

Frequently asked questions

These are provided for guidance or quick reference guide only, so always refer to the Policy.

1. Job Splitting and working part time

1.1 What is Job Splitting

This involves splitting one full time job into two (or more) part-time jobs. This may involve dividing the hours of one full time post or may involve reorganising and splitting the duties of an existing post into two separate ones. The jobs are separate and there is no formal commitment between the jobholders to cover and share responsibilities as in job sharing. This arrangement is suitable for less complex jobs where there is no need for interaction between the jobholders.

1.2 What do I need to consider if 'splitting' a full-time role?

As a manager, you will need to consider the business requirements for the post and whether this can easily be performed by one or more employees. You will also need to think about what is the minimum number of hours that is sustainable for the post. For example, if there is a need for a lot of travel, a large number or all the working hours may be taken up with travel if split, and therefore would not be sustainable. An employee would also need an appropriate amount of time to make a valued contribution to a department's performance and be given a reasonable amount of time to achieve their objectives. Therefore, it is rare that any part time post is sustainable below 16 hours a week.

You should think about the following criteria when considering splitting a post or considering a request to reduce (or even increase) an employee's hours:

- Travel requirements
- Desk space
- Equipment requirement and costs
- Customer relationships, internal and external
- Ability to perform to the required standard
- Adding value to the team performance
- The full workload is covered by the total hours allocated to the role
- Handover requirements
- Cover for absence
- Attendance at meetings
- Training requirements

*This list of criteria is not exhaustive but gives you an idea of what you should be thinking about.

1.3 What should I consider if I want to request to reduce my hours?

You will need to set out in your flexible working request the hours that you wish to do, and how this would impact the role, department etc. Although you are not required to cover the hours of someone doing the same role on a part time basis, you may be expected to be flexible to change your hours at this time to cover the duties. You will also be expected to attend team meetings and events associated with the role and ensure your training requirements are maintained. Therefore, it is likely you will need to change your hours occasionally to support this. A fixed working pattern is not always sustainable.

You should think about the following in your request:

- Can I fulfil my role part time?
- What aspects may be difficult to achieve?
- How much travel do I do in my role?
- How will my job be covered in my absence?
- How flexible can I be in my working hours?

1.4 What can I do if I want to increase my hours?

If you have previously requested to reduce your hours and had this accepted, this is considered a permanent change, and therefore you will not be able to have those hours back by request. Should any hours become available, it is up to your manager to decide how they wish these to be filled. They will normally consider whether they require more hours in the department or additional people. If they require additional people to do the role, this will be recruited through the normal recruitment process.

If they decide that they have hours available, they will normally offer this to the existing part time team members or that of a near or surrounding team, through an expression of interest process. Should you apply for additional hours and be successful, your previous working pattern and therefore flexible working request would come to an end.

1.5 What happens if there are additional hours available within my team?

Where additional hours are available, it may be appropriate to use expressions of interest to offer the hours to the existing or surrounding teams/departments first, before considering recruiting from the wider organisation or externally.

To ensure fairness to all team members, you should seek advice from HR /recruitment prior to seeking expressions etc.

1.6 Can I apply for flexible working if I already work part time?

A flexible working request may not always be about a reduction in working hours, although this may still be an option for you. Your request may include any changes for example when you work your hours.

2. Job Sharing

2.1 What is Job Sharing

This when two or more employees share the responsibilities and benefits of one full-time post. It is a formal commitment between two employees to form a close professional relationship to jointly fulfil the job aims and objectives. They share responsibility as well as having separate workloads.

2.2 Can I request to job share?

No. This option is not considered practical for the organisation or for our employees. A manager may however consider how a role may be fulfilled on a part time basis by two or more people. If you are an employee, your request would be to do a job part time or change your current job to part time hours. This would be dependent on our ability to recruit the remaining hours.

2.3 If I am currently in a job share, what happens if this should end for any reason?

We have very few employees who job share in its true meaning, and therefore we would look at each situation on a case-by-case basis. So, for example, we would need to consider any reference in your contract and any correspondence we have on your personnel file to allow any decision to be made. If you have any queries, contact [HR Direct](#)

3. Staggered Hours

3.1 What are Staggered Hours?

As part of a flexible working request, you may ask for an adjustment to your regular start and finish times for the days you are contracted to work. For instance, instead of working Monday to Friday 9 a.m. to 5 p.m., you may request to work Monday to Friday 8:00 a.m. to 4 p.m. or similar.

