

## Flexible Working FAQs for Employees and Recruiting Managers

### What is the meaning of flexible working?

Flexible working is the **name given to any type of working pattern which is different from your existing one**. *A request for a flexible working arrangement may be for a permanent change or for a fixed period of time.*

### What are some of the examples of working from home?

Examples of flexible working arrangements might include:

- Reduce working hours from full to part time, job share
- Be exempted from shift working
- Perform some or all work from home
- Working long days or short days
- Working annualised hours, flexi time or compressed hours, changing work pattern

### Can new joiners or prospective employees to the Trust apply for flexible working?

Any employee who has been working continuously for Trust for 26 weeks or more has a right to request a flexible working, and the Trust has a legal duty to consider the request.

However, the Trust has recognized that prospective employees are increasingly seeking flexible ways of working for a broad range of reasons. Therefore, as part of the Trust workforce strategy for attracting and retaining a talent pool of staff, the Trust would like to offer new joiners the opportunity to apply for flexible working at the application or the interview stage of the recruitment process.

### Am thinking of joining the Trust, how can I make a request for flexible working?

As a prospective new employee to the Trust, you will have the option to request for flexible working on your application form. You will also have a further option at the interview stage to request for flexible working to the recruiting manager or the interview panel.

### What steps can I take, if my flexible working request or application is rejected?

An existing member of staff with 26 weeks or more continuous service will have a right to appeal against the outcome of their flexible working request under the Trust flexible working guidelines. Prospective applicants wishing to join the Trust whose application for flexible working are rejected at the interview stage will have a further option to apply for flexible working after 26 weeks continuous service with the Trust.

### **What are the advantages of flexible working?**

Many people must combine work with family care commitments and often strives to achieve work life balance. Those who are able to work from home or stagger their journey to work, can reduce commuting, enjoy more flexibility in their lives, improve work life balance, save time, money and stress. For the Trust and managers, it is likely we will see an increase in patient care, increase our talent pool, attract and retain our staff.

### **Can I apply to work from home?**

Where possible the Trust will seek to consider application for occasional home working or a fixed day for staff to work from home. However, not all jobs are suitable for home working e.g. patient facing roles etc. Thus, not all requests for home working can be accommodated. Where this is the case, we will like to encourage existing and prospective employees to work with their line manager to find other options for working flexibly.

### **How can I know whether I will adapt well to flexible working?**

Staff who do flexible working need to be self-motivated people who are good communicators. In particular, staff requesting to work from home should consider whether, the home offers a suitable working environment for flexible working both in terms of space and being free from distractions.

### **What technology do I need to work from home or flexibly?**

You may not need new technology or devices to work flexible working. You may be able to use your existing equipment such as laptops and mobile phones for remote internet access which may enable you to work flexibly. You may also be able to use Microsoft Teams to hold and take part in virtual meetings, even when you are in different locations.

### **How do I report sickness absence and annual leave, if I am working from home?**

All the HR policies will apply, when you are working from home. Therefore, in the event that you become unwell, you will be required to report any sickness absence and request annual leave in line with Trust policies.

### **Do I receive London weighting if I am working from home?**

You will continue to receive London weighting in line with agenda for change terms and conditions where you only work occasionally from home.

### **What equipment do I need to work from home?**

You may need a Trust laptop, VPN and mobile phone to be able to work from home. Your line manager will request and supply you, if the necessary devices once your application for home working has been approved.

### **If my Trust supplies equipment such as laptop, mobile phone etc. and I leave the job, will I need to return the equipment?**

Yes, all devices given to you on appointment remain the property of the Trust and you will need to return all equipment's supplied to you by Trust on your last day of employment.

### **What are the insurance implications?**

It is advisable, to inform your home insurer if you are working from home, especially if there is additional equipment of value kept in the home. However, this may not be necessary, if you only

work from home occasionally. Make sure that you check this with your insurance provider before you start working from home.

### **Are there any other considerations to do with flexible working?**

The important thing with flexible working is that both the line manager and the employee are committed to it and determined to make it work. For some roles, working from home may be accommodated however, flexible working isn't for everyone. Some employees may enjoy the office environment and need the interaction with colleagues or would find it difficult to motivate themselves if they were flexible working at home. One of the ways to overcome these challenges is to start gradually and take flexible working one step at a time.

### **What are the health and safety implications of flexible working?**

The Trust is still responsible for you, be it at home or otherwise. For those seeking to work from home, you will need to complete the Trust remote working self-assessments.

### **Are there any legal risks for the Trust when working from home?**

All the legal responsibilities in the workplace are carried into a home working environment. For example, if you hold patient or staff data at home, the Trust will expect you to observe the usual protocol to the General Data Protection Regulation (GDPR).

### **What do I need to do to comply with Health and Safety legislation? Does my employer need to check the working conditions at my home?**

All the same HSE legislation for the workplace applies equally to remote working in the home. You will need to complete the Trust remote working self-assessment. A copy of the completed form will be sent electronically to your line manager, who may arrange a further meeting with you to discuss any device or equipment needed such as VPN, chair etc. You can access a copy of the form from Maud.

### **If I am working from home, will this affect my tax or insurance positions?**

There are normally no home working tax implications for employees that are remote working less than 50% of their time. If the employee is given equipment for remote working from home and this is also used for personal use this could incur a benefit in kind liability. However, this liability would be removed where the equipment is *only for business use*.

There is also a potential Capital Gains liability upon sale of an employee's home if they claim tax relief on the space at home designated for remote working at home.

### **Can I offset any expenses incur against tax, if I am working from home?**

A flexible working employee can claim expenses against tax. The exact expenses available cannot be generalised and will probably need to be assessed on a case by case basis but as a general rule expenses are usually only paid against items (including rooms) that are exclusively for business use or where any private use is 'not significant'.

There can be significant implications if someone who is flexible working starts to claim things like a proportion of council tax, rates and decor against a home office or garden office, which could then become liable for capital gains tax when the property is sold. Advice should be sought on this.

**Will my employer contribute towards expenses like heating and lighting at my home and if so, how much?**

There is no legal requirement for the Trust to contribute towards an employee's expenses when working flexibly from home.

**Will my contract changed if I start flexible working?**

Unless you have requested a change in hours e.g. from full time to part time or vice versa, there will be no change in contractual arrangement. Some flexible working arrangements may be permanent e.g. term time contracts. However, a flexible working arrangements such as working from home is subject to review and can be changed subject to the needs of the service