



Flexible working in the NHS

A guide for UNISON members

Contents

Introduction	3
Understanding flexible working and your statutory rights	4
What are the new contractual changes?	5
About this guide	5
What is flexible working?	5
How to go about making a flexible working request and what to expect	6
Four factors to consider when requesting a flexible working arrangement	7
Checklist for staff when considering your options	8
Part-time or reduced hours working	9
Job-sharing	10
Average hours e.g. annualised hours	11
Set working pattern	11
Staggered working hours	12
Compressed working week	13
Term time working	13
Flexi time	14
Self-rostering (also known as e-rostering, team-based rostering etc)	14
Other success stories from our members!	15
Top tips for members who want to work flexibly	16
Further reading/useful resources	17

Introduction

Flexible working is now a day one right for all NHS staff who work under the Agenda for Change (AfC) terms and conditions, no matter what your role in the NHS.

Simply put, flexible working is about giving you more say as to where, how, and when you work. For some staff, flexible working helps to achieve a better work-life balance and for others, it's essential for you to be able to work at all.

The Covid-19 pandemic has shown your willingness and commitment to go above and beyond to put the needs of patients and services before yourselves. It has also meant that many of you are now suffering from issues such as stress and burnout. This combined with long standing staff recruitment and retention issues in the NHS are reasons why UNISON, as part of the NHS Staff Council, jointly agreed improvements to the national terms and conditions on flexible working that make up your employment contract.

As the trade union that represents the entire NHS team, we know that achieving flexible working might be more challenging for some of our members, particularly those working around shift patterns. We also know that branches will need support in order to make flexible working a reality for our members working on the ground, but we hope that by equipping you with the knowledge and understanding around flexible working, you can find solutions that work for you and your teams.

The changes are meant to move towards a culture of flexible working in the NHS, which will help to address wellbeing and work-life balance for our members. The aim is to keep valuable and experienced staff like you working in the NHS, while also attracting much needed new staff.

Understanding flexible working and your statutory rights – whether you work under Agenda for Change (AfC) terms and conditions or not!

Whether you work in the NHS under AfC or not, you will always be covered by the statutory rights on flexible working and will be entitled to make a flexible working request if you meet the criteria. For example, if you work in a GP surgery (and are not covered by AfC) but have worked for your employer for at least 26 weeks, are legally classed as an employee and have not made a request in the past 12 months, this guide will still be useful when considering the different options available to you and factors to consider when making an application for flexible working!

Either way, you are covered by the statutory scheme so make sure requests are submitted in writing making it clear that you are making a statutory request. You should also include key information such as dates, how your request might affect your employer and how you will make your flexible working arrangement work in practice. This will help you to preserve your statutory rights should these be relevant once you've gone through your employer's process. You should receive your decision within 3 months of making your request so ask your branch for advice if you're not sure what your rights are.

Remember, your rights and the process you use to make an application might differ depending on the terms and conditions you work under, but your statutory rights and similar principles as outlined in this guide will apply! More information on the statutory provisions can be found on the ACAS website (www.acas.org.uk/making-a-flexible-working-request)

What are the new contractual changes?

The revised flexible working provisions we have negotiated mean the following:

- all employees have the right to request flexible working from day one of employment
- there is no limit on the number of requests you can make
- you have the right to make requests and have them considered regardless of the reason
- organisations must keep a central overview of how requests are being handled and check for fairness and equality of outcomes
- where you and your line manager haven't been able to find a solution, there is a further escalation stage to check for other suitable options
- your line manager should have regular conversations about flexible working with you – without waiting for you to make a formal request

Remember it's your employer's duty to make sure that you have the chance to request flexible working from day one and you have every right to raise issues relating to flexible working during your 1-2-1s, appraisals, team discussion or even during informal conversations with your line manager.

About this guide

This UNISON member's guide is designed to give you an understanding of the different options available to you, a checklist of points to consider when making decisions around flexible working and your work-life balance, and some top tips to help you to work more flexibly.

What is flexible working?

In the NHS, flexible working is an arrangement which supports an individual to have a greater choice in when, where and how they work. Remember, you are not limited to the options identified in this guide, but hopefully this will give you an idea as to what is available to you.

The new provisions also mean that you can come up with your own ideas as to how to work more flexibly and you can also choose to combine a number of different working arrangements. For example, you can ask to work reduced hours whilst also working staggered hours.

