



Southern Health
and Social Care Trust
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WORK-LIFE BALANCE **POLICY**

Includes Guidance for Managers and Employees

Author	Lynda Gordon
Directorate responsible for this Document	Human Resources & Organisational Development
Date of Issue	Updated June 2019
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Policy Number	1.0
Screened by	Lynda Gordon, Head of Equality Assurance Unit

Policy Checklist

Name of Policy:	Work Life Balance Policy
Purpose of Policy:	The purpose of the Work-Life Balance Policy is to enable staff to achieve a balance between their work and Life commitments
Directorate responsible for Policy	Human Resources & Organisational Development
Name & Title of Author:	Lynda Gordon Head of Equality Assurance Unit
Does this meet criteria of a Policy?	Yes
Staff side consultation?	Yes – tabled for information. *This is a refresh of the current policy now that a separate Time Off Work Policy has been approved and which now contains a number of the provisions which were formally part of the WLB Policy suite. There is no diminution of the existing WLB provisions in fact current provisions extend beyond the statutory minimum requirements.
Equality Screened by:	Lynda Gordon
Date Policy submitted to Policy Scrutiny Committee:	8 October 2019
Members of Policy Scrutiny Committee in Attendance:	
Policy Approved/Rejected/Amended	
Policy Implementation Plan included?	Yes, the policy now includes both manager and employee guidelines to ensure the effective and timely implementation of the Policy
Any other comments:	Work Life Balance provisions effective immediately
Date presented to SMT	
Director Responsible	Vivienne Toal
SMT Approved/Rejected/Amended	Not required – see comments above * denotes
SMT Comments	
Date returned to Directorate Lead for implementation (Board Secretary)	
Date received by Board Secretary for database/Intranet/Internet	
Date for further review	3 year default (and more regularly depending on legislative developments)

POLICY DOCUMENT – VERSION CONTROL SHEET

Title	Title: Work Life Balance Policy Version: 1.0 Reference number/document name: Work Life Balance Policy
Supersedes	Supersedes: all previous versions of the Trust’s Work-Life Balance Policy and has been refreshed to reflect the fact that there is no a separate Time Off Policy which contains some of the provisions that were originally housed in the WLB suite of Policies. There is no diminution of the existing statutory provisions.
Originator	Name of Author: Lynda Gordon Title: Head of Equality Assurance Unit
Policy Scrutiny Committee & SMT approval	Referred for approval by: Lynda Gordon Date of Referral: 8 October 2019 Policy Scrutiny Committee Approval (Date) SMT approval (Date)
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Important Note:

Please note the Trust has a range of other statutory provisions such as shared parental leave, paternity leave, maternity and adoption leave etc.

In addition, the Trust has a Time off Work Policy which sets out details of other arrangements for time off work, details of the time permitted and if the time off work is paid or unpaid.

For further details go to the HR SharePoint site on the Trust's intranet or contact the Employee Relations Team for further information.

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SECTION ONE: GENERAL INFORMATION

1. Introduction

- 1.1 The Southern Health & Social Care Trust (hereinafter referred to as 'the Trust') is committed to equality of opportunity and recognises the benefits of having in place a range of Work-Life Balance policies.

2 Purpose and Aims

- 2.1 The purpose of the Work-Life Balance Policy is to enable staff to achieve a balance between their work and personal commitments.

- 2.2 The objectives of the Work-Life Balance Policy are to:

- enable the Trust to retain the skill and expertise of staff who are no longer able/wish to continue in their usual working pattern;
- facilitate staff who wish to continue working at the same time as meeting other commitments;
- provide new job opportunities in the Trust;
- provide an opportunity for employees to return to employment within the Trust on a flexible basis;
- enable the Trust to become an Employer of Choice in line with the Health and Social Care Workforce Strategy 2026;
- consider flexible working options as part of the Trust's duty to make reasonable adjustments for disabled staff.

3 Policy Statement

- 3.1 The Trust believes that all posts should be considered for flexible working subject to the needs of the service.

4. Scope of Policy

- 4.1 This policy applies to employees in the Trust (who meet the criteria as described within each of the provisions).

5 Responsibilities

- 5.1 The Chief Executive has responsibility for ensuring that there is an appropriate structure for the management and review of this Policy. The Chief Executive has appointed the Director of Human Resources and Organisational Development as Lead Director with responsibility for establishing and reviewing this Policy

- 5.2 The Director of Human Resources and Organisational Development will provide strategic leadership, direction and oversight of this Policy and its implementation.

S/he will ensure that training is provided to managers on the application of this Policy.

- 5.3 Managers are responsible for implementing this Policy in accordance with the associated Guidelines for Managers and Employees – see Section 2 of this Policy.

6 Legislative Framework

- 6.1 Under provisions set out in the Employment Rights (Northern Ireland) Order 1996 and regulations made under it, **all** employees have a statutory right to ask their employer for a change to their contractual terms and conditions of employment to work flexibly. The statutory right is a **'right to request' and not a right to be granted flexible working**.

- 6.2 The employee must have worked for their employer for **26 weeks continuously** at the date the application is made and they can only make one statutory request in any 12 month period.

- 6.3 Before 5 April 2015 the right only applied to the parents of children under 17 or 18 in the case of parents of disabled children or to those caring for an adult. **Now any eligible employee can apply to work flexibly for any reason.**

- 6.4: Employees who have been employed for less than 26 weeks, agency workers and office holders do not have a statutory right to request flexible working. Nevertheless, the Trust may still consider a request as flexible working can bring business benefits as well as benefits to the individual.

7 Impact on Pay and Benefits

- 7.1 In the event that an employee reduces their income by pursuing any of the Work-Life Balance Policy provisions, they should consult with the following Departments regarding the impact this will have on National Insurance benefits, Superannuation benefits, salary/regular car user payments and terms & conditions of service.

Superannuation - HSC Superannuation Branch, Waterside House, 75 Duke Street, Londonderry – Telephone 028 7131 9111

National Insurance - Department of Health & Social Security (local office)

State Pension/Benefits - Department of Health & Social Security (local office)

Salary/Regular Car User Payments & Terms & Conditions - Employee Relations Department,
St Luke's Site, Loughgall Rd, Armagh
– Telephone – 028 375 64200

8. Unpaid Absence - Superannuation & National Insurance Contributions

- 8.1 Superannuation Contributions - If an employee contributes to the HSC Pension Scheme and wishes to continue to contribute to the Scheme during an unpaid absence then it is important to note that during the first 6 months staff will be responsible for their own share of the contributions and the Trust will continue to pay the employer's share. However, thereafter staff have the option to contribute up to a further period of 18 months and they will be responsible **for both their own and the employer's share of the contributions**. The maximum period for contributing to the HSC Pension Scheme during an unpaid absence is 24 months. If staff wish to continue paying pension contributions it is very important that they contact the Payroll Shared Services Centre on telephone no: 028 95362190 or 028 3756 4200 before the unpaid absence commences to make arrangements for the collection of the contributions, as they must be collected **continuously** during the absence and cannot be allowed to accumulate and payment made on return from the absence.

It is also important to note that if staff contribute to the HSC Pension Scheme the regulations state that anyone out of pensionable employment for 5 years or more cannot rejoin the 1995 Section and will automatically join the 2015 Section on their return to pensionable employment. If employees have any queries in relation to clarifying the scheme they currently contribute to or the implications on benefits associated with moving to the 2015 Section they should contact HSC Pension Branch on 028 7131 9111.

- 8.2 National Insurance Contributions - It is important that staff contact their local Department of Health & Social Security Office regarding the impact an unpaid absence will have on benefits associated with National Insurance Contributions.

9. Continuous Service

- 9.1 Periods of service before and after any unpaid leave taken under the Work-Life Balance Policy will be treated as continuous employment for statutory purposes only.

10. Return to Work

- 10.1 Where an employee returns to work within one year, they will return to the same job as far as is reasonably practicable. If however, the break is longer than one year, the employee may return to as similar a job as possible. Employees returning from an employment break will be entitled to return at the equivalent pay band, reflecting increases awarded during the break. Employees will be required to consider all reasonable offers of suitable alternative employment.

11. Training and Development

- 11.1 Employees who participate in Work-Life Balance schemes should have their training and development needs identified by their Line Managers through

normal channels, for example, Staff Development and Performance Review process.

