



TONBRIDGE & MALLING BOROUGH COUNCIL

Homeworking Policy

**To be superseded by the Transitional Working
Arrangements Policy and Procedure**

Document Control

Reference	Homeworking Policy
Date	31 July 2018
Author	Adrian Stanfield, Director of Central Services & Monitoring Officer
Approved by	Management Team/ General Purposes Committee

Version History

Date	Version Number	Revision Notes
31 July 2018	V1	

Homeworking Policy

Purpose and Scope

Tonbridge & Malling Borough Council recognises that homeworking can provide considerable benefits for the business needs of the service as well as those of the individual. The Council also seeks to support homeworking in circumstances where productivity and performance improvements can be made.

Homeworking is evidenced to have clear benefits. To work effectively these arrangements must be based on good communication, trust and motivation, with the aim of improving the service for the customer.

This policy provides guidelines for managers, teams and employees when considering a homeworking arrangement. It sets out entitlements, eligibility criteria and other conditions that apply and have been developed to provide a clear approach to ensure fair treatment and consistency of approach.

The Council does not consider it feasible for staff to fulfil their caring responsibilities e.g. for looking after children or elderly relatives, at the same time as carrying out work duties. The Flexible Working Policy offers options and support to staff in such circumstances.

The Homeworking Policy is underpinned by an expectation that there is no detriment to provision of services or adverse impacts on colleagues. This policy applies to all employees of the Council. However, all arrangements are subject to the requirements of the service. It may not be practical for all services or teams to enable homeworking due to the nature of service delivery. If your role is entirely customer facing, in e.g. the Customer Services team, it is unlikely that a request for regular or permanent homeworking will be approved (although occasional ad hoc working from home could be approved in certain circumstances).

Types of Homeworking

The table below defines homeworking into three types:

Occasional (ad hoc) working from home	<ul style="list-style-type: none">➤ This is the most common type of homeworking.➤ It might be because an employee has a specific task they need to concentrate on without the normal interruptions of an office environment.➤ This might also occur where it is difficult for an employee to get into work because of travel disruption or adverse weather conditions.➤ This may be used in cases where following an illness or operation homeworking is recommended as part of a phased return.➤ The employee's line manager is empowered to authorise occasional working from home requests, taking
---------------------------------------	---

	into account the needs of the organisation.
Regular homeworking	<ul style="list-style-type: none"> ➤ An employee would be classified as a regular homeworker when they regularly spend 30% of their contracted hours working from home. ➤ This is a formal agreement between the employer and the employee, which will need to be reflected in a written contract of employment. ➤ This type of arrangement often suits employees where the job involves frequent or regular off-site visits. ➤ Requesting regular homeworking needs to be supported by the formal process set out in Annex 1.
Permanent homeworking or remote working	<ul style="list-style-type: none"> ➤ This is when an employee spends 100% of their contracted working hours either working at home or visiting sites from their home base. ➤ Their contract of employment will need to reflect the fact that home is their contracted work base. ➤ This working arrangement could also be considered for any disabled employees with mobility problems. If upon medical advice homeworking is suggested this should be considered as a potential reasonable adjustment under the Equality Act 2010. ➤ Remote working is usually built into specific roles as part of the Job Description and job design.

Ad hoc or occasional home working

Key considerations for agreement between employees and their line manager for ad hoc or occasional home working are:

- Those requiring access to Council run systems must use a Windows to Go stick and a 2 Factor Authentication Token (the random number generator token) or a tablet provided by the Council;
- Those requiring access to email via a TMBC laptop or their own pc/laptop must use a 2 Factor Authentication Token (the random number generator);
- All those who have been issued with a Windows to Go stick and a 2 Factor Authentication Token (the random number generator token) must agree to checking that these function with their laptop or home pc on a monthly basis;
- Before homeworking is agreed the equipment, including the broadband connection, should be discussed with the IT Helpdesk to ensure that the setup will be sufficient to enable effective working from the home;

- Homeworkers must make arrangements to be contactable by phone;
- Homeworkers should ensure their Outlook calendars are up to date so others are aware of their availability;
- Homeworkers should ensure that arrangements do not impact adversely on other team members e.g. by ensuring that telephone calls aren't put through to colleagues without their agreement;
- Homeworkers must ensure that there is no risk of breaching the Council's GDPR safeguards by others who may be present whilst they are homeworking;
- There is no change in the contract of employment or designated work base;
- There is no allowance for household expenses arising from homeworking.

Regular homeworking

The key features of ad hoc homeworking also apply to regular homeworking. In addition the following will apply:

- The homeworking arrangement will be reviewed after a set period (e.g. 6 weeks in the first instance and as appropriate thereafter)
- An onsite health and safety risk assessment will be carried out in the home by the member of staff and their manager and any risks will be fully addressed by the line manager before the start of the home working arrangement (see the checklist in Annex 1);
- Employees will be expected to comply with reasonable management requests e.g. to attend meetings in the workplace (no travel expenses will be paid for attendance at such meetings);
- Requests for regular homeworking will be assessed and approved by a Director;
- The Personnel Manager will be consulted before the start of any regular homeworking arrangement to ensure that any agreement reached is consistent with the employee's contract of employment (which is likely to require amending).

Permanent homeworking and remote working

At present there are no employees permanently homeworking or remote working.

