Belfast Health and Social Care Trust
caring supporting improving together

Policy Code: BHSCT/HR (12) 2024

Title:	**Work Life Balance Flexible Working Policies and Arrangements**			
Policy Author(s)	[redacted] Assistant Services Manager, Human Resources [redacted]@belfasttrust.hscni.net			
Responsible Director:	[redacted] Director of Human Resources and Organisational Development			
Policy Type: (tick as appropriate)	**Directorate-specific ☐	Clinical Trustwide ☐	Non-clinical Trustwide ☒	Regional Policy ☐
If ***Directorate-specific** please list the name and date of the local Committee/Group that policy was a**pproved**		Does this policy have Workforce implications? ***Y / N** (if *Y please note the date it was approved at Workforce Governance Policy Sub-Committee **Y**		
Name: **Date:**		**Date:** 24/11/2022		
Approval process:	Policy and External Guidance Assurance Committee Executive Team Meeting	**Approval date:**	03/09/2024 16/09/2024	
Operational Date:	October 2024	**Review Date:**	October 2029	
Version No.	10.1	**Supercedes**	V10 – October 2020 – October 2025	
Key Words:	Application Form, Compressed Working Policy, Employment Break Policy, Flexi Time Policy, Flexible Retirement Policy, Guidelines for Managers and Staff, Home Working/Teleworking Policy, Information Pack, Job Sharing Policy, Part-Time Working, Term Time Policy			
Links to other policies	BHSCT Equality, Diversity and Inclusion Policy (2018) TP 03/08			

Date	Version	Author	Comments
19/12/2008	1	[redacted]	Final BHSCT
09/06/2010	2		Final BHSCT
25/02/2011	3		Amendment following legislative changes.
20/06/2011	4		Review of Employment Break Policy and Term Time Policy
21/05/2012	5		Review of Flexible Retirement Policy

		[redacted]	
18/09/2013	6		Review following introduction of HRPTS
17/11/2014	7		Review of notice periods
15/11/2017	8		Amendment following legislative changes. Review of Employment Break Policy and Term Time Policy.
08/10/2020	9		Amendment following legislative changes. Review of Employment Break Policy, Flexible Retirement Policy and Term Time Policy.
24/11/2022	10		Review following adoption of Section 33 of the Agenda for Change Handbook. Review of Work Life Balance Flexible Working Policies and Arrangements. Inclusion of the Flexible Retirement Policy
01/05/2026	10.1		Amendment to reflect that an appeal arising from a flexible working decision will be heard as a Stage 3 Grievance.

1.0 INTRODUCTION / SUMMARY OF POLICY

1.1 Background

As part of its Improving Working Lives programme, the Trust has developed a range of flexible working arrangements for which all staff, who meet the appropriate eligibility criteria, can apply. The policies reflect the requirements set out under Section 33 and 34 of the Agenda for Change Terms and Conditions of Service and Medical and Dental staff.

1.2 Purpose

To provide staff with a range of flexible working arrangements to enable them to balance both home and work commitments and improve their working lives. The Trust is committed to promoting equality, diversity and inclusion and to attracting and retaining highly skilled and experienced staff. These policies will assist in meeting this objective.

1.3 Objectives

- To retain skills and experience and to attract staff from a wider recruitment pool.
- To facilitate staff who wish to continue working at the same time as balancing work and home life.
- To create new job opportunities in the Trust.
- To provide an opportunity for employees to return to employment with the Trust on a flexible basis.

2.0 SCOPE OF THE POLICY

The Policies apply to all staff who meet the eligibility criteria.

3.0 ROLES AND RESPONSIBILITIES

The roles and responsibilities of Staff, Managers and Human Resources staff and are outlined in the Policies.

4.0 KEY POLICY PRINCIPLES

4.1 Key Policy Statement(s)

The Belfast Trust is committed to Equality of Opportunity for all of its staff, and to attracting and retaining highly skilled and experienced staff. As part of that commitment the Trust recognizes that the provision of Flexible Working Arrangements can enable staff to balance both work and home commitments and improve their working lives.

1. The Policies outline the legislative context and responsibilities under the Employment order 2002.
2. It sets out the process and provides advice and guidance and on how to apply for a flexible working arrangement.
3. The Trust has a range of Flexible Working Arrangements in place and each policy should be read on an individual basis.

5.0 IMPLEMENTATION OF POLICY

5.1 Dissemination

These policies should be disseminated throughout the Trust as they are open and available to all employees.

5.2 Resources

Details of the policies will be available via information and awareness sessions and Mandatory Equality training.

5.3 Exceptions

There are no exceptions as the policies are open to all employees within the Trust who meet the eligibility criteria.

6.0 MONITORING

All work life balance policies are monitored by Human Resources and reported on a quarterly basis.

7.0 EVIDENCE BASE/REFERENCES

The policies comply with legislative requirements and good practice.

8.0 CONSULTATION PROCESS

These policies have been subject to consultation with the NI Equality Commission, Trade Union Colleagues and Staff/Managers.

9.0 NURSING AND MIDWIFERY STUDENTS

Nursing and/or Midwifery students on pre-registration education programmes, approved under relevant 2018/2019 NMC education standards, must be given the opportunity to have experience of and become proficient in the **Work Life Balance Flexible Working Policies and Arrangements** where required by the student's programme. This experience must be under the appropriate supervision of a registered nurse, registered midwife or registered health and social care professional who is adequately experienced in this skill and who will be accountable for determining the required level of direct or indirect supervision and responsible for signing/countersigning documentation.

Direct and indirect supervision

- Direct supervision means that the supervising registered nurse, registered midwife or registered health and social care professional is actually present and works alongside the student when they are undertaking a delegated role or activity.
- Indirect supervision occurs when the registered nurse, registered midwife or registered health and social care professional does not directly observe the student undertaking a delegated role or activity. (NIPEC, 2020)

This policy has been developed in accordance with the above statement.

10.0 APPENDICES

Appendix 1: Application Form
Appendix 2: Escalation Form
Appendix 3: Payment of Pension contributions during an Employment break
Appendix 4: Flexi-time Attendance Record
Appendix 5: Risk Assessment of proposed Homeworking Environment: Step 1
Appendix 6: Risk Assessment of proposed Homeworking Environment: Step 2
Appendix 7: Homeworking Action Plan: Step 3
Appendix 8: Term Time Calculation Table

Appendix 9: Retire and Return FAQs
Appendix 10: Retire and Return Flowchart
Appendix 11: Retire and Return Application Form
Appendix 12: Flexible Retirement FAQs
Appendix 13: Partial Retirement Application Form
Appendix 14: HSC Pension Scheme – Decision Tree
Appendix 15: "At a Glance" Application Process Flow
Appendix 16: Quick Guide – Options Table

11.0 EQUALITY SCREENING

Under Section 75 of the Northern Ireland Act 1998 the Trust has a legal responsibility to undertake an equality screening of all policies. To fulfil this duty an equality screening template must be completed by the policy author.

To complete an equality screening use this template: (LINK)

For support with completion of the template go to: **Equality Screening Toolkit**

For any queries and/or to obtain approval contact the Planning and Equality Team contact: equalityscreenings@belfasttrust.hscni.net or 028 95 048734

Equality Screenings are public documents and previously completed documents can be viewed at Equality and Human Rights Screening | Belfast Health & Social Care Trust (hscni.net)

12.0 DATA PROTECTION IMPACT ASSESSMENT

New activities involving collecting and using personal data can result in privacy risks. In line with requirements of the General Data Protection Regulation and the Data Protection Act 2018 the Trust considers the impact on the privacy of individuals and ways to militate against any risks. A screening exercise must be carried out by the Policy Author to ascertain if the policy must be subject to a full assessment. Guidance is available on the Trust Intranet or via this **link**.

If a full impact assessment is required, the Policy Author must carry out the process. They can contact colleagues in the Information Governance Department for advice on Tel: 028 950 46576

The outcome of the Data Protection Impact Assessment screening for the policy is:

Not necessary – no personal data involved ☐
A full data protection impact assessment is required ☐
A full data protection impact assessment is not required ☐

13.0 STATUTORY RURAL IMPACT ASSESSMENT DUTIES

The Trust has a legal responsibility to have '**due regard'** to rural needs when developing, adopting, implementing or revising policies, and when designing and delivering public services. For more information go to Rural Needs Duties

To satisfy this '**due regard duty'** Trust staff must consider the impact of any policy, proposal or decision on the social and economic needs of people who live in a rural community. For Belfast Trust, this is particularly so when the policy/proposal/decision impacts regional services.

Please tick the box to indicate that you have paid 'due regard' to the social and economic needs of the rural community when developing, adopting, implementing or revising policies, strategies and plans and when designing and delivering public services and that a rural impact assessment is not required.

OR

Please complete a Rural Needs Impact Assessment Template if there is an impact on the social and economic needs of people who live in a rural community.

Please go to the: Rural Impact Assessments Toolkit for HSC NI to find out how to undertake a rural impact assessment.

Contact Estella.Dorrian@belfasttrust.hscni.net for further advice

14.0 STATUTORY EQUALITY DUTIES – MAKING REASONABLE ADJUSTMENTS AND INFORMATION ACCESSIBLE

14.1 Under the Disability Discrimination Act 1995 (as amended) the Trust has a statutory duty to **make reasonable adjustments** in respect of disabled patients/service users/carers/visitors. This includes making all communication (in person, by phone, via email) *and* any information provided (in writing, verbally) accessible using alternative formats. The aim of the reasonable adjustment duty is to reduce or remove any barrier a person with a disability faces when accessing or using goods, facilities and services. This is a non-delegable duty.

14.2 Accessible/ Alternative formats can include, for example, information translated into Easy Read format or into Audio format - when a patient/service user/carer/visitor has a learning disability or is visually impaired.

14.3 In addition, if a patient/service user/carer/visitor does not speak English as their first language or has poor English, the Trust has a statutory duty **to**

provide an interpreter and to **translate written information**. This facilitates informed consent, better understanding and greater independence.

14.4 For information, advice and guidance about these duties contact the Trust Planning and Equality Team equality.team@belfasttrust.hscni.net

14.5 Please tick the box to indicate that you have developed the policy in in accordance with the Trust's legal equality duties and that all staff will make reasonable adjustments and information accessible as appropriate.

☐

SIGNATORIES
(Policy – Guidance should be signed off by the author of the policy and the identified responsible director).

[redacted]

08/10/2024

Policy Author **Date:** _____

[redacted]

15/08/2024

[redacted] **Date:** _____

Director Human Resources/Organisational Development

Contents	**Page**
Work Life Balance Flexible Working Cover Sheet	1-6
Information Pack	8-10
Making an Application for Flexible Working	11-16
Flexible Working FAQs	17-22
Application and Escalation Forms	23-27
Sample Letters	28-34
Policies	
Compressed Working Policy	35-36
Employment Break Policy	37-44
Flexi Time Policy	45-51
Home Working	52-63
Job Sharing Policy	64-66
Part-Time Working	67-68
Term Time Working	69-72
Flexible Retirement	73-113

1.0 INTRODUCTION

Belfast Health and Social Care Trust is committed to equality, diversity and inclusion for all of its staff, and to attracting and retaining highly skilled and experienced staff. As part of that commitment, the Trust recognises that the provision of flexible working arrangements can enable staff to balance both work and home commitments and improve their working lives.

As part of its Improving Working Lives programme, the Trust has developed a range of flexible working arrangements for which all employees, who meet the appropriate eligibility criteria, can apply. The policies reflect the requirements set out under Sections 33 and 34 of the Agenda for Change Terms and Conditions of Service and will also apply to Medical and Dental staff and will be reviewed on a 5 yearly basis and as required to take account of legislative or terms and conditions requirements.

NB The right to make a flexible working request is available only to new and existing employees. Agency Workers are expressly excluded.

2.0 WHAT IS FLEXIBLE WORKING / WORK LIFE BALANCE?

The Trust has a range of flexible working arrangements in place to enable staff to balance their home and work commitments. These are:-

- Job Sharing
- Employment Break
- Part-Time Working
- Term-Time Working
- Flexi-Time Scheme
- Compressed Working
- Homeworking
- Flexible Retirement
- Annualised Hours
- Fixed working patterns to give certainty over hours worked/and or location
- Team self-rostering

In addition, the Trust has a number of special leave arrangements to facilitate staff. These take account of statutory provisions:

- Time off for Medical and Dental Appointments
- Carer's Leave
- Safe Leave (Domestic Abuse)
- Unpaid Leave
- Parental Leave
- Maternity/Paternity Leave
- Adoption Leave
- Trade union Leave

- Marriage/Civil Partnership Leave
- Bereavement Leave
- Jury Service

Further information on these arrangements are available in the Trust's Special Leave Policy.

3.0 PURPOSE AND OBJECTIVES OF FLEXIBLE WORKING ARRANGEMENTS

The purpose of the Trust's Work Life Balance Flexible Working Policy and Arrangements is to enable staff to achieve a balance between their working and personal commitments and so improve their working lives. The objectives of the policy are:

- To retain skills and experience within the Trust and attract staff from a wider recruitment pool.
- To facilitate staff who wish to continue working at the same time as balancing their work and home life.
- To create new job opportunities in the Trust.
- To provide an opportunity for employees to return to employment with the Trust on a flexible basis.
- Flexible working applications should not be used as a means to opt out of a rota or working pattern that has been implemented by management.

Further guidance can be obtained from the Improving Working Lives Team.

4.0 SCOPE OF POLICY

The Trust believes that all jobs should be considered for flexible working unless there is a clear demonstrable operational reason why this is not practical and that all employees who meet the eligibility criteria can apply for flexible working. Each case will be considered on its individual merits taking into account the needs of the service.

5.0 GUIDANCE FOR MANAGERS AND STAFF ON FLEXIBLE WORKING ARRANGEMENTS

5.1 Guidance for Managers

Managers must be fair and consistent to all employees and always apply the principles of equality legislation and best practice. They need to understand how Flexible Working can benefit both the individual and the organisation and be clear about the options available as well as ensuring the needs of the service are met.

Managers should support a positive culture of flexible working and use a range of opportunities to discuss flexible working including at one to one line

management / supervision meetings/ team/ departmental meetings, as part of wellbeing conversations or as part of recruitment, induction and annual appraisal processes.

Managers will need to ensure equality of access to flexible working, as far as practicable, regardless of role, shift pattern, team or pay band.

- Employees choosing to avail of a flexible working arrangement should be treated equally to all other employees;
- Very few jobs cannot be undertaken in a different way, it just might require more lateral thinking;
- Managers need to recognise that working in a less traditional manner may require a higher degree of organisational skills;
- Whilst the needs of the service are paramount, remember that flexibility can pay dividends in terms of staff commitment, loyalty, morale and reduced absenteeism;
- Research has shown that where there are good relations between employee and employer, employees can and will respond through improved quality and productivity.

5.2 Guidance for Staff

In making an application for flexible working employees need to carefully consider how they will ensure that they can fulfil the duties and responsibilities of their job role and how they will organise their work to meet such requirements. Employees are required to outline how they or their Manager should deal with any effects their request could have on their workplace.

Employees should be prepared to be flexible and consider a trial period of the proposed working arrangement, if appropriate. Employees should also consider the impact of their proposed working arrangement on the rest of their team and be aware that they may have to be prepared to compromise in relation to alternative working patterns or the start date, particularly if they work in a small department.

5.3 Key Considerations for Staff

- Which type of arrangement would I like to apply for?
- Would this be on a temporary or permanent basis?
- If temporary, how long for?
- How will my new way of working affect my pay, terms and conditions and HSC Pension?
- How will my new way of working affect my workload?
- How will I meet my CPD and professional registration requirements?

6.0 THE RIGHT TO REQUEST TO WORK FLEXIBLY

In accordance with Section 33 of the Agenda for Change Terms and Conditions of Service and Medical and Dental terms and conditions, **all** employees have a contractual right to ask their employer for a change to their contractual terms and conditions of employment from day one of employment.
It should be noted that the right is a 'right to request' and not a "right to be granted" flexible working.

If the application is not viable, the reasons for the refusal must be clear and fully explained to the employee. The manager can only refuse an application where there is a clear "business reason". These are specified and can only be for the following reasons:

- Burden of extra costs to the business
- Inability to meet patient/client demand
- Inability to organise work within available staffing
- Detrimental effect on performance
- Detrimental effect on quality
- Inability to find extra staff
- Insufficiency of work during the period the employee proposes to work
- Planned structural changes

7.0 HOW TO APPLY FOR A FLEXIBLE WORKING ARRANGEMENT

This section details how **all** applications for flexible working should be made. There is no restriction on the number of applications that an employee can make under these arrangements in any given period.

7.1 All employees who wish to participate in a flexible working arrangement must apply on line on HRPTS through Employee Self Service using the following steps:

Step 1: Click "Life and Work Events" to access the Application Form;
Step 2: In the section "Additional Services" click "Flexible Working Requests"

Follow the instructions to complete your request.

An employee who is on maternity leave or sickness absence should complete the Application Form attached as Appendix 1 and submit to their line manager.

7.2 Application forms should be submitted either manually or electronically as appropriate to your line manager and will require the counter approval of the appropriate Head of Department.

7.3 Stage 1 – Initial Exploration

A meeting between employee and line manager to be held within 10 working days of the receipt of an application. It will be necessary to explore the desired

work arrangement and how it can be accommodated. Alternative suitable arrangements should be robustly and comprehensively explored if there are problems in accommodating the original request. Both parties should approach these conversations in an open, creative and solution focused way. Within this meeting, the nature of the request should be discussed and attempts made to find workable solutions to allow the employee to work flexibly, whilst still being able to meet the needs of the service.

The purpose of the exploration meeting is to check for all possible solutions within their remit, which may include whether the form of flexibility the employee is seeking could be accommodated outside of their immediate team but within their Directorate. This may include exploration of posts that may be recruited i.e. pending Scrutiny processes.

Staff have the right to be accompanied at this meeting by a trade union or staff representative in line with the Trust procedures.

Staff should be notified in writing of the outcome of this request within 10 days. If it has been approved, a Contractual Change Form should be actioned where appropriate to avoid any potential over-payment.

It might not always be possible to give a final answer within the timescale and this should be fully explained to the employee and an extended time period agreed. If the request cannot be facilitated, the employee will be advised in writing by the line manager as to the reason(s). It may not always be possible to grant the request due to the needs of the service and each application will be considered on the merits of the individual case. The guidance for Managers section of this pack provides useful advice in relation to the granting of requests and sets out the requirements under the statutory provisions.

7.4 **Stage 2 - Escalation**

If an employee's initial flexible working request cannot be accommodated, clear business reasons (as highlighted on page 11) should be provided to the employee and the flexible working request is managed through the Escalation Stage. Line Managers should complete an Escalation Referral form (Appendix 2) to capture relevant information concerning the request and state any reason why flexible working cannot be accommodated.

The purpose of the escalation stage is to:

- Ensure that full consideration was given to the request.
- Timeframes were observed.
- Are there any current or upcoming vacancies within the wider directorate that may be suitable and able to accommodate the request?
- All possible solutions, which may include whether the form of flexibility the employee is seeking could be accommodated outside of their immediate team but within their Directorate.
- Clear business reasons for refusal have been provided to employee.

Escalation requests should be considered by an appropriate senior manager within 10 days of the outcome of the Stage 1 process, detailed above. This Senior Manager as part of the Stage 2 Escalation process, should have the authority to approve the request within their span of control/area of responsibility. The grade of the employee seeking a request will determine who should be involved in this process.

Staff have the right to be accompanied at this meeting by a trade union or staff representative in line with the Trust procedures.

Employees should be notified in writing of the outcome of this request within 10 days. If it has been approved, a Contractual Change Form should be actioned where appropriate to avoid any potential over-payment.
It might not always be possible to give a final answer within the timescale and this should be fully explained to the employee and an extended time period agreed. If the request cannot be facilitated, the employee will be advised in writing by the line manager as to the reason(s) highlighted on page 11 and with details of the appeals process.

It may not always be possible to grant the request due to the needs of the service and each application will be considered on the merits of the individual case. The guidance for Managers section of this pack provides useful advice in relation to the granting of requests and sets out the requirements under the statutory provisions.

If the request is not granted, employees can appeal via a Stage 3 Grievance Appeal Hearing.