12. Promotion

- 12.1 An individual availing of the following Work-Life Balance provisions will be eligible to apply for jobs in the normal way. **It is the responsibility of the employee to maintain contact with their Line Manager in order to receive information on job vacancies that may arise during their period of absence.** Employees should notify their Line Manager of their forwarding address if it differs from their normal correspondence address. Employees will not, however, have an automatic right to carry their current working pattern into the new post and may be required to return to work immediately should they be on one of the leave provisions, e.g. Parental Leave.

13. Conduct

- 13.1 An employee on a Work-Life Balance scheme will be subject to all normal regulations as to conduct.

14. Review

- 14.1 In order to assess the operational effectiveness of the Trust's Work-Life Balance Policy a review will be undertaken at regular intervals and not later than 2 years following implementation, in partnership with Staff Side.

15. Equality and Human Rights Considerations

- 15.1 This policy has been screened for equality implications as required by Section 75 and Schedule 9 of the Northern Ireland Act 1998. Equality Commission guidance states that the purpose of screening is to identify those policies which are likely to have a significant impact on equality of opportunity so that greatest resources can be devoted to these. No significant equality implications have been identified. The policy will therefore not be subject to an equality impact assessment
- 15.2 Similarly, this policy has been considered under the terms of the Human Rights Act 1998, and was deemed compatible with the European Convention Rights contained in the Act.

16. Alternative Formats

- 16.1 This document can be made available on request in alternative formats, e.g. plain English, easy read, Braille, audio formats, large print and in other languages to meet the needs of those who are not fluent in English.

17. Copyright

- 17.1 The supply of information under the Freedom of Information does not give the recipient or organisation that receives it the automatic right to re-use it in any way that would infringe copyright. This includes, for example, making multiple

copies, publishing and issuing copies to the public. Permission to re-use the information must be obtained in advance from the trust.

18. General Information/Sources of Advice

18.1 Further information about the Work-Life Balance Policy can be obtained from the:

Employee Relations Department, Hill Building, St. Luke's Site, Loughgall Road, Armagh, BT61 7NQ, Tel: 028 3756 4200

Email: Sarah.Moore@southerntrust.hscni.net

Or

Equality Assurance Unit, Hill Building, St. Luke's Site, Loughgall Road, Armagh, BT61 7NQ, Tel: 028 375 63151

Email: Lynda.Gordon@southerntrust.hscni.net

SECTION TWO: WORK-LIFE BALANCE PROVISIONS

JOB SHARE

- 1 A Job Share arrangement is simply sharing the responsibilities of a full-time job equally between 2 or more people. The Terms and Conditions of Service attached to the post are also shared including the weekly wage/salary of the post, annual leave, statutory leave and general conditions. For these reasons, job sharing is not the same as part-time work.
- 2 The scheme is open to all current employees who have satisfactorily completed their probationary period and also to new recruits where the job has been advertised as a job share arrangement.
- 3 Each application to have a post designated as shareable will be considered on its individual merits taking into account the needs of the service. Agreement to the application will not be unreasonably withheld.
- 4 Employees can make an application to have their post considered for job share. Where requests are approved the other half of the post will be advertised and appointed through the normal Recruitment and Selection Procedures.
- 5 Where an individual applies to their Line Manager to have their post considered for job share arrangements the Line Manager must consult with the respective senior manager and the Employee Relations Department, to consider the suitability of the post for job share. The final decision will rest with senior management within the Directorate concerned.
- 6 Following a decision to share a post, the job share arrangement will continue until it appears to management that the job sharing situation is no longer practical. Full consultation will take place with the individuals concerned.
- 7 If one job sharer leaves their post then the job sharing arrangements will be reviewed with the option to undertake full-time work being offered to the remaining post holder in the first instance.
- 8 Each job share partner will be issued with an individual contract of employment and a job description which clearly defines the duties and responsibilities of the post.
- 9 Terms and Conditions of Service which would be applied on a pro rata basis subject to eligibility will include salary/wage, occupational sick pay, annual leave/statutory leave/study leave etc. Similarly, Public/ Bank holidays will be shared between job share partners on a pro-rata basis.
- 10 All staff including those with Mental Health Officer status who are considering job sharing should note that their Pension/Mental Health Officer status may be adversely affected. Similarly if there is the requirement for staff to use their

car for work purposes then the Lump Sum Car User Allowance will also be shared (½ each).

- 11 Where a job share partner accepts the offer of a post and location different than their current post, he/she will not be entitled to payment of excess travelling expenses.
- 12 Those newly appointed to a job share post will be subject to successful completion of the normal 6 month probationary period. The probationary period will allow the manager to assess the suitability of participants and the feasibility of the job sharing situation. In addition, those participating in a job share for the first time will be subject to a 6 month trial period in order to assess the viability of the arrangement.
- 13 If it is found that a job share participant is not carrying out their duties satisfactorily this will be dealt with in the same way as an employee appointed to a new post, i.e. the normal capability process may be invoked. This will not necessarily end the job sharing arrangement, however if it is found that the job sharing initiative has not succeeded the post will revert to a full-time job with the initial post holder being offered the full-time post.
- 14 Every effort will be taken to ensure an equal balance of the division of responsibility for the job among job share partners. Managers must ensure that job share partners, where necessary, work an appropriate number of common hours to exchange information on work issues.
- 15 Where one job share partner is unable to work for reasons such as illness, Maternity Leave, etc. the other partner may be offered the opportunity to cover the hours of the absent partner in the first instance. If the other partner is unable to cover those hours, management will put in place suitable alternative arrangements.
- 16 Where a job share partner works more than their allocated hours, they will be paid at the basic rate of pay. Overtime will only be paid where the employee has worked in excess of the normal full-time hours i.e. 37½.

PART-TIME WORKING/VOLUNTARY REDUCED WORKING TIME

- 1 Part-time working/voluntary reduced working time allows staff to reduce their full-time working hours to less than their normal working week. The pattern is agreed between the manager and the employee and may be half days, shorter days or a reduced number of full days per week.
- 2 Whilst some posts may be advertised as part-time, this scheme also enables full-time staff who have satisfactorily completed their probationary period to voluntarily trade income for time off either on a short or long term basis.
- 3 There are numerous methods of working part-time/voluntarily reducing hours, for example, by reducing the hours worked by as little as 5% or as much 50% depending on individual circumstances. Essentially the part-time arrangements should be designed to suit both the needs of the organisation and the individual in such a way as is workable and meets the needs of the service. Therefore, each application will be considered on its individual merits.
- 4 It is recommended that even within part-time arrangements some flexibility exists for both parties. For example, it may be necessary to have some flexibility in the hours to be worked on a particular day.
- 5 Terms and Conditions of Service which would be applied on a pro rata basis subject to eligibility will include salary/wage, occupational sick pay, annual leave/statutory leave/study leave, etc.
- 6 If an individual wishes to revert to full-time work, every effort will be made to accommodate the request, however there will be no right to return to full-time work unless a suitable vacancy exists at the relevant time and may be subject to the normal Recruitment and Selection process.
- 7 Staff will, where possible, be accommodated to undertake part-time hours on a trial basis if desired. In such circumstances, this will be for a defined period. The trial basis may also be a request by management to ensure that the service is not adversely affected by the change in working arrangements.

