

Flexible Working Procedure

Background

The flexible working group has been tasked with producing a revised flexi-time scheme and considering other options which enhance our service delivery while providing work-life balance opportunities for our staff which enable us to become an employer of choice.

The group has initiated a number of pilots, some of which are more advanced than others. One of the concerns for current members of this group is the lack of parameters and evidence attached to some of the earlier pilots. For example, the extended flexi-time scheme currently operational in revenues was not established within a clear framework, therefore it becomes more difficult to prove a business case for implementation because the original parameters are not clear.

HR and UNISON have worked jointly to produce a draft flexible working scheme, this is attached. It is a detailed document, providing a variety of options, with associated guidance. It also provides clear rights and responsibilities for both staff and managers. Also, attached are business cases from two of the managers who run the sections where the pilots have been running. These business cases seek to identify the benefits of the flexible working scheme pilots, in respect of improving efficiency (e.g. reducing overtime costs in the Revenue Team) and improving access for the public to our services in that the reduction/removal of core time has matched peak contact times.

It is important to note that the needs of the service are paramount, not all flexible working options will be appropriate for everyone. The attached scheme does allow managers flexibility in that the criteria needs to be met before any flexible working option is adopted, the criteria includes impact on service delivery assessment.

Issues for consideration

However, there are a number of issues we need to consider in relation to rolling out this scheme. These issues are:

1. If we extend the more flexible version of the flexi-time scheme, which has been piloted to all staff, there is an opportunity for us to review

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our access hours. There is a separate piece of work being undertaken in customer services which is looking at the accessibility of our services.

2. There is also a culture change required in some parts of East Herts. To enable this procedure to succeed, we need to ensure that managers trust their staff and also that managers are willing and able to manage performance effectively. The draft procedure provides clear criteria for managers to consider when looking at flexible working requests. It is important to note that not all staff will be afforded the same flexible working options, as the needs of the service must take precedent over personal working choice. It is important that we begin to move to an output rather than an input culture. We need to value and measure our employees by their contribution to organisational goals, not by the number of hours they spend at their desk each week. Flexible working is not about sitting at your desk until 6pm because you need the flexi-time credit, it is about a way of working which benefits the service you provide and helps you to balance your home and work commitments.
3. There are various issues regarding IT equipment. These are being addressed via at PID which has been considered at CMT. The scheme clearly refers to the line manager of the person requesting to work at home or remotely, ensuring that this process does not cost the organisation financially. However, there is still an issue regarding the amount of equipment required to facilitate home-working. There is an issue regarding IT support, and the resource implications for the IT department. There may be an issue regarding broadband access for some people.

Rolling out the scheme

The 'way we work' scheme will be rolled out throughout the various sections within East Herts Council. A timetable for implementation will be developed, in consultation with Heads of Service, once the procedures are finally approved at HR Committee.

Any team involved in a pilot will be involved in the earlier stages of the roll out programme. When each team implements further flexible working initiatives as identified under the scheme, they will need to identify target benefits for the Council, e.g. greater access to services; efficiency savings

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etc. These targets will then be used to measure the success of the scheme at the end of the trial period.

Training will be provided for managers and staff on the running of the scheme.

Once the scheme has been rolled out, subject to service provision, to all departments a review date will be implemented, which will be approximately nine months after implementation. This initial period will be seen as a pilot for flexible working methods for the Council.

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THE WAY WE WORK SCHEME

1. INTRODUCTION

New demands, new possibilities, new ways of working...

Change is fundamental to the context within which East Herts Council operates both in providing services and employee resources. To meet these challenges, managers and staff may need to reconsider traditional working methods and practices.

Flexible working opportunities can benefit everyone: East Herts Council, employees and their families; and our customers. It is good business sense to offer flexibility. It enables East Herts to retain skilled staff, reduce recruitment costs, raise morale and decrease absenteeism. However, as employees of the Council we need to remember that we are here to provide a service to the local community and therefore East Herts will always consider requests in a business context and look at the effect such requests may have on our customers. Where possible we will seek to accommodate flexible working patterns but the needs of the service must always come first. Flexi-time is already a benefit enjoyed by many East Herts employees, this scheme offers additional flexibility.

East Herts welcomes the new statutory right of employees to request flexible working and as such has a positive commitment to consider all requests from eligible employees. This procedure is based on the contents of the Department of Trade and Industry guidance booklet *Flexible Working: the right to request and the duty to consider* (PL 520) which is available from Jobcentre Plus/Social Security offices or from <http://www.dti.gov.uk/files/file21364.pdf>.

A key element essential to helping this policy and procedure work is to encourage you (the employee) to talk to your Manager as early as possible to explore what may be available. That helps you and your Manager gain a clear understanding of each other's thinking and will enable you to come to an agreement, which meets both yours and East Herts needs. In some circumstances there will also be a need for team discussion, to look at the best way to help all staff balance their work & life requirements.

Flexible working involves a range of different working arrangements which allow managers and employees to utilise non-traditional working patterns. East Herts Council has introduced a number of options for working flexibly.

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It enables the Council to meet service demands more effectively and also help employees to balance work, home and personal priorities.

Any of these Flexible Working methods are, in principle, available to all employees but the needs of the service are paramount and some options simply may not be operationally practical for certain jobs. The following criteria needs to be considered by all managers and teams when considering flexible working:

2. THE CRITERIA

When looking at flexible working options within the service, the Head of Service, together with the local Line manager needs to consider:

- Whether allowing flexible working requests would positively or negatively affect the output of the team and service delivery.
- If the application means that the team or individual employee will be unable to do some of the work they currently do, how will you deal with this?
- What are the implications for line management and work planning/co-ordination – what needs to be done to address this?
- Are there any resultant training needs for the applicant and/or colleagues? How will you deal with this?
- Consider any other flexible working arrangements, which exist or may arise in your team. Ensure that all arrangements are discussed openly and encourage your team to think about creative solutions to any multiple requests for flexible working.
- All flexible working options must be shown to add value to the organisation.

For flexible working practices to work successfully it is necessary for teams to communicate well and think about all the options open to them, they also need to think about how they continue to provide a good level of service. In considering the flexible working scheme the team should look at the following areas:

- Are you convinced that you could do your current job to the same standard working flexibly? How might this affect your outputs and customer service?
- How might flexible working affect your current approach to work?
(It is worth thinking about issues such as self-motivation, work

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planning, communication, self-discipline, management or other formal responsibilities and reporting).

- How might flexible working change your quality of life?
- How would your caring responsibilities be affected?
- How would flexible working affect any life changes?
- How would flexible working affect your daily travel time?
- How might your work-related social life change as a result of flexible working?
- What about your daily working environment, including informal contact with colleagues?
- Could flexible working affect your future career and development plans?
- Could flexible working have an impact on your partner, family or domestic circumstances, e.g. could it impact on how you separate out your work time and non-work time?

The Heads of Service have the right to decline individual and team requests for flexibility in-line with the scheme, however they need to consider the request and if they reject it, it needs to be for one of the following reasons:

- The burden of additional costs.
- The detrimental effect on East Herts ability to meet customer demands.
- The inability to reorganise work among existing staff.
- The inability to recruit additional staff.
- The detrimental impact on quality.
- The detrimental impact on performance.
- The insufficiency of work during the periods the employee proposes to work.
- Planned structural changes.

Your head of service has the right to reject any request for flexibility if the desired working pattern cannot be accommodated within our business needs.

In some cases it may be appropriate to trial any change in working arrangements to establish suitability. If a trial is taken up, then clear criteria need to be agreed at the beginning to ensure that the effectiveness of such an arrangement can be measured.

3. THE BENEFITS OF FLEXIBLE WORKING

Managers themselves may choose to consider a particular flexible working option to improve and enhance service provision to meet the needs of the customer. Flexible working can be particularly advantageous to working parents, people with caring responsibilities and to those with medical problems or disabilities which may otherwise restrict their choice of working patterns, but the options are available to anyone to apply for.

In addition, flexible working methods can:

- Avoid / minimise costs of overtime
- Allow working hours to match peaks and troughs in the working week or day, or to match a permanent reduction in the workload
- Reduce absenteeism
- Improve morale and motivation
- Provide stability and continuity in the team
- Increase the retention of highly skilled staff
- Reduce training costs
- Develop the organisation and individuals
- Improving efficiency, e.g. reducing fatigue in those who have pressure at home as well as at work
- Enable services to be driven by customer peaks and demands

Inevitably, managing flexible working patterns can create additional work, but there are advantages to the employer and employee where flexible working is appropriate and makes good operational sense.

4. SCHEME OUTLINE

This paper provides guidance and definitions across a range of flexible working models. It is not intended that the models outlined be prescriptive. It is open to individuals and managers to adapt the models to suit local circumstances and need, but care should be taken to consider the guidance provided.

This scheme and the options contained within it apply to all East Herts full time and part timers employees (except where specified). In the case of part timers the arrangements will be based on a pro rata of hours/days worked. However, in dealing with any proposal, the needs of the

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employee must be balanced against the needs of the service and operational practicalities.

