantage/detriment to you or another individual or group based upon protected characteristics, please make representations to the Human Resources Advisor (Equality and Diversity) to enable the Trust to consider whether an amendment may be required.

Should a member of staff or any other person require access to this policy/procedure in another language or format please contact the Human Resources Advisor (Equality and Diversity).

VERSION CONTROL SHEET

Version	Date	Author	Status	Comment
1.0	25.5.12	C. Kennedy	Final Draft	Policy/Procedure Committee approval – issued at Team Brief
2.0	11.7.12	C. Kennedy	Draft	Amended – circulated for comments
2.1	27.7.12		Approved	Policy/Procedure Committee approval – issued at Team Brief/Intranet updated
3.0	23/9/15	C Kennedy	Draft	Reviewed
3.1	25/9/15		Approved	Policy/Procedure Committee approval – issued at Team Brief/Intranet updated