

A GUIDE TO FIXED HOMEWORKING



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Links and Dependencies
A Guide to Flexible Working by Location
Employee Leave Schemes and Flexible Working
Adverse Weather Policy
Flexischeme Guidelines

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1 Introduction

This guidance is intended to assist both managers and employees in managing fixed homeworking by highlighting areas for consideration and providing practical advice.

This guide should be read in conjunction with the following documents which can be found on the Council website:

- a. Data Protection Act 1998
- b. ICT Security policies
- c. Flexible Working Policies
- d. Expenses Guidelines / Excess Travel Guidelines
- f. Health and Safety Policies and Procedures
- g. Code of Conduct
- h. Flexitime Scheme
- i. Guide to Flexible Working by Location
- j. The agreements for travel time and expenses can be found on the Council's website

1.1 What is Fixed Homeworking?

A full definition of fixed homeworking is 'where the employee spends the majority of their contracted hours working either at home or visiting sites from their home base, rather than working at / or from a particular office base'. In this instance, the employee's home is their contractual work base and the employee uses part of his/her home as a work station. For fixed homeworkers, Derbyshire County Council will not usually provide a dedicated work station at any DCC premises but they will on occasions be able to use hot-desking facilities.

Fixed Homeworking:

- Is where an employee conducts their work from their home rather than an office base.
- Should be undertaken where the nature of the job is considered suitable by management and on a voluntary basis and should be reviewed regularly to ensure its continued effectiveness.
- Applies to employees, not the post, as there are only a few posts within the Council that would require an employee to work from home. Any fixed homeworker would still be allocated a nominal work base.

This guide is for those employees who are fixed homeworkers and their managers. If you are not a fixed homeworker, but occasionally / periodically

work from home or other work bases, further guidance can be found in the Guide to Flexible Working by Location on the Council website.

2 Eligibility

2.1 Which Jobs are Suitable for Fixed Homeworking?

Not all of our jobs have the scope for homeworking. Many of our jobs are part of a front line service with a fixed working location. In broad terms, jobs which are suitable for fixed homeworking will generally have the following characteristics:

- A high level of knowledge rather than manual work.
- The nature of activities will normally lend themselves to independent working.
- Consist of few physical requirements (for example face to face contact at a fixed location, manual handling, bulky equipment or storage requirement).
- Output clearly defined.
- Undertake duties during unsocial hours or deal with services in geographically widespread areas.
- Milestones and timescales clearly outlined so work can be planned.

Fixed Homeworkers should therefore be able to:

- Carry out the job without the need for regular face to face contact with other people.
- Plan work ahead, with milestones and timescales clearly defined.
- Clearly define and measure the outputs of the job.
- Manage work without having to rely on high levels of input or support from others.

And where appropriate:

- Arrange working patterns to fit in with other team members and communicate their availability.
- Maintain fully up to date diaries and share access to colleagues.
- Transfer the information required to do the job electronically.

In addition, managers must take into account the following general points:

- There must be no adverse effects on costs and / or the level and quality of service.
- Work must have clear objectives and be measurable.
- There must be no unplanned increase in the workload of colleagues as a result of an employee homeworking.
- Arrangements must be in place for effective communication between the homeworker, the workplace and the recipients of the service.
- Other staff need to be made aware of arrangements, including all contact information.

The Council will only consider the introduction of any fixed homeworking arrangement where it is considered to be of benefit to both the service and the individual member of staff concerned. Some jobs may not be suitable for fixed homeworking, and it is the decision of the service and manager to decide if a post cannot effectively be carried out by a homeworker e.g. first line managers.

Fixed Homeworking is not a means of combining work with caring responsibilities. Employees with caring responsibilities need to have proper care arrangements in place during their contracted working hours.

3 Making Fixed Homeworking Work

Practical Issues

3.1 Health and Safety

Under the Health and Safety at Work Act 1974 (HSWA) employers have a duty to protect the health, safety and welfare of their employees; this includes homeworkers.

