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TONBRIDGE & MALLING BOROUGH COUNCIL

**TRANSITIONAL WORKING ARRANGEMENTS FOR COVID-19 RECOVERY
(including Homeworking and Hybrid Working)**

Document Control

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31 July 2018	V1	
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Transitional Working Arrangements Policy

A. Purpose and Scope

This policy provides guidelines for managers, teams and employees when considering working arrangements during the transitional Covid-19 Recovery period. It sets out the conditions that apply in order to provide fair treatment of employees and a clear and consistent managerial approach.

This policy will be subject to continuous review in line with Government guidance on the management of potential future surges in infection rates and the recovery phase of the pandemic. This policy will also continue to be reviewed alongside the Council's developing strategies on responding to climate change and reviewing Council assets (including the use of the Gibson Building). Staff will be given as much notice as possible of any changes to this policy.

This policy is underpinned by an expectation that there is no detriment to provision of services, that all arrangements are subject to the requirements of the service and that agreed individual arrangements do not have an adverse impact on colleagues.

This policy also reflects information security and GDPR requirements as set out in the Information Security Policy.

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, in any circumstances other than when the Government has issued a lockdown instruction to close schools and nurseries etc. Ordinarily the Flexible Working Policy offers potential options and support to staff balancing the demands of work duties and childcare responsibilities.

B. Drivers for the policy

1. The Corporate Plan

In the addendum to the Corporate Plan for 2020/21, Cabinet agreed the following as part of the 'Running the Council' theme within the Review, Reorientation and Recovery strategy:

- > Management Team to undertake a review of the effectiveness of homeworking/flexible working and the potential to embed it within the culture of the Council in the longer term.
- > Where appropriate, Managers to build flexible working into the work patterns for their teams in order to build resilience into the organisation and embed new ways of working.
- > To review office accommodation requirements in light of changes to homeworking/ flexible working and in order to reduce overheads and meet the targets set within the adopted Climate Change Strategy.

2. Review of Council Assets

On 30 June 2020 Cabinet resolved that 'Management Team be asked to conduct a review of all the Borough Council's assets, including use of the Gibson Building, to cover all areas as

well as the need, function and capability of the Council Chamber and Committee Room for Council, Cabinet, Advisory Board and Committee meetings, in line with the Digital and Climate Change Strategies.’

3. The Draft Climate Change Action Plan

The Draft Climate Change Action Plan for 2020 includes the following targets under the theme of ‘TMBC Estate’:

- Undertake an assessment of business mileage for all staff and develop a policy to support tele-conferencing and skype meetings to reduce business travel.
- Amend the homeworking policy to encourage greater take up of homeworking/ flexible working where possible, to reduce home to work travel.
- . Include a review of homeworking and virtual meetings in the Overview and Scrutiny Committee work programme.

4. Outcomes of the Staff Survey (January 2021)

All Council staff were invited to participate in a survey on working arrangements during January 2021. The survey invited staff to provide feedback on their experiences of working during COVID, whether that has been in the office, at home or at another location (or a mix of these). The survey also sought to capture information from staff about their specific roles, so that this could be fed into the review of working arrangements.

The number of staff members who took part in the survey was 208. This constitutes an overall response rate of 82%.

Whilst recognising that the Staff Survey is a snapshot in time, the outcomes suggest that there are significant levels of aspiration for future working arrangements to accommodate both remote working (from home) and hybrid working (a blend of working from home and in the office). A broad employee consensus about the advantages of hybrid working is that this model would facilitate a greater work/life balance and would enable people to go into the office for work that requires collaboration and connection and work remotely for work that requires individual focus or high levels of concentration.

5. Health & Safety Considerations

Employee health and safety, both physical and psychological, will be at the forefront of decision making in returning to the workplace and in the ongoing development of transitional working arrangements. The Council recognises that some people will be very eager to return, others may be anxious about so doing, and a small number will not be able to return for some time because they have been notified that they are Clinically Extremely Vulnerable (CEV) or are being advised to shield for a period of time for health reasons in the event of potential future surges in the disease.

