

HAMPSHIRE COUNTY COUNCIL

Committee:	Employment in Hampshire County Council
Date:	11 March 2021
Title:	Open Workplace Policy
Report From:	Director of Corporate Resources

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Purpose of this Report

1. Staff have responded excellently during the pandemic and have continued to perform effectively, and deliver services, regardless of whether they are working in the workplace or from home.
2. The Council seeks to maximise the benefits of flexible working, as demonstrated over the last 12 months, by formalising our approach to some of these changes for the future – we do not simply wish to return to how things were before.
3. The purpose of this report is to seek EHCC agreement to implement a new Open Workplace Policy for Council members of staff.

Recommendation(s)

4. That EHCC agree that:
 - The Council implements an Open Workplace Policy as attached at appendix A to this paper.
 - Delegate to the Director of Corporate Resources the authority to make any final amendments to the Open Workplace Policy that are agreed following consultation with trade union representatives and any ongoing amendments that arise from the future application of this policy.

Contextual Information

5. The Council entered a period of 'lock-down', in late March 2020 due to the global Coronavirus Pandemic.

6. Staff across the organisation responded excellently to the challenges brought about by the Pandemic, adapting to and in many instances welcoming new ways of working including working from home. Staff continue to perform very effectively regardless of whether they are working in the workplace or from home.
7. The Council aims to provide modern, efficient, and productive ways of working to better support the needs of the service and members of staff. The Council expects that there will be a permanent shift in the future use of corporate accommodation moving towards staff returning from lockdown, but to a different configuration and use of workspaces that reflects the best of remote working and hybrid arrangements to better support the needs of the service and members of staff.

Organisational Benefits

8. The advantages of taking a new, and more modern, approach to working would be:
 - a) Improved productivity, for example, through reduced time a staff member spends travelling to, or between, offices to attend meetings.
 - b) Optimisation of the Council's investment in IT equipment.
 - c) More efficient and effective use of office space and reduced need for office accommodation.
 - d) Recruitment and retention of staff, through being able to offer improved ways of working that benefit staff as well as the organisation.
 - e) A more resilient and adaptable working culture that can respond to future challenges.
 - f) Contribution towards the Council delivering its Climate Strategy by reducing business travel and employee commuting.

Staff Benefits

9. Members of staff would also benefit from a more modern approach to working. Benefits include:
 - a) Increased productivity, for example, being able to work in the best place to achieve the required outcomes.
 - b) Improved health and wellbeing for example working from home eliminates the need to commute to work.
 - c) Better work/life balance, for example, staff that would have had to commute will now be able to use that time for themselves giving the basis for a better work-life balance.
 - d) Many staff will save time, and costs by reducing the need to travel when they are able to work from home, or from another Council premise, or an alternative location.

10. Many members of staff have welcomed new ways of working and the increased flexibility that comes from working flexibly including working from home for all or part of the time.
11. The Council has significantly invested in enabling staff to be able to work effectively from home or alternative locations. This includes providing all staff who have been required to work from home due to COVID restrictions with a flexible device, peripherals (monitor, keyboard etc.), chair and up to a £100 contribution towards the purchase of a desk approved in advance by the relevant Head of Service. All equipment (except for the £100) is returnable when the individual leaves the organisation or moves into a role that no longer supports home working. This approach is expected to continue in support of the Open Workplace Policy.
12. The EHCC 2007 collective agreement includes a working from home allowance to be paid to eligible employees who are contractually to work from home. Those members of staff would continue to be eligible to receive a home working allowance under the new policy. The allowance covers the cost of a chair / desk as well as utilities when working from home. Staff who are contractually required to work from home will be provided with a flexible device and peripherals (monitor, keyboard etc.) to be able to work from home.
13. The Open Working Policy would not result in members of staff who have been temporarily working from home due to the Covid restrictions, or who opt to work from home in the future, becoming eligible for a home working allowance as they are not contractually required to do so.
14. In future, most staff will, due to their role continue to be required to work from their designated workplace, or other Council premises for all or part of the time to be able to carry out their role effectively.
15. However, many staff have roles that can, at times, be effectively carried out from home or an alternative location. Indeed, prior to the pandemic many staff have at times, with the prior agreement of their manager, worked flexibly including working from home on an ad hoc basis. The implementation of an Open Workplace Policy would regularise such working practices and ensure that such arrangements were agreed within a policy framework.

Policy Principles

16. The new policy is based upon the following key elements / principles:
 - a) Work takes place at the most effective location and at the most appropriate time, depending on the needs of the role and the requirements of the service. The needs of the service will always be the paramount consideration and it is for managers to determine how those needs will be best met, including through applying additional flexibilities that benefit staff as well as service.

