



Agile Working Policy

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Pandemic

In response a pandemic all Council employees are expected to follow the social distancing and public health guidelines published by the Government and by the Council in order that the highest level of Health and Safety working practices are met.

Wherever possible, meetings should be held virtually either by video call or by telephone to avoid face to face contact. It is recognised that this is not possible or practical for every situation and therefore meetings should be held with only essential members present and social distancing and personal hygiene measures such as regular hand washing, use of hand sanitiser and surface cleaning at the front of mind.

Pandemic Risk Assessments must be followed at all times and any issues raised immediately with an appropriate line manager.

1. Introduction

1.1 Agile working is a way of working in which an organisation empowers its employees to work flexibly from any location, whether it's from a council building, within the community or by varying degrees of home working and hot-desking. The purpose being to optimise their performance.

1.2 The extent of agile working is dependent on the nature of the role, the needs of the service and an individual's circumstances. With careful planning, staff should be able to carry out their duties from a variety of locations.

1.3 The aim of this policy is to outline working options that are available to employees that managers can promote in order to deliver services in a more efficient and effective way. The policy will provide managers and staff with a better understanding of the basic principles of agile working by:

- providing greater flexibility as to where work is performed
- encouraging agile working wherever possible; **especially during a pandemic** and
- identifying a formal process by which agile working can be introduced.

Any proposal to introduce agile working will be mutually agreed between the line manager and the employee.

1.4 **Agile workers:**

- will be treated in the same way as their office based colleagues
- should not suffer a detriment financially, in terms of job satisfaction or career prospects.
- must adhere to all Council policies in the same way as office based colleagues.
- must be contactable by their line manager during all designated working hours.
- will not be entitled to claim travel expenses from home to the council offices (unless **the change has been agreed as a change to your terms and conditions of employment.**) Any travel expenses claimed must be in line with the Council's Driving Policy.

2. Agile Working Arrangements

For the purpose of this policy council staff fall into one of four categories:

2.1 **Fixed (100% desk allocation in a fixed location)**

These are employees who are required to spend most of their working time at a fixed location, for example, providing face to face customer services or using specialist equipment e.g. large reprographics equipment.

2.2 **Flexible**

Flexible staff are employees who are regularly away from the office, this will include those who work at home for part of their working week or work from home on an ad-hoc basis. Lots of council staff could fall into this category and the degree of flexibility would need to be determined by the Head of Service in consultation with the employee.

2.3 **Hot Desking**

Whilst government guidance on Social Distancing is in place due to Covid-19, hot desking should be discouraged where ever possible.

2.4 **Home based (0% desk allocation e.g. no specific desk allocation)**

Employees who predominantly work at home but occasionally come into the office for meetings with their manager/team.

3. General Considerations

3.1 Developments in technology enable employees to process information using various types of portable (mobile) electronic devices. These devices enable staff not only to work at different locations but also while they are 'on the move'. Where it is identified that such practices would enhance service delivery or generate savings then managers may want to initiate discussion about the possibility of agile working.

3.2 **Suitability of the Role for Agile Working**

Despite such developments as outlined above, it is important to recognise that some roles are not suitable for agile working. This is especially the case where there is a requirement for the role holder to be at a particular location, using specialist equipment or providing face to face interaction with the public.

3.3 **When considering the practicalities of agile working both parties must be mindful of the following principles:**

- Operational feasibility, performance standards, customer service, health and safety, data protection, and security of equipment must not be compromised.
- Discussions and consultations/negotiations with employees and their representatives (where appropriate) on contractual changes to terms and conditions of service must be done in consultation with human resources.

- Proposals to instigate agile working will be taken through the normal consultation/negotiation process including trade union consultation.
- All staff will continue to have a designated base for travel claim purposes, although they may choose to work from an alternative location to allow for improved efficiency and a more effective service.

3.4 **Resource Implications**

Consideration should be given to whether the additional cost of setting up an agile working arrangement whilst still retaining an office base outweighs the potential benefits. Potential savings and benefits could include, increased productivity, lower travel costs and reduced requirement for office space. However additional ICT equipment and services may be required, e.g. computer terminals, access to remote working facilities, smart devices which provide access to back office systems and e-mail and calendar. There may also be additional costs to maintain regular communication with employees and additional management oversight requirements both in relation to the employee not being readily 'observable' and reduced cover from having fewer staff on hand in the office.

