

# Working from Home Policy

## 1. Aims and objectives

- 1.1 This policy is intended to provide guidance and good practice to enable employees to work from home effectively and safely.
- 1.2 The policy is intended to assist both managers and employees in implementing working from home by highlighting areas for consideration and providing practical advice and information.
- 1.3 The policy recognises that for the majority of employees, working from home will be on an occasional basis and with prior agreement from the manager. Where this is on a permanent basis, please refer to **Appendix 1**.
- 1.4 The policy should be considered alongside the Council's other corporate strategies and policies, in particular those relating to Human Resources, ICT, Health and Safety and Property.

## 2. Background

- 2.1 The County Council aims to create and provide modern and efficient ways of working for employees. This includes reducing accommodation and travel costs, and tailoring working hours to better support the needs of the service, its employees and customers.
- 2.2 The County Council has developed a range of flexible working practices to enable more effective working in a variety of ways from a variety of work settings. The Council has, for a number of years, operated working from home on a limited basis to accommodate specific individual or service needs.
- 2.3 Provided that it fits in with the needs of the service, flexible working at the County Council is intended to provide flexibility about:
  - 2.3.1 hours and working patterns
  - 2.3.2 working from the office or at home
  - 2.3.3 using a range of fixed and flexible desks, work settings and buildings.
- 2.4 These flexible working practices are detailed on the intranet in:
  - 2.4.1 HR Policies
  - 2.4.2 Work style profile
  - 2.4.3 Working practices and protocols for flexible offices.

These documents should be used in conjunction with this policy.

### 3. General approach and principles

- 3.1 The Council has established four generic work styles that will be allocated to all employees, as follows:
  - 3.1.1 Fixed desk workers: any employee who needs to be at the same desk every day.
  - 3.1.2 Flexible workers: the majority of employees based in office accommodation but without a requirement to use a dedicated desk.
  - 3.1.3 Mobile workers: employees who spend more than 50% of time out of their office base, meeting customers etc, at other locations.
  - 3.1.4 Home workers: employees who can perform more than 90% of their duties from their home.
- 3.2 This policy provides a framework for working from home where this is both feasible and desirable. Any arrangement for working from home should be voluntary on the part of the employee and at the discretion of the manager. It is critical that any arrangement does not impact detrimentally on the quality and continuity of service provision in all of the functions and activities of the County Council. The key to success is mutual understanding and trust, leading towards mutual benefit.
- 3.3 In the vast majority of cases, employees will work from home on an occasional basis only and with prior agreement from the manager. Consequently their working arrangements in the main, will remain unchanged. There will be some cases where employees work on a mobile/peripatetic basis or where home is designated as their work base. For employees who have home as their designated work base, specific guidance for home workers is contained in **Appendix 1** of this policy.
- 3.4 It is acknowledged that not all jobs are suitable for working from home, and for those which are suitable, employees may not want to work at home. If suitable ICT kit is not available or, where key health and safety requirements cannot be met, requests may not be approved.

### 4. Procedure

- 4.1 The prospect of working from home may be raised by managers or employees; either individuals or groups. Employees who consider that working from home is an option should discuss this with their line manager.
- 4.2 Working from home, by its very nature, is often individual to the job and the employee concerned. Accordingly, appropriate arrangements

should be decided between the employee and manager and a timescale for implementation agreed.

- 4.3 Consideration should be given to the guidance within this policy to ensure that everything is in place. Particular attention is drawn to matters relating to health and safety, ICT, confidentiality, contact, training and support and the contract of employment.
- 4.4 Consideration should be given to different approaches to managing employees who are working from home, such as managing outputs and deliverables. This relies on collaborative working between the employee and the line manager and regular review of performance targets and workload levels. The existing supervision and EPDR process can be used in this process, in conjunction with the Competency Framework as detailed in the checklist in Appendix 2.

## **5. Trial period/review**

- 5.1 It is sensible for a trial period to take place before any permanent arrangement is confirmed, particularly where the employee's work base is at home. This can help to smooth any difficulties experienced by employees, managers or colleagues. The length of the trial period should be mutually agreed at the outset and will depend on the job and the needs of the individuals concerned. Three months should be appropriate in most cases. A template is provided to record the trial period.

## **6. Confidentiality**

- 6.1 It is the responsibility of the employee and manager to ensure the confidentiality of all County Council information whilst the employee is working from home. Consideration should be given to the availability of lockable storage cabinets, or other suitable equipment due to the risk of other members of the household/visitors gaining unauthorised access to confidential information. Reference should be made to the ICT Security Policy and Data Protection Policy
- 6.2 In order to maintain confidentiality and data security, County Council documents and equipment (laptops etc) must be stored securely at home and not be left in employees' vehicles when unattended. Reference should be made to the Guidance on Protecting Confidential Information.