The initial “recovery” phase of transitional working arrangements will need to accommodate this range of personal aspirations and health needs, as well as the purely operational requirements of roles. It is also important for the Council to retain the capacity for as many staff as possible to work from home, at short notice, in the event of a surge in infection rates, and potential Government “work from home wherever possible” messaging. At any time individuals may need to work from home if they are medically able to if they test positive for Covid-19 or if they have been instructed to isolate because they have been in contact with someone who has.

C. Opportunity to trial potential long-term working arrangements during the Covid-19 Recovery 12-month transitional period

The transitional working arrangements for a 12-month period provides an opportunity to trial new ways of working to assess the impact of differing working arrangements on all of the above drivers, as well providing a “safety net” in the event of further surges in Covid-19 infection rates in the short to medium term.

The transitional period provides the opportunity to arrange working space so that it gives the workforce a realistic representation of what permanent working arrangements may look like without incurring high levels of expenditure on building works. The “experimentation” with adjustments to office occupancy will enable staff to give meaningful feedback during the ongoing formal consultation with Management Team and will provide Management Team with the time and data to assess the impact on performance of the proposed hybrid model. This will inform a longer-term consideration of the model for new ways of working.

Furthermore, a 12-month transitional period allows some time for the detailed work that is required to progress work concerning the release of covenants on the Gibson Building and investigations into longer term options (although it is recognised that more time may be required for this workstream). The retention of all of the Gibson Building during the Covid-19 recovery period provides the opportunity to attempt to rationalise the occupation of all staff into the existing floor space within Gibson East and to experiment with a more flexible working model based on staggered shared occupancy of cellular offices, service zoned hot desking, and the utilisation of shared spaces for team meetings, collaborative working and break outs.

The retention of all of the Gibson Building for the transitional period also provides a “bolt hole” for overspill if some of the initial arrangements do not work in practice, or indeed if there is an ongoing requirement to socially distance as a mitigation measure against the adverse impact of potential future Covid-19 outbreaks.

The transitional period also enables the opportunity to assess the extent to which the Draft Climate Change Action Plan aspiration of achieving a 40% reduction in the council’s carbon footprint can be met by greater levels of remote/hybrid working.

This policy also supports the retention of the option for large numbers of staff to work from home at short notice in the event of potential future surges in infection rates and consequent “stay at home wherever possible” messaging from the Government.

D. Staffing office space prioritisation matrix

A Staffing Prioritisation Matrix has been agreed by Management Team. The purpose of the matrix is to assist in the identification of base physical space requirements by seeking to place each post within one of 5 suggested categories, as follows:

- **Static workers** – possible dedicated desk space required for some staff; very rare opportunity for homeworking.
- **Mobile workers** – all/most of time field based, no desk space required, administrative tasks can be undertaken “in the field” or at home.
- **Roving workers** – combination of field and office, in unpredictable patterns, service zoned hot desking desk space required or permission given to regularly work from home.

- **Hybrid Workers** – generally working from home 3 days a week (pro-rated for part timers), may be required to attend offices to undertake certain desk-based tasks that cannot be undertaken elsewhere and for collaborative working, service zoned hot desking required for approximately 2 days per week (pro-rated for part timers).

- **Remote** – almost exclusively working from home, may be required to visit offices to attend meetings and for collaborative working, low priority for hot desking.

It is recognised that some staff will experience practical issues of not being able to work from home or will have other personal circumstances that need to be taken into consideration when determining the priority that they will be given in allocating office desk space. It is not intended that agreed transitional arrangements with individuals that vary from the broad categorisations listed above will be documented in the matrix.

E. Clear and Clean Desk Policy

When working in the office, all employees, will be required to adhere to the following “clear and clean desk” protocols:

1. A clear and clean desk will only contain: a telephone, computer, keyboard, mouse and mat or docking station for laptops and stationery. **A clear desk will not contain any paper information held by the council.**
2. Whether staff have a fixed workstation or are using a hot desk, when they have finished using the desk, or expect to be away from it for longer than 3 hours, they must clear all information from the desk and ensure that it is locked away. They must also shut down the laptop/computer.
3. When staff have finished using a desk or expect to be away from it for longer than 3 hours, they must clean the desk and all the equipment on it with the sanitiser provided. When they commence using a desk and associated equipment they must also clean all surfaces with the sanitiser provided.
4. All information must be locked away in the service specified cupboard or filing cabinet.
5. Cupboard and filing cabinet keys must be kept secure and must be closed or securely locked.
6. Laptops/PC's must be locked when staff are going to be away from a desk for a short period of time, e.g., during refreshment breaks.
7. Personal items such as photos or novelty toys should not be displayed on desks. Items such as mugs/tea/coffee should only be stored in “kitchen areas”.