7.5 Approved Requests

If at any stage, the employee's request is granted, the date of commencement of the new working arrangement and also the working pattern adopted will be decided and agreed by the employee and the line manager. Consideration should be given to both the individual circumstances and the needs of the service in making these decisions.

7.6 If an employee is on sick/maternity leave, it is the responsibility of the Line Manager to forward a paper copy of the employee's flexible working application form, whether approved or not to the Improving Working Lives section of the HR Department.

7.7 **In all instances the Line Manager should forward a Contractual Change Form via HRPTS for processing to ensure that appropriate changes are made to the employee's salary and any related terms and conditions to avoid an overpayment.**

7.8 Stage 3 - Appeal following the decline of an escalated request

If the employee is dissatisfied with the outcome following the escalation stage, he/she may appeal against the decision in writing setting out the grounds for the appeal to the Improving Working Lives Section, HR Directorate within 10 working days. A meeting to consider the appeal must be held within 10 working days of receipt of the appeal request.

In such circumstances the appeal panel will be heard as a Stage 3 Grievance Hearing. Appeals will not be considered until there is sufficient evidence to support that the Escalation stage within the Directorate is complete.

Circumstances for Appeal

Employees who have completed the Escalation process, may e-mail the Improving Working Lives Team, HR, citing their appeal under this procedure in the following circumstances:

- The procedure within the relevant policy has not been properly followed
- All available options have not been fully considered

The employee may wish to be accompanied at the appeal meeting by a Trade Union representative or workplace colleague.

A written notice of the appeal outcome will be sent to the employee within **10 working days**, where practicable. This constitutes the employer's final decision and is effectively the end of the formal procedure within the workplace.

8.0 PAY AND HSC Pensions

Entitlement to continue in the HSC Pension Scheme remains unchanged; however, any reduction in salary may impact pension benefits. It is therefore the employee's responsibility to consult with Payroll Shared Services to obtain information regarding any reduction in income and with HSC Pensions, Waterside House, 75 Duke Street, Londonderry, telephone 028 7131 9111, regarding any pension implications.

Individual employees should also check the potential impact on national insurance, contractual redundancy, maternity and sickness entitlements with the Pay & Conditions Team in Human Resources or the Payroll Shared Services. Individual employees will be responsible for contacting the Department for Work and Pensions to determine any possible benefit entitlements and the potential impact in relation to National Insurance contributions.

9.0 ANNUAL LEAVE

Employees on flexible working accrue annual leave and statutory leave on a pro-rata basis, where applicable, in line with HSC Terms and Conditions of Service.

10.0 PROMOTION

Employees will be free to apply for promotional posts in the usual manner whilst participating in a flexible working arrangement. However, the promotional post would have to be accepted on the terms specified at the time of offer. Employees will not have the automatic right to work to the former flexible working arrangement in the new post. It is the responsibility of the employee to advise their line manager of the need to receive information on job vacancies that may arise during their period of absence and they should notify their line manager of their forwarding address.

11.0 ORGANISATIONAL DEVELOPMENT

Staff participating in a flexible working arrangement will have their learning and development needs assessed and delivered in the same manner as for other staff.

11.1 Part-time employees will be entitled to receive time in lieu or be paid at the normal rate of pay for extra hours incurred through attendance at training and development events, considered necessary by Belfast HSC Trust and where such training cannot be made available during normal working hours.

12.0 DURATION / REVIEW OF FLEXIBLE WORKING ARRANGEMENTS

12.1 Flexible Working arrangements may be reviewed if service needs prevail or if staffing needs arise. Arrangements for duration/review are set out in each individual policy contained within this document. Please take note of the information contained within each policy.

12.2 Where the Flexible Working arrangement is for a specified period only, any request to work beyond the specified end date must be made by submitting a new application.

12.3 In the event that the arrangement is not working satisfactorily or is being misused, then the Manager has the right to suspend or withdraw the arrangement on a temporary or permanent basis. The Manager must liaise with the Improving Working Lives Team in the HR Department before taking this action.

12.4 In the unlikely/rare event, e.g. civil unrest or disturbance, the Manager will have the right to temporarily cease the flexible arrangement, in the interest of staff

safety, e.g. health visiting and home visits. It is envisaged that this will be very infrequent, but nevertheless necessary for staff safety.

13.0 TERMINATION OF A FLEXIBLE WORKING ARRANGEMENT

13.1 If the employee wishes to terminate a flexible working arrangement, to revert to the former pattern of working or a new pattern of working, they must write to the head of department/line manager seeking permission to do so and their request will be considered accordingly.

13.2 There is no guarantee that an employee will return to their former pattern of working. The head of department/line manager will however attempt to accommodate the employee taking into consideration the needs of the service.

14.0 ADHERENCE TO POLICY

Throughout the duration of the flexible working arrangement both the employee and the manager must adhere to the terms and conditions of that particular policy.

15.0 MONITORING

Applications for flexible working arrangements will be recorded and monitored quarterly throughout the year by the Improving Working Lives Team of the HR & OD Directorate. This information will be analysed and used to review and revise policies, procedures and guidelines to ensure their continuing effectiveness. Analysis will include considering uptake of flexible working by gender, race, age, disability etc. and by occupational group and department. This will be analysed to identify any unintended impact of flexible working on career development and progression.

16.0 REVIEW OF THE FLEXIBLE WORKING POLICY

To ensure the ongoing effectiveness of the Flexible Working Arrangements Policies, a review will be undertaken at regular intervals.

17.0 GENERAL INFORMATION

This booklet sets out the Flexible Working arrangements available within Belfast HSC Trust. Any further information regarding Flexible Working may be obtained from: Improving Working Lives Team, Human Resources Department, 4th Floor McKinney House, Musgrave Park Hospital, Stockman's Lane, Belfast BT9 7JB. Telephone 028 9615 9615

This document can be made available upon request in alternative formats.

Flexible Working FAQs

Based on the NHS Staff Council Frequently Asked Questions (FAQs), HSCNI has developed a range of FAQs to help the new contractual flexible working provisions establish within HSC Organisations.

These FAQs on flexible working have been created to outline how line managers, job applicants and employees may respond to common queries and challenges around flexible working.

The questions and answers include information on:

- Rights and eligibility
- Processes for requesting flexible working
- Getting decisions on flexible working requests
- Equality and diversity
- Homeworking
- The impact of working flexibly

Rights & Eligibility

What has changed? What is available now that wasn't before?

Effective from 1 April 2022, changes to Section 33 of the NHS Terms and Conditions Handbook have been agreed by HSC employers which will form part of your employment contract and mean that:

- all employees (including Medical and Dental Staff) and job applicants 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.

The Trust as your employer will keep a central overview of how requests in the organisation are being handled so HR can ensure everyone is being treated fairly. If you and your line manager cannot find a solution, there is a further stage to check for other suitable options that could be considered (perhaps in another team or setting). This is so that you and your line manager are supported to explore all other options.

The Trust will provide regular information to staff about flexible working opportunities and encourage regular discussions between managers and staff about flexible working without waiting for staff to make a formal request. This can be done during one-to-one discussions and conversations with teams. Please contact the Improving Working Lives Team, HR for details.

If I am already working flexibly, can I put in another request?

Yes, in accordance with the NHS Terms and Conditions of Service Handbook, employees covered by these provisions can make more than one flexible working request per year and can do so regardless of the reason. It may be that you need to request a temporary change to your working arrangements which can be discussed informally with your manager. However, if your new flexible working request is for a more formal and permanent change, it will be considered by your manager in accordance with your organisation's policy.

In cases where it is not possible to accommodate your request within the immediate team, a further process will be followed if you wish to explore further options within the organisation.

Do day one rights apply to me if I am in a probationary period?

Yes. The contractual right to request flexible working is from day one of employment. It applies to all HSC staff whose terms and conditions of service are covered by the NHS Terms and Conditions of Service Handbook.

I put in a request to work flexibly earlier this year, which was denied, can I put in another one?

Yes, if your terms and conditions of service are covered by the NHS Terms and Conditions of Service Handbook, you can make more than one flexible working request in a year. Your needs and the needs of the service can change over time, and you have a right to make a formal flexible working request for any reason. Following full exploration of your request, if it is not possible to accommodate your request within your immediate team an escalation process will be followed if you wish to explore any further options that may be possible within the Trust.

Processes for requesting flexible working

I don't see the point in asking my manager as I feel that they will say no, what should I do?

All HSC staff have a right to ask for flexible working, and for formal requests for flexible working to be properly considered including rights of appeal. You should also have the chance to discuss your work/life balance through your supervision or 1 to 1 meetings with your manager.

We encourage you to think about the work life balance that you would like to achieve and the potential flexible working arrangements that could help you do this. It's also worth thinking about what some of the benefits might be to your team and wider organisation of your proposed pattern. By preparing for some of the questions your line manager may ask you, it will help you to have a better conversation. If you are nervous or uncomfortable about submitting a formal request to your manager, you should consider asking to first discuss possibilities and options informally with your manager and/or seeking support from a trade union representative or work colleague. It is worth noting that your manager has to consider your request properly

and, if they are not able to agree to the arrangements you request, there is a further escalation stage in place to check for other suitable options.

It may be that in your current work context, your manager might not be able to agree your request but there are alternatives available to explore. For example, there may be other teams within the Trust that would consider and agree your request. New arrangements mean that managers should be open to considering this.

Should I talk informally to my manager to request flexible working or go straight to a formal request?

We encourage staff to talk informally with their line managers initially. Having conversations as a line manager within your teams are also valuable to help find solutions and accommodate team needs. Significant changes (for instance those with contractual impacts, e.g. moving to annualised hours or going part time) are expected to go through the proper formal process to ensure all the details are agreed and captured.

How do I apply to work flexibly, and does it have to be in writing?

A flexible working request flowchart has been created which details the steps line managers and staff in the HSC should take when making a request for a flexible working arrangement. It is also important to look at the Trust's policy on flexible working, which sets out the process on how to make flexible working requests. If you are not sure or have any questions, speak to the Improving Working Lives Team or Trade Union representative to seek advice and guidance.

I have just been offered a new job with the Trust, can I ask for flexible working before I accept the post?

As with staff, we encourage successful candidates (who may not actually work for the Trust at the time of the job offer) to discuss their request with the chair of the interview panel and or their future line manager and obtain a manual application form. These conversations are important to balance service delivery from the outset. Significant changes (for instance those wishing to work reduced hours or commence employment break and defer the start date) are expected to go through the proper formal processes to ensure all the details are included using the manual application form. There are a range of template letters for managers' use in this regard.

Getting decisions on flexible working requests

How long does my flexible working request take to be decided?

The legislation allows a three-month timescale from a formal request being received to the end of process including appeal, unless an extension is agreed by the employee and their line manager. The Trust policy states employees should know the outcome of their request within 10 days.

What is the deadline for managers to respond to a flexible working request?

Normally it should be within 10 working days. Make sure you are familiar with this policy, managers or chair of interview panel should advise on this and explain next steps.

If it is not possible for my request to be accepted in my current role, what are my options?

If your request cannot initially be agreed in your current role, ask your manager or chair of interview panel if there are other opportunities in the Trust where your request might be agreed.

You might also consider if there are any other alternative patterns that will enable you to achieve flexible working, or whether there are parts of your request that could be agreed. Speak to your manager or chair of interview panel to consider areas you would be interested to work in on a flexible basis.

If after the escalation phase (where your manager or chair of interview panel refers your request for wider consideration within the Trust) your request gets declined, written reasons must be provided and you can consider whether you would like to make an appeal.

Employees or job applicants may submit an appeal only if

- **the procedure within the Trust's policy has not been properly followed**
- **all available options have not been fully considered**

My flexible working request has been denied, what can I do?

Before turning down a request, you and your manager or chair of interview panel should have discussed the escalation stage. Your manager or Panel Chair should keep you updated on your request and discuss your potential options and opportunities elsewhere.

If your manager or Panel Chair has not initially been able to agree your request, they should communicate this to you and discuss other alternatives including any opportunities for you to work flexibly elsewhere in the Trust.

If the escalation phase has not led to a solution and your request is declined, you can consider whether you would like to make an appeal.

Equality and Diversity

I have a disability and need flexible working as a reasonable adjustment, what's the best way to ask for this?

Flexible working can be a reasonable adjustment under the Disability Discrimination Act 1995, so it is a good idea to make sure your Manager is aware that this is the reason you are making a request as it is an additional statutory right on top of the contractual right set out in the NHS Terms and Conditions of Service Handbook. Please speak to a member of the Improving Working Lives Team, HR for guidance.

I *am coming back from maternity leave and would like to work flexibly – what should I do?*

Section 15 of the NHS Terms and Conditions Handbook covers flexible working on return from maternity leave:

15.38 If, at the end of maternity leave, the employee wishes to return to work on different hours, the NHS employer has a duty to facilitate this, wherever possible.

15.39 If it is agreed that the employee will return to work on a flexible basis, including changed or reduced hours, for an agreed temporary period, this will not affect the employee's right to return to her job under her original contract, at the end of the agreed period.

If you want to start working flexibly on your return to work from maternity leave, it is advisable to submit your request three or four months before you want the new arrangements to come into effect, particularly if you need to dovetail in with other arrangements such as childcare.

Homeworking

Can I request to work from home as a form of flexible working?

Yes, homeworking can be a form of flexible working. Before making a formal request to work flexibly from home, you may want to consider initially having an informal conversation with your manager about this.

During the COVID-19 pandemic, you may already have been able to work from home. You may want to discuss with your manager whether you could do this on a more regular or (permanent) basis.

You and your manager should discuss your request to work from home on a full-time basis or a hybrid basis - for example for a number of days a week, or on an ad hoc basis.

If it is agreed for you to work from home, you may need to complete a work-station assessment.

It is the individual's responsibility to notify their manager of any changes to their home working environment or personal health that may affect their health and safety. You may also like to consider the advantages and disadvantages to a more permanent arrangement in terms of the equipment you will need, and the financial implications, for example a reduction in commuting costs, but an increase in heat or lighting costs. You will need to be clear about the requirement to come into the office and other places of work for regular meetings etc.

The impact of working flexibly

Could working flexibly affect my pay and annual leave?

Basic pay and annual leave entitlements are based on whether or not an individual works 'full time' for instance 37.5 hours a week. Take a look at the contractual implications of your new working pattern once your request has been processed.
If you are working less than 37.5 hours, your basic pay, annual leave and public holiday entitlement will be reduced proportionately. Your overall pay may change if your new flexible working pattern changes the number of unsocial hours you are undertaking. In addition, if your contractual hours are fewer than 37.5 hours, any overtime you work is paid at plain time up to 37.5 hours. Any overtime hours worked by full-time employees will be paid at the relevant premium rate as detailed in the NHS Terms and Conditions of Service Handbook.
You can seek further help and advice from your trade union rep and/or HR team.

If I work flexibly, could it impact my learning and development opportunities?

This should not be the case. As an employee, you will still have access to learning and organisational development opportunities. If you are working flexibly or less than 37.5 hours and an opportunity occurs on a day/time that you do not work, there should be a discussion with you as to how this can be accommodated. This should be the same for employment and promotion opportunities.

Appendix 1

If you are not yet employed in the Trust (i.e. candidates who have recently been offered a BHSCT job) or for staff who are currently off work owing to sickness absence or maternity leave, please complete the details below.

Application Form

Staff Number Employee Name Job Title and Band Directorate Location Contracted Hours Daytime Telephone Number

The purpose of this form is to enable you to make a request for flexible working arrangements. Please complete all sections of the form ensuring that you include any additional information to support your request

YOUR REQUEST
Proposed start date: **Proposed end date:**

Type of Work Life Balance Request

Compressed Working Hours	
Employment Break	
Flexi-Time Scheme	
Flexible Retirement	
Homeworking	
Job Share	
Term Time Working	
Voluntary Reduced Hours	
Annualised Hours	
Flexible Retirement	

Proposed Working Pattern

Please outline how you or your Manager might deal with any effects the change could have on your work or the organisation.

Additional Information

SIGNED: _____ DATE: _____

**** PLEASE PASS THIS FORM TO YOUR LINE MANAGER/CHAIR OF INTERVIEW PANEL****

To be completed by your Senior Manager/Head of Department

NB: You must meet with the Employee or successful applicant following job interview within 10 days of receipt of request to discuss this, unless otherwise agreed with the individual, and respond to them within 10 working days following this meeting. Please forward a copy of the Flexible Working application form, whether approved or not to the Improving Working Lives Team, HR. Please also forward a Contractual Change Form via HRPTS if applicable for processing to avoid any overpayment. Please note: re newly appointed staff, please ensure you update the Appointment to Position form to accurately reflect the hours worked/start date etc.

I do / do not* support this application (*please delete as appropriate)

If the request is not being approved please detail below the reasons for refusal

Burden of extra costs to the business	
Inability to meet patient/client demand	
Inability to organise work within available staffing	
Inability to Detrimental effect on performance	
Detrimental effect on quality	
Inability to find extra staff	
Insufficient work during the period the Employee proposes to work	
Planned structural changes	

SIGNATURE : _____Print Name:_____

DESIGNATION : _____

DEPARTMENT/LOCATION: _____

DATE: _____

*** This application cannot be processed by Payroll without a Contractual Change Form Please ensure Contractual Change Form are completed by the Manager via HRPTS***

Appendix 2

Escalation Form

This form should be completed electronically by the line manager where a flexible working request has not been approved (including any alternative solutions) at Stage 1 of the Flexible Working procedure. It should then be submitted electronically to the relevant senior manager at a higher band.

Part A: To be completed by Line Manager

Employee Name:	
Staff Number:	
Employee Job Title & Band:	
Directorate, Department/Ward:	
Location:	
Hours of work and working pattern:	
Name & Job Title of Line Manager:	
Date of Flexible Working Application:	
Proposed date of change:	
Duration of proposed flexible working arrangement:	
Date of Escalation Referral:	

I am requesting a review of my assessment in relation to the feasibility of the above employee's flexible working request:	**Yes/No** (delete as applicable)
I am requesting support in exploring alternative options outside of the above employee's immediate team:	**Yes/No** (delete as applicable)
The above employee has confirmed that they would like to consider alternative options outside of their immediate team:	**Yes/No** (delete as applicable

Details of Flexible Working Request:)

Rationale for not being able to support the request within the current team/ward/department?
Detail what alternative options have been explored and why these have not been deemed feasible:
Detail any constraints or limitations the employee may have when considering working in an alternative team? (e.g. location, any reasonable adjustments already in place, options the employee is not able to consider)

Part B: To be completed by Senior Manager

Name & Job title of 'Senior Manager':	
Date Escalation Referral Form Received:	

I. Review of original assessment:	
Have you reviewed the line manager's original assessment and explored any other alternative options within the employee's existing work areas?	**Yes/No** (delete as applicable)
Outcome of review:	**Agree with manager's assessment** **Alternative option(s) suggested but declined by employee** **Alternative option(s) suggested and accepted by employee**
Please outline details of the above review (e.g. options considered, any agreements made etc.)	
II. Review of options outside of immediate team:	
Are there any current or upcoming vacancies within the wider	**Yes/No** (delete as applicable) **If yes: please give details:**

directorate that may be suitable and able to accommodate the request?	

Please specify the outcome of the Stage 2 Escalation Review and agreed way forward:

Date feedback provided to the employee's line manager:	

Signed:

Date:

Belfast Health and Social Care Trust

caring supporting improving together

Sample Letter 1 – Manager arranging meeting with staff member to discuss their request to work flexibly.

Enter name, grade, staff number, base address

Date _____

Dear_____

I refer to your application for (insert type of Flexible Working applied for) which I received on (date received) and I am writing to inform you that a meeting has been arranged to discuss your request.

The meeting will be held on (insert date) at (insert time) at (insert location).
Staff have the right to be accompanied at this meeting by a Trade Union or staff representative in line with the Trust procedures.

Following our discussions, I will inform you in writing of the outcome decision within **10 working days**. Should you require any further information prior to the meeting please contact me on (insert).

Yours sincerely

Manager's name

Sample letter 2 – Manager informing staff member that their application for Flexible Working has been approved.

Enter name, grade, staff number, base address

Date _____

Dear_____

I refer to your application for (Type of Flexible Working) and to our subsequent meeting held on (insert date of meeting). I am pleased to advise you that your request has been granted and will take effect from (insert effective date).

