

CHESHIRE EAST COUNCIL

CABINET

Date: 24 March 2009
Report of: Head of HR and Organisation Development
Title: Flexible and Mobile Working Policy

1.0 Purpose of Report

- 1.1 To consider a Flexible and Mobile Working Policy which will support service delivery and provide benefits for employees in Cheshire East.

2.0 Decisions Required

- 2.1 To agree:
- (i) the Flexible and Mobile Working Policy (Appendix 1); and
 - (ii) the proposed payment of £250 for set up costs and a tax free allowance of £3 per week to employees who are designated home workers.

3.0 Financial implications for transition and 09/10

- 3.1 There will be no transitional costs in 2008/09
- 3.2 Flexible and Mobile Working will be a long-term programme of projects that will require considerable up front investment. Although it will contribute towards achieving major corporate savings for Cheshire East Council, it is envisaged that these savings will not be realised within the first two years of the estimated five year programme.
- 3.3 The long term strategy and business case for Flexible and Mobile working has yet to be developed. There will be up front costs, which should produce later savings, as a result of the Flexible and Mobile Working policy (for example in relation to IT and the proposed allowances), but these should be offset by savings in relocation costs, accommodation costs and potentially by avoiding redundancy costs.
- 3.4 No transitional funding has been allocated.

4.0 Legal implications

- 4.1 The Authority has a legal obligation to consider requests to work flexibly. Employees who have caring responsibilities for a dependent adult, or parents of children aged under 6 (will change to under 16 from April 09) or with a disabled child under 18, have a right to apply to work flexibly. This policy may help to address some requests.
- 4.2 There is also a legal requirement to ensure that Health and Safety is fully considered.

5.0 Background

- 5.1 The Cabinet has previously approved policies on Flexible Working Arrangements and a Flexi Time Policy. The Flexible and Mobile Working Policy is the third and final HR policy on this matter to be brought forward for agreement.

- 5.2 Flexible and Mobile working is a cross cutting project bringing together HR, ICT and Property to deliver improved ways of working in every part of the new Cheshire East authority. This is based on a vision for a Council that is organised around the needs of customers and employees rather than the constraints of building design, fixed hours and location.
- 5.3 Corporately, accommodation costs for Cheshire East Council are likely to be the authorities' second highest cost after staff. It will be essential to maximise the use of these assets through programmes like Flexible and Mobile working in order to help achieve the corporate aims of rationalising and disposing of surplus buildings and negating the need for additional office space.
- 5.4 It is anticipated that the realisation of this vision may take up to five years and will require the development of a long term strategy and business case. The initial focus however is to address the fact that a considerable number of Cheshire East employees currently live and work in and around Chester. Flexible & mobile working approaches may be able to support the organisation and the employees and minimise the impact this will have.

6.0 Flexible and Mobile Working

- 6.1 The following is a summary of the key aspects of the proposed policy.
- **Objective** – to provide flexibility in where an employee works from in order to maximise service delivery, recognising this could be operational or field based, the employees home, partner premises, remote locations or from any Council building.
 - **Key components** – regular home working, occasional home working, equipment and services, insurance, team contact, lone workers, running costs and allowances
 - **Existing Council arrangements** – 2 Districts and the County currently have a home working policy. For most of these Councils regular home working is a relatively new concept and not widely adopted.
 - **Key considerations** – it is anticipated that flexible, mobile and home working will significantly increase in Cheshire East to offset some of the travel and accommodation issues.
 - **Payment of allowances** - consideration has been given to the payment of an allowance to staff working regularly from home. Options and recommendations are summarised below.
 1. As none of the existing Councils pay a regular allowance, continue into the new authority in the same way.
 2. Pay a lump sum allowance to compensate for the use of home utilities
 3. Pay a small tax free weekly allowance for those employees deemed to be regular home workers (have a contract stating their base is at home) and a small one off set up cost allowance to cover furniture for the same employees.

Allowances recommendation - the third option is recommended as a token of goodwill to those employees who no longer have a work base and need to pay increased amounts on fuel and lighting bills. By offering to pay towards furniture, the employee takes responsibility for making sure it meets their personal requirements to fit into the home environment. Alternatively, where the employee does not wish to purchase their own furniture it may be purchased through property services in which case any such furniture would be returnable if and when the employee left or ceased to be a designated home worker.