## **7. Financial considerations**

- 7.1 It is considered that working from home is mutually beneficial and that the costs and benefits of working from home will cancel each other, out. Consequently, a working from home allowance will not be paid.

- 7.2 Travel arrangements will be in accordance with national and local conditions of service. Where the office is the employee's work base, travel between home and the contractual work base will not attract travel allowances, whereas other business-related journeys will, as per the employee's contract of employment. If the employee's home is the work base, all business-related journeys will attract travel allowances as per the employee's contract of employment.

## **8. Equipment**

- 8.1 Guidance on which equipment and technology is most suitable for each work style profile, including working from home is available on the Work Styles Profiles intranet page.
- 8.2 All equipment provided must be used in accordance with instructions, safe methods and systems of working and must be returned at the end of employment, or at the end of the working from home arrangements. Electrical equipment used when working from home will need portable appliance testing, as per the Electrical Equipment part of the checklist in **Appendix 2**. The employee and the line manager will need to make appropriate arrangements for this testing to take place, prior to any working from home arrangements being agreed.

## **9. Health and Safety and Risk Management**

- 9.1 Employees and managers need to understand and comply with the Council's policy regarding health and safety requirements for working from home, and complete a 'Self Assessment Checklist' prior to commencing any working from home arrangements. This form is attached as **Appendix 2**.
- 9.2 The checklist should be completed initially on the set up of working from home and thereafter if there is a change in circumstances. The line manager and employee should review this form at least once a year at EPDR or in supervision meetings. The checklist should also be reviewed by the line manager for new and expectant mothers. Any accident or ill health directly related to the working from home arrangements, should also prompt a review and be reported using existing County Council procedures.

## 10. Insurance Implications

- 10.1 In general, working from home should not give rise to any special difficulties from a risk management or insurance point of view. The guiding principle is that good practice should reduce or eliminate the possibility of injury or loss to employees, the County Council or others. Insurance by itself does not prevent injury or loss, and good risk management techniques are required.
- 10.2 It is vital that employees and managers adhere to this working from home policy and associated guidelines, in order to maintain the validity of this insurance provision.
- 10.3 **Liability insurance** protects the Council and its employees jointly for accidental death, injury and loss of property where the Council has been negligent. This insurance will operate in respect of employees who are working at home with the knowledge and consent of their manager, subject to the appropriate risk, health and safety assessments and training and support being in place.
- 10.4 **Personal accident insurance** will apply to employees working at home including whilst travelling on County Council business. This does not include commuting to work from home except where the home has been formally designated as the work base, in which case all journeys will be made whilst on duty.
- 10.5 **Property insurance** cover is provided by the County Council. This will only apply to all items provided for use by the employee working at home with the knowledge and consent of their manager. The employee has a duty and responsibility to look after the County Council's property. There is no insurance cover for theft if there is no forcible entry to the property and only laptops or computers are covered in this instance. Losses arising from unattended vehicles are not covered
- 10.6 **The Personal Injury Plan Voluntary Scheme** and the related No Claims Bonus Scheme, where employees have joined them, are not affected by working from home.
- 10.7 **Employees' own insurance policies** are unlikely to be affected by working from home. However, employees are advised to consider whether they need to inform their insurers or inform others such as their landlord, mortgage company or loan company of the working from home arrangements, within the terms of any agreements. If in doubt the employee should let the insurance company know, as non-disclosure may sometimes invalidate any policy.

## 11. Tax Implications

- 11.1 Tax relief - Employees can set against tax, expenses that they incur "wholly, exclusively and necessarily" in undertaking their employment

and which are not reimbursed by the employer. It is helpful if home workers can separate home/work facilities. Where this is not possible, (eg. heating / lighting costs), it must be demonstrated that any element claimed as a work expense is incurred wholly, exclusively and necessarily in the performance of duties and that the basis on which it has been calculated is justified and reasonable. Consequently, employees can only claim this tax relief where they have no office base and that 'home' is specified on their contract of employment as their work base. For detailed information visit:

<http://www.hmrc.gov.uk/incometax/relief-household.htm>

- 11.2 Capital Gains Tax Relief - In most cases, private residence relief means that Capital Gains Tax will not be incurred on the sale of an employee's only or main residence. But if part of a home has at some time been used *exclusively* for employment, any gain will be apportioned between that part and the part that qualifies as private residence relief. If, however, no part of your home is used *exclusively* for business – i.e. it is also used at times for residential purposes – then, depending on the amount of residential use, full relief could be available. For detailed information visit:

