

Work Life Balance Policy

1. Purpose

Monitor acknowledges that staff have responsibilities and commitments outside of work. Monitor will recognise these responsibilities and commitments, so far as is reasonably practicable in the context of Monitor's operational requirements, to better enable staff to balance their work and home lives.

This policy sets out a range of provisions designed to enable staff to take time away from work in extenuating personal or domestic circumstances, namely:

- a. Parental Leave
- b. Exceptional Leave
- c. Medical, Dental and Related Leave
- d. Flexible Working (parents and carers of adults in need of care)
- e. Flexible Working from Home

The leave described in this policy may be taken without loss of annual leave.

2. Scope

The rights and obligations set out in this policy apply equally to full time and part time employees on a substantive or fixed-term contract.

Such rights and obligations form part of your contract of employment and can only be amended in accordance with it.

a. PARENTAL LEAVE

1. Policy Statement

Parental leave provides you with the right to unpaid leave to look after your child or to make arrangements for your child's welfare. Parents can use parental leave to spend more time with their children and to strike a better balance between their work and family commitments.

2. Eligibility

Provided that you have had one year's continuous service with Monitor and you give

the correct notice, parental leave may be taken at any time up to the cut off point which applies to you, as follows:

- **Parents of children born after 15 December 1999** can take leave up to their child's 5th birthday.
- **Adoptive parents of children placed for adoption after 15 December 1999** can take leave up to the fifth anniversary of the date of placement (or the child's 18th birthday if that is sooner).
- **Parents of disabled children** from either of these categories can take leave up to their child's 18th birthday.

Parents of children born between 15 December 1994 and 14 December 1999 and adoptive parents of children placed for adoption between 15 December 1994 and 14 December 1999 are not eligible for parental leave in relation to those children or adopted children.

3. Parental leave duration

Eligible employees are entitled to 13 weeks' parental leave in total for each child. Parents of disabled children are entitled to a total of 18 weeks' parental leave.

Leave must be taken, generally, in blocks or multiples of one week with the exception of parents of disabled children who can take leave in blocks or multiples of one day. In all cases a **maximum of four weeks' parental leave in a year** can be taken in respect of any individual child.

Parental leave is for each eligible child, so if twins are born each parent will get 13 weeks' leave for each child (18 weeks' leave for parents of each disabled child).

Leave taken for a particular child at a previous employment will be deducted from the total leave entitlement for that child. References received from previous employers should therefore include periods of parental leave for the purpose of calculating the remaining leave entitlement. Monitor will then keep a running record of all parental leave taken.

4. Notification

You must give Monitor 28 days' notice of the date on which you intend to start taking parental leave.

The request for parental leave will be granted unless your absence would unduly disrupt Monitor's operations; in which case leave can be postponed to a mutually agreed date or to a suitable future period, but will not be postponed by more than six months from the requested start date. Monitor will confirm postponement arrangements (with reasons for the postponement) in writing no later than seven days after receipt of your notice to take leave.

Monitor cannot postpone parental leave sought immediately after the birth of the child or placement of an adopted child. However, to be eligible you must give 21 days' notice before the beginning of the expected week of childbirth. In the case of adoption, you must give 21 days' notice of the expected week of placement. In rare cases where this is not possible, an adoptive parent should give the notice as soon as is reasonably practicable.

5. Employee rights during parental leave

Your continuity of employment is preserved during agreed parental leave.

Your contractual holiday entitlement will continue to accrue during such leave. Whether or not you may carry forward any unused annual leave into the next annual leave year is at the discretion of Monitor.

During your parental leave, you have the option to continue to pay your employee contribution to your pension. If you choose to do so, Monitor will pay its employer contribution. If you choose not to make pension payments during this time, Monitor will not pay the employer contribution accordingly.

6. Returning to work

Where parental leave is taken for a period of four weeks or less you are guaranteed the right to return to the same job.

b. EXCEPTIONAL LEAVE

1. Policy statement

You have the right to exceptional leave, often at short notice, to deal with certain unexpected events or sudden emergencies involving a dependant and to make any necessary longer term arrangements. In most cases, such leave will be unpaid, but Monitor will exercise its discretion in this respect on a case by case basis.