F. Protocols for Homeworking

Key considerations for agreement between employees and their line manager for home working are listed below. The term “Homeworker” covers all those working from home for periods of time and therefore potentially includes those in posts that have been designated mobile, roving, hybrid and remote (i.e., the majority of the workforce).

F:1 IT related issues

- Those working from home must ensure that they have all IT equipment necessary for the performance of their duties.
- Requirements for additional IT equipment including keyboard, monitor(s) and docking stations should be discussed and agreed in advance with the IT HelpDesk Team;
- Those requiring full access to Council IT systems from home must use a TMBC laptop over the Council's Global Protect VPN connection;
- Those with access to a TMBC tablet or smartphone will have access to email and Office 365 resources;
- Those requiring access to TMBC email and Office 365 resources via their own pc/laptop/mobile device must use Microsoft Multi-factor authentication (MFA) which should be set up in advance;
- The IT HelpDesk Team can provide advice and guidance on setting up MFA;
- Before homeworking is agreed the equipment, including the broadband connection, should be discussed with the IT HelpDesk Team to ensure that the setup will be sufficient to enable effective working from the home.
- All employees who have worked from home during phases of Lockdown, must check on a monthly basis that their issued laptops will still function at home (in case there are further surges in Covid-19 outbreaks that necessitate the Government issuing further "stay at home" orders).
- With regards to new starters, 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 home.
- The Council's IT staff are not authorised to install home equipment or provide home visits. IT support services will only be provided from the Kings Hill offices or via remote connection.
- Homeworkers must be contactable during their working hours by phone via Teams.
- Homeworkers should ensure their 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.

F:2 Information Security issues

- 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 ensure that there is no risk of breaching the Council's GDPR safeguards by others who may be present whilst they are homeworking.
- Homeworkers must use a Council laptop over the Global Protect VPN. Council documents must not be saved on personal PCs, tablets or memory sticks.
- 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.

F:3 Health & Safety Considerations

- 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 adhere to all relevant Risk Assessments.
- Homeworkers must not carry out work meetings in their home with customers, colleagues, 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.
- For new starters, a health and safety self-risk assessment will be carried out in the home by the member of staff 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). Regular ongoing risk assessments will be required for all those spending a percentage of time working from home.
- Homeworkers will regularly undertake VDU risk self-assessments, and will contact their line manager if they have any requirements for furniture etc.

F:4 Employment contract Issues

- 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).
- With regards to new starters, the Senior HR Advisor 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.
- There is no change in the contract of employment for existing staff regarding designated work base during the transitional working arrangements period.
- There is no allowance for household expenses arising from homeworking during the period of transitional working arrangements (employees wishing to know more about working from home tax allowances should visit <https://www.gov.uk/tax-relief-for-employees/working-at-home>)
- Homeworking arrangements will be regularly reviewed during the transitional working arrangements period by both the employee and their line manager to ensure that agreed arrangements are working effectively for both parties.

G. Transitional Arrangements Implementation Steps

The starting point for the trial period would be for team leaders to ask their direct reports to confirm their status regarding any shielding notification or medical recommendations. It is not anticipated that many employees will continue to have this status. Those who do will need to continue working from home until the advice on this matter changes, as an agreed reasonable adjustment in accordance with the Equality Act 2010. Other employees may wish to discuss some concerns they have about returning to working in the office due to a range of medical conditions, including pregnancy, and anxiety.

For those whose post are defined as **static**, team leaders will clarify the office desk space requirement needs and advise the Working Arrangements Sub-Group accordingly.

The posts of the majority of employees have been defined as **mobile, roving or hybrid**. Team leaders will ask their direct reports in these categories to specify, on a voluntary basis, what their preferred working arrangements regarding home/office working would be for the first 6 months of the trial period. It is possible that for some their home conditions/circumstances may be such that they will not be able to continue with any form of working from home.