The council's ICT team have developed remote working facilities that enable access to desktop facilities from various locations including the employee's own home broadband connection. Arrangements can also be made for staff to access the secure Public Services Network (PSN) for such facilities as the DWP's Customer Information System (CIS). Any decisions involving the use and provision of ICT equipment should therefore be made in consultation with the ICT and Digital service and a holistic view may need to be taken where numbers of arrangements being requested impact on licencing thresholds etc.

3.5 **Security, Data Protection and Confidentiality**

- 3.5.1 The use of unmanaged devices is regulated by legislative requirements and ICT Services must be satisfied that the devices used are suitable, so that all processing of personal data under their control remains compliant with Data Protection Laws.
- 3.5.2 An unmanaged device is one classed as not being owned by the Data Controller, i.e. Wyre Council. Examples of unmanaged devices include home computers, laptops, iPads, iPhones and other personal smartphones or home devices or devices owned by other third parties in relation to activities at Wyre. To address this issue for home working or similar situation the council provides secure access to facilities via the VMware Horizon View Client and Webmail. Any other method of accessing data is prohibited.
- 3.5.3 The risks associated with a particular employee working occasionally from home will depend on the nature of the work, the type of records used, the access required and the employee's home circumstances. Certain systems require additional security for example: the DWP's CIS and gcsx.gov.uk email communications. Where these systems are to be accessed remotely ICT should be contacted to discuss the appropriate actions required to satisfy the necessary controls.
- 3.5.4 The employee is responsible for the confidentiality of any records held remotely (either in paper or electronic form) and for their transportation to and from base. Only the minimum level of confidential information should be held remotely and any confidential waste, must be disposed of in accordance with council policies. The employee must satisfy their line manager that the precautions taken are adequate to protect the councils' responsibilities with regard to Data Protection legislation.

3.5.5 Agile workers will be responsible for taking adequate steps to ensure the security of council equipment. They must ensure that they comply with the Council's ICT Computer Use Policy and that where council's equipment is provided, it is only to be used by Council employees. Personal confidential information held on electronic devices such as computers, mobile devices, or encrypted memory sticks must be held securely, whether being accessed at base, from another council site or remotely (including at home).

3.6 **Hot Desking / Clear Desk**

A hot desk refers to a designated work space for any employee to use at any time. Where applicable, designated banks of hot desks should be used by visiting staff, or alternatively individuals should be allowed to 'book' a free desk within that service area. All staff should therefore be encouraged to assist this process by adopting a clear desk principle that enables use of the space by other members of staff.

During a pandemic hot desking should be avoided. Where this is not possible safe working practices should apply such as cleaning workspace before and after use.

3.7 **Health and Safety**

Employers are under a statutory duty to provide its employees with a safe working environment and all employees should be made aware of arrangements to protect their health and safety, including personal security. Health and Safety Legislation applies to all employees, whether they are working in the office, remotely or from home.

Employees are also responsible for taking reasonable steps to ensure their own health and safety and that of anyone else that may be affected by what they do. For example, a home worker needs to include anyone who may have access to the work space during the employees working hours. It is the homeworkers' responsibility to carry out adequate checks and report any work related hazards to others who might access their work space.

The employee must also report any changes to their home working setup to their manager and update the Risk Assessment accordingly to ensure the health, safety and wellbeing of the employee is maintained at all times.

3.8 **Risk Assessments**

As part of the application process for agile working, managers must consider all the health and safety implications. Therefore as part of the agile working application a risk assessment must be submitted to enable the manager to make an informed decision. The self-assessment form can be accessed on the intranet or from the Human Resources (HR) team. Those employees 100% home based may require a home visit by their manager or alternatively photographic evidence of their home working setup.

The employee will be required to update their Risk Assessment following any changes to their home working set up. These will need to be sent to their manager for evaluation.

3.9 **Insurance, Mortgage and Tenancy Arrangements**

Whilst agile working is covered by the Council's Employer's Liability Policy, employees are required to notify their own insurance provider if the nature of their agile working

includes working from home. Failure to inform domestic insurers may result in home insurance cover being rendered invalid. Copies of home insurance documentation to evidence this cover are subject to audit and must be made available on request.

