

## **Flexible Working, Work Life Balance & Home Working Policy**

### **Introduction**

This policy of Trowbridge Town Council (the 'Council') covers Flexible Working, Work Life Balance and Home Working.

### **Work Life Balance**

1. The Council understands and embraces the principles of work life balance where it is practical and beneficial to do so.
2. The Council will ensure work life balance considerations are developed regularly into its operating systems.
3. The Council recognises that members and staff, including volunteers have responsibilities and interests inside and outside of the work of the Council and both will mutually benefit from promoting work life balance.
4. The Council acknowledges that with appropriate use of flexibility in the way it manages its work through its meetings, managers and systems, that there will be a marked improvement in the effectiveness of the Council's services, while at the same time maintaining standards, improving the quality of life for all its members and staff including volunteers.
5. The Council will support through its managers the achievement of individuals' work life balance and the improvement of the effectiveness of the Council.

### **Flexible Working**

Under provisions set out in the Employment Rights Act 1996 and regulations made under it, all employees have a statutory right to ask their employer for a change to their contractual terms and conditions of employment to work flexibly provided they have worked for their employer for 26 weeks continuously at the date the application is made. As a good employer, Trowbridge Town Council has always had a positive view of flexible working. This statement sets out the framework in which flexible working will be managed within the Council.

### **Eligibility**

The right to request flexible working is available to employees who have a minimum of 26 weeks' continuous service. Only one flexible working request can be made within a twelve month period. The legislation does not provide an automatic right to flexible working. There is an emphasis on the importance of both the employee and the employer considering the terms of the request and attempting to reach an outcome that suits both parties. The employee has a responsibility to think carefully about their desired working pattern when making an application, and the manager is required to follow a specific procedure to ensure requests are considered objectively.

### **What is Flexible Working?**

Flexible working can mean a change to the number of hours worked, the times worked or the place of work. Some examples of flexible working are:

- Part-time working;
- Job share;
- Flexible working hours (the organisation has a detailed policy);
- Term time only working; or
- Occasional working from home.
- Compressed hours.

### **How to apply**

Anyone considering flexible working must first discuss with their manager the reasons for the request to change their working pattern. A formal application must be made in writing to their Line Manager. It should set out clearly:

- The desired change in working pattern;
- How it will impact upon the work of the Council;
- How the employee will manage their work to ensure there is no loss in efficiency;
- The impact of the change of the work pattern on the employee's colleagues;
- How any potential problems will be overcome; and
- When the employee wishes to start the new way of working.

All applications will be considered fully. The Line Manager will meet with the employee to discuss the application as soon as possible. The employee has the right to be accompanied by a colleague or trade union representative. The companion has the right to address the meeting. They may ask questions and present the employee's case. However, they have no right to answer questions on the employee's behalf.

### **Who makes the decision?**

The Town Clerk will consider all applications and consult the appropriate manager as required. The Council will notify employees of the decision as soon as possible. If an application is approved, the working arrangement may be implemented on a trial basis for an initial period of 6 months if necessary. If an application is refused, the individual will be notified in writing with reasons why the request cannot be accommodated. The grounds for refusing a request include:

- Additional burden of costs;
- Inability to reorganise work among other staff;
- Inability to recruit additional staff;
- Detrimental impact on quality
- Detrimental effect on customer service;
- Detrimental impact on performance;
- Insufficient work available during the periods the employee proposes to work; or
- The proposal does not fit in with planned structural changes.

The process must be undertaken within 3 months, but can be extended by mutual agreement. Regardless of whether an application is approved or not a further application cannot be made within 12 months.

### **Right of Appeal**

An employee has the right of appeal against the Town Clerk's decision and this should be made to the Policy and Resources Committee. A meeting should take place to discuss a refusal to grant a request. It is important that this is dealt with in a timely manner as the law requires the consideration process to be completed within three months of first receiving the request, including any appeal.

