

CONTROLLED DOCUMENT

Work Life Balance Policy

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¹ If this Controlled Document will have an impact on any contracts held by the Trust, once approved, this will need to be sent to the Procurement Team requesting that it be added to the Procurement Policy Portal

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1. Policy Statement

- 1.1. University Hospitals Birmingham NHS Foundation Trust (the 'Trust') recognises that a good work-life balance can improve staff motivation, performance, productivity, and reduce stress. Therefore the Trust wants to support its members of staff to achieve a better balance between work and their other priorities therefore provides a range of flexible working patterns and leave arrangements to assist with this.
- 1.2 The Trust is committed to agreeing any flexible working arrangements, provided that the needs and objectives of both the organisation and the member of staff can be met.
- 1.3 The purpose of this policy, and any related procedural documents, is to provide a clear and consistent framework for considering a member of staffs request for work life balance options.
- 1.4. All Human Resources policies and procedures are underpinned by the partnership commitment between management, Trade Union representatives and the Trust's Vision and Values framework.

2. Scope

- 2.1 This policy and its associated procedures have different applications depending on the staff group. The table below identifies which procedures apply to which staff.

Procedure	Non-Medical staff directly employed	Medical & Dental Staff Directly Employed	Medical & Dental Locums	Non-medical honorary contracts	Medical Honorary Contracts	Non-Medical Bank Staff
Flexible Working	√	√	X	√	√	X
Retirement	√	√	√	√	√	√
Annual Leave	√	√	√	X	√	X
Maternity Leave	√	√	√	√	√	√
Adoption Leave	√	√	√	√	√	√
Paternity Leave	√	√	√	√	√	√
Shared Parental Leave	√	√	√	X	X	√
Special Leave	√	√	√	X	X	X

- 2.2 Ad-hoc Medical and Dental locums are engaged for individual bookings and have separate contractual arrangements.

3. Framework

3.1 Introduction

3.1.1 This section describes the broad framework for the policy. Detailed instructions are provided in the associated procedural documents.

3.1.2 The Chief Workforce and International Officer will approve all procedural documents associated with this policy, and any amendments that may happen from time to time to such documents, and is responsible for ensuring that such documents are compliant with this policy.

3.1.3 There are a number of work life balance options available to staff including:

- Flexible Working
- Retirement
- Annual Leave
- Maternity Leave
- Adoption Leave
- Paternity Leave
- Shared Parental Leave
- Special Leave

4. Work Life Balance Options

4.1 Flexible Working

4.1.1 Flexible working allows members of staff the opportunity to request a permanent or temporary change in working hours to part time hours, term-time working, annualised hours, flexitime, job-sharing and compressed hours and career/sabbatical breaks.

4.1.2 All NHS staff have the right to request flexible working.

4.1.3 The Trust is required to consider flexible working options for all staff in the workplace.

4.1.4 The Trust has the responsibility to ensure that any flexible working pattern must comply with the Working Time Regulations (1998).

- 4.1.5 Staff can only submit one flexible working request every 12 months; however line managers are able to use their discretion to review requests made outside of this timescale.
- 4.1.6 All requests must be put in writing to their line manager. The line manager will then arrange to meet with the member of staff to discuss the request, following this meeting the line manager will write to the member of staff to advise whether the request has been accepted or rejected.
- 4.1.7 Any accepted requests will result in a change to the member of staff's terms and conditions of employment, unless explicitly stated otherwise.
- 4.1.8 All accepted requests will be reviewed by the line manager after the first 12 months to ensure the change in working pattern suits the needs of the service, and may be subject to change.
- 4.1.9 All jobs within the Trust should be considered for flexible working. If it is not possible, the Trust will provide the member of staff with written, objectively justifiable reasons for this and give a clear, demonstrable operational reason why this is not practicable.
- 4.1.10 All staff have the right to appeal, details can be found in the Flexible Working procedure.

4.2 Flexible Retirement

Normal Retirement

- 4.2.1 This is where the member of staff chooses to take retirement at state pension age.

Flexible retirement

- 4.2.2 Flexible retirement applies to all members of staff who are over the age of 50 and contemplating retirement.
- 4.2.3 There are a number of options that staff approaching retirement may request to ease them into retirement irrespective of whether

they belong to any of the NHS Pension Schemes.

- 4.2.4 Prior to any member of staff requesting flexible retirement the member of staff should take responsibility to discuss the following options with NHS Pensions prior to making an application, to discuss options and implications of flexible retirement. It is advisable to also seek independent financial advice from an advisor who is registered under the Financial Services Act 2012.
- 4.2.5 The needs of the service will determine whether a flexible retirement request can be granted.
- 4.2.6 Any flexible retirement requests that are rejected can be appealed against. Further details of this process can be found within the Flexible Retirement Procedure.
- 4.2.7 Further guidance is available in the associated Flexible Retirement Procedure.