Consideration of flexible working proposals will require a forward-thinking approach by all parties and an appreciation of the aim of the Way We Work scheme.

The utilisation of flexible working options will be monitored both within individual Departments and across the Authority to assess effectiveness.

Disagreements in relation to the implementation of flexible working methods will be considered under East Herts Council's Grievance Procedure.

This scheme may also be useful for managers and disabled employees who are discussing the options for making reasonable adjustments. Under the Disability Discrimination Act (1995) the Council has a duty to make reasonable adjustments to prevent a disabled employee from being at a substantial disadvantage by working practices or the workplace.

There is no specific definition of what a reasonable adjustment is, but it may include altering or reducing an employee's hours. As with any changes to working practices the manager will need to ensure that the changes are acceptable and workable from a service delivery perspective. Once this has been established, the statutory duty to make reasonable adjustments will mean that the disabled employee's requirements will be given priority over other non-disabled employees.

For any further advice or information contact the HR Team.

5. OVERVIEW OF FLEXIBLE WORKING OPTIONS

This provides an overview of each of the options. More detail of each option is provided further on in the document (see pages 17 to 44).

Flexi-time

Staff can start and finish work flexibly. The scheme also allows for flexi-time to be accrued and taken at a later date within a given period (for more detail, see page 17).

Job sharing

Job sharing involves two (or occasionally more) people voluntarily sharing the responsibilities of a full-time post, dividing the terms and conditions between them according to the hours worked (for more detail, see page 21).

Term time working

This is where you only work during the school term. This may be particularly beneficial to services which are linked to schools or parts of the community that are school aged. If employees request to work a reduced number of weeks per year they will be paid pro-rata accordingly (for more detail, see page 42).

Voluntary reduced hours

This allows an employee to voluntarily reduce their standard working week by working fewer hours, generally known as part time working. Hours can be reduced on either a temporary or permanent basis. Pay is pro rata (for more detail, see page 26).

Career breaks

Career breaks involve an employee taking an unpaid break from their employment with the Authority for an agreed period. Reasons for taking the break may be varied, including pursuing further education, because of family commitments or for personal development (for more detail, see page 39).

Compressed hours

This involves an employee working full-time hours within a reduced period of time. For example, nine days over a fortnight or four and a half days over one week (for more detail, see page 24).

Location flexibility

Location flexibility includes homeworking & field based employees and involves employees working away from the office / normal work location for a number of days or part days either occasionally or on a regular basis (for more detail, see page 27).

Flexible retirement

This is an option where you can continue to work part-time while drawing your local government pension (for more detail, see page 43).

6. IMPACT ON EMPLOYMENT

General considerations

The following considerations will primarily relate to flexible working options which involve reduced hours, but some issues may also be relevant for other patterns such as homeworking. Where this is the case, these are explored in greater detail within the specific flexible working guidance documents.

Legal issues

It is essential that managers consult with HR when an employee requests a significant reduction in their working week or a significant change in the method of working, e.g. homeworking. HR and the manager can then work together to consider the request, paying due regard to operational need and statutory requirements. Employment legislation and case law places obligations on the Authority when considering requests for flexible working and managers will need to be aware of these.

The Working Time Regulations came into force on 1 October 1998 and could impact on some flexible working methods.

The main details are outlined as follows :

- The Regulations allow a maximum working week of 48 hours per 7 days averaged over a 17 week period (other periods up to a maximum of 52 weeks can be agreed with employees and/or trade unions).
- Night workers' normal hours of work shall not exceed an average of 8 hours for each 24 hour period if they work with special hazards.

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- Adult workers are entitled to a rest period of 11 consecutive hours in each 24 hour period and 24 hours uninterrupted rest in any 7 day period or 48 hours in 14 days.
- Young workers are entitled to a rest period of 12 consecutive hours in each 24 hour period and to 48 hours uninterrupted rest in any 7 day period.
- Adult workers are entitled to a 20 minute rest break when working time is over 6 hours (4.5 hours for young workers). Rest must be taken within the shift not at the beginning or end.
- The Regulations set out a number of circumstances in which the provisions relating to breaks in the working day, daily rest, weekly rest and night working do not apply. Such exceptions would apply where there is a need for continuity of service (e.g. residential carers); where there is a need to provide security or protect persons or property (e.g. caretakers, emergency call out services); where there is a foreseeable surge in activity (e.g. winter maintenance activities); where there are unusual or unforeseen circumstances beyond the employer's control (e.g. extreme unexpected weather conditions which demand extra work to be carried out).

The Flexible Working Regulations apply from April 2003. The Regulations give employees a statutory right to apply for flexible working if they have parental responsibility for children under 6 or a disabled child under 18. Employees must also have been employed by their organisation for 26 weeks to have any rights under the Regulations. Employers will be under a duty to consider requests seriously and will only be able to refuse requests for 9 business grounds (see later section for more details).

Pay issues

Employees taking up flexible working options which result in their working reduced hours will be paid on a pro-rata basis, according to the number of hours worked. With the exception of Career Breaks and any unpaid special leave, employees will continue to receive their pay monthly. The employee should seek advice from HR if necessary prior to agreeing a flexible working proposal so that specific salary details can be calculated and considered.

Leave issues

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The impact on annual leave arrangements will vary according to the type of flexible working option agreed. Managers should refer to the individual flexible working option when assessing this impact. It is also advisable to consult with HR to check specific details.

Pension

Deductions from salary for the Local Government Pension Scheme are made monthly and will continue at the normal percentage rate except for periods of unpaid leave. Pension payments and benefits will be affected by a reduction in an employee's working hours or working year, in terms of pensionable service, lump sum and monthly payments. Employees should obtain details of the impact on pension from Serco.

Lease Cars

Reduction of hours affects lease car payments, as employee's contribution from the Council is pro-rata'd to the number of hours the employee is working.

Car Allowances

Mileage allowances are unaffected and will continue to be paid in accordance with the Council's existing arrangements.

Sickness Absence

National Conditions of Service for Sickness Payments will apply, and sick leave shall be based on length of service calculated on an individual basis. For the purpose of Statutory Sick Pay (SSP), all seven days of the week are classed as qualifying days and, therefore, need to be covered whether or not an employee is due at work.

Employees must submit a self-certification form for all absences up to and including seven days duration. A medical statement is required to cover the eighth and any subsequent days of illness. Entitlement to Occupational Sick Pay will be pro-rata'd according to the number of days actually worked.

Maternity Leave/Pay & Paternity Leave

Employees will be entitled to the benefits of the maternity scheme.

However, payment will be reduced on a pro-rata basis. Employees will be entitled to paternity leave on a pro-rata basis. Details can be found in the 'Maternity, Paternity and Adoption Leave' Policy & Procedure.

Training

Employees will have access to training opportunities on the same basis as full-time employees but managers may need to adapt ongoing on-the-job training programmes to accommodate different working patterns.

Filling vacant hours created by employees taking up flexible working

Where an employee taking up a flexible working pattern has created a number of vacant hours within that post, e.g. a number of hours per week as with part-time, or a number of weeks per year as with Term-Time Working, then careful consideration must be given to the filling of these hours / weeks. Where approval is given to fill the vacant hours, then this must be done without incurring significant additional cost to the Authority, i.e. the hours must be paid at a normal rate.

Resignation

Employees are required to give the appropriate notice for the grade of their post in accordance with conditions of service.

Approved Overtime

Where hours are worked in excess of the contract, payment at plain time will be made up to 37 hours, i.e. normal full-time hours, before the appropriate enhanced rate is applicable. If part-timers work weekends and these are not normal working days, they will be paid at the weekend enhanced rate (e.g. 1.5x on Saturday and 2x on Sunday). However, all staff who are paid above SCP 28 will only receive overtime payments at the current SCP 28 rate.

7. PROCESS

The following process provides a method for handling employee requests and introducing particular flexible working methods.

Eligibility

All employees have the right to request to work more flexibly. However, there will be some roles within particular service areas where many of the flexible working options will not be operationally practicable. The current flexi-time is already open to all employees (except Directors and anyone who had been identified that this is not operationally viable). Therefore, staff do not need to follow this procedure to continue using their current flexi-time arrangements.

Considering the initial request

The employee will make a request for flexible working in writing to their line manager / supervisor (this should be copied to HR). The toolkit at the end of this document contains an example pro-forma that will provide the basic information a manager will need in order to consider the request. The information provided by the employee will form the basis for a meeting with the manager where the request can be more fully explored. The employee should give an indication of a possible start date and the period during which flexible working is required.

The manager must meet with the employee within 28 days of receipt of the request. Within 14 days of this meeting the manager must notify the employee of the decision.

The employee may wish to give reasons for requiring a particular flexible working option and this information is confidential to those responsible for making the decision. The manager should not make speculative judgements about the importance or relevance of reasons for requests. It is essential to view the request as objectively and fully as possible, taking into account only the practical implications

- Workload (of the person making the request, and the team)
- Options for re-scheduling / re-prioritising work
- Alternative options for flexible working
- Implications for conditions of service
- Financial Implications

There may also be other issues that are unique to the situation and these should be considered.

