

Home Working Policy

Policy number:	33
Version:	1
Purpose:	This policy provides guidance in relation to home working to ensure that these arrangements comply with Trust policies and current legislation
Consultation:	This policy has been developed in consultation with staff side employees via the JNCF
Approved by:	Director of HR and Organisational Development
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Author:	HR Operations Team
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Audience:	All Trust employees
Dissemination:	Trust intranet
Impact assessments:	This policy has been equality impact assessed using the Trust's agreed process, and the assessment has not identified any significant adverse impact on people with one or more protected characteristic

Version History

Version	Date	Reason for Change
1	November 2020	Creation of a harmonised policy for the 2gether and Gloucestershire Care Services NHS Trusts
2	November 2020	Minor amends to para.5.2.4

PART 1

SUMMARY

The Trust understands that enabling some flexibility with regards to home working can provide benefits for our staff, our service users and the Trust.

This policy reflects that different types of homeworking scenarios may exist and categories these as follows:

- Staff who work from home regularly as part of a substantive arrangement or who are primarily based from home;
- Extreme circumstances where the government or Trust require homeworking for staff as part of business continuity planning, personal safety, or to protect NHS services (e.g. a level 4 emergency);
- Staff who work from home occasionally to support effective working.

This policy provides guidance in relation to home working to ensure that these arrangements comply with Trust policies and current legislation.

TABLE OF CONTENTS

PART 1	2
PART 2	4
1. Introduction.....	4
2. Purpose	4
3. Scope	4
4. Duties	5
5. Arrangements for Home Workers	6
PART 3	14
6. Definitions.....	14
7. Process for Monitoring Compliance	14
8. Training.....	15
9. References	15
10. Associated Documents	15
APPENDICES.....	16
Appendix 1: Flowchart for required home working – Covid response or similar emergency	16
Appendix 2: Flowchart for requesting substantive home working	18

PART 2

1. INTRODUCTION

- 1.1. Gloucestershire Health and Care NHS Foundation Trust (hereinafter referred to as the Trust) understand that flexibilities with regard to home working can provide benefits for the Trust, our patients and our staff.
- 1.2. This policy provides guidance in relation to home working to ensure that these arrangements comply with Trust policies and current legislation.

2. PURPOSE

- 2.1. The Trust understands that our staff are critical to successful healthcare and that effective working arrangements are key to this.
- 2.2. The aim of this policy is to provide flexibility in how staff are able to undertake their work and how the Trust delivers its services.
- 2.3. Benefits to working from home or away from Trust premises may include:
 - Improved efficiency and effectiveness;
 - Time and cost savings on commuting and business mileage;
 - Environmental benefits associated with reduced transport;
 - Reduced pressure on office space and associated costs;
 - Greater flexibility in the use of office space;
 - Greater flexibility in the management of workload;
 - Increased job satisfaction and personal responsibility;
 - Opportunities to carry out detailed or complex pieces of work in a solitary environment;
 - Flexible working for staff;
 - The provision of a safe working environment;
 - Better accessibility of services for patients;
 - Encouraging and maintaining workforce diversity
- 2.4. This policy provides an overarching Trust framework on home working.

3. SCOPE

- 3.1. It is accepted though that not all roles will be suitable for home working and therefore each situation needs to be considered on its own merits. There are a number of different scenarios where home working may apply:
 - A member of staff may apply to be substantively or primarily based from home; in this case an application should be made using the flexible working policy and their contract should be amended accordingly, if approved. This

could be used to support colleagues with long term conditions, disability or a workplace injury.

- In some extreme circumstances, the government or Trust may require homeworking for staff as part of business continuity planning, personal safety, or to protect NHS services (e.g. a level 4 emergency).
- A member of staff may ask to work from home occasionally to support effective working.

3.2. With occasional home working or when staff are required by the Trust to work from home, staff will not need to apply for homeworking.

4. DUTIES

4.1. Chief Executive and Board of Directors

- The Chief Executive and Board of Directors has overall responsibility for the security, safety and welfare of all staff by ensuring that arrangements are in place to control the risks associated with home and mobile working.
- Arrangements are in place for monitoring the effectiveness of the policy and that they are regularly reviewed.