Health & Safety legislation in DCC policies and procedures apply to homeworkers as well as to employees working at an employer's workplace. These include, for example:

- Management of Health and Safety at Work Regulations.
- Display Screen Equipment Regulations.
- Provision and use of Work Equipment Regulations.

The key to ensuring the safety of fixed homeworkers is to ensure that an appropriate risk assessment is undertaken before commencing long term homeworking. This will assess the suitability of the employee's home as a workplace together with any risks associated with the work activities undertaken. Once the risk assessment has been completed and agreed, a copy should be provided to the employee, along with relevant Health and Safety information as identified as part of the control measures.

Further advice can be obtained from your departmental Health & Safety advisers.

3.2 Accommodation

The fixed homeworker's home environment should be able to offer:

- Suitable space for the 'office' (including storage space for equipment and the ability to meet minimum health and safety requirements).

- Necessary freedom from interruptions e.g. appropriate domestic arrangements.
- Appropriate noise levels.
- Ability to accommodate communication requirements e.g. telephone, IT equipment.
- Security and confidentiality.

Both issues of security and equipment are considered further in the following sections.

3.3 Keeping Information Secure

Fixed homeworkers should take special care to protect the confidentiality of papers, files and documents, including those stored electronically. To keep information safe and secure when working at home, employees should use guidance available on Council's website.

This covers the following areas:

- Document Classification.
- Disposal of Confidential Information.
- Reporting a Breach of Confidentiality.
- Data Policies on Working at Derbyshire County Council sites.
- Data Policies on Working at Home or Mobile Working.
- Encryption.

3.4 Equipment

Essential equipment will be provided where considered necessary to the job and/or where necessary to ensure communications are maintained. The equipment will remain the property of the Council and homeworkers will be expected to take all reasonable care and use it only for official purposes. Dependent upon the needs of the job and the individual circumstances, the consideration of equipment provisions may include:

- Business telephone line/ Mobile Phone.
- Personal computer/laptop.
- Printer.
- Stationery.
- Desk.
- Adjustable Chair.
- Secure storage.
- Residual Current Device (RCD).

Equipment and office furniture and supplies provided in the case of a fixed homemaker will depend on the needs of the job, the individual's circumstances, the employee's worker profile and whether the arrangement is considered permanent. All equipment provided by the Council for the purposes

of fixed homeworking must be used in line with Council security and data protection policies.

For fixed homeworkers the provision of a business telephone line or mobile phone would normally be considered and continuing costs related to this would be paid. However, it is expected that the employee would continue to retain a telephone line at home in their name to make and receive personal calls.

3.5 Tax

The Inland Revenue is entitled to regard equipment and facilities provided at home as available for private use. In order to overcome any tax liability in respect of this it is essential that any equipment provided remains the property of the Council and is unavailable for private use. A declaration to this effect should be signed by the employee and it is the responsibility of the line manager to ensure the employee has signed a declaration which is attached as part of the homeworking agreement.

3.6 Insurance

The Council's legal liability policies cover home working arrangements but it is essential that proper risk assessments are undertaken of the home working environment and action is taken to reduce and remove any risks identified.

Equipment supplied by the Council, that is to be used in the home working environment, is covered by the Council's insurance arrangements in exactly the same way as it is covered in Council premises. If equipment is stolen from the employee's home there will need to be evidence of a break in for a claim to be considered. This is a standard condition of all theft policies.

Laptops and other portable equipment are also covered but, again, there needs to be evidence that a theft has occurred. There is no cover for (a) theft from an unattended vehicle when the equipment is not locked away and out of sight, or (b) theft of equipment left in a vehicle overnight.

Homeworkers must advise their household property and contents insurers that they are working from home to ensure their cover is not invalidated. For the same reason employees in rented accommodation will also need to notify their landlord so the landlord can notify their own insurer.