Within their written proposal the employee will be expected also to have given consideration to any impact of their request upon their own work,

other team members and service delivery, and will be expected to offer constructive suggestions about how these can be managed.

Making the decision

It is recommended that Managers consider flexible working applications in consultation with their HR Team. This will encourage consistency and provide a facility for recording and monitoring flexible working within the Department.

Multiple requests

Where a manager receives a number of flexible working proposals, or a joint proposal from a group of employees, the requests will have to be considered collectively.

Agreeing the request – informing the employee

The agreed changes must be subject to the successful completion of a trial period after which a review must be undertaken to assess the viability of the change. The review should be arranged for a suitable period after commencement agreed between the employee and manager.

The employee will need to be issued with a formal letter of notification about the trial period including an explanation of the impact on the individual's conditions of service and the agreed flexible working arrangements. An example is attached in appendix 5.

Reviewing the Arrangement

An initial review meeting should be arranged at the end of the trial period (although it is important to discuss any difficulties or problems before this time). A successful trial period should be confirmed in writing (see example letter in appendix 7). If the trial period is unsuccessful, this must be explained to the employee and confirmed in writing (see example letter in appendix 6). It is the manager's responsibility to ensure this review takes place.

Ending the arrangement for operational reasons

Beyond the review period, all flexible working arrangements will be made subject to a proviso that the individual may be required to revert back to

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their original pattern of working or an alternative if there are identifiable and significant operational problems identified at any time. Such action will not be taken unreasonably and will always be subject to full discussion with the individual(s) concerned and the giving of appropriate notice.

Right to revert back voluntarily to original pattern of working or previous flexible working option

Individuals will have the right to revert back to their original pattern of working within the trial period subject to their giving appropriate notice.

Once the trial period has been served and the arrangement has been confirmed, individuals will have the right to request to vary their pattern of working and managers should treat this as a new request for flexible working.

Action where agreement is not given to take up a flexible working arrangement

If it is considered that a post is unsuitable for the specific flexible working option proposed by the employee or group of employees, the reasons for this decision must be communicated to the employee(s), ideally by discussion and followed up in writing. Requests for flexible working should only be refused on one of the following 9 business grounds:

- Burden of additional costs
- Detrimental effect on the ability to meet customer demand
- Inability to reorganise work among staff
- Inability to recruit additional staff
- Detrimental impact on quality
- Detrimental impact on performance
- Insufficiency of work during the period the employee proposes to work
- Planned structural changes
- Other relevant business grounds

Grievances

Where an employee is dissatisfied with a decision in relation to a proposal they have made to work more flexibly, they have access to the Council's Grievance Procedure. A grievance should be lodged within 14 days of notification of the decision.

8. FLEXIBLE WORKING OPTIONS

Further information on each option follows: please note that participating in one scheme may exempt you from other flexible working options (it is not possible to participate in the flexi-time scheme if you work term time only).

8a. FLEXI-TIME

What is flexi-time?

Flexi-time is a method of working flexible hours during the day to accommodate both the needs of the service and personal circumstances of employees. Fluctuating service needs during the day may be better accommodated by taking a flexible approach to the hours worked. Similarly, employees are able to work around personal commitments with the agreement of their manager. Flexi-time can be applied successfully to many service areas, although inevitably some jobs will not operate practically under this system. Flexi-time is a current staff benefit; however, this scheme provides additional flexibility.

Flexi-time scheme

The Council operates a flexi-time working hours' scheme which gives most staff the opportunity not to work to fixed times of arrival and departure.

*excludes Directors and some front line staff (for whom separate arrangements are being piloted).

Staff at all levels are responsible for meeting the requirements of the Service Manager and maintaining adequate cover through the normal office hours of the Council's services (8.30 – 17.00).

In specific situations it may be necessary to exclude members of staff from the scheme or place a limitation on flexibility because the nature of their work restricts them to working regular hours.

The standard working day for a full-timer is 7 hours 30 minutes Monday to Thursday, 7 hours on Fridays, a total of 37 hours.

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Staff may elect not to participate in the flexi-time scheme, in which case they will work their 37 hours or their contracted hours with regard to the Council's normal office opening hours of 0830 to 1700 hours.

Staff participating in the scheme will need to keep an individual record sheet of their working hours, using the electronic time sheet.

Recording your Flexi-time

The scheme works with periods of four weeks. At the end of any four-week period a total **credit** of up to sixteen hours may be carried forward to the next four-week period.

Subject to the prior approval of the Line Manager an employee may take two half or one full days flexi leave with the credit earned during the period.

In any four week period no more than seven and a half **debit** hours will be allowed to be carried forward into the next four-week period. Overdrawn debit hours need to be made up within an eight week period or taken as annual or unpaid leave.

You will need to record your hours on the electronic flexi-time sheet. As part of your induction your Line Manager should show you where this form is located. You need to follow the instructions for inputting on the front page of the spreadsheet. At the end of each four-week period the form should be saved in the shared drive. While it is not necessary for your manager to 'sign-off' every period, they do need access to these forms as and when asked for them. Managers will also spot check forms from time to time.

Reviews

The Council reserves the right to withdraw the scheme but will consult appropriate staff representatives before doing so.

Core Time

To support the modernisation of our services the revised flexi-time scheme does not contain any core hours. This approach is supported by the pilot where it has been shown the contact from our customers has tended to be outside the standard core hours and fits around the customers working days, therefore peak times are before 10am, during the lunch break and

after 4pm (within the Revenues Team). Therefore, the removal of the core times has been shown to improve access for customers.

Flexible Hours

The flexible working day is between the hours of 8:00 and 6:30pm. This is limited to these hours to enable no change to the opening hours of the buildings. Between these hours employees, with the approval of their manager, may attend as they wish but always having regard to the operational needs of their office. Managers need to consider that there may be times when IT is not accessible during all of these hours due to routine maintenance, this needs to be considered when agreeing flexible working arrangements.

Breaks

Staff are required to take a lunch break of no less than 20 minutes. Staff must not work more than six hours continuously without a 20 minute break. (Separate rules apply to young workers, advice should be sought from HR on this).

Authorised Absences

Hours not worked because of sickness, medical appointments, day release or annual leave will be credited on the basis of a standard working day or the appropriate number of hours. Absences due to sickness require self-certification or a doctor's certificate.

Outside duties (including attending training courses)

Where an employee is out of the office on agreed work duties, time is to be recorded using the appropriate lines of the adjustment panel. If a working lunch is taken, a minimum of 30 minutes is to be deducted. Working time outside of flex hours for authorised purposes, such as evening meetings, should be recorded in the adjustment panel and counted as a TOIL credit, which means it can be used in addition to the flexi leave and carry over period, but any debit periods will be offset against this TOIL accrual.

Management of the scheme

Service Heads are responsible for managing the scheme and ensuring that the service is covered and able to provide a good quality of service to our

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customers during the standard service hours (08.30 – 17:00). Service Heads need to manage the scheme giving due regard to the resources at their disposal, it is not intended that any implementation of this scheme will lead to additional resources, rather, it is hoped that flexible working can assist the Council in making efficiency savings.

Exceptional Circumstances - Where normal operation of this scheme is prevented by exceptional circumstances, e.g. severe weather conditions, suspension of core time will apply at the discretion of directors, subject to the general application of 50/50 split of time lost with individuals affected. Example: When core time is suspended, the normal working day will be considered to be 09:00 - 12:45 and 13:45 - 17:30. Where an officer arrives at 12.30 because of severe weather, time lost for recording purposes will be considered as 1 hour 45 minutes not 3 hours 30 minutes.

Abuse of the scheme

Any employee found abusing the scheme will be subject to disciplinary action, in line with the Council's procedures.

Taking flexi leave

Flexi leave should be agreed with your Line manager, this should be discussed with as much notice as possible.

Under the flexi scheme employees will be able to take 2 half days or 1 full day flexi leave within any four week period, subject to a) the needs of the service and b) having adequate flexi credit to enable the taking of these days without carrying over more than seven and a half hours debit.

For part timers arrangements in how the flexi can be taken will vary according to individual working patterns. For example, someone working reduced hours but attending work every day would be able to take a day off flexi, and carry forward any balance up to the number of contracted hours worked per day. Those employed for 18.5 hours over 2 ½ days per week will be entitled to ½ a day flexi per period and ½ day carry forward.

Flexible return from sick leave

In some cases, to assist recuperation from long term illness, Occupational Health Advisors may recommend that an individual who is normally based in the office should work in a more flexible way, e.g. part time return;

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working outside the rush hours; working from home etc, for a temporary period as part of a return to work programme. In these circumstances, specific arrangements will be made with the employee concerning a) what work is to be done and how it will be carried out; b) for how many hours a week; and c) for how long the arrangement will apply.

