

**Personnel Committee 31<sup>st</sup> October 2014**

**Agile Working Procedure**

**Service: Human Resources**

**Wards: All**

**1. Purpose of the report**

To notify Personnel Committee of the recently adopted Agile Working Procedure (Appendix 1).

**2. Recommendations**

That Personnel Committee notes the contents of this report.

**3. Background**

Smarter Workplaces Programme was introduced in 2011 as the vehicle for the transformation of how the Council uses office accommodation, with the aims of;

- Realising efficiencies from the Council's property portfolio;
- Strengthening alignment of property strategies with the organisation's purpose, vision and priorities;
- Supporting future business needs, meeting customer demand, safeguarding priority front-line services and improving the customer experience.

As a result of investment, the Civic Centre now has a combination of improved workplaces, new technology and the right support to enable teams to continue to introduce new work practices and promote agile working. In turn this means that a greater number of employees can be hosted by fewer Council buildings.

Agility is about working within guidelines, but without the boundaries found in traditional ways of working. It's about seeing work as a series of tasks and activities rather than a specific desk/workstation or a specific building.

The current future needs of our customers are changing and this leads to challenges in how we share our resources to deliver services which are more efficient and cost effective. The Agile Working Procedure provides guidance to help managers and employees have an understanding of how agile working can be implemented whilst at the same time, ensuring that they continue to meet legal, operational and individual requirements.

**4. Financial**

ICT will provide the technical expertise and advice on what IT equipment should be purchased and supplied, the costs of which will be met by the individual service area. Any expenditure must not result in an over spend or ongoing pressure against the budget. Therefore before managers agree to home working arrangements they must identify and record an established budget with which to fund any costs.

If the employee wishes to purchase any additional furniture to enable home working, the additional cost will be met by the individual employee.

The employee will be responsible for the cost of utilities (i.e. heating or electric), phone lines (including their own broadband), lighting, ventilation equipment, running costs and any additional cost to home insurance and will not be reimbursed for these costs by the Council.

## **5. Legal**

No legal implications arising out of this report.

## **6. Risk Management**

Risks will be managed by the service area through the completion of risk assessments, DSE assessments and home suitability assessments. Further advice will be provided by Health & Safety in addition to the Home Working Safety Management Standards.

The Council's insurers will cover third party and employer liability risks and cover some Council owned equipment in the home provided that the Council's insurance officer is provided with the details. The Council's insurance will not cover the home or any equipment provided by the employee.

Any loss, damage or injury incurred may be covered by the Council's insurance policies except in cases of wilful misconduct or where reasonable precautions have not been undertaken in which case liability may rest with the employee.

## **7. People**

Contained within the report.

An Equality Impact Assessment (EqIA) has been completed.

## **8. Consultation**

The new Agile Working Procedure went out for consultation on 28 January 2014. The procedure went to -

- All Assistant Directors
- Internal Audit
- Legal
- UNITE, GMB and UNISON Trade Unions

Following consultation, the Trade Unions confirmed that they had no issues or comments to raise regarding the new procedure and did not oppose it.

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# Agile Working Procedure

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This procedure links to:

- Attendance Procedure
- Agile Working in the Civic Centre - Clear desk and Workstation Procedural Guidelines
- Code of Conduct
- Disciplinary Procedure
- Flexi time recording
- Home Working Safety Management Standard
- Information Governance Policy Framework
- Performance Procedure
- Probation guidelines
- Reimbursement of Personal Expenses Procedure

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**Contents****Page:**

1.0	Purpose	4
2.0	Introduction and principles of the procedure	4
3.0	Scope of the procedure	4
4.0	Roles and responsibilities	4
5.0	Definitions of agile working	5
6.0	Team zones, hot desks and clear desk workstation guidelines	5
7.0	Rights and requirements to agile working	6
8.0	Trial periods	7
9.0	Health and safety	7
10.0	Electrical testing	7
11.0	Personal safety	7
12.0	Performance monitoring/supervision	7
13.0	Review of individual working arrangements	8
14.0	Flexible working scheme and time recording	8
15.0	Reporting sickness absence	8
16.0	Equipment, furniture and consumables	9
17.0	Information and Data Protection	10

18.0	Travelling and subsistence	10
19.0	Access to property	11
20.0	Home based workers moving house	11
21.0	Risk and insurance	11
22.0	Abuse of agile working or concern about staff well-being	11
23.0	Termination of agile working agreement	12
24.0	End of employment	12
25.0	Conditions of service, policies and procedures	12



## **1.0 Purpose**

- 1.1 The purpose of this procedure is to ensure that managers and employees understand how agile working can be implemented across the Council whilst at the same time, ensuring that they continue to meet legal, operational and individual requirements.