4. Compressed Hours

4.1 What are Compressed Hours?

As part of a flexible working application, it may be possible for you to compress your working week into fewer full working days, without reducing your total weekly hours. Typically, working time is reorganised so that the same basic hours are worked in four or four and a half days instead of five, or nine out of ten working days in a fortnight. This would have to be agreed between you and your manager, which half day or day that you would take in each week or fortnight, and for example would not always fall on a Friday and would always have to consider operational requirements.

5. Fixed Working Pattern

5.1 What is a Fixed Work Pattern?

As part of a flexible working request, you may ask for a fixed working pattern e.g. to support any childcare or other caring responsibilities you may have. This allows you to take days off on a regular or irregular pattern to match circumstances outside work by varying your working days and non-working days. You would need to state clearly the working and non-working days or hours and your reasons why, as well as how this could work for the department. Your manager would always need to consider operational requirements in their decision making and therefore some departments may not be able to accommodate your request

E.g. you may request the first Monday of each month as a non-working day; or an arrangement that you work Monday, Tuesday, Wednesday in week one but varies this to Wednesday, Thursday, and Friday in week two.

6. Flexi time

6.1 What is Flexi time?

This is where you may change your starting/finishing times daily and is different to staggered hours. It is usually set up on a departmental basis. Your manager will determine the core hours and set the flexibility allowed between set times.

For example, if your core hours are normally 10am to 4pm, excluding meal breaks. Your earliest start time is usually 8am and the latest time you may finish work is 6pm. It may be necessary for your manager to establish a local staffing rota to support operational requirements. You must not assume the right to start at any time between 8am and 10am or finish between 4pm and 6pm. Where you are working flexi time, you are expected to keep a time sheet to record your hours of work. Any approved absence (e.g. annual, special or sickness absence) should be recorded as either a part or full standard working day.

Your manager is responsible for monitoring the working hours of their team and ensures they comply with the limits set. You should work your contracted hours each month, however a credit/deficit of up to 7.5 (pro rata) hours may be carried forward to the next month. You may use a credit of hours to take time off during core hours as 'flexi leave'.

You and your manager must agree any work and working time more than your contracted hours and must not simply bring work forward from the following day to build excess hours. You must have your manager's approval before taking any flexi leave.

Flexi time will not be appropriate for some departments or groups of employees where it is necessary to predict attendance to meet operational requirements.

7. Annualised Hours

7.1 What are Annualised Hours?

An annual hour's system organises your working time by the number of hours over a year rather than per week. This comprises of a number of basic rostered hours and in some cases a number of unrostered reserve hours, which cover additional operational requirements. This has limited use within

NHSBT but could be used should you wish to reduce your hours of work, for example, during school holidays.

7.2 When should we normally consider implementing annualised hours?

This system may be used in a department where there are unpredictable patterns of demand or a stable pattern of demand across the year (e.g. regular weekend working).

7.3 What are the benefits to me as a manager of annualised hours?

- Can I fulfil my role part time?
- Minimise informal flexible working arrangements, such as expecting employees to work at short notice
- Flexibility to both managers and employees
- Greater predictability of costs for the employer

Conversely, you need to consider the disadvantages:

- Individuals may not achieve your needs due to own commitments
- The need for the individual to be part of the team
- A system to monitor hours effectively i.e. to ensure employees work their contracted hours or reserved hours
- The hours worked must be in accordance with the Working Time Directive

7.4 What are the benefits to me as an employee of annualised hours?

- Can I fulfil my role part time?
- Gives flexibility to the hours worked
- May allow you to balance outside commitments with work
- You still receive a stable income and be paid in equal monthly instalments, regardless of the hours worked in that period.

Conversely the disadvantages may be:

- The need to monitor hours and maintain and administer a system to ensure you do not exceed your annual contracted hours
- You may not feel part of the team
- You may be called in at short notice
- You may not be able to balance outside commitments with operational requirements

7.5 How does an annualised hours scheme work?

Annualised hours contracts are ideally suited where 24 hours cover is needed but there is no reason why they cannot be used effectively elsewhere.

An Annualised Hours Contract can be offered to both full-time and part-time employees. Thought needs to be given as to how the system of annualised hours is implemented into the normal patterns of work. These could include: -

- Varied and core working hours
- Minimum and maximum hours
- How the hours of work are recorded
- The rostering of annual leave
- Committed hours e.g. to cover absences, call in, training and meetings
- Additional hours
- Leaving arrangements, paying back hours not worked

Full Time Employee

An example: $37.5 \text{ hours} \times 52.143 = 1955$ inclusive of annual leave and bank holidays which equates to 262.5 hours of the total hours employed.

