



**Nottingham and  
Nottinghamshire**  
Integrated Care Board

# **Flexible Working Policy**

**January 2024 - January 2027**

<b>CONTROL RECORD</b>			
<b>Reference Number</b> HR-009	<b>Version</b> 2.0	<b>Status</b> Final	<b>Author</b> Head of Human Resources and Organisational Development <b>Sponsor</b> Director of Nursing <b>Team</b> Human Resources and Organisational Development
<b>Title</b>	Flexible Working Policy		
<b>Amendments</b>	<ol style="list-style-type: none"> <li>1. References to 'being employed for 26 weeks' removed from policy and application form;</li> <li>2. Update of Appendix B - Flexible Working Request Form;</li> <li>3. Inclusion of review of application by manager's manager;</li> <li>4. Update of Section 21 – References;</li> <li>5. Update of Equality Impact Assessment.</li> </ol>		
<b>Purpose</b>	To ensure that there is a process in place to support employees and managers to create flexible working arrangements to suit business need and individual circumstances		
<b>Superseded Documents</b>	Flexible Working Policy v1.2		
<b>Audience</b>	All staff in Nottingham and Nottinghamshire Integrated Care Board		
<b>Consulted with</b>	Integrated Care Board Senior Leadership Team and Staff Engagement Group		
<b>Equality Impact Assessment</b>	See Appendix C		
<b>Approving Body</b>	Human Resources Executive Steering Group	<b>Date approved</b>	January 2024
<b>Date of issue</b>	January 2024		
<b>Review Date</b>	January 2027		
<p>This is a controlled document and whilst this policy may be printed, the electronic version available on the ICB's document management system is the only true copy. As a controlled document, this document should not be saved onto local or network drives.</p>			

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## 1. Introduction

- 1.1 This policy applies to the NHS Nottingham and Nottinghamshire Integrated Care Board, hereafter referred to as 'the ICB'.
- 1.2 The ICB is committed to offering a flexible approach to employment practices to ensure that employees achieve a balance between home and working lives. The ICB recognises the need to support flexible working requests where these can be reasonably accommodated by the business in order to achieve our commitment to improving the health and wellbeing of all of our staff.

## 2. Purpose

- 2.1 The aim of this policy is to provide the staff and managers with a consistent approach to support the needs of individual staff members who may wish to adopt a creative and flexible approach to working practices within the ICB. It also adheres to statutory requirements for employees with caring responsibilities to request flexible working. The policy also aims to:
- Reduce absenteeism by providing a mechanism for staff to meet personal commitments outside of work time.
  - Increase efficiency of the ICB by providing working options to meet the needs of the service.
  - Improve retention by providing staff a process to achieve a sensible work life balance.

## 3. Scope

- 3.1 This policy will apply to all employees, lay members and patient representatives representing the ICB.
- 3.2 It does not automatically apply to Contractors or Agency Workers.

## 4. Roles and Responsibilities

Roles	Responsibilities
<b>Human Resources</b>	It is the responsibility of the Human Resources Team to provide advice and support in all aspects of this policy to ensure fair and consistent application and approach.
<b>Line Managers</b>	It is the responsibility of all line managers to ensure that they:

Roles	Responsibilities
	<ul style="list-style-type: none"> <li>• Give fair consideration to all flexible working requests.</li> <li>• Adhere to the policy, applying it fairly and consistently to ensure that all staff are provided with the same opportunities.</li> <li>• Adhere to the time limits set within the policy unless mutually agreed to extend them with the employee.</li> <li>• Provide appropriate support and information to the employee throughout the application process.</li> <li>• Only decline a request for flexible working where there is a clear and recognised business need to refuse.</li> <li>• Commit to regular review periods of any new flexible working arrangements.</li> </ul>
<b>Employees</b>	<p>It is the responsibility of all employees to ensure that they:</p> <ul style="list-style-type: none"> <li>• Apply for flexible working arrangements in advance of when they want the change to take place.</li> <li>• Provide as much detail as possible within their application.</li> <li>• Be prepared to discuss their application with their line manager.</li> <li>• Be flexible if compromise is required.</li> <li>• Agree to regular review periods of the new working arrangements.</li> <li>• Ensure that their application meets the needs of the business as well as themselves.</li> </ul>

## 5. Eligibility

- 5.1 The employee can only apply for flexible working arrangements under the policy to balance work and personal commitments whilst the ICB can consider cost effectiveness and impact of deliverability to ensure that all employees are given equal opportunity.