2. Eligibility

All Monitor employees are entitled to time off for dependants. The right enables you to time off in the following situations:

- (i) **to deal with the death of a dependant** - you may take time off to make funeral arrangements, as well as to attend a funeral. If the funeral is overseas, then you will need to agree a length of absence which is reasonable in these circumstances with Monitor;
- (ii) **if a dependant falls ill, or has been injured or assaulted** - the illness or injury need not necessarily be serious or life-threatening, and includes both mental and physical illness;
- (iii) **when a dependant is having a baby;**

- (iv) **to make longer term care arrangements for a dependant who is ill or injured** - for example, to employ a temporary carer or to take a sick child to stay with relatives;
- (v) **to deal with an unexpected disruption or breakdown of care arrangements for a dependant** – for example, a childminder or nurse may fail to turn up as arranged;
- (vi) **to deal with an unexpected incident involving your child during school hours** – for example, if your child has been involved in a fight, is distressed, has been injured on a school trip or is being suspended from school.

A dependant is defined as an employee's:

- parent
- wife, husband or partner
- child
- someone who lives as part of the family, for whom the employee is the main carer.

In the case of sickness or injury, or where care arrangements break down, a dependant may also be someone who reasonably relies on you for assistance.

A dependant does not include tenants or boarders living in the family home, or someone who lives in the household as an employee, such as a live-in housekeeper.

Requests for time off to deal with emergencies or other matters which are not covered in the above examples (i) to (vi) must be discussed and determined between you and your line manager.

3. Leave duration

As part of being a flexible and responsive employer, Monitor does not specify the length of exceptional leave you are entitled to in each situation of family emergency. Your statutory right is to unpaid leave, of a short duration, in the event of family emergencies. However, Monitor retains its discretion to grant (in place of your statutory right to unpaid leave) up to 3 days paid leave in certain situations within the above categories (i)-(vi) (as appropriate), and to grant paid leave of a longer duration in exceptional circumstances.

The right to time off in this policy is for unexpected matters. If you know in advance that you are going to need time off, you should ask for **annual leave** in the usual way. Or, if the reason for leave relates to your child you may be entitled to **parental leave**.

As exceptional leave covers unforeseen events and emergencies, Monitor does not limit the number of times you can be absent from work under this right.

4. Notification

You must tell Monitor, as soon as practicable, the reason for your absence and how long you expect to be away from work.

5 Employee rights during leave

Your rights in this policy do not include an entitlement to pay; pay during exceptional leave is at Monitor's discretion. You have the right to take the leave as annual leave, where you have days of annual leave owing.

c. MEDICAL, DENTAL AND RELATED LEAVE

Monitor recognises that staff must be able to obtain medical services as needed.

Planned doctor, dental or optical appointments should be arranged outside working hours or, where this is not possible, appointments should be arranged so as to cause as little disruption to work as possible (for example appointments made at the beginning or end of the working day may be less disruptive). Staff may be expected to make up lost time by working additional hours at another time. Where hospital appointments have to be made in work time there is no requirement to make up time.

Please inform your line manager of appointments in advance. Where the appointment is of a routine, non-urgent nature, Monitor has the discretion to ask you to change the appointment time if the original time would cause disruption to work.

d. FLEXIBLE WORKING (parents and carers of adults in need of care)

1. Policy statement

Monitor is committed to helping working parents. Parents of children aged under 17 or disabled children aged under 18 have the right to apply to work flexibly. Employees who have responsibility for adults in need of care also have the right to apply to work flexibly. Monitor will consider all such requests carefully and responsibly.

The right to apply to work flexibly does not provide an *automatic* right to work flexibly as there may be circumstances when Monitor is unable to accommodate your desired work pattern. The right is designed to accommodate the needs of both employees who are parents/carers and those of Monitor, and aims to facilitate discussion and encourage both you and Monitor to consider flexible working patterns and to find a solution that suits both parties. You have a responsibility to think carefully about your desired working pattern when making an application, and Monitor will follow a specific procedure to ensure requests are appropriately considered.

2. Eligibility

In order to be entitled to make a request for flexible working arrangements you will:

- have worked with Monitor continuously for at least 26 weeks on the date at which you make your application;
- not be an agency worker; and
- not have made another application to work flexibly under the right during the past twelve months; and:

(a) in the case of an application relating to care of a child:

- have a child under 17, or under 18 in the case of a disabled child;
- be either
 - the child's mother, father, adoptive parent, guardian or foster parent, or
 - married to or the partner of the child's mother, father, adoptive parent, guardian or foster parent;
- make the application before the child's 17th birthday or 18th birthday in the case of a disabled child;
- have or expect to have responsibility for the child's upbringing;
- be making the application to enable you to care for the child;

(b) in the case of an application relating to care of an adult:

- be caring or expect to be caring for an adult over the age of 18 who is in need or care and who is either your spouse or partner or civil partner, or a relative*, or a person living at your address.

