

FACING THE FUTURE

Centre for Change and Innovation

Scottish Executive Health Department

**Balanced Working Lives:
a 'can do' approach to employing
nurses and midwives**

Creating Balanced Working Lives

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Why do it?

Work settings prosper if they make the best use of their most valuable resources: the ability and skills of their people. And those people, in turn, flourish if they can strike a proper balance between work and the rest of their lives.

In Scotland, as in the rest of the UK, increasing difficulties are being experienced in recruiting and retaining skilled workers, including nurses and midwives. Meeting the changing demands of a 24-hour, 365-day service requires that we continually consider changes to how we deliver services which benefit our patients, while also ensuring that staff have the opportunity to experience a good balance between work and their other commitments.

Changing Circumstances

Flexible working is not just about women juggling a home and family, but also recognises that throughout an individual's lifetime there may be times at which they will wish to change the balance of work and life. For example, people may wish to work but also pursue other interests like travel. Parents with young children may need to change the balance to accommodate childcare. Staff can face responsibilities to provide care to relatives and on approaching retirement may still wish to work but may want to reduce their hours or the type of work they undertake.

Below are some of the most common issues which employees face in balancing work and life commitments and which will have an impact on you as a team leader. Flexible working practices can help you deal with these circumstances in a way that is within the law, meets staff needs, and also meets the needs of the service.

- ➔ Caring for children or elderly relatives.
- ➔ Becoming disabled or acknowledging an existing disability which has an impact on your ability to work.
- ➔ Spending a short time alone at specific times for prayer.
- ➔ Asking for extended leave in order to visit family overseas.
- ➔ Wishing to develop other interests.
- ➔ Taking the opportunity to travel and or work abroad.
- ➔ Moving towards retirement.

Benefits for you ... Greater flexibility can:

- ➔ Maximise available labour and increase the nursing hours available
- ➔ Create a loyal, better motivated workforce in a less stressful environment
- ➔ Reduce absenteeism and increase productivity
- ➔ Cement your reputation as a good leader
- ➔ Attract a wider range of candidates for vacancies
- ➔ Help retain valued employees.

Benefits for your staff ...

For employees, a good work-life balance brings:

- ➔ Greater responsibility and sense of commitment and loyalty.
- ➔ Better relations between team members and leaders.
- ➔ Improved self-esteem, health, concentration and confidence.
- ➔ A reduction in bringing "home" problems to work
- ➔ More control over working lives.

Benefits for Patients ...

Evidence suggests that retaining staff and ensuring they are motivated is an important factor in enabling the provision of excellent care.

Legal Framework

Appendix 1 provides an overview of the main legislation in place to ensure equality and protect employees from discrimination.

Return on Training Investment

The NHS in Scotland relies heavily on its highly trained and skilled staff to deliver services to patients. There is a huge investment made in this and it is important to minimise the loss of this investment by thinking creatively about how we retain the skills and experience of staff.

How do I get it right?

When wanting to change the way in which staff work there are a number of perspectives to be taken into account. They include:

- ➔ Patients and users.
- ➔ The organisation/employer.
- ➔ Individual members of staff.
- ➔ The team in which staff work.

Each of the above groups have clear rights and responsibilities which are summarised below.

Patients have the right to:

- ➔ The appropriate level of staff with the necessary skills.

Patients have a responsibility to:

- ➔ Make all possible efforts to attend appointments.

Staff have the right to:

- ➔ Be consulted about change.
- ➔ Be treated equally.
- ➔ Request changes in working practice and have those requests carefully considered.

Staff have a responsibility to:

- ➔ Consider the interests of patients and other team members.
- ➔ Accept they do not have the automatic right to demand changes to the way they work.

Employers have the right to:

- ➔ Seek ways of improving services.
- ➔ Ensure team members' views are taken into account.

Employers have a responsibility to:

- ➔ All service users.
- ➔ Treat team members equally.
- ➔ Consider requests carefully.
- ➔ Provide a valid reason (that may be tested at a tribunal) for refusing changes.

The 'can do' approach

A good rule of thumb when dealing with a request for changes in work patterns is a positive response summed up as, '**how?**' instead of '**why?**'.

Useful flexible working patterns

1. Job sharing

Job sharing is a type of working pattern where two or more people share the responsibility for one full time job. The pay and benefits of the full-time job are shared on a pro rata basis. Jobs can be shared on a daily basis, or on a weekly basis, with partners working half a week each.

Another option would be for partners to work alternate weeks. There is usually a changeover period when both are present.