Your new working arrangements are outlined as follows:

I will now complete a Contractual Change Form on HRPTS to ensure that appropriate changes are made to your salary and any related terms and conditions.

If you have any further queries please do not hesitate to contact me on (insert contact number).

Yours sincerely

Manager's name

Belfast Health and Social Care Trust

caring supporting improving together

Sample letter 3 – Manager informing staff member that their application for Flexible Working has been approved (Term Time).

Enter name, grade, staff number, base address

Date _____

Dear_____

I refer to your application for Term Time Working and to our subsequent meeting held on (insert date of meeting). I am pleased to advise you that your request has been granted and will take effect from (insert effective date).
Your new working arrangements are outlined as follows:

In line with the Belfast Trust Policy, Term Time arrangements cannot exceed one calendar year in duration. The end date therefore for this application is (insert date). If you wish to avail of the Term Time scheme next year you must submit a new application.

I will now complete a Contractual Change Form on HRPTS to ensure that appropriate changes are made to your salary and any related terms and conditions.

If you have any further queries please do not hesitate to contact me on (insert contact number).

Yours sincerely

Manager's name

Belfast Health and Social Care Trust

caring supporting improving together

Sample letter 4 – Manager informing staff member that their application for Flexible Working has been approved (Employment Break).

Enter name, grade, staff number, base address

Date _____

Dear_____

I refer to your application for an Employment Break and to our subsequent meeting held on (insert date of meeting). I am pleased to advise you that your request has been granted and will take effect from (insert effective date) until (insert end date).

I will now complete a Contractual Change Form on HRPTS to ensure that appropriate changes are made to your salary and any related terms and conditions.

May I take this opportunity to thank you for your service to date and look forward to hearing from you, and to your return to duty.

Yours sincerely

Manager's name

Belfast Health and Social Care Trust

caring supporting improving together

Sample letter 5 – Manager informing staff member that following the initial exploration meeting, their application for Flexible Working has been rejected.

Enter name, grade, staff number, base address

Date _____

Dear_____

I refer to your application for (Type of Flexible Working) and to our subsequent meeting held on (insert date of meeting). I wish to advise that it is not possible to grant you (Insert type of flexible working) for the following reasons:

Please tailor and adapt business reasons for rejection accordingly.

- Burden of extra costs to the business
- Inability to meet patient/client demand
- Inability to organise work within the available staffing
- Detrimental effect on performance
- Detrimental effect on quality
- Inability to find extra staff
- Insufficiency of work during the period the employee proposes to work
- Planned Structural Changes

In accordance with the flexible working policy, I am currently completing an Escalation Form which I am copying to (insert name of Senior Manager) for their further consideration. They will reply to you in due course regarding the outcome of the Escalation process.

Yours sincerely

Manager's name

Belfast Health and Social Care Trust

caring supporting improving together

Sample letter 6 – Manager informing staff member that following the Escalation process, their application for Flexible Working has been rejected.

Enter name, grade, staff number, base address

Date _____

Dear_____

I refer to your application for (Type of Flexible Working) and to our subsequent meeting held on (insert date of meeting). I wish to advise that following the Escalation process, it is not possible to grant you (Insert type of flexible working) for these reasons:

Please tailor and adapt business reasons for rejection accordingly

- Burden of extra costs to the business
- Inability to meet patient/client demand
- Inability to organise work within the available staffing
- Detrimental effect on performance
- Detrimental effect on quality
- Inability to find extra staff
- Insufficiency of work during the period the employee proposes to work
- Planned Structural Changes

You have the right to appeal against the decision in writing setting out the grounds for the appeal to the Improving Working Lives Team, HR, 4 Floor, McKinney House, Musgrave Park Hospital within 10 working days. A meeting to consider the appeal will be held within 10 days of receipt of the appeal request. Please be aware that the appeal will be heard as a formal Stage 3 grievance.

Yours sincerely

Manager's name

Belfast Health and Social Care Trust

caring supporting improving together

Sample letter 7 – Manager informing staff member that following the Escalation process, their application for Flexible Working has been approved.

Enter name, grade, staff number, base address

Date _____

Dear_____

I refer to your application for (Type of Flexible Working) and to our subsequent meeting held on (insert date of meeting). I am pleased to advise you that following the escalation process your request has been granted and will take effect from (insert effective date).

Your new working arrangements are outlined as follows:

I will now complete a Contractual Change Form on HRPTS to ensure that appropriate changes are made to your salary and any related terms and conditions.

If you have any further queries, please do not hesitate to contact me on (insert contact number).

Yours sincerely

Manager's name

Sample Letter 8 – Manager arranging meeting with job applicant (who may or may not be a current employee) to discuss their request to work flexibly.

Name
Address

Date _____

Dear_____

I refer to your application for (insert type of Flexible Working applied for) which you requested on (date request made i.e. may have been at job interview or following offer) and I am writing to inform you that a meeting has been arranged to discuss your request.

The meeting will be held on (insert date) at (insert time) at (insert location).
You have the right to be accompanied at this meeting by a Trade Union or staff representative in line with the Trust procedures.

Following our discussions, I will inform you in writing of the outcome decision within **10 working days**. Should you require any further information prior to the meeting please contact me on (insert).

Yours sincerely

Manager's name

Belfast Health and Social Care Trust

caring supporting improving together

Sample letter 9 – Manager informing job applicant that their application for Flexible Working has been approved.

Name,
Address

Date _____

Dear_____

I refer to your application for (Type of Flexible Working) and to our subsequent meeting held on (insert date of meeting). I am pleased to advise you that your request has been granted and will take effect from (insert effective date).

Your new working arrangements are outlined as follows: (Manager to insert details i.e. working hours etc. and if employment break, start date and end date etc.)

I will now complete the appropriate paperwork on HRPTS to ensure that the changes are made to your employment record and to ensure that your new flexible working is reflected in your salary and any related terms and conditions.

Managers, please note: those new starts who will be commencing on reduced hours/or commencing an employment break need carefully checked to avoid overpayments if the job was originally advertised as full time. Please ensure information on the change in hours/employment break is provided to Pay and Conditions via er-ccfs-non-live@belfasttrust.hscni.net when confirming the start date.

If you have any further queries, please do not hesitate to contact me on (insert contact number).

Yours sincerely

Manager's name

Belfast Health and Social Care Trust

caring supporting improving together

Sample letter 10 – Manager informing job applicant that their application for Flexible Working has been rejected.

Name,

Address

Date _____

Dear_____

I refer to your application for (Type of Flexible Working) and to our subsequent meeting held on (insert date of meeting). I wish to advise that it is not possible to grant you (Insert type of flexible working) for the following reasons:

Please tailor and adapt business reasons for rejection accordingly.

- Burden of extra costs to the business
- Inability to meet patient/client demand
- Inability to organise work within the available staffing
- Detrimental effect on performance
- Detrimental effect on quality
- Inability to find extra staff
- Insufficiency of work during the period the employee proposes to work
- Planned Structural Changes

I have escalated your application to my Line Manager (insert name of Senior Manager) and they have agreed with my decision.

Yours sincerely

Manager's name

COMPRESSED WORK

1.0 What is Compressed Working?

Compressed working is an agreed alternative shift or work pattern whereby staff can work the same number of hours but over fewer days or work a different pattern of hours. The standard working week is five days but compressed working will mean that a member of staff can continue to work their contracted hours but over less days. Staff working in 24/7 services will benefit from flexibility in a variety of shift patterns. Managers and staff should be creative and work in partnership and consider a range of shift patterns that meet the safe delivery of service and work life balance.

It is acknowledged that compressed working may not be suitable for particular types of post and that it may be difficult to manage in some departments in the Trust. Compressed working should be arranged in such a way that hours are carried out when staff are required to be in the department and it should be explained to staff that they are expected to continue to work within the normal opening and closing hours of the department. Consequently in some departments where flexi time is available there may be no advantage to working compressed hours.

2.0 Eligibility

All employees may apply to have their working hours compressed.

3.0 Applications for Compressed Working

All applications should be made in line with the procedures set out in section 5 of the Work Life Balance Flexible Working Policy and Arrangements.

Applications will be facilitated whenever possible and will be considered on the merits of the individual case.

The line manager will consider the application. In the event that the application is not approved, the line manager will provide the employee with a written response and advise of the right to escalate the matter for further consideration to a more senior manager.

4.0 The Introduction of Compressed Working

4.1 Compressed working can be introduced on an individual or collective basis.

4.2 In order to assess the suitability of this type of flexible working, it is recommended that each scheme be introduced initially as a trial period. Staff should be advised that the scheme will run for a trial period of 6 months, to

assess whether or not compressed working can be introduced as a viable flexible working option.

Close monitoring should take place regularly throughout the trial period and consideration should be given to the following issues when a trial period is being developed.

- Numbers, Grades and types of staff taking part
- Impact on Service Delivery and Quality
- Impact on employee performance, other staff and general morale
- Incidents/Accidents
- Absence Rates
- Supervised working arrangements

4.3 At the end of the trial period it will be the responsibility of the manager to undertake an evaluation. If it is decided that the compressed working is to be introduced, it is expected that it will need to be tailored specifically to the service needs in each department and again this should be outlined to staff.

5.0 Adherence to Policy

Each member of staff must be aware and comply with all Trust Policies in particular must be conversant with all Health and Safety policies, Lone Worker Policy and Working Time Regulations compliance in relation to their compressed hours working arrangement.

6.0 Review / Termination of Compressed Working

Compressed working should continue to be reviewed and like other flexible working arrangements, may not always be granted on a permanent basis. Where service needs or staffing issues arise, temporary compressed working arrangements may have to be reconsidered and managers should ensure that staff are given at least 1 month's notice if compressed working cannot continue.

7.0 Promotion

Employees are free to apply for promotional posts in the usual manner whilst working compressed hours. However, they will not have the automatic right to continue with this pattern of working if it is not deemed suitable in the promotional post.

8.0 Training and Development

Staff participating in a Compressed Working arrangement should have their training and development needs assessed and delivered in the same manner as for full-time staff.

EMPLOYMENT BREAK

1.0 Introduction

An Employment Break is leave without pay for a specified period of time. It may be considered for primary reasons such as:

- Employees taking prime responsibility for dependents
- Employees adopting children
- Employees wishing to pursue further relevant education/professional development
- Other reasons will be considered on the merits of each application

The above is not an exhaustive list.

An employment break will not be allowed:

- For the purpose of taking up alternative paid employment with another employer.
- If you are a Tier 2 Sponsored Worker (owing to UK Visa and Immigration regulations).

Employment overseas may be permitted if it could broaden experience, however this should not be the primary reason for the application.

Individuals may wish to supplement their income while on an employment break however through undertaking work such as:

- Agency (Not for BHSCT)
- Temporary
- Bank
- Holiday Relief

In such cases, written authority from the Trust is necessary. Staff can work bank for BHSCT whilst on an employment break but cannot work agency for BHSCT whilst on an employment break.

2.0 Objectives

The objectives of the Employment Break Scheme are:

- To give staff the opportunity to leave their employment for a period of time, whilst enabling them to return at a later time
- To retain skills and expertise within the Trust
- To provide new job opportunities in the Trust

3.0 Eligibility

All staff are eligible to apply for an Employment Break.

4.0 Application for an Employment Break

All applications should be made in line with the procedures set out in section 5 of the Work Life Balance Flexible Working Policy and Arrangements.

Applications will be facilitated whenever possible and will be considered on the merits of the individual case.

The line manager will consider the application. In the event that the application is not approved, the line manager will provide the employee with a written response and advise of the right to escalate the matter for further consideration to a more senior manager.

5.0 Duration and Number of Employment Breaks

The date on which an employment break begins will be a management decision taking into consideration the circumstances of the application and the likely time period in filling the vacancy. The Trust will seek to balance both the needs of the service and the individual's requirements in taking this decision.

5.1 Special leave without pay for an employment break may be granted for a period of not less than three months and for any period in excess of three months up to a maximum of 5 years.

5.2 An employment break may be extended for a period of time suitable to both employee and manager provided that the total period does not exceed 5 years in all.

5.3 On return to work following an employment break, one additional employment break may be granted subject to the total maximum of 5 years, provided the period of service between the employment breaks is not less than the initial employment break (including any extensions i.e. a total of 2 employment breaks with a cumulative total of 5 years).

6.0 During Employment Breaks

6.1 During an employment break, the employee will be expected to adhere to the terms of the Employment Break Policy and the contractual requirements concerning conduct and terms and conditions of service. Any breach of same may result in disciplinary action being considered.

6.2 During the employment break, an employee is subject to all normal regulations in relation to the fundamental expressed or implied conditions of the contract of employment. A member of staff on an employment break must comply with the conditions of the scheme as set out in this agreement.

6.3 It is the responsibility of the individual staff member to ensure that while they have been on an employment break that they have followed the requirements of their profession with regard to registration and revalidation (where appropriate) and to ensure that they are registered on their return.
Information on the requirements of registration / revalidation is available on the relevant profession website.
(Please also refer to the Trust's Registration and Verification Policy).

6.4 In accordance with their Contract of Employment and Professional Codes of Conduct, it is the responsibility of the individual staff member to ensure they are registered at the date of their return. If registration has lapsed, the employee's return date should be deferred until such times as the individual can furnish the line manager with evidence of registration. The individual will not receive any pay during this period until the evidence of registration and revalidation (where appropriate) has been received by the line manager.

6.5 It will be the responsibility of the employee to inform the line manager and the Pay & Conditions Team, HR of any change in his/her circumstances, e.g. change of address.

7.0 HSC Pension Scheme

7.1 Employees who joined the HSC Pension Scheme on or before 31 March 2008 will be members of the 1995 Section of the Scheme unless they opted to transfer to the 2008 Scheme. An employee who undertakes an employment break must return to employment within 5 years in order to retain active membership of their original Pension Scheme or to retain the Final Salary link for 1995/2015 Transitional Scheme members. In some cases, however it may not be possible to identify a suitable post and as a result the employment break may last longer than 5 years. Fully protected members should be aware that any break in membership of 5 years and over, will result in an employee having to rejoin the 2015 Section of the HSC Pension Scheme rather than remain a member of the 1995 Section of the Scheme.

7.2 Changes to the HSC Pension Scheme now allow employees on an employment break to remain pensionable for a period of up to 24 months providing they continue to pay contributions to the scheme. If a member does not continue to pay contributions to maintain their Scheme membership during the period of absence, then the member is no longer in active scheme membership until they return to work and re-join the scheme. This rule is particularly important for members who may apply for consideration for Ill Health Retirement during an Employment Break. For further information, please contact HSC Pensions on 028 7131 9111.

If you wish to continue contributing into the HSC Pension Scheme, it is your responsibility to make the necessary arrangements by contacting Pay and Conditions, HR on 028 9615 9615. They will forward you a Pension Contribution Quotation Form. After completion of this form, you should e-mail it to PSC HRProcess.ssc@hscni.net for contribution figures. Where practicable, this should

be 3 months prior to the start date of the authorised leave. Please refer to the Flowchart contained within Appendix 3.

- During the first six months of an employment break, the employee will be treated as any other active member of the scheme and the employee and employer contributions will be paid continuously throughout the six month period as usual.

- An employee who had paid contributions continuously during the first six months of their employment break can continue to remain pensionable for a further period of up to 18 months. The employee will however be responsible for both the employee and employer pension contributions during this period.

- It is your responsibility to cancel the payment arrangement when you no longer wish to pay contributions OR you return to work following your authorised leave/employment break. This can be done by simply not making a payment and the arrangement ceases. You do not need to inform anyone.

- **You are responsible for re-joining the HSC Pension Scheme when you return from an Employment Break. You must re-apply, you will not automatically be placed back into the HSC Pension Scheme.**

- Arrears are not permitted to accumulate and payment made on returning to the scheme.

For further information please contact HSC Pensions on 028 7131 9111 or there is a fact sheet available on the HSC Pensions website http://www.hscpensions.hscni.net/download/Employer-Factsheet-Authorised-Leave-Career-Breaks.pdf

8.0 Rehabilitation of Offenders (Exceptions) Order 1979

Upon your return from Employment Break, you are required to **immediately** notify your Head of Department if you are subject to an investigation by the Police, cautioned or are convicted of a criminal offence whilst on an Employment Break in the employment of the Trust. Failure to do so will constitute a disciplinary offence

Your Head of Department will then consider how relevant the caution, investigation or criminal offence is to your duties at work and whether disciplinary action is required.

Under the Rehabilitation of Offenders (Exceptions) Order 1979 applicants to posts within the Health and Personal Social Services must disclose to their employer **any** criminal convictions, including cautions, which they have or have ever had on their record. For the purposes of the above Order criminal convictions are never considered spent. Any employee who fails to disclose a conviction may be dismissed from employment.

9.0 Terms & Conditions of Employment

Any outstanding arrangements such as lump sum payments in connection with car allowances, car loans, leasing of official vehicles, excess rent allowances etc., will need to be resolved by the employee before agreement can be given to a request for an employment break.

10.0 Continuity of Service

10.1 Periods of service before and after an employment break shall be treated as continuous for conditions of service purposes including statutory provisions as detailed in employment legislation. The break itself will not count for continuous service purposes. Neither will it count as reckonable service, e.g. incremental credit. However, any periods of refresher/updating with the Belfast Trust will count as reckonable service.

A period of absence on an employment break will not count for HSC pension purposes and employees are advised to consult either the Payroll Shared Services or HSC Pensions to establish the effect of the break on their position.

It is the responsibility of individual employees on an employment break to contact www.nidirect.gov.uk to determine whether they are entitled to any benefits and to check the position with regard to National Insurance contributions.

10.2 Should an employee become pregnant whilst on an employment break, they may be entitled to maternity leave with pay, if they fulfill the eligibility criteria for maternity leave and pay as contained in the Agenda for Change Handbook. Further information is available from the Pay and Conditions Team, HR Department.

11.0 Access NI Checks

If the post the employee is returning to is a regulated activity post and requires an enhanced (with barred list) Access NI check the process will need to be carried out 6 weeks prior to their return. Failure to do so will result in the commencement being deferred. It is a criminal offence to allow individuals to engage in a regulated activity where they have been "barred" from such work by the Disclosure and Barring Service. An AccessNI check will reveal whether an individual is barred.

Before requiring a returning employee to apply for an AccessNI check they should be asked if they have been "barred" from working with children and/or adults in the intervening period since their previous employment, as it is also a criminal offence for an individual to apply to work in regulated activity if they are not allowed to do so.

12.0 Return to Work

12.1 An employee is entitled to return to the same job as far (as reasonably practicable) provided they return to work within one year.

12.2 It should be noted that following any approved application for leave of duration of one year or more that no guarantee can be given that the employee will return to either their substantive post or within the same Service Directorate. However they may return to as similar a job as possible at the equivalent salary level, reflecting increases awarded during the break. It is the responsibility of the line manager to identify a suitable post for an employee within the Directorate, returning from an employment break.

12.3 Employees who wish to return early from an employment break should contact their line manager and explain the circumstances relating to their request. While an early return cannot be guaranteed, requests will be considered sympathetically, especially if there have been unforeseen changes in the circumstances which prompted the request for the break.

12.4 In reaching the decision on availability and suitability of a post, the following factors will be taken into account: -

- There must normally be a vacancy at as similar a job as possible within a reasonable timescale.
- If returning to a different post the person must meet the normal recruitment and selection criteria for the post.
- The person must have met the updating criteria established with his/her line manager at the beginning of the employment break.

12.5 If prior to the commencement of an employment break an employee was working in a part-time/job sharing arrangement, every effort will be made to allow the employee to return on that basis.

12.6 Employees on an employment break must contact their line manager and the Pay and Conditions team, HR/OD Directorate two months before they are due to return if the break is less than a year, and six months before they are due to return if the break is more than a year to: -

- Confirm that they intend to return on the due date
- Apply for an extension of the Employment Break
- Indicate that they wish to resign

12.7 Employees who take employment breaks of more than one year duration must contact their line manager at the end of each twelve month period to confirm their intention to return to their employment.

12.8 Employees returning from an employment break following a period of travelling abroad must contact Occupational Health to determine fitness to return to work. The Trust will take account of the duration of the break, the countries visited and whether or not the staff work in a clinical setting in enforcing this requirement.