EMPLOYMENT BREAK

- 1 An Employment Break is a period of planned unpaid leave which can be for a minimum period of **3 months** up to a maximum of **5 years** for the duration of an individual's employment with the NHS/HSC. During the period of the Employment Break the individual will continue to be an employee of the Trust. Applications must be submitted to the individual's Line Manager at least 3 months prior to when they wish the new arrangements to take effect.
- 2 The Employment Break Scheme is in place to enable the Trust to attract and retain the experience of staff, and therefore there is an expectation that the employee will return to the Trust at the end of their Employment Break.
- 3 An Employment Break is designed to assist those employees who are taking prime responsibility for the care of children/adopting children, and/or have to care for elderly and/or disabled relatives or other dependants.
- 4 The scheme is also designed for those who wish to pursue some form of job related academic study/training or to undertake specific work abroad which will support the individual in their on-going development. Requests for Employment Breaks for others reasons will only be considered in exceptional circumstances. Each applicant will be considered only on the merits of the application.
- 5 An Employment Break is not intended for the purposes of travel abroad.
- 6 Staff on Employment Breaks will not normally be allowed to take up paid employment with another employer except where, for example, work abroad, charitable work which could broaden experience. In such circumstances written authority from the Trust must be obtained PRIOR to engagement in such activity.
- 7 The scheme is **open to all staff who have satisfactorily completed a minimum of 12 months' service with the NHS/HSC**. In the case of temporary staff, there may be objective justification why this scheme cannot apply in a particular circumstance. However, each case will be considered on its own merits.
- 8 The Trust will make every effort to meet the request of individuals. However, it may not be possible to grant release in every case because of the needs of the service.
- 9 An initial Employment Break application may be extended up to the maximum of 5 years.
- 10 If, prior to the commencement of an Employment Break, an employee was working in a part-time/job-sharing arrangement, every effort will be made to allow the employee to return on that basis. However, there is no guarantee that this will always be possible and in these circumstances employees may be offered a full-time post.

- 11 Employees who are unable to resume duty on the due date because of illness will be required to produce supporting medical documentation. There may be circumstances depending on the duration of the employment break, employee's may or may not be eligible for OSP/SSP.
- 12 Where an individual desires to return to work earlier than planned this will be considered in light of any temporary member of staff who has been appointed to cover during the absence of the staff member on the Employment Break.
- 13 Employees on an Employment Break should provide the Employee Relations Department with a forwarding address if this is different from the one held on their personal record. Any change to an employee's details during the break must be notified to the Employee Relations Department.
- 14 During an Employment Break the employee will be subject to all normal regulations as to conduct. Disciplinary action may be taken where appropriate.
- 15 It is the responsibility of the employee to maintain contact with their Line Manager during their Employment Break in order that they are fully informed of any internal/external job opportunities which may occur during their absence from work or changes to service provision.
- 16 Employees will be free to apply for promotion during an Employment Break and if they are successful in their application, they would have to accept the appointment at the time of offer and take up the post when required.
- 17 The employee must also make a commitment to attend, where necessary, appropriate training during each year of their Employment Break with the aim of acquiring and maintaining relevant skills, techniques and knowledge to allow them to return to the workplace with an appropriate level of confidence, skill and ability. The number of returner days (maximum of 10 per year) that an employee will be required to work will be determined by the Line Manager/Head of Department. Employees will be paid for the number of returner days they are required to work.
- 18 Staff will be responsible for maintaining their own professional registration during an Employment Break including the meeting of any requirements under such regulations.
- 19 The notice period an employee is required to give the Trust in writing before returning to work should be 2 months if the break is up to one year and 6 months if the break is more than one year. Applicants seeking an employment break extension must submit a Work Life Balance Application Form and return to their manager for approval, giving at least 3 months' notice.
- 20 An employee is entitled to return to the same job (as far as reasonably practicable) provided they return to work **within one year**.

- 21 It should be noted that following any approved application for leave of a duration of **more than one year** that **no guarantee can be given that the employee will return to either their substantive post or within the same Directorate**. However, they may return to as similar a job as possible **at the equivalent pay band, reflecting increases awarded during the break**.
- 22 An employee returning from an Employment Break to a different post must meet the normal Recruitment and Selection Criteria for the post. They may also be required to meet with the manager concerned for an informal discussion which will assist in assessing their suitability.
- 23 Employees returning from such leave will be expected to co-operate with the organisation in accepting reasonable offers of suitable alternative employment. Employees may be offered a post within any of the Trust's Directorates which may necessitate them being employed at a new work location and in these circumstances excess travelling expenses will not be paid. If an employee refuses to accept reasonable offers of suitable alternative employment, the Trust cannot accept liability for the individual failing to become re-employed.
- 24 During an employment break employees will **not** accrue annual/statutory leave entitlements. Time spent on an Employment Break will not count towards qualifying service for additional annual leave entitlements and similarly it will not count towards service for contractual redundancy payments.
- 25 If you contribute to the HSC Pension Scheme and wish to continue to contribute to the Scheme during your Employment Break then it is important to note that during the first 6 months you will be responsible for your own share of the contributions and the Trust will continue to pay the employers share. However thereafter you have an option to continue for a further 18 months and you are responsible for **both** your own and the employers share of the contributions. The maximum period for contributing to the HSC Pension Scheme during an Employment Break is 24 months. If you wish to continue paying pension contributions it is very important that you contact the Employee Relations Department (Pay and Conditions team) before your Employment Break commences to make arrangements for the collection of the contributions as they must be collected continuously during the Employment Break and cannot be allowed to accumulate and payment made on return from the Employment Break.
- 26 It is also important to note that if you contribute to the Superannuation Scheme the regulations state that anyone out of pensionable employment for **5 years or more cannot re-join the 1995 Section** and will automatically join the 2015 Section on their return to pensionable employment. If you have any queries in relation to clarifying the scheme you currently contribute to or the implications on benefits associated with moving to the 2015 Section you should contact HSC Pension Branch on 028 7131 9111.
- 27 It is important that staff contact their local Department of Health & Social Security Office regarding the impact an unpaid absence will have on benefits associated with National Insurance Contributions.

TERM-TIME WORKING

- 1 Term-time working is a scheme designed to facilitate employees to remain on a contract but who wish to take unpaid leave (**minimum of 4 weeks and up to a maximum of 12 weeks. Weeks must be full weeks Monday to Sunday**) during the school holidays to care for their children. It has been introduced as a possible option to help those with parental responsibility overcome the major problem of finding childcare during school holidays.
- 2 Term-time working gives employees the right to (unpaid) leave of absence during the school holidays to care for children for whom they have parental responsibility. As this leave is planned well in advance, employees will continue to receive a regular wage/salary each week/month, though at a reduced rate e.g. 10 months' salary paid over a 12 month period.
- 3 The scheme is open to members of staff who will be assuming parental responsibility for the care of their children. Whilst the Trust will endeavour to meet each individual request there may be an occasion where such a request will have to be refused having taken into consideration the needs of the service.
- 4 Completed applications, including the appropriate Management signatures, **must** be received in the Employee Relations Department **no later than 31 January of each year** in order that the necessary arrangements can be made with the Payroll Service Centre in time for the new salary to become effective from 1 April.
- 5 Where approval has been granted for an individual to participate on the scheme, this approval applies to the current financial year only. Therefore, it should not be assumed that Term-time working will remain as the individual's normal working arrangements thereafter. The scheme, and participants, will be reviewed on a yearly basis to take account of the needs of the service and other staff members. A fresh application should be made each year.
- 6 Only in very exceptional circumstances will an employee be permitted to terminate an approved application for Term-time working given the time it takes to process an annual application and to recalculate the employee's salary.
- 7 As your salary is calculated at the beginning of the financial year and averaged over the 52 weeks it therefore follows that no changes can be made to your working arrangements which will impact on your pay during the financial year, e.g. change of hours, unpaid leave, etc., unless in very exceptional circumstances.
- 8 Staff should be aware that their annual leave will be reduced according to the number of weeks granted for Term-time. Statutory Leave entitlement may also be reduced if any statutory holidays fall during the Term-time arrangement. Annual/Statutory leave entitlement should be discussed with the Line Manager.

- 9 Staff should contact the Employee Relations Department (Pay and Conditions team) to discuss the implications Term-time working will have on Superannuation contributions/benefits. It is also important that staff contact their local Department of Health & Social Security Office to establish if Term-time working has any impact on benefits associated with National Insurance Contributions.

COMPRESSED WORKING WEEK/TAILORED HOURS

- 1 Compressed working week/tailored hours is essentially a means of working where the working week of an employee is organised in such a way that less than the standard 5 days are worked.
- 2 Typically the same basic hours are worked in a 4 or 4 and a half day week. Therefore a key feature of this scheme is a longer working day for 4 days of the week enabling the employee to remain full-time whilst working fewer days per week.
- 3 The scheme is open to all members of staff.
- 4 On approval, the date of commencement of this method of working will be a management decision, taking into consideration the circumstances of the application together with the needs of the service.
- 5 In the case of new employees, the normal procedures governing probationary periods will apply.
- 6 Where an employee wishes to terminate this arrangement - to revert to their former pattern of working or a new pattern of working - they must notify their Line Manager/Head of Department in writing giving a minimum of one week's notice. The Line Manager/Head of Department should advise the appropriate Assistant Director of the employee's intention as soon as possible thereafter. Arrangements will be made to facilitate the employee, as soon as practical.

