

## Working Time Regulations Policy

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# Lincolnshire Community Health Services NHS Trust

## Working Time Regulations Policy

### Version Control Sheet

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1				
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4	Whole Document	Updated Chair and Equality & Human Rights Lead, HR address and Equality Analysis. Doctors in training exempt and notification of leave process	August 2016	Sophie Powell

## Lincolnshire Community Health Services NHS Trust Working Time Regulations Policy

### Policy Statement

<b>Background</b>	The aim of this policy is to implement a co-ordinated and uniform approach to ensure that the Trust complies with the requirements of the Working Time Regulations, by protecting the Health and Safety of Staff from the risks of working excessive hours.
<b>Statement</b>	<p>The organisation supports the enhancement of a work-life balance for all staff where it is important to promote consistency and equality, ensuring that there is no discrimination or inequity which may affect one group to benefit less than other groups.</p> <p>The Working Time Regulations 1998 lay down minimum conditions relating to weekly working time, rest entitlements, annual leave and makes special provision for working hours and health assessments for night workers. The regulations also implement provisions of the Young Workers Directive that relate to working time for adolescents between school leaving age and 18.</p> <p>Working hours will be monitored in line with this policy so as to ensure that all staff have consistent and equal entitlements and suffer no detriment because they have exercised their rights under the Working Time Regulations.</p>
<b>Responsibilities</b>	<p>Managers must ensure that individual needs are balanced with service needs and ensure there is an agreed and clearly understood local protocol.</p> <p>Compliance with the policy will be the responsibility of all staff.</p>
<b>Training</b>	Policy Workshops
<b>Dissemination</b>	Website
<b>Resource implication</b>	The Working Time Directive is an important aspect of the staffing budget and the necessity to be able to provide cover needs to be taken into account when determining establishment and in workforce planning.
<b>Equality &amp; Diversity Statement</b>	This policy aims to meet the requirements of the Equality Act 2010 and ensure that no employee receives less favourable treatment on the grounds of gender, sexual orientation, transgender, civil partnership/marital status, appearance, race, nationality, ethnic or national origins, religion/belief or no religion/belief, disability, age, carer, pregnancy or maternity, social status or trade union membership

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# Lincolnshire Community Health Services NHS Trust

## Working Time Regulations Policy

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# **Lincolnshire Community Health Services NHS Trust**

## **Working Time Regulations Policy**

### **INTRODUCTION**

The Trust regards its employees as its most valuable asset and the Trust is committed to managing the health and safety of staff and monitoring their working hours.

This policy takes account of DTI guidance "A Guide to Working Time Regulations", and the NHS Agenda for Change Handbook (Section 27).

The Working Time Regulations 1998 lay down minimum conditions relating to weekly working time, rest entitlements, annual leave and makes special provision for working hours and health assessments for night workers. The regulations also implement provisions of the Young Workers Directive that relate to working time for adolescents between school leaving age and 18.

The Regulations impose responsibilities on both managers and staff to ensure working time conditions and safe working arrangements are observed. The Regulations are complex and this Policy is only an overview of some of the main subjects to help managers and employees with the implementation of the Regulations.

The policy should be applied fairly without discrimination in respects to age, disability, race, nationality, ethnic or national origin, gender, religion, beliefs, sexual orientation, HIV status, gender reassignment, or trade union membership.

### **AIM AND SCOPE**

The aim of this policy is to ensure that the Trust complies with the requirements of the Working Time Regulations, by protecting the Health and Safety of Staff from the risks of working excessive hours.

The policy applies to all Trust staff (including temporary and bank staff).

No member of staff will suffer any detriment because they have exercised their rights under the Working Time Regulations.

### **DEFINITION OF WORKING TIME**

"Working Time" is defined as when a staff member is working, at their employer's disposal and carrying out their activity or duties. For staff "on-call" away from their place of work working time only occurs whilst they are responding to a call (including giving telephone advice and travelling time to and from the, workplace if necessary). Staff who are requested to "sleep-in" at their place of work will be considered to be working for the purposes of working time.

Doctors in training are excluded from the provisions of this agreement.

