

## FLEXI TIME POLICY

**April 2018**

|   |  |
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| <b>Authorship :</b>                       | eMBED on behalf of NHS Vale of York CCG  |
| <b>Reviewing Committee :</b>              | Social Partnership Forum   |
| <b>Date :</b>                             | 10 January 2018  |
| <b>Approval Body :</b>                    | CCG Executive Committee  |
| <b>Approved Date :</b>                    | 04 April 2018  |
| <b>Review Date :</b>                      | April 2021   |
| <b>Equality Impact Assessment :</b>       | Attached   |
| <b>Sustainability Impact Assessment :</b> | Attached   |
| <b>Related Policies :</b>                 | <ul style="list-style-type: none"> <li>• Flexible Working (HR09)</li> <li>• Management of Attendance (HR08)</li> </ul>         |
| <b>Target Audience :</b>                  | All employees, members, committee and sub-committee members of the group and members of the governing body and its committees. |
| <b>Policy Reference No. :</b>             | HR09a  |
| <b>Version Number :</b>                   | 1.1  |

The on-line version is the only version that is maintained. Any printed copies should, therefore, be viewed as 'uncontrolled' and as such may not necessarily contain the latest updates and amendments.

## POLICY AMENDMENTS

Amendments to the policy will be issued from time to time. A new amendment history will be issued with each change.

| <b>New Version Number</b> | <b>Issued by</b> | <b>Nature of Amendment</b>   | <b>Approved by and Date</b>   | <b>Date on Internet</b> |
|---------------------------|------------------|--|---|-------------------------|
| Draft                     | YHCS             | Staff consultation   | January 2015  |                         |
| Draft                     | YHCS             | JTUPF  | 25 February 2015  |                         |
| V1                        | YHCS             | SMT  | 07 April 2015   | 09 April 2015           |
| 1.1                       | VoY CCG          | General Data Protection Regulations wording added (para 1.6) and review period updated to four years | Social Partnership Forum<br>10 January 2018<br>CCG Executive<br>04 April 2018 | 04 May 2018             |

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## **1. INTRODUCTION**

- 1.1. Vale of York Clinical Commissioning Group (CCG) is committed to helping all staff balance their work with other commitments and recognise the need for staff to be flexible. This policy is part of that commitment.
- 1.2. Flexible working hours or “Flexi-time” is a system which enables staff some latitude in deciding their starting and finishing times at work subject to workloads and needs of the service and as such offers staff particular benefits in deciding their working day.
- 1.3. The CCG expects managers to encourage open discussion among their team(s) to determine the most appropriate and preferred options for both managers and team members to be able to benefit from the use of flexi-time. Managers are strongly encouraged to facilitate arrangements to work flexibly wherever reasonably practicable. For further information on flexible working please see the Flexible Working Policy.
- 1.4. The needs of the department must take priority and continuity of service (e.g. covering lunch breaks) must be maintained.
- 1.5. Heads of Service will retain the right to insist that his/her staff work particular set hours when required.
- 1.6. The CCG is committed to ensuring that all personal information is managed in accordance with current data protection legislation, professional codes of practice and records management and confidentiality guidance. More detailed information can be found in the CCGs Data Protection and Confidentiality and related policies and procedures.

## **2. POLICY STATEMENT**

- 2.1. The Vale of York Clinical Commissioning Group aspires to the highest standards of corporate behaviour and responsibility. All Vale of York Clinical Commissioning Group staff are required to comply with this policy.

## **3. IMPACT ANALYSES**

### **Equality**

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

An Equality Impact Analysis is attached at Appendix 1.

## **Sustainability**

- 3.2. A Sustainability Impact Assessment has been completed for this policy and is attached at Appendix 2.

## **4. SCOPE**

- 4.1. The scheme applies to all CCG staff on Agenda for Change bands 1 to 7, full time and part-time, where both the individual and their manager agree it is an appropriate way of working. Staff / managers working above this level are required by the nature of their work to manage their hours appropriately and flexibly and may wish to use the flexi-time record sheet as a way to record the time worked.
- 4.2. It will not be appropriate for every post, in particular where there are fixed hours, (e.g. opening and closing times) or where individual work depends on the attendance of another colleague. The decision on working patterns will be the responsibility of the appropriate manager.
- 4.3. The policy will be in accordance with NHS Terms and Conditions of Service Handbook.