Note: There is no automatic right to return to a former pattern of working.

STAGGERED HOURS

- 1 Staggered working hours almost replicates the idea of spilt shifts. In the appropriate circumstances it can be exceptionally useful for those with primary caring responsibilities.
- 2 Staggered hours may be used, for example, if a member of staff needs to attend to the needs of a child or an elderly and/or disabled relative over the lunch time period. The individual can work, for example, 8.00 am - 11.30 am and 2.00 pm - 6.00 pm, or 9.00 am - 1.30 pm and 6:00 pm - 9:00 pm to facilitate the collection of children from school and the supervision of homework. This would still allow the individual to meet their caring responsibilities and continue to work their contractual hours of work.
- 3 The scheme is open to all members of staff who carry the primary responsibility for the care of their children, who are adopting children or who have to care for elderly and/or disabled relatives. Other reasons may be considered.
- 4 On approval, the date of commencement of this method of working will be a management decision taking into consideration the circumstances of the application together with the needs of the service.
- 5 Where an employee wishes to terminate this arrangement - to revert to their former pattern of working - they must notify their Line Manager/Head of Department in writing giving a minimum of one week's notice. The Line Manager/Head of Department should advise the appropriate Assistant Director of the employee's intention as soon as possible thereafter. Arrangements will be made to facilitate the employee, as soon as practical.

Note: There is no automatic right to return to a former pattern of working.

WORK BREAK

- 1 This provision only applies to staff currently at work and is not an extension of long term sick leave. A Work Break is a break of a minimum period of one month not normally exceeding 6 months to provide a break from work where staff are having to cope with **exceptional circumstances**. For example – care of a partner/child/dependant during a life threatening, critical or terminal illness or to assist with their rehabilitation after such an illness. Other exceptional circumstances beyond the examples provided above may be considered depending on their individual merits. A Work Break will cease when there is no further requirement to provide care for the dependant.
- 2 Employees on a Work Break will receive **half** of their normal remuneration.
- 3 Annual leave and statutory leave will be on a pro-rata basis.
- 4 **This scheme is open to employees with continuous service of at least 6 months with the Trust.**
- 5 On approval, the date of the commencement of the Work Break will be a management decision taking into consideration the circumstances of the individual together with the needs of the service.
- 6 An employee wishing to extend a Work Break (subject to a maximum of 6 months) should advise their Line Manager as soon as possible. This request will be considered on its individual merits.
- 7 Staff should contact the Employee Relations Department (Pay and Conditions team) to discuss the implications a Work Break will have on Superannuation contributions/benefits. It is also important that staff contact their local Department of Health & Social Security Office to establish if a Work Break has any impact on benefits associated with National Insurance Contributions.

WORKING FROM HOME

- 1 The Trust has investigated the issues surrounding home working and currently does not have a policy that enables staff to request to work from home. However, to ensure compliance with the legislation, provision should be made by Heads of Department to consider individual requests from staff who wish to exercise their statutory right to request home working.
- 2 Requests should be made on an ad-hoc basis and home working should only be granted in exceptional circumstances where the member of staff has a specific or urgent piece of work to complete and where it would be a more effective use of time to enable the employee to work from home.
- 3 Home working should not be granted on a permanent or regular basis nor should it become an established pattern of working. Careful consideration should be given as to how home working impacts on the provision of services, and other staff, and Heads of Department should ensure that it is monitored closely. In all cases guidance should be sought from the Employee Relations Department.

PARTIAL RETIREMENT

- 1 Changes to the HSC Pension Scheme mean that the normal retirement age (NRA) in the 2015 Section of the Scheme is now equal to the state pension.
- 2 This means that many more of our workforce will have to work longer before they can access their full pension and whilst this presents opportunities, it is recognised that this will also be a challenge for individuals and organisations across the Trust.
- 3 The primary purpose of the Trust's Partial Retirement Policy is to outline how the Trust intends to support those employees to remain in work for longer, working productively and safely, whilst accessing some of their HSC pension benefits through 'Partial Retirement' and preparing for final retirement from the service.
- 4 Partial retirement allows employees to gradually move from work to retirement. Members of the 2008 and 2015 Schemes can apply to partially retire from the Trust and receive some of their HSC Pension benefits while continuing to work within the Trust. Partial retirement will also apply to the 1995-2015 transitional pension scheme members but it will only apply to the 2015 scheme element of their benefits. **It should be noted that partial retirement is not available to members of the 1995 scheme.**
- 5 An employee must have reached the minimum retirement age of 55 and have at least 2 years' pensionable service.
- 6 An employee's manager must have agreed a reduction in hours or a change to their working pattern that would result in at least a 10% reduction in their annual pensionable earnings for at least 12 months.
7. For further information please consult the Trust's Partial Retirement Policy available on the Trust's SharePoint under the Human Resources Directorate, Employee Relations policy section.

CHILDCARE VOUCHERS

1. In April 2017 the government began their roll out of the Tax Free Childcare Scheme (TFC) which sees childcare costs being subsidised by up to £2,000 per year for each child.
2. The Tax Free Childcare Scheme replaces the Childcare Voucher Scheme (CCV) which is now no longer open to new registrants. The CCV scheme remains open to those who were registered prior to the closing date in October 2018, for as long as they are required.
3. All new registrants must register through the TFC scheme. For more information on how to do this please visit:

www.childcarechoices.gov.uk

SECTION THREE: Guidance for Managers and Employees

The Law

1. Under provisions set out in the Employment Rights (Northern Ireland) Order 1996 and regulations made under it, **all** employees have a statutory right to ask their employer for a change to their contractual terms and conditions of employment to work flexibly. The statutory right is a **'right to request'** and **not a right to be granted flexible working**.
2. Before 5 April 2015 the right only applied to the parents of children under 17 or 18 in the case of parents of disabled children or to those caring for an adult. **Now any eligible employee can apply to work flexibly for any reason.**

Eligibility

3. The employee must have worked for their employer for **26 weeks continuously at the date the application** is made and they can only make one statutory request in any 12 month period.
4. Employees who have been employed for **less than 26 weeks**, agency workers and office holders, do not have a **statutory right** to request flexible working but may still approach their manager to work flexibly as flexible working can bring business benefits to both the employer and individual.

Eligibility Check List

To be eligible to make a request under this right, a person must:

- ✓ be an **employee**;
- ✓ have worked for their employer continuously for **26 weeks at the date the application** is made;
- ✓ **not** have made another application to work flexibly under the right **during the past 12 months**.

NB: One application every 12 months can be made under the *right to request and right to consider*. This is regardless of whether a previous application was made in respect of a different flexible working arrangement. Each year runs from the date when the application was received.

Rights and Responsibilities - Managers and Employees

5. The initial onus is on the employee to prepare a carefully thought-out application well in advance of when they would like the desired working pattern to take effect.
6. The manager then follows a **set procedure** to help ensure a request is **considered seriously**, which seeks to facilitate discussion and enables both parties to gain a clear understanding of each other's thinking.
7. A manager may only refuse a request where there is a recognised business ground for doing so. The basic **rights** and **responsibilities** under this legislation are set out below.

Employee's Rights

- ❖ To apply to work flexibly.
- ❖ To have their application **considered properly in accordance with the set procedure** and refused only where there is a **clear business ground** for doing so.
- ❖ To be accompanied by a work colleague when meeting the employer to discuss the application.
- ❖ Where an application is refused, to have a **written explanation** explaining why.
- ❖ To appeal against the employer's decision to refuse an application. (see Section 4 – Making an Application).
- ❖ To take a complaint to an industrial tribunal or under the Labour Relations Agency's Arbitration Scheme in certain circumstances.
- ❖ To be protected from detriment or dismissal for making an application under the right.