## **SPECIAL DAILY AND WEEKLY WORKING TIME LIMITS**

### **Young Workers**

Definitions: - A young person is anyone under eighteen years of age.  
A child is anyone who has not yet reached the official age at which they may leave school.  
A young worker is below 18 years of age and above the minimum school leaving age.

Young workers may not ordinarily work more than:

- 8 hours a day
- 40 hours a week

These hours worked cannot be averaged out and there is no opt-out available.

Young workers are entitled to two days off each week.

They may work longer hours where it is necessary to either:

- maintain continuity of service or production, or
- respond to a surge in demand for a service

and provided that

- there is no adult available to perform the task
- the training needs of the young worker are not adversely affected

Young workers should not ordinarily work at night unless:

- they are employed in hospitals or similar establishments
- there is no adult available to perform the task
- they are allowed an equivalent period of compensatory rest,
- and, they are adequately supervised where necessary for their protection

## **MAXIMUM WEEKLY WORKING TIME LIMIT**

### **48 Hour Limit**

No staff member shall work over an average of 48 hours per week, unless he/she agrees in writing to do so (see Section Agreeing to Work over the 48 Hour Average)<sup>†</sup>

<sup>†</sup> The European Commission is reviewing the UK's right to retain the opt-out agreement; however, at the time this policy is being written, there is no foreseeable end to the opt-out arrangement. The policy will be amended when and if such changes are made.

This is a purely voluntary agreement on the part of the staff member and no pressure should be placed on an employee to sign or to work over 48 hours if they do not wish to do so.

### **Reference period**

The period over which average working hours are to be calculated shall be a rolling period of 17 weeks for Trust staff (To calculate average hours, see Appendix 1). In exceptional circumstances workers and employers can agree to calculate the average weekly working time over a period of up to 52 weeks under a workforce or collective agreement.

### **Staff with more than one job/employer**

It is a contractual requirement that staff request prior written consent to obtain additional paid employment however, this will not be unreasonably withheld (please refer to the Additional Employment Policy).

The following factors will be taken into account by managers in consideration of any request to obtain additional paid employment:

- The employee's existing contracted working hours,
- The employee's existing shift pattern,
- Any potential conflict of interest
- The impact of the additional hours on the employees existing role

Where staff have more than one job, it is their combined hours that should not exceed the weekly average of 48 hours. Individual members of staff have a responsibility to ensure that any work undertaken outside their main employment with the Trust does not adversely affect their ability to satisfactorily perform their work for the Trust, and staff should therefore notify their Line Manager in writing in advance if their combined working hours will exceed 48 hours per week. Failure to do so may lead to disciplinary action being taken against the employee.

Those staff who work irregular hours for the Trust and/or any other employer shall confirm on their time sheets whether their total working hours will exceed the 48-hour average limit during the period of the claim.

For those staff employed to work on the Trust's bank, the Working Time Directive calculation is incorporated into the Bank Staff Management System and reports are run on a monthly basis to identify any staff that may be working against this Directive.

Where this occurs the Line Manager shall review the allocation of work for the next period(s) to ensure the limit is not exceeded over the full reference period (17 weeks). If this cannot be ensured, the staff member shall be asked to agree in writing to exceed the weekly limit (See Section Agreeing to Work over the 48 Hour Average).

### **Agreeing to Work over the 48 Hour Average**

In normal circumstances the Trust does not require any member of staff to work in excess of an average of 48 hours per week. However, there may be circumstances where an individual member of staff might be requested by managers to work more than this average, in which case they must agree in writing that the weekly limit does not apply. To opt-out, the written agreement shall take the form outlined in Appendix 3 to be retained by the relevant line manager and copied to the HR Department to be placed on the employees personal file.

The written agreement will be reviewed on an annual basis.

The Trust, through the relevant Line Manager, will need to be satisfied that the Health and Safety of the individual member of staff and the safe delivery of the service will not be adversely affected when making such individual agreements.

Employees may cancel or end an opt-agreement at any time by giving 7 days written notice to their manager and copied to the HR Department.

