

Flexible Working Policy

December 2016

HR Policy:	HR09
Date Issued:	December 2016
Date to be reviewed:	December 2019

Policy Title:	Flexible Working Policy	
Supersedes:	Flexible Working Policies Approved January 2015	
Description of Amendment(s):	Amendments made to principles	
This policy will impact on:	All staff.	
Financial Implications:	No change.	
Policy Area:	HR	
Version No:	2.1	
Issued By:		
Author:	HR Policy Lead – adapted for local use by eMBED Health Consortium on behalf of Hull CCG	
Document Reference:		
Effective Date:	December 2016	
Review Date:	December 2019	
Impact Assessment Date:		
APPROVAL RECORD	Social Partnership Forum Policy Sub Group	16 November 2016
	Social Partnership Forum	12 December 2016
	Governing Body	15 December 2016
Consultation:	All Staff via intranet	4 November 2016
	SLT Members	7 October 2016

Contents

1.0	Policy Statement	4
2.0	Principles	4
3.0	Impact Analysis	5
	3.1 Equality	
	3.2 Bribery Act 2010	
4.0	Implementation	6
5.0	Training and Awareness	6
6.0	Monitoring and Audit	6
7.0	Policy Review	7
8.0	Procedure	7
9.0	Appeal Procedure	8
10.0	Further Guidance	8
Appendix 1	Flexible Working Application Form	10
Appendix 2	Template Letter – Confirmation of Receipt of Application	11
Appendix 3	Template Letter – Confirmation of Outcome of Application	12
Appendix 4	Template Letter – Outcome of Trial Period	13
Appendix 5	Template Letter – Unable to Accommodate Flexible Working Request	14
Appendix 6	Equality Impact Assessment	15

1. POLICY STATEMENT

- 1.1 NHS Hull Clinical Commissioning Group (the CCG) is committed to providing a range of flexible working options for employees in order to maintain a committed and skilled workforce, able to deliver high quality, cost effective services in an environment which maximises opportunities for employees to balance work and personal commitments.
- 1.2 This policy sets out the flexible working arrangements that are available within the organisation and is supplemented by separate policies on different options.
- 1.3 The CCG is committed to ensuring that all personal information is managed in accordance with current data protection legislation, professional codes of practice and records management and confidentiality guidance. More detailed information can be found in the CCGs Data Protection and Confidentiality and related policies and procedures.

2. PRINCIPLES

- 2.1 The CCG has an overriding responsibility to deliver timely services. It also has the right to seek ways of developing the capacity of its services, improving the capabilities of its employees and improving effectiveness.
- 2.2 This policy allows any employee the right to apply for a change in their contracted hours of work but does not guarantee a change will be made.
- 2.3 The statutory right to apply for flexible working applies to all employees who have at least 26 weeks continuous employment with the CCG and have not made a request under this right during the past 12 months. Employees are able to apply no more than once per year, unless there has been a significant change in circumstances.
- 2.4 All requests will be given full consideration and no reasonable request will be refused. However, in certain circumstances the needs of the business may not allow for the request to be granted. If a request is denied, a full and detailed reason for the refusal will be given in writing to the employee. Any flexible working requests will be considered on a case by case basis.
- 2.5 Managers will ensure that employees who request a flexible working arrangement are aware of the implications (if any) on their terms and conditions of employment e.g. salary, annual leave, pension. Managers should seek the assistance of a HR Team Representative where necessary.
- 2.6 As far as practicable a CCG may be able to offer flexible working arrangements such as: (*reference: NHS Terms and Conditions of Service section 34*)
 - Part-Time Working -This is where an employee is contracted to a number of hours that are less than the normal hours of work of a comparable full-time employee.

