

SUPPORTING THE WORK-LIFE BALANCE

(E) Home Working Policy

1. Applicability and Definitions

This policy applies to any post where work is performed at or from home instead of at or from the Board's premises for a significant proportion of the contractual working hours.

1.1 Working at Home (Section 4)

Where an employee, with the approval of their manager wishes to work at home for part of their working time even though their contract of employment requires them to have their office based on the Board's premises.

Sections 1-4 only of this policy apply. The appendices do not apply.

1.2 Working from Home (Section 5)

Where an employee is required in their contract of employment to have their office based in their home even though they may work other than at home for part of their working time. Such employees will be referred to hereafter as "Homeworkers".

All of this policy applies, with the exception of section 3. Appendices 1 to 3 inclusive apply.

2. Rationale

There are a number of reasons why homeworking and working at home is desirable, including:

- providing greater flexibility;
- increasing scope to meet the Board's commitment to equal opportunities, (e.g. it may enable a person with disabilities to do a job they otherwise would not be able to do);
- reducing energy consumption and pollution from unnecessary car journeys;
- broadening the traditional recruitment market and gaining access to alternative labour markets;
- attracting and retaining staff;

- providing a working environment which enables work to be carried out effectively and efficiently.

Key points to bear in mind are that:

- Staff should not lose out financially in terms of job satisfaction or in terms of career prospects.
- Those working from home/teleworking should have the same employment rights as office-based workers.
- It should be possible to review the practice regularly and, if necessary, to revert to previous arrangements.

3. Working at Home

3.1 Definition

'Working at Home' occurs when an employee wishes, with the approval of their manager, to work at home for part of their working time, even though their contract of employment requires them to be based on work premises.

3.2 Guidance for working at home:

3.2.1 Working at home should be used to undertake specific work activities.

3.2.2 Frequency and duration of working at home should be agreed with the manager and relevant colleagues.

3.2.3 Reasonable notice of a wish to work at home must be given.

3.2.4 Once there is an agreement that an individual is to work at home for a part of a day, given day or given period of days, the arrangement should be respected in so far as possible.

3.2.5 Employees working at home may be recalled to work premises at short notice.

3.2.6 In cases where employees working at home are frequently recalled to work premises at short notice, working arrangements should be reviewed.

3.2.7 Individuals and colleagues/managers should jointly monitor the impact of time spent working at home.

3.2.8 Staff working at home are required to carry out their work duties during their normal hours of work. Any domestic arrangements such as childcare/carer arrangements must remain in place throughout the hours of work.

3.2.9 Perceived problems caused by employees working at home should be addressed within departments and/or teams.

3.2.10 Employees working at home must be contactable by telephone.

3.2.11 Where an employee works at home more than 50 days in any one calendar year, that employee's manager shall actively review ways of working with particular regard to location of the workplace.

4. Working from home (Homeworkers/Teleworkers)

4.1 Definition

Employees are referred to as 'homeworkers' where they are required in their contract of employment to have their office based in their home, even though they may be other than at home for part of their working time.

4.2 Criteria to determine suitable posts

The manager and Human Resources will agree the number and type of jobs to be operated in line with this policy. If an employee requests to work from home they will participate fully in any discussion that affects their post.

Selection is undertaken in the following stages:

Stage 1: The Nature of the Role

- The role requires a high degree of personal concentrated work with very limited interaction and can be done at home in isolation from colleagues.

- The role effectively has no need for or would derive limited benefit from an office base.
- There is no 'face to face' service at the work base (the home).

Stage 2: Health and Safety Assessment

Individuals who are planning to work from home should complete the attached self-assessment form (appendix E1) to ascertain whether the home needs to be assessed by a competent person. The purpose of any such assessment is to establish the suitability of the home for working against health and safety standards and the requirements as specified within appendix E2.

Stage 3: Capability, Personal and Role Development

Selection must be in accordance with the competencies and criteria which have been identified as essential to being able to work productively and competently in the home environment i.e.:

- competency to deliver the role effectively without supervision;
- understanding of the impact of homeworking on the home environment;
- self-motivation, self-discipline and possession of good time management skills;
- clarity of role, deadlines and objectives with feedback;
- clarity of personal development plan and monitoring arrangements.

The above selection criteria will be reviewed according to the needs of the service, and may vary dependant on the specific job roles.