### **Records**

Where staff have opted out of the 48 hour working week, it is the responsibility of each Line Manager to keep for 2 years a record of the number of weekly hours worked by each member of staff (the Trust time sheet will suffice for those staff who currently submit one) and a copy of the individual's agreement to opt-out of the maximum weekly limit.

The Human Resources Department will maintain a record of those staff who agree to dis-apply the maximum weekly limit, and will retain this for two years.

## **WORKING DURING NIGHT-TIME**

### **8 Hour Limit**

The normal hours of staff who regularly work during night-time shall not exceed an average of 8 hours per 24 hour period.

### **Reference Period**

The period over which the normal hours are to be averaged shall be a rolling period of 17 weeks for Trust staff. The calculation shall be made using the formula in Appendix 2.

### **Definition of Night Time**

Night-time is the period between 11 .00pm and 6.00am and those staff whose daily working time includes at least 3 hours during night-time on the majority of the occasions they work are subject to those provisions relating to working during night-time.

Staff who regularly work during night-time are not necessarily undertaking work which involves special hazards or heavy physical or mental strain. However managers need to assess the risks associated with night time working and keep such assessments under review using the Trust's risk management approach. If areas of work during night-time are found to involve such special hazards, the normal hours of staff regularly working during night-time shall not exceed 8 hours on any occasion that they work at night (unless a variation of this procedure modifies this provision). Risk Assessments will be conducted in accordance with the Trust's Health and Safety procedures.

### **Health Assessments**

Before a staff member begins work during night-time they will be entitled to a free health assessment to determine whether they are fit to carry out the night work to which they are assigned. This will initially be in the form of a health assessment questionnaire to be completed by the relevant manager in conjunction with the employee. Copies of the questionnaire can be obtained from the HR Operations Team at Bridge House.

Completed questionnaires should be returned to the Occupational Health

## Department

Questionnaires should be completed on an annual basis by all night-workers, therefore managers will need to keep records of when the questionnaire was last completed. If appropriate a full assessment by Occupational Health will be carried out by request of the line manager or if a need is identified by the questionnaire.

If the Occupational Health advice is that a member of staff is suffering from health problems connected with the fact that they work during night-time, the Trust will, whenever possible and subject to service delivery requirements, offer the option to transfer to suitable alternative day work, with pay and conditions applicable to day work.

## Records

It is the responsibility of each Line Manager to keep for two years a record of the working hours of those staff who regularly work during night-time, including the occasions that they have worked at night (the Trust time sheet will suffice for those staff who currently submit one).

The Line Manager and the Occupational Health Department will maintain an annual record of those staff that have undertaken a free health assessment and will retain this for 2 years.

## REST PERIODS

### Daily Rest Period

A member of staff shall be entitled to a rest period of at least 11 consecutive hours between each working day (12 consecutive hours for staff aged under 18), unless any exceptions occur as detailed in the paragraph below.

### Weekly Rest Period

A member of staff shall be entitled to an uninterrupted rest period of at least 35 hours (including the eleven hours of daily rest) in each 7 day period, averaged over two weeks (each week starting at midnight between Sunday and Monday). (For staff aged under 18, the entitlement is 2 days rest in each week.) . This entitlement to weekly rest periods may be modified where any exception occur as detailed in paragraph below.

### Exceptions and Compensatory Rest

The Trust recognises that there will be occasions when the full entitlements to daily and weekly rest periods cannot practically be achieved, for instance:

- Where the staff member changes shifts (e.g. from a late shift to early shift)
- Where the staff member works split shifts (e.g. a morning shift and an evening shift)
- Where there is the need for continuity of care in areas where staff work in direct contact with patients in "round the clock" services
- Where staff have undertaken work during an on-call period which is preceded and or followed by a period of duty
- Where staff are required to work due to emergency or unforeseeable circumstances

In the case of such exceptions applying, the member of staff shall be allowed to take equivalent periods of (i.e. the same number of hours lost) compensatory rest, e.g. if there are only 8 hours daily rest one day, to be allowed the remaining 3 hours on another day in addition to the 11 hours for that day. This should be taken within a reasonable period - 2 weeks for daily rest and 2 months for weekly rest.

For staff under the age of 18 the only exception is where they work split shifts.

