

## Report of Human Resources Manager

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### Subject: Home Working Policy

#### Purpose of this report

1. The purpose of this report is to seek formal approval from NPA, for the adoption of the Home Working Policy attached.

#### Background

2. At the Employee Forum Meeting dated 10 March 2021, Staff Representatives asked Members for their views on the 'future of work in the 21<sup>st</sup> Century' in light of how workplaces are responding to 1) the Work/Life Balance agenda and 2) learnings from the Government's measures to encourage home working during the continued Covid-19 Pandemic.
3. PCNPA's Human Resources Manager was tasked with consulting staff and managers across the Authority with a view to reviewing and amending the existing Flexible Working Policy.
4. Following wide consultation, an amended Flexible Working Policy was adopted at the Leadership Team Meeting on 14 September 2021. However, in light of the complexities of Home Working (which is only one of many approaches to flexible working), it was agreed that a standalone Home Working Policy was required.
5. In line with the Authority's delegation protocols, Members are asked to comment on and ultimately approve the new Home Working policy before this is also adopted in practice.

#### Scope

6. The Authority have, for a long time, supported flexible working as enshrined in UK legislation; most specifically the Flexible Working Regulations 2014 and more widely through the Equality Act 2010. Members are not asked to approve the Flexible Working Policy, but this has been provided as reading and context to the associated Home Working Policy, which is presented for approval.
7. The Home Working Policy aims to support managers and staff through the process of responding to regular and/or permanent requests for home working. Line managers have discretion to approval on an informal basis, occasional home working. However, more regular home working presents greater risk where an assessment of suitability is essential to protect both the staff member and the Authority from any

subsequent performance, health and safety or other risks. The Home Working Policy helps guide staff and managers through this assessment process.

### **Risk Considerations**

8. The Policy fully complies with UK legislation on flexible working. It was also drafted to mitigate against any risks in relation to any associated Insurance, Data Security, and Taxation, Health and Safety and other risks of home working. The Authority fully supports home working where the role enables it, but it is essential to ensure requests are managed in a measured way – this policy does just that.

### **Financial Considerations**

9. There are limited costs associated with implementation of this policy and requests will be dealt with on a case by case basis.  
Wider cost savings are being discussed as the Authority reviews occupancy levels at Llanion HQ in light of an increased demand for some staff to remain 'home workers'.
10. It is not within scope of this policy or paper, however Members should know that the Authority are currently reviewing its position on 'out of pocket' expenses; in light of 'enforced' home working for HQ staff, which may impact on fuel and lighting bills for staff, especially during the winter months.

### **Welsh Language Considerations**

11. When approved, the policy will be drafted in Welsh to comply with Section 44 of the Welsh Language (Wales) Measure 2011

### **Human Rights Issues**

12. Full consideration of the Human Rights and Equality provisions were considered in drafting the new policy.
13. Members may know that the Government have launched a consultation to remove the service requirement for making flexible working requests. In addition it proposes requiring employers to suggest alternatives if they reject an employee's flexible working request; allowing the change to be temporary rather than permanent; and, reviewing the eight business reasons for refusing a request. Members will be informed of any changes affecting this policy after the Government consultation ends on 1 December 2021.

**Recommendation: Members are asked to comment on and approve the adoption of the Home Working Policy (annexed to this paper)**

*(Further information is available from the Kelland Dickens, Human Resources Manager, on 01646 624825 – email [kellandd@pembrokeshirecoast.org.uk](mailto:kellandd@pembrokeshirecoast.org.uk))*



## Internal Policy

### Review

Version	Effective Date	Document Owner	Review Date Trigger
V1	Draft	Human Resources Manager	Every 3 years. Legislative/ organisational changes.

### Target Audience

All Officers of the Authority.

### Consultations

Group	Date
Staff Reps Leadership Team	14.09.2021

### Approvals

This document requires the following approvals.

Approved by	Name	Date	Signature
NPA		3.11.2021	

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## 1. Policy Statement

PCNPA is committed to promoting flexible working practices which support a better work-life balance.

This policy (which should be read in conjunction with the Flexible Work Policy), outlines the circumstances under which the Authority will allow employees to work from home, to support flexible working requests. It also details the expectations on staff and management and the process to be followed, to ensure home working is managed successfully.

## 2. Definition and Scope

Home working is where an employee uses their personal home address as a base for work instead of them using PCNPA premises.

PCNPA does not embrace working at any other location, including community hubs, wider family addresses or other UK and overseas or holiday locations, which are not accepted as suitable working locations, under this policy.

This policy applies to all employees of the Authority and is aimed to manage requests made by employees. Separate guidance will be provided for home working arrangements imposed on staff by the Authority or Welsh Government.

## 3. Benefits

There are a number of benefits to home working. For the Authority this may be:

- contributing to the reduction of the Authority's CO2 emissions by reducing employee commutes;
- retention of motivated staff, for whom the ability to work at home is a preferred option;
- accommodation of reasonable adjustments for disabled employees with temporary or permanent health conditions; or
- potential reductions in terms of travelling allowances for staff.

For staff this may include:

- improvements in work-life balance issues;
- savings in travel time and costs; or
- increased work motivation from less work place disruptions.

Whilst there are many benefits to home working, the Authority requires a detailed assessment to be undertaken by the Line Manager and staff member to determine if home working is appropriate.

## 4. Types of home working

The Authority recognise three types of home working, ranging from the rare occasion that arises from time to time, to formal arrangements that are identified as part of a flexible working request.

### Occasional Home Working

Taking work home occasionally on an ad-hoc basis to concentrate on a particular task may be suitable where:

- 1) a specific task needs dedicated and focused input and can be dealt with more efficiently at home with less disruption; or
- 2) it is difficult for the staff member to get to work, e.g. adverse weather or more time efficient following an out of county meeting undertaken near to home.