Examples of flexible working

Reduced hours	Average hours e.g. annualised hours	Set working pattern
Staggered working hours	Types of flexible working in the NHS (and many more!!)	Compressed working week
Term time hours	Job share	Flexi-time
Team self-rostering	Flexible retirement	Home working e.g. some or all of your working patterns

Flexible working can be requested because:

- You want a better work-life balance
- You have caring responsibilities
- Any other reason!

Flexible working can be requested for:

- All working days
- Specific days or shifts only
- Specific weeks only e.g. during school term time
- A limited time only e.g. for 3 or 6 months only
- Permanently

Flexible working can be raised at:

- An informal chat with your manager
- During your 1-2-1
- During an appraisal
- During a team meeting
- Via a formal flexible working request
- Any other time!

Flexible working can be either formal or informal.

Informal flexible working

This type of flexible working is usually agreed informally with your manager. For example, agreeing to occasional homeworking.

Formal flexible working

This type of flexible working is a contractual flexible working arrangement and may impact on your pay, terms, and

conditions of employment such as pension, annual leave entitlement etc depending on which option you choose.

How to go about making a flexible working request and what to expect

As well as agreeing the new provisions, UNISON have also agreed joint guidance for trade unions on how to renegotiate your organisation’s flexible working policy and we know branches are working hard to ensure that you’re getting the best deal when it comes to flexible working.

To find out how to make a flexible working request, read your organisation’s flexible working policy. You can usually find this on your organisations’ intranet page, by contacting your HR department or by speaking to your local UNISON rep.

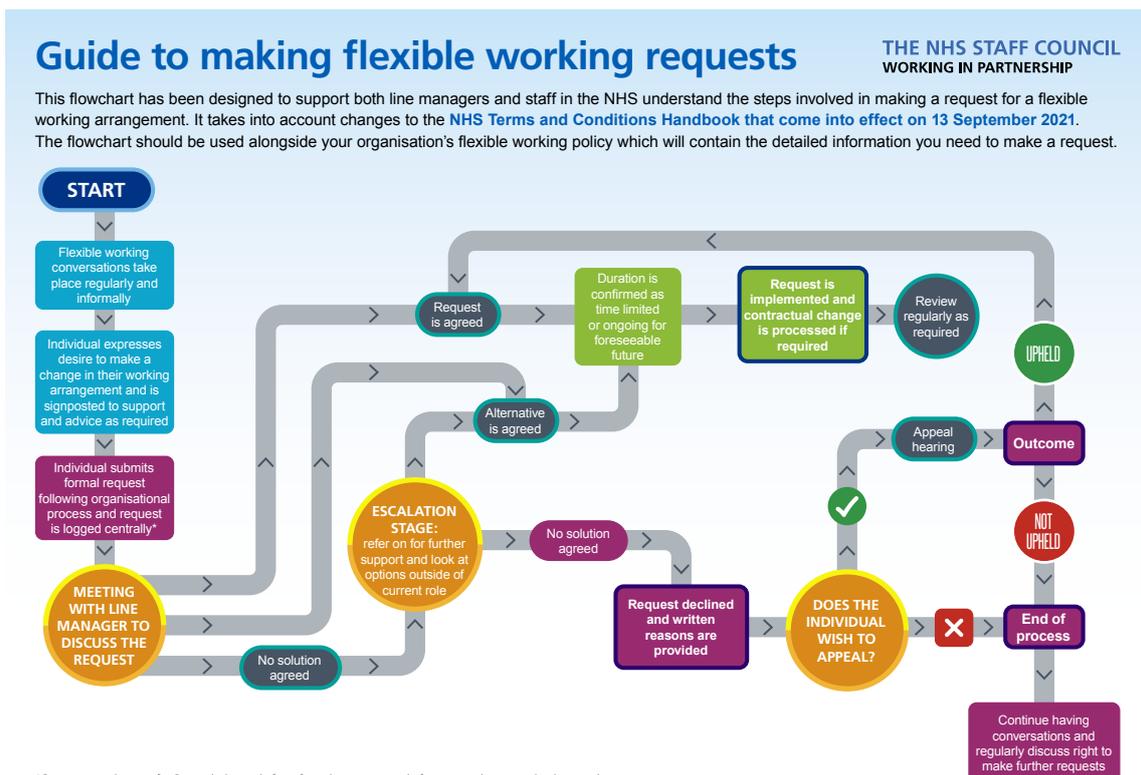
For you to understand the process when it comes to making a flexible working application, we have included the ‘Guide to making flexible working requests flowchart’ produced by the NHS Staff Council below.