12.9 Employees who are unable to resume duty on the due date because of illness will be required to produce supporting medical documentation.

12.10 Where an employee wishes to take an employment break immediately following a period of Maternity Leave there should be no need for them to return to work for three months in order to avoid having to repay occupational maternity pay. If, however, they resign during the course of an employment break or fails to return at the end, they will have to repay occupational maternity pay.

13.0 Promotion

Employees will be free to apply for promotion during the employment break. However, they may have to accept the promotion at the time of offer and take up duties when required.

PAYMENT OF PENSION CONTRIBUTIONS DURING AUTHORISED LEAVE/ EMPLOYMENT BREAK

Your employment break/ authorised leave is approved

↓

Are you a member of the HSC Pension Scheme?

NO → No further action required

↓ **YES**

Do you want to continue to pay pension contributions?

NO → No further action required. You will have to re-join the HSC Pension Scheme on your return your employment break.

↓ **YES**

Complete Section A of the Pension Contribution Quotation Form (Appendix 1) and email to HRProcess.ssc@hscni.net

↓

Payroll completes Section B and returns form via email to employee

Do you want to continue to pay pension contributions?

NO → No further action required. You will have to re-join the HSC Pension Scheme on your return from your employment break.

Complete Section C of the Pension Contribution Quotation Form and email to pensioncontributions.ssc@hscni.net. Bank details will then be sent out to you.

↓

You make the necessary arrangements to pay your contributions in a lump sum or monthly instalments, in line with the timescales and use the appropriate reference. If you are paying in monthly instalments, you can cancel the arrangement at any time.

↓

End of process

FLEXI TIME

It must be noted that not all areas are suitable to work flexi time. Please discuss with your line manager.

In order to maintain the highest possible level of services, departments will have periods of time each day where it is essential that staff are present for duty e.g. "Core Periods". Outside such 'core' hours, however, it may be possible for staff to vary their arrival and departure times, or to extend their lunch breaks beyond their normal allocation. This must take account of service needs and be agreed with the line manager in advance.

In addition, staff will be able to build up additional hours which can be taken off at mutually convenient times, but it does not entitle employees to a regular pattern of working as the needs of the service are paramount. Flexi Time will, where practicable, be available to both full-time and part-time staff, as well as to staff working within a job-share arrangement.

1.0 Objectives

The objectives of Flexi Time are:

- To further develop the Trust's Flexible Working Arrangements and the promotion of work/life balance.
- To improve the retention of staff who desire to work in a flexible working environment.
- To greatly improve the efficiency of employees as they are more likely to continue working to complete a specific task knowing the time is "banked".
- To assist in the reduction or elimination of punctuality issues as the employee is allowed a flexible start to the day, time-keeping issues are often reduced.
- To assist in reducing absenteeism as the improved flexibility can often lead to a reduction in absenteeism as flexible starting and finishing times allow for changes in personal circumstances to be accommodated.

2.0 Eligibility

Flexi Time is available to all employees, subject to feasibility of such an arrangement.
Those staff who apply for set working hours will not be entitled to avail of the Flexi-Time Policy. Core times for part time staff will be on a pro rata basis. Please refer to section 4.

3.0 Key Principles of Flexi Time

In the operation of Flexi Time, it is important to ensure that high standards of service are maintained in all areas. Any staff member's degree of participation

in the scheme must relate to the requirements of their post and be approved by their line manager in advance of any flexi hours worked.
Core-time limits and amount of credit and debit allowed are defined in this policy.

4.0 Employee's Responsibilities

- Employees must be present for duty during their identified 'core' hours unless permission for absence has previously been sought from management. Core hours for each area will be agreed with the Line Manager taking account of the fact that adequate staff presence must be maintained in all offices, wards and other service areas.
- Flexi Time attendance sheets must be completed on a daily basis.
- Staff working as a team must agree their methods of operating Flexi-Time in advance with their team and line manager to ensure that adequate cover is provided at all times. It does not mean a regular pattern of flexi time working for any particular staff member.
- Any individual or group of staff who abuse the provision of the scheme may potentially be subject to the Disciplinary Procedure and may have the right to participate in the scheme withdrawn, either temporarily or indefinitely.

5.0 Manager's Responsibilities

- Managers should consider any requests for flexible working including flexi-time and ensure that an appropriate balance is struck between the needs of staff and the needs of the service they provide.
- Managers must ensure that sufficient work is provided for those members of staff who start early or finish late.
- Flexi-Time attendance sheets should be checked at least once per month.

Where service needs make the introduction of a complete Flexi-Time scheme unfeasible in any location, it may be possible to set up an amended scheme for selected grades or groups of staff. Any amended scheme should also be recorded in a similar way to that outlined below.

6.0 Applications for Flexi-Time

All applications should be made in line with the procedures set out in section 5 of the Work Life Balance Flexible Working Policy and Arrangements.

Applications will be facilitated whenever possible and will be considered on the merits of the individual case.

The line manager will consider the application. In the event that the application is not approved, the line manager will provide the employee with a written response and advise of the right to escalate the matter for further consideration to a more senior manager.

7.0 Hours of Attendance

Working hours will be divided into flexible and core time working bands. All staff, not on authorised absence, must be present during their agreed core time. Staff may vary their working hours within the flexible time band providing this is agreed in advance with line management.

Part time staff who work flexi cannot work more than one hour past their normal start/finish time and or leave one hour earlier than their normal start/finish time.

An example of a working pattern for full-time and part-time employees is given below but these are not prescriptive. Other patterns may be agreed locally if appropriate.

		Full-Time employee	**Part-Time employee who works 9am – 1pm**
Arrival	Flexible	08.00 – 10.00	8.00 – 10.00
	Core	**10.00 – 12.00**	10.00 – 12.00
Lunch	Flexible	12.00 – 14.00*	N/A
Departure	**Core**	**14.00 – 16.00**	N/A
	Flexible	16.00 – 18.00	12.00 – 14.00

* At least 30 minutes lunch break **must** be taken by staff entitled to meal breaks.

Those staff who apply for set working hours will <u>not</u> be entitled to avail of the Flexi-Time Policy. An example is given below:

An employee works 9am to 2pm, 3 days per week (15 hours) and avails of the Flexi Time Policy. The employee submits a flexible working application to their manager asking to work the following set hours.

Monday 8am to 6pm and Tuesday 8am to 1.30pm
The employee is not entitled to avail of the Flexi Time Policy.

8.0 Accounting Period

- Flexi-Time totals should be recorded over a monthly accounting period for the purposes of calculating debit and credit of attendance.

- 'Standard working hours' are the number of hours an individual is contracted to work for any given day.

9.0 Leave of Absence

- Statutory holidays, leave and sickness absence will be credited with the individual staff member's standard working day.

- As in the case of annual leave, the taking of flexi leave will require the prior approval of the appropriate manager. A maximum of one day per month can be taken off, however in exceptional circumstances 1½ days can be taken if this is agreed with the line manager in advance.

- For other absences, credit time will be allowed only where this has been previously agreed with line management. Traffic delays must be seen as a normal hazard.

- Whenever possible, appointments with doctors, dentists etc. should be arranged outside core time. In all non-emergency cases, managers must be consulted before the making of such appointments to ensure that adequate staffing levels can be maintained during the period of absence.

10.0 Credit and Debit Carry-Over

- A maximum **credit of 8 hours pro rata (if part time)** may be carried over between subsequent accounting periods. In exceptional circumstances, 12 hours pro rata may be carried over if this is agreed with the Line Manager. Any hours credited in excess of the agreed maximum will be forfeited. This should not be a regular arrangement to supplement annual leave and any credit should be used over the relevant accounting period.

- A maximum **deficit of 4 hours pro rata (if part time)** may be carried over between subsequent accounting periods. - Where unavoidable circumstances prevent staff from reducing their deficit to this maximum, managers will assess each case on its merits, and may allow the excess debit to be carried over.

- Excess credit / deficit should be redressed as soon as possible so as to return the flexi total to within the regular limits.

11.0 Overtime

- Overtime working will continue to be recorded separately, and will be paid for in accordance with existing arrangements. During periods of overtime working, the accounting period and other provisions of this scheme may be re-arranged by agreement.

- A member of staff's overtime working on any day will not begin until she/he is credited with standard working hours for that day.

- Members of staff working overtime will be expected to ensure that they have not accumulated more than 4 hours debit at the end of an accounting

period, as the excess may be offset against overtime hours. This must be confirmed by Line Management.

12.0 Termination

In the event that a flexi time arrangement becomes untenable from a Management or Service requirement perspective, full consultation will take place with the individuals concerned to review or terminate the arrangement. The Trust must give adequate notice of 3 months if flexi time cannot continue. The Head of Department/Line Manager will however attempt to accommodate the employee taking into consideration the needs of the service.

13.0 Recording on Flexi Time Sheet

Whilst it is recognised that signing in and out for duty is not a compulsory requirement for Trust staff – the exception is with regards to those staff availing of the Flexi Time Scheme only and they are required to update on a daily basis, their start and finish times.
Those staff who are not availing of flexi time scheme, are not required to sign in or out.

- Each member of staff working Flexi-Time must complete an Attendance Record i.e. Flexi Time Sheet approved by Line Management (Example provided in Appendix 4) for each accounting period.
- Each member of staff will be personally responsible for recording daily, their time of arrival and departure (including meal breaks) and totaling the record (see Appendix 4). These attendance records will be kept in an accessible location so that managers have an easy means of assessing the overall position when required.
- Times should be recorded, and calculations made to the nearest 5 minutes.
- Attendance records must be retained for at least 2 years in line with Records Disposal and Retention Schedule.
- Where a member of staff is travelling directly from their home to an assignment (without calling at their office), their starting time shall be deemed to be the later of the following:
  - the time they leave home (where their home is closer to the assignment than their office is) OR;
  - the time they pass the office if it is on their route. If the office does not lie on their route, they will have a notional starting time calculated by references to the time they left home, and adding to that time the time normally taken on their home-to-office journey.
- Finishing time will be similarly calculated.

- Where staff are entitled to meal breaks, they are required to take a break lasting a minimum of 30 minutes and a maximum of 2 hours, which must be taken within the break period specified for their working hours / shift pattern.

14.0 Adherence to the Flexi Time Working Policy

Each member of staff must be aware and conversant with all Health & Safety Policies along with the Lone Worker Policy.

Appendix 4

FLEXI-TIME ATTENDANCE RECORD

NAME : _____ **DIRECTORATE : _____**

Month :_____ **Balance carried forward : _____**

Day / Date	Start Time	Finish Time	Meal Break	Hours Worked	Standard Hours	Variance	Balance Carried Forward

Balance carried forward to next month : _____

HOME WORKING

1.0 Introduction

Managers should consider requests for employees to work from home, however it should be noted not every post is suitable for homeworking. It should also be noted that homeworking on a long-term basis should not be for the sole purposes of childcare.

In deciding who can work from home, managers should consider this wherever operationally possible, and where service provision is not negatively impacted. See Managers Checklist section on page 53.

Home Working requests that are approved may be subject to review, should the priorities of the service or Trust change. Staff may be expected to adopt a hybrid model of working that combines home working and working within a Trust facility dependent on the relevant area and service needs. Staff approved to work from home may still be required to attend the workplace at short notice to support service delivery

2.0 Applications for Home Working

All applications should be made in line with the procedures set out in section 5 of the Work Life Balance Flexible Working Policy and Arrangements.

Applications will be facilitated whenever possible and will be considered on the merits of the individual case.

The line manager will consider the application. In the event that the application is not approved, the line manager will provide the employee with a written response and advise of the right to escalate the matter for further consideration to a more senior manager.

3.0 Managers' Responsibilities

- Managers from the outset, should have a conversation with staff to discuss practical, performance and managerial arrangements.
- Managers should also ensure that any agreements for staff to work from home are regularly reviewed, and in accordance with the latest guidance, service, team and personal needs.
- It is expected that managers keep in regular contact with staff working from home.
- Software including Microsoft Teams allows staff to collaborate, share content and have virtual meetings and huddles.
- Managers should continue to ensure staff compliance with absence reporting procedures in line with the Managing of Attendance Protocol.

4.0 Health & Safety

It is the responsibility of managers to support and enable the Health and Safety of the staff member working from home by ensuring the following is completed:

1. Homeworking Environment Risk Assessment must be completed by the employee and discussed with the line manager (Appendix 5). The purpose of this assessment is to establish if further action is required to provide a suitable and safe homeworking environment.

2. Risk Assessment of the proposed Homeworking Environment must be completed by the Line Manager (in conjunction with the DSE Risk Assessor) (Appendix 6). The purpose of this assessment is to establish if the homeworking environment has been set up correctly and appropriate training has been received by the employee to ensure that health and safety requirements are met.

3. Action Plan (Appendix 7) must be completed by the Line Manager.

5.0 DSE Awareness E-learning Training

As for all employees, regular eye sight / eye screening tests are required. Click here to access the Procedure for the Management of the Display Screen Equipment.

Managers are responsible for ensuring the health, safety and well-being of new and expectant mothers. Managers and employees should refer to any additional health and safety guidance contained in the Trust's New & Expectant Mothers Policy and risk assess accordingly.

6.0 Data Protection & Information Governance

Managers must ensure that staff working from home understand, adhere and are trained regarding the Trust's Data Protection and Information Governance policies and procedures.

Managers must ensure all Trust equipment and documentation utilised by staff working from home are used, stored, transported and disposed of correctly and appropriately at all times.

7.0 Homeworking and Internet / Wi-Fi or other Household Costs

Staff should assess the personal implications of home working with respect to household insurance. Internet services and utility bills will not normally be paid for or reimbursed. Call costs will only be reimbursed in exceptional

circumstances and only when the costs to be incurred have been agreed in advance with line managers.

Managers must ensure staff immediately notify if they do not have access to Wi-Fi or internet in order to agree workarounds / other duties.

8.0 Health & Wellbeing

If staff are not used to working from home, it can take a bit of adjustment. It is important that managers maintain good communication and are aware of any changes or deterioration in the health and wellbeing of staff working from home and support and signpost staff accordingly.

Home working, if not properly managed, can raise concerns about isolation and stress. It is neither acceptable nor compatible with the Trusts health and safety responsibilities, to expect Homeworkers to be available at all hours. Staff must work in accordance with due regard to enabling and supporting their own health and wellbeing.

Advice for employees- hints and tips for staying well while working from home can be found here.

9.0 Employee Check List

Key Issues to Consider Regarding Homeworking.

What personal qualities should I have for working on my own?

- Self-motivation – reasonably self-starting with no high personal need for the continuing presence of co-workers.
- Able to work effectively without the benefits of group dynamics and office team working.
- Ability to work without close supervision.
- Good time management skills. May potentially lead worker to work excessive hours unchecked by the cycle of the normal working day.
- Flexibility, resilience and self-reliance. May potentially result in sense of isolation/loneliness.
- Good communication skills – including skills of communicating across electronic networks
- Ability to cope with conflicting demands of home and work life, e.g. may leave the worker vulnerable to assumptions that they are "on call" for family members, able to do household chores, care for children etc. whatever the effect on their work.
- May make children or other household members resentful if staff prioritize work and shut themselves away too much.

How much of my job can really be done from home?

- Do I need access to files that are still on paper?
- Do I need access to equipment or systems that can only be used on site?
- Do I expect frequent deliveries?
- Do chunks of my work mainly need quiet concentration or do I need to bounce ideas round colleagues all the time?

Can my home be a workplace?

- Do I have sufficient working space and storage space
- Can I make space available that is "only for work"
- Will it conflict with a partners workspace requirements
- Will I disturb the activities of others in the household? Will they disturb me? Can I find a way of making it clear to others when I am working?

10. Checklist for Managers:

Questions the Manager must consider regarding homeworking requests:-

1. Job Function

What jobs or elements of jobs can be undertaken from home:

- Many jobs that do not involve physical production, constant face to face Patient / Client contact or expensive specialist equipment may be undertaken from home.

The key issues around managing staff working from home

2. Monitoring performance and productivity

Encourage management by results, setting agreed and achievable targets for staff.
Develop a relationship based on trust and agreed deliverables.
Provide regular feedback on performance

3. Maintaining communication and feedback

Agree arrangements for regular and consistent contact with staff. Consider regular times for telephone/email/video conferencing contact.

Homeworkers should be kept up to date and informed with information, developments and other matters pertinent to the role, the team and the service.

4. Respect for out of hours privacy

Staff that are using their homes for working have a right to privacy out-of-hours and to be able to separate their working and home lives.

Any home visits e.g. for health and safety inspections should be arranged at mutually agreeable times.

5. Training and development

Staff participating Homeworking should have their training and development needs assessed and delivered in the same manner as for all other staff. The main skills and training required for homeworking are those needed for the generality of work in Trust premises. These include:

6. **Job related skills specific to the particular requirements of the job**.

- Generic skills, including competence in IT and the use of electronic communication methods (for example – Keyboard skills, electronic mail, on-line discussion i.e. TEAMS or ZOOM, effective use of web sites, and use of software required for the work), report-writing and general telephone communication skills.

- Familiarity with the general structure and culture of the organisation and with co-workers.

- Familiarity with procedures including health and safety, data protection and how to get help and supplies.

- Self-management skills, including training time in time management.

- Ability to make judgments on whether to work from home/Trust facility.

- Those managing Homeworkers need to develop skills and competencies to cope with the key issues described above.