Part Time Employee

An example: 20 hours per week over the year, inclusive of annual leave and bank holidays.

$$20 \times 52.143 = 1043$$

Annual leave would be $\frac{\text{Total hours contracted for} \times \text{Full time entitlement of annual leave}}{\text{Total hours for full time}}$

$$\frac{1043 \times 262.5}{1955} = 140 \text{ hours}$$

7.6 How would I receive my Salary for annualised hours?

You will receive your salary equally distributed in twelve monthly payments.

7.7 How is Annual Leave taken if I am on annualised hours?

Contracted paid leave should be deducted from your total hours employed when annual leave is taken. When you take leave, the number of hours you normally work on that shift should be deducted from your total hourly entitlement to paid leave.

If your department is normally closed on a public holiday, and therefore you are unable to attend work, then their normal hours for that day should be deducted from your leave entitlement for you to have a paid public holiday. If you have insufficient paid leave remaining, then you will need to take unpaid leave on that day. Employees who work on public holidays will be entitled to be paid the normal enhancements that apply.

8. Flexible/Self Rostering

8.1 What is Flexible/Self Rostering

Like Flexi Time, this option is usually practised on a department or functional basis.

Flexible/Self rostering is where within agreed limits you can choose the shifts you will work. Hours, shift patterns and shift lengths can vary providing you work your contracted hours within a defined period. Before this can be introduced, it is necessary to agree the staffing levels and the skill mix required hour by hour and times you would like to protect away from work. Maximum and minimum shift lengths you can work in any one day must also be agreed. This works best in a large mixed team where there is a variety of personal circumstances and where people have different preferences about work patterns. An initial survey should be carried out before any function/department moves to such an arrangement to identify whether there will be intense competition for the same times. Manager should contact HR Direct for additional advice and support before commencing on agreeing such a process.

9. Leaving Work and claiming your NHS Pension and returning to NHSBT (Flexible Retirement)

9.1 What is Flexible Retirement?

If you are in an NHS pension scheme, you may wish to explore what options you have to claim your pension and request to return to work for us. This may be the same or a different role that you do currently. For more information, see the 'Flexible Retirement Policy and supporting FAQs.

The flexible retirement options that may be available to you depend on the part of the pension scheme you are in.

	1995 section	2008 section	2015 scheme
Step down	✓	✓	✓
Wind down	✓	✓	✓
Retire and return*	✓	✓	✓

Draw down	x	✓	✓
Late retirement enhancement	x	✓	✓
Early Retirement Reduction Buy Out (ERRBO)	x	x	✓

*Members of the 1995 section will not be eligible to re-join the NHS Pension Scheme on their return to employment

You can find out which section or scheme you are in through your Total Reward Statement or Annual Benefits Statement (link: <http://www.nhsbsa.nhs.uk/TRS.aspx>) or the NHS Pensions member identifier (<https://apps.nhsbsa.nhs.uk/choice/MemberID.html>).

From April 2015, you may have membership in more than one part of the scheme – so will need to ensure that if you wish to take up flexible retirement, the option you chose is applicable to all your pensionable membership.

10. Time Off In Lieu (TOIL)

10.1 What is Time off in lieu (TOIL)?

Managers must ensure that you do not regularly exceed your contracted hours. However, it is recognised that, on occasion, you will work extra hours over and above your contract, to meet operational requirements. This should be by prior agreement between you and your manager. Where flexible working has been agreed, these arrangements will take precedence. This might include flexi-time schemes, annual hours contracts, term-time only and other flexible working patterns.

You may request to take time off in lieu* as an alternative to receiving payment and while it is recognised that this provides you with flexibility, it must be with the agreement of your manager and managed effectively. You should not accrue any more than 2 working days in any one-month period unless there are exceptional circumstances and agreed with your manager.

You must take responsibility for ensuring that the correct procedures are followed for accruing and taking the Time Off in Lieu due to you within 3 months. You can arrange with your manager to take the time back at a mutually convenient time, but this should be within 3 months of working the extra hours, except in exceptional circumstances. It is expected that TOIL will usually be taken in preference to annual leave.

Managers should ensure that all TOIL is taken within the 3-month period or ensure that it is claimed and paid at overtime rates if operational reasons prevent the TOIL accrued to be taken. At no time should an individual's total number of hours TOIL due exceed weekly contracted hours or 2 working days whichever is the greater.

*TOIL will normally not apply to Band 8a and above

11. Working from Home

11.1 Can I work at home?

We are committed to providing flexibility for our workforce wherever possible, which can extend to working from home for those job roles of an agile or peripatetic nature. With the increasing pressure on workspace within our centres, it may be appropriate for those with the above nature of work to work at home on an occasional basis, where it is not necessary for them to be physically in a centre to carry out their duties on a given day. Clearly it is important that employees work in their base locations wherever necessary, however, flexibility is allowed and expected.