### Regular Home Working

Working from home for a percentage of the time on a regular basis, the individual would then come into the office for the balance of time, for example, four days in the office and one day at home. This may be suitable where:

- The role / job requires little face-to-face contact with colleagues or members of the public;
- To facilitate and accommodate other demands such as caring responsibilities;
- To enable the achievement of defined outputs each week/month from home, for example financial month end; or
- The job requires regular and frequent outside visits.

### Permanent Home Working

Working from home 100% of the time, or spending a percentage of time working from home and making outside visits for the balance of time. This may be suitable where:

- The job can be done just as effectively and efficiently from home;
- Where IT and telephony systems exist to support the job being performed at home, without any impact on delivery;
- The job requires frequent and regular visits outside.

Regular and permanent home working requests must be assessed against this policy.

Employees working from home occasionally are encouraged to adopt the good working practices contained in this document.

## **5. Assessing suitability for home working**

Managers and staff should consider two elements in determining suitability; these are:

- a) job suitability; and
- b) employee suitability.

Not all jobs are suitable for home working. Jobs that do not require time spent in one location, nor high internal or external customer contact may be adapted for home working.

When deciding if home working is feasible, consideration must be given to the impact on relationships with other jobs across the Authority, the public and customers, access to and by colleagues, access to required information and resources, technology, costs and savings.

Having established the suitability of the job, the suitability of the employee also needs to be considered, remembering that home working does not suit everyone. Team dynamics have a significant impact on an employee's performance. Some employees may develop better in a traditional office environment and especially those new to work-life or in need for closer direction and supervision, which may not be possible working from home.

Personal qualities required for home working include:

- Self-motivation and discipline
- Ability to organise working time effectively
- Ability to work without direct supervision
- Ability to work for long periods of time without day-to-day social interaction with colleagues
- Ability to focus on work without home life distractions, such as chores, children or pets, etc.
- A depth of work experience which does not require high levels of colleague advice and input
- Ability to switch off from work and maintain a proper balance between working and non-working hours.

A checklist is contained at Appendix B to assist managers in assessing suitability.

Quite often a trial period may be appropriate to properly gauge suitability before any longer terms arrangements are in place.

## 6. Requests to work from home

The process for dealing with requests to work from home should follow those laid out in the Authority's Flexible Working Policy.

Once the individual application is assessed, focusing on whether the post and personal characteristics of the employees are suitable for home working, the home environment must then be assessed.

## 7. Assessing suitability of home environment

If the request is accepted in principle, an assessment of the home working environment must be carried out before formal agreement is made and a new contract of employment drawn up.

In making a request to home-work, an employee takes personal responsibility for the health and safety aspects of home working and will need to demonstrate the following:

- A suitable office space, which is ideally a separate room but at least a dedicated space;
- Freedom from interruptions and distractions;
- Adequate security and confidentiality;
- Ability to meet health and safety requirements;
- That home based working is not combined with dependent care during contracted working hours.

If an application for home working has been accepted in principle, the employee concerned should complete a Health and Safety Home Worker Self-Assessment Checklist (see Appendix A) and submit this to their Manager. If this assessment identifies any particular risks it will be the responsibility of the manager to liaise with Human Resources and the employee to discuss ways in which the risks may be minimised or eliminated.

The home environment must be deemed to be safe to work in before a new contract of employment can be drawn up.

## 8. Agreement

If the request to work from home has been approved before or after a trial period, a new contract of employment and home working agreement will be issued to the employee. The employee will be asked to sign and return a copy of the agreement as acceptance and a copy placed on their personal file.

## 9. Trial period

The Authority may suggest an initial trial period to ensure that the proposed new arrangements meet the needs of the employee and/or the department. Trial periods should last no longer than six months and are an opportunity for both employee and manager to assess the success of any new working arrangements. Informal reviews may take place within this period. Managers may use discretion to determine shorter trial periods where appropriate.

If successful, the variation would be implemented as a permanent change to contract. If however during the trial period the home working arrangement is found to be unsatisfactory, the manager and employee should explore whether there are other suitable flexible working options which could be accommodated. If this cannot be agreed, the employee will revert back to their normal working arrangements.

If an employee does not want their new working arrangements to be permanent and only requires them for a set period of time - they must state this in their request. Failure to do so, may result in a permanent change and it may not always be possible to revert back to previous working arrangements.

## 10. Turning a home working request down and appeals

If the Line Manager is not able to approve a home working request (having made a full assessment), they should liaise with Human Resources to provide the employee with a written response to their request including details of the reasons for rejecting the application for home working.

The employee has the right to appeal the decision of a formal request for contractual changes if their request is refused or is only agreed in part.

An appeal must be lodged within 14 calendar days of the date of the letter confirming the decision. This should be done in writing and clearly state the grounds on which the employee is appealing. Appeals should be addressed to the Line Manager and a copy sent to Human Resources.

The employee can be accompanied at an appeal meeting by an accredited Trade Union representative or Authority work place colleague.

If an employee is unhappy with the manner in which their request has been dealt (e.g. that the procedure is not followed) rather than with the decision, they should raise this via the Authority's grievance procedure.

## 11. Responsibilities when home working

The proper management of home-working requires the Manager:-

- to maintain communication and feedback with the home-worker, including day to day contact by agreed means
- to maintain the corporate and team culture



- to appraise, develop and approve training
- to monitor the arrangement, looking for signs of difficulty
- to manage by results (setting agreed and achievable targets)
- organise/facilitate regular team meetings and communication between staff
- respect the out-of-hours privacy of home-workers.

Employees must co-operate with their manager regarding home visits, communication and attendance at the office in line with the needs of the Authority, where requests are reasonable.

They should alert their managers to any problems with their work promptly. They must comply with normal arrangements relating to booking and taking holiday and notifying and certificating sickness absence.

Employees are responsible for ensuring they are informed of and understand all the issues affecting home-working, especially their own tax and insurance situation.