<http://www.hmrc.gov.uk/cgt/property/sell-own-home.htm#3>

## 12. Other Considerations

- 12.1 Business Rates - Where an area of the home is dedicated exclusively to work, there could be a liability for business rates, but this is unlikely where business use is subsidiary to domestic use (eg. a desk in a room that is also used for domestic purposes). For further information visit [www.voa.gov.uk](http://www.voa.gov.uk).
- 12.2 Planning – Planning permission may need to be considered by employees in relation to working from home. There may be a planning condition imposed on the original planning permission for the property, which could prevent home working that the employee needs to check. Otherwise, planning permission would only need to be sought if the change of use to working from home would change the overall character of the property eg. a marked rise in traffic or people calling, or disturbance to neighbours at unreasonable hours. All of these situations are highly unlikely if the guidance in this policy is adhered to.
- 12.3 Possible legal restrictions – employees need to check that there is no legal obstacle to them working from home, eg. a restrictive covenant attached to the lease or deeds of the property forbidding non-domestic activity. If the property is rented, the landlord's agreement to the arrangements for home working may be necessary. If there is a mortgage on the property, it may be necessary for the lender to be informed or to give permission.

12.4 Standard letters in Microsoft Word format to assist with these issues are available for home working employees to download in the following link:

Sample letter to contents insurer, buildings insurer and mortgage provider/landlord is available.

## Appendix 1

### **Guidance for Working from Home where home is the designated Work Base (– ‘Home worker’ work style profile)**

In addition to the guidance already outlined in the policy, the following areas are particularly relevant where the employee’s home is their designated work base:-

#### **1. The importance of a Trial Period.**

- 1.1 Where home is to be the employee’s work base, it is particularly important that a trial period is undertaken before any permanent arrangement is confirmed (for detailed guidance please refer to Sections 5 and 7 in the policy above). The use of a trial period should ensure that both the duties of the job concerned and the employee are suitable for these arrangements.

#### **2. Employment Contracts**

- 2.1 During trial periods, no permanent changes will be made to employment contracts. The agreed temporary arrangements for the trial period will, however, be formally recorded and signed by both manager and employee. When a move to a permanent pattern of home working is agreed, contracts of employment may need to take account of the specific working arrangements.
  - 2.1.1 Base – this specifies the usual place of work or base for administrative purposes, usually the employees work address. Where the employee does not have a work address, this will be the employee’s home.
  - 2.1.2 Hours of work – the level of contracted working hours is not changed by moving to working from home arrangements, including the use of Flexitime where applicable and adherence to Working Time Regulations. However, greater flexibility over when the contracted hours are worked may be possible in some circumstances, subject to agreement between employee and manager, and as long as the required level of service to customers is not disrupted or reduced. The working hours when the employee should be contactable and the attendance requirements for on site meetings and other office-based duties should be agreed and defined as appropriate, and communicated to other team members.
  - 2.1.3 Absence - procedures for reporting sickness absence and for requesting annual leave are unaffected and should be in line with existing County Council procedures.
  - 2.1.4 Should it be necessary to change or cease the working from home arrangements, employment contracts should be discussed and amended as required.
- 2.3 The Business Support Centre will have post-specific clauses to insert in contracts of employment that line managers can request when working from home arrangements are agreed.



### **3. Communication**

- 3.1 Employees based at home should receive the same level of information, with the same frequency, as their office-based colleagues. Contact needs to be two-way, so it is important that open channels of communication are set up and maintained. Regular contact will also allow the line manager to pick up on early warning signs if something is going wrong, and offer appropriate support.
- 3.2 There should be clarity about the times in which an employee working from home should be available for contact, and about any requirement for the employee to make regular contact with the office. These should be established and agreed with the Line Manager, and communicated to the team.
- 3.3 Any visits to the employee's home must be made by prior arrangement and during agreed working hours eg Health and Safety reviews, equipment installation. It is expected that all routine meetings eg Supervision, EPDR will take place at the office base. Meetings with Service Users or other employees **must not be held at the employee's home**, an appropriate office base should be used.
- 3.4 It is essential that the Self Assessment Checklist (**Appendix 2** in the policy) is completed as stipulated, by both the employee and line manager in order to minimise risk.
- 3.5 External mail should be directed to Council offices and not to the employee's home address. Employees should, where the facility is available, forward their telephone calls to a work mobile or other device, using existing phone or MS Lync.

### **4. Performance and support**

- 4.1 Working from home arrangements require a high degree of trust, together with open and honest communication. The most effective way of managing the performance of the employee working from home is to concentrate on outputs and deliverables. This relies on collaborative working between the employee and the line manager and regular review of performance targets and workload levels.
- 4.2 Regular supervision meetings, team meetings and EPDRs should be available to employees based at home, in accordance with the Council's policies and guidelines, and carried out in an appropriate office base.