Benefits

- ➔ You gain a wider range of skills and experience than would be possible with a single employee.
- ➔ You may be able to retain or recruit experienced staff who may not be available or willing to work full time.
- ➔ You ensure continuity, because as at least half the job will continue if one partner leaves or is absent.
- ➔ Job sharers are often very loyal to each other and this is reflected in higher quality work.
- ➔ Job sharing can enable more senior and skilled jobs to be completed on a part-time basis but is equally applicable to all posts.

2. Part-time working

Part-time working is an arrangement where staff work fewer hours per day or per week than those on a normal full-time contract. It is often defined as less than 30 hours per week. Salary, leave and benefits are calculated on a pro rata basis. This is a rapidly growing working pattern especially in the service sector as it has moved towards extended hours.

Benefits

- ➔ Part-time workers can provide greater flexibility and cover for example, by selective use of staff for peaks and troughs in demands or seasonal variations.
- ➔ Part-time work is popular with women returning from maternity leave and its availability can increase the rate of return from maternity leave.
- ➔ Part-time work can attract trained and experienced people who cannot, or do not wish to, work full time.
- ➔ Part-time staff often have higher productivity and lower absence rates than full-time staff.

Points to think about

- ➔ You may need to give extra thought to the timing of training sessions, staff meetings, etc., so that part time workers can join in.
- ➔ Your overall staff numbers may increase so training costs and fixed overheads may be higher.
- ➔ Part-time work should be equally available to both men and women.
- ➔ Part-time staff have the same rights as full-time staff and you should offer them the same access to training and promotion.

- ➔ Where possible, arrange hours of work to suit the needs of staff as well as the needs of your service.
- ➔ You may need to give special consideration to Bank Holiday arrangements as part-time staff who do not normally work on a Monday can be at a disadvantage.
- ➔ When you make overtime payments to part-time staff, they would normally be at the normal rate of pay, unless the hours worked exceed the standard full-time hours.

3. Flexible hours

Flexitime schemes allow your staff to choose the hours they work within defined limits. Usually there are set 'core times' during the day.

Contracted hours are made up by staff working the core time plus hours of their choice within the flexible time at the beginning and end of the day. This is calculated over an agreed period of time, usually four weeks. Approximately 11% of employees currently have some form of flexitime arrangement.

Benefits

- ➔ Flexitime gives staff greater freedom to manage their working hours to fit out-of-work commitments.
- ➔ Flexitime enables you to extend your service hours.
- ➔ It can help your staff with travel arrangements.
- ➔ It can help to reduce staff absence and punctuality problems.
- ➔ You can adjust the working times to meet peaks and troughs of demand.

Points to think about

- ➔ The scheme needs to be well organised and managed.
- ➔ Flexitime may not suit all types of work (where continuous cover is necessary, for example).
- ➔ Flexitime should be open to both full- and part-time staff.
- ➔ It may be easier to introduce flexitime where your staff work independently or in small units.
- ➔ You should credit your staff with hours for absences such as sickness and holidays.

4. Team Based Flexible Rostering

Flexible rostering allows your staff to plan their working times and patterns to match predicted staffing needs over a set period of time. Hours earned or owed may be stored in a 'time bank'.

Benefits

- ➔ Flexible rostering can help to reduce staff absence.
- ➔ It can reduce time taken off for sickness.
- ➔ The scheme offers increased flexibility to meet your workload peaks and troughs.
- ➔ Your staff may become more motivated as they have greater choice over the times of work.

Points to think about

- ➔ The scheme will require a system of central administration.
- ➔ You will rely on the voluntary co-operation of your staff.
- ➔ Flexible rostering should be equally available to all staff.

5. Shift swapping

Shift swap is a simple working pattern which allows staff to re-arrange shifts amongst themselves to provide cover for colleagues and to take time off without using up their holiday allowance. It can provide some flexibility in situations where flexitime schemes would not be suitable.

Benefits

- ➔ Absenteeism can be reduced.
- ➔ It reduces the time taken off for sickness.
- ➔ It makes it easier for your staff to meet their out-of-work commitments.

Points to think about

- ➔ You will require a system of central administration.
- ➔ Shift swapping should be equally available to all staff working shifts.

6. Voluntary reduced hours

Voluntary Reduced Work Time, often referred to as 'V' time, is a scheme which allows employees to trade pay for time off. Staff are given the option of reducing full-time working hours for an agreed period, usually a year, with the right to return to full-time work afterwards. Time off can be negotiated as a reduction in the working week, or as a block of time during the year.