## **12. Insurance**

The Authority provides Public Liability, Professional Indemnity and Directors' and Officers' insurance for employees working from home. It also provides insurance cover for any Authority equipment located at the home of the employee.

However, employees are advised to notify their landlord/mortgage and insurance companies about the appropriateness of them home working.

## **13. Health & Safety**

Home workers are afforded the same health and safety protection in law as office based staff. As such all Authority's health and safety policies and procedures will apply to home workers. This includes the requirement for employees to report any work-related accidents and to undertake Display Screen Equipment (DSE) Assessments and training.

The Authority may require access to an employee's home (at reasonable times as agreed) to undertake a formal health and safety risk assessment (to be carried out by the relevant manager or other competent assessor).

Any improvements or repairs necessary to the domestic services will be the responsibility of the employee.

The Authority will be responsible for any repairs and maintenance for equipment or services it supplies.

## **14. IT Equipment and Data Security**

In most cases, the Authority will supply the IT equipment needed, so that this can be maintained and licensed by the Authority and with support provided by the Authority's IT department. Internet service provision is however the responsibility of the employee and not the Authority.

The Authority is unable to supply printing facilities and employees are expected to utilise those provided at PCNPA office locations.

Employees who work from home are required to comply with all IT security and confidentiality requirements of the Authority. The home worker will have a direct responsibility for all Authority information held at their home and must ensure that it is not accessible to non-authorised people (e.g. other members of the household).

Home workers must follow the Authority's policies and procedures in relation to working with personal data as if they were still based in the office. However, there are additional risks relating to working remotely and the following should be kept in mind:

- a) Never leave a computer with personal confidential information on screen. An unauthorised person reading personal data is a data breach.
- b) Never leave a computer 'logged on' when unattended. Think about who may access the device when you are not around – whether deliberate or accidental.
- c) Ensure that rooms containing computers and other equipment, are secure when unattended, with windows closed and locked and blinds or curtains closed.
- d) If making a phone or online conference call remember that it is confidential and consider who is around who might overhear.
- e) Levels of Home Security should be at the same level as at work.

## 15. Working Hours

The flexi-time scheme will apply to home based staff in the same way that it does to office based staff. Any flexible working pattern should be considered as part of the Flexible Working Policy and any subsequent requests to change those arrangements should be made according to the existing procedures.

Employees working from home should be available during normal office hours, unless otherwise agreed.

The hours worked will not exceed those in the contract of employment and in any case those applied through the Working Time Directive.

## 16. Home Visits

All home working employees will need to agree to allow appropriate Authority staff access to their home-working area at reasonable times, usually by agreement (other than in emergency circumstances, or for investigation of misconduct/poor capability) for purposes connected with work.

Due to the health and safety risks, the Authority would not expect or advise, under any circumstances, employees to allow members of the public to visit them whilst working from home.

## 17. Travel and other Expenses

For occasional and regular home workers, car mileage expenses will only be paid for those miles travelled which are over and above the number of miles which the home worker would previously have incurred by having to travel into the office and return home on a daily basis, i.e. their normal commuting journey. Normal office commuting base will be set out in an employee's contract of employment.

For permanent home workers, travel between home and office will not attract travel allowances, whereas other business related journeys will in line with HMRC guidance.

Where expenses incurred to and from PCNPA sites is shown to be excessive, a review of the home working arrangement will be made, as it may no longer prove to be suitable for the employee or Authority.

Separate guidance will be issued regarding additional household expenses incurred as a result of enforced home working by the Authority or Welsh Government

## 18. Tax Relief

Employees may be able to claim tax relief for additional household costs if they have to work at home on a regular basis, either for all or part of the week. This includes if they have to work from home because of coronavirus (COVID-19).

Employees cannot claim tax relief if they choose to work from home.

It is the responsibility of the employee to make any such claims through HMRC.

For detailed information visit: <http://www.hmrc.gov.uk/incometax/relief-household.htm>

The Authority will not compensate employees for additional household costs where the home working request it is made of the employee's own volition. Separate guidance will be issued for home working enforced by the Authority or Welsh Government.

## 19. Communication

Clear communication systems with home workers are just as important as for the office based worker. The Authority has a number of electronic communication methods which would be available to home workers, however managers may need to consider how to ensure home working staff receive information that office based staff receive on a face-to-face basis.

To make home working operate effectively, there needs to be trust between the employee and the manager. However, such trust should not be a substitute for clear indicators of what managers and staff expect from each other.

Managers can request staff to alter their home working arrangements with notice to attend office meetings and training and employees should not unreasonably refuse such requests.

## 20. Ending a Home Working Agreement

The Authority reserves the right to serve notice on any home working agreement, should an employee be found in breach of this policy.

21. Appendix A – Home Worker Self-Assessment				
Employee Name:				
Home Address:				
Date of Assessment:				
Assessment reviewed by (Line Manager):				
Assessment reviewed by (Human Resources):				
Hazard	Checks required	Yes	No	Comments
<b>Fire</b>	Is the area tidy?			
	Is confidential waste disposed of correctly?			
	Are exit routes clear in case of an emergency?			
	Is a smoke alarm fitted and regularly tested?			
	Do you have a suitable fire extinguisher at hand and are you trained on its use?			
<b>Electrical Equipment</b>	Any apparent damage to equipment, plugs or cables?			
	Any evidence of overheating such as discolouration?			
	Has all equipment been PAT tested?			
<b>Slips/Trips</b>	Floor covering sound and without defects and clear of trip hazards?			
<b>Ergonomics/ Work environment</b>	Is there adequate lighting, including task lighting?			
<b>Manual Handling</b>	Does the employee carry out manual handling activities?			Attach Risk Assessment if yes
<b>DSE</b>	Does the employee use DSE for more than 2 hours a day?			Carry out annual DSE assessment if yes.
<b>Loan Working</b>	Is there a requirement for a call in procedure if employee lives on their own?			If yes, establish a procedure