- b) The service will be responsible for determining whether roles, or activities, should be carried out at designated workplaces, other Council premises or could be carried out from home or an alternative location for some of the time.
 - c) There are real benefits for staff to come into the workplace to carry out activities that may be performed equally well remotely. These benefits include team cohesion, staff wellbeing, or for collaborative work. As such the service will require members of staff to periodically attend the workplace for these purposes
 - d) Within the needs of the service, the requirements of the role, and with agreement from a Senior manager, a member of staff can opt to work at or from their preferred workplace.
 - e) The Council seeks to maximise its investment in mobile technology through modern ways of working.
 - f) Flexible working, and staff working out of the manager's line of sight, relies on a culture of mutual understanding, trust and a respect for staff's well-being and work-life balance.
 - g) A staff member's performance is results-focused and is measured through the achievement of performance outputs and objectives. This is determined and evaluated through the Valuing Performance process.
 - h) Regular communications, keeping in contact, and a focus on health and wellbeing is essential, especially within teams that are working flexibly across a number of locations.
17. The amount of time that a member of staff can work at any location will depend on the role and it is the senior manager's role to define the degree of flexibility that can be allowed. Within those parameters the individual may opt to work from their designated workplace, other council premises, alternative locations or from home. Unless contractually required to do so, any arrangement for working from home would continue to be voluntary on the part of the member of staff and only at the discretion of the service.
18. A copy of the proposed Open Working Policy is attached at appendix A to this paper.

Next Steps

19. Subject to EHCC approval of the Open Working Policy it is intended to engage with trade union representatives at the Council's Joint Consultative Group meeting on the 17 March 21. Any minor adjustments arising from engagement with trade unions would be subject to agreement by the Director of Corporate Resources. Trade union representatives are expected to welcome the modern working practices and increased flexibility for members of staff.
20. The new policy would be implemented following completion of the engagement with trade union representatives. It is anticipated that the policy will be implemented in April 2021.

21. The Council's HR team will develop additional manager and employee guidance documentation and resources as appropriate to support the effective implementation of the policy.

Conclusions

22. Implementation of the Open Workplace Policy will enable the County Council to provide modern, efficient, and productive ways of working to better support the needs of the service and members of staff.

Open Workplace Policy



Hampshire
County Council

Policy statement

Hampshire County Council aims to provide modern, efficient, and productive ways of working to better support the needs of the Council and members of staff.

This policy sets out the key requirements and considerations that will enable both managers and staff to work from Council premises, home, or other suitable alternative locations (as agreed). If you are required or allowed to work from home or an alternative location, you must comply with this policy.

The policy recognises that most staff will be required to work from their designated workplace, other Council premises, or site they need to be at, all, or part of the time to carry out their role effectively.

Many staff have roles that can also, at times, be effectively carried out from home or an alternative location as well as at or from Council premises. The amount of time that a member of staff can work at any location will depend on the role and it is the senior manager's role to define the degree of flexibility that can be allowed. Within those parameters the individual may opt to work from their designated workplace, other council premises, alternative locations or from home. Unless contractually required to do so, any arrangement for working from home should be voluntary on the part of the member of staff.

It is critical that any workplace arrangement put in place does not impact detrimentally on the quality and continuity of service provision, the functions, and activities of the Council.

This policy can only be at its most effective when it is built on mutual understanding and trust between the Council and its staff.

Individuals may request changes to their work pattern, location, or other working arrangements under the Flexible Working Policy. Where that request includes a request for homeworking on an individual rather than a role basis the request will be dealt with under the Flexible Working Policy.

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1. Check which policy to use

- You can find information relating to requests to change working arrangements (such as working hours/days) in the Flexible Working Policy.
- Any changes to contracts of employment that are led by the Council must be managed through the Managing Workforce Change Policy.

2. Scope

The scope of this policy applies to

- employees
- casual workers and
- volunteers, who have been appointed by Hampshire County Council

It is not applicable to Staff employed by schools.

3. Definitions

- **Designated workplace:** Council premises or specific site (such as a school or country park) where the service determines the member of staff must carry out their role, all, or part of their time.

This should be detailed in the member of staff's statement of particulars and may also be referred to as 'work base' or contractual location.

- **Other Council premises:** This includes all other Council premises or site where the member of staff may need to, or it is agreed that they can, work from to carry out their role for some of the time.
- **Home address:** The permanent home address of the member of staff, as it is recorded in SAP.