## **2.0 Introduction and principles of the procedure**

- 2.1 We must increasingly consider work as an activity rather than as a physical location such as a specific workstation or building. For some colleagues they will be impossible to separate. For others, the removal of the constraint of the physical location for work activities presents new opportunities to better serve our customers with new ways of working and innovative use of technology.
- 2.2 Agile working empowers employees to work with their manager to find new ways of working in order to maximise their productivity whilst at the same time, delivering and balancing the needs of the business and service users.
- 2.3 Walsall Council aims to use agile working to encourage a culture in which employees are appraised of their output and results rather than the amount of time spent in the office or perceived effort. Managers and employees should identify opportunities where working in a different way can be successfully implemented and maintained. This can be for either groups of employees or individuals. The outcome will be improved organisational and individual performance so that our services to the public can be enhanced and our costs potentially reduced, whilst maintaining the health, wellbeing and safety of our employees.

## **3.0 Scope of the procedure**

This procedure applies to all employees with the exception of school staff for which separate arrangements apply.

## **4.0 Roles and responsibilities**

### **4.1 Managers**

It is the responsibility of managers to identify opportunities and consider requests for, and promote and support agile working, where it meets the Council's objectives. It is the responsibility of managers to ensure that Information Asset Owners understand the Agile Working Procedure and how it affects the Information Assets stored, accessed and managed.



## 4.2 Employees

It is the responsibility of employees to comply with all Council policies, procedures, the code of conduct and Information Governance Policy Framework and to adhere to the same working standards as would apply in a fixed base.

## 4.3 Human Resources

It is the responsibility of Human Resources to provide managers and employees with advice in relation to the procedure and in particular any health and safety issues. Human Resources will review the procedure as required to ensure that it complies with legislation, modern employment practices and meets the Council's objectives.

## 4.4 Information Communications and Technology (ICT)

It is the responsibility of ICT to:

- provide managers and employees with advice and guidance on equipment and systems (this advice and guidance is specifically for the use of Wyse boxes, 3G dongles, Blackberries, VPN etokens and how to log in);
- provide a return to base support service;
- show users how to connect up the equipment (home visits will not be carried out).

## 5.0 Definitions of agile working

Agile working is a term used to describe how employees can work flexibly from a range of workstations, locations or hot desks within a Council building, out in the community with customers, home working or a combination of these. The extent of agile working will vary according to the job role and the main considerations are the impact on access to services and employee welfare.

Home working is a term referring to either "home based workers" where the majority of their time is spent working from home or regular home workers who work from home on agreed, specific days of the week or occasional home workers who work from home on an ad hoc or occasional basis.

## 6.0 Team zones, hot desks and clear desk/workstation guidelines

- 6.1 Team Zones (an allocated group of desks/workstations in a particular zone of the Civic Centre which is allocated to a specific team and/or service) and hot desk areas within the Civic Centre will require staff to share workstations that are equipped to give access to the Council's network standard systems.
- 6.2 A hot desk is a desk/workstation which is unallocated and is open for anyone to use on an occasional basis such as when a team zone is fully occupied. However, to avoid



confusion and under or overuse, the banks of hot desks are earmarked to specific services as and when required and this needs to be balanced against the general principle of a shared resource for everyone.

- 6.3 The Council will continue to support reasonable adjustment requirements, as recommended by an occupational health specialist and agreed with the manager where this has been deemed necessary. This may include specialist chair, adjustable desk/workstation and/or other equipment. However, these arrangements do not automatically exclude employees from working in an agile way. Each situation will need to be considered on a case by case basis.
- 6.4 Workstations will be subject to the clear desks and workstations guidelines. Personal lockers and team storage for working papers will be provided. All employees should ensure that the desk/workstation they have used remains free of documentation, personal belongings and is left clean and tidy at the end of use/end of the day.

## **7.0 Rights and requirements to agile working**

- 7.1 Walsall Council is aiming to become a more agile organisation. Application of the various elements of agile working will always be subject to service need. There will be roles where, for example, face to face contact is always necessary or essential equipment is at the office base and therefore home based working will not be possible.
- 7.2 Although there is a right to request home based working, there is no automatic entitlement to participate in a nominated home working arrangement. Likewise there is no automatic right to either continue with this arrangement in the existing post or when moving to a different post within the Council.
- 7.3 Employees should complete a home working application form (section A – request form) if they wish to be considered for either permanent or regular home working. Managers can consider whether it is appropriate for employees to use the home working application form for ad-hoc home working arrangements.
- 7.4 Management has the right to approve home working arrangements at their discretion. Any home working requests that are declined can be reviewed by the next tier manager at the request of the employee.
- 7.5 Prior to any employee commencing a home working arrangement, 'Section B Agreement Form' of the home working application form must be completed together with:-
- Risk assessment that includes home working;
  - DSE assessment;
  - IT Inventory form;
  - Home suitability assessment.





