

FLEXIBLE WORKING POLICY AND PROCEDURE

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Homeworking

Homeworking is defined as permitting employees to carry out a proportion or all of their duties in their own home either on an ad hoc, temporary or permanent basis.

Homeworking is voluntary and the Council has identified three categories of homeworking; Occasional, Full time Contractual and Part Time Contractual Homeworking

Occasional Homeworking

Occasional Homeworking is where employees are office based, but who choose to work on an ad hoc basis at home, with Management agreement. The key features of occasional Homeworking are:

- A written application to work at home is not required, unless Barnsley MBC provide home based equipment or connections, however, each occasion must be agreed by Management.
- There is no change in designated location i.e. office based and no change of contract is required.
- Employees are accounted for in the desk/space allocation for the working group.
- ICT Support is arranged for designated location i.e. office based working.
- It will not be necessary to set aside an area of the employee's home for Homeworking.
- A written Risk Assessment must be carried out in accordance with the [Homeworking Health and Safety Code of Practice](#).
- There is no allowance for any additional expenses arising from Homeworking i.e. cost of heating etc.
- Employees do not have to work at home and can stop at any time.

Full Time Contractual Homeworking

Full Time Contractual Homeworking is where employees operate from a homebased workspace with agreement of Management. For example a full time Contractual Homeworker who are employed for 37 hours per week will be based at home permanently and may occasionally work at a Barnsley Council Office/site,

They are provided with the equipment, connections and ICT support they require to work from home. The key features of Contractual Homeworking are:

- A written application must be made. Flexible working Application Form (FWR1) can be used for this purpose.
- Employees are issued with a revised contract of employment on a permanent basis.
- Home becomes the employee's official location, although where required a designated team base will be provided i.e. for team meetings etc.
- Employees are not accounted for in the desk/space allocation for the working group.
- ICT support is provided specifically for home based working.
- Homeworking equipment and connections are provided and paid for by the Council. All equipment and connections necessary for the employee to effectively undertake their work from home will be provided and paid for by the Council.
- Employees must have a working area set up in their home.
- A written risk assessment of premises for Homeworking is required prior to commencement.
- There is no allowance for any additional household expenses arising from Homeworking i.e. heating costs etc.
- Homeworking is voluntary.
- The Council will pay for reconnection in respect of one home removal.

Further information on the protocol to follow when an employee works from home can be found in [Appendix C](#) Homeworking Guidance.

Part Time Contractual Homeworking

Part Time Contractual Homeworking is where employees operate from a home based workspace station for an agreed period of time or an agreed number of hours/days per week. For example a Part Time Contractual Homeworker may be contracted to work one day per week from home and four days based with the Office.

It is manager's/ Headteacher discretion as to what equipment if any is provided to the Part Time Contractual Homeworker when working from home.

APPENDIX C - HOMEWORKING GUIDANCE

1.0 METHODS OF WORKING

- 1.1 The nature of the work will determine how the duties and responsibilities are undertaken in the Homeworking arrangement. The Homeworking arrangement should be reviewed annually to ensure that the needs of the service and service users are being met. The employee and Line Manager/ Headteacher should discuss any benefits or drawbacks to the arrangements and, if necessary, discuss any adjustments.
- 1.2 Agreement will be reached in respect of working patterns including core service hours in order to allow for appropriate contact to be maintained.
- 1.3 The hours worked must meet legislative requirements.
- 1.4 Employees following any of the flexible working time options i.e. flexi hours scheme must complete the appropriate time recording sheets in accordance with that particular scheme. If an employee is absent due to sickness then the normal absence reporting procedures apply.
- 1.5 Abuse of the scheme, for example not working in accordance with the agreed hours/objectives, could result in action being taken in accordance with the Council's [Disciplinary Procedure](#).
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2.0 INSURANCE

- 2.1 Employees working from home are covered for personal accident insurance in the same way as their office based colleagues. Public/Employer's liability still operates provided that the employee is working within his/her duties/job requirements.
- 2.2 Equipment provided by the Council will be insured whilst at an employee's home **subject to this being notified to the Council's Insurance Section**. It will also be covered whilst in transit between office and home, subject to it not being left in an unattended vehicle.
- 2.3 Employees need to check with their insurance on home and contents to ensure it is not invalidated through working from home.
- 2.4 If employees use their own equipment for Council work then their own insurance should specifically cover this
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3.0 DATA PROTECTION/ SECURITY AND CONFIDENTIALITY