<b>Phone / IT</b>	Has the employee strong WIFI coverage for 3CX to work effectively?			
	Is WIFI coverage sufficient for home working?			
<b>COSHH</b>	Does the home work involve the use of any hazardous substances?			If yes, Risk Assess
<b>Accidents / First Aid</b>	Does the employee have adequate first aid facilities whilst working at home			
<b>Wellbeing</b>	Has the employee previously suffered from discomfort, stress or ill health which they believe to be as a direct result of work?			If yes, discuss further to assess whether home working is suitable
<b>Security</b>	Is the final exit door secured by mortice deadlock to BS3621 standard?			
	All other external doors similarly secured?			
	Are all external doors and windows secured by locks?			
	Is there the ability to lock laptop and confidential files away when not in use?			
<b>Miscellaneous Items</b>				

## 22. Appendix B – Assessing suitability check list

The following issues should be taken into consideration when assessing suitability or home working:

<i>Points to assess when considering home working</i>	<i>Yes/No</i>
Does the role involve very little face to face contact with internal or external customers?	
Does the role lend itself to home working and can outputs easily be measured and agreed?	
Will working at home save considerable time and energy otherwise spent commuting?	
Has the employee thought about how they will ensure they are able to work without distraction in order to produce appropriate output (e.g. family, pets, visitors etc?) If interruptions cannot be avoided then homeworking may not be a feasible option.	
Will the employee be working/available during normal office hours? If not, how will internal and external customer's expectations be managed?	
Will staff working in the office be required to respond to last minute queries and ad hoc queries if the employee is at home? Will other staff be inconvenienced? Will this reduce their effectiveness to do their own jobs?	
Is the employee suited to working at home? i.e. are they self-motivated and disciplined, do they work well with their own ideas or do they need to "bounce ideas off others", are they likely to get lonely or suffer if on their own for long spells?	
What equipment and systems will they need at home to work effectively and how can this be achieved? Is this feasible full time or part time only? Will home working require duplication of IT kit?	
What will the costs be to the Authority? Are additional costs reasonable?	
Is the employee prepared to fund a proper workstation set up if their existing one can't be utilised?	
Can the employee secure a safe working environment at home? <u>Minimum requirement</u> is a dedicated work space / area.	
Can data and systems be secured adequately?	
What sort of system for measuring work output can be agreed? Do they need to supervise others and how realistic is this for it to be done at home without impacting the team? Consider asking the team how they feel.	
How will they stay in touch with/remain part of your team?	
Are they prepared to attend the office for meetings with others and training when required and at short notice if necessary?	
Will working at home enable you to release working space in Authority premises for someone else?	
Have they checked with their home insurer and mortgage provider / landlord about working at home?	
Is the employee able to work without close supervision and do they have good time management and ability to separate home and work?	

## 23. Appendix C – Equality Impact Assessment

1. *What is the name of the policy, strategy or project?*

Home Working Policy

2. *Briefly describe the aim of the policy, strategy, and project. What needs or duty is it designed to meet?*

This policy provides a framework for guidance in managing home working requests.

3. *Is there any evidence or reason to believe that the policy, strategy or project could have an adverse or negative impact on any of the nine protected characteristics?*

Yes. Staff with known mental health issues are at greater potential risk of feelings of isolation, working from home. Occupation Health advice may need to be sought when accepting home working requests.

4. *Is there evidence or other reason to believe that anyone with one or more of the nine protected characteristics have different needs and experiences that this policy is likely to assist i.e. there might be a relative adverse effect on other groups?*

Yes. See above.

## 24. Reference

1	Flexible Working Policy	TBA
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## 25. Version History

Version	Effective Date	Summary of Changes
1	TBC	Adoption of new Home Working Policy.

DRAFT FOR REVIEW BY LT





## Internal Policy

### Review

Version	Effective Date	Document Owner	Review Date Trigger
V3	Draft	Human Resources Manager	Every 3 years. Legislative/ organisational changes.

### Target Audience

All Officers of the Authority.

### Consultations

Group	Date
Staff Reps Personnel Committee	27 May 2021

### Approvals

This document requires the following approvals.

Approved by	Name	Date	Signature
Leadership Team			

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## 1. Policy Statement

PCNPA is committed to promoting flexible working practices which support a better work-life balance.

It is recognised that a better work-life balance can improve employee motivation, performance, and productivity, reduce stress and is key to attracting, retaining and valuing employees.

This policy aims to support staff who wish to consider flexible working arrangements, provided that the needs and objectives of both the Authority and the employee can be met.

If an employee thinks they may benefit from flexible working, they are encouraged to speak to their line manager to consider the options available and follow the procedures laid out in this document to ensure fairness and transparency for all staff.

The Authority will endeavour to ensure that no employee will be treated less favourably, be disadvantaged, or be dismissed because they request, or take, flexible working.

Any flexible working patterns agreed by the Authority must comply with Working Time Regulations (1998).

## 2. Purpose, Principles and Scope

The Authority is committed to providing equality of opportunity in employment, and improving the working lives of its employees by promoting many different flexible working practices which support work life balance.

This policy sets out:

- 1) the types of flexible working practices available for staff;
- 2) the procedure for requesting flexible working; and
- 3) considerations which must be reflected in any discussions and decision on flexible working.

The Authority will give due consideration to all flexible working practices which can be mutually beneficial for both the Authority and the employee, but there is no automatic right to a flexible working arrangement. Each request will be considered individually and on its own merits in balance with the needs of the department and wider Authority.

It is the responsibility of both the manager and employee to proactively manage flexible working relationships, regularly reviewing existing flexible working arrangements to ensure these continue to be effective in meeting the needs of both the employee and the Authority.

The following flexible working options (covered by this policy) are considered to be the typical arrangements that employees will request but the organisation recognises that there may be alternatives or a combination of options which are suitable to both the Authority and the employee:

- Part-time working
- Term-time working
- Staggered working hours
- Compressed working hours
- Annualised working hours
- Remote / home working
- Job sharing
- Flexible retirement

### 3. Types of Flexible Working

Part-time working covers any arrangement where an employee is contracted to work anything less than 37 hours per week (excluding lunch breaks).