4.3 Regular Information/Support/Communications

The following provides guidance to managers and employees to ensure that those who work from home form an integral part of a team.

4.3.1 The manager should ensure that each homeworker has the opportunity to meet and discuss ideas at least once a week.

4.3.2 In addition to regular and detailed team briefings, line managers will ensure that there are regular communications, as appropriate, made between the office-based team and homeworkers. Homeworkers and their managers should meet on a regular basis to evaluate and develop effective communication links. Homeworkers should receive all relevant information, briefing papers and internal departmental communications.

4.3.3 Clear objectives are required with specific targets and the organisation of work into a series of 'deliverable' segments.

4.3.4 Homeworkers should be allocated a work area using principles of 'hot-desking', if appropriate, within work premises for the time they are expected to attend.

4.3.5 Homeworkers shall be supplied with relevant I.T. support (e.g. e-mail, telephone conference facilities, computer, etc.) to allow them to work effectively.

4.4 Terms and Conditions of Employment

The terms and conditions set out below must be agreed before homeworking begins.

4.4.1 Place of Work

- The contract will define the normal place of work as the employee's home. Should the individual move to a different home address, then the suitability of those premises will be assessed and homeworking will only continue with the Board's express agreement.

- The contract shall provide that the employee is required to adhere to all Board policies and attend work premises at reasonable notice. Purposes may include meetings, reporting sessions, submission of completed work, and training.
- At the determination of the Board the employee will be required to live within a reasonable travelling distance of work premises for meetings, briefings, training etc. in line with arrangements for office-based staff. This requirement will be specified at the time of advertising and when notifying staff of homeworking.
- There may be occasions, as a result of system or equipment failure, when the employee will be required to work from work premises. Arrangements will be agreed between the line manager and employee prior to commencement of homeworking.
- The Board, by prior appointment, has the right to enter the employee's home to inspect equipment and methods of storage, including a right of access to filing cabinets and to computer files relating to the Board's activities.

4.4.2 Hours of Work

Hours of work will be the same as those employees based in work premise

4.4.3 Domestic Arrangements

Homeworkers are required to carry out work duties during their normal hours of work. Any domestic arrangements such as childcare/carer arrangements must remain in place throughout the homeworker's hours of work.

4.4.4 Reimbursement of Expenses

Reimbursement of business travel costs will be based on the home address as the normal place of work and will be in line with Board policy.

4.5 Equipment and Workstation

- The Board will provide, for homeworkers, equipment as outlined and agreed as above. The Board will be responsible for installation, maintenance, repair and removal as required. Stationery and similar office materials will be supplied by the Board.
- The Board will, at its discretion and up to specified limits reimburse the homeworker for the previously agreed purchase of essential equipment (e.g. desk, chair, filing cabinet).
- The homeworker is responsible for keeping all such equipment in good condition, reasonable wear and tear accepted, and for reporting any damage or malfunction to the line manager.
- The homeworker shall be responsible for ensuring that equipment and furniture purchased meets health and safety requirements as outlined within appendix E2.
- On termination of the contract of employment the Board will have the right to enter the homeworker's home immediately to recover all its property including equipment, software and copy documents and files. Without prejudice to the Board's legal right, entry should always be by mutual agreement. Alternatively, the homeworker may opt to keep the equipment and/or furniture in exchange for a payment equal to the original cost, less 3% of the value per month of service since its purchase; otherwise the employer will have the right to remove the equipment.
- The homeworker shall arrange for a business telephone line to be installed solely for business usage, as applicable, and all call and rental charges will be invoiced to the Board.
- Additional and/or specialist equipment may be required, due to a homeworker's disability. On such occasions it may be appropriate to have the workplace assessed by the local Disability Employment Advisor to advise on equipment available under the access to work scheme.

5 Taxation

- 5.1 Based on current legislation, it is not expected that there should be any additional personal taxation or Benefit in Kind implications on the homeworker as a result of working from home.
- 5.2 It is not expected that there will be any Capital Gains Tax implications if the room used for working from home is dual purpose (i.e. occupies under 10% of the employee's home). However, homeworkers may contact HM Customs and Revenue to confirm their individual circumstances.
- 5.3 Insurance arrangements are a joint responsibility between the employee and the Board. Homeowners must provide evidence of adequate insurance cover prior to commencing homeworking.