For those job roles that require you to be at your normal base all the time, where duties allow, you may on an ad hoc, occasional, or infrequent basis, work at home. Examples of this may include during times of adverse weather conditions or transport difficulties or where specific work assignments can be more effectively completed away from your normal place of work.

These arrangements may be allowed only when you can reasonably do your work at home and may be agreed between you and your manager without going through the formal application process. Should you consider this to be an option for you on a more permanent basis, this will be through a flexible working request, and be considered in the normal way.

11.2 What is a Fixed home-based worker?

An employee with a formalised agreement to work from home because of a job-need, or because it is a more appropriate base option. It is offered only if your job can be done effectively within your home and that you do not require regular attendance at a workplace. Home based working involves using electronic systems to complete your duties and you would be required to remain in contact with your manager's other colleagues.

If a fixed home base is considered to be a suitable option for you, as part of your Application for Flexible Working you and your manager need to ensure you have discussed the following as part of your application:

- that you have considered why fixed home basing may be the most appropriate option for you.
- your application, if approved by your manager, must be supported by your Operational Director and HR Business Partner.

As a final step, you will be required to complete an on-line application to the Chief People Officer for final approval, who will provide the outcome directly to you and your manager.

On approval, your approved application will be sent to ESR Business support for action. Note: an ESR change form is no longer required. Your home address will be designated as your place of employment i.e. your base. High-Cost Area Supplement will not normally be considered for Fixed home base working applications; however, this will be viewed on a case by case basis.

Once you receive this approval, you can finalise arrangements with your manager. You would still be required to attend an NHSBT site for meetings, training, your PDPR etc.

Should your application be accepted you should note that your manager will arrange any home visits as appropriate and discuss arrangements for keeping in touch.

11.3 What is a Flexible Home-based worker?

An employee with a formalised agreement to work from home because of a job-need, or because it is a more appropriate base option. It is offered where you are more likely to be travelling to different sites on different days and allows you to work at home on days where you are not travelling to other sites. For you to apply for this you would normally be in a National or Regional role.

Home based working involves using electronic systems to complete your duties and you would be required to remain in contact with your manager's other colleagues.

If working at multiple sites more regularly or a home base is considered to be a suitable option for you, as part of your Application for Flexible Working you and your manager need to ensure you have discussed the following as part of your application:

- that you have considered why flexible home basing may be the most appropriate option for you.
- your application, if approved by your manager, must be supported by your Operational Director and HR Business Partner.

As a final step, you will be required to complete an on-line application to the Chief People Officer for final approval, who will provide the outcome directly to you and your manager.

On approval, your approved application will be sent to ESR Business support for action. Note: an ESR change form is no longer required. Your home address will be designated as your place of

employment i.e. your base. High-Cost Area Supplement will not normally be considered for Flexible home base working applications; however, this will be viewed on a case-by-case basis.

Once you receive this approval, you can finalise arrangements with your manager. You would still be required to attend an NHSBT site for meetings, training, your PDPR etc.

Should your application be accepted you should note that your manager will arrange any home visits as appropriate and discuss arrangements for keeping in touch.

11.4 Will I receive High-Cost Area Supplement if I apply to be a Fixed or Flexible home-based worker?

Normally you will not receive a High-Cost Area Supplement if you are based at home as a Fixed Home-based/Flexible Home-based worker. Should you and your manager think that you have a case to apply for this, details must be provided to your Operational Director and HR Business partner for approval.

Note: Final approval is given by the Director of Workforce.

11.5 What will I need to consider when receiving an application for Home Based Working?

An assessment must be made whether home-based working will meet our operational requirements, and that your job and work tasks are suitable e.g.

- a necessity of your role, e.g. to work directly with or provide a service to key stakeholders near your home
- to improve service delivery by requiring you to work locally alongside your stakeholder groups to better understand their needs and develop effective working relationships
- to provide extra flexibility in working hours and improve productivity
- meet the needs of any reasonable adjustment you may need, as appropriate
- reduced costs
- retention/recruitment of our employees
- reduced travel problems e.g. transport availability/cost implications
- environmental considerations e.g. emissions
- increased office space and flexibility around office accommodation
- no office accommodation available for allocation

You and your manager will need to discuss and agree home based working arrangements considering the following:

- Your post will require remote working and will not have direct supervision
- You will need to request supervision i.e. advice when necessary and your manager will need to consider and decide for review of your objectives
- Your post will have a greater reliance on telephone and e-mail contact with reduced face to face contact compared others based on NHSBT premises
- You will need to have access to appropriate office space at home which allows you to work with minimal non-work-related interruptions.