- 3.1 Employees working from home must ensure that the Council's assets i.e. documents, equipment and data are protected. The provisions of the General Data Protection Regulation and the Data Protection Act apply wherever work is carried out. This means that all six principles of the legislation apply, but the key issues are security and confidentiality.
- 3.2 Equipment must be password protected and not left unattended.
- 3.3 Confidential documents must be stored in locked cabinets/draws.
- 3.4 The minimum acceptable standards of physical security within an employee's home set out
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below must be adhered to:

- **Main Entrance Door** must be secured by a 5-lever mortise deadlock that can be locked by a key from both inside and outside (including key operated multi-point locking systems).
- **Other Doors** (including access from integral garages) must be secured by any lock, which can be locked by a key from both the inside and outside (including key operated multi-point locking systems), or key operated security bolts fitted at the top and bottom.
- **Sliding Doors** must be secured by any lock, which can be locked by a key from both the inside and outside, or key operated security bolts (fitted at the top and bottom), or an anti-lift device plus one key operated patio door lock.
- **Double Doors** (French windows or windows) must be secured by two operated security bolts operating vertically (fitted at the top and bottom).
- **Windows and Skylights**, which open and are accessible from the ground without use of a ladder or from adjoining roofs, porches or down pipes must be secured by key, operated window-locking devices (including key operated multi-point locking systems).

- 3.5 Employees must **not** arrange meetings with other employees of the Council or external clients at their home.
- 3.6 Back-up disks should be kept for information stored on laptops.
- 3.7 Where employees use a laptop (or other equipment) not specifically assigned to them, a log of use away from the office should be maintained with the equipment signed in and out.
- 3.8 Employees using their own equipment on BMBC business should ensure that regular back ups are taken as it is unlikely that an employee's own insurance will cover any loss of data.
- 3.9 All paper waste must be returned to a Council office location for disposal and confidential shredding, if appropriate. Employees must never put unwanted paper into household waste or in household recycling bins.
- 3.10 It is a condition for both Occasional and Contractual Homeworkers that agreement is given by the employees to allow reasonable access to their home for risk assessments, security, auditing and/or to set up and service BMBC equipment.

4.0 **TELEPHONE EXPENSES/ INTERNET CONNECTION/ INCOME TAX AND NATIONAL INSURANCE IMPLICATIONS**

- 4.1 For both Occasional and Contractual Homeworkers the cost of business telephone calls from a private line will be reimbursed subject to the provision of an itemised bill. Employees should complete an expenses claim form.
- 4.2 **Full Time Contractual Homeworkers only** will be reimbursed for the quarterly rental charges and any special payments for emergency maintenance of the line. The amount reimbursed is subject to tax and national insurance contributions. The tax and national insurance contributions due will be deducted from the employee's salary as appropriate.
- 4.3 In respect of **Contractual Homeworkers only**, Directors have the discretion to authorise installation of a dedicated business telephone line in the employee's home. In this case the subscriber must be Barnsley MBC and listed as such under any telephone directory. If it can be demonstrated that the cost of such a line are exclusively for business purposes then

there will be no income tax or national insurance implications arising as a result of the costs of installation being borne by the Council, subject to Inland revenue agreement.

- 4.4 For both Occasional and Contractual Homeworkers there are no tax or national insurance implications for the Council or employees in the provision (by the Council) of mobile phones. Private use must be fully itemised and paid for by the employee.
 - 4.5 Any private calls made on a business line or Council owned mobile phone must be recorded and paid for in accordance with Council procedures.
 - 4.6 Where the Council pays for Internet connection to the employee's home for work purposes, the Inland Revenue accept that the costs of connection are exempt from tax. Employees must not use the connection for private use and if found to be doing so will be liable for tax and national insurance deductions from their salary.
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5.0 **CAR MILEAGE CLAIMS**

5.1 **Occasional Homeworkers:**

Any travel between home and the normal place of work is identified as 'normal commuting' and as such any mileage incurred cannot be claimed under the Council's car allowance scheme.

5.2 **Contractual Homeworkers:**

Any travel between home and the employee's designated team base is identified as 'normal commuting' and as such any mileage incurred cannot be claimed under the Council's car allowance scheme. However, employees must ensure that such use is covered by their motor insurance.

Any travel from home to a temporary workplace, for example, to visit a Housing Benefit claimant at home or other Council premises (not designated as an employee's team base) or partner premises, can be claimed in accordance with the Council's car allowance scheme.