- Job Share - This is normally where two people share the duties and responsibilities of one full-time post in a partnership arrangement.
- Term-Time Working - This is where there is agreement to allow an employee to take extended unpaid leave to coincide with the school holidays.
- Flexi-time – Allowing employees to vary their actual working hours. This means that employees can vary their start and finish times based on fixed core hours to better fit their domestic responsibilities, travel arrangements or for work purposes. The CCG do not operate a rota pattern, the CCG are covered by fixed core hours. Further detail can be found in the Flexi-time Policy.
- Home-working – This is where people work from home for all or part of their hours with a computer or telecommunication link to their organisation. This is in exceptional circumstances and with arrangement with line manager and could be due to circumstances e.g. health reasons with advice supplied by Occupational Health
- Fixed work patterns – This is where, by agreement, days off can be irregular to enable, for example, access by separated parents to their children and flexible working. Such arrangements will need to meet the needs of the organisation.
- Flexible Retirement – An employee who is due to retire may reduce their hours, vary their working hours and days to prepare for retirement. See Retirement and Retirement Gift Policy
- Voluntary reduced working time, where employees work reduced hours by agreement with manager at a reduced salary;

2.7 Where a request for a permanent change to an employees working arrangements is requested the organisation reserves the right to impose a trial period, the length of which will be at the line managers discretion but will normally be between 3 and 6 months, to establish whether or not the new working arrangements meet service needs.

Advice and support from Occupational Health will be sought as required throughout the policy.

2.9 For details of arrangements covering emergency time off for the care of dependants, see the Other Leave policy.

2.10 Support will be provided to all Line Managers in the implementation and application of this policy.

3. IMPACT ANALYSES

3.1 Equality

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

In developing this policy, an Equality Impact Analysis has been undertaken and is attached at Appendix 1. As a result of the initial screening, the policy does not appear to have any adverse effects on people who share protected characteristics and no further actions are required at this stage.

The application of this policy will be monitored to ensure fair application.

3.2 Bribery Act 2010

The CCG follows good NHS business practice as outlined in the Standards of Business Conduct which is part of the CCG Constitution, and has robust controls in place to prevent bribery.

Under the Bribery Act 2010, it is a criminal offence to:

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

Due consideration has been given to the Bribery Act 2010 in the development of this policy document and consistent application of this policy will mitigate bribery in relation to this policy

4. IMPLEMENTATION

4.1 This policy will be communicated to staff via team meetings/team brief and will be available for staff on the Hull CCG website.

4.2 Breaches of this policy may be investigated and may result in the matter being treated as a disciplinary offence under the CCG's disciplinary procedure.

5. TRAINING & AWARENESS

5.1 A copy of the policy will be available on the Hull CCG website. Training needs will be identified via the appraisal process and training needs analysis.

6. MONITORING & AUDIT

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

7. POLICY REVIEW

7.1 The policy and procedure will be reviewed after 3 years for the CCG Governing Body in conjunction with Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

8. PROCEDURE

8.1 An employee has the right to be accompanied by their trade union representative or a work colleague at every stage of this procedure

8.2 A request to change the contracted hours of work must be made by the employee in writing, or using the attached form, to their line manager and must:

- be dated and submitted allowing sufficient time between the submission of the request and the proposed start date for the application to be considered;
- state whether a previous application has been made and, if so, the date on which it was made;
- include the reason the request is being made and whether or not it is being made under the statutory right to apply to work flexibly (see 2.3);
- include details of the proposed change, and proposed start date, and an explanation of the employee's view of the effect on the Organisation's business and how this may be dealt with which should be discussed with your manager and opportunity to identify and agree solutions;
- relate to hours, times or place of work;

8.3 The line manager will acknowledge the request and will arrange a meeting with the employee to discuss the application, no later than 28 days from receipt of the application. Consideration will be given to the implications of the request, current working arrangements, including working patterns of employees within the same team and any methods for mitigating and concerns. Line managers should consult colleagues and staff who may be affected by the requested change before a decision being reached. A flexible working arrangement for one employee should not be to the detriment or inconvenience of other colleagues. Flexible working arrangements must be reciprocal and beneficial to both the individual and the CCG;

The law requires the consideration process must be completed within three months of first receiving the request, including any appeal. If for some reason the request cannot be dealt within three months then an employer can extend this time limit, provided the employee agrees to the extension.

8.4 A decision will be made within 14 days of the meeting and the employee notified in writing . The notification will either:-

- accept the request and establish a start date and any other action or
- confirm a compromise agreed at the meeting or
- reject the request, detailing all of the facts and demonstrating the business rationale behind the decision.
- Include details of the appeals process

8.5 Should the application be approved, the change will be made on a permanent basis, unless all parties have agreed at the outset that the arrangement is time limited. A trial period may be agreed. If a trial period is agreed a review date must be set.