### **5. Working Hours and Patterns**

- 5.1 The Line manager and employee should agree working patterns and times when commencing the working from home arrangements, and communicate these to the team. Generally, recording methods should not differ from other colleagues eg Completion of timesheets or flexi-sheets.

5.2 The line manager will need to consider whether a Lone Working Monitoring System needs to be used in accordance with Section B30 of the Safety Manual.

## Appendix 2

### WORKING FROM HOME HEALTH AND SAFETY AND WELLBEING SELF ASSESSMENT CHECKLIST (SR48)

Please complete this checklist prior to commencing a working from home arrangement (and review at least once a year at the EPDR) or if there are any changes **eg.** Moving house; changes to the equipment/furniture or any health/wellbeing issues arise). The completed form should be given to your line manager and will help the County Council to ensure that your working conditions at home are safe and healthy.

<b>Name:</b>	<b>Date:</b>
<b>Address:</b>	
<b>Details of the work to be carried out at home:</b>	
<b>Details of room / space used for working from home:</b>	
<b>Detail County Council equipment supplied, if any:</b>	
<b>Will your job involve any of the following whilst working from home? (please tick):-</b>	
Computer use	<input type="checkbox"/>
Manual handling	<input type="checkbox"/>
Use of electrical equipment	<input type="checkbox"/>

<b>Workstation and Home Office</b> <b>(- where applicable)</b>	<b>Yes</b>	<b>No</b>	<b>Comments</b>
Is the room/area separate from other living areas in the home?			
Is the room/area used accessible without climbing a ladder?			
Is there enough space to safely accommodate all necessary furniture and equipment?			
Are walkways clear of tripping hazards, such as trailing cables?			
Is there a source of heating to maintain a comfortable temperature?			
Does the room have an opening window for ventilation?			
Is there adequate light to comfortably see documents and your computer screen?			
Can you reach storage shelves without having to stretch over the desk?			
Do you generally find your workstation comfortable to use?			
Do you know how your workstation should be arranged to achieve the most comfortable posture?			
Have you completed and applied the Workstation Safety Plus E Learning module?			Health and Safety Learning and Development
Do you have somewhere secure to store confidential County Council documents in order to maintain Data Protection Act?			Guidance on Protecting Confidential Information.
<b>Safe use of computers</b>	<b>Yes</b>	<b>No</b>	<b>Comments</b>
Do you use a computer/laptop at home for work purposes?			
Do you have to use a computer/laptop intensively on a regular basis when working from			Link to DSE Regulations in Safety Manual

home?			
If yes to the above, have you completed and applied the Workstation Safety Plus E Learning module?			For E Learning - Health and Safety Learning and Development
<b><u>Electrical Equipment</u></b>	<b><u>Yes</u></b>	<b><u>No</u></b>	<b><u>Comments</u></b>
Does your electrical equipment have any signs of damage?			Look for obvious faults such as loose cables, cracked plugs, split covering to leads etc. This is a visual inspection only - you should not open plugs or take covers off the equipment.
If you have any items of County Council equipment at home, are they marked to show they have received a portable appliance test?			There should be a label on the equipment showing the date it was checked.
When was this equipment last checked?			
Do you know how to safely use the equipment you use to work from home?			
<b><u>Emergencies</u></b>	<b><u>Yes</u></b>	<b><u>No</u></b>	<b><u>Comments</u></b>
Do you have an escape plan in case of fire?			
Do you have a smoke alarm fitted?			It is strongly recommended that you fit a smoke alarm. This should be tested weekly to ensure that it is working.
Do you know what to do in the event of having an accident at home?			
<b><u>Wellbeing</u></b>	<b><u>Yes</u></b>	<b><u>No</u></b>	<b><u>Comments</u></b>
If your job involves lifting and handling at home, have you received training to do it safely?			Health and Safety Learning and Development
Do you have regular supervision with your line manager?			
Do your working hours at home comply with the current Working Time Regulations?			Working Time Regulations
Does your Line Manager review your working from home			

arrangements with you at supervision or at EPDR?			
Are you aware of the requirement of the Council's Attendance Procedure that requires you to report any sickness, whether working from home or at any other work base?			Link to Attendance Management – Employee Guide
Do you have the opportunity to contact and meet with other team members as appropriate ('Home worker' work style employees only)?			

**Do you have any other comments about your working conditions or any other health and safety concerns?**

**Employees signature:**

**Date:**

**Line managers name:**

**Line managers signature:**

**Date:**

Please detail the action that is to be taken, if any, to address any issues highlighted in the assessment.