### **Review**

The Town Clerk and the appropriate Manager will undertake a review after 6 months. This is to ensure that the change in work pattern is working effectively and that there is no adverse impact on either the work of the Council or the efficient working of the team. If there appears to be a problem, the individual will be consulted before a decision is made to vary the working pattern further or revert to the original working arrangement.

At the end of the review the Town Clerk will confirm in writing whether or not the working pattern may continue. If it may not continue, a minimum of two months' notice will be given that the working pattern cannot be accommodated and will end on a specified date.

All flexible working will be reviewed periodically by management to ensure that the needs of the Council continue to be met.

## Home Working

### 1. Introduction

Trowbridge Town Council (“the Council”) understands that there may be instances when an employee needs to work from home. Depending on the nature of that employee’s role the Council may consider occasional home working appropriate.

### 2. Definition

Occasional home working is when an employee undertakes some of their duties from home on an ad hoc basis. This is usually planned in advance and may be for complete or part days. Examples of the type of work considered suitable for home working include report writing, preparations for meetings, project work etc. The holding of meetings at home is not permitted due to public liability insurance.

Working from home enables work to be carried out more efficiently in a quiet location and without disruption. It may also prove a more efficient use of time if employees who have been away from their work base for part of day and are closer to their home on their return journey, complete the working day at home rather than at their normal place of work.

In cases where office facilities are shared, or the employee risks continual interruption, the Town Clerk may agree that an employee can work from home for a short specified period. This may include agreeing to home working for a fixed period e.g. two weeks as well as shorter ad hoc periods. Managers and employees should be aware of the potential impact home working could have on teams e.g. isolation from the team, and/or Council activities, a reduction in effective managerial support or supervision.

In cases where the Town Clerk requests a period of home working the Leader will consider the request.

Due to the nature of individual tasks some roles within the Council are not deemed suitable for home working.

### 3. Rules

- 3.1 Home working arrangements should work for both the Council and the employee.
- 3.2 Wherever possible requests for home working should be made at least one month before the employee wishes to start the arrangement.
- 3.3 Risk assessments of the home working environment, in line with legal requirements, must be undertaken. An application and self-assessment form (*Appendix 1*) must be completed by the employee and agreed by the Town Clerk before home working can commence.
- 3.4 Requests should be considered on their own merits, taking into account resources, impact on colleagues and working relationships.
- 3.5 When working from home employees are responsible for ensuring they are contactable during normal working hours. This must be via a Council mobile telephone (where provided) or the employee’s home or mobile telephone numbers. Details of personal telephone numbers will remain confidential within the Council; messages will be taken and forwarded on.
- 3.6 As a general rule it is not considered necessary for those working from home to require supplies of stationery etc. Large volumes of printing and collating of documents should be carried out on Town Council premises.
- 3.7 Under no circumstances should home working be used as an alternative method of meeting carer
- 3.8 Home working agreements will be reviewed in light of any change of circumstances, whether relating to employee, work they are required to undertake, or the working environment.

## 4. Responsibilities

### 4.1 Employer Responsibilities

**4.1.1 Health & Safety** - In line with the Health & Safety at Work Act 1974 ("the Act") and their Health & Safety Policy the Council will ensure, as far as reasonably practical, the health, safety and welfare at work of all employees, including those working from home. The Council reserves the right to inspect home working premises in order to ensure that the Act, current risk assessments and Council policies and procedures are being adhered to. Reasonable notice will be given to employees before any inspection.

**4.1.2 Insurance** - The Council accepts liability for accidents which are proven to have been caused by the authorised use of equipment provided by them in line with any instructions issued.

**4.1.2 Data Protection, Security & Confidentiality** - Council employees will be instructed that in instances where their colleagues are working from home they will not disclose any personal details e.g. telephone numbers to anyone outside of the Council.

### 4.2 Employee Responsibilities

**4.2.1 Health & Safety** - Employees are expected to carry out their work in such a way as to ensure, as far as reasonably practical, that there is no risk to health and safety to themselves, members of their family or visitors.