Procedure for requests for homeworking

- Homeworking is an option which is granted at management discretion. There is no entitlement to work at home.
- An employee who considers they have good reasons to request homeworking should discuss the issue with their line manager setting out how they think the work could be undertaken at home, and whether this is on an ad hoc or regular basis.
- Decisions on ad hoc homeworking will be undertaken by the line manager.
- For regular homeworking the employee should apply in writing to their manager. The request should specify why the employee thinks that their job role can be done as well as/or better at home than as at the office, and should propose appropriate working arrangements. They should also confirm the address at which home working will take place. They will also need to confirm that they have the appropriate internet connection and ability to securely access Council systems, and that their proposed homeworking arrangement will not impact adversely on other team members.
- The manager will consider the request and will evaluate whether or not they believe the homeworking arrangement will meet business needs as well as the needs of the individual making the request. If they do not, they will advise the employee accordingly.
- A recommendation for homeworking from the manager will be set out in writing and will be referred along with the request from the employee for consideration by the relevant Director, whose decision will be final. The manager will be responsible for notifying the employee of the decision and for ensuring that all of the conditions set out in this policy

are properly addressed. Personnel Services should be copied into all emails/correspondence concerning the request, and will advise as to whether any contractual change is required before the homeworking arrangement begins.

- Before a permanent arrangement for regular homeworking is agreed there will be a trial period of 6 weeks during which there should be a continuous review of job performance and working practices so that the advantages of homeworking for the post holder and the Council can be evaluated.
- Before the trial period begins the manager should have undertaken a Homeworking Health & Safety Risk Assessment (see Annex 1).

Consideration of requests for homeworking

The relevant managers will need to consider:

- Whether the job is suitable for homeworking taking into account the nature of the work.
- Whether the employee is likely to be effective as a homeworker. Do they have appropriate organisational and time management skills? Have they demonstrated the ability to work without close supervision? Do they have appropriate communication skills? Have they displayed the ability to comply with relevant legislation such as the General Data Protection Regulations?
- What impact the homeworking arrangement might have on the efficiency/effectiveness of the team/section and on customer service.
- In cases where the employee requesting homeworking is a supervisor or manager consideration will need to be given to the potential impact on those who are managed by the prospective homeworker.

Equipment

- The Council will not provide any essential equipment, other than at the request of a Director or where there are sound business reasons. The Council's IT staff are not authorised to install home equipment or provide home visits, and support services will only be provided from the Kings Hill offices.
- In the case of regular homeworking the Council will not provide any necessary equipment (e.g. desk, chair, and footrest) other than in cases of a reasonable adjustment due to disability.
- Employees will have a range of devices from which they may be able to access Council systems, and should adhere to Council protocols and information security policies at all times.

Security, Confidentiality and Health & Safety

- The Information Security Policy, all associated policies and the General Data Protection Regulations shall be adhered to at all times.
- Homeworkers should be mindful at all times to their duty of confidentiality to protect all information, particularly personal information, from unauthorised access. Care should be taken to ensure the security of such information at home. Failure to do so could be a breach of General Data Protection Regulations and could potentially lead to disciplinary action.
- Homeworkers must use a Council laptop, or a Windows to Go Stick and a random number generator to access the Council's network. Council documents must not be saved on personal PCs or memory sticks.
- Emailing of information should be done via Outlook. Under no circumstances should data be sent via external email or non-Council addresses.
- Homeworkers should not take sensitive paper files out of the office without the permission of their line manager and should ensure that such documents are not left

exposed. Staff also need to ensure that a record is kept of any files taken out of the office.

- Staff who have taken paper copies of documents out of the office should ensure that such documentation is destroyed securely when it is no longer required.
- Employees working from home have the same duties under the Health & Safety at Work Act as all other employees and must take reasonable care of their own health and safety and that of anyone else who might be affected by their actions and omissions. Homeworkers must not carry out work meetings in their home with customers, or officers from other agencies, to prevent the risk of difficult situations. If homeworkers need to attend site meetings direct from home, they must comply with their team's standard lone working practices.

Insurance

- In general the categories of homeworker encompassed within this policy are covered by the Council's Employers and Public Liability Insurance arrangements. Accidents or injuries at home must be recorded using the Council's existing accident reporting process.
- If a homeworker suffers an injury caused by the Council's negligence, any claim which arises will be dealt with under the Council's employers liability insurance.
- If through the negligence of the homeworker, whilst carrying out their duties, a third party suffers an injury or loss, any claim which arises will be dealt with under the Council's insurance. If, however, claims arise within the employee's home for which the Council has no control (e.g. defects on the homeworker's premises) they would not be covered.
- Regular homeworkers will be required to clarify that their Home Insurance covers them for working at home.
- In cases of homeworkers having mortgage or tenancy agreements, regular homeworkers should inform anyone with an interest in their property (i.e. building society, landlords etc.) of their homeworking arrangements.
- The Council's policy does not cover the loss or damage of equipment taken out of Council premises and left in vehicles. Employees should ensure that equipment e.g. laptops, printers etc. once taken out of Council premises should be transferred directly to a safe and secure location.

Taxation

- The ad hoc and regular homeworking as covered by this policy will not trigger changes in the council tax band of the homeworker's property, nor will the room in which they work be assessed for business rates.
- Any equipment supplied for homeworking should be used for Council business only, and as such is unlikely to be classified as a taxable benefit by HMRC.

Change of Employee Address

A homeworking agreement will be reviewed if an employee changes address. In this case a new health & safety risk assessment will need to be carried out, and, the relevant managers will consider if the homeworking agreement is likely to continue to be effective.

Terminating Homeworking Arrangements

The Council reserves the right to withdraw from a homeworking agreement with immediate effect if:

- security or safety standards are not being maintained, or it is no longer technically possible to maintain such standards;
- an employee does not comply with the homeworking policy or agreed arrangement;

- an acceptable level of productivity is not maintained.