## 6. Process of Flexible Working Application

- 6.1 Any employee interested in flexible working is advised to speak informally with their line manager to discuss their eligibility, the different options available and the effect of their proposed work pattern on colleagues and service delivery, before submitting the formal request.

- 6.2 Employees wishing to change their pattern of working must apply in writing to their line manager using the Flexible Working Request Form (see Appendix B). The application must:
- State that this is a flexible working request.
  - Explain the reasons for the request.
  - Consider whether any policies are relevant, for example Equality, Diversity and Inclusion Policy if the request concerns childcare or other family commitments, religious or cultural requirements, or adjustments because of a disability.
  - Provide as much information as you can about current and desired working patterns, including working days, hours and start and finish times, and give the date from which they want the changes to take effect.
  - Identify the effect the changes that the requested working pattern will have on the work done, on colleagues and on service delivery. Suggestions about dealing with any potentially negative effects should be included in the written application.
  - Provide information to confirm eligibility criteria including the dates of any previous formal requests for flexible working.
  - Be reviewed by the line manager and the manager's manager.
- 6.3 Employees should give as much notice as possible before they want the flexible working arrangements to begin.
- 6.4 Upon receipt of the application, the manager must meet with the employee as soon as possible to discuss the application in detail.
- 6.5 A review period may be suggested to ensure that the new work pattern meets the employee's needs and those of the ICB.
- 6.6 Following the meeting the manager will write to the employee with the outcome of their flexible working request.
- 6.7 If the request is accepted, or where the manager proposes an alternative to the arrangements requested, the line manager will write to the employee with details of the new working arrangements, details of any trial period, and explanation of changes to the contract of employment and the date on which they will commence. The employee will be asked to sign and return a copy of the letter. The letter will be placed on their personnel file to confirm the variation to the terms of employment.

6.8 There will be circumstances where, due to operational requirements, the ICB is unable to agree a request. In these circumstances, the line manager will write to the employee explaining the reason(s) for refusing the request and setting out the appeal process.

6.9 The statutory reasons for which a request may be rejected are:

- The burden of additional costs.
- Detrimental effect on ability to meet demand.
- Inability to reorganise work among existing staff.
- Inability to recruit additional staff.
- Detrimental impact on quality.
- Detrimental impact on performance.
- Insufficiency of work during the periods that the applicant proposes to work.
- Planned changes.

6.10 There is no limit to the number of requests which can be made. Excessive requests for flexible working will be considered by the line manager, and action taken, where appropriate.

## **7. Right to Appeal**

7.1 If a request for flexible working is declined all employees have the right to appeal the decision.

7.2 The employee must state their grounds for appeal in writing to their line manager's manager within ten calendar days of receipt of their flexible working request outcome letter.

7.3 The line manager's manager must review the original decision and the reason given for refusal. If the manager overturns the decision, they must communicate this to both the line manager and to the employee detailing how they reached this decision and when the flexible working arrangements are due to begin.

7.4 If the appeal is rejected, the written decision will give the reason(s) for the decision and explain why the reason(s) apply.

## **8. Equality and Diversity Statement**

- 8.1 The Nottingham and Nottinghamshire ICB pays due regard to the requirements of the Public Sector Equality Duty (PSED) of the Equality Act 2010 in policy development and implementation as a commissioner and provider of services as well as an employer.
- 8.2 The ICB is committed to ensuring that the way we provide services to the public and the experiences of our staff does not discriminate against any individuals or groups on the basis of their age, disability, gender identity (trans, non-binary), marriage or civil partnership status, pregnancy or maternity, race, religion or belief, gender or sexual orientation.
- 8.3 We are committed to ensuring that our activities also consider the disadvantages that some people in our diverse population experience when accessing health services. Such disadvantaged groups include people experiencing economic and social deprivation, carers, refugees and asylum seekers, people who are homeless, workers in stigmatised occupations, people who are geographically isolated, gypsies, Roma and travellers.
- 8.4 As an employer, we are committed to promoting equality of opportunity in recruitment, training and career progression and to valuing and increasing diversity within our workforce.
- 8.5 To help ensure that these commitments are embedded in our day-to-day working practices, an Equality Impact Assessment has been completed for, and is attached to, this policy.