**4.2.2 Insurance** - Home working may have an affect on domestic insurance policies. Employees wishing to work from home must inform their insurance company of the change in circumstances and the use, and identity, of equipment owned by the Council. An employee's mortgage provider may need to be informed. Employees living in council or privately rented accommodation should notify their landlord and/or examine the terms of their lease. Any equipment belonging to the employee but being used for Council business should be operated in line with any instructions issued. It is reasonable for the Council to assume that this done.

**4.2.3 Accidents, Incidents & Dangerous Occurrences** - In line with the Council's Accident Reporting Procedure, employees must inform their line manager of any accidents, incidents or dangerous occurrences which take place whilst working at home. The initial report should be via telephone with the appropriate paperwork being completed on the employee's return to the workplace.

**4.2.4 Policies and Procedures** - All work carried out on Council business is covered by the requirements of the Council's policies and procedures, even if this work is undertaken at home.

**4.2.5 Data Protection, Security & Confidentiality** - Arrangements for home working should ensure that the employee can maintain the security and confidentiality of documents within the home environment whilst complying with Data Protection legislation and the Council's Email, Internet and Computer Use Policy & Procedure (employees should be aware that even when using their personal equipment to undertake Council business they must comply with this procedure).

**4.2.6 Remote Access** - Employees who wish to work from home may use remote access to emails on Outlook via Office365. Your Line Manager needs to provide permission for you to have this access; Line Managers will then instruct HR and the Facilities Manager to provide documentation and instructions on how to get access. Access to the TTC contacts database and server information should be limited and employees must not divulge any information held on the database to any third party. All Data Protection, security and confidentiality rulings must be adhered to. In order to work on documents from home it is best to send the Documents as an e-mail attachment and then use remote Outlook to access the e-mails from your home PC. When the employee returns to the office data should be transferred back to the Council's server. Whilst working on such data you should ensure where possible that other officers are not making changes to the same document. Alternative methods for more complex work requirements or longer periods of Home Working, are available such as downloading files to OneDrive or where access to the shared drive is required, then use of a Council lap-top is possible. Further details regarding these can be provided by the Facilities Manager and should be discussed with your line manager.

**4.2.7 Council Tax** - If the area of the house being used for home working is also used by the rest of the family at other times there are no implications regarding Council Tax. However, if the area is used solely for business and is not available to the family there may need to be a change of definition. In such cases the employee should check the details with the Billing Authority.

**4.2.8 Taxation** - Employees choosing to work from home are not entitled to tax relief on additional outgoings. As there is no requirement to work from home there would be no tax relief on any proportion of the costs for heating, lighting and rent on rooms used for business purposes.

## 5. Equipment

Equipment required for occasional home working will depend on the nature of the work being undertaken. For IT based work the use of the employee's personal equipment is likely to provide the best solution. If any equipment owned by the Council is subsequently lost or damaged by an employee that employee shall be expected to pay for its replacement.

## 6. Making an application for home working

a) An employee requesting occasional home working should complete the application form and risk assessment form (*Appendix 1*) and forward it to the Town Clerk. Employees are encouraged to complete the form electronically providing as much information as possible. **All electronic copies must be saved to personal U:\ drives to ensure the information remains confidential.**

b) The Town Clerk will discuss the application with the employee's line manager and the employee in person. Discussions should confirm the type of work which can be undertaken, arrangements for covering other duties in the office and the exact pattern of home working being requested.

c) If the risk assessment highlights any cause for concern the Town Clerk should seek advice from Health & Safety before any further action is taken.

d) If access to the Council's server is required the Facilities Manager will be notified so that they can issue guidance notes on how to log in from home. **Note:** *this will only allow employees to access their email account; documents which are required from the P:\ drive will need to be emailed to/from Council premises.*

e) The Town Clerk will sign the application and risk assessment form and return a copy to the employee whilst advising them of the decision on their application. This will normally be within two week of the request being submitted. The original form will be forwarded to the HR Manager for the recording of a review date and placing on the employee's personal file.

f) If an employee wishes to appeal against the decision they may do so by using the Council's Grievance Procedure.

g) Home working arrangements will be reviewed on an annual basis, or sooner if circumstances change.

h) Employees must be aware that any abuse of the home working arrangement may result in the Council taking disciplinary action.