The Council will not reimburse any additional insurance costs incurred by the employee as a result of working from home. However the employee may be able to claim a deduction for taxable income for the additional cost. This claim can be made in writing either directly to the employee's HMRC office or via their Self-Assessment Tax Return, if the employee is required to submit one.

3.7 Travel

All employees who are fixed homeworkers will have a nominal work base. Fixed homeworkers cannot claim mileage between their home to their nominated work base. Fixed homeworkers can claim mileage if they are travelling to a base other than their nominated base in line with current agreements. For the purposes of travel claims, the first journey of the day employee will claim mileage to their destination from either their home address or their notional base, depending on which is the shortest in terms of mileage. On the last journey of the day, employees can claim mileage either to their home address or their notional base, whichever is the shortest.

If the Council wishes to end the homeworking arrangement, employees should be moved back to their nominal work base. If this is not possible, excess mileage claims may be applicable. For further information on guidelines for excess mileage, please refer to the excess mileage section on the council website. If the employee ends the arrangement, no excess mileage claim is applicable.

Employees must have valid vehicle insurance covering them for business use, including carrying passengers. Employees must also hold the appropriate driving licence and MoT certificate and up to date Car Tax.

3.8 Heating and Lighting

No allowance will be payable in respect of heating and lighting. However, fixed home workers can get tax relief for extra household expenses i.e. electricity and gas. *Go to the HMRC website for further information.*

4. Managing Fixed Homeworkers

When employees are working away from a central location, traditional management techniques which rely on control and close physical supervision become impractical. For fixed homeworking to succeed, trust becomes a fundamental element of the work relationship, together with the need for clearly identified work objectives and outcomes together with continual dialogue and feedback.

Key management issues will include:

4.1 Communication

It is essential that regular communication is maintained to ensure that individual isolation is reduced and that both the fixed homemaker and on-site colleagues continue to feel part of the organisation and team. Methods of communication may include:

- Regular supervision as per departmental protocols.

- Regular defined attendance at the office base.
- Attendance at team briefings/meetings.
- Regular face to face progress meetings between homeworker and the manager.
- Regular My Plan meetings.
- Regular telephone and e-mail contact.

It is also essential to ensure that access to departmental information such as e-mails, internal documents, mail etc. is accessible. Mail distribution should occur on a minimum twice weekly basis.

No client meetings should ever be conducted from an employee's home address nor should the employee or anyone in their team give out their personal home telephone number to service users/ clients.

4.2 Performance Management

The main requirement of managing fixed homeworking is to manage results rather than the process. Managers should, therefore, identify how individual performance is to be monitored and maintained. Ideally, this will include the following:

- Setting of clear objectives.
- Detailed planning of the work to be done and setting targets.
- Regular feedback and appraisal of work produced.
- My Plan meetings.
- Clear lines of communication.
- Systematic review at appropriate intervals.

4.3 Patterns of Work

While fixed homeworking provides the employee with the flexibility to determine their own work pattern, the hours of work should be agreed beforehand. Consideration should be given to:

- Service needs / requirements, including urgent contact arrangements.
- Individuals' personal needs and circumstances.
- The potential isolation of long periods of homeworking.
- The need to keep in touch with work and wider issues.
- Being available for face to face contact with staff who might be managed by the homeworker.
- The need to attend meetings, seminars and training courses.
- The elements of the work which cannot be done at home.
- The working patterns of other team members.

The nature of fixed homeworking means that individual patterns of work will not necessarily reflect the standard day e.g. the person may work some of their hours earlier or later in the day. Times during which the fixed

homeworker is contactable should be agreed beforehand with both line management and colleagues/staff. Any changes to agreed patterns of work should be agreed in advance with a line manager.

Arrangements should be identified for notifying of sickness absence or accident reporting. This will normally be to the fixed homeworker's immediate line manager or in accordance with departmental requirements. Arrangements for booking and taking of annual, flexi or other leave should also be clarified.