8.6 Applications for flexible working arrangements will be refused only for one or more of the following reasons (as per the Employment Rights Act 1996 (s.80G):

- the burden of additional costs;
- detrimental effect on ability to meet customer and service demand and deliver the work required of the applicant;
- inability to reorganise work among existing staff;
- inability to recruit additional staff;
- detrimental impact on quality;
- detrimental impact on performance;
- insufficiency of work during the periods the employee proposes to work;
- planned structural changes.

8.7 If the proposal is refused, the employee will be allowed another 14 days in which to appeal.

9. APPEAL PROCEDURE

9.1 The employee must submit their appeal in writing within 14 days of them being informed of the decision to allow the employer to consider the appeal and the process to be concluded within the three month timeframe. If for some reason the request cannot be dealt within three months then an employer can extend this time limit, provided the employee agrees to the extension.

9.2 The appeal will be acknowledged in writing and an appeal meeting arranged within 14 days

9.3 The appeal meeting will take place within 14 days of the notice of the appeal and will be heard by the line manager of the manager who made the original decision, or someone at an equivalent level.

9.4 The employee has the right to be accompanied by their trade union representative or a work colleague at this meeting

9.5 A member of the HR Team will also be present at the appeal hearing.

9.5 The decision on the appeal will be within 14 days of the meeting and is final.

10. Further Guidance

Other policies which may be relevant in considering options or alternatives around flexible working include:

Career Break Policy

Flexi-Time Policy

Remote Access and Home Working Policy

Retirement & Retirement Gift Policy

Maternity, Maternity Support (Paternity), Adoption and Parental Leave Policy

Other Leave Policy

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

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

FLEXIBLE WORKING APPLICATION FORM

Name:	Dept:
Manager:	Organisation start date:

- I wish to apply to work a flexible working pattern that is different from my current working pattern.
- I understand this application is my statutory right to apply for flexible working
- I confirm that I have been employed by Organisation for at least 26 weeks I confirm that I have not made a request under this right during the past 12 months.

All sections must be completed

1. Reason for request
2. My current working pattern is: <p style="text-align: right;">Please provide details of days/hours/times to be worked</p>
3. The pattern I would like to work is: <p style="text-align: right;">Please provide details of days/hours/times to be worked</p>
4. I would like this working pattern to commence from:
5. I think this change in my working pattern will affect the CCG and my colleagues as follows:
6. I think the effect on the CCG and my colleagues can be dealt with as follows:
7. Supporting Information

Signed: _____ Date: _____



Hull Clinical Commissioning Group

Date

Private and Confidential

Name
Address

2nd Floor
Wilberforce Court
Alfred Gelder Street
Hull
HU1 1UY

Tel: 01482 344700
Email: name.surname@nhs.net

Dear

Confirmation of receipt of application (Line manager to complete and return to employee)

I confirm that I received your request for flexible working, dated [Insert Date] to change your work pattern as follows on _____.

I would like to meet with you to discuss your request on [insert date, time and location]

In accordance with our policy, please be advised you are welcome to be accompanied by a colleague or a trade union representative at the meeting..

Yours sincerely

Name
Job Title



Hull Clinical Commissioning Group

Date

Private and Confidential

Name
Address

2nd Floor
Wilberforce Court
Alfred Gelder Street
Hull
HU1 1UY

Tel: 01482 344700
Email: name.surname@nhs.net

Dear

I write further to your application for flexible working, made on [DATE] and our meeting of [DATE].

I am pleased to confirm I am able to accommodate your flexible working request/we were able to reach an agreement further to your flexible working request.

Or

I am pleased to confirm I am able to accommodate your flexible working request/we were able to reach an agreement further to your flexible working request on a temporary basis, as discussed in our meeting. This will be reviewed on INSERT DATE. At this point we will assess whether this new flexible working pattern has been successful and is able to continue.

Your new working pattern will be effective from [INSERT DATE]

Or

Your new temporary working pattern will be effective from [INSERT DATE]

The agreed flexible working pattern is detailed below:

[INSERT DETAILS OF NEW WORKING PATTERN]

All other terms and conditions will remain the same; however will be applied on a pro rata basis if your new working hours are less than full-time.