11.6 As a home-based worker, can my manager or others visit me at home?

Your manager may, within reason, need to visit you at home. They will provide you with reasonable notice of this. Other NHSBT representatives may also need to visit you at home for work-related matters e.g. supervision; collection and delivery of work; equipment installation and maintenance; workplace health and safety assessment; retrieval of equipment; etc. This should be mutually agreed between you and your manager. We do not expect external contacts to meet with you at home. If necessary, you must arrange this at existing NHSBT premises.

11.7 As a home-based worker, how will my manager and I keep in contact?

To ensure that you do not feel isolated or segregated from other employees, your manager must ensure that

- You attend any regular meetings and receive copies of all employee notices/newsletters. You will also be told about any social events, training opportunities, happening soon etc
- You and your manager must agree arrangements for you to attend any relevant meetings, training, your PDPR and that you keep your mandatory training up to date.

11.8 What effect will be working at home have on my development and career progression?

We will ensure that as a home-based employee you are given the same development and skills training to develop your abilities to the same level as office-based colleagues. You will have equal access as office-based colleagues to opportunities for employees and career development.

11.9 What happens if my home-based working agreement comes to an end?

If your arrangement is ended for any reason, you must return to your parent office. It is your manager's responsibility to ensure all NHSBT equipment is recovered at the end of the arrangement.

11.10 What happens if I am a home-based worker and I need to move to a new house for personal reasons?

Should you decide to move home, you must inform your manager of your intention to move at the earliest opportunity and formally advise the date as soon as it is known. Your manager will then need to submit a new business case to determine whether home basing is still the most appropriate option for you.

11.11 How does home based working impact on my mortgage, home insurance etc?

You are advised that you are responsible for telling your mortgage or insurance company, or landlord, of your home-based working arrangement to ensure that your home is not subject to any terms and conditions that might prevent you from working at home.

11.12 How does home based working impact or support my caring or other responsibilities?

If you have personal or other responsibilities such as child or elder care, you are expected to manage these responsibilities in a way that allows you to successfully meet your work obligations. Being home based will offer greater flexibility but cannot be a substitute for suitable care arrangements.

11.13 What, if any tax liabilities will I have as a home-based worker?

Any tax implications related to home-based working are your responsibility. You are advised to contact HM Revenue and Customs for more information.

11.14 What expenses am I able to claim as a home-based worker?

Any reimbursement of travel expenses you incur will be made in accordance with the NHSBT Travel and Expenses policy. Your home will be designated (contracted) the permanent place of work, therefore all business travel and expenses incurred from leaving that place of work (i.e. your home) will be met. If you are approved as a home-based worker, through the flexible working process, you will be paid business mileage from your home base less a nominal 10 miles each way. This will be automatically calculated in expenses. We will not make any payment for any additional costs such as additional heating and lighting or any other related costs.

11.15 What are my responsibilities towards Confidentiality and Safekeeping of Information?

You will be expected to ensure the confidentiality of any information that you use at home, and to take any appropriate measures to protect its security. Under the General Data Protection Regulation (GDPR), NHSBT is responsible for ensuring that information held about individuals is safe. This applies to both computer held and paper records. To ensure that personal data about employees,

donors, patients, or the public is not accidentally lost or damaged, it is not anticipated that this type of data should be removed from our premises, except with the express permission of your manager.

11.16 How do I ensure that I have the ‘tools’ to do my job?

You and your manager will need to discuss what equipment you need to work effectively from home. Where possible we will provide the necessary equipment while considering our needs and budget limitations. Equipment may include a laptop, stationery (including ink cartridges, paper, and stamps), etc. Wherever possible equipment must be provided from existing stock.

Any furniture you may require must where possible, be obtained from stock. Any furniture purchased will remain the property of NHSBT and must be recorded by the manager on the home-based working Agreement Application. Furniture provided will be classed as benefit in kind for tax purposes. If you do not wish equipment to be classed as an NHSBT asset i.e. you want the equipment to ‘match the home’ then we would not fund, or part fund, the purchase.

Where additional equipment or stationery is needed, this should normally be ordered through NHSBT. Any equipment we provide remains the property of NHSBT and must not be used for personal use under any circumstance.