Benefits

- ➔ It can help you to retain staff who may be facing a difficult personal situation or a medium-term domestic emergency.
- ➔ It can offer you flexibility to redirect the personnel savings.

Points to consider

- ➔ It requires management time for implementation.
- ➔ 'V' time should be available regardless of sex, race, disability or any other personal characteristic. Your staff should maintain their benefits, although some may be pro-rated.

7. Annualised hours

Working hours are agreed for the whole year rather than for the week. The agreed yearly hours are usually arranged into a schedule, typically as a number of basic rostered hours with a number of hours kept in reserve to be used when the employer and employee agree. Salary is usually paid in equal weekly or monthly instalments regardless of the number of hours worked in a specified period or the number of unsocial hours.

Benefits

- ➔ The scheme may give you increased flexibility to cope with seasonal fluctuations in demand.
- ➔ It can also reduce the amount of overtime that is required.

Points to think about

- ➔ You will need a central administrative system which can be complex to design and operate.
- ➔ Staff may find it difficult to meet their other commitments – e.g. caring for relatives or children – if required to work reserve hours at short notice.
- ➔ Implementing an annualised hours scheme requires careful planning and consultation.
- ➔ Groups of staff with high overtime earnings may resist the introduction of annualised hours.

8. Term-time working

An option which allows staff to take time off work during school holidays to look after their children. Staff usually work all of their hours during term time and take unpaid

leave during the holidays. Sometimes they may prefer to work reduced hours during the school holidays. Salary is usually paid evenly across the year.

Benefits

- ➔ The scheme may give you increased flexibility to cope with seasonal fluctuations in demand.
- ➔ It can also reduce the amount of overtime that is required.

Points to think about

- ➔ You will need a central administrative system.
- ➔ Staff may find it difficult to meet their other commitments – e.g. caring for relatives or children – if required to work reserve hours at short notice.

Implementing Changes

When looking to change working patterns it is helpful to consider a range of issues. Look at the questions below and ask yourself the following:

1. Are you clear about your aims and the benefits of the change?
2. What will be the effect on patient care, activity and staffing levels, recruiting and retaining staff?
3. Is there a clear demand for the change and how will you involve the team in discussions?
4. Have you good information about current working patterns, workload peaks and troughs and current roles and responsibilities?
5. Have you considered the contractual issues and sought advice if necessary?
6. Have you checked on areas where this is already happening and learnt from their experiences?
7. Will you introduce a pilot and then evaluate it before extending the process?
8. Have you considered the use of available IT packages and how they might benefit the process?

Remember throughout the changes it is important to involve and consult the team and deal with any issues which arise sensitively.

Current Activity

The response to a recent request for examples of good current practices in providing balanced work/life environments highlighted some very useful examples. Some of these are illustrated below but only represent a small amount of what is happening. There will be a document produced in October 2003 which will provide more detailed examples.

<i>Forth Valley:</i>	self-rostering teams
<i>Highland:</i>	role development: jointly-funded posts, staff nurse rotation
<i>Grampian:</i>	return to practice, ITU sabbatical approach initiative, bank and agency nurse budget approaches, overseas recruitment
<i>West Lothian:</i>	job share extension, unpaid leave management, reduced hours following maternity leave
<i>Ayrshire and Arran:</i>	annualised hours, self-rostering,
<i>Tayside:</i>	nursing pool in medical/surgical wards, shift flexibility and swapping
<i>Argyle and Clyde:</i>	introduction of 12-hour shifts, weekend only working, flexible start/stop times, short-term contracts on request
<i>Lothian University Hospitals:</i>	Monday to Friday working, job share, 12 hour shifts, short shifts, career break opportunities

Stories from real life

In developing this booklet there has been the opportunity to speak to individuals throughout Scotland about work-related issues.

This has produced a wealth of knowledge and insight. Here are summaries of some of the stories. It is hoped that they are a useful tool to assist understanding of the impact, the availability, or otherwise, flexible working practices can make. These will be explored further as part of the workshop process.

The full-time nursing bank: where a nurse asking for part-time work is refused a place in an empty full-time bank.

The hidden children's nurses: where children's nurses can get full time hours without ever having to work for the NHS.

The rigid 12-hour shift: may have advantages for some full-time staff but can completely stop other nurses working.

The supermarket part-time worker: where a worker wanting to work 09.15-14.00 shifts during school term is seen as an asset to the team.

Maternity pay and repayment – disadvantaging the good: if you are honest you have to repay and if you aren't you don't – sometimes sensitive HR issues are summarily dealt with by the finance department.

Why £6 an hour is better than £11: 'you go into work and out with no strings and little fuss'.

