Leicestershire County Council

Smarter Working Policy and Guidance

Contents

Purpose

The Council recognises that working smarter is essential to the successful transformation of the organisation and contributes to the Council's performance as well as supporting employees to achieve a positive work-life balance.

The Council's aim is therefore to support smarter and innovative working arrangements which still meet the delivery of effective customer-focussed services and the needs of the people of Leicestershire.

Supporting employees to achieve greater flexibility requires consideration on where, when and how work is carried out; this underpins the concept of smarter working. It can help to increase employee motivation, reduce sickness absence, promote employee wellbeing and attract/ retain a skilled and motivated workforce.

This policy is designed to provide managers with a framework for implementing new ways of working in line with smarter working but also managing a workforce in the context of having reduced office accommodation.

This policy replaces the former 'Flexible Working' policy, however as there is legislative requirements in relation to statutory requests; a Statutory Right to Request Flexible Working Guidance still exists. This applies to those who wish to make a formal request to contractually change to their working arrangements, under the statutory scheme.

For the majority of people, who either wish to alter their working pattern which does not constitute a contractual change <u>or</u> where revised working arrangements are informally agreed with their line manager, this will not necessary require submission of a formal statutory request. Further information about informal (non-contractual) and formal (contractual) working arrangements can be found on page 6 and 7 within this document.

Managers are responsible for driving the aims of this policy and promoting the required cultural change, which includes having a positive approach to the consideration of smarter working requests, (subject to the needs of the service) and supporting the implementation of the new ways of working.

In addition to other relevant policies such as the Statutory Right to Request Flexible Working Guidance, Permanent Home Working Policy and Guidance, Travel and Expenses Guide, Lone Working Policy and Guidance etc. further guidance documents, factsheets and useful information can be found within the Smarter Working Managers Pack; located on the Smarter Working pages on CIS.

<div align="right">

</div>

Culture and Behaviour

The world of work is changing; with increasing demands, the need to meet efficiency targets and a further need to attract and retain the best talent in order to deliver even better services as an organisation. There is therefore a need to consider the way we work and move away from traditional methods of working.

However in order to embed the new ways of working, it is necessary to challenge and change the culture and behaviours which prove to be a barrier. The concept of how we work will be further challenged, with reduced office space and will emphasise the need for more effective working practices, management styles, communication and the importance of relationships at work.

This may mean a need to make different decisions for different people, at times. Whilst it is important to be mindful of consistency to ensure fairness, embracing smarter working will mean managers considering individual personal circumstances and work styles, when making decisions. Further advice may be obtained from Strategic HR Services, where required.

<div align="right">

</div>

Scope

This policy applies to all Leicestershire County Council employees, employed under the conditions of service of the following bodies:

- National Joint Council for Local Government Service Employees
- Joint Negotiating Committee for Chief Officers
- Centrally Employed Teachers (School Teachers Pay & Conditions)

This policy does not apply to employees of Schools and Colleges.

Smarter Working Policy
Version: 2015 - 5
Agreed at:
Date agreed:
Review date:

Page 2 of 14

Equalities

The Council's commitment to equality of opportunity will be observed at all times during the operation of this policy and procedure. This will ensure that employees are treated fairly and without discrimination on the grounds of race, nationality, ethnic or national origins, sex, marital status or civil partnership, disability, age, sexual orientation, trade union membership or activity, political or religious belief, maternity or pregnancy, gender re-assignment and unrelated criminal conviction.

What is Smarter Working

Smarter working means being more flexible about when, where we work and how we use space and technology to find new and more effective ways of doing things, e.g. varying working patterns, working remotely, use of conference calling as opposed to physical meetings etc. This type of working can help reduce costs, improve productivity and customer focus, as well as supporting the wellbeing of employees and a better work life balance.

Benefits of Smarter Working

Research shows that working more flexibly results in a culture whereby staff are motivated, high performing and engaged; increasing productivity which enhances the reputation of the organisation as an 'attractive employer '.