## **8.0 Trial periods**

- 8.1 Trial periods can be used to determine the suitability of employees working under agile/ home working arrangements. They can also be used to determine the impact on the service and assess whether the needs of both internal and external customers are being met.

## **9.0 Health and safety**

- 9.1 The Council requires managers and employees to assess all health and safety implications (including carrying out a DSE assessment) associated with agile working or home working and to work together to ensure that health and safety is not compromised. Health & Safety can provide advice and further information on the Council's Home Working Safety Management Standard.
- 9.2 Managers must ensure that health and safety risk assessments cover elements of home working if this could be a requirement of the role prior to the employee commencing home working plus a home suitability assessment in conjunction with the employee. This should be reviewed when any significant changes are likely to affect the assessment.
- 9.3 If an employee does not have the facilities to work safely and securely from remote locations they will not be allowed to do so and will have to work from an office base.
- 9.4 Accidents must be reported in the usual manner in accordance with normal procedures.

## **10.0 Electrical testing**

- 10.1 Staff should undertake regular visual checks to ensure that all electrical equipment provided to them appears to be safe. All electrical equipment within the office areas will be PAT tested at appropriate intervals by Facilities Management.

## **11.0 Personal safety**

- 11.1 Employees must not have meetings in their home with service users, contractors or officers from other agencies, or divulge their home address or home or personal mobile telephone number.
- 11.2 Managers must contact their home workers on a regular basis to be agreed between the manager and employee to ensure appropriate guidance and support is provided.

## **12.0 Performance monitoring/supervision**

- 12.1 Regular supervision must take place between the manager and the employee to discuss workloads, outputs, outcomes and maintain structured discussion and feedback.



- 12.2 Employees must report to the office as requested by managers for any work related meetings, home working reviews, absence review meetings or to conduct supervision.
- 12.3 Where an employee's performance is not acceptable, the manager can withdraw the employee from agile working arrangements as part of a performance action plan to support necessary improvements.

### **13.0 Review of individual working arrangements**

- 13.1 All assigned working arrangements will be monitored by the manager through usual supervision routes. The arrangement will be reviewed by the manager at an appropriate time but no later than six months after commencement, at which point, future working arrangements should be agreed with a further review set or revoked.
- 13.2 Employees who are currently being monitored under another Council procedure such as Performance, Attendance, Disciplinary or probationers may need to be based for the majority of their working time at a fixed base where they have direct access to a manager to allow their workload to be monitored and appropriate support to be provided.

### **14.0 Flexible working scheme and time recording**

- 14.1 When working from home, employees will be entitled to participate in the flexible working scheme subject to operational requirements of their specific role and their terms and conditions of employment.
- 14.2 When working from home, employees will be required to record their start and finish times (including breaks) as per the Council's process on flexi time recording. Lunch breaks and smoking breaks must be recorded for managers to monitor the working hours.
- 14.3 Employees who find themselves in the position of having to respond to an urgent, unexpected domestic demand should consult with their manager and where relevant and in agreement with their manager, complete their timesheet according to the hours actually worked.

### **15.0 Reporting sickness absence**

- 15.1 Employees who are unable to work due to sickness absence must follow the Council Attendance Procedure.
- 15.2 Employees will be required to participate in a return to work interview and sickness absence review meeting (if applicable) after a period of sickness absence as set out in the Attendance Procedure.



## 16.0 Equipment, furniture and consumables

- 16.1 Managers, employees, ICT and/or Facilities Management will work together to determine what equipment is required in order to perform the job role whether working from the home, in the field or remote location. ICT will provide the technical expertise and advice on what IT equipment should be purchased and supplied, the cost of which will be met by the service area. Facilities Management can recommend specifications for suitable furniture and employees are responsible for ensuring that their home is set up for home working. Any additional costs for furniture the employee wishes to purchase will be met by the employee.
- 16.2 Where an employee works from home on a regular basis, the service area will provide the necessary ICT equipment as appropriate to enable an employee to work in a given style (e.g. laptop and mobile telephone).
- 16.3 Due to Information Security and Data Protection requirements, ICT equipment used must always be supplied and maintained by the Council for home-based workers.
- 16.4 Home-based employees should not use their own ICT equipment for work purposes. However, where technically possible, economically sensible and where appropriate information security is in place, the IT department will allow access to Council email from devices not owned by the council – ICT should be consulted for further information.
- 16.5 Specialist furniture and equipment will be provided at the allocated work base where reasonable adjustments have been agreed for employees with disabilities following a recommendation by an occupational health specialist, Access to Work Adviser etc.
- 16.6 Employees must report any equipment that is lost, stolen or damaged to their manager and IT Service Desk, Information Governance and Internal Audit immediately.
- 16.7 All consumables (e.g. paper, stationery) will be supplied by the Council. Employees who purchase their own consumables will not be reimbursed.
- 16.8 Employees must use Council approved encrypted electronic storage devices (e.g. laptops, memory sticks) supplied by ICT.
- 16.9 All equipment provided will be listed in an inventory and will at all times remain the property of the council and must be returned/will be recovered upon the cessation of the home working arrangement.
- 16.10 The employee will be responsible for the cost of utilities (i.e. heating or electric), phone lines (including their own broadband), lighting, ventilation equipment, running costs and any additional cost to home insurance and will not be reimbursed by the Council.