[ONLY INCLUDE BELOW PARAGRAPH IF THIS IS A PERMANENT CHANGE]

Please be advised this new working pattern is a permanent variation to your contract and there is no right by law to revert to your previous pattern. I would also like to make you aware the CCG will not normally consider more than one flexible working application per year, per individual.

Yours sincerely

Name
Job Title]
Encl. Minutes of meeting



Date

Private and Confidential

Name
Address

2nd Floor
Wilberforce Court
Alfred Gelder Street
Hull
HU1 1UY

Tel: 01482 344700
Email: name.surname@nhs.net

Dear

I write further to my previous letter when I confirmed that your flexible working request had been granted for a trial period of *[INSERT TIMESCALE]*.

I am pleased to confirm the temporary flexible working pattern we agreed upon has been successful and therefore you may continue with this pattern. This will now become a permanent variation to your contract and there is no right by law to revert back to your original working pattern.

All other terms and conditions will remain the same; however will be applied on a pro rata basis if your new working hours are less than full-time.

Please be advised this new working pattern is a permanent variation to your contract and there is no right by law to revert to your previous pattern. I would also like to make you aware the CCG will not normally consider more than one flexible working application per year, per individual.

Yours sincerely

Name
Job Title

**Hull Clinical Commissioning Group**

Date

2nd Floor**Private and Confidential**

Wilberforce Court

Alfred Gelder Street

Hull

Name

HU1 1UY

Address

Tel: 01482 344700

Email: name.surname@nhs.net

Dear

I write further to your application for flexible working, made on *[DATE]* and our meeting of *[DATE]*.

[Following A temporary trial, while I accommodated your request, I have to advise...] I am unable to [continue to] accommodate your request [on a permanent basis] for the following business ground(s) [DELETE THE GROUNDS WHICH DO NOT APPLY]:

- burden of additional costs;
- detrimental effect of the ability to meet customer demand;
- inability to reorganise work among existing staff;
- inability to recruit additional staff;
- detrimental impact on quality;
- detrimental impact on performance;
- insufficiency of work during periods that the employee proposes to work;
- planned structural changes;

The grounds apply in this circumstances because *[INSERT DETAILS]*

During the meeting, we discussed alternative flexible working patterns. However, these too are inappropriate due to *[INSERT DETAILS]*

If you are unhappy with the decision taken, you have the right to appeal against it. Should you wish to appeal, please do so, in writing, to *[THE MANAGER OF THE STAFF MEMBER WHO HAS REJECTED THE REQUEST/SOMEONE OF EQUIVILANT LEVEL]*, clearly setting out the grounds of your appeal. This appeal will need to be submitted within 14 days of receipt of this letter.

Yours sincerely

Name

Job Title

Equality Impact Assessment:

Flexible Working Policy

Equality Impact Analysis:

Policy / Project / Function:	Flexible Working Policy								
Date of Analysis:									
This Equality Impact Analysis was completed by: (Name and Department)	HR Team, eMBED Health Consortium								
What are the aims and intended effects of this policy, project or function?	<p>The CCG is committed to providing a range of flexible working options for employees in order to maintain a committed and skilled workforce, able to deliver high quality, cost effective services in an environment which maximises opportunities for employees to balance work and personal commitments.</p> <p>This policy sets out the flexible working arrangements that are available within the organisation and is supplemented by separate policies on different options.</p>								
Please list any other policies that are related to or referred to as part of this analysis	Career Break Policy Flexi-Time Policy Remote Access and Home Working Policy Retirement & Retirement Gift Policy Maternity, Maternity Support (Paternity), Adoption and Parental Leave Policy Other Leave Policy								
Who does the policy, project or function affect? Please Tick ✓	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Employees</td> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Service Users</td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Members of the Public</td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Other (List Below)</td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	Employees	<input checked="" type="checkbox"/>	Service Users	<input type="checkbox"/>	Members of the Public	<input type="checkbox"/>	Other (List Below)	<input type="checkbox"/>
Employees	<input checked="" type="checkbox"/>								
Service Users	<input type="checkbox"/>								
Members of the Public	<input type="checkbox"/>								
Other (List Below)	<input type="checkbox"/>								