Wind Down

- 4.2.8 This is where the member of staff wishes to wind down to full retirement by working fewer days or hours in their current post.

Step Down

- 4.2.9 This is where the member of staff chooses to step down into a less demanding role on lower pay whilst still making good use of their skills and experience, and with preservation of NHS Pension rights at the higher level.

Retire and Return

- 4.2.10 This option is where the member of staff retires, takes all of their NHS pension benefits and, after a short break of 14 calendar days, returns to work within the NHS. With this option the member of staff is resigning in order to take their pension and as such there is no automatic right to return to either the original or similar job role.

Draw Down (2008 and 2015 section members only)

- 4.2.11 This is where a member of staff takes part of their pension

benefits whilst continuing NHS employment.

Late Retirement Enhancement

4.2.12 This is where a member of staff can choose to retire later than their normal pension age and have their pension benefits increased.

Early Retirement Reduction Buy Out (ERRBO)

4.2.13 This is where a member of staff chooses to pay additional contributions to buy out the reduction applied to their pension if they retire before their normal pension age.

4.3 Annual Leave

4.3.1 Under the Working Time (Amendment) Regulations 2007 it is a requirement that staff have a minimum of 28 days (inclusive of 8 public holidays) paid annual leave per year (pro rata for part-time staff).

4.3.2 Many staff are entitled to additional contractual annual leave depending on the terms and conditions they are employed under. There are two separate procedures for annual leave, one for Staff on Agenda for Change Terms and Conditions, and one for Medical and Dental staff.

4.3.3 Further information regarding leave year start dates, annual leave entitlements, annual leave calculations and managerial and staff responsibilities regarding annual leave can be found within the associated Annual Leave procedures.

4.4 Maternity Leave

4.4.1 All eligible members of staff are entitled to maternity/adoption leave from their first day of service in the NHS.

4.4.2 Eligible staff are entitled to 52 weeks of statutory maternity/adoption leave and pay regardless of their length of service and hours worked. Staff with 12 months' continuous NHS

service are eligible for contractual maternity/adoption pay. The eligibility criteria can be found within the Maternity/Adoption Procedure.

- 4.4.3 Staff are entitled to be given reasonable time off to attend antenatal classes/official meetings in the adoption process.
- 4.4.4 Staff must take two weeks' of compulsory maternity leave immediately after the birth of the baby/babies.
- 4.4.5 Staff may take up to 10 keeping in touch days (KIT) during maternity/adoption leave, however these must be mutually agreed.
- 4.4.6 Staff retain all contractual rights during maternity/adoption leave except remuneration.
- 4.4.7 Further details can be found in the associated Maternity Procedure.

4.5 Adoption Leave

- 4.5.1 All eligible members of staff are entitled to adoption leave from their first day of service in the NHS. This can be for UK or overseas adoptions or surrogacy.
- 4.5.2 Eligible staff are entitled to 52 weeks of adoption leave and pay regardless of their length of service and hours worked. Staff with 12 months' continuous NHS service are eligible for occupational adoption pay. The eligibility criteria can be found within the Adoption Procedure.
- 4.5.3 Staff are entitled to be given reasonable time off to attend official meetings in the adoption process.
- 4.5.4 Staff may take up to 10 keeping in touch days (KIT) during adoption leave, however these must be mutually agreed.
- 4.5.5 Staff retain all contractual rights during adoption leave except remuneration.

4.5.6 Further details can be found in the associated Adoption Procedure.

4.6 Paternity Leave

4.6.1 Paternity leave applies regardless of gender identity or sexual orientation to either the:

- father of a child;
- adoptive father or partner;
- mother's husband or partner; or
- nominated carer.

4.6.2 Eligible staff are entitled to up to two weeks' paternity leave which has to be taken as two continuous weeks i.e. no split weeks.

4.6.3 Staff with twelve months' continuous NHS service are entitled to two weeks' occupational paternity pay.

4.6.4 Staff are also entitled to paid time off to attend two ante-natal classes.

4.6.5 Further details can be found in the Paternity Leave Procedure.

4.7 Shared Parental Leave

4.7.1 Shared Parental Leave (SPL) allows eligible fathers and partners to be able to request more leave from work during the 12 months following the birth/adoption/placement of the child.

4.7.2 In order to do this the mother/primary adopter must reduce their Maternity/Adoption leave period.

4.7.3 SPL must be taken in 'full' weeks. SPL can be taken as one continuous period or discontinuous periods.

4.7.4 Further details can be found in the Shared Parental Leave Procedure.

4.8 Special Leave

4.8.1 This covers a range of needs from domestic emergencies to bereavement, including child bereavement, time off for medical appointments and civic and public duties.