Similarly, staff must also contact their mortgage provider or landlord as some mortgage and rental agreements do not permit any form of homeworking to take place on the premises. It is the employee's responsibility to undertake these checks.

3.10 **Sickness Absence**

Staff who are working from home must follow the normal notification and reporting procedures when not fit to work due to health reasons and will remain subject to the Promoting Attendance and Controlling Absence policy.

4. How to make an Agile Working Application

4.1 Those requesting agile working should apply directly to their line manager using the Agile Working Application Form. The line manager will then need to liaise with HR before approval is sought from the Head of Service/ Service Director. The application should clearly state the reasons for making the request and consider the impact it would have on the service detailing how any problems could be overcome. **In the event of a pandemic, staff will not be expected to make a formal application for agile working.**

4.2 Managers should be aware that employees have a statutory right to ask for flexible working, which can include agile working, and that such requests must be dealt with within a legal framework and set time scale. Failure to follow the prescribed procedure could lead to a complaint being brought in an employment tribunal. (For further information see the Council's Flexible Working Policy or contact HR).

All applications should therefore be dealt with in consultation with HR and a decision will be given, in writing to each applicant within 28 working days of receipt of the request. It is important therefore that managers liaise early with HR to avoid delays.

4.3 **Setting up an agile working arrangement**

For an agile working arrangement to succeed, managers must be confident of the suitability of the individual concerned, have considered the impact on the service provision, the impact on colleagues and the work base to be used.

4.4 **Points to consider :**

4.4.1 The suitability of the individual applicant

The individual will need to be able to:

- Deliver work effectively without supervision.
- Deal with reduced social contact and isolation
- Demonstrate self-reliance and initiative.

4.4.2 Impact on service provision

- Is the role suitable for agile working?
- Is there a need for face to face interaction with colleagues or the public?

- If the duties involve the handling, processing or creation of data, Can the employee obtain full access to the systems and information they require easily and quickly from home?
- Can the work output can be clearly defined, measured and monitored?
- Is there a need to ensure adequate office presence?

4.4.3 ICT Provision

- Is the necessary ICT infrastructure in place?
- Has the cost of providing any necessary ICT equipment been assessed?

4.4.4 Impact on colleagues

- How will it impinge on overall work operations?
- Will there be an impact on the team dynamic?
- What impact would changes have on the work of other employees?
- What would be the implications for management and supervision?
- Will there be an impact on office cover that impinges on colleagues?

4.4.5 The suitability of the work base

- Whether the accommodation and work station satisfies Health and Safety requirements.
- Suitability of the base in relation to secure storage of equipment, information etc.
- Is there a need to restrict access to the work space by others.
- Impact of any distractions.

5. Considering an 'Agile Working' Request

- 5.1 Agile working arrangements will only be approved where the overall efficiency of the service is not adversely affected and the manager is satisfied that all circumstances are suitable.
- 5.2 Whilst there may be some ad-hoc informal agreements for which applications have not been submitted, all parties must be aware of, and abide by certain policies concerning security, confidentiality and health and safety.
- 5.3 The introduction of agile working will be subject to review. During this time the working arrangement will be closely monitored to ensure that it is operationally suitable and will be revoked if the arrangement is not working.
- 5.4 Individual contractual changes will be drafted by Human Resources following full consultation with the employee and their representatives (where appropriate) but line managers will need to agree:
- Tasks and objectives;
 - The procedure for assessing and monitoring performance and output ;
 - Communication arrangements including agreement of when and how the employee can be contacted, employees home phone numbers are available from HR;
 - Health and safety arrangements;
 - Operational arrangements including details of any council equipment to be used, secure storage of equipment, information, documents etc.

- Duration of the agreement and timescales for periodic review.

5.5 Where an application has been refused the employee can refer the matter to the relevant Service Director for further consideration.

6. Equality Impact Assessment and Monitoring

6.1 The operation of this policy will be monitored for its impact on different staff groups in line with the Equality Act 2010. This will enable the council to assess whether any differences have an adverse impact on a particular group, such that further action would be required.

7. Data Protection

7.1 In implementing this policy, the council will ensure that any personal data relating to the application of this policy will be obtained, processed and destroyed in line with Data Protection requirements.