Appendix 5

Confidential
Step 1 Risk Assessment of the Proposed Homeworking Environment

Purpose: To establish if further action is required to provide a suitable and safe homeworking environment

(To be completed by the Homeworker and discussed with Line Manager)

Employee Name: _____

Department: _____

Base: _____

Date of Assessment: _____

No	Questions	Please provide relevant details
1	Length of time working in this role: (ie. months/years)	
2	Brief description of the proposed type of work undertaken at home (please include equipment to be used, any manual handling etc.)	
3	Details of proposed working hours under the homeworking arrangement (start/finish times)	
4	Details of other adults and children at home during proposed working hours	
5	Please describe the proposed location for your homeworking environment : you should include the following: * size of room * position of room within your home * numbers/position of available electrical sockets * type of ventilation * type of lighting, type/adequacy of heating * any security features (ie. blinds, lockable door/cabinet) * escape route * position of radiators in relation to (actual/required) cables and furniture * flooring * trailing cables (attach a “room layout” drawing if appropriate)	
6	Please describe any existing equipment/furniture (eg. desk size, stability lockable drawers, chair etc.) that you propose to use for furniture	

No	Questions	Please provide relevant details
7	What additional equipment/furniture do you envisage that you will require to work from home (including display screen equipment)	
8a	On what date was your (office based) display screen equipment risk assessed/reviewed	
8b	Date of last eye sight/eye screening test	
9	Please describe the adjustable mechanisms (eg seat height, seat depth, backrest angle) and condition of chair that you intend to use at home	
10	Will your proposed work area be secure and free from interruptions? Please explain	
11a	How many smoke detectors do you have	
11b	Where are they positioned	
11c	How often do you test them	
12	Are there any potential hazards within your home environment? E.g. the likelihood of pets chewing through cables or jumping onto or damaging equipment; children pulling cables; issues associated with lone working etc.?	
13	What first aid provision do you have	
14	If applicable, are you familiar with the Trusts policy and procedural arrangements relating to New and Expectant Mothers and in what circumstance you are required to advise your Manager	
15	Are you familiar with the requirements of the Trusts Policy and Procedural arrangements relating to lone workers?	
16	Are there any other factors that you feel should be brought to the attention of your Line Manager	

Signature of Staff Member: _____ Date: _____

Signature of Line Manager: _____ Date: _____

Step 2 Risk Assessment of the proposed Homeworking Environment

Purpose: To establish if the homeworking environment has been set up correctly and appropriate training has been received to ensure that health & safety requirements are met

(To be completed by the Line Manager (in conjunction with the DSE Risk Assessor) prior to commencement of homeworking)

Name of staff: _____

Department: _____

Base: _____ Line Manager: _____

Date initial assessment (i.e. step I) completed: _____

Brief description of the type of work undertaken at home

_____

_____

_____

Details of working hours/days worked from home:

_____

_____

_____

		YES	NO please explain
1	Has the agreed action plan agreed with the Line Manager, following the initial assessment (ie. step I) by the proposed Homeworker, been fully implemented?		
2	Is the workstation positioned to avoid the use of extension leads?		
3	Is the workstation positioned to avoid the use of adaptors?		
4	Is the heating, lighting and ventilation in the work area adequate?		
5	Is the room or work area free from tripping hazards?		
6	Is the environment suitable for the home working activity		
7	Is there sufficient circulation space in the area?		
8	Is the furniture in use suitable for the homeworking activity		
9	Is there a means of securing/protecting information & equipment		
10a	Can the chair in use be adjusted as follows: * Seat height * back rest – height & angle		
10b	* does it provide adequate support to the lower back		
10c	* does it have a 5 star base for stability		

11	Have arrangements been made for the maintenance (and PAT testing) of all Trust equipment		
12	Are there any moving and handling tasks that require further assessment		
13a	Does the member of staff need any training eg. in relation to equipment, software etc?		
13b	Does the member of staff need any training regarding the ergonomic layout of their display screen equipment workstation		
14	Is the member of staff aware of the following		
*	The importance of correct posture and adjusting the workstation accordingly		
*	Recommended breaks from DSE work		
*	Recommended products for cleaning computer equipment		
*	Reporting accidents/incident and near misses associated with the work activity		
*	Undertaking “user checks” on equipment		
*	Disposing/recycling of waste/confidential paper, cartridge etc (return to Trust)		
*	Safely replacing printer cartridge and working with other relevant substances (refer to Departments COSHH Assessments)		
*	Reporting any changes to home, health etc		
*	Correct positioning when using a laptop		
15	In relation to the display screen equipment workstation:		
15a	Has the workstation been positioned to avoid glare and reflection on the screen		
15b	Is the screen at the correct height and position in relation to the user		
15c	Are the forearms roughly horizontal and the wrists straight whilst using the keyboard		
15d	Is there space in front of the keyboard to rest the wrists when not actively keying		
15e	Are the feet resting comfortably on the floor If no is a foot rest required		
15f	Are the characters on the monitor easy to read Has the brightness and contrast been properly adjusted		
15g	Are frequently used items within easy reach		
15h	Is the mouse positioned close to an at about the same level as the keyboard		
16	Details of any other issues not included in the initial assessment		

Signature of Staff Member: _____ Date: _____

Signature of Line Manager: _____ Date: _____

Date/s initial assessment discussed with proposed Homeworker: _____

Appendix 7

Step 3: Action Plan (to be completed by the Line Manager)

Name of Homeworker: _____

Issues requiring action as identified during the initial (step 1) assessment	Remedial action required/agreed	Action by (whom)	Timescale	Date action completed

NOTE: Review if any changes occur to your homeworking environment or yearly

Signature of Line Manager: _____

Date: _____

Signature of Homeworker: _____

Date: _____

Date/s initial assessment discussed with proposed Homeworker: _____

Signature of Staff Member: _____ Date: _____

JOB SHARING

1.0 Introduction

Job Sharing provides a flexible way of working for employees who choose not to work full time. It involves two people who share the duties and responsibilities of a full time post on a daily or weekly basis. The salary and terms and conditions of service are allocated on a pro rata basis to the hours worked.

2.0 Eligibility

All employees are eligible to apply for Job Share.

3.0 Applications for Job Sharing

All applications should be made in line with the procedures set out in section 5 of the Work Life Balance Flexible Working Policy and Arrangements.

Applications will be facilitated whenever possible and will be considered on the merits of the individual case.

The line manager will consider the application. In the event that the application is not approved, the line manager will provide the employee with a written response and advise of the right to escalate the matter for further consideration to a more senior manager.

4.0 Job Share Agreement

A job share agreement should be made between the partners in conjunction with their line manager and this should be in writing with both parties and the Manager as signatories. The job share agreement should cover the following points:

- The split of hours between the partners;
- The working pattern of both partners – this could be working alternate weeks, half or split weeks, morning/afternoon split or any other suitable alternative;
- The arrangements for handover periods;
- The allocation of duties and distribution of work and responsibilities;
- The arrangements for Performance Management and supervision requirements;
- Arrangements for annual leave.

5.0 Terms and Conditions of Employment

Each job sharer will be issued with an individual Contract of Employment and a Job Description which clearly defines the duties and responsibilities of the post.

Where a post has been converted from full time to job share at the request of the existing post holder then an amendment to the contract of employment will be issued.

Employment rights such as continuity of employment and employment protection will be unaffected.
Terms and Conditions of Employment will be applied on a pro-rata basis subject to individual eligibility. This will include:

- salary / wage
- statutory holidays
- annual / study leave
- Sick/Maternity Pay

The job sharers will be paid the appropriate pay band for the post calculated pro rata to the actual hours worked. The banding of a job share post will apply to both job sharers in the arrangement. Any review of banding will consider the whole of the post not the duties of an individual employed in part of the post.

Statutory holidays will be shared between job sharers on a pro rata basis to be agreed between the job sharers and their Line Manager.

Where a job sharer accepts the offer of a job share post in a location different from their current post he/she will not be entitled to payment of excess travelling expenses.

Job sharers, as individual employees, will be subject to the Trust's Policies and Procedures relating to conduct, behavior and performance/capability.

Both managers and job sharers have a responsibility to ensure that an appropriate number of common hours are worked to exchange information and update each other on work issues.

6.0 Overtime

When job sharers work beyond their contractual hours but not outside the normal full-time hours of the post, they may take time off in lieu or be paid for the additional hours at plain time rate subject to agreement with line managers.

In the event that the hours worked exceed the normal full-time hours for the post, overtime rates will be paid in accordance with Terms and Conditions of Service unless time off in lieu is taken.

7.0 Duration of Job Sharing

In the event of one job sharer ceasing to continue in the job sharing arrangement the full time hours should be offered to the remaining job sharer. If the remaining job sharer is not interested in fulfilling the work on a full time basis then the vacant part of the job share will be advertised in accordance with the Trust's Recruitment and Selection Procedure. In the event that the post cannot be filled, it may be necessary to redeploy the remaining job sharer to a suitable alternative post in the Trust or discuss alternative arrangements and advertise the original post as full time. Any such arrangements will be done in full consultation with the job sharer and full consideration of service needs.

8.0 Cover for Sharers

Where one job sharer is unable to work for a reason such as illness or maternity leave the partner may be offered the opportunity to cover the hours, on a full or part time basis, of the absent job sharer in the first instance. If the partner is unable or unwilling to cover those hours, management may seek to cover the post by employing a temporary person to share the post.

9.0 Promotion

Job Sharers will be free to compete for promotional posts in the same way as other employees on an individual basis. If the job sharers apply to a post where the advert specifies "Job Share applicants will be considered", then both job sharers can be considered as a joint application.

10.0 Adherence to Policy

Throughout the duration of a Job Sharing Scheme, both the employee and the manager must adhere to the terms of this Policy.

PART TIME WORKING

1.0 Introduction

Part Time Working allows staff to reduce their full-time working hours and remuneration to less than their normal working week. This arrangement can be on a temporary or permanent basis, and will be subject to review as set out in paragraph 7. The work pattern and duration is agreed between employer and employee and may be half days, shorter days or a reduced number of full days. Salary, annual leave and statutory leave will be reduced on a pro rata basis.

2.0 Eligibility

All Employees are eligible to apply for a Part-Time Working arrangement.

3.0 Applications for Part Time Working

All applications should be made in line with the procedures set out in section 5 of the Work Life Balance Flexible Working Policy and Arrangements.

Applications will be facilitated whenever possible and will be considered on the merits of the individual case.

The line manager will consider the application. In the event that the application is not approved, the line manager will provide the employee with a written response and advise of the right to escalate the matter for further consideration to a more senior manager.

4.0 Part Time Working on a Temporary Basis

4.1 Employees can request to work part time hours on either a permanent or temporary basis.

4.2 If more than one employee in a department requests part time working, then the line manager could agree a rotation or sharing of this arrangement. An employee can request a temporary reduction in working hours in the same manner as requesting a permanent reduction in hours.

4.3 A temporary reduction in hours, up to a maximum of 50%, can be granted for a specific period between 1 and 12 months, depending on the individual's circumstance, with the right to return to full time hours at the end of the agreed specified period. The time off may be taken either on a regular basis or by reducing the working day/week for a block of time in the year.

4.4 As with a permanent reduction in hours those interested in working part time hours for a temporary period must discuss this issue with their line manager. The employee and the line manager must decide and agree how the part time hours will be worked each week and how long this arrangement will last. The needs of the service must be taken into account in reaching this decision.

5.0 Pay and HSC Pensions

5.1 Entitlement to continue the HSC Pension Scheme remains unchanged. However employees should be aware that a reduction in salary will impact on pension benefits.

5.2 It is the responsibility of an employee wishing to pursue part time working to consult HSC Pensions, Telephone 028 7131 9111 regarding the pension implications. HSC Pensions will also advise on additional voluntary contributions.

6.0 Overtime / Additional Hours

When part time staff work beyond their contractual hours but not outside the normal full time hours of the post, they may take time off in lieu or be paid for the additional hours at normal rate subject to agreement with the line manager.

7.0 Review / termination of Part Time Working

7.1 If a temporary part time working arrangement is granted, this arrangement may be reviewed, at the discretion of the line manager, on a monthly basis.

7.2 Where service needs or staffing issues arise, temporary part time working may have to be reconsidered and managers should ensure that staff are given at least 1 months' notice if the arrangement cannot continue.

8.0 Promotion

Part Time staff will be free to compete for promotional posts in the same way as other employees. However, should they be successful they will have no automatic right for their part time working arrangements to continue. They should make a further application for consideration.

9.0 Adherence to Policy

Throughout the duration of part time working, both the employee and the manager must adhere to the terms of this policy.

10.0 Training and Development

Employees participating in a part time working arrangement should have their training and development needs assessed and delivered in the same manner as for all other staff. The single overtime rate will apply for any training and development undertaken outside of the standard hours. Overtime will apply unless time off in lieu is taken in agreement with the employee's line manager.

TERM TIME WORKING

1.0 Introduction

Term Time Working allows employees to remain on a permanent contract but gives them the right to unpaid leave of absence during the year. This is likely to be in order to take care of their children during school holidays but is not limited to this and all requests will be considered. As this leave is planned well in advance, the employee will continue to receive a regular wage each month/week, though at a reduced rate in line with their reduced hours. Annual leave will also be reduced on a pro rata basis.

Term Time intends to offer as much flexibility as possible. The maximum option available is working 9 months out of 12 months (39 weeks out of 52 weeks) which equates to 13 weeks leave. The minimum option available is working 11 months out of 12 months which equates to 4 weeks leave during the year. This leave can be taken at a time which is mutually agreeable between the manager and employee taking into account the needs of the service. These weeks are not limited to the main/peak holiday periods such as Easter, Christmas and the summer period.

Term Time leave must be taken in a minimum block of one week.

It should be noted term time working is only granted for one year and a new application is required for any future requests. Contractual Change Forms should be completed as soon as the term time application is approved and where possible no later than 28 February of each year in order that the necessary arrangements can be made with Payroll Shared Services in time for the new salary to become effective from 1 April.

2.0 Objectives

The objectives of Term Time Working are:

- To facilitate staff who wish to continue working at the same time as meeting other personal commitments during their children's main/peak school holidays.

- To retain skills and experience within the Trust.

3.0 Eligibility

All employees are eligible to apply for a term time working arrangement.

In the event that the number of applications for term-time exceed the number of term-time arrangements that can be granted then consideration will be given to ways in which the Department/Directorate might facilitate requests taking into account the merits of the individual case. The manager will consider in partnership with trade union colleagues a reasonable and fair approach.

4.0 Applications for Term Time Working

All applications should be made in line with the procedures set out in section 5 of the Work Life Balance Flexible Working Policy and Arrangements.

Applications will be facilitated whenever possible and will be considered on the merits of the individual case.

The line manager will consider the application. In the event that the application is not approved, the line manager will provide the employee with a written response and advise of the right to escalate the matter for further consideration to a more senior manager.

5.0 Terms and Conditions

5.1 Throughout the duration of the Term Time Working arrangement both the employee and the manager must adhere to the terms and conditions of this Policy.

5.2 Staff accessing this scheme will be required to agree a variation to their existing contract for a period of one full year. Accordingly, the employee's salary will be paid over 52 weeks and the salary will be reduced by the number of weeks the employee takes as unpaid leave. Sick leave, maternity leave etc. will be calculated on the reduced salary.

5.3 In the event of a period of sickness occurring during the agreed period of leave, the period of leave cannot be deferred to a later date.

5.4 Where appropriate, in line with section 13.9 of the NHS Agenda for Change Handbook, managers should process enhancements only for the annual leave component of the agreed term time. The weeks that are not identified as annual leave are classed as unpaid leave and no enhancement should be submitted for payment during those weeks.

5.5 Entitlement to continue in the HSC Pension Scheme remains unchanged. However, employees should be aware that the reduction in service may impact on pension benefits. It is therefore the responsibility of an employee wishing to pursue a Term Time Working arrangement to consult with the Payroll Shared Services to obtain information regarding the reduction in income and with the HSC Pensions, Waterside House, Londonderry, telephone 028 7131 9111, regarding the pension implications. HSC Pensions will also advise on additional voluntary contributions.

5.6 Staff on Term Time Working accrue annual leave and statutory leave on a pro-rata basis to the period of time that they work over the 12-month period. (Please see appendix 8).

5.7 Employees working term time should use the majority of their annual leave against the time they are not working and this will reduce the impact on their salary. However, a reasonable amount of annual leave should be retained for use during working time. Individual arrangements should be discussed and agreed with your line manager.

6.0 Duration / Review of Term Time Working Arrangements

6.1 A Term-Time Working Arrangement cannot exceed one calendar year in duration.

6.2 Employees must submit a new application for the next year if they wish to avail of the term time scheme.

6.3 If employees in a section or department request more Term Time Working than the manager can facilitate, then the line manager could agree a rotation or sharing of this arrangement.

7.0 Promotion

Employees will be free to apply for promotional posts in the usual manner whilst participating in Term Time Working. However, they may have to accept the promotional post at the time of offer and take-up duties when required. They may not have the automatic right to return to their Term Time Working arrangement in the new post. This can be discussed with the line manager however and all requests can be considered.

8.0 Training and Development

Staff participating in a Term Time Working arrangement should have their training and development needs assessed and delivered in the same manner as for all other staff.

9.0 Keeping in Contact

9.1 It will be the responsibility of the line manager to keep the employee informed of any developments, job opportunities, refresher/training courses and to agree appropriate updating arrangements (if necessary) with the employee.

9.2 It will be the responsibility of the employee to inform the line manager and the Human Resources Department of any change in his/her circumstances, e.g. change of address, and also for the employee to adhere to requirements of their professional regulatory body

10.0 Adherence to Policy

Throughout the duration of a Term Time Working Arrangement, both the employee and the manager must adhere to the terms of this policy.

Annual Leave hours / 52 weeks X weeks to be paid =
Stat hours / 52 weeks X weeks to be paid =
Term Time Option (weeks) + Annual Leave to be used while on Term Time
Annual Leave + Stat Days - Annual Leave to be paid on Term Time = total / hours worked = weeks

TERM TIME OPTION	**ANNUAL LEAVE PAID FOR WHILE ON TERM TIME**	**PAID BY SALARIES**	**UNDER 5 YEARS SERVICE A/L & STAT**	**OVER 5 YEARS SERVICE A/L & STAT**	**OVER 10 YEARS SERVICE A/L & STAT**
13 wk option	plus 4 weeks =	43 weeks over 52 weeks	2.11 weeks	2.45 weeks	3.11 weeks
11 wk option	plus 4 weeks =	45 weeks over 52 weeks	2.40 weeks	2.75 weeks	3.44 weeks
9 wk option	plus 3 weeks =	46 weeks over 52 weeks	3.55 weeks	3.90 weeks	4.61 weeks
7 wk option	plus 3 weeks =	48 weeks over 52 weeks	3.83 weeks	4.20 weeks	4.94 weeks
4 wk option	N/A	48 weeks over 52 weeks	6.83 weeks	7.19 weeks	7.94 weeks

FLEXIBLE RETIREMENT

1.0 Introduction

Belfast Health and Social Care Trust recognises that many staff may wish to retire from the Trust in a phased and managed way and consequently has developed a Flexible Retirement Policy, as part of its suite of Work Life Balance Policies, to facilitate staff with the opportunity to apply for a number of options to assist them in planning and managing their retirement from the Trust in the period leading up to their actual intended retirement date. The Trust does not operate a general retirement age for all staff, although it reserves the right to require an individual employee or group of employees to retire at a particular age where this is objectively justified in the particular circumstances of the case

1.1 Changes to the HSC Pension Scheme mean that the 'normal retirement age' (NRA) for benefits built up in the 2015 section of the Scheme is now equal to the member's state pension age. This means that many more of our workforce will have to work longer before they can access their full pension and whilst this presents opportunities, it is recognised that this will also be a challenge for individuals and organisations across health and social care (HSC).

1.2 Employees and Managers should regularly and at least annually discuss retirement plans (where appropriate) as part of formal performance review processes and service planning. Early and constructive two way discussions about intentions are essential to ensure a balance is struck between supporting employees to work longer whilst continuing to deliver safe and effective care and services to patients and clients.

1.3 Whilst an employee may be eligible to apply, any flexible or partial retirement requires managerial approval based on current and future service needs. In discussing retirement plans, Managers and staff must consider the impact this will have on the service and in doing so, discuss and record in full, the intentions of the employee including whether or not there is a clear indication of the date of final retirement from the service. Reasons why a plan is accepted / rejected must be recorded along with proposals to fill the gap.

1.4 In considering when to retire, individual members of staff should take into account the impact of the available options in relation to their pension benefits.

1.5 The following points should be noted:

- Members of the 1995 (protected) section of the Pension scheme are **not** eligible for 'Partial' retirement.
- Members of the 1995 section of the Pension Scheme can retire and take their pension between age 50 (55 for some members) and 75.
- Members of the 2008 section of the Pension Scheme can choose to retire between age 55 and 75.

- Members who retain "special class" status should note that they cannot contribute to the HSC Pension Scheme after age 65 unlike other members who, up to a maximum of 45 years, can contribute up to age 75.

- With regard to total number of years' service, a reduction in hours in the 1995 or 2008 sections of the Scheme will lead to a reduction in service calculated for pension purposes but full time equivalent pay will be used for the calculation of the pension. For example, if a member of staff works their last 6 years at half time, this will equate to three years full-time service for pension purposes.

- In the 2015 section of the Scheme, a reduction in hours will lead to a reduction in pensionable pay and will reduce the amount of pension accrued in those years where hours are reduced.

1.6 The Trust as an employer is cognisant of the potential impact working longer may have on our employees in terms of their physical and mental health and wellbeing, particularly those employees working in frontline and physically demanding roles. In providing the ability to flexibly retire, and with the potential to 'reshape' roles, it is expected that this Policy will encourage pro-active and live discussions between individuals and their managers which seek to support individual staff transition from employment to retirement.

1.7 The primary purpose of this Policy is to outline how the Trust intends to support employees to remain in work for longer, working productively and safely, whilst availing of flexible retirement options. This may include potentially accessing some of their HSC pension benefits, while preparing for final retirement from the service. This policy does not cover the process for 'at age' (final) retirement. For information on the 'final' retirement application process, please contact the HR Pay & Conditions team via the HR Portal on the BHSCT Intranet Loop at: http://intranet.belfasttrust.local/directorates/hr/Pages/HR%20Teams/Pay-and-conditons.aspx or by calling the HR Information Service (HRIS) on **028 9615 9615**.

1.8 This Policy does not purport to provide financial guidance to individuals and staff are advised to consider their options carefully and seek independent financial advice before taking any decisions which may affect their pension position.

1.9 Employees who wish to make an application under this Policy, and are members of the HSC Pension Scheme, should carefully consider their options and seek independent financial advice as necessary before making any decision which could affect their pension position. Employees should ensure that they read the HSC Pension Scheme Guide and liaise directly with the HSC Pension Service in relation to obtaining information on their entitlements and benefits. The information contained in the HSC Pension Scheme Guide regarding the provisions of the HSC Pension Scheme provides employees with an overview of the flexible working/retirement options available; it does not give a complete or legally binding statement of law and it should be noted that nothing in the Guide can override the HSC Pension Scheme Regulations.