### **In Work Rest Breaks**

A member of staff shall be required to take an uninterrupted break of at least 20 minutes when working time is 6 hours or more (a break of at least 30 minutes for staff under the age of 18 when daily working time is more than 4 1/2 hours). However in wishing to promote the health and well-being of all staff the Trust recognise as best practice a break of at least 30 minutes for all staff.

Rest breaks must be taken during the period of work and should not be taken either at the start or the end of the working day. It is the Manager's responsibility to ensure that breaks are able to be taken.

This entitlement shall be modified where the exceptions detailed below apply.

The Trust recognises that in exceptional circumstances there are some service areas and occasions when the entitlement to an in-work rest break cannot be achieved, for instance:

- Where staff are required to work due to emergency or unforeseeable circumstances which would be a rare occasion and should not become custom and practice.

In the case of such exceptions applying the member of staff shall be allowed to take equivalent periods of compensatory rest during another period of duty, usually within 2 weeks. This should not be taken, either at the start or the end of a period of working time. Where it is not practical for such compensatory rest to be allocated, the Line Manager must ensure that the staff member's Health and Safety is protected.

## **ANNUAL LEAVE**

### **Entitlement**

Entitlement to Annual Leave shall be in accordance with the relevant Agenda for Change Conditions of Service, Medical and Dental Conditions of Service or other Trust Contracts of Employment, which in all cases are at least equivalent to the entitlements within the Working Time Regulations. The relevant staff group terms and conditions relating to the definition of the leave year, arrangements regarding over or undertaken leave entitlement on termination of employment, and carry-over of leave shall apply.

### **Notification of Leave**

The provisions for members of staff and Line Managers notifying each other of leave dates is as specified in ACAS guidance Holidays and Holiday Pay <http://www.acas.org.uk/media/pdf/5/h/Acas-guide-Holidays-and-holiday-pay.pdf>, i.e. staff requesting leave or managers notifying staff that they are required to take leave requires a notice period of at least twice the period of leave to be taken (e.g. at least 2 weeks notice for one week's leave). Managers refusing permission to grant leave requested must give notice of a period equivalent to the period of leave (e.g. one

week's notice for one week's leave requested).

In accordance with the Inclusive Annual Leave Policy, managers should ensure that all staff are aware of any departmental/service protocols which should clearly state in writing:-

- who is authorised to agree annual leave (normally the line manager)
- time-scales for requesting and agreeing annual leave
- any operational rules that may apply to ensure adequate cover is maintained

### **Casual/Bank/Zero Hours staff**

Casual/Bank/zero hours Staff will only be entitled to annual leave in respect of their casual bank work with the Trust, if they do not receive annual leave entitlement from other employment with the Trust or from any other employer.

Casual/Bank/zero hours staff will receive payment in lieu of annual leave, calculated as 1 hour's leave for every 12 hours worked.

In each Business Unit , the Bank Coordinators/Managers will be responsible for recording the hours worked by the Casual/Bank/Zero Hours employee.

### **Records**

It is the responsibility of each Line Manager to keep a record of annual leave entitlement and leave taken by their staff, in order to determine annual leave entitlement.

### **APPEALS**

Any member of staff who is not satisfied with any management decisions regarding the Working Time Regulations or feel that they have suffered any detriment, should use the Trust's Grievance Procedure.

## NHSL Monitoring

Minimum requirement to be monitored	Process for monitoring e.g. audit	Responsible individuals/ group/ committee	Frequency of monitoring/ audit	Responsible individuals/ group/ committee (multidisciplinary) for review of results	Responsible individuals/ group/ committee for development of action plan	Responsible individuals/ group/ committee for monitoring of action plan
<p>Maintain copies of individual agreements for those staff who agree to opt out of the maximum 48 hour weekly limit</p> <p>Where staff have opted out of the 48 maintain record of weekly hours worked to be maintained for 2 years</p>	<p>Human Resources Department to retain for two years</p> <p>Line Managers to keep records for each member of staff (the Trust time sheet will suffice for those who currently submit one)</p> <p>HR/ Operations team to monitor hours of all bank staff against working time regulations and contact managers where breaches occur</p>	<p>HR/ Operations team</p>	<p>On going</p>	<p>SHRBP</p>	<p>SHRBP</p>	<p>Trust Board</p>

## Appendix 1: Calculating average weekly working time

The average weekly working time is calculated using the following formula:

$A+B/C$

Where:

A is the total number of hours worked in the reference period

B is the total number of hours worked, immediately after the reference period, during the number of working days equal to the number of days missed due to annual leave entitlement, sick leave, maternity leave, etc.