Other benefits of smarter working for employees as well as the organisation may also include:

- Improved efficiency and effectiveness
- Reduced travel time and costs as a result of commuting
- Contributing to less traffic and pollution
- Greater job satisfaction
- Enhanced quality of life by maintaining a work life balance
- Greater flexibility for combining work and outside commitments

- More effective use of office and car parking space
- Reduction in sickness absence
- Recruitment and retention of key skills

Types of Smarter Working Arrangements

The following are examples of smarter working arrangements which employees and/ or managers may wish to consider. This is not an exhaustive list and it is accepted that the requirements of the

Smarter Working Policy
Version: 2015 - 5
Agreed at:
Date agreed:
Review date:

Page 3 of 14

role and service delivery needs are paramount, managers are however encouraged to be open to ideas and creative when determining what working arrangements could be accommodated within their team/ service.

There may be occasions where a manager receives a number of requests close together. The manager is not required to make a value judgement as to which request is most deserving and should consider each case on its merits.

It may also be appropriate to discuss alternative arrangements which could be accommodated or the possibility of either trialling or agreeing to the request on a temporary basis. Further advice may be sought from advice from Strategic Human Resources.

The following factors should be considered before any type of smarter working arrangements are put into place:

- The times at which the service cover must be provided;
- Any periods of high or lower demand;
- Minimum service cover requirements;
- The availability of support services and facilities such as ICT, catering, etc. (as applicable) and access to a manager/ supervisor; and
- The requirements of employees to start work earlier or later and flexible finishing times.

‘Where’ work may be carried out:

- **Main office base**
- **Home**
- **Remotely**)

Main office base – this is where employees work at the office, which is their main base according to their contract.

Home Working - this refers to an informal arrangement whereby employees work from home either on an occasional or regular basis; whilst the remaining time is spent working on site / or in an office location.

Remote Working - this is defined as an informal facility whereby employees carry out work that would have normally have been completed at a traditional office, at various LCC touchdown points, an alternative office location/ LCC Wi-Fi access points within the County.
A map of LCC touch down points as well as a link to the various LCC Wi-Fi access points can be found within the Managers Pack on the Smarter Working pages on CIS.

It should also be acknowledged that whilst employees will not necessarily be required to work remotely or from home, employees may however be encouraged to consider and explore alternative methods of working in line with Smarter Working.

It is expected that the majority of homeworking will be carried out occasionally or regularly on an informal basis in line with this policy. However in some circumstances, the request may be for this type of working arrangement to be on a permanent basis; which forms a part of a more formal

Smarter Working Policy
Version: 2015 - 5
Agreed at:
Date agreed:
Review date:

Page 4 of 14

agreement. For further information, refer to the Permanent Home Working Policy and Guidance located on the Smarter Working pages on CIS.

The terms and conditions and policies that apply to employees working remotely or from home will be unchanged from those they would receive when working in the work place, unless a variation to contract is issued which states otherwise.

Regardless of the frequency of remote and home working, the following points should be noted:

- The Working Time Regulations are complied with and employees are not working excessive hours.
- Suitable and sufficient time is set aside for work responsibilities and arrangements made for minimal home related disturbance.
- Employees should be contactable when working remotely or at home, especially during agreed working hours.
- Appropriate care is taken to ensure the safety and security of equipment.
- The working environment is maintained to the agreed health and safety standards.
- To undertake the health and safety e-learning module available through CIS.
- Sufficient support is arranged for any dependent care.
- Any equipment supplied by the Council should be used primarily for work related purposes and in accordance with the Council's existing policies on private use.
- There are suitable security arrangements for storing confidential Council information. Only encrypted USB devices approved and issued by ICT should be used as a means of data transfer.
- Security of information is considered before logging on to public-access wi-fi networks when working on Council business.
- All data and information produced, accessed or used in the course of performing the duties of the job is the property of the Council and is subject to data protection legislation.

- The Council's Code of Conduct is adhered to, regardless of where the employee works.
- The manager provides support and/ or guidance when required.
- Employees who travel regularly between sites are subject to the Driver and Vehicle Safety Policy, which can be found on the Health, Safety and Wellbeing pages on CIS.
- Employees should familiarise themselves with the best practice advice outlined within the Lone Working Policy and Guidance on CIS e.g. in relation to the location of meetings, travelling alone, notification of whereabouts and/ or any changes to scheduled meetings.

For further information on the practicalities related to remote and home working, see Appendix A within this policy.

'When' and 'How' work is carried out:

(Informal / Non- Contractual Arrangements):

Flexible Working Pattern – where employees start and finish at different times to suit their own personal commitments, providing that this does not have an adverse effect on the needs of the service and their contractual hours are being worked.