### Lance Allan – Town Clerk & Proper Officer

Signed:..... Date:.....

*Approved on 6<sup>th</sup> November 2018 at a meeting of the Policy & Resources Committee  
Date of next review: November 2022*

## Appendix I

### Occasional Home Working: Application form and Risk Assessment

To be reviewed annually or if circumstances change

**Employee Name:**

**Job Title:**

**Department:**

**Date of Risk Assessment:**

**Home telephone number:**

**Mobile telephone number:**

*Work / personal – please indicate*

**Home Address:**

**Statement of need for home working**

**Benefits for Town Council**

**Benefits for Employee**

**Assessment of impact to Town Council** - describe the arrangements that can be made for hand over with colleagues and how your other duties will be covered when you work from home e.g. first aid, signatory.

**Network access**

I will require secure access to the Council's server in order to receive/send emails      YES / NO

**Employee Declaration**

I confirm that:

- the attached risk assessment was carried out in relation to the facilities and equipment I have at home and which I intend to use when working at a PC as part of the occasional home working arrangement
- I understand my responsibilities under the policy in respect of occasional home working and confidentiality of Town Council data

I understand that:

- should any equipment provided to me by the Council for use during the home working arrangement is lost or damaged then I will be required to fund its replacement.
- on leaving the Council I will be required to return any equipment provided to me.

**Signed:**..... **Date:**.....

**Risk Assessment on the home working environment**

Questions	Yes / No	Comments
<b>1. Chair</b>		
<ul style="list-style-type: none"> <li>• Is the chair height adjustable?</li> <li>• Is the back rest adjustable in height &amp; tilt?</li> <li>• Does the chair have a five-staff base?</li> <li>• Is the chair comfortable?</li> <li>• Do you need a footrest?</li> </ul>		
<b>2. Desk / work surface</b>		
<ul style="list-style-type: none"> <li>• Is the area large enough for all the equipment and the full range or tasks to be undertaken there?</li> <li>• Is there sufficient clearance beneath the area for thighs and knees and to stretch the legs?</li> <li>• Have you sufficient space to access your desk as well as more space around it?</li> <li>• If you use a document holder is it positioned at same height and distance as your monitor?</li> </ul>		
<b>3. Keyboard</b>		
<ul style="list-style-type: none"> <li>• Is there sufficient space in front of the keyboard to place a wrist rest?</li> <li>• Are all the keys present and in working order?</li> </ul>		
<b>4. Mouse</b>		
<ul style="list-style-type: none"> <li>• Is there sufficient space adjacent to the keyboard for the mouse to be used comfortably?</li> <li>• Is it positioned close to the keyboard to prevent over extending or cramping of the wrist?</li> <li>• Do you have a mouse mat?</li> </ul>		
<b>5. Screen</b>		
<ul style="list-style-type: none"> <li>• Is the monitor positioned firstly in front of you?</li> <li>• Is the monitor positioned at the correct height? <i>(when looking horizontally eyes should be resting just below the top of the screen)</i></li> <li>• Does the screen tilt and swivel easily?</li> <li>• Is the image on the screen clear and stable?</li> </ul>		
<b>6. Environment</b>		
<ul style="list-style-type: none"> <li>• Are there any manual handling issues relating to you working from home?</li> <li>• Is the work area free from trip hazards – including the tidying of cables and leads?</li> <li>• Does the route to your workplace involve using a loft ladder?</li> <li>• Are there access problems if you carry large or heavy items?</li> <li>• Is the general lighting adequate?</li> <li>• Can you eliminate strong light sources / reflections?</li> </ul>		