Employee's Responsibility and Best Practice

- ❖ To provide a carefully thought-out application.
- ❖ To ensure their application is valid by checking that the eligibility criteria are met.
- ❖ To ensure the application is made well in advance of when they want it to take effect – at least 3 months.
- ❖ To arrive at meetings on time and to be prepared to discuss their application in an open and constructive manner.
- ❖ If necessary, to be prepared to be flexible themselves to reach an agreement with their manager.

Managers' Rights

- ❖ To reject an application when the desired working pattern cannot be accommodated within the needs of the business.
- ❖ To seek the employee's agreement to extend time scales where it is appropriate.
- ❖ To consider an application withdrawn in certain circumstances

Managers' responsibilities and best practice

- ❖ To consider requests properly in accordance with the set procedure (see flow chart - page 26 refers).
- ❖ To ensure they adhere to the time limits contained within the procedure.
- ❖ To provide the employee with appropriate support and information during the course of the application.
- ❖ To decline a request only where there is a specified business ground (as set out in Art. 112G (1)(b) of the Employment Rights (Northern Ireland) Order 1996) and to explain to the employee in writing why it applies.
- ❖ To ensure that any variation from the procedure is agreed in advance with the employee and recorded in writing.
- ❖ To ensure that they do not subject the employee to detriment or dismissal for making an application under the right.

How the Right to Request and the Right to Consider interacts with other legislation

8. The right to request is designed to enable managers and employees to find flexible working solutions that suit them both. The right encourages dialogue and allows a lot of flexibility in how to consider a request whilst requiring managers to follow a basic procedure.
9. Failure to follow the procedure or basing a refusal on incorrect facts will provide the employee with a basis to take their case to an industrial tribunal.
10. Other legislation that managers should be aware of when considering requests is outlined below.
11. If an employee feels that a disputed request also breaches other legislation, it will be possible for both matters to be heard jointly at an industrial tribunal or to be dealt with under the LRA Arbitration Scheme. This section outlines how the various areas of legislation operate.

Discrimination Legislation

Sex Discrimination

12. The Sex Discrimination (Northern Ireland) Order 1976 prohibits direct and indirect discrimination. **Direct discrimination** occurs where a woman or a man is treated less favourably than a person of the opposite sex in comparable circumstances because of their sex. Types of sex discrimination include sexual harassment and treating a woman adversely because she is pregnant (in which case there is no need for a male comparator).
13. In dealing with requests for flexible working **indirect discrimination** is more likely to occur. This might be an issue, for example, in the case of a female employee returning from maternity leave and wishing to work part-time. To establish an indirect discrimination claim, an employee will need to show that the action being complained about:

- ❖ is such that it would be to the detriment of a considerably larger proportion of people of one sex than of the other;
- ❖ cannot be shown by the employer to be justifiable irrespective of the sex of the person to whom it is applied; and
- ❖ is to the employee's detriment.

Other forms of discrimination

14. Employees can also make a complaint to an industrial tribunal if they believe they have been discriminated against on the basis of race, disability, age or sexual orientation. They can take a complaint to the Fair Employment Tribunal for Northern Ireland if they believe that they have been discriminated against on the basis of their religious belief or political opinion.

Part-time workers

15. The Part-time Workers (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2000 make it unlawful to treat part-timers less favourably in their contractual terms and conditions than comparable full-timers.
16. This means that when granting a request for flexible working that involves a reduction in hours, managers should be aware that employees are still entitled to the same consideration in respect of training, promotion and financial issues. Contact the Employee Relations Department to get advice.

NB: The Equality Commission for Northern Ireland (www.equalityni.org) can provide detailed information on sex discrimination.

SECTION FOUR: Making an Application

1. Making an Application

Applications for consideration of one of the provisions under the Work-Life Balance Policy should be made on the relevant application form – see Appendix 1 of this Policy and submitted to the individual's Line Manager well in advance, i.e. at least 3 months, of when an employee wishes the new arrangement to take effect. Please refer to the flowchart for the application process - see page 26.

The employee must ensure that they meet the eligibility criteria for the scheme before making an application. Under the legislation, normally only one application per year is allowed for those provisions contained within this Policy.

A request that is made and accepted under the statutory right to request and right to consider provisions will be a **permanent change** to the employee's contractual terms and conditions – unless otherwise agreed. The employee has no right to revert back to the previous working pattern. So for example if an employee's new flexible working pattern involves working reduced hours, he or she has no right to revert to working the hours he or she previously worked, although this is not to say that a manager will automatically reject a subsequent request to do so.

In all instances the employee will be advised in writing of the outcome. Where a request is approved, employees will be notified by their Line Manager and the appropriate documentation must be sent to the Employee Relations Department if any contractual changes are required. Where an application cannot be supported the employee will be notified, by their Line Manager, giving the reason/s for refusal and the right of appeal.

Application checklist

An application under the statutory procedure **must**:

- ❖ be **in writing** (whether on paper, e-mail or fax);
- ❖ state that the application is being made under the statutory right to request a flexible working pattern;
- ❖ explain what **effect**, if any, the employee thinks the proposed change would have on the department and how, in their opinion, any such effect **might be dealt with**;
- ❖ specify the **flexible working** pattern applied for;
- ❖ state the **date** on which it is proposed the change should become effective;
- ❖ state **whether a previous application has been made** to the employer and, if so, when it was made; and
- ❖ be dated.

NB: These are the minimum requirements for an application to be valid. The level of detail required will depend on the desired changes to the existing working pattern. In all cases it is in the employee's interest to be as clear and explicit as possible.

The application provides the employee with the opportunity to set out the reasons why their preferred working pattern is compatible with the needs of the department as far as they can tell. It must therefore provide an explanation of what *effect, if any, the employee thinks the proposed change would have on the department and how they feel any such effect might be dealt with.*