1.10 All pension scheme guides and further information can be accessed via the HSC Pensions website at http://www.hscpensions.hscni.net/. In addition, Frequently Asked Questions (FAQ) relating to Retirement is at Appendix 12 of this policy along with a list of useful contacts for your further information. It is important that staff consider all of this information to help them make an informed decision.

1.11 This Policy covers all staff i.e. Agenda for Change and Medical and Dental staff. Please refer to the relevant terms and conditions accordingly.

1.12 While every effort will be made to facilitate individual applications under this Policy each application made will be considered in the context of workforce planning and service needs, consideration of labour market trends, skills shortages, job opportunities and career progression in the relevant profession or service area.

2.0 Reshaping of Roles

To support and facilitate partial retirement it may be beneficial to 'reshape' the role the employee currently undertakes. For example, it may be the case that an employee wishes to partially retire and reduce his/her working hours by 40% in an area where there are significant skills shortages. Rather than reject the application, it may be prudent to explore a changing role as part of the retirement plan so that the individual nearing retirement focuses on mentoring and coaching the next generation. Consideration should be given to changing/reshaping tasks where appropriate as long as they remain within the substantive banding at which the employee is paid and within overall service budgets. In all cases, early and detailed discussions should take place and any decisions recorded as part of the application process. It is expected that for most staff, partial retirement will have no impact on their actual role and reshaping may not be necessary.

Decisions will be taken based on the merit of each individual case at a point in time and in consideration of the timescales of overall final retirement plans of individuals concerned.

3.0 Objectives

3.1 The objectives of flexible retirement are to:

- Support our ageing workforce
- Retain skills and expertise within the Trust
- Give staff the opportunity to retire flexibly through a managed and phased approach in advance of their chosen date to exit the Trust.

4.0 Impact on Terms & Conditions of Service

4.1 Employees who partially retire will continue to be employed on current terms and conditions of service and rates of pay (pro rata).

4.2 Where employees are required to work on-call or are paid for unsocial hours enhancements for working in the evenings, weekends or public holidays, caution must be taken by employees to ensure their earnings remain at the reduced agreed level for at least 12 months as per HSC Pensions.

4.3 A reduction in hours to facilitate a reduction in annual pensionable earnings will be considered a permanent reduction in hours.

4.4 Employees who have partially retired and are considering the Voluntary Exit Scheme or any other HSC approved exit/retirement scheme, should note that any calculation of retirement benefits under an approved exit scheme will be based on retirement benefits accrued after partial retirement and any retirement benefits not taken on partial retirement.

4.5 Employees in receipt of long term protection of pay at the time of availing of partial retirement, should note that partial retirement will not impact on their protected rate of pay, which will be pro rata.

5.0 Important Considerations

5.1 If you have purchased additional pension, you will need to consider when this is taken when making an application for flexible retirement.

5.2 Employees may have different normal retirement ages (NRA) based on their membership of the 2008 and 2015 Schemes. If you apply for partial retirement before your NRA, your pension benefits will be reduced.

5.3 If you apply for partial retirement after NRA, your pension benefits may continue to accrue based on which Scheme you are a member of.

5.4 If your pensionable pay increases within 12 months of being reduced, you will cease to be entitled to receive the pension that you have chosen – this is referred to as abatement. Abatement may be applied when your pension is reduced because there has been a change in your re-shaped engagement/pensionable pay which takes it above 90% of the level/amount during the 12 month period ending on the day you opted to partially retire.

5.5 If as a result of a routine pay rise (i.e. progression on a pay scale) pensionable pay increases to more than 90% of the pay on which the decision to allow drawdown was assessed but the terms and conditions of a member's employment are otherwise unchanged, the pension is not abated. Full details can be found in the Scheme Guides available at: http://www.hscpensions.hscni.net/quick-links/scheme-guides/

5.6 Employees who apply for flexible retirement should carefully consider their options and seek independent financial advice as necessary, before making any decision which could affect their pension position.

5.7 Employees should ensure they read the HSC Pension scheme guide and ensure they liaise directly with the HSC Pension Service in relation to obtaining information on their

entitlements and benefits. Further information on the above can be found on the HSC Pension website which can be accessed at: http://www.hscpensions.hscni.net/
It is important that you read this information to help you make an informed decision.

6.0 Eligibility

6.1 All staff are eligible to apply for the flexible retirement options within the guidance and requirements of their respective scheme and this policy.

6.2 Active membership of the scheme falls under five areas;

i. 1995 protected
ii. 1995-2015 transitional
iii. 2008 protected
iv. 2008-2015 transitional
v. 2015

For guidance on which section of the HSC Pension Scheme you are a member of, the HSC decision tree chart is provided for convenience at Appendix 14 of this policy. Please see the HSC Pensions website for further information at ***http://www.hscpensions.hscni.net/quick-links/scheme-decision-trees/***

6.3 Flexible retirement options are available up until an individual fully retires and, where superannuable, avails of their full pension entitlement.

6.4 Individuals will have no entitlement to lift their full pension and continue working in a substantive post; however in exceptional circumstances at the time of retirement, the Trust may invite an individual to return to employment following retirement where there is a skills shortage.

6.5 Members of 2008 and 2015 schemes may be eligible to partially retire as detailed under option 3 of this policy.

7.0 Flexible Retirement Options

7.1 Option 1 – *Stepping Down*

Staff may like to consider **Stepping Down** into a less demanding role at a lower banding in the three years leading up to their intended retirement date as indicated on their application form. Staff should discuss their application with their Line Manager who will then consider if there are any suitable vacancies. The member of staff must meet the essential criteria for the post in question. Applications should be made via HRPTS through Employee Self Service using the following steps:

Step1: Click "Life and Work Events" to access the Application Form;
Step 2: In the section "Additional Services" click "Flexible Working Requests"

Staff members who have this option approved will have their existing contract amended accordingly.

The level of pensionable pay for the calculation of pension benefits for superannuable staff is dependent on the Pension Scheme Section of which they are a member (only applies to 1995 and 2008 sections) as set out below:

- **1995 section -** If a member has reached the minimum retirement age of 50 (or 55 for some members) and their pay is reduced by a minimum of 10% they can apply for their benefits up to the date of the change to be protected. The member must apply after 12 months and within 15 months of the date of reduction. Benefits are calculated on the basis of 1/80th of the best of the last three years' pensionable pay for each year of pensionable membership. Benefits accrued after the date of reduction will be calculated on the best of the last 3 years' pensionable pay at retirement.

- **2008 section -** If a member has reached the minimum retirement age of 55, they can consider moving towards retirement by switching to a less demanding role. The member's reckonable pay will still consider any higher earnings they may have had in the ten years prior to their retirement date. Benefits are calculated on the basis of 1/60th of annual average of the best three consecutive years' pensionable pay, in the last ten years.

7.2 Option 2 – *Reduction in Hours*

Staff may apply for a **Reduction in Hours** and work on a part-time basis within the three year period leading up to their intended retirement date. *This option is separate to the partial retirement (Option 3) as staff are not accessing their pension. Staff members who have this option approved, will have their existing contract amended accordingly.*

Applications should be made via HRPTS through Employee Self Service using the following steps:

Step1: Click "Life and Work Events" to access the Application Form;
Step 2: In the section "Additional Services" click "Flexible Working Requests"

The details set out above in relation to the impact of reduced hours, on future HSC pension or benefit entitlements should be noted and independent financial guidance should be sought in advance.

In relation to those staff members who wish to apply to reduce their hours for a period in excess of three years, the usual application for reduced hours under the Trust's Part Time Working Policy should be made. For more information please see page 67 of this policy.

7.3 Option 3 – *Partial Retirement*

Partial Retirement enables employees to gradually move from work to retirement. It should be noted that partial retirement is **not** available to members of the **1995** (protected) section of the scheme. Members of the 2008 and 2015 schemes can apply to partially retire from the service and receive some of their HSC Pension benefits while continuing to work within the HSC. Partial retirement will also apply to 1995-2015 transitional pension scheme members but it will only apply to the 2015 scheme element of their benefits

Employees can reduce their annual pensionable earnings by at least 10% for at least 12 months and apply for some of their pension benefits. This means employees can have a combination of earnings and HSC pension benefits for a transitional period working part-time before they finally retire. During the transitional period they can build up further pension benefits

The specific criteria are set out below (in accordance with HSC Pension regulations) that members must meet in order to make an application for partial retirement;

- Partial Retirement is available to current protected and transitional members of the 2008 section of the Scheme, 2015 Scheme members and transitional 1995-2015 members of the Scheme. Only benefits accrued in the 2015 section of the Scheme qualify for Partial Retirement for 1995-2015 Transitional members.

- An employee must have reached the minimum retirement age of 55 and have at least two years pensionable service.

- An employee's manager must have agreed a reduction in hours or a change to their working pattern that would result in at least a 10% reduction in their annual pensionable earnings for at least 12 months. HSC Pensions 'Calculators' to assist in this can be accessed at http://www.hscpensions.hscni.net/quick-links/calculators/

Partial Retirement can be applied for via the application form in appendix 11

7.4 Option 4 – *Bank Working Post Retirement*

Bank Working Post Retirement is an option available to staff who wish to transfer to a bank worker contract at the time of their retirement from the Trust - where one is operational in the Trust. Staff may choose to retire but remain on a bank contract of employment which means that they may be contacted to work during particularly busy periods.

Applications should be made via HRPTS through Employee Self Service using the following steps:

Step1: Click "Life and Work Events" to access the Application Form;
Step 2: In the section "Additional Services" click "Flexible Working Requests"

Bank working arrangements will be in line with the Trust's relevant Bank Policy Handbooks. Bank workers are not obliged to accept work when contacted and this arrangement may suit those who would like to work for short periods of time only. Bank workers should note that whilst they can accrue annual leave under the Working Time Regulations, they are not eligible for sick pay under this arrangement. Bank workers will be paid as appropriate to the bank post and will receive incremental progression only when 488 hours have been completed in any year.

- Individuals aged 60 or over who choose this arrangement and have retired from the Trust should note that bank working will not affect the pension paid by the HSC Pension Scheme. There must be at least a 24 hour break before returning back to employment and Bank Workers must work less than 16 hours per week in the first calendar month of HSC re-employment to avoid their pension being suspended.

- Individuals aged under 60, who hold Special Class Nursing Status or Mental Health Officer Status will have their pension reduced if they retire and return to work in the HSC and their new HSC earnings exceed the permitted to earn limit. This may also apply to members who retired before their Normal Retirement Age (NRA) without an actuarial reduction applied. The permitted to earn figure will be determined by the type of retirement taken and the date of that retirement. Staff members must contact the HSC Pension Service directly to find out what their permitted to earn figure is before their pension becomes affected. (Contact details are provided at the end of this Policy).

7.5 Retire and Return

Retire and Return aims to provide a framework to allow the Trust to provide short term service continuity by retaining and allowing the sharing of knowledge and skills of staff planning to retire and;

- Facilitates the retention of experienced staff/skills to enable knowledge transfers
- Provides a short term response to workforce supply challenges
- Supports the drive to reduce Agency reliance

- Provides a framework for fair and consistent application of Retire and Return practice.

  Retire and Return options may be considered by Management in cases:

  - Where posts are hard to fill* (that is where attempts to fill vacancies via normal recruitment channels have not been successful);
  - That have recognised workforce supply shortages;
  - Where there is an urgent service need for continuity of care/expertise.

  Retire and Return is intended to address short term skills gaps and service need and should not be used for long term recruitment or an alternative to flexible retirement. Retire and Return cannot be "applied for" by the employee but is intended as a management tool to allow skills to be retained on a short term basis only while long term arrangements are put in place.

  Applications for Retire and Return will be robustly considered and assessed for appropriateness by the Service Directorate and Human Resources & Organisational Development Directorate.

  Please note that individuals are advised to consider their options carefully and seek independent financial advice before taking any decisions which may affect their pension position. Employees should ensure that they read their own pension guidance and if they are a HSC Pension Scheme member, a HSC Pensions Scheme Guide is available on their website. HSC Pension members should liaise directly with the HSC Pension Service in relation to obtaining information on their entitlement and benefits.

7.5.1 Eligibility & Application Process for Retire and Return

Employees who intend to retire in the near future may be considered for Retire and Return **prior to their retirement date.**
The individual must have a discussion with their line manager to establish if they are interested in returning post retirement on a short-term basis. Following discussion and agreement, an application must be completed by line managers with the appropriate authorisation.

- Nursing /Midwifery staff intending to Retire and Return and want to apply to return to a band Nursing 5 role or a Band 6 Midwife role should indicate this as these posts continue to be defined as hard to fill.

  All other staff will have their application individually assessed with regard to the eligibility criteria and Management must provide evidence that the post is considered "hard to fill".

  Staff who have retired on an Ill Health basis may be eligible to apply in some cases with Occupational Health approval. Please see FAQs**

If the intention is to engage staff on an "as and when" basis they are not eligible to be considered for Retire and Return.

7.5.2 Approval process for Retire and Return

The application form (please see appendix 13) should be requested and completed by the Service Manager and authorised by the appropriate Co Director. All applications will be considered by Human Resources and assessed against the Retire and Return criteria as to whether the post is:

- hard to fill (that is where Managers can robustly demonstrate attempts to fill vacancies via normal recruitment channels that have not been successful) * and
- there is a service need for continuity of care/ transfer of skills and expertise

***Evidence demonstrating that steps taken to recruit were unsuccessful must be included in the application.**

7.5.3 Contracts of Employment for Retire and Return

Contracts will be temporary for a maximum of one year and will be on a set hours basis within the service (where there is no central bank in place). HR Pay & Conditions Team will monitor Retire and Return arrangements at month 11 and seek Director approval re extending same. Further information on terms of conditions are available within the employee Frequently Asked Questions.

Managers should note that employees on Retire and Return will be engaged on set weekly hours which will be entered onto HRPTS and paid until the agreed end date. Should there be a change to the arrangement, it is the Manager's responsibility to update HRPTS to ensure no overpayment or underpayment occurs. Overpayments will be managed in line with the Trust's Overpayment Policy.

Contractual Obligations and useful information:

- Employees will be engaged on a temporary fixed term contract with the Trust. At the agreed end date, payment will stop unless management have agreed a change authorised by Human Resources and the system updated accordingly.
- Employees must maintain their Professional Registration, abide by the Trust code of conduct, and adhere to their contractual obligations as normal.
- Employees will be assimilated onto the relevant point in scale based on continuous relevant service at the band deemed appropriate for the role they are undertaking.

- As per paragraph 12. 5 of the NHS Terms and Conditions Handbook, Annual leave entitlement will remain unchanged, but will be pro-rata based on the new contracted hours.
- Any pay protection which applied to the substantive post prior to retirement, will cease; payment will be made in accordance with the band and hours of the new Retire and Return post.
- Any service which accrued prior to retiring and which was considered for pension benefits, will not be considered reckonable for future redundancy entitlement. It is only service which accrues post-retirement which will be taken into account;
- Any voluntary salary deductions such as Trade Union fees, charitable donations, etc., will cease on retirement. Payroll Shared Service will reinstate these should this be necessary. The individual will be auto-enrolled into the NEST Pension Scheme, which is not affiliated to the HSC Pension Scheme. Further information on the NEST Pension Scheme can be found at https://www.nestpensions.org.uk/schemeweb/nest.html

7.5.4 Review and Extension of Retire and Return

In circumstances where the Retire and Return arrangement is agreed for less than one year, an extension may be requested for consideration by HR up to the maximum of one year.

Where the arrangement is in place for 12 months and the Service require an extension, **in exceptional circumstances only**, the one year maximum may be reviewed and extended with Service and HR Co-Director approval.

Appendix 9

Frequently Asked Questions (FAQ): Retire and Return

Employees who are **retiring from their post within the Trust** or **intending** to do so in the near future may be considered for an application to Retire and Return. Management must discuss with the employee and submit an application for retire and return prior to the retirement date. HR require 4 months notice of this. Restrictions may apply regarding working arrangements depending on the employee's retirement scheme.

How do I apply for Retire and Return?
Employees cannot initiate an application to Retire and Return. Alternative options such as flexible retirement are available to staff, and can be applied for using the WLB Flexible Working Arrangements, further information can be accessed on the Loop. Management should invite employees to Retire and Return only in cases where the eligibility requirements are met. This protocol is intended to facilitate manager's requests for the employee to return post-retirement on a short-term basis due to skills shortages and the potential impact on service provision.
Applications should be submitted by management in advance of the intended retirement date.

What does the preliminary discussion regarding my application for Retire and Return involve?
If your manager identifies that your post meets the requirements for Retire and Return, they will invite you to consider this option. Employees who are being considered for retire and return should seek independent advice regarding the potential impact this will have on their pension benefit. During the discussion, your manager may want to establish if you are willing to return to work following retirement, outline the role they wish you to undertake and agree the details such as a date to return the weekly hours and work pattern.

I am a Nurse/Midwife intending to Retire and Return and want to apply to return to a band Nursing 5 role or a Band 6 Midwife role. What is the process?
Firstly, discuss with your line manager. Management should indicate on the application form that you are intending to retire from a Band 5 Nursing or Band 6 or Midwifery post. There is a condensed application process for this group of staff which does not require Director authorisation as these posts are currently profiled as "hard to fill".

Are all Retire and Return applications approved?
HR will access applications as to whether they meet the eligibility criteria. This will include an assessment of whether the post is hard to fill (that is where robust evidence is provided to clearly demonstrate attempts to fill vacancies via normal recruitment channels and these have not been successful) OR that have recognised workforce supply shortages AND there is an urgent service need for continuity of care/ expertise.

The Trust has no obligation to grant approval, and no assurances will be given that this will be the case.

What options are open to me if I am not invited to Retire and Return?

Where an individual wishes to retire and continue to work part time in the Trust, they can:

- Apply for posts in open competition as per the normal recruitment process
- Request to join a bank (if one exists) within the current work area which can be joined at any point leading up to retirement.
- Apply for flexible retirement using the Work Life Balance Flexible Working Arrangements.

Can I Retire and Return immediately?
If you are an HSC Pension Member, pension regulations may mean that restrictions apply to how many hours can be worked to ensure your pension benefit is not affected. A short break may also have to be adhered to before taking up post retirement employment. Please refer to the HSC pension website for further information.

Do I have to return within a particular period of time?
Applications to Retire and Return should be submitted by management prior to your retirement date. Your start date should be applied for and mutually agreed prior to retirement.

Will my staff number change?
Yes. The staff number, which was allocated to your substantive post, will cease on retirement. You will be issued with a new staff number on commencement of your new post.

Can I return to full-time hours?
The Trust has no restrictions in place, however the hours of the return arrangements should be determined by management considering the needs of the Service.
HSC Pension Scheme Regulations apply to scheme members

What type of contract will I be engaged under?
If the application is successful, you will be issued with a fixed term contract for a maximum of one year. This will be on a set hours basis.
All temporary / fixed term contract holders are engaged under the relevant terms and conditions (AfC or Medical and Dental) and all relevant Trust policies and procedures apply.

If the intention is to engage staff on an "as and when" basis they are not eligible to be considered for Retire and Return. An application for a bank post must be made via the relevant channels outside of this protocol.

What if I have retired due to ill health?
If an employee retires via Ill Health Retirement, restrictions may apply. Management must explore this option along with Occupational Health. Such cases will be assessed on an individual basis.

Can I return at the same band or a lower band?
The purpose of the Retire and Return policy is to address short term gaps that will affect service provision and should not be used as an alternative to existing recruitment practices.

Where the service has identified a legitimate and urgent skills shortage, a retiring employee can be invited to return at the band appropriate to the duties being undertaken to meet the needs of the service.
This is determined by Management and the Service Co Director, however the employee **cannot** be engaged at a higher level that the banding of the post they are retiring from.

Can I be engaged in a new role / project based role?
In some circumstances, an employee can be engaged in this type of role but it must be justifiable. The Retire and Return policy is not an alternative to normal recruitment processes and should only be used to facilitate the transfer of skills up to a maximum of one year. In some cases a project based role may negate the need to fill the skills shortage for the short term period and can be considered appropriate for the retiree. Should a new or project role be created in order to meet the needs of the service, it must have an agreed Job Description and be banded appropriately.