6 With Withdrawal from Homeworking

'Homeworking' is regarded as a long term commitment both for the Board and staff. Notwithstanding this, homeworkers may seek to discontinue the arrangements and request to be based in work premises. The Board will agree where it deems this practicable. The line manager will take a compassionate approach to requests made due to exceptional personal circumstances.

Homeworkers will be required to co-operate in enabling the Board's property to be removed upon termination of employment.

7 Monitoring and Review

The application of this Policy will be monitored jointly by the Director of Human Resources and the Area Partnership Forum to ensure equitable treatment of all employees.

The Board is required by Law and under the European Union Employment regulations, to gather monitoring information relating to ethnicity, religion and faith, sexual orientation, age, disability and gender for all aspects of employee relations.

You may be asked for information relating to the above in connection with this policy.

You do not have to give the monitoring information if you do not wish to. However, for some of the above diversity strands it is a legal requirement that we ask you for it, and good practice to ask for monitoring information for all diversity strands.

Any equalities monitoring information will be held separately and not used to inform any proceedings that occur in relation to this Policy.

The operation of this Policy will be regularly reviewed by the Area Partnership Forum to ensure its continued effective operation, and formally no later than 30th June 2009.

Health and Safety Audit: Homeworker's Self Assessment

This form must be completed by the employee planning to work from home and be counter-signed by their manager. The purpose of this form is to ascertain whether a full health and safety assessment should be undertaken on the employee's home environment by a risk assessor. This form should be completed and returned to Human Resources Department before it is agreed that a member of staff may work from home.

| | | | |
|---------------------|--|--|----|
| Name | | | |
| Address | | | |
| Telephone No | | | |
| Department | | | |
| Job Title | | Please forward a copy of your job description with this completed form | |
| | | Please tick the appropriate box | |
| 1 | Do you anticipate spending more than 20% of your time working at your homebase? | Yes | No |
| | If yes, do you anticipate spending more than 50% of your time working at your homebase? | Yes | No |
| 2 | Do you have a room at home which will be used specifically as an office base? | Yes | No |
| | If you answered no to this question, within which room in the home will the work be undertaken? | | |
| | How much space in this room will be required to carry out your role effectively? | | |
| | Is there sufficient space within this room to carry out your role effectively? | Yes | No |
| | Is there adequate ventilation, reasonable temperature, and suitable lighting within the home to perform the role effectively and in comfort? | Yes | No |
| 3 | Will you be using your PC continuously for an hour or more at a time? | Yes | No |
| | Will you be using the PC every day? | Yes | No |
| | If not, how often will you be required to use your PC at your home base? | | |
| 4 | Do you have adequate first aid provisions in | Yes | No |

| | | | |
|--|---|-----|----|
| | the home? | | |
| 5 | Are you likely to have to carry or move heavy loads in the home as part of your role? | Yes | No |
| | If yes, what manual handling activities will be undertaken in the home? | | |
| 6 | Is your electricity supply suitable for homeworking? (e.g. are there sufficient sockets, etc?) <i>(Consult a qualified electrician if necessary)</i> | Yes | No |
| If you believe there is additional information we may require in relation to health and safety issues of working at home, please set this out below. | | | |

Homeworking Health and Safety Issues

In accordance with Section 2(1) of the Health & Safety at Work etc. Act 1974 ("HASAWA") there is a duty on every employer "...to ensure, so far as reasonably practicable, the health, safety and welfare at work of all its employees".

In particular, the Board is responsible for:

- (a) the provision and maintenance of the Board's equipment and systems of work that are safe and without health risks;
- (b) ensuring safety and absences of health risks in the use, handling, storage, and transport of articles; and
- (c) the provision of information, instruction, training and supervision necessary to ensure health and safety.

The Board will make a suitable and sufficient assessment of all the risks to the health and safety of their homeworkers by identifying any hazards in the home, assessing the risks those hazards might pose to the homeworkers, and other occupants of and visitors to the home, and taking appropriate action to remove those risks or reduce them as far as possible. The homeworker is required to assist in that process by completing a preliminary Health and Safety Self Assessment Audit (appendix E1). This assessment should take place before a new employee, or existing member of staff is designated a homeworker and then reviewed on a regular basis.

Homeworkers are required to take reasonable care for their own health and safety and that of other persons who may be affected by their acts and omissions at work in the home. Without prejudice to the Board's duties as the employer, the homeworker's duties in this regard are likely to be significant because the working environment is not under the Board's control.