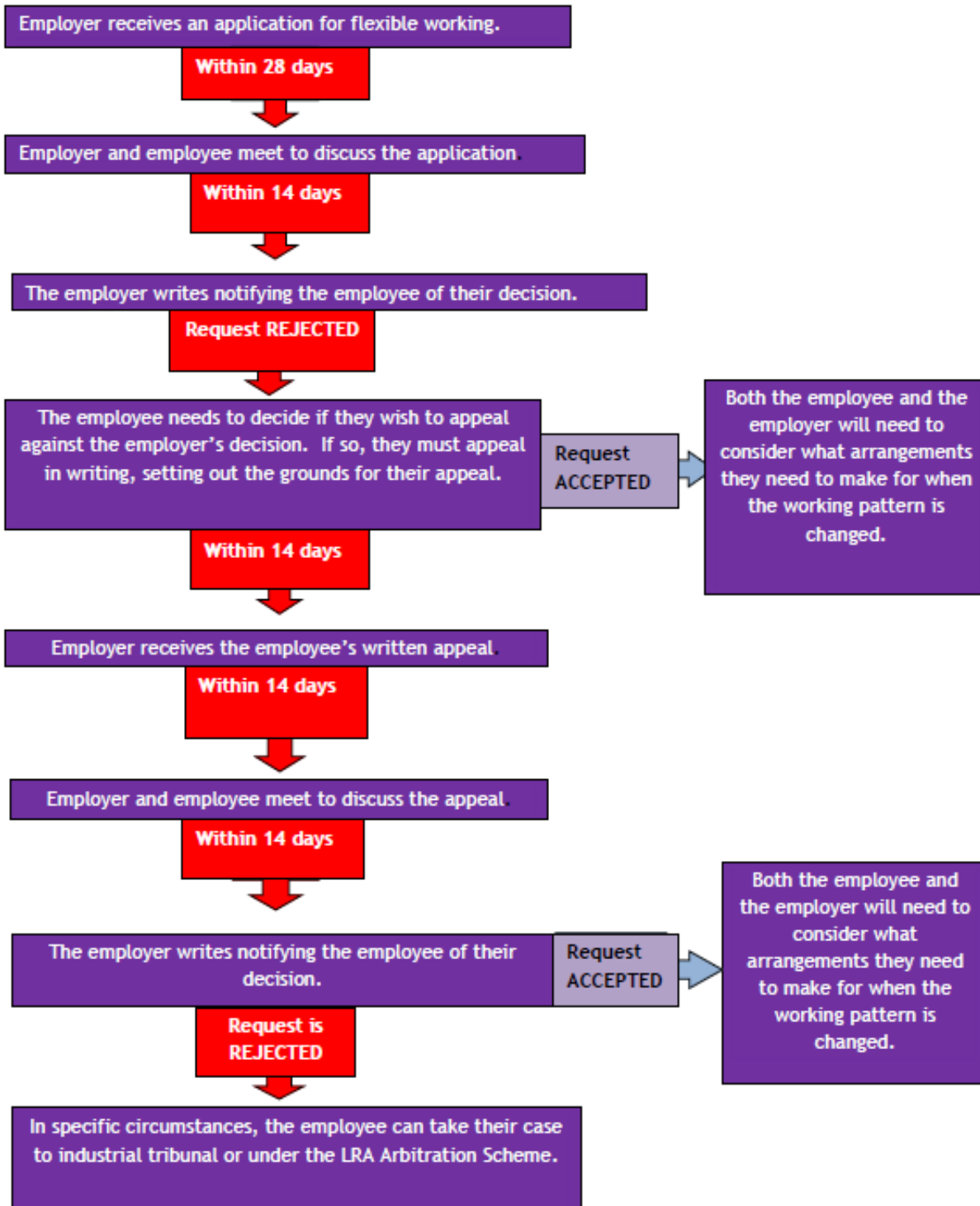
2. Considering the Application

The right places a legal duty on managers to consider all applications and establish whether the desired working pattern can be accommodated within the needs of the business.

Managers should consider each application objectively on this basis, and not attempt to judge whether one applicant's need for flexible working is greater than another's.

It may be possible for a manager to agree to a request to work flexibly simply on the basis of the application itself and if so s/he should write to the employee within 28 days, specifying the contract variation agreed to and the start date. But, where this is not possible, a set procedure must be followed.

A flowchart summarising the procedure is set out below:



3. Meeting with the Employee

Summary – Meeting with the Employee

- ❖ The manager must hold a **meeting** to consider the request within 28 days after the date an application is received.
- ❖ An employee can, if they wish, be **accompanied** to the meeting by another employee.
- ❖ The manager must write to the employee informing them of their decision **within 14 days** after the date of the meeting.

Representation

An employee has the right to bring a representative to the meeting.

- ❖ The representative can be an employee of the Trust, but not necessarily working at the same premises, and/or a trade union representative.
- ❖ The manager must allow the representative paid time off during working hours to attend the meeting.
- ❖ The representative can address the meeting or confer with the employee during it.
- ❖ The representative is **not** allowed to answer questions on the employee's behalf.
- ❖ If the representative is unable to attend the meeting, the employee should rearrange the meeting for a date within **7** days of the originally proposed time, ensuring that the new time is convenient to all parties; or consider an alternative representative.

4. Reaching a Decision

Once the manager and the employee have discussed the request, the manager must notify the employee of the decision in writing. Notification must take place within **14 days** following the date of the meeting. An application may only be refused where the manager has a **specified business reason** for doing so. The acceptable business reasons are listed on page 29.

Summary

The manager must **inform the employee of their decision in writing within 14 days** after the day of the meeting.

If a request is accepted, the notification must:

- ❖ include a description of the new working pattern;
- ❖ state the date from which the new working pattern is to take effect; and
- ❖ be dated.

If a request is rejected, the notification must:

- ❖ state the business ground(s) for refusing the application;
- ❖ provide a sufficient explanation as to why the business ground or grounds for refusal applies or apply in the circumstances;
- ❖ provide details of the employee's right to appeal; and
- ❖ be dated.

Note: If a manager needs more time to come to a decision – **they must obtain the agreement of the employee to an extension to the 14 days to inform them of the decision following the meeting.** This could occur where an alternative working pattern was identified during the meeting.

5. Trial Period

Trial periods can help both employees and managers because they provide an opportunity – without commitment – to test a particular working pattern to see if it works out to the satisfaction of both. An employee may, for example, be concerned about making what will be a permanent change to his or her contract of employment, while the manager might have concerns about the potential impact of the proposed change in the employee's working pattern on the business. A trial period of, for example 12 weeks, will give both the employee and the manager a chance to find out whether the chosen pattern of working will really work out well in practice.

Where a trial period or time-limited period has been agreed, this should also be detailed in the written notice.

NB: Trial periods can potentially happen at 2 stages before a formal agreement is reached.

Firstly, the manager could give informal agreement to a trial before a formal flexible working request has been made by the employee; if this happened, the formal procedure would still be available to the employee if they wished to use it at some stage in the future.

Secondly, if a formal application is made, an extension of time for the manager to make a decision could be agreed and the trial period could happen before a final agreement takes place; in this case the rest of the formal procedure would still be available to the employee.

6. Declining an Application

There will always be circumstances where, due to the needs of the business, the manager feels they are unable to accept a request. In all such circumstances **the manager must in writing** (sample letter at Appendix 3):

- ❖ state which of the **listed business grounds apply** and have led the manager to reject the request;
- ❖ provide an **explanation** of why the business reasons apply in the circumstances;
- ❖ set out the **appeal procedure**; and
- ❖ ensure the written notice is **dated**.

7. Reasons for Refusal

An application can be refused only where there is a clear business reason.

The only business grounds on which an employer can refuse an application are listed below. (One or more of these grounds can be selected.)

Business Grounds for Refusing a Request:

- ❖ burden of additional costs;
- ❖ detrimental effect on ability to meet customer demand;
- ❖ inability to re-organise work among existing staff;
- ❖ inability to recruit additional staff;
- ❖ detrimental impact on quality;
- ❖ detrimental impact on performance;
- ❖ insufficiency of work during the periods the employee proposes to work;
- ❖ planned structural changes.

Note: The explanation should include the **key facts** about **why a business ground applies**. These should be **accurate and clearly relevant to the business ground**. To prevent any uncertainty, the explanation should avoid the use of unfamiliar jargon and should be written in a way that is easy to understand.

Experience shows that an employee who understands why a business reason is relevant will accept the outcome and be satisfied that their application has been considered seriously, despite being disappointed that their application has been refused. It also shows that the reverse is true, particularly if the explanation is not sufficient to help the employee understand the reasons for the rejection.

A decision based on incorrect facts to reject an application would provide an employee with a basis to make a complaint to an industrial tribunal. A tribunal will want to see evidence of any facts relied upon to reject the application and, that the manager has provided the employee with a sufficient explanation as to why the business ground(s) apply to their application.

8. Appeals Procedure

It will never be possible for an employer to agree to a new working pattern in every circumstance due to the business needs of the organisation. In such situations, the reasons why the request cannot be accepted should be clear to the employee from the notice of the refusal, which must include the business reason and an explanation. However, there will be circumstances where the employee may believe that their request has not been properly considered and may want to appeal. The appeal procedure is summarised below.

Where an employee's request for flexible working has been refused they can appeal the decision, but must do so in writing within **14 working days after the date of the manager's notification of their decision**. The appeal should be sent to the Director of Human Resources and Organisational Development. (Employees should note that this does not infringe upon their right to take a complaint to an external body/agency, however internal dispute resolution mechanisms must be exhausted before recourse to outside redress.)

Appealing the Decision – Summary

An employee has **14 days** to appeal in writing after the date of notification of the manager's decision.

- ❖ If an appeal is made, the employer must arrange an appeal meeting to take place within **14 days** after receiving notice of the appeal.
- ❖ The employee can be **accompanied** to the appeal meeting.
- ❖ The employer/manager must inform the employee of the outcome of the appeal in writing **within 14 days** after the date of the meeting.

Note: When appealing against a refused request an employee will have to **set out the grounds for making the appeal** and **ensure that the appeal is dated**.

If the appeal is upheld the written decision must:

- ❖ include a description of the new working pattern;
- ❖ state the date from which the new working pattern is to take effect; and
- ❖ be dated.

If the appeal is dismissed the written decision must:

- ❖ state the grounds for the decision. These will be appropriate to the employee's own grounds for making the appeal;
- ❖ provide an explanation as to why the grounds for refusal apply in the circumstances. The same principles apply as to what is a sufficient level of explanation at appeal as the amount of explanation that should be given following the initial decision; and
- ❖ be dated

Note: A written notice of the appeal outcomes constitutes the employer's final decision and is effectively the end of the formal procedure within the workplace.