Can I return on an as and when basis?
Staff wishing to join the bank/re-engage on an as and when basis should discuss this option with their manager but cannot be considered for Retire and Return.
The purpose of the Retire and Return protocol is to allow management to engage the retiree for a short term period following retirement if the service requires their skills in order to ensure adequate service provision. If the employee is unable to provide regular weekly hours or a regular working pattern due to work life balance considerations etc. there may be alternative i.e. agreeing a monthly amount of hours that must be worked over the four week period.

Managers Guidance on Applications for Retire and Return

Application forms types/process

There are two different application pathways:

- A condensed application form and process for Nursing and Midwifery staff applying to Retire and Return into Band 5 nursing and Band 6 Midwives roles;
- A standard application form and process for all other Retire and Return applications.

Please refer to flow chart for Retire and Return.

Managers may wish to contact HR for advice on how best to proceed applications in the event that employees:

- Are subject to disciplinary issues, either having a current or pending sanction(s) as identified in Trust Procedures and which are held by the Human Resources Department on an individual's personal file
- Undergoing a Trust investigation which may result in a disciplinary hearing being set up.
- Who are, or have been, subject to a referral/investigation by their regulatory body within the last year.
- Being managed under the Capability Policy or who is working to meet objectives relating to competency / performance/are retiring on ill health grounds.

Request for Decision Review:

- If the employee or manager s dissatisfied with the outcome of the application request provided by Senior Management, they can request a review of their application by the Co-Director or Director (whichever is applicable based on post).
- The application form will be reviewed and responded to within ten working days.
- The decision of the Co-Director / Director of Service is final.

Monitoring

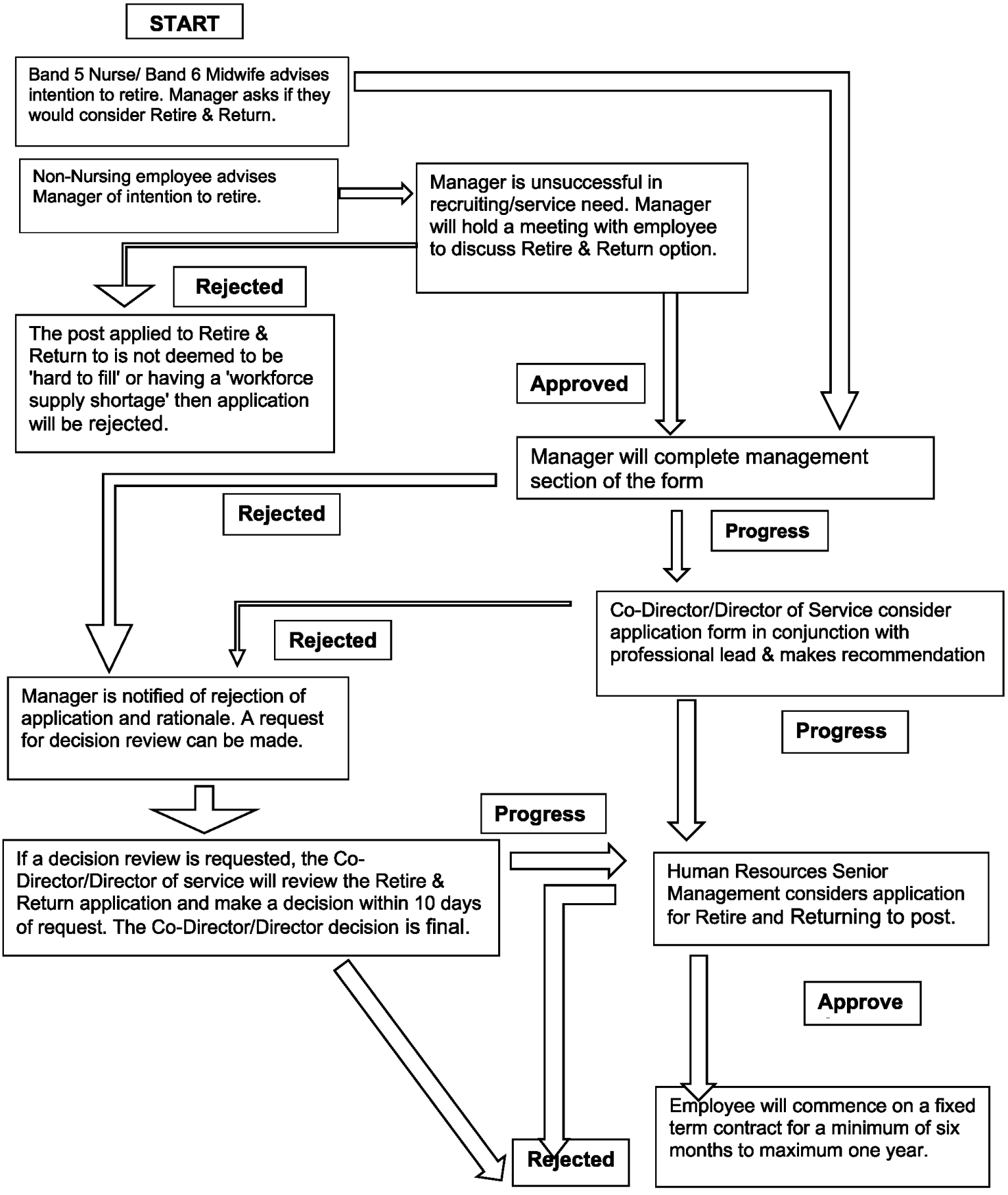
- Authorising managers and HR have a responsibility to review temporary contracts at month eleven, before they expire and, assess whether there is a need to continue with the contract, again based on service needs and the ability to recruit via normal channels at that time. If there is a continued need then the contract will be extended in very exceptional circumstances only. During this period, Managers should proactively continue to try and recruit to posts and or develop succession and workforce plans.

- It is the manager's responsibility to ensure the employees pay processing information is submitted to Human Resources in a timely manner to ensure pay is correct.

- Any amendments to the end date of a fixed term contract should be discussed and agreed with HR and the relevant paperwork submitted to ensure no overpayment or underpayment occurs.

Appendix 10

Retire & Return



Appendix 11

APPLICATION FORM - RETIRE AND RETURN

Please ensure you review the Policy and FAQs prior to completing application form.

To be completed by Management			
Details of the retiree:			
NAME		STAFF NO.	
SCHEDULED RETIREMENT DATE		BAND	
CURRENT ROLE/ JOB TITLE		LOCATION	
POST FOR CONSIDERATION TO RETIRE AND RETURN if different from current role.			
WARD/ SERVICE AREA		DEPARTMENT	
DIRECTORATE		PROFESSIONAL REGISTRATION	
NATIONAL INSURANCE NO.			
CURRENT HOURS OF WORK		Proposed hours POST RETIREMENT ^	

Please declare below if the employee is subject to any **current** Capability or Performance concerns, or Trust / Regulatory Body investigation or Disciplinary Process / sanctions		
Does the employee have a disability	Yes	No
Does the employee require reasonable adjustments for the role?		

Is this application for a band 5 nurse or band 6 midwife?		Yes		No	
SIGNATURE of Employee *		PRINT NAME		DATE	
Signature of Manager					
Signature of Co Director					

Management Section: to be completed by Service Manager (This section does not need to be completed for Band 5 nursing / Band 6 Midwifery posts)		
*If the proposed role is different to the current role please provide details below:		
1.	Does the individual meet the person specification of the post?	
2.	Are there recognised workforce supply shortages? If yes please provide evidence to justify	
3.	Is there an urgent service need for continuity of care/ expertise in order to meet safety/governance standards? If yes, please provide evidence to justify	
4.	Please confirm longer-term workforce / succession and service plans for the post and team and how the 'Retire and Return' request fits with this.	
5.	How does Retire and Return of the member of staff represent value for money?	
6.	Has the opportunity for Retire & Return been offered equally to all relevant staff within your service area?	*Please detail:*
7.	Are there any attendance concerns?	

For Completion by Service Co-Director

Do you approve this Retire and Return Request?

NO		Please advise employee and communicate rationale and review of decision process.
YES		I am satisfied and can justify the rational for recommending this request for approval. I have considered potential to attract adverse publicity and/or bring the Trust into disrepute. I will advise employee and communicate rational of the decision process.
If approved please detail below:		
Proposed start date of role		
Proposed end date (Maximum of 1 year only)		

Signature of Co-Director

Name:_____

Job Title: _____

Date: _____

Date request received by Pay & Conditions Team HR DEPT:
Senior HR Manager Recommendation: YES / NO **Human Resources Co-Director Approval: YES / NO** **Name: _____ Date: _____**

GUIDELINES FOR THE RE-ENGAGEMENT OF POST-RETIREMENT LOCUM CONSULTANTS

PURPOSE AND SCOPE

The Trust recognises there may be occasions when it is necessary to re-engage the services of a Consultant who is due to retire. This Guidance sets out the rationale for the re-engagement of a Consultant as a post-retirement Locum Consultant, the process for doing so and information relating to the HSC Pension Scheme.

RATIONALE FOR EMPLOYMENT OF POST-RETIREMENT LOCUM CONSULTANTS

The working assumption must always be that the Directorate will recruit a replacement for a retiring Consultant in line with the Trust's Recruitment and Selection Policy. It is expected that all possible methods of recruiting to the vacant post will have been considered, including International Recruitment initiatives, Trust and regional arrangements.

However, in circumstances where it is clear that the delivery of the service would be jeopardised by the loss of the individual, it may be necessary to ask an individual if they would be willing to re-engage in some capacity immediately following their retirement.

PROCESS FOR ENGAGEMENT OF POST-RETIREMENT LOCUM CONSULTANTS

In such circumstances, it is the role of the Service Director to assess the overall situation with regard to the clinical needs of the Service area. This will involve seeking the advice of the Service Co-Director and the Chair of Division to establish if there are alternative solutions, including (but not limited to):

- Trainees at the end of their training who are eligible to act up temporarily as per NIMDTA guidelines;
- Revision of existing job plans; and
- Appointment of Specialty Doctors or Specialist Nurses.

If no viable alternative can be found, the Service Director should also consider the following before proceeding with the re-engagement of a retiring Consultant:

- Consideration of the clinical need/ exigencies of the Service.
- The individual Consultant should possess the specific clinical skills which the Trust will find it difficult to replace in the short-term and by not re-engaging the individual there will be a detrimental impact on the Service.
- The individual's past work performance and conduct record.
- The health of the individual and an acceptable level of attendance (subject to requirements under the Disability Discrimination Act 1995).

- That the individual is medically fit to perform the role and has not been retired on the grounds of ill health (with or without an injury award).
- The impact of re-engaging retirees in preventing promotion or redevelopment opportunities for other staff, or the development of the overall workforce diversity profile.

Having considered all of the above, the Service Director may conclude that the only option is to ask the individual Consultant if they are willing to stay on in some capacity. The Service Director must agree with the Chair of Division and/ or Co-Director that the only viable option is the re-engagement of the retiring Consultant **prior** to offering the individual Consultant a fixed term appointment for up to 12 months.

The individual Consultant has the right to decline the re-engagement offer in which case their retirement from the Trust will be progressed in the usual way. For further advice and guidance on this, please contact Human Resources on 028 9615 9615. For those Consultants who accept, re-engagement must directly follow their retirement; failure to do so means the Consultant can only be re-employed through the Trust's normal Recruitment and Selection Policy.

The initial fixed-term arrangement can be reviewed and extended by mutual consent when considered essential to the Service. This arrangement should not be extended beyond 12 months without advice being sought from Medical HR due to potential implications under the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2002.

Once it has been agreed that an individual is to return as a post-retirement Locum Consultant, the Directorate Medical Workforce Lead will contact Medical HR (medicalhr@belfasttrust.hscni.net) in advance of the Consultant's retirement. Medical HR will issue new start paperwork to the Consultant for completion and undertake the necessary pre-employment checks, which may include Access NI, Occupational Health.

As post-retirement Locum Consultants are subject to job planning, a new job plan should be drawn up to confirm the initial PA allocation and any on-call allowance payable if applicable. The normal processes regarding job planning apply.

TERMS AND CONDITIONS OF SERVICE

In **all** circumstances, the post-retirement Locum Consultant will be employed under HSC Consultant Terms and Conditions of Service (Northern Ireland). No additional supplements or pay arrangements will be offered except were the work performed would attract specific pay arrangements, for example, Waiting List initiative payments if applicable.

A post-retirement Locum Consultant will be re-engaged at the point on scale which they left, in consideration of accrued service. It is important to note that any Clinical Excellence Awards cease to be paid upon retirement.

Furthermore, the normal standards regarding GMC registration, licence to practice and participation in appraisals, revalidation and job planning must be met throughout the employment period.

HSC PENSION

If the Consultant is a member of the HSC Pension Scheme, they will be required to retire from all pensionable posts in order to claim their pension. Additionally, the Consultant must not work for the first 24 hours of the retirement. Dependent on which pension scheme the Consultant is a member of, there may be limitations on the number of hours worked in the first month and the amount of money which can be earned following retirement. The individual should seek advice from HSC Pensions on 028 7131 9111 regarding these matters in advance of commencing as a post-retirement Locum Consultant.

It is important to note that Consultants retiring from the Trust do not have an automatic entitlement to be re-engaged as a post-retirement Locum Consultant and the Trust's decision with regards this process is final.

Appendix 12

Frequently Asked Questions (FAQ): Retirement

1. What is my Normal Retirement Age (NRA)?

- 1995 scheme members can retire without a reduction at age 60 (Members who hold Special Class Nursing status or Mental Health Officer status can retire at age 55).
- 2008 scheme members can retire without a reduction at age 65
- 2015 scheme members can retire at state pension age without a reduction.
- If you voluntarily retire before your NRA your benefits will be reduced. This is known as Voluntary Early Retirement (VER)

2. How is my pension calculated?

1995 scheme

- Your pension is calculated by using your Scaled Reckonable Service (taking account of any part time service) at retirement divided by 80 and then multiplied by best of your last 3 years Whole Time Equivalent (WTE) pensionable pay.
- Your Lump sum is 3 times the value of the pension
- (Service/80) x Pensionable Pay = Pension
- Pension x 3 = Lump Sum
- Members of the 1995 scheme who transfer to the 2015 scheme have a "final salary link" which means that the pensionable pay figure used to calculate your 1995 scheme benefits will be based on your pensionable salary at retirement and not at the point you transferred to the 2015 scheme.

2008 scheme

- Your pension is calculated by using your Scaled Reckonable Service (taking account of any part time service) at retirement divided by 60 and multiplied by the average of the best 3 consecutive years WTE pensionable pay in the last 10 years of Scheme membership (reckonable pay)
- There is no automatic lump sum in the 2008 section of the Scheme.
- (Service/60) x Reckonable Pay = Pension

2015 scheme

- Each year's pensionable earnings is divided by 54 and added to the pension pot which is revalued in line with inflation + 1.5% each year. Benefits from the 2015 Scheme do not use service but purely the amount of pensionable pay accrued each year.
- There is no automatic lump sum in the 2015 section of the Scheme.
- Converting Pension to an additional/one off lump sum
- An additional lump sum for 1995 members and a lump sum for 2008 or 2015 members can be bought by exchanging a proportion of your pension. For every £1 of annual pension exchanged you will receive £12 of tax free lump sum.
- Your pension is a taxable income. Your lump sum is tax free providing it does not exceed the Lifetime Allowance amount which is currently £257,500.

3. If I decide to work part time in my last few years prior to retirement, how will my pension/lump sum be affected?

- For 1995 and 2008 active scheme members, your service accrued for this period will be scaled accordingly.
- For example - 2 years working at 50% of your standard hours (18 ¾ hrs per week) will equate to 1 year service.
- Note – we always use the WTE pensionable pay figure at retirement, therefore your service will be less but the pensionable pay will be based on full time working (subject to the rules of calculating a WTE salary figure for part time staff receiving unsocial payments).
- For 2015 scheme members your pensionable pay will be less for the time you work part-time, and as a result the 1/54th of your earnings which is added to your pension amount will also be less.

4. How does returning to HSC work after retirement affect me?

Anyone returning to HSC work after receiving retirement benefits **must have *at least a 24 hours break* and work 16 hours or less for the first calendar month of re-employment.**

Staff who hold Special Class Nursing status or Mental Health Officer status and retire on or after age 55 and before age 60 will have their post retirement HSC Employment earnings monitored to ensure that the earnings plus their 1995 section pension does not exceed the pensionable earnings they received prior to retirement. If their earnings exceed the permitted to earn figure, their pension will be reduced or stopped until the earnings reduce. This is known as abatement.

5. How does Salary Sacrifice* affect my pension?

Salary sacrifice reduces your pensionable pay. Therefore;

- For 1995 members it could reduce the figure used to calculate your pension if it is in place in your last 3 years of pensionable employment.
- For 2008 members, if it is in place during the best 3 consecutive years pensionable pay used for pension calculations it will reduce your benefits
- For 2015 members, each year a member engages in a Salary Sacrifice will reduce the amount of pensionable pay used to establish the annual accrual of pension.

**Salary sacrifice is an alternative way of saving into a pension. You take a lower salary and the difference is paid into your pension by your employer. Both employer and employee pay lower National Insurance Contributions. Salary sacrifice can include e.g. Childcare Vouchers, travel type schemes such as Translink.*

6. Can I get an estimate of my pension?

You can request an estimate of your pension ***ONLY*** if you are ***within one year of retirement***. The 'Estimate Request Form' is available at http://www.hscpensions.hscni.net/request-an-estimate// which on completion should be sent to BSO Payroll Shared Service Centre by post or mail to: Payroll.ssc@hscni.net.

There are also calculators on the HSCPS website which you can use to estimate your benefits at retirement. These calculators can be very helpful if you want to explore different retirement dates or the impact of a bigger lump sum on your pension.

Please note, if you request more than 1 pension estimate within a calendar year, a £30 charge will be imposed.

7. What is an annual benefit statement (ABS)?

An ABS is a statement provided to members to show how their pension is accumulating at the end of each financial year.

Your ABS can be viewed online once you register for Member Self-Service (MSS). You can register for MSS at https://mypension.hscni.net/

8. What is the process for claiming my retirement benefits?

In all circumstances staff members should meet to discuss retirement options and agree a date with their line manager in the first instance.

If you are taking normal age or flexible* retirement (*for any option except '*Partial*'), then you must resign from your job and your line manager must submit a leaver form through HRPTS.
Parts 1 to 9 of the AW6 application form (HSC Pensions document) should be completed as required. The form can be requested from the HR Pay & Conditions team, or downloaded from HSC website http://www.hscpensions.hscni.net/pension-benefit-application//

Send the completed AW6 form to your HR Pay & Conditions Department ensuring you have included a copy of your birth certificate (*HR sometimes invite members to visit their office in person during the application process*). This should be done *at least 4 months in advance* of your proposed retirement date. HR then completes a section of the AW6 form and forwards it to Payroll Shared Service who will in turn complete a section and forward it to the HSC Pension Service.

NB: Please ensure you start this process at least 4 months in advance of your proposed final retirement date *or* at least 6 months if applying for partial retirement to ensure your pension benefits are paid on time.

Please remember the following:

- Be sure of your lump sum choice before completing part 6 of the AW6 form as HSC Pensions cannot change this once it is paid.
- Lump sum is paid as a one-off payment on a Friday following your retirement, usually before your monthly pension.
- Pension is paid monthly on the last banking day of the month.

(The following FAQs are specific to: Option 3 - Partial Retirement)

9. Is there a minimum amount or maximum amount of pension that I can apply for?

If you are partially retiring, you need to specify how much of your normal pension you wish to claim. There are minimum and maximum amounts of pension that you can apply for. The Partial Retirement Factsheet on the HSC Pension website provides the details.

10. **Can I get an estimate to enable me make a decision about Partial Retirement?**
You can request an estimate of your pension benefits payable by completing the Member Request for Pension Estimate form which can be accessed at: http://www.hscpensions.hscni.net/request-an-estimate/

11. **Can I convert part of my partial retirement pension for lump sum?**
It is possible to convert part of your partial retirement pension for a lump sum. You can apply for this when completing your AW6 which can be accessed at: http://www.hscpensions.hscni.net/pension-benefit-application/

12. **Can I give up part of my pension on partial retirement to provide benefits for someone else?**
No. But you can give up (or "allocate") part of the pension payable to you on final retirement.