Equality Impact Analysis:

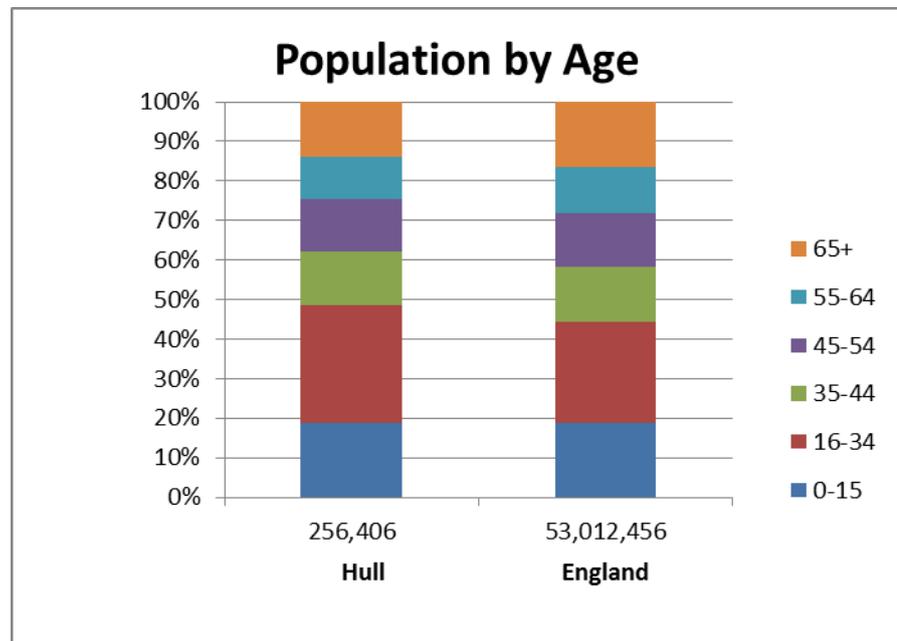
Local Profile/Demography of the Groups affected (population figures) Relevant data can be found in the attached Knowledge Management Toolkit (Employee data as at Oct 14)

General

There are 50 GP practices in the Hull area which spans 7,154 hectares and, as a city, has relatively tight geographical boundaries with most of the 'leafy suburb' areas outside Hull's boundaries in East Riding of Yorkshire. As a result, Hull has a relatively high deprivation score, as measured by the Index of Multiple Deprivation 2010, with Hull ranked as the 10th most deprived local authority out of 326 (bottom 4%).

The resident population of Hull is 256,406 based on the 2011 Census data and 265,369 residents based on estimates from the local GP registration file as at October 2011. This equates to approximately 37 residents per hectare. The Joint Strategic Needs Assessment (JSNA) identifies considerable inequalities in health between Hull and England, and between populations within Hull.

Age



Compared to England, Hull has lower percentages of residents aged 10-19 years and 55+ years, but slightly higher percentages aged under 5, 20-34 years and 45-54 years. There is a relatively large difference between Hull and England for the age group 20-34 years, due to Hull's colleges and Universities.

There were 2,869 live births occurring to Hull residents in 2001, but this has increased steadily to 3,771 for 2010. The number of deaths