4.8.2 Special leave may be paid or unpaid depending on the individual circumstances.

4.8.3 All staff are entitled to request this leave.

4.8.4 Unpaid Parental Leave provisions are also included in the Special Leave procedure.

4.8.5 Further details can be found in the Special Leave Procedure.

5. Duties

5.1 Chief Workforce and International Officer

The Chief Workforce and International Officer is responsible for this policy and its implementation through the Director of Human Resources and has the authority to approve all other procedural documents associated with this policy, and any amendments to such documents in response to changes in legislation or best practice, and is responsible for ensuring that such documents are compliant with this policy.

5.2 Divisional Directors of Operations (Ops) and Corporate Heads of Department

Divisional Directors of Ops and Heads of Department will ensure that:

5.2.1 They are fully conversant with this policy and its associated procedures;

5.2.2 All staff within their Division who hold line management responsibilities are familiar with this policy and are trained in

applying all elements of the associated procedures;

- 5.2.3 All staff who hold line management responsibilities work effectively and consistently with Human Resources and Trade Union Representatives in the application of this policy and its associated procedures.

5.3 Director of Human Resources

The Director of Human Resources will ensure the following requirements are met:

- 5.3.1 The provision and maintenance of this policy and its associated procedures and guidance are part of the Trust's portfolio of controlled documents;
- 5.3.2 Human Resources staff who are required to deliver responsibilities arising from these documents are aware of, and competent, to deliver these responsibilities, providing leadership and support as required;
- 5.3.3 The provision of training for managers in support of this policy and its procedures.

5.4 Line Managers

All staff with line management responsibilities will ensure the following requirements are met:

- 5.4.1 They are fully conversant with this policy and the associated procedural documents and their application within their area of responsibility;
- 5.4.2 They have taken responsibility to ensure they are appropriately trained to implement this policy and its associated procedures in a consistent and fair manner and they maintain these skills via updates, ensuring that their Divisional Directors/ Corporate equivalents have recordable evidence to that effect;
- 5.4.3 They work collaboratively with Trade Union Representatives in applying this policy and its associated procedures;
- 5.4.4 They seek advice and work collaboratively as appropriate with Human Resources;
- 5.4.5 They make staff aware of the Trust procedures for work life

balance matters;

5.4.6 They appropriately document, store and retain any requests and actions taken in accordance with the associated procedures;

5.4.7 In the giving of information or advice related to this policy and its associated procedure, they adhere to the requirements of the Trust's Equality and Diversity in Employment policy and practices in their dealings with staff.

5.5 Trade Union Representatives

5.5.1 Accredited Trade Union Representatives will be familiar with this policy and its associated procedures in order to provide advice and support to their members if requested to do so.

5.5.2 Trade Union representatives will work collaboratively with line managers and Human Resources staff.

5.6 All Staff

All staff will ensure that they:

5.6.1 Make any requests under the associated procedures in a timely manner. Implementation and Monitoring

6. Implementation and Monitoring

6.1 Implementation

The Work-life Balance Policy and its associated procedures will be circulated throughout the Trust to ensure accessibility via Trust newsletters and intranet.

6.2 Monitoring

Appendix A provides full details of how the policy and its associated procedural documents will be monitored by the Trust.

7. References

Agenda for Change Terms and Conditions

ACAS

Equality Act 2010

NHS Employers

www.gov.uk

8. Associated Policy and Procedural Documentation

Adoption Procedure

Annual Leave Procedure

Flexible Retirement Procedure

Flexible Working Procedure

Maternity Leave Procedure

Paternity Leave Procedure

Sabbatical and Employment Break Procedure for Medical and Dental Staff

Shared Parental Leave Procedure

Special Leave Procedure

Appendix A**Monitoring Matrix**

MONITORING OF IMPLEMENTATION	MONITORING LEAD	REPORTED TO PERSON/GROUP	MONITORING PROCESS	MONITORING FREQUENCY
Analysis of rejected applications for work life balance options to ensure no unlawful discrimination	Director of Human Resources	Chief Workforce and International Officer	Statistics of requests denied with reasons.	Annually
Analysis of the amount of requests for flexible retirement	Director of Human Resources	Chief Workforce and International Officer	Statistics of requests that are approved, denied and the department the most and fewest requests are made.	Annually
Analysis of the working patterns of approved flexible working applications	Director of Human Resources	Chief Workforce and International Officer	Ensuring approved flexible working patterns do not breach the Working Time Directive.	Annually