11.17 What happens to any NHSBT property I have at home if my home-based working agreement comes to an end?

You will be required to return any equipment purchased by NHSBT for the purposes of home-based working to your manager

11.18 How do I maintain and secure any NHSBT property I use at home?

Your manager will need to monitor equipment in case of breakdown. You must inform your manager of personal equipment that you intend to use at home (e.g. computers) to ensure its safety is considered during the health and safety risk assessment and to ensure its use is appropriate.

You must ensure that NHSBT equipment is protected against damage and/or theft and is housed securely while in the home or in transit. Any necessary upgrading of home security must be undertaken at your own expense.

Any equipment provided to you must be recorded on the asset register. Your manager must ensure that any equipment provided is accounted for i.e. on termination of the home-based working agreement or your termination of employment. You will not need to include NHSBT equipment on your home buildings and contents insurance.

11.19 How do I ensure compliant in relation to Portable Appliance Test (PAT)?

Any such equipment must be returned to your nominated centre for testing.

11.20 How do both my manager and I ensure that I am able to work safely at home?

As a home-based worker, your safety and wellbeing are our joint responsibility. You must take reasonable care of your safety and wellbeing and anyone else who may be affected by you working at home. You must ensure that you have adequate first aid facilities and know the location of your nearest hospital Accident and Emergency department or Minor Treatment Centre. You must also attend any relevant health and safety training as required. Your manager will need to complete a risk assessment of your work activities, and before the arrangement starts you will be asked to complete a self-assessment to ensure that your home provides a safe and suitable environment. If a risk is identified, NHSBT will provide any reasonable equipment or aids. If, however, an identified risk cannot be removed or reduced, you may not be able to be a home-based worker.

12. Term Time (or Part Year) Working

12.1 What is the process for applying for Term Time (or part year) working?

You will need to make an Application for Flexible Working (see forms) If accepted, your manager must send your application to ESR Business Support. This will act as the contractual change form, so there is no need to complete any other documents.

12.2 What will I need to consider when making an application for Term Time Working?

You must consider the following:

- Do you need to be present in your job during the full year?
- If so, could cover be provided during school holidays, or other time?
- What would be the impact on others in your department?
- Is there another job of a similar level which you could do term time only?
- How much would it cost to recruit and train somebody if you left?
- If not, all school holidays can be given as unpaid leave, can some or part of them?

Your manager will work through these considerations with you as part of the application process

12.3 What is the benefit to NHSBT of supporting term time working?

Particularly over the summer months, this may reflect reduced activity levels in some parts of the organisation and may therefore assist us in the retention of experienced employees who would otherwise be unable to continue working while their children are young.

12.4 If I am working term time (or another annual hour's type contract) what will happen to my pay if I leave?

Your pay for the part year, up to the date of your termination, will be adjusted in your final pay to reflect the hours worked (including any leave taken). The calculation will be available to you on request so you can see how this has been worked out.

12.5 As a manager, what do I need to consider if I receive a request?

You will need to consider the following:

- Does your employee need to be present in their job during the full year?
- If so, could cover be provided during school holidays (or other time)?
- What would be the impact on others in the department?
- Is there another job of similar level which your employee could do term time only?
- How much would it cost to recruit and train a replacement if they left?
- If not, all school holidays can be given as unpaid leave, may some or part of them?

12.6 How do I determine term time and periods of unpaid leave?

At the start of the Term Time (or Part Year) Arrangement, your manager must formalise with you the number of weeks of 'working time' you will be contracted to work in each year. Dates of non-working time should normally be agreed by the 1st August for the following academic year (or an alternative date as agreed your manager). We recognise that differing schools and differing areas will have different term times, and that you may wish to take paid annual leave during some part of the school holidays to reduce the amount of non-working time. It is therefore not appropriate for a fixed amount of non-working time to apply to all employees working under these arrangements, although it is anticipated that this will not normally exceed 9 weeks. These arrangements will be confirmed in writing. You will be issued with a contract of employment, which will state the number of weeks to be worked during the year and the hours to be worked in these weeks.

12.7 When should I normally take my annual leave if I only work term time?

All your annual leave should be taken during school holidays. You should indicate which weeks are designated as annual leave, to ensure that for any sickness during that time, appropriate Statutory

Sick Pay is paid. All sickness absence should be reported following the locally agreed procedure for your department.

If you request an occasional days' leave during term time this may be considered however, this is not an automatic entitlement. The expectation would be that you would either make up the hours at another time or perhaps come in during one school holiday where this is possible for you. The equivalent to a week's annual leave will be retained to be taken as necessary throughout the annual leave year.

12.8 What should be considered when ending a Term Time Agreement?

When looking to end a term time agreement you and your manager must consider the impact this will have when looking at alternative working patterns i.e. available budget, duties, and the impact on the remaining team.