Under part-time working, basic pay and other terms and conditions such as annual leave, are adjusted pro rata.

Term-time working is where an employee works during school terms and takes time off during any school holidays.

Any leave taken above the employee's annual leave entitlement will be unpaid. The employee's total annual leave entitlement is taken to cover some of the holidays and salary is adjusted pro rata to cover the extra leave required. The salary is then averaged out over 12 months and paid in equal monthly instalments.

Agile Working and Staggered Working Hours. Staggered working hours enables an employee to agree a variation to start, finish and /or break times with their manager, within reasonable limits. For example, staggered working hours from 10am – 6pm rather than 9am – 5pm.

Agreement to stagger working hours may be on a permanent or temporary basis or ad-hoc.

Agile Working allows maximum flexibility and minimum constraints about where work is done and at what time of day. The degree of work agility will be dependent on organisational needs and the nature of the role.

Requests for both Agile Working and Staggered hours need to be considered in the context of:

- a member of staff being readily available to customers, suppliers and other work colleagues, to enable the Authority to operate as a 'public service'; and
- the Authority being able to properly discharge its duty of care under Health & Safety legislation.

The Authority's Flexi-time Scheme is separate from this policy.

Compressed working hours is where an employee works their full contracted hours over fewer working days for example a five day week is compressed into four days.

This arrangement can also apply over a longer period, for example enabling someone to work their fortnightly hours over nine days rather than the standard 10 days.

This option is only suitable whereby the role of the employee would facilitate their work being done earlier or later in the day than the standard working hours.

Annualised hours is where an employee's contractual working hours are calculated as the total number of hours to be worked over the year, allowing flexible working patterns to be worked throughout the year. This is often used to support seasonal demand for services. Usually the hours will be divided into rostered hours, which are set, and unallocated hours, when an employee can be called into work as demand dictates (and to cover unplanned work and employee absence). Payment will usually be in 12 equal instalments.

Home working is the term used for employees who work away from their main work base on either an occasional basis, regular split basis or full time basis. After reading this policy, employees requesting home working should refer to the Home Working Policy.

Job Sharing is an arrangement where a full-time post is divided into two part-time roles. The two job holders then share the overall duties and responsibilities.

The skills and the hours each employee wishes to work must be compatible or complimentary, and meet the needs of the Authority.

People who job share are employed under part-time conditions.

The level and nature of expected cooperation between job sharers should be agreed as part of each job sharing arrangement.

In a job sharing arrangement, a manager may decide that each employee is required to be capable of carrying out the full range of duties or have complimentary skills, in order that the full range of duties can be successfully completed between the job share partners.

Requests can be made by an employee under this policy, without identifying a potential job share partner themselves.

Managers have the option to either formalise one half of a job share before identifying a suitable partner, or, to wait until a job share partner has been selected through the Authority's recruitment process.

The arrangement may also be brought to an end if one of the partners takes up another job or leaves the Authority.

If one job sharing partner is leaving then the other partner will be offered the job on a full-time basis. If the employee is unable to accept the job on a full time basis, the manager will undertake a recruitment exercise to source a suitable replacement partner.

Flexible retirement enables members of the Dyfed Pension Scheme to apply for flexible retirement (subject to eligibility) and request that their pension is paid whilst still continuing to work for the Authority. This is referred to as a 'flexible payment' and is subject to the Authority's approval. If, as part of this process, employees would like to change their working arrangements, they can also submit a flexible working application form.

Time off in Lieu (TOIL) is defined as time taken off to compensate for planned (or occasionally unplanned) time worked in addition to contracted hours. For some staff required to work weekends or evenings, TOIL may be a preferred option where flexitime is not an option and overtime has not been claimed.

TOIL will only be given as a 'flat' rate i.e. if 4 additional hours are worked only 4 hours may be taken.

TOIL should generally be taken within 4 weeks from the hours being worked, unless there are operational and seasonal work reasons that makes this impossible.

Line Managers have discretion to agree TOIL where appropriate; and this will not fall within the formal flexible working request procedure.

## 4. Requests and Eligibility

It is recommended that a flexible working request starts as an informal conversation between the member of staff and their manager, to allow both parties to explore viable options available and how the proposed working pattern may impact the department and how and if these might be mitigated.

**Appendix B** provides a checklist and guidance to both managers and employees when exploring the possibilities and implications of any type of flexible working.

Where these initial conversations take place, the member of staff can decide whether to take this forward as a formal request, informed by the eligibility criteria, the duration of the request and the flexibility being requested.

Under current legislation, in order to make a request for flexible working, the employee must:

- have worked for PCNPA continuously for 26 weeks at the date of the application for flexible working
- have not made another formal application to work flexibly during the previous 12 months\*\*

If an employee does not meet the above eligibility criteria, they still have the option to make a flexible working request but there is currently no legal entitlement to make such a request. The Authority is committed to ensuring that staff within their probation (26 weeks) are fairly assessed and given the very best chance of success; any request for flexible working will

need to take into account the additional complexity of training and development during a probationary period.

*\*\*under current legislation, there is a limit to more than one formal flexible working request within a 12 month period. The Authority will consider further requests within a 12 month period, where the request is made due to exceptional circumstances, e.g. a change to caring responsibilities or a change on health grounds, etc. All such requests will be given due consideration.*

## 5. How to make a formal request

Employees should make a request via the Flexible Working Application Form (see **Appendix A** and available on Parcnet) and send it to their manager ideally at least three months prior to the start date of the proposed new working arrangement.

Employees will be asked:

- whether they have made a previous application for flexible work and the date of that application
- what impact the employee thinks the requested change would have on their role and team
- how, in their view, any such impact could be dealt with; and
- if the employee is making the request in relation to the Equality Act, e.g. as a reasonable adjustment relating to a disability.