9. Exceptions to the Procedure and Withdrawals

In the majority of cases, requests for flexible working will follow the procedure as laid out earlier in this Policy. However, there will be occasions where it is necessary to deviate from this to help reach a suitable outcome. The potential exceptions to the statutory procedure and when an application may be taken as withdrawn are outlined below. **In all circumstances it is essential that a written record is made.**

❖ Extension of time limits

There are 2 circumstances where the time limits as laid out earlier in the guide can be extended:

(i) Through agreement by the manager and the employee

There will be exceptional occasions when it is not possible to complete a particular part of the procedure within the specified time limit. For example, it might be that the manager requires extra time to speak to another employee, who is on holiday, about whether they could work the hours left uncovered by the employee's requested working pattern. Or the employee themselves may be going on leave and as such will not be able to attend a meeting within the time limit.

Such extensions of time limits can only take place if they are agreed by both the employer and the employee. The manager must make a written record of the agreement.

The written record of the agreement must:

- ❖ specify **what period** the extension relates to;
- ❖ specify the **date** on which the extension is to end;
- ❖ be **dated**; and
- ❖ be **sent to the employee**.

(ii) Through the Manager's Absence

Where an application is sent to the manager who will deal with the application, and the manager is absent from work due to leave or illness, an **automatic** extension applies. The period that the employer has to arrange the meeting will commence **either on the day of the manager's return or 28 days after the application is made, whichever is sooner.**

On a manager's return it will be best practice to acknowledge receipt of the application so the employee is aware that the extension has applied and knows the period within which they can expect to meet their employer to discuss the request.

There are no other circumstances where an automatic extension to any period applies.

❖ When can an application be treated as withdrawn?

There will also be occasions when an application is **treated as withdrawn**. In all circumstances a **written record** must be made.

There are 3 circumstances in which an application may be treated as withdrawn:

(i) The employee decides to withdraw the application

An employee who withdraws their application will not be eligible to make another application for **12 months** from the date their application was made. This will therefore be a factor the employee will want to bear in mind when considering withdrawing their application. Where the employee decides to withdraw their application, they should notify their employer as soon as possible and in writing. This is essential to avoid any misunderstandings.

A manager who is informed verbally that the application is withdrawn by the employee but does not subsequently receive written confirmation should **contact the employee to confirm** their intentions. Where the manager does not receive

confirmation from the employee, the manager should confirm the withdrawal in writing.

(ii) The employee fails to attend 2 meetings

In cases where an employee misses **2** meetings without reasonable cause, the manager may treat the application as withdrawn. It is therefore in the employee's best interests to **inform their manager as soon as possible if, and why, they are not able to attend a meeting**. For example, if an employee misses a meeting for a reason such as their child falling ill and informs the employer straight away, the manager should treat this sympathetically. However, if an employee simply misses a meeting and does not explain why, then they can expect their absence to be treated less sympathetically. The manager should advise the employee that they risk their application being treated as withdrawn if they miss another meeting without reasonable cause when rearranging the meeting.

(iii) The employee unreasonably refuses to provide the manager with the required information

There may be occasions where the manager is willing to accept a request for flexible working, but requires the employee to provide them with certain information before they can do so. If an employee unreasonably refuses to provide the manager with the information, then the manager can treat the application as withdrawn.

10. Unresolved Applications

Most applications will conclude with a satisfactory outcome either when the manager gives their decision or at appeal. But there will always be some cases, even after an appeal, where an employee feels their application has not been dealt with to their satisfaction. The employee may want to involve a third party or, in specific circumstances, be thinking of making a complaint to an industrial tribunal.

How to deal with an unresolved application

- ❖ Through an informal discussion;
- ❖ Third party involvement, e.g. a Labour Relations Agency official, union representative;
- ❖ In specific circumstances, making a formal complaint to an industrial tribunal or the Labour Relations Agency Arbitration Scheme.

Note: In the first instance, it is likely to be in all parties' interests to try to resolve the problem within the workplace. Evidence shows that the quickest and most effective way for an employee to resolve an issue is to speak with their manager/employer.

It may be that there has been a simple misunderstanding of the flexible working procedure, which the employee believes affected the manager's decision. If the employee feels able to discuss this with the manager, the issue may be resolved without the need to resort to more formal mechanisms.

Further advice and information is available from the Employee Relations Team within the Trust's Human Resources Department.



APPLICATION FOR WORK-LIFE BALANCE PROVISIONS / LEAVE

SECTION 1: It is your responsibility as the Applicant, to ensure this form is FULLY completed

PLEASE REFER TO THE ELIGIBILITY CRITERIA FOR EACH SCHEME ALONG WITH GUIDANCE IN THE WORK-LIFE BALANCE POLICY BEFORE COMPLETING THIS FORM

SURNAME: _____ TITLE (Mrs/Miss etc): _____

FORENAMES: _____ CONTACT TEL NO: _____

DIRECTORATE: _____ FACILITY/DEPT: _____

JOB TITLE & GRADE: _____ STAFF NO: _____

DATE APPOINTED: _____ NAT. INSURANCE NO: _____

CURRENT WORKING PATTERN (HOURS/DAYS WORKED): _____

PLEASE TICK THE WORK-LIFE PROVISION/TYPE OF LEAVE YOU WISH TO APPLY FOR:

1. Job Share <i>See below*</i>	<input type="checkbox"/>	7. Work Break <i>See below*</i>	<input type="checkbox"/>
2. Compressed Working Week/Tailored Hours <i>See below*</i>	<input type="checkbox"/>	8. Parental Leave <i>See below*</i>	<input type="checkbox"/>
3. Staggered Hours <i>See below*</i>	<input type="checkbox"/>	9. Time Off For Dependants	<input type="checkbox"/>
4. Part-Time Working/Voluntary Reduced Working Time <i>See below*</i>	<input type="checkbox"/>	10. Leave for Urgent Domestic Distress	<input type="checkbox"/>
5. Term Time Working <i>(Forms must be signed by Manager and with HR Dept. on or before 31 January) See below*</i>	<input type="checkbox"/>	11. Unpaid Leave <i>See below*</i>	<input type="checkbox"/>
6. Employment Break <i>See below*</i>	<input type="checkbox"/>	12. Other <i>Please specify on line below*</i>	<input type="checkbox"/>

*Other: _____

***Note for Managers – MSS Contractual Change Form must be completed if WLB approved.**

Is the application for a Work-Life Balance provision to enable you to care for:-

A Child(ren) Please specify age(s): _____ A Dependant Adult

Reason For Request: _____

► In the case of 1 to 4 please state Hours/Days per week requested:

Please specify if this request is permanent or temporary: _____

State the requested start date and end date (if applicable): From: _____ To: _____

► In the case of 6 to 11 please state the date(s) on which you request leave (refer to the Trust’s Work-Life Balance Policy for guidance on entitlement):

State inclusive date(s): From: _____ To: _____

► In the case of 5 please state below the date(s) on which you request leave. All leave must be taken in complete weeks i.e. Mon-Sun. A minimum of 4 weeks and maximum of 12 weeks can be taken during school holidays.

Applications for Term Time must be received by the HR Department on or before 31 January – all applications must be fully completed and signed by the applicant and also their Line Manager and Head of Dept.

State inclusive date(s): From: Mon: _____ To: Sun: _____

State inclusive date(s): From: Mon: _____ To: Sun: _____

State inclusive date(s): From: Mon: _____ To: Sun: _____

State inclusive date(s): From: Mon: _____ To: Sun: _____

State inclusive date(s): From: Mon: _____ To: Sun: _____

State inclusive date(s): From: Mon: _____ To: Sun: _____

State inclusive date(s): From: Mon: _____ To: Sun: _____

State inclusive date(s): From: Mon: _____ To: Sun: _____

How do you feel this proposed arrangement would affect your work/workload, impact on the Department/colleagues and how do you propose this effect could be accommodated/overcome?

It is the responsibility of the member of staff to keep in contact with their manager regarding vacancies that arise during their time away from work on a Work-Life Balance provision.