- 6.2 It is proposed that the set up allowance should be £250 and that designated home workers should be given a tax free allowance of £3 per week to cover costs of additional heating, lighting, etc.

7.0 Trade Union Consultation

- 7.1 The trade unions have been consulted on these policies and are broadly happy with the proposals. They will be monitoring their application to ensure that the policies are not used to change existing working arrangements without agreement.

8.0 Overview of Day One, Year One and Term One Issues

- 8.1 This policy with the others already agreed, will facilitate flexible working but it will need managers and employees to embrace the approach if they are to make a difference to way services are delivered. Truly embracing and embedding Flexible and Mobile working as the way of working within Cheshire East offers significant short and long term benefits. To realise these benefits however will require radical changes to working practices based on trust, co-operation and assessing performance and contribution through outputs and outcomes rather than time served. The HR policies proposed are a first step on this journey and provide a clear signal of the new Authority's commitment to work in this way.

9.0 Reason for Recommendation

- 9.1 To support service delivery and benefit staff by improving work/life balance.

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FLEXIBLE AND MOBILE WORKING POLICY

POLICY STATEMENT

Cheshire East Council has endorsed Flexible and Mobile Working as an effective way to ensure efficient services can be delivered to our customers, whilst maintaining a good work / life balance for employees. It is the Council's policy to encourage employees to adopt flexible working practices whenever suitable and the policy below states the various options available. Whilst flexible working practices will not be imposed upon existing employees it is expected that teams and individuals will explore the various options available to understand how some of these might be used to improve business processes, work / life balance and enable effective service delivery.

The Flexible and Mobile Working Policy should be read in conjunction with the Council's Flexible Working Arrangements and Flexi Time Policies.

What is Flexible and Mobile Working?

In order to provide better integrated and more responsive services to the customers, and a better work / life balance for staff, a common sense approach to how employees best utilise their time is required. By adopting flexible and mobile working practices, there is a better opportunity for employees to provide services at a time and place that best suits the service and its customers, and also fits in with their own needs.

The Flexible and Mobile Working policy encourages better service delivery by enabling employees to plan their work differently, so becoming more effective and efficient. Through careful planning employees will be able to reduce the need for excessive travel and increase productivity. The policy is not prescriptive but is intended to facilitate safe and effective working arrangements. Flexible and Mobile working arrangements can support diversity, assisting in the recruitment and retention of employees, improving staff commitment and reducing absenteeism.

The policy allows employees to work from many different locations. These options depend upon the requirements of the job role and should be chosen to ensure the most effective use of employees' time. They range from:

- working from one Council building for the majority of the day
- working from a variety of Council establishments throughout the course of the working day
- working from partnership establishments
- starting and finishing work at home and spending the majority of the day out visiting service users in their homes
- working occasionally at home

And for a small number of employees:

- working from home for the majority of the working week

Who does Flexible and Mobile Working apply to?

Flexible and Mobile Working is available to the vast majority of employees whether full-time, part-time, job share and can be either a temporary or permanent working arrangement. There may be times when an individual requests to work more flexibly to support a home situation and there may be times when a manager requests that an employee works in a more flexible way to meet operational requirements. It must be remembered, however that there are some work situations where the demands of that role mean that it cannot be organised on a more flexible basis, but every effort will be made to create the opportunity for all staff to benefit from a more flexible way of working.

Contractual Issues

The Flexible and Mobile Working policy should be read in conjunction with an individual employee's Terms and Conditions of Employment.

Mobile workers official principal place of work should remain a specific establishment location, which is appropriate for their role, and ensures good communication channels. Their contract of employment will indicate that they may be required to work at such other places of employment in the service of the Council as required.

Where an employee is a designated home worker as the majority of their work is carried out from home, the place of work will be recorded as the home on the contract of employment.

All employees must comply with the health and safety, fire etc requirements of the buildings in which they are working, however the council as the employer has a responsibility to ensure the health, safety and welfare of all its employees and this is achieved by the undertaking of suitable and sufficient risk assessments and where necessary taking measures to reduce risk to the lowest achievable level.