The Authority is legally obliged to deal with all flexible working requests within a period of 3 months from first receiving the employee's application to notifying them of the outcome of any appeal against the decision. The time limits can be extended if the manager agrees to do so with the employee.

Don't forget that other arrangements are likely to be needed to accommodate any agreed variation, so you should not request frequent changes unreasonably.

## 6. Meeting to discuss a flexible working request

Upon receiving a request, the Line Manager will set up a meeting with the employee to discuss the request. This meeting will take place as soon as possible after receiving the application but no more than 4 weeks, unless the person due to consider the request is absent or an extension for some other reason is agreed with the employee.

The purpose of the meeting is to:

- discuss the request
- find out more about the proposed working arrangements in depth
- understand how it could be of benefit to both the employee and the department
- work out how best it might be accommodated
- understand any contractual implications

It also provides an opportunity to consider other alternative working patterns where the proposed pattern raises difficulties.

Each request will be dealt with individually, taking into account the likely effects that the proposed changes could have on the employee, the work of the department and the work of the employee's colleagues.

In considering the request, employees must not be discriminated against on the basis of protected characteristics as those detailed in the Equality Act 2010, for example – religion and a request to work flexibly to observe a religious festival.

Where reasonable adjustments are recommended following an Occupational Health referral, recommendations will be agreed wherever possible in line with the Authority's duties detailed

in the Equality Act 2010. Associated flexible working may be agreed outside of this policy, and this approach is encouraged where the formal process may lead to additional stress on the part of the employee.

The employee has the right to be accompanied at meetings by an accredited Trade Union representative or Authority work colleague.

Employees should be aware that the new working arrangements will apply permanently as a permanent variation of their terms and conditions of employment. There will be no automatic right to return to the previous working arrangements.

## 7. Assessing a formal request

Where a flexible working arrangement is proposed, the Authority will need to take into account a number of things, including (but not limited to) the following:

- the costs associated with the proposed arrangement
- the effect of the proposed arrangement on other staff
- the need for, and effect on, supervision
- the existing structure of the department
- the availability of staff resources
- details of the tasks specific to the role
- the workload associated with the role
- whether it is a request for a reasonable adjustment related to a disability
- health and safety issues

In order to maintain continuity in each department, each request will be considered individually on its own merits in balance with the needs of the department. It is important to recognise that by agreeing to one employee's request the Authority will not set a precedent or create a right for another employee to be granted the same or a similar change to their working pattern.

It is the responsibility of both the manager and employee to consider, assess and evaluate the potential implications of implementing flexible working arrangements and the potential impact on costs, services and the ability of the department to meet its objectives. It is the responsibility of both the manager and employee to proactively manage flexible working relationships.

Existing flexible working arrangements should be reviewed regularly to ensure they continue to be effective in meeting the needs of both the Authority and the employee.

## 8. Confirming the outcome

Employees can expect a written response within two weeks of a flexible working request meeting. Before this, your Line Manager must consult with Human Resources so that there is an overview of all requests, with consistency and fairness applied in the application of this policy.

Having decided whether the request can reasonably be accommodated; there are three options available to the manager:

- i) the request will be granted in full,
- ii) the request will be granted in part or
- iii) the request will be declined.

If the request is declined or only granted in part, the Authority must give one of the grounds for the decision set out below and explain why these grounds apply in the circumstances. The manager will write (via Human Resources) to the employee to confirm the outcome. If the request involves a change to the employee's contract or pay, this will be outlined in the letter. This would constitute a permanent change to their terms and conditions of employment, unless agreed otherwise e.g. on a trial basis (see appropriate section of Policy).



You will be required to confirm in writing your acceptance of any change to your terms and conditions of employment.

The Authority will need to show clear business reasons to justify rejecting or only granting in part, a request for flexible working. The grounds for declining a request must fall under one of the following:-

- the burden of additional costs
- an inability to reorganise work amongst existing staff
- an inability to recruit additional staff
- a detrimental impact on quality
- a detrimental impact on performance
- detrimental effect on ability to meet customer demand
- insufficient work for the periods the employee proposes to work
- planned structural changes to the Authority

## 9. Trial periods and duration of changes

The Authority may suggest an initial trial period to ensure that the proposed new arrangements meet the needs of the employee and/or the department.

Trial periods should be reasonable in length and are an opportunity for both employee and manager to assess the success of any new working arrangements. Informal reviews may take place within this period.

If successful following a trial, the variation would be implemented as a permanent change to contract. If however during the trial period the flexible working arrangement is found to be unsatisfactory, the manager and employee should explore whether there are other suitable flexible working options which could be accommodated. If this cannot be agreed, the employee will revert back to their normal working arrangements.

If an employee does not want their new working arrangements to be permanent and only requires them for a set period of time - they must state this in their request. Failure to do so, may result in a permanent change and it may not always be possible to revert back to previous working arrangements.

## 10. Right of appeal

The employee has the right to appeal the decision of a formal request for contractual changes if their request is refused or is only agreed in part.

An appeal must be lodged within 14 calendar days of the date of the letter confirming the decision. This should be done in writing and clearly state the grounds on which the employee is appealing. Appeals should be addressed to the Line Manager and a copy sent to Human Resources.

The employee can be accompanied at an appeal meeting by an accredited Trade Union representative or Authority work place colleague.

If you are unhappy with the manner in which your request has been dealt (e.g. that the procedure is not followed) rather than with the decision, you should raise this via the Authority's grievance procedure.

## 11. Day-to-day management of staff working flexibly

The management of staff who work flexibly is very important and must be dealt with carefully. It is all too easy to fall into the "out of sight, out of mind" trap for both home workers and part time staff and this could lead to performance difficulties and feelings of isolation.