## **5. POLICY PURPOSE / AIMS AND FAILURE TO COMPLY**

- 5.1. Flexible working hours or “Flexi-time” is a system which enables staff some latitude in deciding their starting and finishing times at work subject to workloads and needs of the service and as such offers staff particular benefits in deciding their working day.
- 5.2. The scheme applies to all CCG staff on Agenda for Change bands 1 to 7, full time and part-time, where both the individual and their manager agree it is an appropriate way of working. Staff / managers working above this level are required by the nature of their work to manage their hours appropriately and flexibly and may wish to use the flexi-time record sheet as a way to record the time worked.
- 5.3. It will not be appropriate for every post, in particular where there are fixed hours, (e.g. opening and closing times) or where individual work depends on the attendance of another colleague. The decision on working patterns will be the responsibility of the appropriate manager.
- 5.4. The needs of the department must take priority and continuity of service (e.g. covering lunch breaks) must be maintained.
- 5.5. Heads of Service will retain the right to insist that his/her staff work particular set hours when required.

## 6. PRINCIPAL LEGISLATION AND COMPLIANCE WITH STANDARDS PROCEDURE

- 6.1 Staff must complete a flexi-time record sheet (see Appendix 1) accurately recording the time they start and finish work and include the time taken at lunch. It is the employee's responsibility to record and total up hours worked and the Manager's responsibility to check the timesheet, certify it is correct and return it to the Employee. An electronic copy of the spreadsheet, which includes formulas for assisting in calculating flexi-time, is available on the intranet.
- 6.2 Intentions to use flexi-time should be recorded within the employees electronic calendar and if appropriate colleagues made aware.
- 6.3 If the employee is absent due to sickness, annual leave, study leave or any other type of paid authorised leave, the standard hours that would normally be worked during that shift should be entered on their timesheet.
- 6.4 The minimum statutory lunch break required is 20 minutes however the CCG expectation is that a minimum of 30 minutes is used if the employee is working more than 6 hours that day, therefore staff must record a minimum of 30 minutes on their timesheet for every continuous period worked that exceeds 6 hours. This is for the health and safety of all staff and managers should not ask staff to forego this break.
- 6.5 At the end of each calendar month completed timesheets must be passed to Line Managers for authorisation.
- 6.6 Non completion of a sheet or false entries will be regarded as a serious disciplinary offence under the CCG's Disciplinary Policy and could result in the scheme being withdrawn and disciplinary action taken.

## 7. USE OF FLEXI-TIME

### 7.1. Basic rules of the system:

Each Flexi-time cycle will cover four weeks

Earliest Start Time : 8:00am

Latest Start Time : 9:30am

Earliest Finish Time : 4:00pm

Latest Finish Time : 6:30pm

Flexible Lunch Period : 12 noon to 2:00pm (minimum lunch break ½ hour unpaid)

**NOTE:** Where a meeting has been pre-planned and takes place outside of flexi time periods shown above (e.g. evening meetings) then this time should be taken as time in lieu rather than banked as flexi time. Lieu time should be discussed and agreed with your line manager.

- 7.2. Employees are able to have an earlier/later start time and finish time but are based upon the standard service delivery need of the CCG. Any hours worked outside of these times would need prior line manager agreement.
- 7.3. Organisational Needs – It is an expectation of the CCG that all telephone calls will be answered and visitors to the building welcomed between the hours of 8:30am and 5:00pm. It is therefore the line manager's responsibility to ensure that there is sufficient and appropriate team cover between these hours. This cover may be shared, at the manager's discretion, across different teams.
- 7.4. Departmental Needs - The appropriate Director will retain the right to insist that his/her staff work particular set hours when required.
  - A standard working day is 7 hours and 30 minutes (based upon a 37.5 hour a week contract).
  - A half day is 3 hours 45 minutes (based on a 37.5 hour a week contract).
- 7.5. Flexi-time may be taken to suit staff wishes with the agreement of their line manager and ensuring appropriate office cover. Time can be taken in minutes, hours, half days or full days up to a maximum of one day each four week cycle. This will be pro-rata for part-time staff. Anything in advance of the one day can only be taken with agreement of the manager and is dependent on service needs and demands.
- 7.6. When taking flexi-time within core hours, the Employee must arrange this in advance with their line manager. Credit balances are not overtime they are for work that has been completed above your normal working hours and should be taken back at an agreed time with your manager and will not be paid. Overtime may only be worked after agreement with the line manager.
- 7.7. If an employee is due to leave the CCG, flexi hours should be maintained to ensure that no credit or debit is outstanding on the last working day.
- 7.8. Medical appointments should be taken in the employees own time or use flexi-time to cover the hours that they are absent from work. Wherever possible the appointment should be made at the start or the end of the day to minimise disruption to service delivery.
- 7.9. Hospital appointments will be accommodated within working time, where prior manager approval has been obtained. Employees should attempt to minimise the time by requesting appointments at the beginning or end of a working day wherever possible.
- 7.10. Flexible working arrangements are intended to make starting and finishing times flexible for staff with the aim of improving service delivery and working lives. It is not intended to be used as a means of accumulating sufficient hours for future leave to be taken.
- 7.11. Full time staff may carry forward up to 7 hours 30 minutes debit or 15 hours credit from one cycle to another. For part-time staff this is pro rata. Exceptions to this would need to be agreed by the manager.

7.12. Full time staff may take flexi-leave of one day (7 hours 30 minutes) or two half days (3 hours 45 minutes each) in any one Flexi-time cycle, subject to the needs of the service. Exceptionally, an additional two half days may be taken per cycle, where staff have worked additional hours in order to meet business needs. This should be at the discretion of the appropriate line manager.

Part-time staff may take flexi-time pro rata e.g. if you work 20 hours per week over four days you would be able to take one day (5 hours) or two half days (2 hours 30 minutes)

7.13. It is not necessary to be in credit before flexi-leave is taken, however, this must not exceed 7 hours 30 minutes (one standard day) or pro rata for part-time staff, at any point.

7.14. Manager's agreement needs to be obtained prior to the use of any flexi-leave being taken. The employee should record the use of flexi-time on their timesheet and calendar and if appropriate make colleagues made aware.

## **8. TERMINATION OF FLEXI-TIME**

8.1. Both the employee and their manager have the right to end the flexible working arrangement at the end of the next four week period. If a manager wishes to end the flexible working arrangement they must seek advice from the Workforce Team prior to any action being taken. If the flexible working arrangement is terminated by either party the flexi hours should be adjusted to ensure that no credit or debit is outstanding on the last day of that four week period.

## **9. APPEAL PROCESS**

9.1. If an employee believes that a request for flexible working has been unreasonably refused they will have the right of appeal through the CCG's Grievance Procedure. Advice and guidance is available from the Workforce Team and recognised Trade union representatives.

## **10. BRIBERY ACT 2010**

10.1. The Bribery Act is particularly relevant to this policy. Under the Bribery Act it is a criminal offence to :

- Bribe another person by offering, promising or giving a financial or other advantage to induce them to perform improperly a relevant function or activity, or as a reward for already having done so; and
- Be bribed by another person by requesting, agreeing to receive or accepting a financial or other advantage with the intention that a relevant function or activity would then be performed improperly, or as a reward for having already done so.

- 10.2. These offences can be committed directly or by and through a third person and other related policies and documentation (as detailed on the CCG intranet) when considering whether to offer or accept gifts and hospitality and/or other incentives.
- 10.3. Anyone with concerns or reasonably held suspicions about potentially fraudulent activity or practice should refer to the Local Anti-Fraud and Corruption Policy and contact the Local Counter Fraud Specialist

## **11. ROLES / RESPONSIBILITIES / DUTIES**

- 11.1. Each individual employee is responsible for ensuring working times are recorded honestly and accurately. Authorising managers are required to make reasonable checks to satisfy themselves that claims are genuine and authorise and also maintain suitable records incorporating this information.
- 11.2. The success of the system depends, to a large extent, on the individual employees exercising discretion with respect to workloads, peak periods etc., in his or her own department ensuring cover is arranged with colleagues as necessary.
- 11.3. Participation in the scheme is a privilege and as such could be withdrawn from an individual in certain circumstances (e.g. abuse of the system or if there are particular needs for the service etc.).

## **12. POLICY IMPLEMENTATION**

- 12.1. This policy will be communicated to staff via team meetings/team brief and will be available for staff on the internet.
- 12.2. Breaches of this policy may be investigated under the CCG's disciplinary procedure.

## **13. TRAINING AND AWARENESS**

- 13.1. A copy of the policy will be available on the CCG internet. Training needs will be identified via the appraisal process and training needs analysis.

## **14. MONITORING AND AUDIT**

- 14.1. The implementation of this policy will be audited on an annual basis by the CCG and reported to CCG Governing Body.

## 15. POLICY REVIEW

- 15.1. The policy and procedure will be reviewed after three years for the CCG Governing Body in conjunction with Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

## 16. REFERENCES

- 16.1. For further information please refer to the following reference sources

- <https://www.gov.uk/flexible-working/overview>
- <http://www.acas.org.uk/media/pdf/o/0/Right-to-apply-for-flexible-working-a-short-guide.pdf>

## 17. ASSOCIATED POLICIES

- Flexible Working (HR09)
- Management of Attendance (HR08)

## 18. CONTACT DETAILS

**Manager Name** : Strategy and Assurance Manager

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19. APPENDIX 1 : EQUALITY IMPACT ANALYSIS FORM

|           |   |
|-----------|---|
| <b>1.</b> | <b>Title of policy/ programme/ service being analysed</b>   |
|           | Flexi-time Policy   |
| <b>2.</b> | <b>Please state the aims and objectives of this work.</b>   |
|           | The policy aims to introduce a level of flexibility around working hours to enable differing start/ finish times where business needs allow for this, subject to recording hours worked.  |
| <b>3.</b> | <b>Who is likely to be affected? (e.g. staff, patients, service users)</b>  |
|           | Staff   |
| <b>4.</b> | <b>What sources of equality information have you used to inform your piece of work?</b>   |
|           | Staff data  |
| <b>5.</b> | <b>What steps have been taken ensure that the organisation has paid <u>due regard</u> to the need to eliminate discrimination, advance equal opportunities and foster good relations between people with protected characteristics</b>  |
|           | The analysis of equalities is embedded within the CCG's Committee Terms of Reference and project management framework.  |
| <b>6.</b> | <b>Who have you involved in the development of this piece of work?</b>  |
|           | <p><b>Internal involvement:</b><br/>Senior Management team</p> <p><b>Stakeholder involvement:</b><br/>Consultation with Senior Managers</p> <p><b>Patient / carer / public involvement:</b><br/>This is an Internal policy aimed at staff employed by the CCG and contractors working for the CCG. The focus is on compliance with statutory duties and NHS mandated principals and practice.</p> |
| <b>7.</b> | <b>What evidence do you have of any potential adverse or positive impact on groups with protected characteristics?</b>  |
|           | <p><b>Do you have any gaps in information?</b></p> <p><b>Include any supporting evidence e.g. research, data or feedback from engagement activities</b></p>   |

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| <p><b>Disability</b><br/>People who are learning disabled, physically disabled, people with mental illness, sensory loss and long term chronic conditions such as diabetes, HIV)</p>                | <p>Consider building access, communication requirements, making reasonable adjustments for individuals etc.</p>        |
| <p>This may have a positive effect on people with disabilities or long term conditions who may need the flexibility to adjust their working hours, for example to attend hospital appointments.</p> |  |
| <p><b>Sex</b><br/>Men and Women</p>   | <p>Consider gender preference in key worker, single sex accommodation etc.</p>   |
| <p>No impact detected.</p>  |  |
| <p><b>Race or nationality</b><br/>People of different ethnic backgrounds, including Roma Gypsies and Travellers</p>   | <p>Consider cultural traditions, food requirements, communication styles, language needs etc.</p>                      |
| <p>No impact detected.</p>  |  |
| <p><b>Age</b><br/>This applies to all age groups. This can include safeguarding, consent and child welfare</p>  | <p>Consider access to services or employment based on need/merit not age, effective communication strategies etc.</p>  |
| <p>This policy may have a positive impact on people requesting flexible working hours in the approach to retirement, as part of the organisation's flexible retirement arrangements.</p>            |  |
| <p><b>Trans</b><br/>People who have undergone gender reassignment (sex change) and those who identify as trans</p>  | <p>Consider privacy of data, harassment, access to unisex toilets &amp; bathing areas etc.</p>                         |
| <p>No impact detected.</p>  |  |
| <p><b>Sexual orientation</b><br/>This will include lesbian, gay and bi-sexual people as well as heterosexual people.</p>  | <p>Consider whether the service acknowledges same sex partners as next of kin, harassment, inclusive language etc.</p> |
| <p>No impact detected.</p>  |  |
| <p><b>Religion or belief</b><br/>Includes religions, beliefs or no religion or belief</p>   | <p>Consider holiday scheduling, appointment timing, dietary considerations, prayer space etc.</p>                      |

|   |   |
|---|---|
| The policy may have a positive impact in that flexible start and finish times allow for changing prayer times throughout the year.  |   |
| <b>Marriage and Civil Partnership</b><br>Refers to legally recognised partnerships (employment policies only)   | Consider whether civil partners are included in benefit and leave policies etc.   |
| No impact detected.   |   |
| <b>Pregnancy and maternity</b><br>Refers to the pregnancy period and the first year after birth   | Consider impact on working arrangements, part-time working, infant caring responsibilities etc.   |
| This policy may have a positive impact for people who need to make childcare arrangements.  |   |
| <b>Carers</b><br>This relates to general caring responsibilities for someone of any age.  | Consider impact on part-time working, shift-patterns, options for flexi working etc.  |
| This policy may have a positive impact on those with caring responsibilities, who may need to work hours that are in line with the availability of other carers.  |   |
| <b>Other disadvantaged groups</b><br>This relates to groups experiencing health inequalities such as people living in deprived areas, new migrants, people who are homeless, ex-offenders, people with HIV. | Consider ease of access, location of service, historic take-up of service etc.  |
| No negative impacts detected.   |   |
| <b>8. Action planning for improvement</b>   | <p>Please outline what mitigating actions have been considered to eliminate any adverse impact?<br/>No adverse impacts have been observed.</p> <p>Please state if there are any opportunities to advance equality of opportunity and/ foster good relationships between different groups of people?<br/>Not applicable.</p> |
|   |   |

| <b>Sign off</b>   |
|---|
| Name and signature of person / team who carried out this analysis |
| Date analysis completed   |
| Name and signature of responsible Director                        |
| Date analysis was approved by responsible Director                |

## 21. APPENDIX 2 : SUSTAINABILITY IMPACT ASSESSMENT

Staff preparing a policy, Governing Body (or Sub-Committee) report, service development plan or project are required to complete a Sustainability Impact Assessment (SIA). The purpose of this SIA is to record any positive or negative impacts that this is likely to have on sustainability.

|  |  |
|--|--|
| Title of the document                    | Flexi-time Policy  |
| What is the main purpose of the document | To allow for flexible working hours subject to the recording of hours worked |
| Date completed                           |  |
| Completed by                             |  |

| Domain | Objectives  | Impact of activity<br>Negative = -1<br>Neutral = 0<br>Positive = 1<br>Unknown = ?<br>Not applicable = N/A | Brief description of impact | If negative, how can it be mitigated?<br>If positive, how can it be enhanced? |
|--------|---|---|-----------------------------|---|
| Travel | Will it provide / improve / promote alternatives to car based transport?  | N/A   |                             |   |
|        | Will it support more efficient use of cars (car sharing, low emission vehicles, environmentally friendly fuels and technologies)? | N/A   |                             |   |
|        | Will it reduce 'care miles' (telecare, care closer) to home?  | N/A   |                             |   |
|        | Will it promote active travel (cycling, walking)?   | N/A   |                             |   |
|        | Will it improve access to opportunities and facilities for all groups?  | N/A   |                             |   |
|        | Will it specify social, economic and environmental outcomes to be accounted for in procurement and delivery?                      | N/A   |                             |   |

| Domain                | Objectives  | Impact of activity<br>Negative = -1<br>Neutral = 0<br>Positive = 1<br>Unknown = ?<br>Not applicable = N/A | Brief description of impact   | If negative, how can it be mitigated?<br>If positive, how can it be enhanced? |
|-----------------------|---|---|---|---|
| Procurement           | Will it stimulate innovation among providers of services related to the delivery of the organisations' social, economic and environmental objectives? | N/A   |   |   |
|                       | Will it promote ethical purchasing of goods or services?  | N/A   |   |   |
| Procurement           | Will it promote greater efficiency of resource use?   | N/A   |   |   |
|                       | Will it obtain maximum value from pharmaceuticals and technologies (medicines management, prescribing, and supply chain)?                             | N/A   |   |   |
|                       | Will it support local or regional supply chains?  | N/A   |   |   |
|                       | Will it promote access to local services (care closer to home)?   | N/A   |   |   |
|                       | Will it make current activities more efficient or alter service delivery models   | N/A   |   |   |
| Facilities Management | Will it reduce the amount of waste produced or increase the amount of waste recycled?   | N/A   |   |   |
|                       | Will it reduce water consumption?   |   |   |   |
| Workforce             | Will it provide employment opportunities for local people?  | N/A   |   |   |
|                       | Will it promote or support equal employment opportunities?  | 1   | Positive effect on people with child care responsibilities, or disabilities |   |

| Domain               | Objectives  | Impact of activity<br>Negative = -1<br>Neutral = 0<br>Positive = 1<br>Unknown = ?<br>Not applicable = N/A | Brief description of impact                        | If negative, how can it be mitigated?<br>If positive, how can it be enhanced? |
|----------------------|---|---|--|---|
|                      | Will it promote healthy working lives (including health and safety at work, work-life/home-life balance and family friendly policies)?                        | 1   | Improves work-life balance, family friendly policy |   |
|                      | Will it offer employment opportunities to disadvantaged groups?   | 0   |  |   |
| Community Engagement | Will it promote health and sustainable development?   | 0   |  |   |
|                      | Have you sought the views of our communities in relation to the impact on sustainable development for this activity?  | N/A   |  |   |
| Buildings            | Will it improve the resource efficiency of new or refurbished buildings (water, energy, density, use of existing buildings, designing for a longer lifespan)? | N/A   |  |   |
|                      | Will it increase safety and security in new buildings and developments?   | N/A   |  |   |
|                      | Will it reduce greenhouse gas emissions from transport (choice of mode of transport, reducing need to travel)?  | N/A   |  |   |
|                      | Will it provide sympathetic and appropriate landscaping around new development?   | N/A   |  |   |
|                      | Will it improve access to the built environment?  | N/A   |  |   |

| Domain                       | Objectives  | Impact of activity<br>Negative = -1<br>Neutral = 0<br>Positive = 1<br>Unknown = ?<br>Not applicable = N/A | Brief description of impact | If negative, how can it be mitigated?<br>If positive, how can it be enhanced? |
|------------------------------|---|---|-----------------------------|---|
| Adaptation to Climate Change | Will it support the plan for the likely effects of climate change (e.g. identifying vulnerable groups; contingency planning for flood, heat wave and other weather extremes)? | N/A   |                             |   |
| Models of Care               | Will it minimise 'care miles' making better use of new technologies such as telecare and telehealth, delivering care in settings closer to people's homes?                    | N/A   |                             |   |
|                              | Will it promote prevention and self-management?   | N/A   |                             |   |
|                              | Will it provide evidence-based, personalised care that achieves the best possible outcomes with the resources available?  | N/A   |                             |   |
|                              | Will it deliver integrated care, that co-ordinate different elements of care more effectively and remove duplication and redundancy from care pathways?                       | N/A   |                             |   |

## 22. APPENDIX 3 : FLEXI-TIME RECORDING SHEET

The Flexi-time Recording sheet is embedded below :



Flexi Template  
2018-19.xls