	<p>occurring to Hull residents has decreased from 2,571 to 2,310 between 2001 and 2010. ONS estimated the resident population to be 243,596 in 2001 compared to 260,424 residents based on the GP registration file, with the difference between these estimates narrowing over time. So, whilst it is difficult to quantify the exact increase in Hull's population, it has increased over recent years. Between 2010 and 2030, ONS estimate that Hull's population will increase from 266,100 to 311,900 residents, an increase of 17%. The figure above shows the population of Hull (2011 Census Data).</p>								
Race	<p>The percentage of the population from Black and Minority Ethnic (BME) groups has increased substantially since 2001. For the 2001 Census, it was estimated that 3.3% of Hull's population was not White British or White Irish, whereas Census data shows that this figure increased to 10.2% for 2011. There is no single BME group in Hull with much higher percentages compared to other groups. The 2011 census data shows:</p> <p>White British- 89.7% White Other - 4.4% Mixed – 1.3% Asian - 2.5% Black - 1.2% Other – 0.8%</p>								
Sex	<p>The gender split in Hull is approximately 50.1% men and 49.9% women. For 2008-2010, life expectancy in Hull was 75.7 years for men and 80.2 years for women compared to 78.6 years and 82.6 years for men and women respectively in England.</p>								
Gender reassignment	<p>No local information provided.</p>								
Disability	<p>According to the 2011 Census, it is estimated that approximately 19.7% of the Hull population lives with a long term health problem or disability compared with 17.6% for England. This information can be broken down further (Source: Projecting Older People Population Information System and Projecting Adult Needs and Service Information) to include learning disabilities, physical disabilities, hearing impairments and visual impairments, as follows:</p> <table border="1"> <thead> <tr> <th>2012 Estimates</th> <th>Hull</th> </tr> </thead> <tbody> <tr> <td>Learning Disability (Age 18 – 64)</td> <td>4,078</td> </tr> <tr> <td>Learning Disability (Age 65 and over)</td> <td>762</td> </tr> <tr> <td>Physical Disability – Moderate (Age 18 – 64)</td> <td>12,222</td> </tr> </tbody> </table>	2012 Estimates	Hull	Learning Disability (Age 18 – 64)	4,078	Learning Disability (Age 65 and over)	762	Physical Disability – Moderate (Age 18 – 64)	12,222
2012 Estimates	Hull								
Learning Disability (Age 18 – 64)	4,078								
Learning Disability (Age 65 and over)	762								
Physical Disability – Moderate (Age 18 – 64)	12,222								

	Physical Disability – Serious (Age 18 – 64)	3,491																				
	Visual Impairment (Age 18 – 64)	108																				
	Visual Impairment (Age 65 and over)	3,263																				
	Hearing Impairment – Moderate or Severe (Age 18 – 64)	5,765																				
	Hearing Impairment – Moderate or Severe (Age 65 and over)	15,707																				
	Hearing Impairment – Profound (Age 18 – 64)	49																				
	Hearing Impairment – Profound (Age 65 and over)	402																				
Sexual Orientation	There are no local statistics for how many Lesbian, Gay or Bisexual (LGB) people live within Hull however, nationally, the Government estimates that 5% of the population are lesbian, gay, bi and transgender communities.																					
Religion, faith and belief	<p>According to the 2011 Census, 54.9% of the population have identified themselves as Christian and 3.1% of the population is made up of other religions. The remainder of the population did not state anything (7.2%) or stated 'no religion' (34.8%).</p> <table border="1"> <thead> <tr> <th>Religion</th> <th>2011</th> </tr> </thead> <tbody> <tr> <td>Christian</td> <td>54.9%</td> </tr> <tr> <td>Buddhist</td> <td>0.3%</td> </tr> <tr> <td>Hindu</td> <td>0.2%</td> </tr> <tr> <td>Jewish</td> <td>0.1%</td> </tr> <tr> <td>Muslim</td> <td>2.1%</td> </tr> <tr> <td>Sikh</td> <td>0.1%</td> </tr> <tr> <td>Other Religion</td> <td>0.3%</td> </tr> <tr> <td>No Religion</td> <td>34.8%</td> </tr> <tr> <td>Religion Not Stated</td> <td>7.2%</td> </tr> </tbody> </table>		Religion	2011	Christian	54.9%	Buddhist	0.3%	Hindu	0.2%	Jewish	0.1%	Muslim	2.1%	Sikh	0.1%	Other Religion	0.3%	No Religion	34.8%	Religion Not Stated	7.2%
Religion	2011																					
Christian	54.9%																					
Buddhist	0.3%																					
Hindu	0.2%																					
Jewish	0.1%																					
Muslim	2.1%																					
Sikh	0.1%																					
Other Religion	0.3%																					
No Religion	34.8%																					
Religion Not Stated	7.2%																					
Marriage and civil partnership	This protected characteristic generally only applies in the workplace. Data from the Office of National Statistics covering the period 2008-2010 indicates that there were 18,049 Civil Partnerships in England and Wales during this three-year period – 52% men and 48% women.																					
Pregnancy and maternity	There were 2,869 live births occurring to Hull residents in 2001, but this has increased steadily to 3,771 for 2010.																					