Ensuring effective communication with all employees is essential. Managers must ensure that all employees, however they are working, receive relevant and timely information, and



have the opportunity to be involved with team discussions. It is important for managers to consider the following:

- Holding team meetings on days when everyone is working. Where possible, schedule work so that there is a time in the week where this is possible.
- Where people cannot attend team meetings, ensure that they receive a separate update through an appropriate mechanism, whether this is face to face, via email or through a one-to-one meeting.
- Ensure regular dialogue between managers and employees – ideally weekly wherever possible. Talk to the team about the best ways to communicate.
- Where a whole team is working part-time or flexibly, consider setting up an informal place to communicate in order to keep in touch and foster a sense of team working.
- Agreeing clear targets / outcomes to motivate staff
- Ensuring the individual is available during the agreed times of his/her contract and does not exceed the maximum working hours laid down in the Working Time Directive.

## 12. Appendix A – Flexible Working Request Form

Awdurdod Parc Cenedlaethol Arfordir Penfro  
Pembrokeshire Coast National Park Authority



### Flexible working application form

#### 1. Personal Details

Name:

Job Title:

Line Manager:

I would like to apply to work a flexible working pattern that is different to my current working pattern under my right provided under section 80F of the Employment Rights Act 1996. I confirm I meet each of the eligibility criteria as follows:

- I have worked continuously as an employee of the company for the last 26 weeks.
- I have not made a request to work flexibly under this right during the past 12 months.

Date of any previous request to work flexibly under this right:

2a. Describe your current working arrangement/pattern  
(days/hours/times/place worked):

2b. Describe the working arrangement/pattern you would like to work in  
future (days/hours/times/place worked):

2c. I would like this working arrangement to commence from:

Date:

#### 3. Impact of the new working arrangement

I think this change in my working arrangement will affect my employer and colleagues as follows:

**4. Accommodating the new working arrangement**

I think the effect on my employer and colleagues can be dealt with as follows:

Is your request submitted under the Equality Act, as a reasonable adjustment to a disability?

Yes / No

Signed:

Date:

### 13. Appendix B – Guidance and things to consider when determining a flexible working request

The below guidance and considerations are provided for managers and employees, when discussing and considering flexible working.

#### Part-time Working considerations

<i>Points to assess when considering part-time working</i>	<i>Yes/No</i>
Can all the work be done in the hours requested?	
Can work be reallocated to other staff?	
Can the remaining hours of the post be filled as a job share?	
Can aspects of the job be redefined to make it easier to do part-time or can aspects of the work be stopped altogether?	
Do you know the reason for the request and would another alternative be better for both parties?	
Will the benefits such as more commitment, keeping a valued member of staff, lower wage bill etc. out-weight the impact of the change?	
Is the change for a defined period or long term and permanent?	
Are their peaks and troughs that this request could successfully meet?	
Have you considered how holiday cover could be managed?	

Popular part-time working requests often mean that staff prefer a long weekend, so Mondays and Fridays are often popular days to not work. Managers should ensure adequate departmental cover across the whole working week and especially for public facing roles. Part-time employees sometimes report that their work activity spills over into their non-working time, or that they find themselves working more hours than they are contracted to undertake. These issues can arise as a result of a range of factors including a lack of boundaries between home and work, the challenges of balancing work and childcare, isolation and lack of contact with friends and family. These challenges apply equally to all employees including part-time workers.

Managers should support the wellbeing of part-time employees by closely monitoring workloads, adjusting objectives and targets, ensuring regular communication and regularly checking in with them. They should also be aware of the potential for part-time employees to work longer than necessary and take steps to address this should they see any signs of this occurring.

#### Job-Share considerations

<i>Points to assess when considering job sharing</i>	<i>Yes/No</i>
What are the core responsibilities and can they be easily split?	
Would the job benefit from a wider range of skills than can easily be provided by one worker?	
Would job-share help retain an experienced employee?	
Would the job sharers need an overlap during the working week in order to liaise?	
What work pattern would be easiest to recruit to and will it be possible to recruit for a job share?	
Have you worked through what work pattern would work best for the Authority and the individual?	
Have you considered how external and internal customers will know who is responsible for what specific responsibilities allocated to each job-sharer?	
Will you be able to define levels of accountability for each job sharer to ensure duplication of work does not occur and important work does not get missed by either party?	
Will the job-sharers cover absences of each other?	

Will you be able to motivate each party to work effectively and productively with each other?	
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**Contractual considerations** - Job-sharer contracts are co-dependent i.e. an individual sharer's employment depends upon the employment of the named job share partner. If one of the partners leaves, the following process will be followed:-

- a) consider whether the other half of the post continues to be needed and if so offer this person the post on a full time basis but with no expectation that they must accept it.

If this is not accepted:-

- b) advertise for a direct job share partner replacement to fit with the existing work pattern (or an agreed acceptable rearranged work pattern).

If a suitable replacement is not found, then consultation must take place with the remaining job sharer and advice sought from Human Resources before doing this.

**Compressed Hours considerations e.g. The 9-Day Fortnight**

<i>Points to assess when considering compressed hours</i>	<b>Yes/No</b>
Is office cover required continuously throughout the week?	
Would health be impacted with longer working days?	
Will motivation be affected with longer working days?	
Can the work be divided easily so that liaison with colleagues is not an issue outside of core work hours?	
Have issues of 'loan working' been considered during non-peak hours?	

The 9-day fortnight is used as an example of compressed hours, although other patterns could be requested, such as a 4 day working week, compressing 37 hours into four days.

If you are normally a five-day a week worker (full or part-time) and do not work shifts or fixed hours for operational reasons, a 9-day fortnight could be an option to consider. However, it will not suit all jobs nor be appropriate within some teams, and must be fully considered in line with Authority policy.

Although the flexitime scheme will not apply in full to 9-day fortnight workers, in most cases the hours can be worked flexibly over the 9 days. Any provisions regarding hours of work will be agreed with individual employees depending upon circumstances.