4.4 Training and Development

Every effort should be made to ensure that access to and information about training and development opportunities is made available. Individual outcomes and developmental opportunities should be identified for fixed homeworkers through regular 1:1 meetings, My Plan and Supervision.

It is important that any team building or training days cater for and involve fixed homeworkers and that they have the same training and development opportunities as office based staff.

APPENDIX 1

APPLYING TO BECOME A FIXED HOMEWORKER - CONSIDERATIONS

Employees

Employees who want to become fixed homeworkers should first discuss this with their line manager, outlining why they want to work from home and how they suggest things will work. Prospective fixed homeworkers should consider:

- The amount of time to be spent at home .
- Proposals for keeping in touch with their manager and colleagues.
- Managing workload.
- Employees who have line management or supervisory responsibilities should discuss the homeworking arrangement with their staff as early as possible.
- What equipment is needed to work effectively at home.
- The impact on the home environment/family members of homeworking.
- How to manage fixed homeworking at a personal level.
- Suitability of the home as a work station.
- What to do if the homeworking does not work.

On a practical level, employees need to be aware that they need to;

- a. Attend team meetings, My Plan meetings, 1:1s or training days at the manager's request and at the location specified.
- b. Update their manager with their contact details if their home address/details change.
- c. Discuss with their manager when they are working away from their home, ensuring that the manager has the relevant contact details for each work location.
- d. Take all reasonable steps to prevent unauthorised access to work or work equipment and maintain high standards of data recording in compliance with Data Protection Act 1998.
- e. Carry out risk assessments and a display screen risk assessment for their home workplace and if necessary review this with the departmental Health & Safety section to ensure the workstation is set up correctly and any recommendations are followed through.
- f. Adhere to Derbyshire County Council procedures with regards to reporting in sick or booking annual leave.
- g. Report any accidents to their line manager which occur during the agreed working hours or resulting from Council work activities.
- h. Give the Council permission to access their domestic premises, with reasonable notice and whilst they are present, to install, check or repair electronic equipment or undertake periodic health and safety inspections.

- i. Look after and ensure the safe return of equipment provided by the Council at the end of the fixed homeworking arrangement.

Managers

In addition to the advice contained at Section 2, managers may find the following useful as the basis for discussing homeworking arrangements.

Individual line managers need to undertake the following:

Preparation

- a. Understand that employees at Derbyshire County Council have a right to request flexible working, which includes fixed homeworking. However, agreement will depend on individual circumstances and business requirements. Managers must inform employees of outcome of a home working request within 28 calendar days.
- b. Discuss with the employee arrangements needed for homeworking. Fixed homeworking can only be undertaken when it is mutually agreed by both the employee and manager.
- c. Consider each fixed homeworking request on the basis of the needs of the service, the suitability of the post and post holder and costs. Where a request is denied, give the business reason and state how it applies to their request.
- d. Consider how the proposed home working pattern fits in with other team members.
- e. Consider the needs of the individual in relation to:
 - Their welfare.
 - The operational needs of the team.
 - Health and Safety requirements.
 - Whether the individual has considered the implications of homeworking. This should include, for example, balancing caring responsibilities, social isolation etc.

Practical Arrangements

- f. Ensure that they have the necessary details to keep in contact with the fixed homeworker to discuss work and make arrangements to give any necessary support.
- g. Ensure employees have the appropriate access to IT and other equipment to fulfil the duties set out in their job description.
- h. Check whether office space and facilities allocated to the fixed homeworker can be reallocated elsewhere.
- i. Check that all relevant health and safety requirements are met as set out in this policy.
- j. Arrange procedures that are necessary for the collection and delivery of work including 'drop in' administration facilities etc.
- k. Include fixed homeworkers in any relevant training opportunities within the team, relevant team meetings and communications (e.g. Team Brief)

and ensure all normal line manager responsibilities are carried out, such as My Plan, 1:1's, performance management and absence management.