Extract from absence management procedure (see sections 6.4 and 6.5 for further details):

In the case of long-term sickness absence, the discussion should be used to allow consideration of any particular difficulties or concerns the employee may have relating to his/her return to work. In agreeing support for returners to work, managers should consider whether a risk assessment is required or further advice is needed from Occupational Health and whether a phased return would be helpful. If the latter is required, managers and employees should consider using untaken holiday if it would otherwise be lost and managers may authorise up to 4 weeks phased return using a combination of temporary reduced hours and sick pay. Other alternatives should only be agreed after consultation with Human Resources.

8b. JOB SHARING

What is job sharing?

Job sharing involves the voluntary sharing of a post with the individual sharers receiving pay and benefits in proportion to the number of hours they work.

Job sharing allows employees to reduce weekly working hours without having to change job or career prospects and may suit the needs of employees who are working parents, have caring responsibilities or a disability for example. The Council can also benefit from a dual input of ideas and experience plus improved recruitment, retention and motivation and more practically one job sharer tends to be working when the other is on leave.

Who can work on a job sharing basis?

Job sharing is available to all employees in principle but, there are naturally some posts which will not be suited to job sharing where the impact on service provision negates the possibility of a successful job share. Job

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advertisements should make it clear where job sharing is available and when determining the division of hours and duties it is important to ensure that each set of hours form a viable package in their own right, to attract new applicants if necessary.

Managers are responsible for identifying posts that cannot operate on a job share basis because of a significant detrimental impact on service provision. Requests to job share should not be refused without full consideration and operational justification.

How does a job share begin?

- Two employees doing similar jobs may apply to share one of the jobs and release the other as a vacancy.
- Two candidates may apply for a vacant post on a job share basis and one or both be successful but each application will be considered on its own merits. Where applications are received from two employees wishing to job share together they should be assessed in the same way as applications from other candidates. Joint candidates should be interviewed separately to assess individual abilities to do the job. The selection panel may make an offer of appointment to one job share partner only, if the other partner does not meet the requirements of the person specification. The remaining hours may then be re-advertised or be offered to another candidate who wants to job share.
- Two separate candidates can be appointed to a vacant post on a job share basis.
- An existing employee may apply to job share and if agreed, the other half of the job would then be advertised.

Managing job sharing

The distribution of duties and responsibilities for a job share post should be determined by the line manager in consultation with the job sharers (taking account of skills and interests) and with regard to the needs of the service. However, the overall level of responsibility should always be equal.

Most difficulties with job sharing occur where the job share is not managed properly and where there is a lack of communication and co-operation between the job sharers and other colleagues / the manager, particularly because the job sharers may miss out on day to day issues. It is important to build in a period during the week or at least once per fortnight, when the

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two job sharers overlap their time (without working extra hours). A note book is also recommended for each job sharer to record useful information and ongoing issues for the other.

Contractual issues and other practical arrangements

Job sharers will have service conditions applied to them on a pro rata basis in accordance with the relevant national body and local conditions of service with some exceptions. The main issues are outlined as follows:

Contract of employment

Each job sharer will have an individual contract of employment. The job description may include a section incorporating agreed split tasks.

Rate of pay

This will be the salary grade of the post pro-rata to the hours worked. Job sharers will not necessarily be on the same salary point within the grade. Normal incremental progression will apply.

Flexi-time

Job sharers may be able to participate in the flexi-time scheme in agreement with their manager although certain posts may only be able to operate a limited scheme or none at all.

Annual leave, sick pay and maternity / adoption leave

These are in accordance with national and local individual conditions of service pro-rata to the hours worked.

Pensions

Employees considering job sharing should contact Serco for more information on pensions.

Vacancies

Job sharers can apply jointly or individually for vacancies within the Council (where the post is suitable for job sharing) on equal terms with full-time employees subject to the usual assessment process.

Training

Job sharers will have the same access to training, information and opportunities as full-time employees.

Resignation of one partner

Consultation should take place between the manager and the remaining job sharer to determine mutually acceptable cover. The remaining job sharer will be given the option of accepting the full-time contract or the replacement of the job-sharing partner.

8c. COMPRESSED HOURS

What are compressed hours?

Employees working compressed hours will work their standard hours over fewer days by extending the working day. Examples of this include a four and a half day week, nine day fortnight or 18 day month (based on a four week month). Compressed hours can be a means of introducing some flexibility into jobs which do not meet the requirements for flexi-time. Similarly, compressed hours enable extended service availability beyond the standard day or provide quiet time for work at the beginning and/or end of the day.

E.g. an employee who works a standard week of 37 hours and works a 4 and a half day week would have to work an additional 1 hour on their standard day over 4 full days, for example:

Current standard hours:

08.40 – 17.00 less 1 hour for lunch

On a compressed hour's system, standard hours could be:

08.00 – 17.00 less 40 minutes for lunch Monday to Thursday therefore accruing an additional 1 hour per day. On Friday (or whichever day the half day off is taken) the employee would need to work a standard 3 hours 20 minutes.

Managing compressed hours

Compressed hours can work within a team situation but the day / half day not worked would have to be flexible to maintain service provision. If a number of employees within a service were to work compressed hours it may be that the system would operate more effectively on a rota basis, e.g. employee A works compressed hours for one month and employee B the next or, rota the time off each week. As with the flexi-time system, where a manager believes that an employee is abusing the system, disciplinary action may be taken.

Contractual issues and other practical arrangements

It is advisable to confirm the system of compressed hours in writing with the employee(s).

Time recording

Time should be recorded by the employee in the usual way and regularly checked by the manager.

Annual leave and sickness

Compressed hours will affect arrangements for annual leave and sick pay. Annual leave entitlements will need to be calculated in hours. Individual cases should be discussed with HR.

8d. VOLUNTARY REDUCED HOURS

What are voluntary reduced hours?

This is an arrangement commonly referred to as part-time working whereby employees can voluntarily reduce their working hours. Pay and benefits will be reduced accordingly.

Who can work voluntary reduced hours?

Any employee may request a reduction in their working hours to meet a variety of personal, caring or family commitments or for ill health reasons. Reducing working hours may allow an employee to continue in work when otherwise they would have had to change jobs, leave or be dismissed on ill health grounds. It may be particularly applicable where the employee, whilst wishing to reduce their hours, does not wish to work half time.

Managing voluntary reduced hours

The detail of the reduced hours must be agreed between the employee and the manager to meet both operational and personal needs. The reduced hours may involve working fewer hours per day or working fewer days per week. In both cases the decision can be taken to either 'fix' the working time, e.g. set hours or days of working, or allow the arrangement to be flexible to meet the fluctuations of operational needs, e.g. the employee remains on a 'flexi-time' with an adjusted standard working day and/or the working days, such arrangements can be subject to change on a prearranged basis dependent upon workload.

Contractual issues and other practical arrangements

In general, terms and conditions of employment will not be altered by the reduction in hours but will be, where applicable, pro-rata'd to reflect the reduction in hours.

Rate of pay

This will be the salary grade of the post, pro-rata'd to the hours worked. Normal progression rules apply.

Flexi-time

Flexi-time may continue to be appropriate with, if applicable, a reduced standard working day, although this may be on a more limited basis. Flexi leave entitlement will be on a more limited basis. Flexi leave entitlement will be on a pro-rata basis dependent upon the number of hours worked and will be calculated as usual.

Annual leave and sick pay

These are in accordance with national and local conditions of service pro-rata'd to the hours worked.

Public / bank holidays

In-line with existing arrangements.

Pension

Employees considering reducing their working hours should contact Serco to discuss the impact this may have on their pension entitlement.

Filling the vacant hours

How the vacant hours are filled will depend upon the number of hours available. The manager may, for example, choose to delete the hours and/or undertake a minor restructure taking into account the new work arrangements, fill the hours by recruitment or other internal arrangements to accommodate the vacant hours. These arrangements are subject to the usual procedure for filling vacant posts.

Training

Part-time employees will have the same access to training information and opportunities as full-time employees.

8e. LOCATION FLEXIBILITY

Introduction

The improvements in technology have greatly increased the scope for people to work effectively at home and away from their base. Any employee working from home for all or a significant part of their working week must sign a Homeworking Agreement, which will form part of their terms and conditions of employment. This agreement will not be drawn up until the Council is satisfied that the role is suitable for homeworking, that a health and safety risk assessment has been carried out on the individual's home, and that the impact on the work area/others in the team has been assessed. Working from home may form the basis of an application to work flexibly from an employee who is legally entitled to request a flexible working pattern (see section 7 for further guidance) There are two types of home-based employee:

Homeworking employee:

Applies where an employee's home becomes their permanent work base. They do not have any designated work space/desk at EHDC premises (although they may have access to shared facilities, such as hot desking). The employee would normally spend the majority of their working time at their home base on regular pre-determined days. They may, however,

travel to EHDC offices and sites during the course of their work for meetings, visits etc.