Risk Assessments should take into account the following issues:

1. Display Screen Equipment

A homeworker will not be permitted to carry out a significant amount of work at a home-based work station until such risk assessment has been carried out and any recommendations implemented. Such

assessments shall be conducted by someone who has received relevant training. The "workstation" as defined in the Health and Safety (Display Screen Equipment) Regulations 1992 includes the display screen, the software, the keyboard, disk drive, telephone, modem, printer, documents holder, work chair, work desk, work surface, any other items peripheral to the display screen equipment, and the immediate environment around it.

2. Work equipment

The Provision and Use of Work Equipment Regulations 1992 (PUWER) do apply to the home. Other equipment not comprising part of the "workstation" as defined above provided by the employer will nevertheless be suitable and sufficient for its purpose, with proper information and training being given on how to use that equipment properly and safely. Particularly important will be proper storage facilities for paper files.

3. Handling Loads

Homeworkers should be warned of the hazards of handling loads. Steps will be taken to avoid the need for any hazardous manual handling by homeworkers of loads relevant to their work in the home either altogether or, until risk assessments have been carried out.

4. Workplace

The Workplace (Health, Safety and Welfare) Regulations 1992 do not apply to the home but the standards they require provide a useful benchmark in carrying the overall risk assessment. The home workplace should have adequate ventilation, a reasonable temperature, suitable and sufficient lighting, sufficient space, and the floor should be kept free from obstructions or from articles or substances which could cause a homeworker to slip, trip or fall. If the employer approves the home as suitable it will be the homeworker's responsibility to maintain that safe and healthy working environment.

5. Electrical equipment

The Electricity at Work Regulations 1989 require electrical systems to be constructed and maintained, so far as is reasonably practicable, to prevent danger. Duties under the regulations fall on employers and employees insofar as they relate to matters under their control. The employer is only responsible for electrical equipment which it supplies.

However, before allowing a homeworker to work from home the organisation will ensure that the homeworker's own electrical wiring is adequate for the purposes intended. Maintenance of the wiring is the homeworker's responsibility.

6. Substances and materials

The employer is only responsible for substances and materials it provides to homeworkers. Procedures under the Control of Substances Hazardous to Health Regulations 1994 should be complied with. (Please refer to the organisational Health and Safety Policy.)

7. Security

Employees who undertake to meet with members of the organisation or members of the public in the course of their employment should make appropriate arrangements to meet at the local work office or in a public building.

8. First Aid

In accordance with paragraph 3 of First Aid at work the Approved Code of Practice and Guidance to the Health and Safety (First Aid) Regulations 1981, the employer will ensure that the homeworker has adequate and appropriate first aid provisions in the home. It shall be a contractual obligation on the part of the homeworker to allow managers to have reasonable access to the home, by appointment, in order to carry out inspections for health and safety purposes. The homeworker will be given sufficient training and information to enable the employer to comply with its duty to report and record the work related accidents, injuries and diseases referred to in the Reporting of Injuries Diseases and Dangerous Occurrences Regulations 1995.

Homeworkers' Intellectual Property and Data Protection

Employees do not own the copyright on work produced in the course of employment with the Board unless there is a written agreement to the contrary.

It is the duty of the homeworker to take all reasonable precautions to protect confidential information relating to employment with the Board which is stored in the home and, in particular, from other people residing in or visiting the home. Information is confidential where it is expressly stated to be confidential. Information can also be confidential where its nature or quality attracts confidence by implication, or where it is covered by the data protection legislation.

Information held on computer which contains data about any identifiable living individuals is likely to be subject to the Data Protection Act 1998. Homeworkers, as employees, do not need to register separately under this Act; they are covered by the Board's Register entry. However, homeworkers will need to know and understand their obligation to keep data about any identifiable living individuals confidential and secure, to operate within the terms of the Board's Data Protection Register entry, and to comply with the eight Data Protection Principles.

In practice, the homeworker's obligations as set out above are best observed by keeping work life and domestic life separate. In particular, where there is a risk that other household occupants, might gain access to work-related computer files these should be password protected. Great care should be taken not to inadvertently disclose passwords.

Computer files which are not contained in the organisations networked drives should be regularly backed up onto disc and stored away from the home. Managers are responsible for agreeing and monitoring procedures for ensuring the security of work, information, and data and files under the homeworker's control. Homeworkers should comply with the Board's system's department procedures on virus checking and logging off when a computer is not in use.