## **9. Communication, Monitoring and Review**

- 9.1 The Flexible Working Policy will be highlighted to new employees at staff induction and is stored on the ICB's HR/OD Intranet pages and by the ICB's HR&OD.
- 9.2 This Policy will be reviewed periodically every three years (or earlier if changes in the law or any other circumstances require it) and will be approved by the Human Resources Executive Steering Group.
- 9.3 Any individual who has queries regarding the content of this policy or has difficulty understanding how this policy relates to their role, should contact the HR department via email [nnicb-nn.hr@nhs.net](mailto:nnicb-nn.hr@nhs.net).



## **10. Staff Training**

- 10.1 All staff will be offered relevant training commensurate with their duties and responsibilities. Staff requiring support should speak to their line manager in the first instance. Support may also be obtained through their HR Department.
- 10.2 Any individual who has queries regarding the content of this policy, or has difficulty understanding how this policy relates to their role, should contact the HR Team via email at [nnicb-nn.hr@nhs.net](mailto:nnicb-nn.hr@nhs.net)

## **11. Interaction with other ICB Policies**

- 11.1 This policy should be read in conjunction with the following ICB policies:
- Leave Policy
  - Family Leave Policy

## **12. References**

- 12.1 The following legislation and guidance has been taken into consideration in the development of this procedural document:
- Equality Act 2010
  - Acas Code of Practice on handling flexible working requests 2014
  - Gov.Uk Guidance on Flexible working 2023

## **Appendix A: Types of Flexible Working**

### **1. Compressed/condensed hours**

Condensed hours are a flexible working arrangement that allows the employee to work their contracted hours over shorter periods rather than the standard 5 day week.

An example of this would be the 9 day fortnight. This enables staff members to condense their hours over a two week period into 9 days rather than 10, providing them with an additional day off once a fortnight. The 9 day fortnight is only available to full time staff.

The employee's normal working day will be 8 hours 20 minutes long excluding any meal breaks.

Usually the additional day off will remain the same every fortnight. This allows the ICB to plan work around the individual and ensure that service delivery can be met. A degree of flexibility will be needed from the employee should a service need require the employee to change their non-working day or to respond to their own personal circumstances.

For example, a degree of flexibility can be accommodated on the number of hours worked each day.

### **2. Time owing**

Employees may accrue time owed to them when there is an organisational need for them to work beyond their contracted hours. Time owing cannot exceed 15 hours in any 3 month period.

### **3. Term time only contracts**

Term time working provides the employee the opportunity to work for an agreed number of weeks or hours per week. Unlike annualised hours, term time working is pre-determined when the individual will work throughout the course of the year.

This working pattern is likely to be suited to employees with young or school-aged children in order to enable them to care for their children during school holidays without incurring additional childcare costs.

Employees can have their pay aggregated over the course of the year to avoid a situation where some weeks/months they will not receive any pay due to their agreed working pattern. Should this be agreed and should the employee leave part way through the year, any shortfall in pay will be their final payment and any overpayment will be deducted from their final pay.

Employees working on a term time only contract are entitled to the same annual leave as set out in Agenda for Change although this will be calculated pro-rata. Annual leave should be taken in school holidays and should be offset against the weeks the employee does not work.

#### **4. Annualised hours**

Annualised hours provides an employee the greatest degree of flexibility. It allows them to vary their working pattern and hours to suit their personal commitments and the needs of the service that may peak and trough at certain times of the year.

The hours to be worked in a year under this arrangement should be stated within the contract. The hours should not exceed what the individual would normally work within the course of a year and should take account of the annual leave entitlement.

The maximum number of hours to be worked in a day or week should be agreed with the employee and should not contravene the Working Time Directive.

Worked hours are to be recorded and shared with the line manager to ensure that the employee is not in breach of contract.

Annual leave entitlement and Bank Holidays will be included in the annual hours and will be calculated in hours rather than days. Please seek advice from HR to calculate the hours.

#### **5. Part-time working**

An employee can request to move to part time hours but the line manager will need to consider the service and business needs before agreeing.

Employees can request to reduce their hours to part time on a temporary basis due to personal circumstances and return to full time at a later date.

#### **6. Job sharing**

Job sharing is a mutual agreement between two employees to share the pay and benefits of one job between them based upon the amount of time they each work in the role.

The ICB is supportive of informal job sharing arrangements which can arise from the following situations:

- From a vacant post which is advertised as open to job share.
- From a request from two or more current employees who submit a joint flexible working request.

- From an existing employee who requests a job share and the remaining hours are advertised. This can only be approved once a suitable candidate has been appointed.