- **Alternative location:** A non-Council location, with suitable work facilities, where the member of staff may be allowed to carry out their role some of the time.
- **Senior Manager:** the level of manager as detailed in the department scheme of delegation with authority to determine the appropriate workplace at which roles and/or activities in their department need to be carried out to meet service requirements.

4. Roles and Responsibilities

It is the role of the Senior Manager to:

- determine whether the role, or work activities of the member of staff, should be carried out at a designated workplace for some, or all, of the time.
- determine whether, and how much, of the role can be carried out at other Council premises or site, from home or an alternative location.
- manage any request that cannot be agreed or resolved through the application of this policy in accordance with the formal application for flexible working process in the Flexible Working Policy.
- approve, in advance, any requests for equipment or contributions to the cost of equipment as detailed in this policy.

5. Overarching Principles

There are several overarching principles that have been agreed as part of the Council's approach to adopting a flexible approach to a staff member's workplace as follows:

- Work takes place at the most effective location and at the most appropriate time, depending on the needs of the role and the requirements of the service. The needs of the service will always be the paramount consideration and it is for managers to determine how those needs will be best met, including through applying additional flexibilities that benefit staff as well as service.
- The service will be responsible for determining whether roles, or activities, should be carried out at designated workplaces, other Council premises or could be carried out from home or an alternative location for some of the time.
- There are real benefits for staff to come into the workplace to carry out activities that may be performed equally well remotely. These benefits include team cohesion, staff wellbeing, or for collaborative work. As such the service will require members of staff to periodically attend the workplace for these purposes
- Within the needs of the service, the requirements of the role, and with agreement from a Senior manager, a member of staff can opt to work at or from their preferred workplace.
- The Council seeks to maximise its investment in mobile technology through modern ways of working.

- Flexible working, and staff working out of the manager's line of sight, relies on a culture of mutual understanding, trust and a respect for staff's well-being and work-life balance.
- A staff member's performance is results-focused and is measured through the achievement of performance outputs and objectives. This is determined and evaluated through the Valuing Performance process.
- Regular communications, keeping in contact, and a focus on health and wellbeing is essential, especially within teams that are working flexibly across a number of locations.

6. Benefits

There are significant benefits for staff, and the Council, when adopting a more flexible approach to the workplace. These include:

Benefits for staff:

- Increased productivity, for example, being able to work in the best place to achieve the required outcomes.
- Improved health and wellbeing for example working from home eliminates the need to commute to work.
- Better work/life balance, for example, staff that would have had to commute will now be able to use that time for themselves giving the basis for a better work-life balance.
- Many staff will save time, and costs by reducing the need to travel when they are able to work from home, or from other Council premises, or an alternative location.

Benefits for the Council:

- Improved productivity, for example, through reduced time staff members spend travelling to, or between, offices to attend meetings.
- Optimisation of the Council's investment in IT equipment.
- More efficient and effective use of office space and reduced need for office accommodation.
- Recruitment and retention of staff, through being able to offer improved ways of working that benefit staff as well as the organisation.
- A more resilient and adaptable working culture that can respond to future challenges.
- Contribution towards delivery of the Council's Climate Strategy by reducing business travel and employee commuting.

7. Types of roles

Most staff will be required to work from their designated workplace or other Council premises all, or part of the time, to be able to carry out their role effectively.

For many staff, their roles can, at times, be effectively carried out from home or an alternative location.

The amount of time and how often a member of staff can work from home or an alternative location, other than their designated workplace or other Council premises, will depend on the requirements of their role. This may be subject to change over time depending on the needs of service.

A member of staff does not apply or choose to be a particular type of worker. Their status is determined by the Senior Manager and defined by the requirements of the role.

Depending on the role the member of staff has, they will broadly fit one of the following types of workers:

Contractual home worker

Members of staff who are appointed to a role that needs to be carried at, or from, home. They will be contractually required to work at, or be based at home, and this will be detailed in their statement of particulars on appointment. A contractual home worker does not have a dedicated Council workplace.

Patch worker

Members of staff who do not have a single permanent dedicated workplace, but whose duties are defined by reference to a particular geographical area.

Fixed workplace worker

Members of staff who are appointed to a role that requires them to be at their designated workplace or site to fulfil a majority, or all, of their duties. Due to the requirements of the role, the member of staff generally does not have the flexibility to work from home or an alternative location.

Open workplace worker

Members of staff who have a dedicated workplace but will, due to the nature of their role, be able to choose to work for some of the time from other Council premises, from home or alternative locations as agreed with their manager. An Open Workplace worker may be required to attend their dedicated workplace, without formal notice to do so, should the role or the activity necessitate this.