You should also refer to page 4 on 'Understanding flexible working and your statutory rights'

It is worth noting, you should receive your decision within three months of you making your request. The three-month timescale includes any appeal process. If, however your line manager is not initially able to agree your request and you want to proceed to the escalation stage, it is sensible to allow for more time for a decision to be reached. This might give you and your manager the time you need to find a workable solution.

Remember, your local UNISON branch will be on hand to support you throughout the process should you need it, from giving you general info and advice, submitting a formal application to putting in an appeal should it come to that.

More information on timelines can be found on the ACAS website (<https://www.acas.org.uk/responding-to-a-flexible-working-request/consider-the-flexible-working-request>) and in your organisation’s flexible working policy.



Four factors to consider when requesting a flexible working arrangement

A list of points to consider for the various types of flexible working can be found in the tables and FAQs throughout this guide under each of the options which we will come onto. It's also worth spending time thinking about factors your manager might need to take into account when considering specific flexible working requests. This will help you to understand whether the arrangement you're requesting is realistic and achievable and might lead you to think about other options that you might not have considered before.

Below are four key areas for you to think about when considering working flexibly.

1 What does this mean for your terms and conditions?

As mentioned previously, flexible working can be a formal or informal arrangement. That being said, anything that has an impact on your terms and conditions in areas such as pay, annual leave entitlement, pensions etc will be deemed a formal arrangement. It's important for members to consider how the new arrangement will impact on them not only financially but in the longer term. For example, if you reduce your hours, you are likely to reduce your pay, annual leave, and other entitlements. If you later decide that you would like to go back to working full time hours, consider what might happen if these are no longer available to you.

2 What impact will your arrangement have on the service you provide and your team?

We understand the success of flexible working in the NHS is dependent on embedding a strong flexible working culture in your workplaces and are aware that it has been far too easy for managers to turn down requests in the past, based on not being able to meet service needs.

That's why, we encourage you to think about the impact your arrangement might have on your team and the service you provide and consider how you might overcome these. For example, if you want to work set days only, are there members in your team who would be happy to cover shifts for the days when you won't be in?

Be practical and realistic when making requests for flexible working so that you are more likely to get them

agreed. Speak to your colleagues about the possibilities, be open to lots of different options and be prepared to have good conversations and to reach compromises with your manager. It's really important to be prepared to handle objections from your manager by offering up practical solutions. All of this will help you to get your flexible working request agreed.

Familiarise yourself with your organisation's flexible working policy, speak to a colleague who's already working flexibly and don't forget, your local UNISON rep and branch are there to give you some advice and support.

3 Help yourself and your colleagues to be more flexible by working as a team

As your trade union, we really want to see flexible working become a reality for you. To make it achievable for as many members as possible, we encourage you to talk to your colleagues or those working in similar roles to you across the organisation (or even in external organisations) to find out what's possible. It is also important to be open and transparent with your colleagues when working flexibly and support other members of your team to make a success of their flexible working, for example by encouraging them to leave on time or agreeing to cover for one another.

In teams which operate shift patterns, working together to draw up rotas will give you a greater understanding of not only your own needs, but the needs of your colleagues and service which in turn might help you to find solutions which work for not only for you but your team as a whole.

4 Just because your request wasn't approved the first time around, don't lose hope!

As your trade union, we know that many of you work in environments where flexible working requests are met with an automatic 'no!' You might feel as though the needs of your colleagues and/or the service have been put before your own. The new provisions are designed to make flexible working more accessible to all staff, no matter what your role, but sometimes it might seem out of reach. That's why the provisions also allow for an escalation stage so that if you can't reach an agreement with your line manager, your request can be referred on for fresh eyes and further consideration of what might be available elsewhere in the organisation.

When preparing for the escalation stage, you might want to consider whether you would be open to the possibility of working in a different team, ward, or location. If you're unsure as to whether these are options that will work for you, it might be worth agreeing a shadowing or trial period as a way of testing it out. The more willing you are to be open and flexible, the more likely it is that you will find an agreeable solution.

Remember, the new provisions also mean that you are not limited in the number of flexible working requests you can make so, if you've not found a workable solution this time around, you can take some time out to explore other options before making another request.

Speak to colleagues, not only in your own team but teams where staff are already working flexibly. You can also speak to your local UNISON rep or branch who might be able to help you put in an appeal if your flexible working application has not been accepted this time around (see your organisation's flexible working policy for more info).

Flexible working and equalities

The Equality Act 2010 came into force to prevent employers discriminating against staff based on their protected characteristics (including disability, sex, and sexual orientation to name a few). The pandemic has demonstrated that women continue to bear the brunt of childcare, so if you're a woman with caring responsibilities and your flexible working application has been rejected, you might be facing indirect discrimination.