13. School Time Contracts

13.1 What is school time working?

School time contracts mean that you may either start work early or just after you take your child to school and finish work in time to collect them. This may be offered in addition to term-time contracts or as an alternative to them. This would therefore normally be a 'Staggered Hours' working pattern or part time hours (if overall hours are reduced) or both.

14. Changing contractual hours

14.1 Can I apply to go to Part Time Work by reducing my hours?

One of the options you have as part of a flexible working request is to reduce your contractual hours. Your manager will then consider the following:

- Can your work tasks/responsibilities be carried out in less than the standard full-time hours?
- Does someone need to be present in this job during all standard hours of work?
- Is the job suitable for job splitting?
- Is there a suitable candidate for the remaining part of the job split?

Part time working may be on a permanent or temporary basis.

It may be offered to you on a temporary basis to allow you to deal with special circumstances e.g. a family or personal emergency, or to undertake a course of training or development. Also see the Time off Work Policy

14.2 What happens to my pay if I change my hours or leave NHSBT after receiving equal payments?

For administrative purposes, your pay has been spread into twelve equal payments. However, this means that your monthly is not directly related to the hours you worked in that month.

Therefore, if you leave NHSBT when part of any one year has been completed, your pay will be re-calculated so that the proportion of the annual salary that you receive matches the proportion of your working year that you have completed. Any shortfall in pay will be paid to you in your final payment, and any overpayment will be deducted.

14.3 Can I make a temporary flexible working request?

Sometimes you may need some flexibility to help you with a certain situation such as bereavement or to follow a course of study. At the end of the agreed period, you would return to your normal working hours. This temporary arrangement would normally be for no more than 3 months.

14.4 What if I have a temporary change agreed informally, and I need to extend this period?

Temporary arrangements are only allowed for a maximum of 3 months. At this point you would have to make a formal request to make them permanent. Should your circumstances require a very short extension to the arrangements this may be reasonably considered by your manager. However, this

cannot be indefinite, and you must be clear when you are seeking to return to your normal hours. Again, if you cannot be clear on timescales, you must put in a new request to be considered, and if agreed, this would be a permanent change.

14.5 What if I am working flexibly and I need to request a further temporary change?

To ensure that proper consideration is given to your application, and operational requirements, you must not have two applications running concurrently. This will ensure that each application has the maximum time allowed for consideration including any appeal process. NHSBT will agree to look sensitively at your requirements and decide based on their merits. Your manager will consider any potential impact on operational requirements. It is possible a compromise arrangement may be given. Alternatively, you may need to consider other options to help you at this time e.g. parental leave, special leave, unpaid leave, or a career break.

Any temporary arrangement should be for no longer than 3 months, although a reasonable extension of no longer than a month may be considered. After this period, both parties must review to see whether any permanent change may be required. If so, an additional application may be required.

14.6 What if I am working flexibly and my manager wishes to make changes to these arrangements?

While it is important for you to review your own reasons for working flexibly, your manager may also do the same. The staffing arrangements for a department are always under pressure due to organisation change, demand for our products, attendance issues, or even flexible working arrangements. It therefore may be necessary for a manager to review your current arrangements. However, should they wish to change this, they will need to have a clear rationale for this, and need to work with you in preparing a new workable solution. The new arrangements should be agreeable to both of you and confirmed in writing.

14.7 How do I consider a collective application for flexible working?

Rarely you may receive applications from a collective group of employees, and you should consider these in the same manner; however, you should discuss collective applications with your senior management and Human Resources.

15. Additional Employment

15.1 What do I need to do if thinking of taking on an additional post?

Should you wish to work for more than one employer, you must tell your manager who will discuss the details of your request. They will ensure that your request does not have a detrimental impact on your ability to carry out your duties. You will need to complete an application for flexible working and give this to your manager.

Using the Additional Employment checklist, your manager must consider the following when reviewing your request for additional employment *:

- Any health and impact on you, your colleagues, or NHSBT
- any impact on your Wellbeing
- patient safety
- needs of the service
- potential conflicts of interest

*this list is not exhaustive

If your request is agreed, you must also both agree an appropriate timeframe to review the agreement.

Your manager will notify you should your additional employment have an adverse impact on your attendance, or on your performance at work etc. This may be investigated under the applicable policy (e.g. Disciplinary, Attendance or Capability Policy) and appropriate action taken.

15.2 What types of additional employment do I need to declare to my manager?

You will need to declare any additional employment which may have an impact on your employment with us. This includes paid employment within or outside NHSBT, voluntary work (including school governors, magistrates, and reservists), self-employment, bank work, agency work and employees with Honorary Contracts outside NHSBT.