13. **Are there any deadlines I need to be aware of?**
You can partially retire on the day you reduce your earnings. When applying for partial retirement you should be mindful that the process involves; your manager considering and agreeing to your request for a reduction in hours, HR confirming with Payroll that your earnings are reduced by the required 10% and HSC Pensions requiring 4 months to process pension benefits.

    It is therefore recommended that you give a total **minimum of six months' notice** when applying for partial retirement. See link to HSC online 'Calculators' at question 12 below.

14. **Can I still continue to pay into the HSC Pension Scheme after my partial retirement?**
You can continue to pay HSC Pension contributions on what remains on your pensionable earnings provided you have not reached the maximum pensionable service.

15. **Can I apply for promotion on either a temporary or permanent basis following my Partial Retirement?**
On agreeing a partial retirement arrangement which is applicable to your substantive post only, you have begun the process of planning for final retirement and your exit from the organisation. On that basis it is not expected that you would seek promotion. Staff are reminded that if your pensionable pay increases within 12 months of being reduced, you will cease to be entitled to receive the pension that you have chosen – this is referred to as abatement. Abatement may be applied when your pension is reduced because the re-employed salary and pension are more than the salary you received before claiming your pension. Full details can be found in the scheme guides available at: http://www.hscpensions.hscni.net/quick-links/scheme-guides/

16. **Can I work overtime or change my work pattern after I have taken Partial retirement?**
Overtime rates are only payable when staff work over full-time hours i.e. 37.5. As you will have reduced your hours to work part-time in order to partially retire, any extra hours

worked will be classed as additional hours. Staff should carefully consider the information provided at section 10 (Important Considerations) of the BHSCT Flexible Retirement Options policy before agreeing to work beyond agreed part-time hours. This includes the impact on earnings when working the same number of hours but being paid an 'unsocial' and higher rate for a different work pattern which affects earnings.

17. Can I make a further application for Partial Retirement at a later stage?

Yes, you can apply for partial retirement on a second and final occasion. You will be required to have a further 10% minimum reduction in earnings if you want to apply for partial retirement in the future. It should be noted that your intentions about your final retirement plans should form part of regular discussions with your Manager and at the earliest opportunity.

18. What happens on final retirement?

As part of your original application for partial retirement, you should have discussed your likely final retirement date. It should be noted that you are not required to commit to a final date of retirement. When you decide to fully retire, you must follow your organisation's process for retirement; this includes completing another "Application for Scheme Retirement Benefits" (Form AW6). Remember this application needs to be with HSC Pensions **4 months before your planned retirement.**

Your final pension will be based on any contributions you have made since your partial retirement (including any additional contributions you made, if applicable). It will also reflect any pensionable service that you didn't take on partial retirement.

19. What if something happens to me after partial retirement?

After partial retirement, you will be treated as a pensioner and partly as an active member of the pension scheme. This means that you will receive pension payments (and information about your annual pension increases) from HSC Pensions. HSC Pensions will continue to provide you with annual benefit statements covering the pension you are still building up.

Please note, that if you die in service or take ill health retirement after partial retirement, the benefits payable may be less than what would have been payable if you had not taken partial retirement. If you take ill health retirement, your pension will not be enhanced. Any lump sum payments due to death in service will take account of any lump sum paid when you drew benefits on partial retirement. Please refer to the partial retirement factsheet on the HSC pension Service website for more information.

20. How do I apply for partial retirement?

- All staff should refer to this Policy and HSC Pension scheme guides before making a decision to partially retire. If you are unsure about the impact of partial retirement, you may wish to seek independent financial advice.

- If staff wish to make an application, they should discuss their intentions with their manager in the first instance and complete the application.

- If the partial retirement (reduction in hours) is agreed, the form should be signed by your manager and then forwarded to HR. The HSC Pensions on-line calculators are available and can be used by all parties to ensure the required reduction of at least 10% in annual pensionable earnings has been met. Calculators can be accessed at;
  http://www.hscpensions.hscni.net/quick-links/calculators/

- Your manager will need to process the reduction of hours on HRPTS as a normal reduction in hours.

- The right to appeal will be in accordance with the Trist's Flexible Working Grievance Appeal Process.

- HR will forward the approved Partial Retirement application to Payroll Shared Services with the completed "Application for Pension Benefits" (AW6).

21. Can employees change their mind?

It is recognised that circumstances can change and any changes to your retirement plan should be discussed with your line manager as soon as possible.

It should be noted that ***at least 4 months' notice is required*** for Pension purposes to process a retirement application.

Further Information

HSC Pension Service
Waterside House
75 Duke Street
Londonderry
BT47 6FP

Email:
General pension queries *– hscpensions@hscni.net*
Member self-service, *to get an activation key or help to get started - mssqueries@hscni.net*
Queries as to the content of your ABS *- absqueries@hscni.net*

Twitter: @hscpensions
Telephone: Switchboard 028 71 319 111
Monday to Thursday: 9.00am to 4.00pm / Friday: 9.00am to 12.00pm

HR Pay and Conditions (BHSCT)
5th Floor, McKinney House
Musgrave Park Hospital
Stockman's Lane
Belfast
BT9 7JB

Telephone: 028 9615 9615
Email: HRenquiry@belfasttrust.hscni.net

HR Improving Working Lives (BHSCT)
4th Floor, McKinney House
Musgrave Park Hospital
Stockman's Lane
Belfast BT9 7JB

Telephone: 028 9615 9615
Email: HRenquiry@belfasttrust.hscni.net

Websites;
https://www.pensionsadvisoryservice.org.uk/about-pensions/retirement-choices/flexible-retirement

http://www.nhsemployers.org/your-workforce/pay-and-reward/pensions/pension-scheme-flexibilities

Appendix 13

Partial Retirement Application Form

Section 1 - Employee Section

You should discuss your wish to partially retire with your employer first and submit your partial retirement application form to your line manager. Your line manager should meet with you within 10 days of receipt of your application to discuss your request. If this is approved, your line manager and Pay and Conditions, Human Resources must complete sections of this form. Your manager must confirm that they have agreed a 10% reduction in

your pensionable earnings for at least 12 months. Please note this can only be availed of TWICE i.e. maximum of 2 applications.

Please fully complete Pages 1, 2, and 3 and return this form to Pay and Conditions, Human Resources so they can complete Pages 4 and 5.

Remember to:

- Use CAPITAL LETTERS,
- Sign and date the declaration on Page 3,
- Pass the form to your Pay and Conditions, Human Resources to complete pages 4 and 5.

Your Personal Details

Full Name	
D.O.B	
Staff Number	
Address	
NI Number	
Your Pension Scheme	2008 Section 2015 Scheme (delete as appropriate)
Telephone Number	
E-mail address	

Partial retirement and your job

To partially retire, you must reduce your hours or make changes to your working pattern in order to reduce your earnings by at least 10% for at least 12 months. This can be determined using the HSC Calculators which can be accessed at: http://www.hscpensions.hscni.net/quick-links/calculators/

After discussing this with your manager, provide the details of your job before and after partial retirement below.

Current contracted hours per week	Hours per week _____
Current work pattern i.e.: 24 hour rota, 9am-5pm or nights only	
Date you wish to commence partial retirement	

	_____/_____/_____
Contracted hours per week **after partial retirement**	
Work pattern i.e.: 24 hour rota, 9am-5pm or nights only **after partial retirement**	
This can only be availed of TWICE. Please provide details below of any previous partial retirement arrangements.	

Please complete the below;

1. I wish to claim ___% of my HSC Pension Benefits
2. I wish to claim ___% of my additional pension purchased*

(**Only applies if you have purchased additional pension benefits)*

Any pension you claim while you are still employed in a role covered by the HSC Pension Scheme arrangements may be subject to abatement.

Abatement is when your pension is reduced because your reshaped salary and your pension are more than the salary you received before claiming your pension.

Full details can be found in the scheme guides available at: http://www.hscpensions.hscni.net/quick-links/scheme-guides/

Your Declaration

- I have read the Policy on Flexible Retirement options
- I understand the effect that abatement may have on my HSC pension benefits.
- I want to change my current job as set out on Page 2 on the date shown and I am aware of the potential financial impact of partial retirement.
- I have discussed, and agreed, my partial retirement with my manager.
- There will be at least a 10% reduction in my pensionable earnings for at least 12 months.

Signature: _____

Print Name: _____

Job Title: _____ Date: _____/_____/_____

Section 2 - Employer 'Part 1'

(To be completed by the applicants' Manager)

As the manager, you must complete this section of the request, to confirm that you have agreed that your employee can partially retire, by reducing their annual pensionable earnings by at least 10% for at least 12 months. This can be determined using the HSC Calculators which can be accessed at http://www.hscpensions.hscni.net/quick-links/calculators/

Any discussions on role reshaping and plans regarding final retirement must be recorded. Please complete this page and forward this form with any additional documents to your organisation's HR Department along with the AW6 Pension Application Form.

Record of discussion on Reshaping and Final Retirement Plans where appropriate:

I confirm:

- The information provided above by the employee in relation to the change to their contracted working hours or working pattern are correct,
- I have completed the action on HRPTS or submitted the relevant form to the HR department for their action.

Signature: _____

Print Name: _____

Job Title: _____

Date: _____/_____/_____

Section 3 - Employer 'Part 2'

(To be completed by the HR Department)

As the HR Department you must complete this section of the application form, to confirm that this employee will reduce their pensionable earnings by at least 10% for at least 12 months from the effective date of their partial retirement.

By completing this form, the employer confirms:

- The details provided by the employee are correct,

- The member's annual pensionable earnings will be reduced by at least 10% for at least 12 months. This can be checked using the calculators which can be accessed at; http://www.hscpensions.hscni.net/quick-links/calculators/

- This application for partial retirement has been approved by the employer

Signature: _____

Print Name: _____

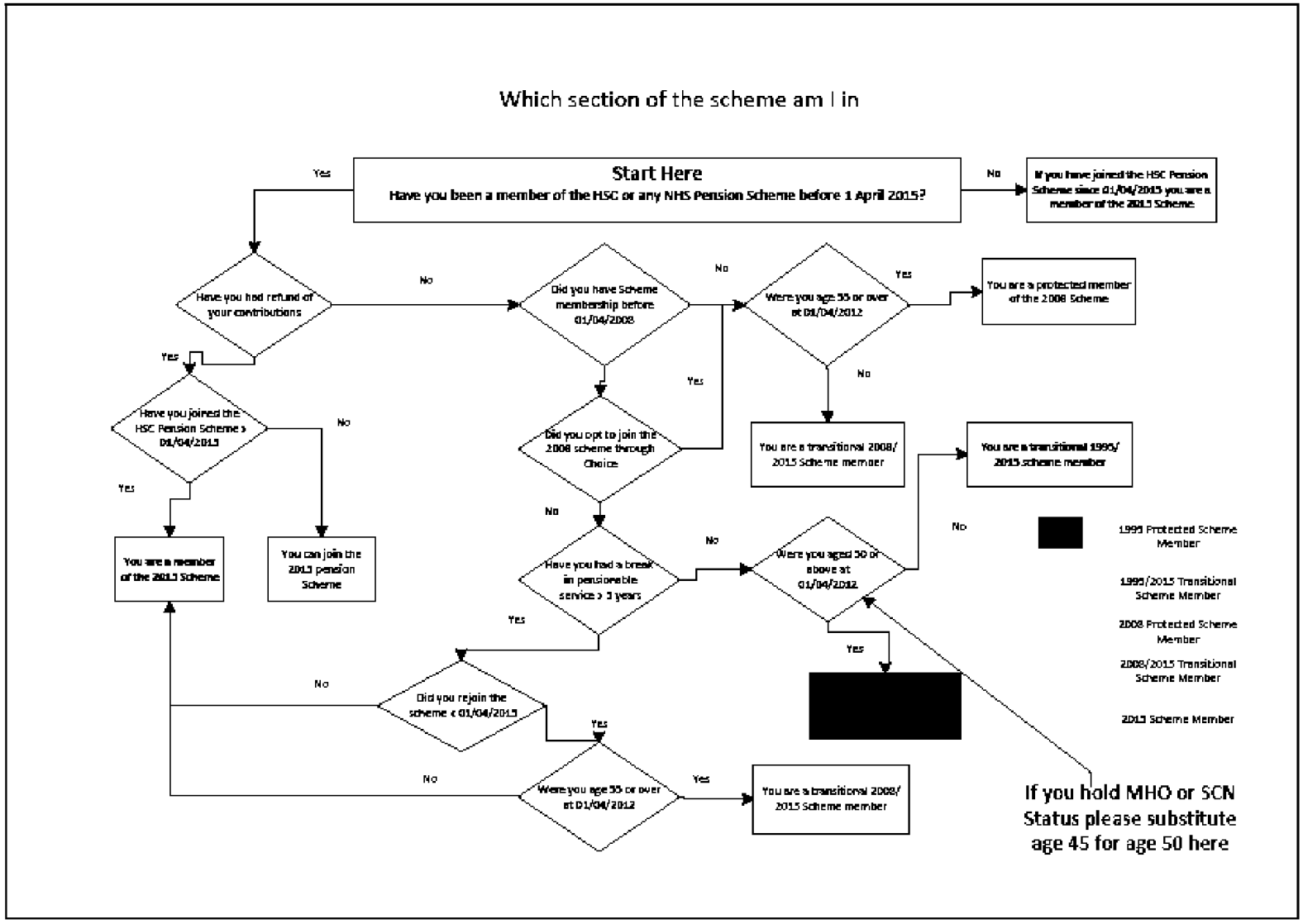
Job Title: _____

Date:_____/_____/_____

NB: Please forward the AW6 Form to PSSC

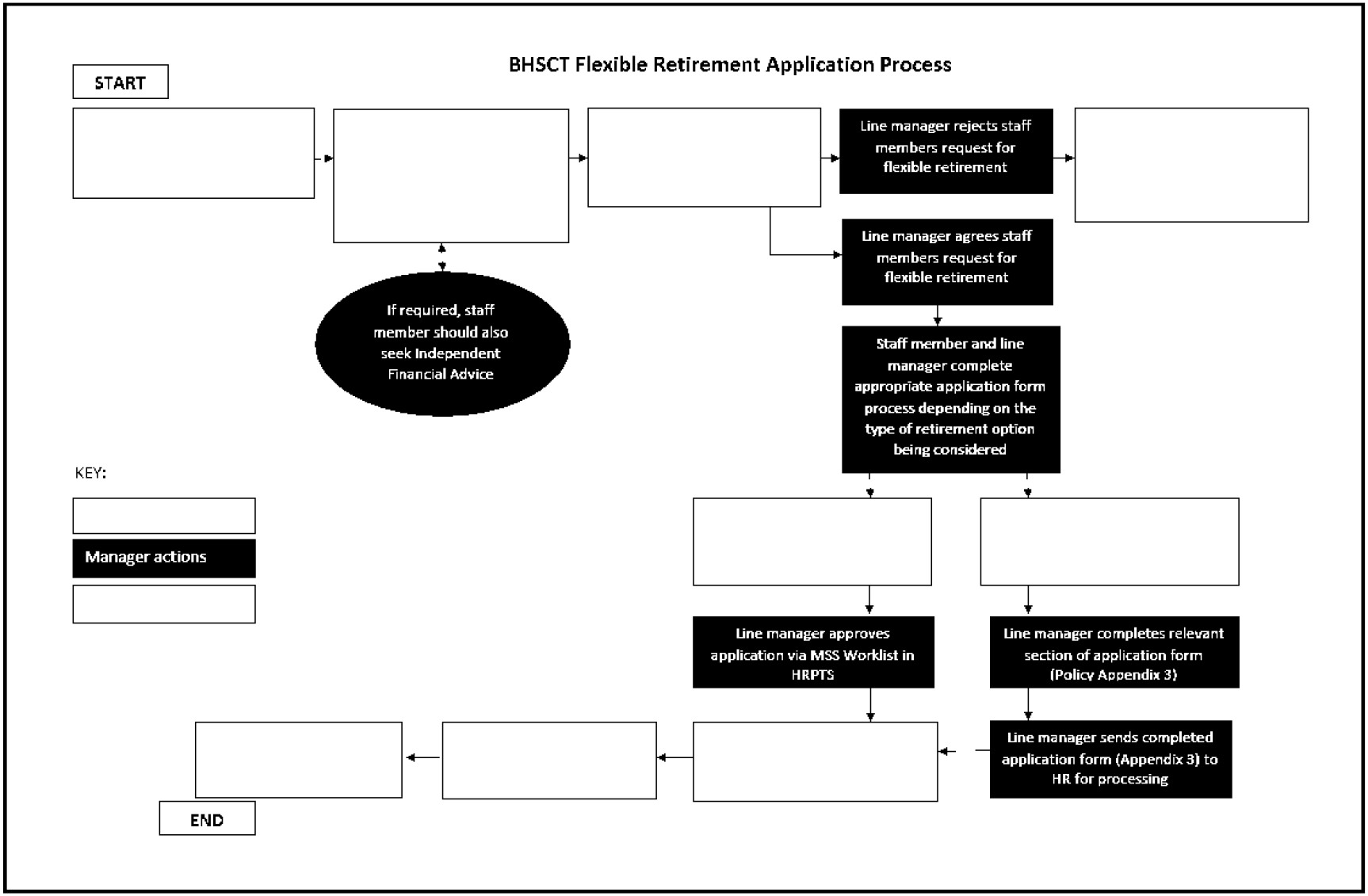
HSC Pension Scheme – Decision Tree

Appendix 14



‘At a Glance’ Application Process Flow Chart

Appendix 15



Appendix 16

Quick Guide – Options Table

The table below sets out some of the key aspects of retirement flexibility available to BHSCT staff depending on which section of the HSC Pension Scheme they are a member. Membership sections are; *1995 protected / 1995-2015 transitional / 2008 protected / 2008-2015 transitional / 2015.*

Key aspects of Flexible Retirement	**Pension Scheme Membership Sections**				
	1995	**1995-2015**	**2008**	**2008-2015**	**2015**
	available (✓) / not available (X)				
Stepping Down Refers to staff member 'stepping down' into a less demanding role at a ***lower banding*** in the three years leading up to the intended 'final' retirement date.	✓	✓	✓	✓	✓
Reduction in Hours Staff may apply to reduce their hours and work on a part-time basis within the three year period leading up to their intended 'final' retirement date. *NB: This option is separate to 'partial' retirement, as staff are not accessing pension.*	✓	✓	✓	✓	✓
Partial retirement Staff can reduce their annual pensionable earnings by a minimum of 10% for at least 12 mths and apply for some of their pension benefits. This means employees can have a combination of earnings and HSC pension benefits for a transitional period working part-time before they finally retire.	X	*✓	✓	✓	✓

During the transitional period they can build up further pension benefits. **** For 1995-2015 Transitional members - <u>Only benefits accrued in the 2015 section of the Scheme qualify for Partial Retirement</u>***					
Bank Working This is available <u>*only*</u> where a pre-existing bank is established, e.g. Nursing, Social Care. Staff may choose to retire but remain on a 'Bank' contract of employment which means that they may be contacted by the Trust to work during particularly busy periods. Bank workers should note; ➢ They are not obliged to accept work when contacted ➢ Annual leave can be accrued under the Working Time Regulations ➢ Not eligible for sick pay under this arrangement ➢ Will be paid as appropriate to the bank post ➢ Will receive incremental progression only after 488 hrs completed in any year. ➢ If aged over 60 - bank working will not affect the pension paid by the Scheme, but there must be at least a 24 hr break between retirement date and returning back to employment & must work less than 16 hrs/wk in the first calendar month of HSC re-employment to avoid pension being suspended. ➢ If aged under 60 - & hold Special Class Nursing or Mental Health Officer Status, pension will be reduced if they retire and return to work in the HSC and their new HSC earnings exceed the *'permitted to earn'** limit. This may also apply to members who retired before their Normal Retirement Age (NRA) without an actuarial reduction applied. The '*permitted to earn'* figure will be determined by the type and date of retirement taken.	✓	✓	✓	✓	✓

Staff members must contact the HSC Pension Service direct to find out what their 'permitted to earn' figure is before their pension becomes affected.

NB: Staff members who have a 'flexible' or 'partial' retirement option approved will have their existing contract amended accordingly.