4.2. Senior managers and line managers are responsible for:

- Ensuring that this policy is complied with in their area of responsibility;
- That requests for substantive or significant home-working arrangements are considered fairly under the Flexible Working Policy;
- Promoting and supporting the purpose of this policy;
- Ensuring that all colleagues have read and understood this policy;
- Assessing the suitability to work from home, accounting for experience, health, etc., and considering mental health and welfare obligations;
- Ensuring that the online Home Working Checklist (for required home working) or the offline Home Working Checklist and DSE Workstation Checklist (to support flexible working requests) are completed where appropriate;
- Ensuring that risk assessments are carried out and reviewed regularly;
- Maintaining an up to date emergency contact list;
- Putting in place processes for effectively managing home workers (Guidance for Line Managers on Home Working);
- Ensuring staff are aware of information governance requirements of working from home or mobile working;
- Ensuring staff are provided with suitable IT equipment to facilitate home working;
- Maintaining a register of equipment or office furniture provided for home use (add link to new register on ESR if possible).

4.3. **All colleagues are responsible for:**

- Familiarising themselves with this policy and other relevant health and safety policies and procedures;
- Cooperating by following rules and procedures designed for to support home and mobile working;
- Considering and assessing the potential risks to their health and safety, including DSE and lone working using the principles outlined in the this policy and accompanying guidelines;
- Complying with Trust IT and information governance policies, procedures and practices whilst working from home or working remotely;
- Ensuring they are able to be contacted during work hours;
- Looking after any equipment provided to them for home working;
- Making themselves available to attend the workplace / Trust premises when required.

5. **ARRANGEMENTS FOR HOME WORKERS**

5.1. **Working Requirements**

5.1.1. **Attendance at Trust Premises**

Those employees designated as substantive home workers are still required to attend Trust sites for specific meetings, regular supervision and training, etc.

5.1.2. **Dedicated Workspace / Care Arrangements – Substantive Home Workers Only**

The home working environment should offer a dedicated workspace, ideally but not necessarily a separate room and must be free from interruptions and distractions.

Arrangements to work from home substantively cannot be agreed upon until an appropriate workspace is identified. All employees must agree with their managers how this area will be set up, including the use of Trust equipment, telephone facilities and support. The Trust does not require any employee to be a home worker. The provision of suitable workspace and facilities will be relevant in the decision to allow home working to take place.

Other than in exceptional circumstances and with prior agreement with the manager, home workers should not undertake caring responsibilities for dependants whilst home working. Employees will be required to demonstrate that they do not have dependent care responsibilities within their contracted working hours as part of the assessment of fitness for home working.

The Trust recognises that on occasion normal care arrangements may breakdown and that with agreement an individual may be able to undertake home working alongside caring responsibilities for a short period until alternative care arrangements can resume.

5.1.3. Work Environment – Required or Occasional Home Working

The Trust will ensure that individuals work in a safe environment. The Trust may supply a work laptop and mobile or allow individuals to take equipment or furniture home with the permission of their line manager. It is expected that the employee will complete the online Home Working Checklist (which includes the DSE Workstation Checklist). After review the line manager will ensure any necessary adjustments are made to the individual's work environment to allow the employee to work safely.

5.1.4. Substantive Working from Home – Application & Review Process

The following process should be followed for those applying to work from home, carefully reading this will provide information to both support and decline the application:

- The employee should complete a flexible working request form (see the Flexible Working Policy and Procedure);
- The employee should also complete an offline Home Working Checklist and DSE Workstation Checklist on the basis of their proposed home working set up and submit these alongside the flexible working request form;
- The manager should consider and respond to the request in line with the Flexible Working Policy and Procedure;
- As part of considering the request the manager should ensure that a dedicated workspace is available for substantive home working and that the workstation and equipment provided will enable safe working. If the Trust cannot ensure or provide this, it is reasonable to decline the home working request;
- The manager should ensure a copy of the flexible working request and the reasons for approval or declining the application are clearly documented on the employee's personal file;
- Where the request has been rejected, the employee may appeal within 7 days of notification by completing the Appeal Outcome Form in the Flexible Working Policy;
- The manager should seek regular feedback from the home worker to ensure the arrangement is working satisfactorily for both the employee and the Trust (using the Feedback Checklist for Home Workers when appropriate);
- The manager should ensure that procedures are put in place to effectively manage the home worker (see Guidance for Line Managers on Home Working);
- The manager should arrange to review the home working arrangement with the employee in line with any review plan agreed as part of a flexible working agreement or if problems with the home working arrangement arise.