Equality Impact Analysis:

Is any Equality Data available relating to the use or implementation of this policy, project or function ?

Equality data is internal or external information that may indicate how the activity being analysed can affect different groups of people who share the nine *Protected Characteristics* – referred to hereafter as ‘*Equality Groups*’.

Examples of *Equality Data* include: (this list is not definitive)

- 1: Application success rates
Equality Groups
- 2: Complaints by *Equality Groups*
- 3: Service usage and withdrawal of services by *Equality Groups*
- 4: Grievances or decisions upheld and dismissed by *Equality Groups*

List any Consultation e.g. with employees, service users, Unions or members of the public that has taken place in the development or implementation of this policy, project or function

Yes - employee data has been used to support the monitoring of the impact of this policy in the future The employee data is not included due to the low number of CCG employees and concern around anonymity

No

Where you have answered yes, please incorporate this data when performing the *Equality Impact Assessment Test* (the next section of this document).

Consultation has taken place both locally and nationally with Trade Unions and staff

- SLT
- CCG Employees
- Social Partnership Forum Sub group
- Social Partnership Forum
- Governing Body (approval)

<p>Promoting Inclusivity</p> <p>How does the project, service or function contribute towards our aims of eliminating discrimination and promoting equality and diversity within our organisation</p>	<p>This Policy does not directly promote inclusivity, but can contribute to the aims of eliminating discrimination and promoting equality and diversity in the CCG.</p>
---	---

Equality Impact Assessment Test:

What impact will the implementation of this policy, project or function have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	No Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification where a <i>Genuine Determining Reason</i> exists
Gender (Men and Women)		✓		Whilst open to men and women, it is likely that more women with childcare commitments will benefit from this. Since two thirds of the workforce is female take up should be monitored carefully to ensure all staff have equal access to the policy. As the CCG workforce profile is two-thirds female, this will require monitoring.
Race (All Racial Groups)		✓		It is not considered that the flexible working framework would have any differential impact on people of different racial groups However, where different racial groups face specific cultural necessities which may require a different working pattern, the flexible working policy will provide a mechanism to address this need
Disability (Mental and Physical)		✓		Potential positive impact in staff with disabilities where adjusting their work pattern might help them to continue to work. 2% of staff in the CCG have declared a disability at this stage.
Religion or Belief		✓		Where groups of staff require a different working pattern to support them to follow their religion or belief, the flexible working policy may help to address this need .

Sexual Orientation (Heterosexual, Homosexual and Bisexual)	✓			This policy will be applied consistently and therefore should have no impact on this protected characteristic.
Pregnancy and Maternity	✓			This policy will be applied consistently and therefore should have no impact on this protected characteristic.
Transgender	✓			This policy will be applied consistently and therefore should have no impact on this protected characteristic.
Marital Status	✓			This policy will be applied consistently and therefore should have no impact on this protected characteristic.
Age		✓		Potential impact for older people supporting flexible retirement and younger people who are unable to drive who may be able to travel where this is required.

Action Planning:

As a result of performing this analysis, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Identified Risk:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
As the policy is written in English there is a potential impact on employees whose first language is not English and therefore may struggle reading the policy.	The CCGs Communication Team is developing the 'portal' to signpost individuals to alternative formats.	CCG Communications	June 2015	Next policy review
Equal application of the policy is essential; this should be monitored on a regular basis to provide this assurance.	Monitoring the use of the policy	HR Lead	To form part of the quarterly Workforce monitoring reports to SLT	1 year from implementation

Equality Impact Findings:

Analysis Rating:	Green
Red – Stop and remove the policy	Red: As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . It is recommended that the use of the policy be suspended until further work or analysis is performed.
Red Amber – Continue the policy	As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . However, a genuine determining reason may exist that could legitimise or justify the use of this policy and further professional advice should be taken.
Amber – Adjust the Policy	As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.
Green – No major change	As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no

	further actions are recommended at this stage.
--	--

Brief Summary/Further comments	
---------------------------------------	--

Signatures	
Other Comments	
Confirmed by (manager): (Name and Title)	
Date:	