A 9-day fortnight means compressing 10 days-worth of working hours into 9 days:- (Monday – Friday working, with one non-working weekday)

e.g. for a full-timer

2 weeks x 37 hours

= 74 hours

74 hours/9 days

= 8 hours 14 mins average

so to complete the equivalent of 2 weeks' worth of hours in 9-days, this full-time employee would need to average 8 hours 14 mins per day for 9 days.

Obviously, since this work pattern means that you will not be present in the office/workplace for 1 weekday in 10, this will only be possible if office cover (e.g. customer contact by phone and in person) can be maintained by other staff fairly.

Similarly, your Team Leader would need to be sure that you are able to work productively during the longer days. This may not be possible if your role involves a lot of liaison with colleagues or external organisations who may not be available at some times or if computer systems are not available at the extremes of the working day.

## 14. Appendix D – Equality Impact Assessment

1. What is the name of the policy, strategy or project?

Flexible Working Policy

1. Briefly describe the aim of the policy, strategy, and project. What needs or duty is it designed to meet?

This policy provides a framework for guidance in managing a flexible working request as well as providing employees with a clear process with which to progress a flexible working enquiry.

2. Is there any evidence or reason to believe that the policy, strategy or project could have an adverse or negative impact on any of the nine protected characteristics?

No

3. Is there evidence or other reason to believe that anyone with one or more of the nine protected characteristics have different needs and experiences that this policy is likely to assist i.e. there might be a relative adverse effect on other groups?

No

## 15. Appendix E – Frequently Asked Questions

**Q. If I am on a (1-in-3) rota to support Planning Surgeries, will I have to go to 1-in-2 if a member of my team requests permanent home working?**

A. It is a reasonable expectation that Home Workers come into the office for meetings and training if requested and to enable them to carry out any aspects of their role which require their physical presence in a PCNPA building.  
Managers should consult with other team members if a flexible working request has a knock on effect on other staff within the team.  
The DM Management Team will decide how Planning Surgeries will continue, post Covid-19 and consideration will be given to virtual meetings where possible.

**Q. Can my manager ask me to change my days of work if my working days have been agreed following a flexible working request?**

A. Your manager will not be unreasonable in any requests, but you may be asked 'with notice' to attend or change your working days to attend training, take part in Company training or anything else which the management feel is reasonable to request.

**Q. My manager has asked me to change my working day but I have other employment outside of PCNPA?**

A. If your manager's request is reasonable, you should speak to your other employer to see if they will change your working days with them. If they are unable to do so, you could request annual or unpaid leave. It is unlikely to happen often so would hope that a solution can be found by talking to your line manager.

**Q. My manager has asked me to come in on a day off to attend training?**

A. You should ask yourself if the request was reasonable. If it was you can either swop your working days that week, or work the additional day for which you will be paid.

**Q. I am returning from maternity / paternity leave and want to make a request for flexible working for a defined period of time only. Is this possible under the policy?**

A. The Authority supports fully, working mothers and fathers. All requests for flexible working will be considered equally. There is nothing in the policy to stop a short term request for flexible working being approved. The same test will apply to a request and as long as the employee and manager are able to work out an effective way of ensuring the agreement does not have a detrimental impact on the department.

**Q. My request for permanent home working was accepted and I've been working from home for 6 months – I now want to revert back to office based working. Can I?**

A. It is very likely that your manager will allow you to revert back to office based working. Only if we could not find sufficient work-space, would we need to delay a return to office working – this would only be done until we have found an office work location for you.

**Q. I have worked for the Authority for 2 months and want to make a flexible working request – can I?**

A. We will consider all requests seriously and on their merits. If you have a genuine need to work more flexibly because of childcare, elder care or other reason, you should ensure your line manager knows the exact reasons for your request. It can be more difficult to support, train and assess an employee during their probation if they are home working for example, so your request may be subject to you completing your probation.

The Authority will not be unreasonable when making decisions about flexible working but there is a balance between the needs of the individual and the Authority.

**Q. How will the Authority deal with multiple flexible working requests within the same department?**

A. If the manager is aware that he or she is likely to receive multiple requests, priority may be given to those with genuine caring or other responsibilities. Unfortunately, 'needs' may win over 'wants and desires'. There may also be some discussion at team level to agree a compromise that everyone in the team signs up to. Ordinarily, requests will be decided upon when they are received by the manager.

**Q. How long will a trial period last?**

A. There will be no hard and fast rules and will be subject to discussions between the employee requesting more flexible working and their line manager. In some cases it may not be necessary for a trial period.

**Q. Can I request a temporary change to hours or flexible working?**

A. An employee can request a temporary change, as long as it fits the needs of the service/department. All requests will be given due consideration.

**Q. I already have a flexible working agreement in place – will this be honoured?**

A. If in writing the simple answer is yes. Informal arrangements will need to be formalised going forward, to protect the best interests of both parties.

**Q. Can I make a time bound request. I don't want my request to be permanent?**

A. The simple answer again is yes. Some staff may wish to request a temporary change to support childcare for example and the Authority will be as supportive as possible to accommodate this.

**Q. How will TOIL be managed within the policy?**

Most staff should experience sufficient flexibility within the existing flexi-time system. However, due to the seasonal nature of some roles across the Authority, we will review the current informal TOIL situation with the relevant managers before deciding on the most appropriate way forward to manage seasonal fluctuations.

***Q. If someone has been performing a role while working from home, but that person leaves and a new person comes in, would the new person have the option to work from an office if they choose?***

A. Flexible working, including home working decisions, are made on a case by case and individual basis. A new employee coming into the Authority will be provided with a working space at one of our offices, unless they submit a request to work from home or work flexibly from home and office.

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**16. Reference**

1	Home Working Policy	
2		

**17. Version History**

Version	Effective Date	Summary of Changes
2		Adoption of new flexible Working Request Form. Additional guidance provided to facilitate enhanced flexible working post Covid-19.
3		Separation of Flexible Working Policy and Home Working Policy

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