C is the number of weeks in the reference period.

Example 1<sup>‡</sup>:

A worker has a standard working week of 40 hours and does overtime of 12 hours a week for the first 10 weeks of the 17-week reference period. No leave is taken during the reference period.

The total hours worked are:

17 weeks of 40 hours and 10 weeks of 12 hours of overtime

$$(17 \times 40) + (10 \times 12) = 800$$

Therefore their average (total hours divided by number of weeks):

800

$$\frac{800}{17} = 47.1 \text{ hours a week}$$

17

The average limit of 48 hours has been complied with.

<sup>‡</sup> All examples taken from DTI's Your Guide to the Working Time Regulations, 2006.

**Example 2:**

A worker has a standard working week of 40 hours (8 hours a day) and does overtime of 8 hours a week for the first 12 weeks of the 17-week reference period. 4 days' leave are also taken during the reference period.

The total hours worked in the reference period are:

16 weeks and 1 day (40 hours a week and 8 hours a day) and 12 weeks of 8 hours of overtime

$$(16 \times 40) + (1 \times 8) + (12 \times 8) = 744$$

Add the time worked to compensate for the 4-day leave, taken from the first 4 working days after the reference period. The worker does no overtime, so 4 days of 8 hours ( $4 \times 8 = 32$ ) should be added to the total.

Therefore their average is (total hours divided by number of weeks):

$$744 + 32$$

$$\frac{\quad}{17} = 45.6 \text{ hours per week}$$

$$17$$

The average limit of 48 hours has been complied with.

## **Appendix 2: Calculating the average hours worked at night.**

The average hours worked at night are calculated using the following formula:

$$A/B-C$$

Where

A is the number of hours during the applicable reference period which are normal working hours for that worker

B is the days within the applicable reference periods

C is the number of hours weekly rest to which a worker is entitled under the Regulations (i.e. 24 hours for seven days) divided by 24. (It should be noted that this is not the total number of hours that the worker is at rest each week. Only the hours making up the weekly rest period that the worker is entitled to under the Regulations that are counted).

Normal hours of night work include overtime where it is part of a night worker's normal hours of work.

**Example 1:**

A night worker normally works four 12-hour shifts each week.

The total number of normal hours of work for a 17-week reference period are:

17 weeks of 4 shifts of 12 hours

$$17 \times (4 \times 12) = 816$$

There are 119 days (17 weeks) and the worker takes 17 weekly rest periods, as entitled to under the regulations. Therefore the number of days the worker could be asked to work is  $119 - 17 = 102$

To calculate the daily average working time, the total of hours is divided by the number of days a worker could be required to work.

816

$$\frac{\quad}{102} = 8$$

102

This equals an average of 8 hours a day.

**Example 2:**

A night worker normally works 5 days of 10 hours followed by 3 days of rest. The cycle starts at the beginning of the reference period (so there are 15 cycles of work). The worker takes 2 weeks' leave and works 6 hours overtime every five weeks. During this reference period, the overtime is worked in the fifth, tenth, and fifteenth weeks. The leave does not affect the calculation of normal hours, but the overtime does.

$$15 \text{ cycles of } 5 \text{ shifts of } 10 \text{ hours} = 15 \times (5 \times 10) = 750 \text{ hours}$$

$$6 \text{ hours overtime} \times 3 = 18 = 768 \text{ hours (including overtime)}$$

There are 119 days (17 weeks) and the worker takes 17 weekly rest periods, as entitled to under the regulations. Therefore the number of days the worker could be asked to work is:  $119 - 17 = 102$

To calculate the daily average working time, the total of hours is divided by the number of days a worker could be required to work.

$$768$$

$$= 7.53$$

$$102$$

This equals an average of 7.53 hours a day.