Occasional Homeworkers:

Some employees may occasionally work from home and are known as 'Occasional Homeworkers'. They are different from the categories above in that they do not have a regular pattern of working from home and they have a designated office work space/desk. This also covers employees who may take work home to do at evenings/weekends, during inclement weather or travel disruptions. Occasional homeworking will normally be at the request of the individual and should be agreed with the relevant line manager. In particular, the line manager will want to agree in advance the relevance and output of the work to be undertaken at home. Examples of occasional homeworking would be working on a 'one-off' project, reading material, writing reports etc.

For Occasional Homeworking to be effective, open communication is important, not only with the line manager but also with colleagues to ensure that everyone is aware of the arrangements in place and to avoid any resentment or misunderstandings within the office. In particular, it is essential to agree in advance availability and how contact with the office is maintained during any periods of occasional homeworking. You may want to agree a time for the employee to call the office to pick up any messages etc, or to agree who should contact them / have access to their home telephone number if they are needed, or whether a Council mobile phone is more appropriate. Home telephone numbers are protected under the Data Protection Legislation and should not be made available to anyone without the employee's consent (with the exception of the employee's manager).

When an employee is working at home they need to dedicate the agreed amount of hours to the project they are completing. Working at home and providing care for another person cannot be undertaken simultaneously.

There are many advantages to occasional homeworking for both the individual and the Council, however, individuals would be expected to exercise the normal degree of caution with regard to health and safety and security issues as they would when in the office. If there is any doubt by the manager or the employee, then advice should be taken from HR.

At East Herts it is anticipated that most of our home workers will be occasional.

Field Based employee:

Applies where an employee's primary work base is home but they are frequently mobile, visiting sites, offices etc. They may have access to shared facilities at a team base. Examples of these types of workers may be Planning Officers, Environmental Health Officers, Building Control Surveyors, Benefits visiting staff, Revenues inspectors.

For the purposes of this guide a homeworker will be either a 'homeworking employee' or 'field based employee', although some of the principles could also apply to an 'occasional homeworker'.

SUITABILITY

Suitability of the Job for Homeworking

A wide range of jobs may be suitable for homeworking, subject to agreement between job-holders and managers. Suitable roles are likely to have some of the following characteristics:

- Self-contained tasks, projects requiring long periods of concentration working independently of others.
- Clerical roles or those that require analysis of large amounts of data or research.
- Roles requiring a large amount of travel to different locations.
- Work not required to deal with customers or employees on an unscheduled face to face basis. This would also include those Officers with staff management responsibilities.
- Where work programmes can be planned/agreed in advance where outputs can be relatively easily defined and measured.
- Where the work of other employees in the team will not be adversely affected/distracted by the homeworker.
- Role/individual not requiring face to face support on a regular basis from a manager, technical support etc.
- Work which does not require primary use of specialist equipment which requires it to be shared and located in the office.

Suitability of the Employee for Homeworking

In determining whether or not homeworking is appropriate for an individual, it is important to consider the following:

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- Ensuring that the employee's home environment is conducive to homeworking, including sufficient space, facility for telephone/computer connection etc. Please see page 37 – Health and Safety Section & Appendix 2 for details of risk/health and safety considerations.
- Employee is able to effectively balance work and domestic responsibilities. Under no circumstances should homeworking take place where there are distractions to the employee in carrying out their work in the home environment such as the employee having caring responsibilities during the agreed working time, or carrying out another role simultaneously.

NB For 'occasional homeworkers' it may on rare occasions be appropriate for the manager to agree that an employee may work at home and work a different work pattern for a short period of time in an emergency, e.g. a child who is ill. This may be appropriate provided that the employee and manager can mutually agree how the work can still be carried out satisfactorily; otherwise, the arrangements for time off to care for dependants, special leave or annual leave may be approved in such circumstances. Please see page 35 'Keeping in contact' section.

- Being satisfied that the individual is able to organise their own work and meet deadlines.
- Requires minimum supervision to deliver the required amount and standard of work.
- Has good communication skills.
- Whether there are current or recent performance, absence or disciplinary issues that could not be monitored effectively through homeworking.
- Will remain motivated and satisfied with working on their own.
- That opportunities can be provided for the individual to be included in team activities (lunches, team meetings, social occasions) (see section pg 35 – 'Keeping in Contact').

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If a manager has concerns about the employee's suitability for homeworking, these should be fully discussed with the employee as part of the normal process of managing their performance.

If an individual feels that they are being unreasonably denied the opportunity to become a homeworker, they should use the grievance procedure to raise their concerns.

Homeworking Agreements

In order to assist managers in considering the appropriateness of homeworking for a particular role/individual, a checklist/approval form has been developed to think through the issues and work through the process of arranging homeworking. This is in Appendix 1 and should be completed prior to agreeing for any employee to become a homeworker and signed by the relevant Head of Service and Head of HR, prior to a homeworking agreement being drawn up. The homeworking agreement in Appendix 3 will be drawn up by HR and must be signed by the employee. In cases where the individual is recruited as a homeworker from the outset, the contract of employment will be drawn up to incorporate all of the homeworking arrangements. Homeworkers will be expected to abide by all of the policies and procedures of the Council, i.e. regardless of work location, they remain employees of EHDC and all Council policies continue to apply.

Managing Performance of Homeworkers

Where an individual has not previously been a homeworker, the first three months of any homeworking agreement should be for a trial period, to evaluate the suitability of the arrangement. This will enable any amendments to the arrangements to be made or for a decision to be made as to whether to continue or cease the arrangement, if it is not proving to be successful from either the employee's or the organisation's perspective.

Managers and homeworkers should agree arrangements for how they are going to communicate and monitor work progress. This must include arrangements to administer the Performance and Development Review Scheme and an action plan for how the work will be organised and planned to enable it to be carried out at home and how regular links and communications will be maintained with the manager/workplace. The action plan should also cover the outcomes expected from the work and how they will be measured, and any training requirements for the

homeworker. The action plan should be in writing and retained with appraisal documentation.

Homeworking arrangements should be regularly reviewed in the light of changes in the work, structure, how the individual is performing and how effective the arrangement is proving to be. Page 38 covers review and termination of homeworking arrangements.

In any emergency situation or where the employee is unable to work due to network problems/power failure, the manager can reasonably ask the employee to work from a Council location.

Equipment for Working at Home (including computers, telephone, furniture)

For Home working and Field based employees:

The Council will provide the employee with the appropriate furniture and technical equipment (such as computer, printer, telephone, other) deemed necessary by the manager for them to do their job.

The manager should agree in advance whether a laptop or desk computer is appropriate as this will depend on the nature of the job. Advice should be taken by IT/Health & Safety if there are any doubts regarding this choice. All costs associated with homeworking must be identified by line managers prior to an agreement to assess whether it is a cost effective option.

All IT equipment and set-up of equipment must go through the IT Department. Discussions with IT should determine whether there is a need for Broadband to be set-up and any set-up and choice of supplier should be managed through IT.

There may be occasions when it is necessary for a member of the IT department to visit the employee's home to check and update Council machines and/or support users and whilst any visit should be agreed in advance with the employee with appropriate notice, a request of this nature cannot be unreasonably refused.

Where the Head of Service agrees it is necessary, a telephone line may be installed in the employee's home specifically for the purpose of carrying out

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their work. If this happens the billing address will be EHDC and the installation bill and phone bills will be paid directly by the Council. The employee will be responsible for ensuring that the telephone is only used for necessary work. The Head of Customer Services should be consulted at this point if the Head of Service has any concerns.

Alternatively, work could be effectively carried out using the employee's existing telephone line (i.e. providing that it is sufficiently available during the employee's working hours), or a Council mobile phone. See page 34 regarding reimbursement of telephone expenses. Please also see page 36 on security of private telephones.

Depending on the nature of the job, it is recommended that a lockable cabinet be considered and provided to ensure key documents are locked away.

Homeworkers should make, and keep up to date, an inventory of all equipment provided by the Council and provide a copy of this to their manager and their home insurer (see page 38 'insurance and mortgage issues'). Employees will be responsible for maintaining proper use and care and security of Council equipment and furniture in their homes (and cars/sites for field based employees), and for ensuring that it is only used for EHDC work purposes*.

*this is necessary to ensure that the Inland Revenue does not regard the furniture/ equipment provided as a taxable benefit.

The Council reserves the right to make a deduction from pay for any maintenance/repairs/replacements needed that are not met by insurance or the Council. By signing the homeworking agreement, the employee is deemed to recognise this right and agrees to any such deduction taking place where necessary.

All equipment and furniture remains the property of East Herts Council. If the homeworker leaves or ceases to be a homeworker, all Council property must be returned to the Council (this includes files and documentation as well as equipment and furniture).

The Council will not pay for any structural changes to the home to facilitate homeworking.

Expenses

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Any stationery or other supplies required for homeworking should be ordered through the normal Council stationery supplier. Homeworkers are responsible for ensuring that they order sufficient supplies, that orders are approved through the normal procedures and used for Council work only.