Remember, flexible working can also be requested as a reasonable adjustment under the Equality Act if you have a disability, so it is a good idea for you to make it clear that you are applying for flexible working as a reasonable adjustment when making the application as it is an additional statutory right on top of your contractual right! Your organisation's flexible working policy should encourage you to identify if your request is to facilitate a reasonable adjustment.

Speak to your local UNISON rep for further advice on flexible working and equalities issues, or to help you make a flexible working as a reasonable adjustment.

Checklist for staff when considering your options

Before we explore some of the many flexible working options which are available to you, consider using this checklist to get you in the right frame of mind to think about how you could work more flexibly.

If you're unsure what the implications might be when it comes to making decisions around flexible working e.g. how these might affect your pay, terms and condition then speak to your local UNISON rep or branch.

1. What changes do you want to make to your work life balance?

- Are you happy with how you currently work?
- What would you like to be different? Be specific e.g. picking the kids up from schools twice a week, more time to play sports etc
- Would these changes be permanent, or do you only want to change things up for the next 6 months?

2. Look at the different options available to you in this guide and consider which options might work for you

- Can you change your start and finish times?
- Is there scope to reduce the hours or days you work?
- Can you work from home a day a week to cut out travel time?
- Can what you want be achieved by trying a combination of the different options available to you?
- Is there more than one option which might satisfy your needs to work more flexibly? If so, what are these and how will you rank these in order of preference?

3. Consider the impact any decisions you make to work more flexibly might have on you and your family:

- What will be the financial impact on you and your family if you decide to reduce your hours? How will this affect your salary, pension, unsocial hours payments and other enhancements such as high cost area supplement? Will you save on travel and childcare costs?
- What will be the impact on your contractual entitlements such as annual leave, maternity pay, redundancy, annual leave?
- If you reduce your hours, will you be able to get these back later down the line?

4. Consider the impact on your team and service

- Are there core or peak times which you will need to be in to ensure there is adequate staff cover?
- Is there someone else who can cover for you when you're not there?
- Can work be delegated up or down?
- How will you make sure that your teammates know when you're in or not? Have you shared your calendar with your team? Have you checked that your team rota is up-to-date?

5. Prepare to have good conversations with your manager

- Are you clear about what you want?
- What options do you think will best work for you and your team?
- How will you handle objections? Can you suggest alternative options and practical solutions?
- How will you be flexible in return? Are you open to sometimes swapping shifts?
- Have you thought about how you will manage expectations if you work fewer hours?

6. Consider how you will monitor the arrangement

- Have you agreed a trial period with your manager?
- What measures have you and your manager put in place to ensure you're still able to work on your personal and professional development?
- Have regular reviews been factored in to make sure that you and your manager get opportunities to discuss your flexible working?
- Consider how will the review period work both ways – if you need certainty that a change is permanent make sure this is clear – or if you want the option to return to your previous work pattern after a review period be clear about this too.

Working part-time or reduced working hours

You may be able to reach an arrangement which supports you to reduce your working hours from the hours you were initially contracted to work, e.g. fewer or shorter days. This may be on a temporary or permanent basis and may be used alongside other types of arrangements such as job share or term time working.

Each request will be considered on an individual basis with consideration to the needs of the service at that time.

In these instances, salary would be paid on a pro-rotta basis, based on Whole Time Equivalent (WTE) hours, which are usually 37.5 hours in the NHS.

Points to consider	
For you	For your manager
Reduced annual leave and other leave entitlements e.g. special leave	Can the service needs still be met – can the hours be replaced like for like without incurring additional costs
Impact on pension contributions/benefits	What are the benefits of agreeing to the request?
Reduced maternity and redundancy entitlements	How will this fit in with existing flexible working arrangements?
Where a permanent change has been agreed, your hours may not be able to be increased at a later date	What is the impact on the rest of the team?

Frequently Asked Questions about part-time/reduced working hours

How does this affect my annual leave entitlements?

Annual leave is calculated on a pro-rotta basis for part time workers. Please refer to your organisation's annual leave policy for more information.

Can I request to work on set days of the week or combine this with other flexible working options?

Yes. Your manager will need to consider the impact this will have on your team and service as with all flexible working requests.

Can I work overtime if I have reduced my hours?

Yes, you can request to work overtime where this has been agreed with your line manager in advance. Additional hours up to full time (37.5 hours) are paid at basic pay rate for Bands 1-7. Bands 8-9 are not eligible for overtime payments. Hours worked above 37.5 hours are paid at overtime rates. Unsocial hours attract enhanced pay rates in the usual manner.