## **17.0 Information and Data Protection**

- 17.1 The increased use of mobile technology potentially raises the vulnerability of the Council's network and the data that is held and produced by those working under the Agile Working Procedure. The Council's Information Governance Policy Framework including the Data Protection Act 1998 must be complied with in relation to the use and security of information.
- 17.2 Managers/Information Asset Owners should assess the risk to Information Assets prior to the employee commencing home working and review this when any changes are made to the working environment. These risks should be recorded and mitigated where possible.
- 17.3 Employees participating in agile working are personally responsible for the security of the data they keep in paper and electronic form and should comply with all relevant legislation, policies and procedures as they would if they were working at a fixed Council base.
- 17.4 Employees must not allow any other individuals, including family members, any access to personal data or other Council Information Assets and all printed documents or other paper records must be securely stored when not in use.
- 17.5 Employees must never use their own devices for the storage of data or documents related to Council business as these may not provide the level of security required.
- 17.6 Employees must report any suspected or actual information security incident to their manager, Information Asset Owner and/or the Information Governance Team.

## **18.0 Travelling and subsistence**

- 18.1 Walsall Council will reimburse staff for costs incurred on travel, subsistence and other expenses in the course of official Council business.
- 18.2 Mileage or other travel costs will not be payable on journeys from home to the fixed work base or designated work base. Any mileage claims for site visits undertaken at any point during the working day should be calculated as the shortest of the distances from either the work base or the employee's home address.



## **19.0 Access to property**

- 19.1 When working from home, staff may need to give access to their premises to the Council, by prior arrangement for various purposes e.g. to ensure that the Council complies with statutory health and safety duties.

## **20.0 Home-based workers moving house**

- 20.1 Any proposed move to a new property must be discussed with the manager to ensure that home-based working can continue. The process for consideration of home based working must be reassessed using the home suitability assessment form and the property must be deemed suitable and must meet the necessary health and safety requirements.

## **21.0 Risk and insurance**

- 21.1 The Council's insurers will cover third party and employer liability risks and cover some Council owned equipment in the home provided that the Council's insurance officer is provided with the details. The Council's insurance will not cover the home or any equipment provided by the employee.
- 21.2 Home based workers must tell their own domestic insurers in writing that they are home based working if it is not already a standard term in the cover.
- 21.3 Any loss, damage or injury incurred may be covered by the Council's insurance policies except in cases of wilful misconduct or where reasonable precautions have not been undertaken in which case liability may rest with the employee.

## **22.0 Abuse of agile working or concern about staff well-being**

- 22.1 Where there is a serious concern about the employee's well-being and/or suspected abuse of the agile working arrangement, the agile working may be temporarily suspended with immediate effect to allow an investigation/further discussion to take place. Management reserve the right to end home working arrangements with immediate effect.
- 22.2 Where agile working arrangements have been withdrawn, employees can request a review of the decision by their next tier manager.
- 22.3 Home based workers must not use agile working arrangements as a means for providing childcare/general care to family members or others living in the same household.
- 22.4 Abuse of any agile working arrangement will be viewed as very serious in nature and may lead to disciplinary action which may result in a sanction up to and including dismissal.



## **23.0 Termination of home working agreement**

23.1 The Council reserves the right to withdraw agile working arrangements from an employee if this is deemed necessary. Reasons for this could include;

- the needs of the service are not being met;
- the employee is abusing the arrangement;
- the employee cannot meet work objectives;
- the employee is unable to comply with the procedure or other Council procedures;
- providing additional support to the employee;
- the arrangements cease to be viable.

This list is not exhaustive. Likewise, the employee can request that the agile working arrangement end if their circumstances change or they no longer wish to continue with the arrangement.

23.2 Termination may also occur as a result of a house move, where the new property is deemed unsuitable following a risk assessment or where alterations to an existing property have an adverse impact upon the safety of the workspace.

## **24.0 End of employment**

24.1 Equipment (and any documents and material, written or otherwise) supplied by the Council shall remain the property of the Council and must be returned immediately when:

- employment has ended;
- any agile working arrangement ends;
- management request that it be returned.

24.2 Employees must allow the Council to retrieve such equipment as necessary, and all equipment must be returned in working order and in good condition.

## **25.0 Conditions of service, policies and procedures**

25.1 All remaining terms and conditions of service are unchanged and all Council policies and procedures will still apply to agile workers.