If the employee is using their own telephone line for work, they should supply itemised telephone bills to the Council, highlighting and totalling business calls. These will then be reimbursed in their pay, without NI/tax deductions. Mobile telephones will be provided for field workers strictly for Council business use only. EHDC will require itemised bills and will be the billing address for the purchase of the telephone, line rental and call costs. All homeworkers should cover their telephone line with Total Care Insurance from BT, which guarantees that any fault will be rectified within 4 hours. It costs approximately £9.90 per phone per quarter and this can be reimbursed through your normal expenses.

Home-based employees may not normally claim for journeys to the office as part of keeping in contact with the team/manager. By exception, managers may agree to reimburse journeys, which are over and above the normal requirements for keeping in contact. The appropriate car user/public transport/cycle rate will apply. Any other mileage which is necessary as part of the employee's job would be claimed with their home being the main base of work, unless this journey would amount to higher miles/expense than the journey from or to the Council offices (e.g. If someone lives 10 miles outside the district and their job requires them to travel within the district, then it would not be reasonable for them to claim from home unless under special circumstances the manager had agreed this).

Any other expenses deemed necessary must fall within the Council's travel and subsistence policy and be authorised by the Manager upon the production of receipts. If an employee is unsure as to whether or not an expense is claimable, this should be checked with the manager in advance of incurring any expenditure.

Working hours for all homeworkers

The hours and days of the week in which a homeworker works will be specified in their individual contract of employment. It may be possible to adopt a flexible, changing pattern for the hours to be worked, subject to a successful application for flexible working (see section 7). In all circumstances, the Working Time Regulations 1998 (see section 6) must

be adhered to and managers should check any proposed working pattern with HR before agreeing to it. Homeworkers should complete the electronic timesheets on a monthly basis and send them to their Manager.

Keeping in Contact/Access to Home/Sickness reporting/Holidays/ Other absence

For homeworking to be successful, it is important to put in place effective arrangements for communication between the homeworker and the Manager/rest of the team. Managers need to ensure that the individual is included in team activities, and that the individual is not forgotten when sending out communications, talking to the team about issues affecting them, their work, job/career opportunities, training, one-to-one meetings and appraisals.

Managers and homeworkers should agree the days and times that the individual is required to be contactable at home.

There should also be an agreement in place for contact for colleagues. The Data Protection Act applies to homeworkers and therefore any disclosure of 'personal' details without the individual's consent will be a breach. Therefore, contact details and protocols need to be agreed and put in place at the beginning of any such agreement.

Homeworkers and managers should agree to meet regularly, the frequency of meetings depending on the needs of the work and the individual.

Homeworkers must agree to attend the office on a regular basis for meetings with the manager/team (or any other council department as necessary). Travel expenses for the regular agreed meetings will not normally be met. Face to face meetings should ideally be on at least a monthly basis, and may often be more frequent than that, as the role requires.

Homeworkers must agree to their supervisor and/or manager and/or Head of Service (if appropriate) visiting them at home if necessary to discuss aspects of the work or to check work that has been carried out. This will also involve health and safety risk assessments being carried out at their home and checks for security, equipment maintenance, audits – there may be a requirement to involve an internal adviser, such as Health & Safety or HR. Ideally, this should be carried out on an annual basis or as required. Reasonable advance notice of any meeting or check/assessment should

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be given, unless in the case of a real emergency. Home workers need to report any health and safety concerns so that the home work station can be inspected/a further risk assessment undertaken. Similarly, any issues with computing equipment should be raised with the IT Helpdesk.

In the event that a homeworker is unable to work through sickness, the normal procedures for reporting sickness absence will apply. The normal procedures will also apply for requests for holiday or in the event of other absence from work.

Security (inc confidential waste, Data Protection, receipt of post and business meetings)

All correspondence via post should be directed to the office and arrangements should be in place for a representative to forward this post to the homeworker.

Homeworkers must not hold meetings at their home, unless it is a visit from their line manager or anything in connection with auditing the home working arrangement. Any meetings must take place at a Council location or other appropriate location.

Homeworkers will be responsible for ensuring that all information relating to Council work is kept secure and confidential. If the line manager deems it necessary, locking storage (e.g. a cabinet) may be provided by the Council.

Computer passwords must be in place for all computers at home. Employees working at home are subject to the same rules governing data protection as if they were working on the Council's premises. The homeworker should not give out their private number to clients and calls should be taken via a business number. If in doubt about the data protection rules, please contact HR.

While working at home the employee will need to comply with the Council's policy on use of IT equipment.

For Home working and Field based employees

It will only be possible for the homeworker to save on the network and not the hard drive to protect Council data. The homeworker will also be subject to the normal Council monitoring and filtering systems.

Before agreeing to homeworking, line managers must discuss and be satisfied with the arrangements the employee has for keeping equipment and data safe in their homes and on their computers. IT staff can provide advice where required. Homeworkers must agree to reasonable requests for access to their homes for the purposes of routine maintenance of equipment and for security assessments and auditing requirements.

If the work involves confidential or personal information, any waste paperwork must either be brought into the workplace for shredding, or shredded at the employee's home.

Health and Safety Considerations

Homeworking is covered by the same legislation for Health and Safety as in the workplace and the responsibilities of the employer and employee are required to maintain their mutual obligations to ensure the health and safety of the homeworker. There are a number of health and safety considerations for homeworkers and a risk assessment must take place of the working environment, home workers must also complete the online Display Screen and Workstation assessment, arrangements must be made to contact the Health and Safety Officer in order that home workers can be set up on the system. Arrangements for carrying out this risk assessment will be made by the line manager. The normal accident reporting procedure applies for homeworkers.

A checklist of health and safety factors that need to be taken into account can be found at appendix 2.

Taxation Issues

If a homeworker designates a room within their primary private dwelling specifically for business purposes, and they claim any tax relief or capital allowances then this arrangement may have potential tax implications, particularly in relation to capital gains tax. Homeworkers are personally liable for any tax or business rates that may arise. Homeworkers are advised to contact the tax office (details can be obtained from payroll) to seek advice on any tax issues relating to their arrangements for working at home. Employees will not be required to pay business rates as a Homeworker and employee of the Council.

Payment, travel expenses and equipment can in some circumstances be regarded by the Inland Revenue as a taxable benefit. However, a homeworker who does not have a dedicated workspace in the Council's premises can be provided with equipment at home or receive certain expenses without a taxable benefit arising, provided that there is a business need for the equipment. It may be necessary to show a diary of working times at any location to ensure that it can be demonstrated that the person is a homeworker. Homeworkers are therefore advised to keep a log of hours worked by location.

Insurance and Mortgage Issues and Moving Home

It is important that individuals working at home (on a regular or occasional basis) advise their mortgage provider and home insurance companies. This may not affect payments/premiums but if the company is not informed it may invalidate an individual's policy or mortgage agreement. You should ensure that your policy schedule is endorsed, and show this to your line manager prior to the homeworking arrangement taking place.

The line manager and employee should undertake an inventory of the equipment provided by the Council for the employee to work from home. In the event that equipment is lost, stolen or damaged, then this should be reported to the line manager, who should report/discuss this with IT, the Insurance Officer or other appropriate section.

The Council's employer's and public liability insurances will still operate subject to this policy/procedure being followed.

Review of homeworking and termination of homeworking agreements

Homeworking arrangements should be kept under regular review. Whilst the concept of homeworking may appear workable to the employee/employer at the outset, in practice there are many different factors affecting where people work most productively.

If either the Council or the employee considers that the homeworking arrangement is proving to be ineffective, then either party may terminate it by giving one months' notice in writing. The reasons for termination must be valid, objective and in the interests of the organisation/employee. Implications for the employee of the termination of a homeworking agreement will need to be discussed with the employee. If the termination of the homeworking agreement affects the terms and

conditions/employment contract or ongoing employment of the employee, the appropriate procedures must be followed and advice sought from HR before any steps are taken.

If there are suitable grounds to believe that Health and Safety issues are being ignored, the manager must contact the Health and Safety Officer, who may, in consultation with the Head of Human Resources, request the suspension of the arrangements so that issues may be addressed.

Checklist for Homeworking

In order to carefully consider the possibility of homeworking (other than for occasional homeworking), a checklist/approval form has been developed for managers and employees to work through, prior to an agreement for homeworking being made. This checklist can be found in Appendix 1.

8f. CAREER BREAKS

What is a career break?

A career break enables an employee to take an unpaid break from work for personal reasons and maintain continuity of service with the Council. The employee is required to give a minimum of 3 months notice to commence a career break. With the exception of continuity of service all other terms of the employment contract with the Council will be suspended. On return, at an agreed date following the career break, the employee will be able to return to the same or similar post within the Council without competitive selection.

It is recognised that during an employee's working life there will be times when personal commitments may take priority over work e.g. bringing up children, longer term care for sick or elderly relatives, or pursuing a course of further education. The Council can accommodate such personal commitments, where operationally practicable, through career breaks.

What is the purpose of a career break?

The purpose of a career break could be:

- To extend the maternity leave period
- To extend a period of adoption leave
- To care for dependent relatives

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- To enter full time education
- Extended foreign travel
- To convalesce after a period of illness or major life crisis such as bereavement or divorce

These reasons are not all inclusive and others may be considered, with the major exception of taking up other paid employment.