5.1.5. ICT Equipment

ICT equipment used for home working will be supplied by the Trust and this will typically be a laptop device with VPN connectivity. Personal equipment must not be

used for business purposes. All data must be stored on the Trust's relevant ICT network and infrastructure.

Under no circumstances should personal email ever be used for business purposes.

Any ICT support issues which cannot be fixed remotely will require the laptop device to be supported from a Trust site.

In circumstances whereby there are ICT connectivity issues, the employee and the manager will need to discuss whether there are appropriate offline tasks that can be completed. If the ICT system issues are likely to continue for an extended period of time the home worker may be required to attend a Trust site.

Line managers will need to ensure that any Trust equipment is recovered from the home worker's home should they leave the Trust.

5.1.6. Data Protection and Security

The Trust is obliged, under the Data Protection Act 2018 (DPA) and the General Data Protection Regulations (GDPR), to ensure that all confidential and/or sensitive information is protected from loss, destruction or unauthorised disclosure, i.e. information/data that:

- Is restricted or defined as confidential by law;
- Relates to a contractual agreement between the Trust and a supplier/other organisation;
- Relates to business/commercial operations, tenders or contracts;
- If not protected could expose the Trust to fraud, e.g. creditor third party payments and payroll information;
- Is person identifiable information, i.e. can be linked to and/or identifies an individual (be it a patient or employee); and,
- Is Special Category information, i.e. is revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data or biometric data, data concerning health or an identifiable person's sex life or sexual orientation.

Therefore employees, including home workers, may only use Trust configured PCs/laptops to process/store such information, and may only use the Trust's email services to send/receive such information.

Where information is held/stored in hard copy those working from home and, at other locations, may only remove and retain this information where they have:

- The express permission of their line manager to do so;
- Received appropriate training and understand their responsibilities under the DPA the GDPR and the Trust's Information Governance policies; and
- Suitable storage facilities, e.g. lockable filing cabinet, as confidential/sensitive papers must not be left unattended at any time.

Employees working from home must ensure that confidential/sensitive information is stored and disposed of appropriately, i.e.

- Confidential/sensitive printed material must be shredded before disposal or returned to a Trust site and placed in the confidential waste bins supplied.

Employees must not allow any other person to access Trust equipment, records or systems, provided for their work in the home. Passwords should not be written down or displayed around the workstation.

All precautions recommended by IT Services to prevent unauthorised access to computerised records, corruption or copying of software, or loading of unauthorised software must be taken.

Printing at home is not advocated and should ideally be reserved for healthcare premises. Patient records must not be printed at home unless express permission has been sought through Information Governance and IT.

5.1.7. Insurance/Mortgage/Tenancy

The Trust's insurance will usually cover employees working from home as it would were they office based, providing they are working within the scope of their service specification and job description. However, as there is a £10,000 excess on the policy, many items will not be covered. Colleagues should ensure that all Trust equipment is held as securely as possible outside of Trust premises.

Trust equipment held at an employee's home for the purposes of carrying out work duties is insured by the Trust (with the exception of theft from unattended vehicles), provided that it has been recorded on Trust inventories and the manager keeps accurate records of equipment being used away from Trust premises.

Employees who are substantive home workers should inform their household insurers that they use their home as their office base and confirm to them that there is no liability on the household insurance for any equipment stored at the home address.

Employees must check the requirements of their mortgage, tenancy agreement, household and contents insurance, in relation to home working, to ensure that homeworking does not invalidate any of these agreements. The Trust takes no responsibility for this.

5.1.8. Health & Safety

The Trust expects employees working from home to:

- Take reasonable care of their own health and safety whilst working;
- Follow the Trust's rules and guidance in relation to home working and to take all reasonable care to ensure the safety and security of Trust equipment and records whilst working away from the main office base;
- Manage their working time according to the Trust's requirements under the Working Time Regulations, and to take the appropriate rest breaks; and

- Report problems to their line manager promptly, particularly any health and safety or security matters arising from remote working, e.g. concerns about lone working, any loss or damage to Trust property, accidents or incidents.