APPLICANT - PLEASE SIGN AND DATE THIS APPLICATION FORM

APPLICANT’S SIGNATURE: _____ DATE: _____

SECTION 2: To be completed FULLY by the Line Manager

PLEASE REFER TO GUIDANCE IN WORK-LIFE BALANCE POLICY BEFORE COMPLETING THIS FORM

Application Received: _____

Application Acknowledged: _____

Meeting arranged for (insert date): _____

If meeting did not take place on the above date, please insert reason: _____

Next date arranged (insert date): _____

If meeting did not take place on the above date, please insert reason: _____

Present at meeting: _____

OUTCOME

Application withdrawn:-

Give details: _____

Application agreed: - HR DEPT WILL ISSUE LETTER OF APPROVAL IF APPROPRIATE

▶ In the case of 1 to 4 (as per front page of this form) please state Hours/Days per week approved:

Please specify if this is permanent or temporary arrangement: _____

State the approved start date and end date (if applicable): From: _____ To: _____

▶ In the case of 5 to 11 (as per front page of this form) please state date(s) approved:-

From: _____ To: _____

REMINDER: The Line Manager/Head of Department must complete the MSS Contractual Change Form as indicated on the front page.

Application refused: - MANAGERS WILL ISSUE LETTER OF REFUSAL*

Reason(s) for refusal: (please refer to page 29 of the Work-Life Balance Policy for clarification).

REMINDER: Refusal letter issued by the manager must accompany this form to the HR Dept – see Appendix 3 for sample letter.

LINE MANAGER AND HEAD OF DEPARTMENT MUST SIGN AND DATE THIS FORM

Signed Line Manager: _____	Signed Head of Dept: _____
Print Name: _____	Print Name: _____
Grade/Job Title: _____	Grade/Job Title: _____
Work Base: _____	Work Base: _____
Date: _____	Date: _____
Contact Tel No: _____	Contact Tel No: _____

Please forward this form to the Employee Relations Dept at the address below and ensure the MSS Contractual Change Form is completed if appropriate (see *note on page 1 of this form).

*Refusal letters MUST be issued to staff by their manager and a copy of the letter MUST accompany this form for HR records.

The Employee Relations Dept will issue all approval letters if appropriate to ensure contractual arrangements are notified to staff as required.

Work-Life Balance Policy Applications
Employee Relations Department, Hill Building, St. Luke's Hospital Site, Loughgall Road,
Armagh, BT61 7NQ

APPEALS PROCEDURE

Following receipt of refusal letter from the manager, should the employee be unhappy with a decision, they may appeal this by putting it in writing to the Director of Human Resources & Organisational Development at the address below, within 14 days:-

Mrs Vivienne Toal, Director of Human Resources & Organisational Development
Trust HQ, College of Nursing, Craigavon Area Hospital, 68 Lurgan Road, Portadown,
BT63 5QQ

WORK-LIFE BALANCE PROVISIONS (Ready Reckoner)

Name of Provision	Summary	Eligibility Criteria
Job Share	<ul style="list-style-type: none"> <input type="checkbox"/> Sharing responsibilities, terms, conditions and salary of a full-time job between 2 or more people. <input type="checkbox"/> Current employees can ask to have their post considered for job share. 	<ul style="list-style-type: none"> <input type="checkbox"/> Open to all employees who have satisfactorily completed their probationary period.
Part-Time Working/ Voluntary Reduced Working Time	<ul style="list-style-type: none"> <input type="checkbox"/> Allows staff to reduce their full-time working hours to less than their normal working week. Whilst some posts may be advertised as part-time, this scheme enables full-time staff to voluntarily trade income for time off either on a short or long term basis, usually up to a maximum of 50%. 	<ul style="list-style-type: none"> <input type="checkbox"/> Open to all employees who have satisfactorily completed their probationary period.
Employment Break	<ul style="list-style-type: none"> <input type="checkbox"/> Period of planned unpaid leave which can be a minimum of 3 months up to a maximum of 5 years for the duration of the individual's employment within the NHS/HSC. Designed to assist those taking prime responsibility for the care of children/adopting children and/or have to care for elderly and/or disabled relatives or other dependants. <input type="checkbox"/> Scheme also designed for those who wish to pursue some form of job related academic study/training or to undertake specific work abroad which will support the individual in their on-going development. <input type="checkbox"/> Requests for others reasons will only be considered in exceptional circumstances. It is not intended for the purposes of travel abroad. 	<ul style="list-style-type: none"> <input type="checkbox"/> Open to all staff who have satisfactorily completed a minimum of 12 months' service with the NHS/HSC

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	<input type="checkbox"/> Staff on Employment Breaks will not normally be allowed to take up paid employment with another employer except where, for example, work abroad, charitable work which could broaden experience. In such circumstances written authority from the Trust must be obtained PRIOR to engagement in such activity.	
Term Time	<input type="checkbox"/> Designed to facilitate employees to remain on a contract but who wish to take unpaid leave during the school holidays to care for their children (minimum of 4 weeks up to a maximum of 12 weeks). <input type="checkbox"/> Reduced salary will be spread over the 12 months. <input type="checkbox"/> Approval applies to current school year only.	<input type="checkbox"/> Open to members of staff who will be assuming the primary responsibility for children for whom they have parental responsibility. Applications must be received by 31 January each year for the new salary to become effective by 1 April (if approved).
Compressed Working Week/ Tailored Hours	<input type="checkbox"/> Where the working week is organised so that less than the normal 5 days are worked, e.g. same hours are worked over a 4 or 4 and a half day period.	<input type="checkbox"/> Open to all members of staff. For new employees, normal probationary periods apply.
Staggered Hours	<input type="checkbox"/> Replicates the idea of split shifts e.g. if a member of staff has to attend to the needs of a child or an elderly and/or disabled relative over the lunch time period they may work e.g. 8am-11.30am and 2pm-6pm.	<input type="checkbox"/> Open to members of staff who carry the primary responsibility for the care of their children, who are adopting children or who have to care for elderly and/or disabled relatives. Other reasons may be considered.
Work Break	<input type="checkbox"/> Is a break of a minimum period of one month not normally exceeding 6 months to provide a break from work where staff are having to cope with exceptional circumstances, e.g. care of a partner/child/dependant during a life threatening,	<input type="checkbox"/> Open to employees with continuous service of at least 6 months with the Trust.

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	<p>critical or terminal illness or to assist with their rehabilitations after such an illness.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Employees will receive half of their normal remuneration whilst on a work break. 	
<p>Partial Retirement</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Partial retirement allows employees to gradually move from work to retirement. <input type="checkbox"/> Please refer to the stand-alone Partial Retirement Policy for further details – available on SharePoint under Human Resources/Employee Relations Policy tab. 	<ul style="list-style-type: none"> <input type="checkbox"/> Members of the 2008 and 2015 schemes can apply to partially retire from the Trust and receive some of their HSC Pension benefits while continuing to work within the Trust. Partial retirement will also apply to 1995-2015 transitional pension scheme members but it will only apply to the 2015 scheme element of their benefits. It should be noted that partial retirement is not available to members of the 1995 scheme.



Quality Care - for you, with you

<INSERT STAFFNO>

<INSERT DATE>

<INSERT NAME>

<INSERT ADDRESS 1>

<INSERT ADDRESS 2>

<INSERT ADDRESS 3>

<INSERT POSTCODE>

Dear <INSERT NAME>

RE: WORK LIFE BALANCE APPLICATION

I refer to your application for <INSERT WORK LIFE BALANCE SCHEME> with effect from <INSERT START DATE> to <INSERT END DATE> (inclusive) in order to accommodate <INSERT REASON FOR WLB REQUEST>.

As discussed at our meeting on <INSERT DATE >, unfortunately I am unable to approve your request for the following reason/s:

- <INSERT **FULL EXPLANATION** FOR REFUSAL - IT IS NOT SUFFICIENT TO STATE eg DUE TO SERVICE NEEDS>

If you wish to appeal this decision you should write to Mrs Vivienne Toal, Director of Human Resources & Organisational Development at Trust Headquarters, College of Nursing, Craigavon Area Hospital, 68 Lurgan Road, Portadown, BT63 5QQ within 14 days of receipt of this letter.

Yours sincerely

<INSERT MANAGERS NAME>

<INSERT MANAGERS JOB TITLE>

cc **ER Dept, Hill Building, St Luke's Hospital Site, Loughgall Road, Armagh, BT61 7NQ – Attach original WLB Form**