How long is a career break?

The minimum break is 3 months and the maximum break is 1 year.

There is no limit to the number of career breaks an employee can take providing that they return to work for the Council for a minimum of 2 years between each career break.

Who can apply for a career break?

All permanent employees with at least two years continuous East Herts service regardless of the number of hours worked are eligible to apply for a career break.

What happens to the employee's job?

After a career break the employee will have the right to return to an equivalent position (in terms of service area and pay) where this is available. However, where this is not available the Council will offer an alternative which can include work elsewhere in the Council at a different level and pay. The new job would need to be a suitable alternative, within the definition used when employees are facing redundancy (see redundancy policy for more details).

Extending the career break

If the employee wishes to extend the career break, they must do so in writing giving a minimum of three months notice. The Line Manager will give consideration to the extension along the same lines as the original request and may grant up to one year in total.

Cutting short the career break

There will be no automatic right to cut short a career break but managers will consider such requests from an employee as they can accommodate, without impacting on service level.

CONTRACTUAL ISSUES AND OTHER PRACTICAL ARRANGEMENTS

Contract of employment

The employee will be required to sign an agreement suspending all terms of their contract of employment, with the exception of continuity of service with the Council. The contract of employment will remain suspended for the duration of the career break. The employee will return to the same or similar post subject to any structural changes following any organisational reviews. This will not constitute a break in service and general conditions of service will apply as at the start of the career break when the employee returns to work.

Rate of Pay

At the end of the career break the employee will return to the same incremental point they were on at the start of the career break which may result in salary protection if the post has been downgraded in a restructure.

Pension

Employees considering career breaks should contact Serco pensions for more information.

Disciplinary warnings

Any live disciplinary warnings will be suspended for the duration of the career break and will be carried forward upon the employee's return to work.

8g. TERM TIME WORKING

What is term time working (TTW)?

Term Time Working (TTW) is a method of flexible working where the employee's working weeks mirror Hertfordshire schools' term weeks. All requests for term time working will be considered subject to operational needs. Requests for TTW which do not match Hertfordshire Council school

terms may be considered by management upon request subject to operational needs.

Who can work term time?

Line Managers have responsibility for identifying service areas in their departments where TTW cannot be applied because it would have a significant detrimental impact on service provision. Advice should be sought from HR where such a decision is made. TTW will not be a practical option for all service areas, as many services will need to operate on an all-year-round basis.

Managing term time working

Managers should ensure the required level of service is provided at all times and the recruitment of other employees may be needed to cover the school holidays when the permanent post holder is not working.

CONTRACTUAL ISSUES AND OTHER PRACTICAL ARRANGEMENTS:

Contract of employment

A TTW contract means the employee works all the weeks of school terms but employment is regarded as continuous throughout the year.

Annual leave and sick pay

TTW employees must take their annual holiday entitlement during the school holidays. The taking of holidays in term time is not generally permitted. However, it is acknowledged that special arrangements may need to be made for emergencies and the Council's Policy on Special Leave should be referred to in such circumstances (this can be found in the Leave Policy and Procedures). Sick pay and monitoring will only apply for the days of sickness absence that occur when the employee is 'working'.

Working hours

A TTW employee can work full-time or part-time hours.

Rate of pay

The Flexible Working Scheme

The annual salary will be based on the number of days / hours that the employee works and the salary will be paid in equal monthly instalments.

Pension

Local Government Pension contributions would be the standard percentage, deducted from each month / weeks earnings.

Training

A TTW employee will be expected to make themselves available for key training initiatives even if they fall within the 'weeks off'. Adequate notice will be given to make alternative arrangements for those days and compensatory time off should be offered. In exceptional circumstances where alternative time off is not an option, other alternatives may be considered. TTW employees should have the same access to training information and opportunities as year-round employees.

8h. FLEXIBLE RETIREMENT

Retirement is a big change in someone's life. It is in the interests of the authority and the individual if we can encourage flexible retirements.

The benefits to the Council are:

- Retention of key skills and knowledge
- Ability to encourage knowledge and skills transfer
- Added flexibility around where the employee works and the filling of their post

The benefits to the employee are:

- Gradual move into retirement – key lifestyle change
- Opportunity to continue contributing to the organisation while pursuing other interests
- Ability to work while accessing Local Government pension (for those in the scheme)

What is flexible retirement?

Rather than continuing in your job to 65 you can, on or after age 50 and with your employer's consent, reduce your hours or grade (which will require new job description and person specification) and draw your accrued Local Government pension scheme benefits whilst continuing in employment and building up further benefits in the Scheme – enabling you to ease into retirement. Your pension benefits will normally be reduced if paid before age 65.

Can I have a gradual move into retirement?

You can request flexible retirement whether or not you are in the Local Government pension scheme, and this will be considered by your Line manager, using the criteria at the beginning of this document.

If you are in the Local Government pension scheme (LGPS) then the following criteria will also need to be met:

If you have at least three months **total membership** or have brought a transfer value into the LGPS you may wish to consider the possibility of flexible retirement. Rather than continuing in your job to 65 and drawing your pension from then, you could from age 50, with your employer's consent, reduce your hours or move to a position on a lower grade and elect in writing to your administering authority to draw the pension benefits you have already built up - helping you ease into retirement – whilst still drawing your wages / salary from your job on the reduced hours or grade.

You can continue paying into the LGPS to build up further benefits in the Scheme.

CHECKLIST AND APPROVAL FOR HOMEWORKING

Appendix 1

This form must be completed by the line manager (in discussion with the employee) authorised as stated below. The line manager should provide information to support the answers given.

Line Manager to confirm:	Write 'yes' or 'no' in this column	Relevant paragraph of the 'Different Ways of Working' Guide:
Is the job suitable for homeworking?		Page 29
Would homeworking suit the employee?		Page 30
Have arrangements for a health and safety risk assessment of the home been made?		Page 37
Have 'neutral costs' been demonstrated?		Page 34
Have equipment needs been assessed and costed?		Page 32
Have arrangements been made for an inventory to take place of all Council equipment and review date agreed?		Page 33
Have expenses been assessed and entitlements agreed?		Page 33
Have arrangements been made with IT to set up computer equipment and network?		Page 32
Has an action plan been developed for how the work will be organised and planned? (please attach)		Page 32
Have colleagues/rest of team been consulted if appropriate and informed?		Page 35
Have arrangements for keeping in contact been agreed and contact details agreed?		Page 35
Are satisfactory arrangements for security and confidentiality in place?		Page 36
Has the employee checked their liabilities in respect of taxation, insurance, mortgage issues and informed their insurance company of any equipment provided by the Council and covered by Council's insurance?		Page 38
Has evidence been provided and checked that the employee is covered on their household policy for homeworking? Has a		Page 38

The Flexible Working Scheme

copy been given to Insurance Officer		
Have working hours for the proposed homeworking been agreed?		Page 35
Has the employee read, understood and agreed to the policy and procedure on homeworking?		All
Has a trial arrangement been agreed and/or a period of review set ?		Page 16

Homeworking approved for (name of employee)

Job Title:

Service:

Signed: (Service Manager)

..... (Date)

Signed: (Head of HR)

..... (Date)

Following approval, a homeworking agreement will be drawn up by HR.

HEALTH AND SAFETY CHECKLIST FOR HOMEWORKING Appendix 2

Name of employee: _____

Address where homeworking will take place:

Name of person completing checklist:

(this will normally be the Line Manager, in the initial stages of this procedure this process may be carried out jointly with the Health and Safety Officer)

All questions must be answered. If you are unsure of what a particular question means, or how to answer it, please contact the Health and Safety Officer.

COMPLETED FORMS MUST BE SENT TO THE HEALTH AND SAFETY OFFICER

WORKPLACE

	Yes	No	N/A
Is a room or a reasonable area set aside specifically for the work?			
Are heating, lighting and ventilation adequate?			
Will work/supplies be stored satisfactorily?			
Have workstation equipment needs been adequately provided for?			
Has equipment been marked as property of EHDC?			
Has a list/inventory of all equipment provided been made and also passed to employee's insurer?			
Have display screen equipment requirements been checked?			
What are the arrangements for escape from the workplace in the event of fire? Check fire precautions (workplace regulations 1997 to ensure proposed workstation is suitable)			
Are the floor loadings adequate to hold the necessary work equipment?			
Have measures been taken to avoid slips and trips?			
Are the tables/chairs suitable?			

ELECTRICAL

	Yes	No	N/A
Are the plugs and cables in good condition?			
Are the plugs fused correctly and wired safely?			
Have inspection arrangements for regular safety reviews of electrical equipment provided by the employer been made?			
Is the fixed electrical installation adequate and safe for the work?			

SUBSTANCES

	Yes	No	N/A
Does the work involve the use of any chemicals/substances?			
If so, has a COSHH assessment been carried out?			