It is inevitable it will not be possible to accommodate everyone's aspirations as some may not be compatible with business need. However, after one year of remote working, team leaders will have formed a pretty good idea of what does and does not work for their teams. To mitigate personal bias amongst team leaders, before agreeing to anything for the transitional period, proposals about what happens in individual teams during the trial period will be considered by Service Management Teams and thereafter by Management Team. The overall target for teams, and for services as a whole, is for a 40% overall reduction in office occupancy that resembles the categorisation of the matrix as far as is reasonably practicable.

All agreed trial transitional period working arrangements that are different from existing contracts of employment will be documented in Variations to Contract letters, which will contain caveats about this not being a permanent arrangement and will emphasise the Council's right to withdraw the arrangement at short notice.

As amended trial working arrangements will be purely voluntary (not imposed or contractually binding), and employees will still retain the option of working from the office, there will not be a requirement for e.g., reimbursement of expenses such as heating allowance for periods when the individual is working from home. Consideration of such topics would form part of formal consultation, involving Unison, if and when the Council determines what its model will be for permanent working arrangements and permanent changes to contracts of employment. Any decisions on permanent changes to working arrangements and consequent changes to contracts of employment will be contingent upon property related work being completed at the same time.

H. Insurance

Injury

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.

Home Insurance

Regular homeworkers will be required to clarify that their Home Insurance covers them for working at home.

Those with mortgage or tenancy agreements

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.

Electronic devices

Laptops, iPhones, and Tablets are covered for usage whilst working from home under the laptop item of the Council's Computer Insurance Policy. This allows the cover to extend to

include the territorial limits of the UK namely England, Wales, Scotland, Northern Ireland, the Isle of Mann, and the Channel Islands.

Staff are expected to treat the item as if it were their own device, and to take reasonable care when it is in their household – e.g., keeping it out of sight, and placing it in a more secure location should they vacate the property for any period of time.

Specific points about use of laptops at home

All laptops, cables and monitors issued to staff will have been electrically tested and if a faulty laptop is proven to be the cause of a household fire,(by a Fire and Rescue report), it may be possible to claim against TMBC Public Liability Insurance. However, staff should note that :

- 1) Individuals are responsible for ensuring that the electrical testing does not go out of date and should arrange a new electrical test before use if the device is past its test validity.
- 2) Individuals are asked to examine the cables before plugging them into the electrical outlets to ensure that they are not damaged.
- 3) Individuals should ensure they are not overloading their electrical sockets.
- 4) Individuals should ensure they unplug and switch off any laptop when not in use.
- 5) Individuals should not use the laptops during electrical (lightening) storm, if the prospect of lightning strikes are high.

It is also recommended that staff do not recharge the laptop while it is unattended.

Storage of laptops unattended in a car

The Council's insurers have indicated that they would consider a claim for a laptop, that is left in a car for a short duration, on the condition that the laptop is hidden in the boot, out of sight, and all of the alarms and locks of the car have been enabled. Laptops should only be left in a boot for a short duration of time, up to a maximum of 3 to 4 hours, if this is unavoidable. Staff are expected to carry the laptop with them if they feel this is the safer and more practical option.

The placement of a laptop in the boot should be done at a location where there is likely to be less observation. If possible staff should avoid placing a laptop in the boot of a car at a destination where the vehicle will be left unattended.

At no time, should a laptop be left in an unattended vehicle, overnight.

Taking laptops abroad.

There is no insurance for laptops taken outside of the territorial limits of the UK (England, Wales, Scotland, Northern Ireland, the Isle of Mann, and the Channel Islands).

If staff wish to take a laptop out of the territorial limits of the UK they should arrange to insure the device on their own policies, and will be expected to undertake to reimburse the cost of repair or replacement up to the original cost of the laptop (on average: £500).

In very exceptional circumstances, where approved by the Chief Officer, and with the additional approval of Management team, special provision for insurance outside of the territorial limits of the UK can be made.

I. Change of Employee Address

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

J. Terminating Homeworking Arrangements

The Council reserves the right to withdraw from a homeworking arrangement with an individual or group of people 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 this policy.
- an acceptable level of productivity is not maintained.