Member success story – Kirsty, Nurse

I have had a flexible working arrangement in place since March this year. I found the process very easy, my manager provided me with the forms, I filled them in and returned them and my new working hours started when the next set of off duty came out.

It has made a huge improvement to my work life balance and I feel less stressed inside and out of work. I reduced my hours to 33.5 per week, with set days. This means that I can easily arrange childcare, and my mental health has improved as I know what I am doing each week. Working full time shifts, I felt like I didn't know if I was coming or going and couldn't get on top of things at home. I get to spend quality time with my family, and we can plan and arrange things easily.

Points to consider	
For you	For your manager
Sharers may be on different points of the salary scale depending on their individual length of experience	Can the duties and responsibilities of the role be clearly defined and measured for each person?
Salary and pay related benefits will be reduced pro-rata . See part-time working/reduced hours info on page 9.	How will the hours/days be worked by the sharers to best meet individual and service need?
How you will handover and communicate across the week?	
How will you organise and manage your annual leave amongst yourselves?	

Job-sharing

A job-share is a form of part-time working where one full-time role is shared between two members of staff. The salary and other benefits are divided between them according to the hours each sharer is contracted to work.

In a job share, you and the other sharer accept joint responsibility for the whole job so there needs to be a high level of communication and co-operation to ensure it works. Although you will be jointly responsible for the job, each of you is responsible for your own actions.

Frequently Asked Questions re job shares

Does a job share have to work on an equal split of time and responsibilities?

Not necessarily but how time will be split will depend on the requirements of the job to be shared and the skills each of the job sharers bring to the role.

If the person I share with is off sick or on leave, will I have to cover for them?

No, there is no contractual expectation for you to cover. However, if practical there may be times when you are asked to cover or flex your days to suit service needs though you are not obliged to do so.

If I want to work a job share, can my employer find someone to share with me?

You are encouraged to find out if there is anyone in your team/department who might be interested in a job share. Your employer can help by reviewing whether other employees have requested to job-share and by placing an internal/external advert on NHS Jobs.

Average hours e.g. annualised hours

You might decide on an arrangement where a set number of hours are averaged out over an agreed time reference period e.g annualised, bi-annualised, quarterly, or monthly. The hours to be worked during the year, quarter or month should be agreed at the outset but may be the standard number of hours or part-time hours.

It may be that the majority of the working hours/working pattern is agreed in advance, with some hours held in reserve to provide short term flexibility to both you and the service. Usually pay and benefits will be calculated as if the member of staff works the same hours all the time.

Points to consider	
For you	For your manager
Where you do not work full time hours, your salary and pay related benefits will be reduced pro-rata. See information on part-time working and reduced working hours on page 9.	What are the minimum and maximum staffing levels and skill mix required per day/shift? How will the working hours be recorded, tracked and time owing/time owed be managed?
How will you go about recording your hours?	How will roster changes be managed at short notice?
When do you want to work longer hours and when shorter? Do you want to fix all the hours in advance or flex some of them?	How will you monitor long hours and working time regulations compliance?
What will your pattern mean for your unsocial hours earnings across your chosen averaging period?	When does the 'year' run from? E.g. January – December or April – March?

Frequently Asked Questions around annualised hours

How will annualised hours be calculated?

By calculating the total number of hours to be worked in a year minus your annual leave and public holiday entitlement

How many weeks is a year calculated over?

To account for leap years, annualised hour are calculated over a 52.14 week period.

Can I vary the hours I work each week?

Your average hours arrangement should be clear about the period over which your hours can vary and any parameters – for example any minimum or maximum hours requirements.

It may be possible to vary your weekly hours providing:

- you work your contracted hours within the agreed period
- this is agreed by your line manager

How will I be paid for working annualised hours?

Your salary is usually paid over 12 equal monthly instalments. If you leave part way through the year you will have your final salary adjusted if you have not completed or have completed more than your contracted hours for that period.

Set working pattern

This is where you have an arrangement to work set hours and/or days/shifts each week, month or roster period. For example, you have a 30 hour per week contract and have set days and shifts to work on say, Wednesday and Thursday with the remaining hours to be slotted in throughout the week.

Points to consider	
For you	For your manager
Where you request to work shifts, which do not attract enhancements e.g. nights or weekends this will impact upon your salary.	How many other staff have a similar pattern?
Are there already people with the same set days in your department which might make it difficult to accommodate your request?	How many staff can be accommodated with similar requests?
Do you want to fix all your hours/ days or could some of your pattern vary?	What is the impact on other staff members?
	What are the benefits of agreeing to the request?