**Appendix 3      AGREEMENT TO OPT OUT**

**TO**    Lincolnshire Community Health Services NHS Trust  
          HR Department  
          Beech House  
          Waterside South  
          Lincoln  
          Lincs, LN5 7JH

**AGREEMENT TO OPT OUT OF REGULATION 4 OF THE WORKING TIME REGULATIONS 1998  
 (“THE REGULATIONS”)**

I .....(NAME) AGREE THAT AS FROM THE DATE OF THIS AGREEMENT, MY POSITION(S) AS SHOWN BELOW WILL NO BE SUBJECT TO THE 48 HOUR MAXIMUM WEEKLY WORKING TIME LIMIT AS SPECIFIED IN REGULATION 4 OF THE WORKING TIME REGULATIONS 1998.

I UNDERSTAND THAT THIS AGREEMENT WILL BE REVIEWED ANNUALLY, BUT MAY BE TERMINATED BY MYSELF AT ANY TIME ON THE GIVING OF ONE WEEK WRITTEN NOTICE TO .....(LINE MANAGER)

I confirm that I have completed this form on a voluntary basis. I understand that I cannot be made to sign this form or to work over 48 hours if I do not wish to.

Please complete the grids below to give details of all posts held with LCHS and other organisations, as applicable. Please notify the HR Department of any changes to these details as soon as possible.

<b>DETAILS OF CONTRACTS HELD WITH LINCOLNSHIRE COMMUNITY HEALTH SERVICE INCLUDING BANK WORK</b>			
<b>Team</b>	<b>Base</b>	<b>Weekly Hours</b>	<b>Name of Manager</b>

<b>DETAILS OF CONTRACTS HELD WITH ANOTHER EMPLOYER</b>		
<b>Name and Address of Organisation</b>	<b>Weekly Hours</b>	<b>Name of Manager</b>