The employee, in conjunction with their line manager, will need to undertake a risk assessment and DSE workstation assessment.

If the assessment identifies concerns then these need to be discussed with the line manager to identify how this will be resolved and timescales for any changes. In the case of substantive home working, it may be that concerns are too considerable to enable the home working application to proceed and therefore it may be rejected.

5.1.9. **Communication**

In all flexible working arrangements, employees must remain in contact with the main office by appropriate means, e.g. telephone, MS Teams and/or email as agreed with the line manager. Protocols and clear guidelines must be established for:

- What information will be shared between employees, who is responsible for sending the communication, and how it will be shared, e.g. email, supervision, team-meetings or telephone;
- Those working from home will be contactable as if they are in the office and therefore should respond to email/telephone messages and receive re-directed calls from the main office;
- Home workers will ensure their work mobile telephone number is published on the Trust's contact directory and is on their email signature;
- The type of information that can be shared via telephone, email or meeting;
- The decisions that employees can make on their own away from the main office base and those that need to be referred to the manager/team;
- The structure of team meetings/individual supervision sessions;
- The action(s) an employee should take if they feel isolated or unable to cope with the workload or work planning;
- The advice/support available from individual team members; and
- What the office-based team members will tell service users/colleagues about the whereabouts/availability of those working from home and other locations to avoid them appearing remote/difficult to access or being contacted at inappropriate times. This should include:
 - Colleagues of staff who are home working must not cover the work of home working colleagues as there should be no impact on the ability of a home worker to undertake the full remit of their role. If being a home worker would impact on being able to undertake their role then that in itself should indicate that home working is potentially not appropriate.
 - Colleagues at a Trust site who pick up a call for a home worker

should not imply that the home worker is not accessible. They should provide the work contact telephone number and email address for the home worker or if this is not appropriate ensure that the callers details are passed to the member of staff. Working from home should not be a barrier to accessibility. It is not relevant for callers to know that someone is working from home.

- Colleagues should not give out the home address or personal contact details of the home worker, only their work mobile phone number and work email address.

It is important to recognise that arrangements for communication systems such as team meetings with co-workers, regular 1-1s and some attendance at a Trust site can minimise issues of isolation for home workers and mobile workers. There may also be issues around the reduced level of supervision, the ability of the employee to be self-disciplined and motivated to complete work and the ability to separate work from home life.

It is not anticipated that home workers will never attend Trust offices. All home workers should expect to attend Trust offices as requested by their line manager.

In short, home working just means that the individual has a different work base, which happens to be their home. It should not negatively impact on their ability to fully complete their duties, to liaise with colleagues and or patients, or to be available during working hours.

Electronic diaries must be kept up to date just as with all other staff, so that colleagues can easily see when the home worker is available, at meetings, etc., and their working hours.

Contact details must appear at the bottom of all email communication including a phone number and working hours. Substantive home workers MUST NOT put their base address (their home) on their email footers and must adhere to the corporate style. Substantive home workers are required to put on their email out of office notification when they are on annual leave or absent for any other authorised reason.

5.2. Additional Requirements for Substantive Home Workers

5.2.1. Planning Permission/Business Rates

Employees must check if they need planning permission to work at home or if they will have to pay business rates for working at home. The key test for planning permission is whether the employee's home is still mainly a home. If in doubt employees should check with their local council. For advice on business rates employees should contact the Valuation Office Agency, part of HMRC. The Trust takes no responsibility for this.

5.2.2. Access to the Employee's Home

Employees must allow reasonable access to their home (during working hours and normally by appointment) by their manager or other authorised person, as

requested.

On these occasions, the homeworker should be given appropriate notice of an appointment date and time, which should be during working hours. Wherever possible, mutually convenient dates/times should be agreed. If anyone else will be present in the home during the visit this should be discussed in advance with the person making the visit and any pets should be appropriately controlled.

5.2.3. Use of the Employee's Home for Meetings

The employee's home should not be used for meetings, e.g. with the line manager or colleagues unless mutually agreed. The employee's home should never be used for meetings/appointments with patients.

In order to protect the privacy and security of the home worker, they are not expected to give out their home address or personal phone number. However the Trust will use their home address to send all relevant postal communication such as letters, etc.