6.0 **ADDITIONAL EXPENSES INCURRED**

- 6.1 There will be **no** reimbursement for any additional expenses incurred i.e. heating and lighting as a result of Homeworking whether occasional or contractual.
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7.0 **PERFORMANCE MANAGEMENT**

- 7.1 Managers/ Headteachers will need to review performance management arrangements operating within teams in the light of Homeworking i.e. methods of communicating, team meetings, one-to-ones, organising workloads, supervision, motivation etc.
 - 7.2 Managers/ Headteachers should pay particular attention to ensuring that employees continue to be motivated, are supported and receive the same opportunities as other non-Homeworking team members in respect of training and development. Agreement needs to be reached about frequency and timing of regular communications to discuss targets, goals
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and objectives.

- 7.3 Managers are responsible for ensuring that employee's progress whilst working at home is monitored and that any problems that arise are addressed in a timely, fair and consistent manner.
- 7.4 The key to making Homeworking succeed is to accept that visible presence is often a poor guide to a person's productivity. Output can be measured wherever a person is located and if trust is lacking then this is a problem wherever the employee is working.
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8.0 **SETTING UP A HOME OFFICE**

- 8.1 Contractual Homeworking will require the setting up of a designated workspace in the home whether this is a separate room or space within another room. The space identified will require a risk assessment in accordance with the [Homeworking Health and Safety Code of Practice](#).
- 8.2 Occasional Homeworking does not require the setting up of a designated workspace, however, the Homeworking Health and Safety Code of Practice still applies.
- 8.3 Employees must check their rental and mortgage agreements to ensure that they permit working from home. A room used purely for work purposes may also have implications for capital gains on sale of the home and employees are advised to verify the position with the Inland Revenue.
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9.0 **HOMEWORKING EQUIPMENT FOR CONTRACTUAL HOMEWORKERS**

- 9.1 The standard Full Time Contractual Homeworkers' package will consist of:
- Telephone line either use of own private line with reimbursement or installation of a business line as detailed in point 11.
 - Access to BMBC systems.
 - BMBC standard PC, with modem or lap top.
 - Standard printer.
 - BMBC standard applications.
 - Workstation and chair purchased and supplied through BMBC.
- 9.2 S316 Income Tax (Earnings and Pensions) Act 2003 provides an exemption from tax that allows an employer to provide equipment to an employee for the sole purpose of allowing the employee to perform the duties of their employment. This means that where the Council provides an employee with equipment to work from home there will be no tax or national insurance charge as long as the equipment is used purely for business purposes.
- 9.3 Stationery and small office equipment i.e. staplers are provided via normal stationery ordering and are to be used for work purposes.

All equipment is on loan and must be returned if the Homeworking arrangement ceases.

10.0 **DELIVERY AND COLLECTION OF POST**

- 10.1 All Homeworkers' business post is to be sent to a Council site, where it is opened and date stamped ready for collection. To safeguard home addresses, official mail should not be
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redirected to a home address. Any mail that must be forwarded to a home address should be put in a new envelope for mailing.

10.2 Occasional and part time Homeworkers must bring any post to be despatched back to the office for mailing.

10.3 Full time Contractual Homeworkers will be provided with postage stamps by their services to allow for post to be sent via normal mail.

11.0 **PRINTING AND REPROGRAPHICS**

11.1 All Homeworkers will have access to use BMBC print and reprographics facilities using the relevant code.

12.0 **MANAGEMENT ARRANGEMENTS**

12.1 The management of Homeworking whilst not significantly different to managing employees in an office location, requires a number of issues to be considered:

- The need for a Homeworking Risk Assessment.
- Regular reviews of safe working practices.
- Regular reviews of work flow output.
- Effective performance management arrangements, including regular one-to-one reviews and appraisals.
- Ensuring personal development plans take into account the needs of Homeworkers.
- Having appropriate measures for notifying absence and illness.
- Maintaining a dialogue with Homeworkers.
- Ensuring that team communications recognise the differing needs of Homeworkers.
- Respecting personal privacy, particularly during non-working times and days.
- Agree emergency protocols (if needed) in advance.
- Whilst Homeworkers explicitly agree to Management visits for risk assessments and security audits, these should be conducted with dignity and respecting the privacy of the Homeworker and other members of the household.

13.0 **HOMEWORKING CHECKLIST**

13.1 A Homeworking Checklist is available to ensure all aspects have been considered. Included is a standard letter to be used by employees for their home insurers and landlord/ mortgage lenders.