**SIGNED (Employee)** \_\_\_\_\_

**DATED** \_\_\_\_\_

**Please Print (Name of Employee)** \_\_\_\_\_

**SIGNED (Manager)** \_\_\_\_\_

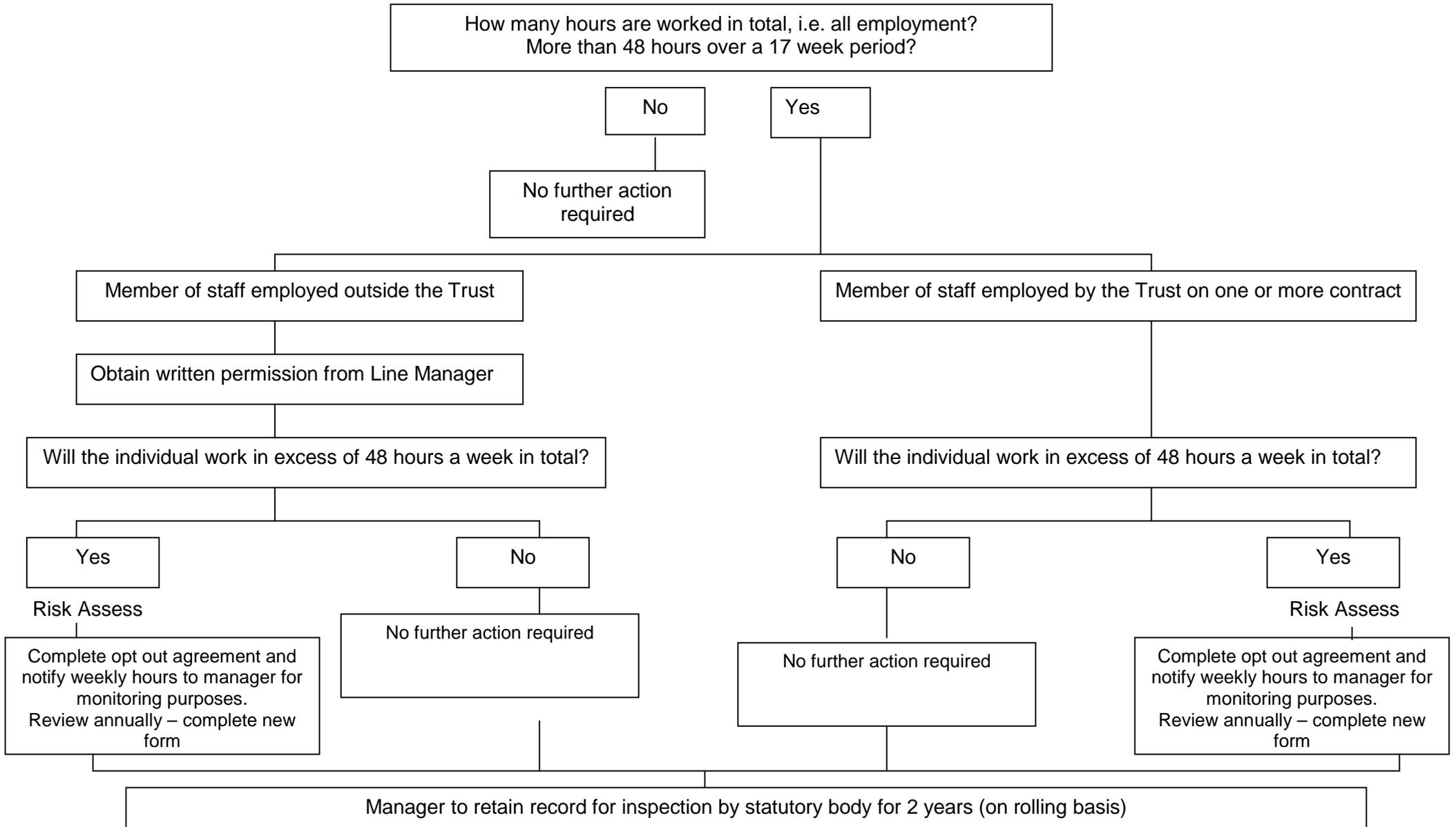
**DATED** \_\_\_\_\_

**Please Print (Manager)** \_\_\_\_\_

To be copied and sent to HR Department  
 Copy to be kept by Manager  
 Copy to be kept on Personal file

Appendix 4

Flowchart – Working Time Regulations - 48 Hour Working Week





# Equality Analysis

## Introduction

The general equality duty that is set out in the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

The general equality duty does not specify how public authorities should analyse the effect of their existing and new policies and practices on equality, but doing so is an important part of complying with the general equality duty. It is up to each organisation to choose the most effective approach for them. This standard template is designed to help LCHS staff members to comply with the general duty.

Please complete the template by following the instructions in each box. Should you have any queries or suggestions on this template, please contact Rachel Higgins Equality and Human Rights Lead.

# Equality analysis

<b>Title: Working Time Regulations Policy</b>
<b>Relevant line in:</b>
<b>What are the intended outcomes of this work?</b>  Lincolnshire Community Health Services supports the enhancement of a work-life balance for all staff where it is important to promote consistency and equality, ensuring that there is no discrimination or inequity which may affect one group to benefit less than other groups.  This policy is written in order to implement a co-ordinated and uniform approach to ensure that the Trust complies with the requirements of the Working Time Regulations, by protecting the Health and Safety of Staff from the risks of working excessive hours.
<b>Who will be affected? All Trust staff, agency/temporary and bank workers included</b>
<b>What evidence have you considered? All current legislation</b>
<b>Disability</b> <i>Consider and detail (including the source of any evidence) on attitudinal, physical and social barriers.</i>  None identified
<b>Sex</b> <i>Consider and detail (including the source of any evidence) on men and women (potential to link to carers below).</i>  None identified
<b>Race</b> <i>Consider and detail (including the source of any evidence) on difference ethnic groups, nationalities, Roma gypsies, Irish travellers, language barriers.</i>  None identified
<b>Age</b> <i>Consider and detail (including the source of any evidence) across age ranges on old and younger people. This can include safeguarding, consent and child welfare.</i>  Young workers including anyone under the age of 18 are subject to different and specific working time regulations than other workers. This is in accordance with legislative requirements and is concerned with safeguarding this particular group.
<b>Gender reassignment (including transgender)</b> <i>Consider and detail (including the source of any evidence) on transgender and transsexual people. This can include issues such as privacy of data and harassment.</i>  None identified
<b>Sexual orientation</b> <i>Consider and detail (including the source of any evidence) on heterosexual people as well as lesbian, gay and bi-sexual people.</i>  None identified