* You are a relative of the adult if you are the mother, father, adopter, guardian, parent-in-law, step parent, son, step son, daughter, step-daughter, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, uncle, aunt or grandparent of the adult whether by adoption or whether related by full-blood or half-blood.

3. Type of change

Eligible employees will be able to request:

- a change to the hours they work;
- a change to the times when they are required to work;
- home working.

This includes working patterns such as annualised hours, compressed hours, flexitime, job-sharing, self-rostering, shift working, staggered hours and term-time working.

4. Application Process

The procedure is as follows:

- (i) You submit your considered application* in writing to Monitor.

You may make one application each year under the right, and accepted applications will mean a **permanent** change to your terms and conditions of employment unless otherwise agreed. It is important therefore that, before making an application, you give careful consideration to which working pattern will help you best fulfil your care responsibilities; and any effects change may have on Monitor's business and how these might be accommodated.

- (ii) Within **28 days** of receiving the request, Monitor will arrange to meet you to discuss your application.

This provides Monitor and you with the opportunity to explore the proposed work pattern in depth, and to discuss how it might best be accommodated. It also provides an opportunity to consider other alternative working patterns should there be problems in accommodating the work pattern requested in your application. You have the right to be accompanied at this meeting by a colleague.

- (ii) Within **14 days** from the date of the meeting Monitor will write to you to either agree to a new work pattern and a start date; or to provide clear business grounds with reasons as to why the application cannot be accepted.
- (iii) If your application is refused you may appeal against the decision by writing to Monitor within 14 days of the decision setting out your grounds for appeal*.

[A flow chart of the application process is set out at the Annex to this policy.]

The above mentioned time periods can be extended by agreement.

*forms are available on the intranet.

5. Employee rights and obligations

If agreed, your new working patterns will become part of your employment contract and may not be changed again unless agreed by Monitor.

Employees working flexibly continue to be subject to the Code of Conduct Policy and may not carry out any business or employment not connected with Monitor during or outside working hours without permission.

For further flexible working rights applicable to all employees regardless of term of service, age of children, or whether or not the employee is a parent or carer see the **Flexible Working From Home** provisions below.

e. FLEXIBLE WORKING FROM HOME

1. Policy Statement

This policy sets out possible arrangements and considerations that may allow staff to work from home, and the procedures staff most follow to make such requests.

Monitor is committed to providing an environment where staff have the discretion and flexibility to work from home.

In doing so Monitor seeks to:

- demonstrate it can operate modern employment practices;
- acknowledge flexible working is important to staff;
- recognise flexible working can increase productivity and create a happy workforce;
- minimise rules and simplify request and authorisation procedures for flexible working arrangements;
- show it has trust in staff to act responsibly and professionally;
- use flexible working as a recruitment and retention tool as necessary.

2. Eligibility

This policy applies to all staff employed by Monitor on a contract of employment, and to all secondees.

3. Working from home - principles to consider

The following principles are relevant to the operation and applicability of this policy:

- delivery of Monitor's business needs is paramount;
- some roles and tasks lend themselves to home working more easily than others;
- IT systems accessed at home need to be secure and robust;
- consistency and fairness must operate across the organisation;
- no additional burden is placed on other staff to provide extra cover;
- sufficient staffing levels on site throughout the working week are maintained;
- Health and Safety requirements are observed; and
- cost implications are minimal.

It will be important for line managers to have a consistent and fair approach in considering requests for flexi-working from home. However, a manager does have the right to refuse such requests, and in doing so will take into account the above principles, along with the following factors:

- current business needs;
- availability of other staff;
- the reason for working at home;

- the urgency of the work to be undertaken;
- the performance of the individual.

4. Working from home – categories and form of request

a) Occasional Home Working

Occasional working from home is an informal and ad hoc arrangement. You are not necessarily linked to the email system when at home, but must be contactable by telephone, and your office extension must be transferred to your home telephone number or mobile telephone number. The type of work you may be doing is reading and/or writing papers or reports. You may borrow a laptop with remote capability from the laptop pool, or in some situations may agree access via home PCs to support home working. Some possible reasons for occasional home working may include:

- you need peace and quiet away from the office to deliver on an urgent piece of work;
- you may have a short personal appointment near home, for example doctor or Dentist;
- you may have a domestic appointment, for example a boiler repair;
- you may want to redirect the energy of a long commute into working;
- you may need to re-energise after working long hours, for example, returning home late from a business meeting; or
- it may be sensible to work at home prior to or after a trust visit or external meeting.