Managers must be clear on the following before pursuing a job share option:

- Duties and responsibilities are clearly defined and it is determined how these are going to be shared.
- Establish how to ensure equal effort from all job share parties.
- The flexibility of the job share partners.
- Establish communication methods to ensure effective hand overs between job sharers.
- Ensure the manager has the ability to offer increased support and supervision initially.
- Be aware of the impact on administration costs and other associated costs which may be higher due to duplication for example, training and development.

If one half of a job share leaves employment, the remaining hours will be offered to the other job share partner. If the hours are unwanted they will be advertised as a job share opportunity.

Following the recruitment process, if unsuccessful in filling the post, the remaining hours will need to be advertised as full time. The remaining job share partner will, where practicably possible, be found alternative work elsewhere within the ICB on the same or similar hours as their job share agreement.

Only in exceptional circumstances and after all other options have been exhausted would consideration be given to terminating the remaining job share partner's contract of employment.

## **7. Home working**

Home working can be a formal agreement where the employee has their contractual base changed to home. When an employee requests to work from home permanently or for a lengthy period of time the line manager will need to consider the following:

- Health and safety including workstation risk assessments.
- Confidentiality and security.
- Telephone, electricity and insurance costs.
- Equipment costs of mobile devices.
- How to ensure the employee does not feel isolated in their work and how links to the ICB and the team are to be maintained.
- Stationary supplies.

There are tax implications associated with working from home. The employee will need to notify HMRC that they are working from home permanently or on a fixed term basis.

Monitoring of working hours, recording of sickness absence and agreeing workloads will need to be agreed before any home working request is approved.

Appendix A, sections 1 to 7 are subject to management decisions. Abuse of any of the listed working arrangements may lead to disciplinary actions and where fraud is suspected, this should be referred immediately to the ICB's nominated Counter Fraud Specialist.

## **8. Flexi Time**

Flexi time enables employees to vary their working hours within agreed limits, i.e., they can vary the start and finish times for the working day and lunch breaks, provided they work the locally agreed 'core times'. Core hours should be specific to business requirements and to ensure cover arrangements are in place. Typical core period would be – 10.00 am to 12.00 noon and 2.00 pm to 4.00 pm

It should be noted that flexi time may not always be possible due to business requirements. The following provides an overview of formal flexi time working but each department should establish their core flexi time system in consultation with employees, the HR Team and Staff Side.

Employees may work longer than the standard working day when necessary to meet organisational needs and 'save' the additional hours worked to take as time in lieu later. This must be taken in accordance with local flexi time rules. Additionally, an employee may have a deficit of hours worked which again should be agreed in accordance with local flexi time rules.

It is recommended that the accounting period is one month (i.e., a 4-week period) and that no more than 7.5 hours per month are either accrued or owed. Where time is accrued, employees are encouraged to take the time back as either half days (3.75hrs) or full days (7.5hrs) which should be agreed in advance with line managers.

The ICB timesheet template should be used as the recording mechanism indicating the employees start time, commencement of lunch break and recommencement from lunch break (minimum of 20 minutes, unpaid, if the employee works more than 6 hours per day) and a finish time. The employee should sign the form to confirm that the information contained on the form is accurate and to acknowledge that any misrepresentation of the hours worked may lead to disciplinary proceedings. The supervisor or line manager should also sign the form each month.

Flexi time should not be purposely accrued as a mechanism to increase the number of days an employee can take off during the year.

Line managers will encourage employees to take back any time accrued to ensure that the Health and Wellbeing of staff is supported and maintained.

Where abuse of the system is suspected an investigation will be conducted which may result in disciplinary action up to and including dismissal and action by the NHS Anti-Crime Service. Where abuse of the system is proven the flexi time arrangement will be withdrawn.

## **Appendix B: Flexible Working Request Form**

To be used in conjunction with the guidance HR-009 Flexible Working Policy.

### **Note to the employee**

You can use this form to make an application to work flexibly under the right provided in law.

You should note that under the right it is expected that you provide your line manager significant time to consider your request. You should therefore ensure that you submit your application well in advance of the date you wish the request to take effect.

It will help your line manager to consider your request if you provide as much information as you can about your desired working pattern. It is important that you complete all the questions as otherwise your application may not be valid. When completing the form, think about what effect your change in working pattern will have both on the work that you do and on your colleagues/the rest of the team.