KEY ELEMENTS

Designated Office / Establishment Workers

These are employees who spend all or the majority of their working time at one fixed office or establishment. If appropriate they will have access to a desk, a computer and any other equipment deemed necessary to carry out their daily work. They may on occasions and in agreement with their manager, work at home, but this does not mean that they are designated home workers.

Mobile Workers

Employees work from a variety of Council or partnership establishments throughout the course of the working day. They may start and end their day from either a specific work / establishment base or their home. They plan their visits for the day to make best use of their time and resources. Often they complete paperwork, emails etc. prior to going out on their visits or on their return to their chosen base for the day. Some mobile workers will spend most of their day out in the field, visiting service users' starting and finishing the day from the most appropriate location either the work base or home. Sometimes mobile workers choose to work at home, usually to complete a piece of work with little interruption. Mobile workers will have access to appropriate mobile technology to suit their personal requirements. This may include a laptop and appropriate connectivity to the Council's electronic files in order to

be able to continue their work. Mobile workers will also attend their main base for team briefing purposes and to catch up with their line manager and colleagues.

Designated Home Workers

These are employees who spend all or the majority of their time working from home. This option is suitable for employees whose job role allows them to work independent of others. Employees will be provided with suitable furniture, and given access to the relevant technology, equipment and stationary necessary to carry out their daily work including any Personal Protective Equipment (PPE). This will be requested in line with normal ordering procedures.

Alternatively, if preferred by the employee, a one off set up allowance of up to £250, may be paid, (on receipt), towards appropriate furniture of their choice. Should the employee leave within the first 12 months of service, the Authority reserves the right to request that the furniture be given to the Council or made available for another home worker.

The Council contributes a small tax free allowance of £3.00 per week towards the running costs associated with designated home workers e.g. heating, lighting, use of internet services, wear on carpets etc.

Car Allowance, Mileage and Travel Time

Employees attending meetings or working away from their principal place of work are able to claim business mileage and travel time. Home to the normal place of work cannot be claimed unless the employee is a designated home worker.

A journey from home to a different place of work e.g. training course or off-site visit is covered by the following rule:

- If less than the mileage and travel time to the normal place of work no claim can be made
- If it is more than the mileage and travel time to the normal place of work, the officer may claim the additional miles and time only.

Car Parking

Employees may not claim car park charges when parking near their usual place of work. When car park fees are payable during the daily journey for employees who adopt mobile working practices, these may be claimed in the usual manner.

Insurance

Designated home workers must tell their house and contents insurer(s) in writing of the terms under which Home Working is taking place and get written confirmation that this is acceptable under their policy, or have their policy endorsed. A copy must be forwarded to HR for retention on their personal file.

Managers must ensure that Council equipment used at home is properly insured by the Service, particularly portable items. The employee's home insurance is not expected to cover risks to Council equipment.

Health and Safety

Employees who are home working will inevitably find themselves working alone. The employee and their manager are expected to organise and adopt appropriate practices which safeguard the employee, for example a ringing in / checking in procedure etc.

Managers have the same duty of care for all employees no matter where they work.

Employer's Liability

Any accident must be reported in accordance with accident reporting procedures. In the event of an injury at home it may be very difficult to prove negligence on the part of the Council because an employee working at home would be primarily responsible for their working environment in the same way that they are responsible for their working environment on Council premises.

If an employee is injured whilst working at home, either through their own actions or that of a family member and the Council is judged legally liable and negligent, the Council's corporate insurance cover will apply.

If an accident occurs as a result of something the home worker controls e.g. if someone trips over a loose floorboard it is possible a claim could be made against the householder rather than the employer. If no negligence is alleged the Council's personal accident policy will apply to the employee. It is imperative that relevant Health & Safety assessments are carried out prior to working at home as in the council establishment environment.

Ending Designated Home Working

If a designated home worker wishes to terminate their Home Working Agreement, the Council will do all in its power to find an alternative suitable location and / or role, but it must be noted there are no guarantees of alternative employment in these circumstances.

FURTHER GUIDANCE

It is important that staff and managers are aware of and comply with other linked policies such as Health & Safety, Security and Data Protection and suitability of the job, communications with the team etc. For further guidance on Flexible and Mobile Working, refer to the guidance section within the F&MW framework.

The Flexible and Mobile Working policy will be reviewed regularly with future developments being added in consultation with relevant parties, as the Council evolves.