Frequently asked questions around set working pattern

Do I have to work the same set days each week?

You do not have to work the same set days each week. It may be that the agreement is to work set days/shifts over a month or a roster period instead.

Can I flex my start and finish times?

This may be difficult for staff working in wards and department areas which operate around shift patterns. However, each request will be decided on an individual basis.

Success story from member – Louise, Staff nurse

I am a staff nurse and put in a flexible working request to my manager in writing after seeking advice from UNISON on the process in 2010 when returning to work after being off on maternity leave. I wanted to reduce my hours from 37.5 to 24, and work 3 days per week. I also wanted to have two fixed days off during the week (Monday and Wednesday) and only work backshifts due to childcare issues.

My manager wasn't keen on fixed shifts initially, but the alternative was that I would have to leave the post and work on the bank instead. My flexible working request was granted, and it was agreed that I could work Tuesday, Thursday and Friday backshift or I would work a Friday, Saturday and Sunday backshift depending on what was needed that week so that my employer could see that I was trying to be flexible back too.

This was to be reviewed every 6 months. I had this all confirmed to me in writing and every 6 months my manager would have a quick chat with me, and the request was extended by another 6 months.

Staggered working hours

This is usually an arrangement where you work full time contracted hours but your start and finish times are different from the 'normal' for that area to suit your needs. For example, working 10-6 rather than 9-5.

This may be on a temporary or permanent basis. This arrangement is less likely to be suitable for staff who work shifts and is more appropriate for those who work a 'standard' week and are not required to handover to the incoming/outgoing shift

Points to consider	
For you	For your manager
Minimum break times need to be scheduled into the working day.	Are there any health, safety and security issues relating to staff working outside of 'normal' hours e.g. lone working?
Think about any effects this might have and how this could be accommodated- is there a weekly team meeting that you would miss? Is there an alternative time that would also work for everyone else?	Is there enough cover during core hours to support the request?

Frequently asked question around staggered hours

Can staggered working hours include weekend work?

No, not unless your existing work pattern includes weekend work. But you could also request a change to include weekend work if that's what you want

Can I reduce my working hours by working through my breaks?

Rest breaks are there to protect your health and well-being and must be provided for during your working hours.

Can I work staggered hours if I work part time?

Yes, you can request a combination of different flexible working options.

Success story from member – Lucy, Care Navigator

I work 5 days a week within a team where half of us will work 10-6pm one week and the other half works 8-4pm shift the other week. This shift pattern allows our service to be covered from 8-6pm whilst fairly sharing the shifts on a weekly basis.

As of last year, our line manager implemented a shift pattern for part time office work. For me, this means that I work in the office on Thursday and Friday alongside 2-3 other team members. Part time office working is positive as it means that we get to socialise with members of our team whilst still working flexibly from home.

Compressed working week

Working a compressed working week is an arrangement where you undertake full time hours in a reduced working week, for example working 37.5 hours over a 4-day week by increasing the number of hours worked each day. This may be on a temporary or permanent basis.

Points to consider	
For you	For your manager
Potential impact on health and wellbeing due to having to work longer shifts/periods.	Will compressed working hours accommodate service need?
Do you want your non-working day (or half-day) to be fixed, variable or fixed with some scope to vary it by agreement according to service need?	How will this arrangement affect rostering of other employees?
	How will communication with staff be maintained?

Frequently asked questions about compressed hours

How will my annual leave be calculated?

Annual leave and public holidays are usually calculated in hours. Please refer to your organisations annual leave policy for further information.

Can I have the same day off each week?

Yes, you can request to have the same day off each week and this will be considered as part of your request.

Term time working

Term time working is usually an arrangement favoured by working parents where they might choose to work 39 weeks per year within term time and use their annual leave entitlement, plus additional unpaid leave, to have school holidays off work.

Points to consider	
For you	For your manager
Pay and benefits will be impacted on the basis that annual salary is deducted by 13 weeks (minus annual leave entitlement).	Can the service accommodate or adapt to lengthy periods of absence?
	How would this arrangement impact on the working patterns of other employees?

Frequently asked questions about term time working

How will I be paid?

Your salary will usually be paid in 12 equal parts every month.

Can I request to take additional holidays during the school term?

Yes, additional time off can be requested but this will be as unpaid leave. If agreed between you and your manager, you might also have the option of working additional hours for paid time taken off in lieu (TOIL).

Is it possible to agree term time working for an agreed number of years?

Yes, this might be possible. Remember, you are encouraged to review your flexible working arrangements regularly with your manager to ensure that they are working well for you, your team and the service.