Once you have completed the form, you should pass it to your line manager (you might want to keep a copy for your own records). If the request is granted, this will be a change to your terms and conditions.

### **Note to the line manager**

This is a formal application made in line with the Flexible Working Policy and under the legal right to apply for flexible working and the duty on employers to consider applications in a reasonable manner. You are expected to give adequate consideration following receiving this application in which to decide whether to grant the request.

You should consider the application in the wider context of your team and discuss applications with your manager.

The form below should be signed by you as line manager and your manager.

If an application is rejected, are to be given and recorded in the application, as well as being fed back to the individual.

A copy of the application when completed should be given to the individual and retained locally on the personal file.

## 1. PERSONAL DETAILS

Employee's Name:	
Employee's Job Title:	
Employee's Assignment Number:	
Line Manager's Name:	

## 2. EMPLOYEE STATEMENT

I would like to apply to work a flexible working pattern that is different to my current working pattern under the provision granted in the Flexible Working Policy. I understand that a change to my working hours or pattern is a **Permanent change** to my contract.

Details of your current working pattern (days/hours/times worked):
Describe the working pattern you would like to work in the future (days/hours/times worked):
I would like this working pattern to commence from (date):
I think this change in my working pattern will affect the ICB and my team as follows:
I think the effect on the ICB and my team can be dealt with as follows:



<b>Employee Signature</b>	<b>Date</b>
<b>Review and Approval</b>	
<b>Line Manager Comments</b>	
<b>Line Manager Signature</b>	<b>Date</b>
<b>Manager's Manager Comments</b>	
<b>Manager's Manager Signature</b>	<b>Date</b>
<b>Application Outcome</b>	
<p><b>Circle outcome</b></p> <p><b>Approved</b></p> <p><b>Summarise approved changes:</b></p> <p><b>Not Approved</b></p> <p><b>Summarise reasons for not approving application:</b></p>	

Next steps:

- Retain a copy of this locally on Personal File
- If Flexible working request is approved complete HR2 Change Form [HR2---Change-of-Circumstance-Form-v1.1-March-2023.docx \(sharepoint.com\)](#) and submit to [nnicb-nn.hr@nhs.net](mailto:nnicb-nn.hr@nhs.net)

## Appendix C: Equality Impact Assessment

<b>Overall Impact on:</b> <b>Equality, Inclusion and Human Rights</b> <b>[Select one option]</b>	<b>Positive</b> <input type="checkbox"/> <b>Neutral</b> <input checked="" type="checkbox"/> <b>Negative</b> <input type="checkbox"/> <b>Undetermined</b> <input type="checkbox"/>
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<b>Name of Policy, Process, Strategy or Service Change</b>	HR-009 Flexible Working Policy	<b>Date of Completion</b>	20/09/2023
<b>EIA Responsible Person</b> Include name, job role and contact details.	Gemma Waring Head of HR and OD <a href="mailto:Gemma.Waring@nhs.net">Gemma.Waring@nhs.net</a>		
<b>EIA Group</b> Include the name and position of all members of the EIA Group.			
<b>Wider Consultation Undertaken</b> State who, outside of the project team, has been consulted around the EIA.	Staff Engagement Group.		

### Summary of Evidence

Provide an overview of any evidence (both internal and external) that you utilised to formulate the EIA. E.g., other policies, Acts, patient feedback, etc.

### References/ sources of information

Flexible working 2023 <https://www.gov.uk/flexible-working>

Acas Code of Practice on handling flexible working requests (2014 ) <https://www.acas.org.uk/acas-code-of-practice-on-flexible-working-requests>

ACAS (2023) <https://www.acas.org.uk/flexible-working>

CarersUK (2023) Higher proportion of unpaid carers in the most deprived areas of England and Wales <https://www.carersuk.org/press-releases/higher-proportion-of-unpaid-carers-in-the-most-deprived-areas-of-england-and-wales/#:~:text=Women%20were%20more%20likely%20to,likely%20to%20provide%20unpaid%20care.>

Equality Act (2010) [Equality Act 2010: guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/equality-act-2010-guidance)

<https://ageing-better.org.uk/blogs/flexible-working-day-1-essential-supporting-older-workers>

Women more likely to take career break for caring responsibilities (2019)

<https://www.hrmagazine.co.uk/content/news/women-more-likely-to-take-career-break-for-caring-responsibilities/>

How flexible working can help close the gender pay gap (2020)

<https://equalities.blog.gov.uk/2020/01/16/how-flexible-working-can-help-close-the-gender-pay-gap/> .