The midnight shifts (20.00 –24.00, 24.00 – 03.00) – going the extra mile? where a nurse could have done the shifts but needed help with transport, this was refused.

Flexible with shifts – inflexible with training: where the shifts offered were flexible but the in-service training necessary was not.

Job share – child share: where two or three nurses run their work/home lives as a co-operative.

Inflexible days/hours sessions – two days can't be three days! a professional offered to take on a Health Visitor job in a part-time post over three days. She was refused and told 'You must work only on two days'.

Supporting delicate ecologies – a little slack all round: slight adaptations to working practices/hours can mean the difference to filling a post and not.

Difficult to place? The private sector manager's view: 'employing a difficult to place person is seen as a competitive advantage and good for retention'.

Need for a quartermaster? Role of co-ordinating and commandeering: *in peace-time the quarter master role concerns replacement to specification, but in crisis one has to negotiate, approximate, scrounge and commandeer.*

Data protection issues 'Please tick here if you want more information': *gaining the consent of applicants to use the information they supply for future opportunities.*

NHS social medicine 'Value for money' ethos versus Insurance 'knowing your population' models: *where each transaction is scrutinised for its financial value rather than its overall benefit to the system, e.g. training, job description issues and the on-costs of two people rather than one. 'Cutting off your nose to spite your face'.*

'Named individuals' not 'nameless cohorts' model – high degree of community connection in Scotland – *the NHS tends to use anonymous targets as though they are seeking an unknown resource. However the people you seek are known, named individuals. The workforce is highly socially and familiarly connected.*

The 'Hell mend them' response: *having been treated in a high handed, unsympathetic or clumsy manner by the NHS many nurses, after telling their story, say this, particularly if they get a better paid post or one with better conditions elsewhere.*

The 'not knowing enough to do the job': *some managers do not appear to know that refusal to allow flexible working can lead to an industrial tribunal if the employer doesn't have a valid excuse.*

Useful contacts and references

Shona Cowan – Shona.Cowan@scotland.gsi.gov.uk – Centre for Change and Innovation – SEHD

Dr John Atkinson – john.atkinson@paisley.ac.uk – website – <http://myprofile.cos.com/atkinson22>

PIN Guidelines – HR Directorate – SEHD website

'Improving Working Lives' – Department of Health – website – www.doh.gov.uk/iwl

Buchan J The greying of the UK nursing workforce; implications for policy and practice. *Journal of Advanced Nursing* 1999;30(4)

Buchan J (2002) Attraction of Opposites. *Health Service Journal* vol.112 4/7/2002

Audit Scotland Report 2002 Planning ward nursing - Legacy or Design?

Equality Direct – <http://www.equalitydirect.org.uk/index.html>

www.new-ways.co.uk

World Health Organisation Website

Rainbow Pack, Greenhalge & Co.

GCL House, Gronco Lane, Macclesfield

Appendix 1

Equality legislation

The UK has specific legislation on equality that outlaws discrimination and protects employees (including contract workers, agency staff, etc.). It also covers provision of goods and services.

The main laws on discrimination relate to sex, race and disability. Discrimination on the grounds of age, religion and sexual orientation is not covered, as yet, by direct legislation in the UK, but it will be introducing legislation in these areas over the next few years.

Main laws

The Sex Discrimination Act 1975 makes it unlawful to discriminate on grounds of sex or marriage.

The Race Relations Act 1976 makes it unlawful to discriminate on grounds of colour, race, nationality, ethnic or national origin.

The Disability Discrimination Act 1995 makes it unlawful to discriminate on grounds of disability.

The Equal Pay Act 1970 makes it unlawful to discriminate between men and women in their contracts of employment including pay, holiday entitlement, pension, etc.

The Employment Relations Act 1999 gives working parents the right to unpaid parental leave and time off to deal with emergencies.

Related Regulations and other information

The Human Rights Act 2000 protects the human and civil rights of individuals and has a potential impact on working practices and policies.

The Working Time Regulations 1998 set a limit on how many hours people can work.

The Part-Time Working Regulations 2000 require employers to offer the same terms and conditions pro rata to part-time workers as full-time workers.

The National Minimum Wage sets a minimum wage for all workers aged 18 and over.

The Working Families Tax Credit provides a minimum weekly income guarantee for families.

The Disabled Person's Tax Credit provides extra help for people who have an illness or disability and work for 16 hours or more a week.

The Employment Rights Act 1996 requires employers to issue a written statement of terms and conditions of employment. It also provides rights to pregnant women.