Making a Request – occasional home working

Requests to work occasionally from home (on an ad hoc basis) should be made direct to your line manager who has the authority to approve or not approve.

b) Regular Home Working

Regular home working is a formal arrangement where you spend less than 55% of your working week at home, or you have a regular pattern of working from home, for example one day a week, once a month. Subject to the frequency of the home working, it is likely you will have a dedicated lap top with remote access capability which you will use in the office and when working at home. Some possible reasons for regular home working are:

- domestic situation – principal caring responsibilities;
- undergoing a series of medical treatment; or
- long commute to and from office (other part of the country).

Making a Request – regular home working

If you wish to make a request for regular home working you need in the first instance to discuss the request with your line manager and seek their support. Because your request may necessitate a change to your contract of employment, your request needs to be handled in a formal way. Following discussion with and support of your

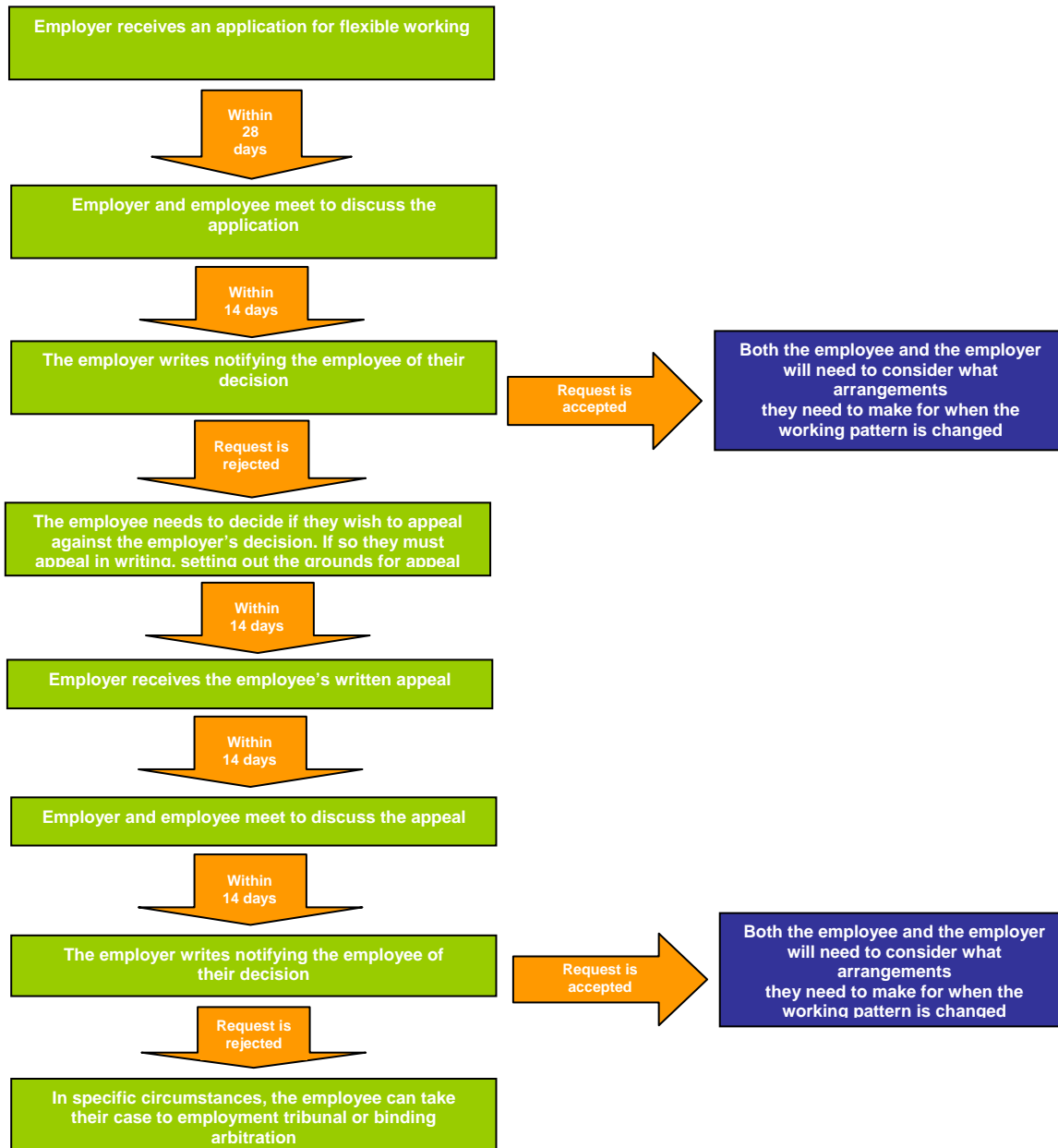
line manager, you must submit a short business case to your Director or Head of Department, sending a copy to Human Resources. Your request will be considered by the SMT to ensure consistency and fairness. Your line manager will advise you of the decision.