Women and ethnic minorities suffer impact of juggling care and work (2022)

<https://www.personneltoday.com/hr/women-and-ethnic-minorities-suffer-impact-of-juggling-care-and-work/>

Religious Leave Requests (2020) <https://www.hegarty.co.uk/news/religious-leave-requests/>

Ramadan: A time for fasting and flexible working? (2021) <https://www.peninsulagrouplimited.com/resource-hub/working-time/ramadan-a-time-for-fasting-and-flexible-working/>

	What are the <b>actual, expected or potential positive impacts</b> of the policy, process, strategy or service change?	What are the <b>actual, expected or potential negative impacts</b> of the policy, process, strategy or service change?	What <b>actions have been taken</b> to address the actual or potential <b>positive and negative impacts</b> of the policy, process, strategy or service change?	What, if any, <b>additional actions should be considered</b> to ensure the policy, process, strategy or service change is as inclusive as possible? Include the <b>name and contact details</b> of the person responsible for the actions.	Impact Score
<b>Age</b>		Research by centre for better ageing indicates that employees over 55 hat they either already work flexibly or wanted to. a third of over 50s didn't realise they had the right to request flexible working, and a quarter said they wouldn't be comfortable asking.	Managers and staff can seek guidance from HR if unsure of range and type of support available.	The organisation could consider wider review of specific support available for staff in the context of the aging workforce and potential interdependencies with disability or other protected characteristics, and how these may evolve or change over the course of their employment and how use of flexible working may support them.	3
<b>Disability<sup>1</sup></b> (Including: mental, physical, learning, intellectual and neurodivergent)	Those with a declared disabilities can have reasonable adjustments in place to support them in the workplace. A flexible working request may be used to further enhance or support these adjustments.		Managers and staff can seek guidance from HR if unsure of range and type of support available.	There is flexibility and discretion in how to handle flexible working requests depending on information available and the needs of the ICB but there needs to be increased visibility and support for flexible working and how different models are applied across the ICB. The manager need be aware of how their own beliefs and biases influence how they interpret others' needs (Gov 2021).	3
<b>Gender<sup>2</sup></b> (Including: trans, non-binary and gender reassignment)		Women are twice as likely as men to be informal carers, (CarersUK 2023) 74% women are still taking up the majority of primary carer roles in families taking short or long	Managers and staff can seek guidance from HR if unsure of range and type of support available.	Managers be aware and work with staff to understand and make use of interdependencies and options available under other policies.	3

		<p>periods off work to look after family, compared with just 26% of men (HR Magazine 2019).</p> <p>Men can make a claim for direct sex discrimination if women in their organisation are being given more flexibility, or would have the same flexible working request approved. If, for example, a man is refused flexible working in a situation where women doing similar jobs are allowed to work flexibly, this could be direct sex discrimination.</p>		<p>The needs and requirements of the individual it is being applied to and that flexible working requests may be for a variety of reasons; and not just relate them to childcare.</p> <p>The organisation needs to explicitly understand the challenges and difficulties experienced by trans and non-binary staff in the workplace and how their relationships with colleagues and managers affect the ability of the organisation to manage the application of policy and ensure that it fully takes into account the context.</p> <p>Intersectionality: The organisation needs to be aware of and work with line managers who have the responsibility to implement this policy to ensure they are aware of how Gender may interact with the other areas of this assessment impact on an individual's health and wellbeing and the information that is available to support them with the application of this policy.</p> <p>The manager need be aware of how their own beliefs and biases influence how they interpret others' health needs (Gov 2021).</p>	
<b>Marriage and Civil Partnership</b>	There is no evidence to suggest that marriage or civil partnership has an impact on flexible working requests.		Managers and staff can seek guidance from HR if unsure of range and type of support available.		3