- l. Measure performance based on outputs for employees who are fixed homeworkers.
- m. Ensure that HR and IT are informed of any changes to a fixed homemaker's working status e.g. if the employee is leaving the organisation or if the fixed homeworking arrangement agreement has come to an end.
- n. Ensure that any office or IT equipment is recovered from employees who are ending their fixed homeworking agreement and ensure that this equipment is returned to the appropriate service.

Responding to a Homeworking Request

Where a request to become a fixed homemaker is received, the line manager must;

- a. Consider the request and write to the employee within seven calendar days of the decision.
- b. If the home working request was agreed, managers should arrange a trial period, and make arrangements for the home working to commence. An agreement letter should be sent to the employee, which is attached at the back of this guidance.
- c. If the home working request was not agreed, the letter should include the right to appeal against the decision within seven calendar days to the next level of management.
- d. A meeting should then be held to discuss the employees appeal. The Employee has the right to be accompanied by either a work colleague or a Trade Union Representative.
- e. After the appeal meeting, management should notify the employee of the appeal outcome within seven calendar days of the meeting.

Trial Period

Managers should;

- a. Confirm a trial period of between 1-3 months.
- b. Once the trial period is over, if the homeworking becomes permanent inform the Shared Services Centre so they can issue a revised contract of employment.
- c. If the employee reverts to their previous way of working, no further action is needed.

Ending Homeworking

The Council reserves the right to require a fixed homemaker to revert back to office based employment where;

- a. There are performance issues.
- b. Where feedback indicates that the arrangement has had an adverse effect on the work within the team.
- c. Where the arrangement no longer meets the needs of the Service.

- d. There is no right of appeal and this is not a matter on which a grievance can be lodged.

Managers should discuss the termination of homeworking with the employee prior to any changes in working practice. Managers will then provide 28 calendar days' notice to the employee for them to revert back to office working.

APPENDIX 2 – FIXED HOMEWORKER AGREEMENT LETTER

Dear <Enter Name>

A Signed copy of this letter is required as part of the application process for fixed homeworking.

Your work base will be your home address, but with your current contracted office address as a second notional base. Please see the Guide to Fixed Home working for details of claiming mileage.

You will be provided with ICT equipment and furniture by the department as you are now a fixed homeworker. Please note that the storage equipment, telephony and ICT are for work purposes only.

While you are a fixed homeworker, your home is also a workplace, and as such, is subject to the Council's Health and Safety Requirements. A DSE assessment will be undertaken as part of the start-up process. Once you are home working, please contact your departmental Health & Safety team to arrange an assessment.

Whilst you are a fixed homeworker, the Council will not provide any dedicated space or facilities for you in any of its offices. If you wish to end Fixed Homeworking, please provide 1 months' notice to your line manager to ensure suitable arrangements can be made. There will be an annual review of your homeworking contract. This review is to ensure that you, the Council, and its management are satisfied that the home-working arrangements are working to the mutual benefit of all parties.

At times you will be expected to come into your Council workplace or other Council building for training, supervision, meetings or when systems are not available. Whilst as much notice will be given as possible you may be asked to come into work at short notice. These occasions could occur when there is a requirement to undertake office-based tasks or deal with an unexpected situation that requires your presence.

Your Terms and Conditions of Employment agreed as part of your existing contract are not affected by signing this letter.

Please confirm your formal acceptance of this extension to your homeworking arrangements by signing and returning the enclosed letter to your departmental Human Resources team. A copy of this letter has also been sent to your line manager for their acceptance and a second copy of the letter is enclosed for your retention.

Transfer to Home-Working Arrangements

I have read and understood this home-worker's agreement and accept the continuation of my home-working arrangements on the terms and conditions set out in this letter.

Signed (Employee) Date

Print Name

Declaration – ICT Equipment

I confirm the equipment provided to me as part of a homeworking arrangement is to be used solely for business purposes.

Signed..... Date.....

Declaration – Manager

As 's Line Manager, I have read and understood this home-worker's agreement and accept my responsibilities as detailed within this agreement.

Signed Date

Print Name