Smarter Working Policy
Version: 2015 - 5
Agreed at:
Date agreed:
Review date:

Page 5 of 14

Compressed Hours - where the employee's normal weekly working hours are compressed and worked in fewer days (e.g. a full-time working week of 37 hours worked over 4 or 4.5 days, or 9 days instead of 10 days). This can either be as part of an informal arrangement in agreement with management or one which is a contractual agreement. Managers should however be aware that there will be a change in the way annual leave is worked out, as a result of compressed hours. Further information on compressed hours can be found within the Types of Employment Contracts Guidance.

Hot Desking – allows employees the flexibility to work from any desk within the service area they work in. This will be crucial going forward as a result of reduced office space.

Ad Hoc Commitments - as far as practicable managers should allow employees to meet personal commitments that fall within their working hours (e.g. attending a school play, sports day, boiler breakdown). In most cases the commitment will mean that an employee is only away from work for a short period. It is therefore expected that any time lost will be made up within the following 12 week period on a date agreed with the manager. In circumstances where the employee is unable to make up the time, they should book annual leave, use any existing TOIL or take unpaid leave to cover the time lost. For further information, refer to the Planned and Unplanned Leave Sections of the Leave Arrangements Policy on CIS.

Rota – where a system of rotation is introduced by the manager, in order to provide essential office cover or distribution of certain re-occurring tasks/ duties in line with service needs.

(Formal / Contractual Arrangements - Resulting in a Variation to Contract being issued):

Part - time - where an employee's contracted hours are less than 37 hours per week.

Job Sharing – this is a form of part-time working where two (or occasionally more) people share the responsibility and duties for one job. Further information is available within the Job Sharing Guidance, located on Smarter Working pages on CIS.

Annualised Hours - where an employee's hours are defined over a year, where there may be significant, usually seasonal, fluctuations in the amount of hours needing to be worked during particular periods. Further information is available within the Types of Contracts Guidance on CIS.

Term Time Only –where an employee only works during term time which is usually linked to the academic timetable. This means that an employee shall not be working during school closure periods. Term-time only working is also classed as annualised hours and may be used to accommodate an employee who wishes for care reasons, not to work during school closure periods. Further information is available within the Types of Contracts Guidance on CIS.

Monitoring and Review

All working informal and formal arrangements should be subject to and be monitored on a regular basis, through management one to one meetings and PDR's.

Smarter Working Policy
Version: 2015 - 5
Agreed at:
Date agreed:
Review date:

Page 6 of 14

Where working arrangements are found to no longer meet service requirements, it may become necessary for the manager to consult and negotiate changes with the employee(s) concerned.

<div align="right">Back to Contents</div>

ICT / Virtual Desktop Infrastructure (VDI)

In order to support the achievement of enhanced flexibility, the Council has invested in the implementation of VDI. This will allow employees to be able to access the network and most of their desktop applications regardless of where they work.

For further information on this, refer to the VDI fact sheet/ guidance document and FAQ's located on the Smarter Working pages on CIS.

Information on alternative methods of communication to support smarter working such as mobile phones, tele-conferencing and video conferencing can also be found on the above pages on CIS.

<div align="right">Back to Contents</div>

Managing by Performance and Output

The new ways of working will require a need to manage by performance/ output as opposed to presenteeism.

The Council recognises that this is a change for many who will be more used to staff being in the office regularly or on a daily basis. The basic principles of management still apply but managers will just need to ensure that there are additional protocols in place, some of which are covered below:

Managing Remote Workers:

This will not only require creative thinking, but also a good level of communication, organisation, trust and working together in order to ensure that the arrangements put in place do not have an impact upon the quality of work or the targets that the service is required to meet.

Having an adaptable style of management will ensure managers can take advantage of opportunities to improve the services offered and support employees with different work styles and methods. Managers cannot expect to gain from flexibility from employees and then to manage in a strict and rigid way.

Managing employees who work remotely should not be radically different from managing them in their specified place of work. However, it is important not to have an 'out of sight, out of mind' approach, whereby just because employees are not physically present, they get overlooked. It is therefore important to establish some ground rules with employees when they move towards smart and remote working.

Smarter Working Policy
Version: 2015 - 5
Agreed at:
Date agreed:
Review date:

Page 7 of 14

Manager Responsibilities:

Setting Clear Expectations & Outlining Objectives:

Agree in advance, what work needs to be completed
Managers may wish to discuss and agree the scope of work that will be undertaken, outlining the expectations and setting any deadlines where required, during the period of remote working.

Agree accessibility and contact
Depending on the role, the employee may need to be available to customers and colleagues during certain times of their normal working day or during the entire day, where this is the case; it is important to agree in advance what these times will be and how the employee can be contacted. This may include forwarding work extension numbers to the employee's mobile or from where they are working remotely that day.

Employees should be informed that there may be occasions where they are asked to work from the office to provide cover at short notice due to staff absence etc. Managers should however consider all available options before approaching employees who are working at home, to provide office cover.

Be realistic about the type of work which can be done
For some, remote working is an excellent opportunity to complete work away from the office with minimal interruptions. Those who normally conduct their work with computers and telephones will find it most easy to adapt. However for other roles, further thought will need to be given; bearing in mind the type of work the employee normally does and also what resources they require, in order to carry out their duties.

It should also be acknowledged that whilst employees will not necessarily be asked to work remotely or from home, employees may well be encouraged to consider and explore alternative methods of working in line with Smarter Working.

Maintaining Communications:

Regular one to ones/ PDRs
It is important to continue regular one to ones with employees to discuss their progress on the agreed objectives and keeping them informed on developments within the department and organisation. In accordance with the Council's PDR process, clear objectives/ targets/ deadlines and performance standards should be agreed with all employees including those who are home/ remote workers. Ensuring that remote employees are included in personal development opportunities such as career progression and promotion is vital.

Agree 'check-in' procedures
Managers may wish to agree in advance the frequency and method for checking in (by telephone, by email or arranging a face to face meeting). How, when and the frequency of meetings, especially where the employee is working remotely on a regular basis. Managers should also make themselves available to employees and respond to any questions they may have in a timely manner.

Smarter Working Policy
Version: 2015 - 5
Agreed at:
Date agreed:
Review date:

Page 8 of 14

Employee's Welfare:

Just because employees are not physically present, it does not mean that they are no longer part of the team. It is essential to include them in any messages and to invite them to meetings or events, even if they are unlikely to be able to attend. Keeping in touch with employees who work remotely is important so that they feel informed and included.

The employer has a duty of care to the employee. It is therefore important to watch out for signs that they may be switching off, becoming de-motivated or feeling isolated.

Focusing on the Outcomes:

Managers should focus on the 'outputs' and not how and when the employee works to achieve what they need to do. For example, an advantage of working remotely can be that the employee chooses the hours worked across the day, if this fits in with the needs of the service. Without the need to travel into the usual place of work, an earlier start can be made, or the employee might choose to work later into the evening. With a focus on outputs, the person should be able to plan their work in the most effective way.

Performance Management:

If problems with performance arise, it is important to provide specific feedback on the areas of concerns and provide the employee with an opportunity to discuss any issues they have whilst working remotely and to agree a way forward. Ideally any feedback should be given during a face-to-face but if that is not possible, this may be done over the phone at a suitable time, with the agreement of the employee.

Depending on what the concerns are, the situation may need to be further dealt with in line another policy such as the Capability or Disciplinary policy. Managers may wish to seek further advice from Strategic Human Resources in this situation.

Implementation of Smarter Working with Reduced Office Space at County Hall

As part of the County Hall Master Plan project, it will be necessary to reduce the current amount of desks to a ratio of 8 desks for every 10 people, so that offices can be freed up to generate additional income though leasing this space. The Council is committed to achieving its target of 8:10 at County Hall, whilst ensuring that the office environment is still safe, efficient and fit for purpose. Managers will therefore need to consider the principals of smarter working with reduced desks and how best this may work for the employees and the service concerned.

Whilst this is by no means an exhaustive list, managers may wish to consider the following factors when implementing the 8:10:

- Determining which employees are considered to be 'mobile', 'office based' and which may be considered as 'fixed desk' (refer to the section below for further details on this).

Smarter Working Policy
Version: 2015 - 5
Agreed at:
Date agreed:
Review date:

Page 9 of 14

- How best to utilise the new office space, number desks allocated per department and implementation of hot desking.
- Implementing clear desk protocols to enable effective 'hot desking'.
- Availability of desks of fixed desk workers on non-working days or annual leave.
- Consideration of employees normal working hours, patterns of work, ability to work elsewhere.
- Discussions with employees regarding the options for home working and remote working.
- <u>Whether a rota should be introduced to provide essential office cover / distribution of certain re-occurring tasks/ duties in line with service needs.</u>
- De-cluttering the office.
- Allocating appropriate storage to individuals and/ or having some shared storage space within the office.
- Consideration of more electronic filing as opposed to paper files, working from electronic documents, and printing less.
- Whether there are any existing reasonable adjustments as a result of a disability that need to be in place, in order for the employee to be able to carry out their duties without them being disadvantaged (refer to the section below for further details on this).
- Implementing the principals outlined when managing remote workers (refer to the above section for further information).

Determination of Fixed Desk Workers and Mobile Workers

Mobile Worker – is an employee who does not necessarily require to work from their assigned office based in order to carry out their duties, may not always work from the office all of the time, may travel as part of their duties and are able to work from home or alternative work locations such as another office or touch down point.

Office Based Worker - is an employee who is usually office based either due to the nature of their role and/ or ability to work elsewhere. This does not however necessarily mean that they should be allocated a fixed desk as most office workers should still be able to hot desk.

Fixed Desk Worker – is an employee who is limited to work elsewhere due to specific equipment needed which has been implemented as a reasonable adjustment as a result of a registered disability under the Equalities Act, 2010.

In identifying whether employees are considered as 'mobile', 'office based' or in some cases 'fixed desk' workers, the following factors may be considered in order to make this judgement:

- Any DDA and reasonable adjustments required (refer to the section below for further details on this).

- Specific role/ need to be in the office

- Facility to work from home or touch downs (appropriate set up, equipment, access to required files, emails etc).

- Ability to hot desking within the office

Smarter Working Policy
Version: 2015 - 5
Agreed at:
Date agreed:
Review date:

Page 10 of 14

Although the above factors may be taken into account when determining the type of workers, this is not a set criteria as the needs of every department vary as well as the needs of individuals.

Clear Desk Protocol

In order for the reduced desk ratio and hot desking to work effectively, there will be a need for departments to operate a clear desk policy, so that <u>all</u> desks are depersonalized and all standardised regardless of whether they are fixed desks or are hot desks.

For further information on this, refer to the Clear Desk and Office Protocol as part of the Managers Pack, located on the Smarter Working pages on CIS.

Confidentiality

The concept of hot desking further emphasises the need for employees to be mindful of confidentiality and data protection. This includes ensuring that all documents are securely locked away after use, kept confidential whilst in lengthy meetings and computer screens are also locked whilst away from the desk they are working at.

Reasonable Adjustments

The legal definition of a disabled person under the Equalities Act, 2010 is **"someone who has a substantial and long term physical or mental impairment that has a substantial and long term effect on his or her ability to carry out normal day to day activities"**

Managers should be mindful about employees having a registered disability under the Equalities Act, 2010 for which reasonable adjustments have been put into place/ or need to put into place in order for the employee to be able to carry out their duties without them being disadvantaged. This is particularly important when allocating fixed desks.

In most circumstances, managers will already be aware of employee's disability and any adjustments that have been put into place where relevant.

Where managers are not already aware of an existing disability that has been declared by an employee then depending on the circumstances, in some cases it may be necessary to refer the employee to Occupational Health and/ or carry out an appropriate Health & Safety risk assessment.

For further information on this, refer to the Reasonable Adjustments fact sheet as part of the Managers Pack, located on the Smarter Working pages on CIS.

Managers may also wish to discuss the situation with Strategic Human Resources for further advice.

Smarter Working Policy
Version: 2015 - 5
Agreed at:
Date agreed:
Review date:

Page 11 of 14

Preparing the Team for Smarter Working

The manager should meet with **all** employees collectively to prepare the team for smart working. If an implementation plan has been produced then this should be shared with everyone.
Discussions should take place around the benefits/ potential challenges and ways which the challenges may be overcome.

In addition to discussions regarding how the 8:10 desk ratio may be implemented, there are likely to also be various operational issues which also need to be taken into account.

For examples of factors to be considered, refer to the Preparing the Team for Smarter Working fact sheet as part of the Managers Pack, located on the Smarter Working pages on CIS.

Other Factors to Consider when Implementing Smarter Working

New Starters

Managers should ensure that the Council's stance on smarter working is shared with applicants and new starters; this should be embedded within the interview process and at the point of induction.

Consideration should also be given as to whether hot desking, in particular remote and home working will apply to new starters straight away or whether this should apply after a specified period of time i.e. after their induction/ period of training.

Employees on Long Term Absence, i.e. Maternity Leave and Sick Leave

Managers should ensure that any employees on long term absence are informed and kept updated of any particular arrangements/ changes that the department or team have put into place as a result of implementing smarter working.

Appendix A – Relevant Information for Remote and Home Working

Mangers should ensure that employees are aware of the following factors associated with remote and home working, regardless of the frequency:

Health and Safety
The employee and the Council are subject to the provisions of the Health and Safety at Work Act (1974), regardless of where the work is carried out. The Council must, as far as is reasonably practical, ensure the employee's health, safety and welfare at work.

If a work related accident occurs whilst the employee is working remotely or from home, this must be reported in accordance with the usual procedures.

Smarter Working Policy
Version: 2015 - 5
Agreed at:
Date agreed:
Review date:

Page 12 of 14

Personal Security

All meetings with work colleagues, managers or customers should take place at an office / external work location; such meetings should not take place at an employee's home.

Employees working remotely and from home should adhere to the [Lone Working Policy](#) and should ensure that colleagues know where and when to expect them at a particular location.

Work Location

The proposed work site should be both adequate and practical for working in terms of health and safety.

Working from home may allow employees with caring responsibilities to have more flexible care arrangements. However, this is not a means for combining work with care responsibilities and employees are expected to have proper care arrangements in place during their working day.

Contingency Plans

In an event where technical issues are experienced which prevents the employee in working from remotely or from home, it is important that the manager is informed. The expectation is that in this situation employees where possible, work from an alternative base, such as another nearby touch down point or on site.

Employees working remotely or at home may also be recalled to the normal work location at short notice, in circumstances where there is a sudden disruption to staffing levels, e.g. sudden illness or unplanned absence of a colleague(s).

Insurance

Council Owned Equipment

Items of equipment belonging to the Council are covered by the Council's insurance whilst they are in the employee's home and when in transit. This equipment needs to be specifically identified. Employees should also notify their home insurers of the nature and extent of the use of their home for work purposes.

The Council will not ordinarily contribute towards home insurance as it is not anticipated that there will be any additional costs associated with home working.

Employees working from home are covered by the Council's Employer Liability Scheme. However, employees do have a duty to take reasonable care within their own working environment.

Personal Equipment

Any personal equipment used by the employee for work purposes shall not be covered by the Council's insurance.

Travel Costs

Employees who work from home on an occasional or regular basis and are required to travel from their home to an alternative work location (which is not their normal work base) are eligible to claim any official mileage incurred in excess of their normal commute journey. This principal also applies to employees working remotely.

Smarter Working Policy
Version: 2015 - 5
Agreed at:
Date agreed:
Review date:

Page 13 of 14

Claiming mileage is however subject to the conditions specified within the 'Mileage in excess of normal commute journey' section of the [Travel, Subsistence and Related Allowances Guide](#).

Employees who travel from home to an alternative work base using public transport i.e. by bus or train may be reimbursed for these travel expenses providing that they submit appropriate tickets and receipts.

Employees should however consider the most efficient means of travel in terms of time and the cost amount of mileage incurred, therefore planning journeys accordingly in advance is essential.

Additional Costs

The cost of access to essential information, necessary files / network / intranet, which are required to perform the tasks of the job, will be provided by the Council. It is likely that most employees will already have some form communication technology such as a PC or laptop for personal use in their homes and this may be used for work purposes.

Other costs such as additional energy costs and furniture will be met by the employee and not paid by the Council. This is because these costs are offset by the reduction in travelling time, cost and mileage normally incurred as a result of commuting.

Broadband

The Council will not contribute towards the employee's broadband services. It is likely that most employees would already subscribe to broadband / internet access for personal use in their homes.

Taxation

There should not be any personal or council tax implications for employees as a result of working from home.

Smarter Working Policy
Version: 2015 - 5
Agreed at:
Date agreed:
Review date:

Page 14 of 14