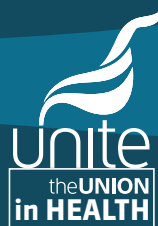


# Unite in Health Guidance: Flexible Working in the NHS



**You have the right to request to change your working hours and/or days**, and this is what is meant by flexible working. This includes part time, term time, weekends etc. You can learn more about this on the NHS Employers' website.

## **1. Do you have a Unite rep in your workplace?**

If so, contact them as soon as you know you want to make a flexible working request. They will be able to talk to you about it and what to expect from the process.

If you don't have a local rep, the information in this Unite in Health Guidance will help you.

**2. All employees with 26 weeks service or more can apply**, provided you have not applied in the last 12 months.

## **3. NHS employers must consider all requests and not unreasonably refuse them.**

This is covered under Section 34 of the NHS terms and conditions handbook, known as Agenda for Change. (<http://www.nhsemployers.org/tchandbook/part-5-equal-opportunities/section-34-flexible-working-arrangements> )

**4. All employers have a flexible working policy.** This will be located on your organisation's intranet site or can be requested from your Human Resources department.

## **5. The policy will usually have an application form for employees to complete.**

This is your formal written request for flexible working.

## **6. Your request should detail:**

- What you want your new arrangements to be.
- When you want your proposed arrangements to start
- Any previous requests for flexible working you have made.
- The reasons why you wish to change your arrangements
- Any impact this request would have in your area.

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7. **An employer can accept your request, or decline it for reasons such as:**
  - The burden of additional costs
  - The inability to reorganise work amongst existing staff
  - An inability to recruit additional staff
  - A detrimental impact on quality
  - A detrimental impact on performance
  - A detrimental effect on ability to meet customer demand
  - A planned structural change to the business
8. **Once your application has been received, the employer must:**
  - Give serious and objective consideration to your request
  - Meet with you ASAP to discuss your request
  - You are entitled to be accompanied by a work colleague or Unite rep.
9. **Your employer will then write to you outlining their response.**

These are likely to be:

  - Accept your request in full
  - Partially accept your request and offer alternatives which try to meet both parties' needs
  - Reject your request outlining their clear business reasons as to why and advise you of your right to appeal this decision
10. **If you are unhappy with the outcome, you have the right to appeal against the decision.** You should follow the procedure outlined in your employer's letter and flexible working policy. You have the right to be accompanied at the appeal meeting.
11. **The whole procedure must be completed within 3 months of your application being made.**

**For further information:**

[www.unitetheunion.org](http://www.unitetheunion.org)  
[www.nhsemployers.org](http://www.nhsemployers.org)  
[www.acas.org](http://www.acas.org)

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