Success story from member – Emma, OT

I work term time only and have done for a long time. It has worked really well as during that time I had more children, and now they are growing up I have increased my hours. It meant that I could stay working throughout and now feel that I am giving back for all the support I received.

I still work term time and part time (25 hours), but it creates for me the perfect work life balance.

Flexi time

Flexi time allows you to vary your working hours (which may include your start and finish times) to suit your individual circumstances. Most policies have an agreed reference period – usually a month; limits on the amount of debit or credit that can be carried from one period to the next; and core hours during which everyone is expected to work.

This arrangement might not be suitable for all groups of staff, for example those who work set shift times and might be deemed more suitable for staff who work a 'standard' week and are not required to handover to the incoming/outgoing shift. That being said, don't feel discouraged if you still think this is something that might work for you. You won't know unless you ask.

Points to consider	
For you	For your manager
Contracted hours must be completed within the agreed period	Does the nature and volume of work allow for flexi time to be considered?
Working hours must be agreed with your line manager prior to being worked	Are there enough employees covering the service to meet work demands in core hours?
	Are there any health, safety and security issues relating to staff working outside of 'normal' hours e.g. lone working?
	How will working hours be recorded, tracked and managed?

Frequently asked questions around flexi time

Would I need to start/finish at the same time each day?

No, but your working hours do need to be agreed with your line manager in advance of being worked.

My colleague works flexi time, does this mean I can too?

Your employer should be supportive and accommodating when it comes to your flexible working requests and if somebody in your team is already working flexi time successfully, speak to them about how they made a success of their flexible working application.

Success story from member – Angela, Senior information analyst

We've had flexible working in place for a while now, being able to adjust hours and working times when necessary for caring responsibilities. This includes working from home during the pandemic and the Trust is supporting remote working where possible. This has greatly increased my work life balance and our bosses have seen no drop in performance, in fact they commented that it had improved if anything!

Self-rostering (also known as e-rostering, team-based rostering etc)

In theory, self-rostering (sometimes referred to as e-rostering or team-based rostering) is an approach which is intended to give staff more of a say when organising working schedules. How much input staff and teams have in practice will vary according to where you work as generally, employers tend to operate e-rostering models with limited involvement from staff. To make self-rostering work, parameters are usually set in advance which cover issues such as the skill mix required hour-by-hour throughout the working day.

In its most flexible form, self-rostering encourages staff to put forward times they would like to work as well as 'protected' time periods where they do not wish to work. The self-rostering leads within the team will then use this information to match the preferences of the member of staff as closely as possible, whilst ensuring agreed levels

of cover and the right skill mix are always in place.

Self-rostering allows staff to 'bank' hours over or under contracted hours. Self-rostering can lend itself to all staff groups in the NHS, particularly those working around shift patterns, in a large mixed team where there are a variety of personal circumstances to accommodate.

If you don't have self-rostering but think it can help you and your team to work more flexibly, speak to your colleagues and consider approaching your manager to see whether they are willing to bring it in for a trial period. Where you already have e-rostering, suggest having more of a say in how your working pattern is determined to get closer to a self-rostering model.

Points to consider	
For you	For your manager
Are there regular opportunities for you and your team to openly discuss your preferred working shifts/patterns e.g at team meetings?	Is the approved minimum number of staff e-rostered and the skill mix maintained?
Will you request to work longer, shorter, or split shifts or a combination of all of these?	Are staff and the self-roster leads appropriately trained to ensure that systems are working fairly and effectively?
Have you factored in issues such as the maximum number of consecutive shifts you can work? And that for shifts over 6 hours, you are required to take a 30 min break?	How will handovers be managed where there aren't clear shift changes?
Have you factored in any regular meetings that you might miss? Is there scope to agree to move this to a time that suits everyone in the team?	Are there 'core' and 'veto' hours that can be agreed by the team/department/ward

Frequently asked questions around self-rostering

Self-rostering sounds complicated. Where can I find out more information?

Some organisations have a self-rostering (also known as e-rostering) policy. This should include information such as staffing levels, skill mix, processes, systems etc. Ask your HR department or UNISON branch for more information.

Can I request to have set days off or work set shifts?

Self-rostering should allow you to request 'protected' time periods where you specifically do not want to work. How these will be allocated will depend on your team and the agreed parameters. You can request to work set shifts, but whether this is possible will depend on your team and if the request can be reasonably accommodated.

How far in advance do I need to submit my working preferences?

Generally, self-rostering schedules should be published 6 weeks before they are worked. This means you will be expected to submit your preferences sometime before this.