Any worker, working from home or an alternative location remotely, is still covered by the legal and contractual arrangements on working time.

In the unlikely event that arrangements in respect of an open workplace worker are not operating effectively, the department and senior manager reserves the right to require a person who is working from home, or alternative locations to undertake their work, without notice, at their designated workplace or another Council premise on a temporary or permanent basis instead.

8. Equipment / Working environment if working regularly from home

To enable a member of staff to work from home, or alternative locations, they must ensure that they have access to reliable broadband and suitable facilities to do so.

A flexible device and peripherals (monitor, keyboard etc.) will be issued to contractual home workers and open workplace workers who are regularly working from home.

In addition, open workplace workers will be provided with the following support:

- an office chair (where required) and
- up to £100 non-taxable contribution towards the purchase of a desk approved **in advance** by the relevant senior manager, and which is supported by a receipt.

All equipment, except for a purchased desk, remains the property of the Council and is insured by the Council against accidental damage, loss, or theft.

All equipment, except for the £100 contribution towards the purchase of a desk must be returned when the member of staff leaves the organisation or moves into a role that no longer supports home or flexible working.

A contractual home worker will be eligible to receive a home working allowance which is intended to cover the cost of working from home including the provision of a suitable chair and desk (see section 10).

The member of staff must ensure that their home or alternative working environment is set up to enable them to work effectively and complete a working from home checklist where required to do so.

9. Travel expenses and other costs

Travelling expenses for open workplace and fixed workplace workers will be reimbursed in accordance with the Council's Expenses Policy. This includes the HMRC requirement to deduct home to work mileage for each business journey undertaken from home during the day. Due regard should be made of the dual workplace guidance as detailed in the Expenses Policy.

Members of staff will seek to avoid unnecessary travel.

Contractual home workers can claim in accordance with the Council's Expenses Policy from their home address, if they are required to travel to attend for work, except that, where their home is a considerable distance from such premises (e.g., because they live outside Hampshire), a maximum mileage limit may be set by their line manager.

Hampshire County Council is not responsible for any incidental costs that result from the member of staff choosing to work from home or alternative location, for example, but not limited to, broadband, heating, or electricity.

10. Home working allowance and tax relief

Employees who are contractual home workers and are required to work from home will receive a home working allowance to cover the additional costs of working from home (including periods of annual leave). This will be applied pro-rata for part time members of staff and will be paid monthly.

Open workplace workers, who have opted to work from home, may be entitled to make a claim directly to HMRC for tax relief to cover the cost of home working if they work from home on a regular basis. It is the member of staff's responsibility to check the requirements on the HMRC website and apply if eligible.

11. Access to a member of staff's home

Members of staff are not expected to accommodate colleagues, managers, or customers at their home for meetings or any work-related activity. Such activities should be conducted at Council, customer, or alternative premises.

12. Insurance, mortgage, and lease considerations

It is the responsibility of the member of staff to inform their insurance provider, mortgage lender, or landlord of their intention to work from home.

Any additional costs incurred in relation to home insurance, a mortgage or lease agreement is the responsibility of the member of staff.

13. Keeping information safe while working from home or an alternative location

Hampshire County Council has guidance and policies in place to help staff remain compliant, and keep information safe, while working from home or an alternative location.

Members of staff who are working from home, or an alternative location, must work in accordance with the guidance on handling data safely. This is available in the Safe Information Handling Policy, and the Data Protection Policies.

Members of staff must use Council IT systems in accordance with the Corporate Acceptable Use Policy.

14. Health and safety issues

Members of staff who are working from home or alternative locations must follow the process and associated guidance, including any training and mandated checklists, that is published on the Corporate Health and Safety Display Screen Equipment SharePoint page.

15. Related documents

To help with the application of this policy it may be useful to read the following:

- Managers how to guide: Workplace Policy.

16. Support

Employees:

All queries should be directed to your line manager.

Access to free, confidential, and impartial Employee Support is available to all employees. Please visit the webpages for further information

<https://extra.hants.gov.uk/employee/policy-guidance/occupational-health/employee-support>

Your trade union or professional association may be able to provide you with additional support.

Managers:

Further information is available in the How to Guide: Workplace Policy and advice and support on remaining queries can be directed to HR Operations, by email on hradvice@hants.gov.uk

All:

Guidance on supporting employees can be found on the Learning Zone.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

This proposal does not link to the Strategic Plan but potentially impacts the County Council's workforce strategy.

Other Significant Links

Direct links to specific legislation or Government Directives

<u>Title</u>	<u>Date</u>

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

Equality objectives are not considered to be adversely affected by proposals in this report.