<b>Pregnancy and Maternity Status</b>	Staff who are currently under the Pregnancy and maternity policy may not be negatively impacted by this policy, but many who are returning of those who are returning from maternity leave will make an application for flexible working.			Intersectionality: The organisation needs to be aware of and work with line managers who have the responsibility to implement this policy to ensure they are aware of how this area may interact with the other areas of policy. They need to ensure that outcomes are based on the information that is available to be able to tailor the appropriate application of this policy. The manager need be aware of how their own beliefs and biases influence how they interpret others' needs (Gov 2021).	3
<b>Race<sup>3</sup></b>		In research from Business in the community a third of workers from black, Asian, mixed race or other ethnically diverse groups have reported left or considered leaving a job due to lack of flexibility. By comparison, one in five (21%) white people have done the same (Personnel Today 2022).	Staff can be referred to OH to identify actions or reasonable adjustments at any point, they do not have to wait for an absence to trigger the request for support if they become aware of a condition that need support.  Managers and staff can seek guidance from HR if unsure of range and type of support available.	Intersectionality: The organisation needs to be aware of and work with line managers who have the responsibility to implement this policy to ensure they are aware of how this area may interact with the other areas of policy. They need to ensure that outcomes are based on the information that is available to be able to tailor the appropriate application of this policy. The manager need be aware of how their own beliefs and biases influence how they interpret others' needs (Gov 2021).	3
<b>Religion and Belief<sup>4</sup></b>		An employee may make a request to work flexibly to accommodate the need for private prayer, religious holidays or religious practice If	Managers and staff can seek guidance from HR if unsure of range and type of support available.	Intersectionality: The organisation needs to be aware of and work with line managers who have the responsibility to implement this policy to ensure they are aware of how this	3

		<p>an employer automatically prioritises a religious leave request over a non-religious holiday or working request this may be considered as direct discrimination against the employee with no religion or belief. (Hegarty Solicitors 2020).</p>		<p>area may interact with the other areas of policy. The manager need be aware of how their own beliefs and biases influence how they interpret others' needs (Gov 2021).</p> <p>Temporary Flexible working examples may need to be considered at certain times of years: For example For Muslims, Ramadan means long days without lunch, late nights and very early mornings. Temporary changes to shifts could allow either start work earlier or finish work later. Increased work from home if there are long commutes, or regular office days Rethink heavy-duty staff tasks and do extra risk assessments, especially for manual workers where tiredness could have serious health &amp; safety considerations. (Peninusula Health and Safety 2023).</p>	
<b>Sex<sup>5</sup></b>		<p>Female workers are twice as likely as men to be informal carers, (CarersUK 2023). 74% women are still taking up the majority of primary carer roles in families taking short or long periods off work to look after family, compared with just 26% of men (HR Magazine 2019).</p>	<p>Staff can be referred to OH to identify actions or reasonable adjustments at any point, they do not have to wait for an absence to trigger the request for support if they become aware of a condition that need support and link to flexible working requests if necessary.</p>	<p>Intersectionality: The organisation needs to be aware of and work with line managers who have the responsibility to implement this policy to ensure they are aware of how this area may interact with the other areas of policy. They need to ensure that outcomes are based on the information that is available to be able to tailor the appropriate application of this policy and that managers are aware of any unconscious bias that may affect their decisions.</p>	3

			Managers and staff can seek guidance from HR if unsure of range and type of support available.		
<b>Sexual Orientation<sup>6</sup></b>	There is no evidence that application of this policy is negatively affected by an individual's sexual orientation.			Intersectionality: The organisation needs to be aware of and work with line managers who have the responsibility to implement this policy to ensure they are aware of how this area may interact with the other areas of policy. The manager need be aware of how their own beliefs and biases influence how they interpret others' needs (Gov 2021).	3
<b>Human Rights<sup>7</sup></b>	There is no evidence that this policy contravenes and of the relation to health and care, the most commonly applicable of the Articles within the Human Rights Act 1998.				3
<b>Community Cohesion and Social Inclusion<sup>8</sup></b>	This policy is an internal organisational policy and there is no evidence that it impacts community Cohesion or Social inclusion.				3



<b>Safeguarding<sup>9</sup></b> (Including: adults, children, Looked After Children and adults at risk or who lack capacity)	This policy can be used in conjunction with the leave policy to support additional responsibilities that may be needed to safeguard individuals within their own care groups, but this is not an organisational safeguarding policy.			Staff to be reminded of options available to support carers, and manager's training to include understanding of the different types of leave available to support carers.	3
<b>Other Groups at Risk<sup>10</sup></b> of Stigmatisation, Discrimination or Disadvantage		Employees on higher salaries tended to be granted the most flexibility, with 75% of those earning more than £26,000 a year feeling supported to manage caring responsibilities. Only 50% of those earning less than that figure enjoyed the same freedom (equalities 2020).		Intersectionality: The organisation needs to be aware of and work with line managers who have the responsibility to implement this policy to ensure they are aware of how this area may interact with the other areas of this assessment to create the overall impact on an individual's health and wellbeing. The manager need be aware of how their own beliefs and biases influence how they interpret others' needs (Gov 2021).	3

## Additional Narrative

Provide additional evidence and narrative about the positive, negative, and neutral impacts of the proposal on the equality, inclusion and human rights elements detailed above.

You should consider:

- Three elements of Quality (safety, experience and effectiveness)
- Intersectionality
- Impact of COVID-19
- Access to Services
  - Physical
  - Written communication.
  - Verbal communication
- Digital Poverty
- Safeguarding
- Dignity and Respect
- Person-centred Care

Here you should add additional detail or explanation around the positive, negative, and neutral impact of the proposals on the above protected characteristic and health inclusion groups. To address this, you should consider the barriers to accessing or using the service, including the mitigations to respond to these.

EQIA Completed by Natasha Firth, HR Manager - 22/09/2023.

Authorised By Gemma Waring - 30/10/2023.

3

Positive Impact	Neutral Impact	Negative Impact	Undetermined Impact	Equality Impact Score Total	42
56 to 50	49 to 36	35 to 22	21 to 14		

Positive	Neutral	Negative	Undetermined
4	3	2	1

1. **Disability** refers to anyone who has: "...a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities..." (Equality Act 2010 definition). This includes, but is not limited to: mental health conditions, learning disabilities, intellectual disabilities, neurodivergent conditions (such as dyslexia, dyspraxia and dyscalculia), autism, many physical conditions (including HIV, AIDS and cancer), and communication difficulties (including d/Deaf and blind people).
2. **Gender**, in terms of a Protected Characteristic within the Equality Act 2010, refers to: "A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex."
3. **Race**, in terms of a Protected Characteristic within the Equality Act 2010, refers to: A person's colour, nationality, or ethnic or national origins. This also includes people whose first spoken language is not English, and/or those who have a limited understanding of written and spoken English due to English not being their first language.
4. **Religion and Belief**, in terms of a Protected Characteristic within the Equality Act 2010, refers to: Religion means any religion and a reference to religion includes a reference to a lack of religion. Belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief.
5. **Sex**, in terms of a Protected Characteristic within the Equality Act 2010, refers to: A reference to a person who has a particular protected characteristic and is a reference to a man or to a woman.
6. **Sexual Orientation**, in terms of a Protected Characteristic within the Equality Act 2010, refers to: Sexual orientation means a person's sexual orientation towards persons of the same sex, persons of the opposite sex or persons of either sex.
7. The **Human Rights Act 1998** sets out the fundamental areas that everyone and every organisation must adhere to. In relation to health and care, the most commonly applicable of the Articles within the Human Rights Act 1998 include: Article 2 Right to Life, Article 5 Right to Liberty and Security, Article 8 Right to Respect of Private and Family Life, and Article 9 Freedom of Thought, Conscience and Religion.
8. **Community Cohesion** is having a shared sense of belonging for all groups in society. It relies on criteria such as: the presence of a shared vision, inclusion of those with diverse backgrounds, equal opportunity, and supportive relationships between individuals. **Social Inclusion** is defined as the process of improving the terms of participation in society, particularly for people who are disadvantaged, through enhancing opportunities, access to resources, voice and respect for rights (United Nations definition). For the EQIA process, we should note any positive or negative impacts on certain groups being excluded or not included within a community or societal area. For example, people who are homeless, those from different socioeconomic groups, people of colour or those from certain age groups.

9. **Safeguarding** means: "...protecting a citizen's health, wellbeing and human rights; enabling them to live free from harm, abuse and neglect. It is an integral part of providing high-quality health care. Safeguarding children, young people and adults is a collective responsibility" (NHS England definition). Those most in need of protection are children, looked after children, and adults at risk (such as those receiving care, those under a DoLS or LPS Order, and those with a mental, intellectual or physical disability). In addition to the ten types of abuse set out in the Health and Care Act 2022, this section of the EQIA should also consider PREVENT, radicalisation and counterterrorism.

10. **Other Groups** refers to anyone else that could be positively or negatively impacted by the policy, process, strategy or service change. This could include, but is not limited to: carers, refugees and asylum seekers, people who are homeless, gypsy, Roma and traveller communities, people living with an addiction (e.g., alcohol, drugs or gambling), people experiencing social or economic deprivation, and people in stigmatised occupations (e.g., sex workers).