c) Working Hours and Patterns - requesting a change to contractual arrangements

If you wish to request a reduction or change in your contractual hours to your start and finish times and/or working pattern you will need, in the first instance, to discuss the request with your line manager and seek their support. Because this may necessitate a change to your contract of employment, this request needs to be handled in a formal way. Following discussion with and support of your line manager, you must submit a short business case to your Director or Head of Department, sending a copy to Human Resources. The Director or Head of Department and Human Resources will consider the request and respond formally to you.

Annex A

Flexible Working – The right to request and the duty to consider



**MONITOR - Flexible working
Application Form – for use by employee**

Notes:

- This form is only for applications under section 80F of the Employment Rights Act 1996 i.e. for use by employees who have a *legal right* to apply for flexible working.
- Please type in the relevant information and delete options in square brackets that don't apply. When complete, please print off the form, sign it and return to the **Director of Human Resources**.
- It will help Monitor to consider your request if you provide as much information as you can about your desired working pattern. It's important that you complete all the questions as otherwise your application could be treated as withdrawn.
- It may take up to 12 weeks to fully consider a request before it can be implemented and possibly longer where difficulties arise. Please therefore submit your application well in advance of the date you wish the work pattern to take effect.

1. PERSONAL DETAILS

Name:

Directorate:

Team:

Manager:

2. REQUEST

This is a request to work flexibly under section 80F of the Employment Rights Act 1996 (statutory right to request employment contract variation).

3. ELIGIBILITY

I confirm that I have worked continuously as an employee of Monitor for the last 26 weeks and that I have not made a request to work flexibly under section 80F of the Employment Rights Act 1996 during the last 12 months.

Either

I have responsibility for the upbringing of [a child under the age of six] [a disabled child under the age of 18] and I am:

- the [mother][father][adopter][guardian][special guardian][foster parent] of the child];
- or [married to][the partner of][the civil partner of] the child's [mother][father][adopter][guardian][special guardian][foster parent].

I am making this application to help me care for the child.

Or

I am or expect to be caring for an adult who is or will need care and I am:

- the [spouse][partner][civil partner][relative] of the adult;
- or [living at the same address as the adult, but I am not the spouse, partner, civil partner or relative of that adult]

I am making this application to help me care for the adult.

4. DESCRIPTION OF WORK PATTERN

4.1 My current working pattern is (days/hours/times/place):

4.2 My requested working pattern is (days/hours/times/place):

4.3 My requested working pattern will help me with my care responsibilities in the following way/s:

5. IMPACT ASSESSMENT

5.1 In my view, my requested working pattern will affect Monitor and my colleagues in the following ways:

5.2 I think the effect of the change in my working pattern could be dealt with by:

6. SIGNATURE & DATES

6.1 I would like my requested working pattern to commence from:

6.2 Signed:

6.3 Date:

MONITOR - Flexible working

Application appeal letter template – for use by employees

Notes:

- This template is only for use in relation to flexible working applications under section 80F of the Employment Rights Act 1996 i.e. where you have applied pursuant to your legal right to do so.
- You must submit your appeal letter within **14 days** of receiving written notice from Monitor that your application for flexible working was rejected.
- Under the law, your appeal must be in writing, be dated and must set out the grounds of your appeal.

Form of words for letter of appeal

“[insert date]

Dear [Director of Human Resources],

Re: Flexible Working Application

I wish to appeal against Monitor’s decision to refuse my application for flexible working as notified to me by letter dated [insert date].

This is an appeal under regulations 6 and 7 of the Flexible Working (Procedural Requirements) Regulations 2002.

I am appealing on the following grounds:

[insert details].

[I look forward to either being notified that my appeal has been upheld and that my flexible working is approved or meeting with the appeals panel to discuss my appeal.]

Regards...’