I feel like my colleague always seems to get their preferences met but I'm often left working shifts I've not requested. How will managers make sure that self-rostering is fair?

Each team will set out the ground rules on expectations for covering shifts and where staff have submitted requests that are non-negotiable, there should be a fair system in place to ensure that staff needs are met. For example, requests might be granted based on alphabetical lists which are rotated each month.

Other success stories from our members!

We know that flexible working can and should work for all staff groups working across the NHS! We also know the key to success for flexible working in the health service is down to sharing what is working well on the ground, across the entire NHS as well as being open to learning from across the other sectors.

Below are some more examples of where members have written in to share their stories around flexible working. We hope that they fill you with hope when it comes to your flexible working future.

Claire, Operational Service Manager

I applied for flexible working recently and it was approved. I worked in the office on site throughout the pandemic, but my flexible working application was to work one set day at home. I usually pick the day when I am likely to be on Teams meetings most of the morning. It works well with my team and has given me a far greater work life balance. The process of applying was straightforward and I received a decision within 4 weeks of applying. It has made a massive difference to home life.

Louise, Community midwife

I work as a community midwife, between 9-5 but have flexible working arrangement in place so that I only work on call from 5pm-9am. This was originally in place at the weekends but more recently, this has changed to only covering Saturday nights unless my partner is off on annual leave (which I notify my employer of in advance) so that I can cover a weeknight for that week.

Flexible working is a massive relief and has made me happier and meant that I'm feeling a lot less stressed. Making the request was made easy for me by my manager. We discussed what was possible, and I completed a simple form with an agreement that my arrangement will be reviewed every 6 months. The biggest obstacle for me is the more senior managers that don't know my plans and sometimes try to change working shifts or on calls, but most of my team and my manager are on board with my arrangements. This is helped by the fact that I tend to work a lot of weekends. If I couldn't have a flexible working arrangement in place, then I would no doubt have left the service.

Sarah, Nursing Support Worker

I have two children, one who has a disability. Formal childcare is very limited in my area, my school does not offer wrap about care and I do not have the support of family to help me. My part time hours are spread over the week to enable me to drop off and pick up the children from school. There have been times when I have had to ask for a slight change in my working pattern and these have been agreed without problem by my manager.

The team I work in is very flexible and we are all able to manage our own workloads.

Recently, a member of the team left and some of the hours were offered to me. I was able to get agreement that I would do these working from home as the pandemic has shown that we are still able to do our jobs well whilst working remotely. Because my manager has allowed me to be flexible to help with my work life balance, I will be flexible back where possible.

Top tips for members who want to work flexibly

- Read your organisation's flexible working policy. Remember, UNISON branches are currently working hard to ensure that this policy (and how it's put into practice) is robust and fit for purpose.
- Consider all the different ways you might be able to work more flexibly. Consider the impact that your flexible working options might have on your pay, terms and conditions and prepare for conversations with your manager. If you're not sure, speak to your local UNISON rep
- Speak to your colleagues including those working in other teams to find out how they are working flexibly and see if these can be replicated in your own team.
- Speak to your local UNISON rep if you're unsure about your options including how to go about applying for flexible working. Remember, your local UNISON rep or branch are always on hand to guide you through making your flexible working application including helping you to put in an appeal if your request has been turned down.

- Try and be flexible when making requests to work flexibly. This means going into discussions with an open mind and being prepared to compromise. Also, consider allowing for an extension to the timeline (within limits) when you can't reach an agreement as it might be what's needed to find a workable solution.
- Keep an eye out for further info and resources on the UNISON health webpage on flexible working and share your stories around flexible working so we can make it a reality for all NHS here (www.unison.org.uk/at-work/health-care/big-issues/flexible-working-for-nhs-staff). Let colleagues in your workplaces know that UNISON were instrumental in getting these provisions agreed and encourage them to join the union!

Further reading/useful resources

- Your local UNISON branch which can be found using the online branch finder <https://branches.unison.org.uk> or by calling UNISON direct on 0800 0857 857
- UNISON webpage on flexible working www.unison.org.uk/at-work/health-care/big-issues/flexible-working-for-nhs-staff
- Jointly agreed FAQs in the NHS Employer's website www.nhsemployers.org/articles/flexible-working-faqs
- Changes to section 33 of the Agenda for Change handbook www.nhsemployers.org/publications/tchandbook#section-33-balancing-work-and-personal-life
- ACAS 'making a flexible working request' guidance [covers the statutory process] www.acas.org.uk/making-a-flexible-working-request