GENERAL

	Yes	No	N/A
Does the work involve manual handling?			
If so, has manual handling training taken place?			
Are there any other people/animals in the house for whom the work could cause a hazard?			
Has sufficient training or instruction in the work been given?			
Is it clear how work related health and safety incidents will be reported and investigated?			
Is the home worker a new or expectant mother? (If so, please refer to H&S Officer for advice on specific provisions).			
Has the homeworker got any disability/any particular needs?			
Does a first aid kit need to be provided (together with guidance on its use)?			
Have arrangements been put in place for the post to be delivered via a colleague in the office? (security)			
Is it clear that the employee will hold any Council meetings on Council premises and is there a lone-working /reporting arrangement in place for site visits/external meetings?			

The Flexible Working Scheme

Have appropriate arrangements for managing and keeping in contact with the employee been established (to ensure that health, welfare, workload issues are being monitored as for other employees)			
---	--	--	--

Employees must now complete the online Display Screen and Workstation Assessment tool in order to receive appropriate instruction and training on using workstations safely, once you have undertaken the assessment you will need to sign and return the confirmation acknowledgement and return it to the Health and Safety Officer.

Completed By:

Date:

(East Herts Council Headed Paper) **Appendix 3**

Name of employee
Job Title/Service
Home Address of employee

HOMWORKING AGREEMENT

Following discussions with your line manager, it has been agreed for you to become a homeworker. The definition of a homeworker is as described within the “Way We Work” Guide, and you should read the guide carefully before signing this agreement.

The agreement outlines amendments to your existing contract of employment and will come into effect from With the exception of the amendments contained in this letter, all the other terms and conditions of your employment will remain unchanged.

Trial Period

This homeworking agreement will initially run for a period of up to three months, to assess its suitability for you and EHDC. At the end of the first three months, the agreement will be reviewed. At that point, it may continue or may be terminated by either you or the Council with a month’s notice.

Termination of Homeworking Agreement

The agreement may be terminated by either you or the Council giving one month’s notice in writing at any time. Any implications of termination of the homeworking agreement on your terms and conditions and ongoing employment will be discussed with you, and confirmed in writing. This does not affect your contractual notice.

Hours of Work

You will work hours a week, on(*days of the week*) between and(*times of the day*). You must be contactable by your line manager and work colleagues between the hours of and on(*days of the week*)

Attendance

As a homeworker you are required to complete weekly attendance sheets stating the hours you have worked. The completed form must be sent to your line manager. If you are unable to work through sickness, you must inform your manager on the first day of sickness and complete a self certification form (or obtain a medical certificate) as per the Council's Absence Policy.

Keeping In Contact

You will be required to come into the office on a regular basis, at least on the basis of once a(week/month or other as required). In addition, you will be expected to come into the office for team events and training on dates which will be confirmed by your line manager.

Access

You are required to enable your Supervisor and/or line manager or manager's manager to enter your home for the purpose of reviewing your work (as necessary), for audit, health and safety and equipment inspection purposes. They may request that they be accompanied by an Officer of the Council who could advise on particular areas such as Health & Safety or HR.

Equipment

East Herts Council will provide you with the equipment necessary for you to work from home. You are expected to take care of this equipment and to ensure that it is only used for Council work purposes. Failure to adhere to this may lead to termination of the home working agreement and to disciplinary measures being taken. If equipment is not kept in good condition, you may be required to reimburse the Council for the necessary repairs/replacement. In such circumstances the Council reserves the right to deduct the appropriate amounts from your pay.

Any necessary repairs/replacements should be reported to your line manager immediately. No costs for repair/replacement may be incurred until the Council has authorised them.

The Flexible Working Scheme

All equipment supplied by the Council remains the property of the Council and must be returned in good working condition at the end of this homeworking agreement.

Confidentiality/Security

You will be expected to ensure the confidentiality of East Herts Council papers, files and other documentation. You must ensure that any confidential waste is shredded or brought into the offices to enable it to be disposed of confidentially. Your manager must be able to access your files/papers in the event of your not being available for work or you're not being contactable.

Any files, papers, documents remain the property of the Council and must be returned to the office upon termination of your homeworking agreement.

You must not hold meetings at home, unless it is in relation to your homeworking agreement and all post must be directed via the office.

Health and Safety

All health and safety requirements continue to apply to you when you are working at home. As for all employees, health and safety is your responsibility and you are required to take all necessary steps to ensure the health and safety of yourself and your working environment at home. You are required to undertake regular risk assessments of your home working environment and to enable the Council's health and safety officer and/or your line manager to visit you at home to check health and safety issues. You must report, to your manager, any health and safety incidents that occur whilst you are working at home in line with the Accident Reporting Procedure.

Insurance and Mortgage

You should inform your home insurers and mortgage company (as appropriate) that you are working from home and provide an inventory of the equipment you have been provided with to your insurer. Evidence that homeworking is covered on your household insurance policy should be provided to your line manager and the Insurance Officer in Finance.

Taxation

The Flexible Working Scheme

You are advised that you should contact the tax office to discuss any tax implications from working from home.

Expenses

Travel to the office will not normally be payable, unless it has been agreed by your line manager (i.e. as over and above the normal requirement for keeping in contact)

Any expenses incurred for working from home (such as telephone calls made) may be claimed provided that the type of expense was checked as being claimable by your line manager prior to it being incurred. All expenses must be supported by documentation (e.g. receipts, itemised telephone bills).

Other

All rules and procedures that apply to employees of East Herts District Council will apply to you as a homeworker.

Acceptance

Please confirm your acceptance of the conditions outlined above by signing the statement below on both of the copies provided. Please keep one copy for yourself, one copy for your line manager and one copy to Personnel, as soon as possible.

Agreement issued by(on behalf of East Herts Council)

Date.....

I confirm that I have read, understood and I accept the conditions outlined in this homeworking agreement.

Signed:.....

Name.....Date

Application to Vary an Existing Working Arrangement

This form can be used to make a formal application to vary an existing working arrangement. An application can be made individually or by a team of work group colleagues. The completed form should be returned to the Head of Service or immediate Line Manager.

- Names of all individuals making proposal, their job title, department / section:

.....
.....
.....
.....

- Main features of the Flexible Working option you are proposing:

.....
.....
.....
.....
.....
.....
.....

The Flexible Working Scheme

- Proposed dates details of application Flexible Working option: (include both personal benefits and the benefits to the organisation):

.....

.....

.....

.....

.....

.....

.....

.....

- Are there any service delivery issues to be addressed in order to ensure that this arrangement will not result in deterioration of standards? Describe what these are and what solutions you are recommending:

.....

.....

.....

.....

.....

.....

Signed: Date:

model letters :Trial period

re: request for flexible working

Further to your meeting with _____ on _____, I confirm that there will be a mutually agreed variation to your working hour's arrangement for a trial period with effect from _____. For the duration of the trial period you will work on the following basis : *insert full details of revised working arrangements*

This arrangement may be made permanent subject to the successful completion of the trial period which will be reviewed on _____ at a meeting between _____ and yourself. If this working arrangement is not considered to be operationally feasible the reasons for this will be explained to you and confirmed to you in writing. You will then revert back to your original working hour's arrangement at an appropriate time. If you are dissatisfied with the outcome of any decision made in relation to your flexible working proposal, you will be able to pursue this via the Council's Grievance Procedure.

I understand that it has been explained to you that you are responsible for considering the short and long-term implications of this new arrangement in relation to your conditions of service and entitlements under the Local Government Pension Scheme. The main changes are however specified below: *insert details of revised terms and conditions; pay (pro-rata), holiday entitlement etc*

If you require any further information please contact _____. If you are in agreement with the details above, please sign and date the declaration below and return one copy to _____ which will be retained on your personnel file.

Yours sincerely,

I agree and accept the temporary, mutually agreed variation to my terms and conditions of employment, which are detailed above.

sign:

date:

Appendix 6

RE: flexible working proposal, Trial period ended unable to accommodate permanent change

Further to your meeting with _____ on _____, I confirm that the trial period for your flexible working proposal has identified operational difficulties which will mean that the arrangement cannot be made permanent or extended further.

The difficulties are explained below: *insert details of the issues that have arisen and were discussed at the review meeting*

As discussed, you will revert to your original arrangements with effect from _____. If you are dissatisfied with this outcome, you do have access to the Council's Grievance Procedure.

Yours sincerely,

Successful pilot, confirm permanent change

Further to your meeting with _____ on _____, I confirm that the trial period for your flexible working proposal has been successful and the arrangement can now be made permanent/extended until the date requested which is _____*.

* delete as appropriate

My letter dated _____ confirmed the details of your revised working arrangements and the main changes to your terms and conditions of service.

I confirm that although this arrangement may now be viewed as permanent, the needs of the service may in future require a review of work patterns making amendments necessary. Any proposed changes will be subject of full consultation with you.

If you require any further information please contact _____. If you are in agreement with the details above, please sign and date the declaration below and return one copy to _____ which will be retained on your personnel file.

Yours Sincerely,

I agree and accept the mutually agreed variation to my terms and conditions of employment, which is detailed below.

Sign:

Date: