

Home Working Policy and Guidance

Scope

This policy and guidance applies to all employees of Leicestershire County Council.

It is however recognised that not all posts will be suitable for home working; managers will therefore be required to assess which jobs will be suited to such arrangements.

Purpose

The purpose of this policy is to outline the types of roles that would be eligible for home working, setting out responsibilities for both employees and managers, highlighting the practicalities of working at home including any relevant health and safety considerations which may need to be made.

The document also sets out the procedure for home working arrangements to be implemented.

Introduction

Leicestershire County Council recognises that flexible working has an important role to play in sustaining and improving service delivery and the need to balance employees work, family life and environmental factors.

This policy and guidance sets out how flexible working can be applied in a structured way. Any requests made by employees in accordance with this policy will receive full consideration by managers. Whilst the Council seeks to support alternative ways of working, all decisions as to their appropriateness will be made in the respect of the operational requirements of the Council, the impact on customer service, the needs of other employees and the practicability of the revised working arrangements.

It is expected that most home working requests will be voluntarily instigated by the employee. In some circumstances such arrangements may be initiated by the manager and this is covered within this guidance, however where this is the case and the arrangements are likely to be permanent, further advice should be obtained from Strategic HR Services.

Definitions

Regular Home Working

This refers to an arrangement whereby employees work from home on a regular basis, either full time or part time or on a set pattern of days in a week or month whilst the remaining time is spent working on site / or in an office location.

Permanent Home Working

This is defined as an arrangement whereby employees work from home on a permanent basis which is therefore their main place of work.

This can either be an employee request or may be instigated by the manager for reasons such as the nature of the job / set up of the team, an arrangement that is identified as a

result of an organisational change action plan or agreed as part of a reasonable adjustment under the Equalities Act (2010).

Occasional Home Working

It is acknowledged that employees may even work at home on an occasional basis which is informally agreed with management; this is however covered within the [Flexible Working Remote and Occasional Home Working Policy and Guidance on CIS](#).

For the purposes of this guidance, regular / permanent home working arrangements will simply be referred to as home working.

Eligibility Criteria

It is not possible to give a definitive list of occupations suitable for home working. However, certain job characteristics lend themselves to home based working. The characteristics of these jobs are:

- Where a high degree of written rather than manual work is undertaken.
- Where there are clearly defined areas of individual work e.g. project work, research, report writing and policy analysis.
- Work where the location is unimportant.
- Work that does not require frequent personal input from other people.

The characteristics of employees who are likely to cope with home working are as follows:

- Self motivated and able to work without direct supervision.
- Able to complete work to scheduled deadlines.
- Possess good time management skills.
- Able to cope with reduced social contact and isolation.
- Able to balance the needs of family and working life.

Managers' Responsibilities

Managers have the following responsibilities in respect of home working to ensure that:

- The job is suitable for home working.
- Employees clearly understand the arrangements for home working.
- There is no adverse effect on service delivery.
- There is no adverse impact on other team members.
- The employee has the right personal qualities to cope with home working.
- The home site is suitable and a health and safety risk assessment has been undertaken.
- Steps are taken to agree effective communication and involvement links e.g. attendance at team meetings.
- An effective management process is in place to monitor, supervise and evaluate home working arrangements.
- Managers must also ensure that working arrangements comply with the [Corporate Health Safety and Wellbeing Policy](#).
- Home working employees are not disadvantaged e.g. in terms of training and development and promotion opportunities.
- The arrangement is cost effective and any additional costs justifiable.
- Appropriate information and communication technology is provided.
- The requirements of the Working Time Regulations are complied with and employees are not working excessive hours.

Employees' Responsibilities

Employees have the following responsibilities in respect of home working to ensure that:

- Suitable and sufficient time is set aside for work responsibilities and arrangements made for minimal home related disturbance.
- Appropriate care will be taken to ensure the safety and security of equipment.
- A suitable room and furniture are provided by the employee and 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.
- Whilst working from home the Council's Code of Conduct is adhered to.
- Contact is made with the manager when support or guidance is required.
- Employees who travel regularly between sites are subject to the [Driver and Vehicle Safety Policy](#).

Where these requirements are not met, a request for home working may be declined.

Terms and Conditions

The terms and conditions and policies that apply to employees working from home will primarily be unchanged from those they would receive when working in the work place.

Health and Safety

While working at home both the employee and the Council are subject to the provisions of the Health and Safety at Work Act (1974). 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 from home, this must be reported in accordance with the usual procedures.

Personal Security

All meetings with either 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 who work at home must not disclose their home address, personal phone or personal email address to anyone other than their manager or work colleagues who need to know for contact and security arrangements. Contact with customers should be made via a work phone or email systems.

Employees working remotely should adhere to the [Lone Working Policy](#) and should ensure that colleagues know where and when to expect them at a particular location. Agreement should be reached in advance between the employee, the manager and / or colleagues regarding individual 'reporting in' and contact procedures.

Work Location

The proposed work site should be both adequate and practical for working in terms of health and safety. Ideally, employees should have a separate room or area which would be sufficient in terms of accommodating all necessary furniture and equipment and is free from interruptions by family, friends and visitors.

Contingency Plans

In an event where technical issues are experienced which prevents the employee in working 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 a nearby touch down point or on site.

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. However if additional costs are incurred, the Council may contribute towards this where home working has been instigated by the manager or has been agreed as part of a reasonable adjustment and is intended to be a permanent arrangement.

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. Therefore employees will need to consult and inform their insurers of any such items.

Travel Costs

Regular Home Working

Employees who work from home on a 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 is subject to the conditions specified within the 'Mileage in excess of normal commute journey' section of the [Travel, Subsistence and Related Allowances Guide](#).

Permanent Home Working

Employees who are contracted to work from home on a permanent basis are eligible to claim official mileage between their home and alternative work locations when travelling for business reasons. Before claiming any mileage, employees are advised to contact HMRC to confirm that they meet the criteria for claiming official mileage from home.

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.

Additional Costs

The cost of additional information and communication technology such as a lap top, access to the necessary files / network / intranet, which are required to perform the tasks of the job, will be provided by the Council.

Other costs such as additional energy costs and furniture will be met by the employee. However where it has been identified that the employee does not have the necessary furniture and / or the furniture does not meet the agreed health and safety standards, the Council may contribute towards the cost of this. This will only apply in situations where home working has been instigated by the manager or it has been agreed as part of a reasonable adjustment and is intended to be a permanent arrangement.

Further advice should be obtained from Strategic HR Services in the above circumstances.

Broadband

Employee Instigated Home Working

The Council will not contribute towards the employee's broadband services, especially where home working arrangements are instigated by the employee, regardless of the duration or frequency of the agreement. It is likely that most employees would already subscribe to broadband / internet access for personal use in their homes.

Manager Instigated Home Working

Where the arrangements for home working have been instigated by the manager and are intended to be permanent, the Council may contribute towards the employee's broadband in instances where the employee does not already subscribe to these services. In this situation, contribution of a maximum amount of £16.00 per month may be made upon submission of a specific broadband bill (or a bill with the broadband element itemised).

Where an employee's broadband connection comes as part of a package and the broadband element is not detailed separately on the bill, a broadband allowance may be claimed at a flat rate of £5.00 per month.

Taxation

It is not anticipated that there will be any personal or council tax implications for employees as a result of working from home.

Employees do need to however be aware of the following HMRC rulings where the Council has agreed to contribute towards their broadband services i.e. for those who work from home on a permanent basis and this has been instigated by the manager:

Where an employer contributes towards an employee's broadband and they already subscribe to these services for personal use then the employee will be liable to pay tax on this. Whereas if the employee does not already subscribe to these services, this would be an additional household cost and therefore where the employer has agreed to contribute towards their broadband, there will be no tax implications for the employee.

Employees may wish to contact HMRC to further confirm their individual circumstances.

Procedure for Implementing Home Working Arrangements

Stage 1

Employee Request

Employees will need to submit an application to their manager to request home working, in the form of a letter which should cover the following points:

- Details of the request i.e. proposed home working arrangements and patterns of work.
- Reasons for requesting home working.
- Any necessary equipment that will be needed to facilitate the request.
- What impact (if any) will there be on the team / department if the request is implemented.
- Depending on the above, how this may be minimised.
- Date the employee wishes for the request to commence.

Employees will be required to demonstrate that they do not have dependent care responsibilities within their stated working hours.

Manager Request

Where home working has been instigated by the manager, depending on the circumstances under which the need has arisen. The manager should:

- Hold a discussion with the employee to explain the reasons for instigating the arrangement.
- Ensure that the employee understands the nature of working arrangements that is being instigated as well as their responsibilities in line with this policy.

Stage 2

Completing a Health and Safety Questionnaire and Risk Assessment

In all circumstances, a home working health and safety self questionnaire and risk assessment should be completed by managers in conjunction with the employee. A link to this can be found here ([link](#)).

In order to assess whether there are health and safety issues, managers are strongly recommended to also visit the employee's home especially if the working arrangements are going to be on a long term basis.

If, following the assessment the home is deemed to be unsatisfactory then this could result in the refusal of the home working application.

The employee and the manager will retain a copy of the completed assessment as part of the confirmation of the home working arrangements.

Employees should be made aware that if there are any changes, such as the movement of any equipment, this must be reported to the manager as it may necessitate a review of the risk assessment.

Stage 3**Manager Approval to Employee's Request for Home Working**

All home working applications should be considered and approved by the manager before the arrangements can be implemented.

If the request is approved then the manager will send a confirmation letter to the employee which will cover the following:

- The working arrangements i.e. time spent at home.
- Equipment requirements.
- Confirmation that a health and safety questionnaire and risk assessment has been completed (enclose a copy of this with the letter).
- Contact arrangements to be place.
- Any agreed changes to terms and conditions.
- Effective date of working arrangements to commence and length of time (where relevant).
- Review and monitoring of working arrangements; including dates of trial periods and confirmation of ongoing review periods where relevant.
- Agreed contingency plans / working arrangements in the event where technical issues are experienced, which prevent the employee to work from home.

Confirmation of Home Working Arrangements Instigated by Manager

Before home working arrangements are implemented, the manager should:

- Ensure that they send a confirmation letter to the employee covering the points in the list above.
- Where these arrangements are going to be permanent then it is important that appropriate paperwork is also issued, such as a contract of employment or variation to contract which clearly specifies the employee's base of work to be home and outlines any associated terms and conditions.

Stage 4**Manager Refusal to Employee's Request for Home Working**

If either the nature of the post, the characteristics of the employee or the working environment is not considered to be suitable for home working, managers may decline the request but should:

- Ensure that they verbally explain the reasons to the employee for refusing their application.
- Send a letter to the employee to confirm this.
- The employee should be made aware that they can submit a grievance in accordance with appropriate procedures if they wish to do so.

Employee Refusal to Home Working Arrangements Instigated by Manager

Where the home working arrangements have been instigated by the manager but the employee feels is not suitable for them. The employee may:

- Raise the issue with their manager outlining their reasons. It is strongly encouraged that informal discussion takes place between the employee and the manager in such circumstances.

- As a last resort, if the situation cannot be resolved informally then the employee should be made aware that they can submit a grievance in accordance with appropriate procedures if they wish to do so.

Monitoring

It is strongly recommended that the agreed working arrangements are reviewed once implemented and therefore an initial trial period of 3 months should be put into place. Where these are longer term arrangements then an annual review should be sufficient as long as there are no major changes to the employee's job or personal circumstances.

Termination of Home Working Arrangements

Either party may terminate the agreement by giving one months notice in writing. However, the parties may agree a shorter period by mutual consent.

The Council reserves the right to withdraw or suspend the scheme immediately and at any time should a potential abuse of the scheme be identified. Abuse of the arrangements may also result in disciplinary policy being instigated.

Any equipment provided by the Council during the home working arrangements must be returned to the Council with immediate effect upon the termination of the arrangement or if the employee leaves the Council.