5.2.4. Reimbursement of Expenses

The Trust will not contribute towards the costs of working from home, e.g. heating or lighting. Similarly employees who undertake work from home on an ad hoc basis are not entitled to claim any costs towards household bills. As the Trust does not contribute towards the cost of working from home then home workers will not be eligible to receive the Inland Revenue non-taxable allowance. However, staff may wish to check whether or not they can claim tax relief (not allowance) on the government website here - <https://www.gov.uk/tax-relief-for-employees/working-at-home> . This link also takes you to an on-line tool which you can use to check if you can claim tax relief on work related expenses

Employees working from home must only use their Trust mobile telephone for business calls, if they have one. If a business mobile is not provided because of occasional or emergency event home working, the costs will be refundable, if additional costs are incurred by the employee and calls are not included in their phone contract.

5.2.5. Poor Mobile Signal/Internet Connectivity

In the event that a potential home worker lives in an area with poor mobile signal and or internet connectivity, this may be a factor which means they cannot work from home.

5.3. Ending Home Working Arrangements

A home working arrangement may be ended in the following circumstances:

- Where the employee requests it;
- Where the right to work from home has been abused, or the Trust's requirements have not been adhered to;
- Where working from home no longer provides the most effective and

efficient way for meeting service needs;

- If the operational requirements of the department change; or
- Where working from home has been in place because the Trust required it, e.g. as part of a response to a level 4 emergency, and the Trust determines there no longer a need for working from home.

PART 3

6. DEFINITIONS

- 6.1. **Home Working** – Home working occurs when an employee uses their own home as a location from which to carry out Trust work as an alternative to working at a designated Trust location. There are three types of home working arrangement:

1. Substantive home working as part of a flexible work plan

This is where the employee is a substantive homeworker and their home is their identified 'base' of work or home working is part of a flexible working request. Applications for these arrangements should be requested via the Flexible Working Policy and Procedure. It would not be normal to agree to home working in these circumstances unless the individual has a suitable designated 'work' environment at home.

2. Emergency or required home working

Due to the nature of this requirement, the individual will not have to apply for home-working through the Flexible Working Policy and Procedure. However, the Trust needs to ensure that as soon as possible the safeguards are put in place to ensure individuals are working in a safe environment and are supported to work from home effectively. This will include the employee needing to complete the online Home Working Checklist and the manager putting in place processes for supporting home working (see Guidance for Line Managers on Home Working).

3. Occasional home working

This is where an employee is based at a Trust site and only works from home on an ad hoc basis.

Where this ad hoc requirement falls into an agreed pattern, e.g. every Tuesday afternoon from 3pm, then the employee will not need to agree each individual episode of home working with their line manager in advance, however for any other home working episodes the employee must agree each episode with their line manager in advance. Please see the Flexible Working Policy for further information on agreeing flexible working hours.

- 6.2. **Out of Office/ Mobile Working** – Mobile workers have a base of work at a Trust site but the nature of their role means that they travel to and from different sites or patient/client homes using a range of mobile IT equipment away from their identified base of work without close or direct supervision. For the purpose of this policy and the management of risk it is akin to the definition of a 'lone worker'; please also refer to the Trust's DSE Workstation Checklist and Lone Working Policy.

7. PROCESS FOR MONITORING COMPLIANCE

- 7.1. This policy will be reviewed once every three years or as determined by changes in legislation.

- 7.2. The Trust reserves the right to make changes outside of the normal review and consultation process where there are legislative imperative outside of the control of the Trust. All changes will be communicated to JNCF.

8. TRAINING

- 8.1. There are no specific training requirements in respect of this policy.