<p><b>Religion or belief</b> Consider and detail (including the source of any evidence) on people with different religions, beliefs or no belief. None identified</p>
<p><b>Pregnancy and maternity</b> Consider and detail (including the source of any evidence) on working arrangements, part-time working, infant caring responsibilities. None identified</p>
<p><b>Carers</b> Consider and detail (including the source of any evidence) on part-time working, shift-patterns, general caring responsibilities. None identified</p>
<p><b>Other identified groups</b> Consider and detail and include the source of any evidence on different socio-economic groups, area inequality, income, resident status (migrants) and other groups experiencing disadvantage and barriers to access. None identified</p>

<p>• <b>Engagement and involvement</b> Was this work subject to the requirements of the Equality Act and the NHS Act 2006 (Duty to involve) ? YES</p>
<p>How have you engaged stakeholders in gathering evidence or testing the evidence available? Consultation via human resource colleagues and staff side representation</p>
<p>How have you engaged stakeholders in testing the policy or programme proposals? Individual feedback</p>
<p>For each engagement activity, please state who was involved, how and when they were engaged, and the key outputs: Circulated via email</p>

<p><b>Summary of Analysis</b> Considering the evidence and engagement activity you listed above, please summarise the impact of your work. Consider whether the evidence shows potential for differential impact, if so state whether adverse or positive and for which groups. How you will mitigate any negative impacts. How you will include certain protected groups in services or expand their participation in public life. No negative feedback</p> <p>Now consider and detail below how the proposals impact on elimination of discrimination, harassment and victimisation, advance the equality of opportunity and promote good relations between groups.</p>
<p><b>Eliminate discrimination, harassment and victimisation</b> Where there is evidence, address each protected characteristic (age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief, sexual orientation). No evidence</p>
<p><b>Advance equality of opportunity</b> Where there is evidence, address each protected characteristic (age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief, sexual orientation). No evidence</p>
<p><b>Promote good relations between groups</b> Where there is evidence, address each protected characteristic (age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief, sexual orientation). No evidence</p>
<p><b>What is the overall impact?</b> Consider whether there are different levels of access experienced, needs or experiences, whether there are barriers to engagement, are there regional variations and what is the combined impact? No evidence</p>

**Addressing the impact on equalities** *Please give an outline of what broad action you or any other bodies are taking to address any inequalities identified through the evidence.*

No evidence

**Action planning for improvement** *Please give an outline of the key actions based on any gaps, challenges and opportunities you have identified. Actions to improve the policy/programmes need to be summarised (An action plan template is appended for specific action planning). Include here any general action to address specific equality issues and data gaps that need to be addressed through consultation or further research.*

No evidence. But any development/improvement required will be overseen by the Employment Policy Group

Please give an outline of your next steps based on the challenges and opportunities you have identified. Include here any or all of the following, based on your assessment

- Plans already under way or in development to address the **challenges** and **priorities** identified.
- Arrangements for continued engagement of stakeholders.
- Arrangements for continued monitoring and evaluating the policy or service for its impact on different groups as the policy/service is implemented (or pilot activity progresses)
- Arrangements for embedding findings of the assessment within the wider system, other agencies, local service providers and regulatory bodies
- Arrangements for publishing the assessment and ensuring relevant colleagues are informed of the results
- Arrangements for making information accessible to staff, patients, service users and the public
- Arrangements to make sure the assessment contributes to reviews of DH strategic equality objectives.

• **For the record**

**Name of person who carried out this assessment:**

Karen Taylor

**Date assessment completed:**

November 2014

Revised: August 2016 by Sophie Powell

**Name of responsible Director/Director General:**

Maz Fosh

**Date assessment was signed:**

November 2014