15.3 Can I take part in voluntary work outside of my working hours?

Most voluntary unpaid work such as collecting for a charity, helping in a charity shop for a few hours a week, or coaching a youth football team will not require a request under 'Additional Employment'. This time off work will not be supported by the organisation, and you will be required to provide this in your own time. However, you can use annual leave to support this.

You are, however, able to request time off work for Public Duties (e.g. special police constable or mountain rescue team). The Time off Work Policy and FAQ's contains details of this. For this, you are required to use a blend of work time and your own time to support this work.

Other types of voluntary work (e.g. voluntary firefighter) which may entail a substantial time requirement over a lengthy period would require a request under 'Additional Employment'.

15.4 Can I have more than one post at NHSBT?

Should you hold more than one post within NHSBT, it is expected that you have due regard to the needs of both of your jobs. You must declare any existing employment at NHSBT to Recruitment at the time of your application. You must also ensure that you have the agreement of both of your managers and discuss the implications with both of your managers before you take up the post.

15.5 Can I approach an employee if I suspect they may have not declared additional employment?

Managers may approach an employee if they have reason to believe that they may have additional employment which is undeclared. If an employee confirms that they are now undertaking additional employment, the manager should request the employee to attend a meeting to discuss details regarding the additional employment.

15.6 What aspects do managers need to consider when reviewing an employee's additional employment?

Using the checklist your manager must consider should be given to the following details:

- Health & Safety risks (their own, colleagues, donors, members of the public).
- Patient Safety.
- Needs of the Service
- That you have had the appropriate amount of compulsory rest time
- Potential conflicts of interest
- Impact on attendance/time keeping
- Impact on performance

*this list is not exhaustive

15.7 How do I ensure that I am not breaching the Working Time Directive (WTD)?

If you work for more than one employer, the total number of hours worked must be considered when assessing compliance with the weekly limit as defined in the WTD. The WTD outlines that workers working time, including overtime, in any reference period shall not exceed an average of 48 hours for each 7 days. The reference period is any period of 17 weeks. See [MPD 485](#) for further details regarding the WTD.

Your manager will ensure that reasonable steps are taken to enable you to comply with the regulations. They reserve the right to request that your weekly working hours limit is not exceeded. Your Manager can request that you complete a working hours record, which they will place on your local file. You should also notify your manager if your pattern of work changes, in order that any potential impact can be re-assessed and agreement reached. Should a breach of regulation occur

due to failure by the manager to observe the regulations, then the manager may be subject to disciplinary proceedings.

15.8 If I am sick and unable to come to work, can I still do my additional employment?

Your manager should advise you that if you are unfit to carry out your duties, due to sickness absence, you should discuss any implications of continuing with your additional employment. Your manager will need to consider details including your sick pay, recovery, and rehabilitation.

15.9 Can my manager retract an agreement of additional employment?

There may be circumstances when it is necessary for NHSBT to retract its permission for you to undertake additional employment. This may arise when attendance, time keeping, capability, performance or a conflict of interest gives cause for concern.

15.10 Can I appeal against my manager's decision to refuse my request for additional employment?

Should your request for Additional Employment be refused, you have the right of appeal against the decision in line with the Flexible Working Policy.

16. Appeal

16.1 As a colleague, what should I do if my Flexible Working request is refused?

If your manager is unable to accommodate your request, they must provide you with a detailed outcome as to why they think your request cannot be accommodated.

If you feel that the process has not been fairly applied, for example that your application has not been fully considered in line with management guidance, then you may appeal to the next level of management. This will normally be your managers manager.

You may wish to contact HR Direct or your Trade Union representative for support in this process.

On completion of the appeal, should you still remain dissatisfied, then you may decide to follow the grievance process. However, this cannot be on the outcome alone, you must have clear grounds for your manager not following the Flexible Working process in relation to your application.

16.2 As a manager, what do I need to do if I turn down a flexible working request?

You must always come at an application with the willingness to accept the full application, and if not, then at least a compromise should be reached. If, however, you are unable to accommodate the changes, you must provide a detailed outcome as to why you are unable to support the application. You must detail your reasons fully and clearly and should only be for a business / operational reason such as:

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

It is not acceptable to only provide any of the above bullet points in response. You must include as full details as possible in your outcome. Remember, that if the colleague feels you have not given full consideration to their application, or followed process, then they have the right to appeal your decision. In addition, they are able to seek redress through the grievance process.

17. Policy Approval and Review

Policy version	Related document to UCD/People/Flexible Working010v3.0
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