9. REFERENCES

- 9.1. There are no specific references related to this policy

10. ASSOCIATED DOCUMENTS

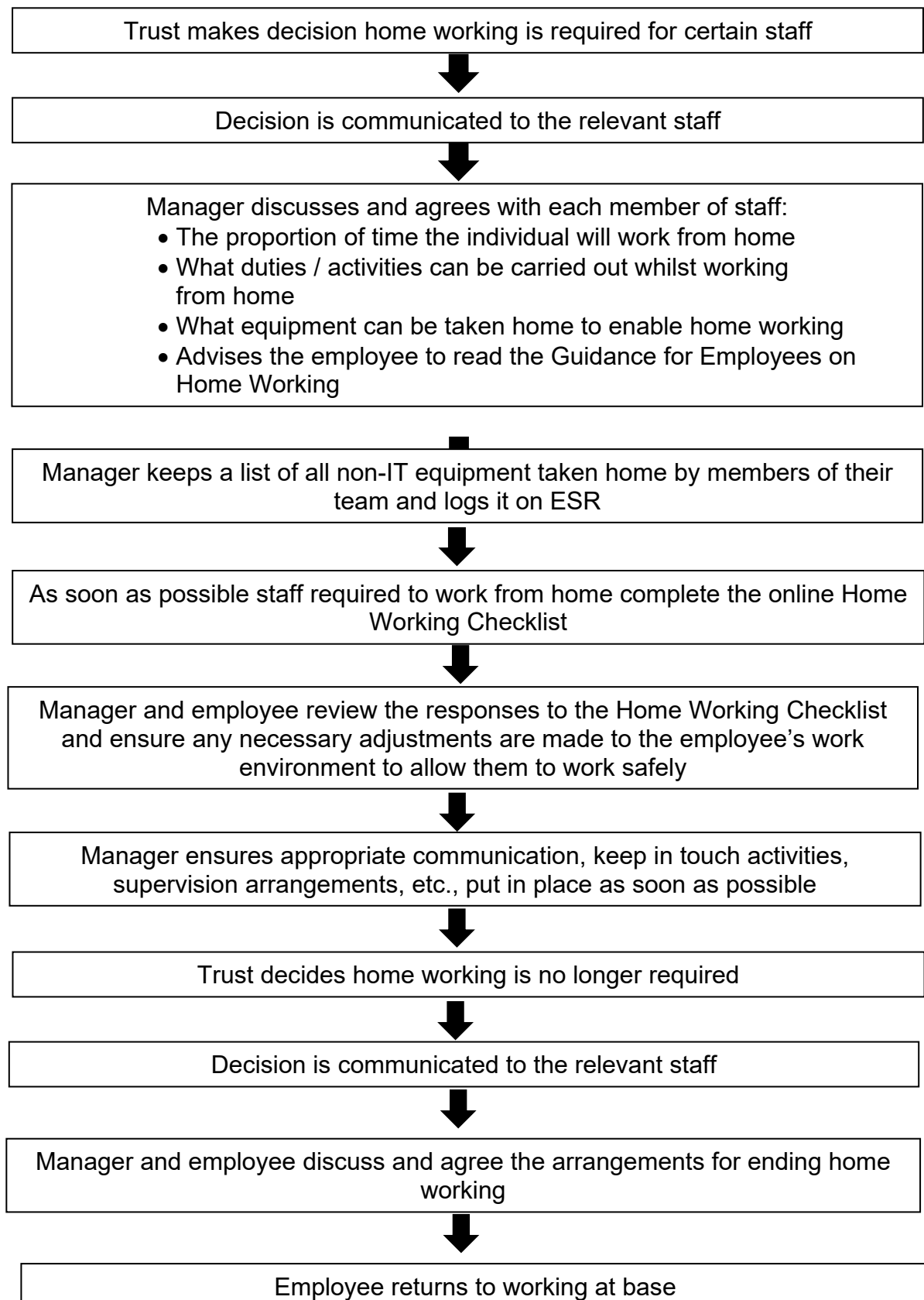
- 10.1. This policy will be used in conjunction with the following Trust documents and policies:

- DSE Workstation Checklist – offline version to be submitted as part of a flexible working request for home working
- Email Use Guidance
- Flexible Working Policy and Procedures
- Guidance for Employees on Home Working
- Guidance for Line Managers on Home Working
- Home Working Checklist – offline version to be submitted as part of a flexible working request for home working
- Home Working Checklist – online version for required home working: <https://app.glos-care.nhs.uk/HomeWorkingChecklist>
- Information Governance Do's and Don'ts
- Information Governance Management System
- IT Information Security Policy
- Lone Working Policy
- Platforms Policy
- System Management Policy
- Use of Text Messaging to Communicate with Patients Policy

This list is not exhaustive.

APPENDICES

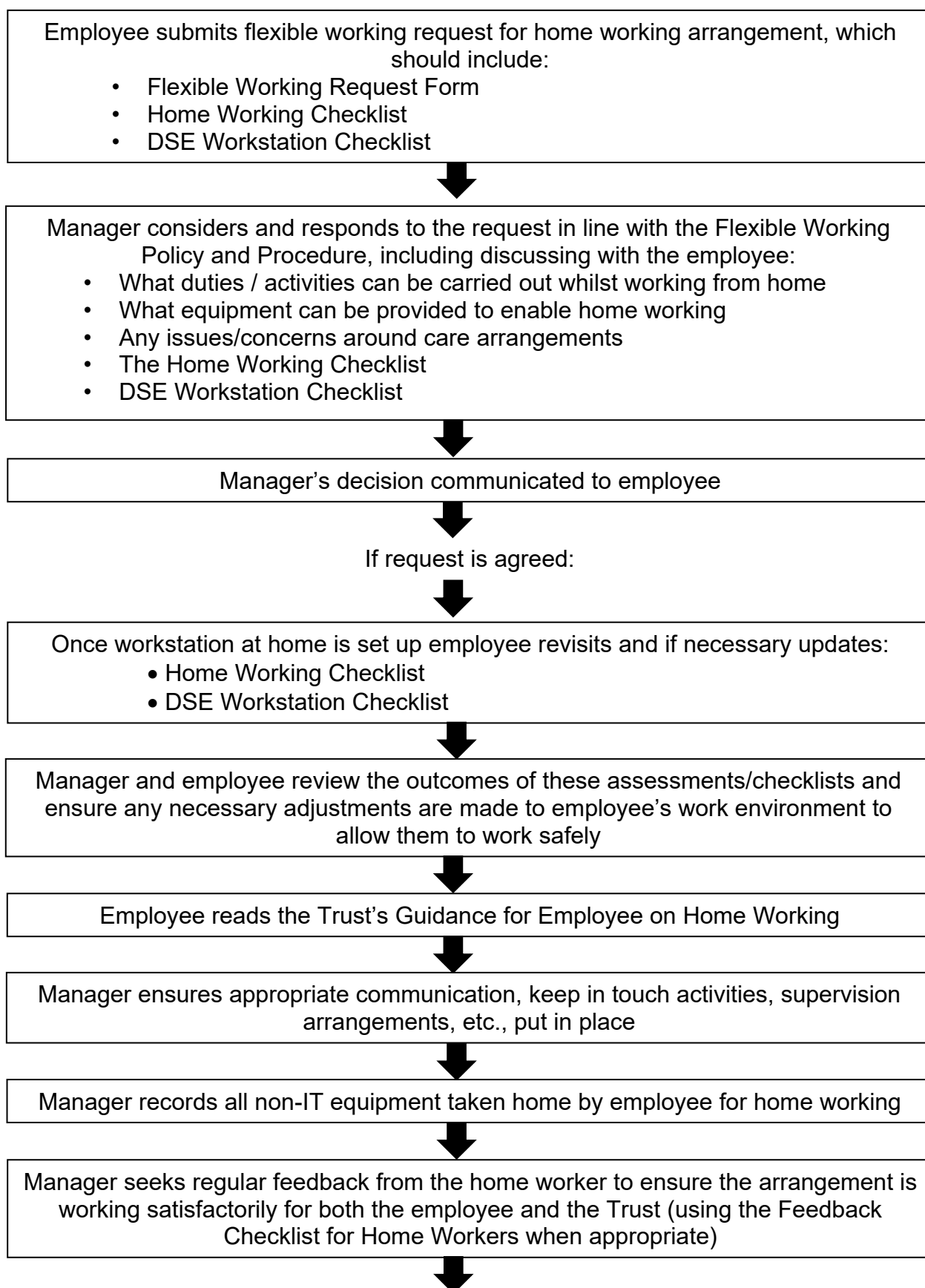
Appendix 1: Flowchart for required home working – Covid response or similar emergency





Manager ensures all equipment taken home by staff is returned and amends record in ESR

Appendix 2: Flowchart for requesting substantive home working



The manager should arrange to review the home working arrangement with the employee in line with any review plan agreed as part of a flexible working agreement or if problems with the home working arrangement arise