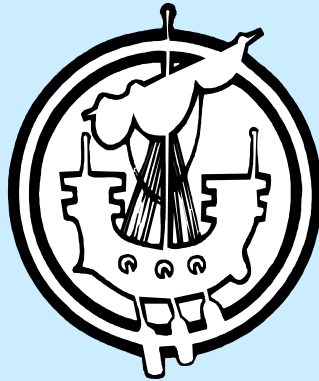


**COMHAIRLE NAN EILEAN SIAR**



**HYBRID WORKING POLICY**

**SEPTEMBER 2024**

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## **1. Introduction**

- 1.1 New ways of working have been in place for a number of years now and not all roles require traditional forms of office working. For a variety of reasons, and with varying degrees of frequency, employees might now be able to undertake some of their duties away from their normal place of work at a Comhairle premises. These hybrid working arrangements mix office working with home working where an individual and the relevant line manager agree that it is possible for that individual to work some of the week at home.
- 1.2 This policy defines hybrid working arrangements for performing Comhairle work, sets out entitlements, eligibility criteria and other conditions that apply, and has been developed to provide a clear approach for dealing with hybrid working on a regulated and frequent basis. It is not intended to address the ad hoc, one-off arrangements for home working for short periods to complete specific agreed pieces of work.
- 1.3 The intention is that the policy will ensure fair treatment and consistency of approach, which is understood by all employees. It provides a standard framework for reporting, monitoring and managing hybrid working in line with business and individual need.
- 1.4 This policy is underpinned by an expectation that there is no detrimental impact on provision of services or to colleagues and this is always a priority when considering applications and arrangements.
- 1.5 This policy is non contractual and the Comhairle reserves the right to alter or withdraw it at any time.

## **2. Definitions**

### *2.1 Office-based*

- 2.1.1 All working time spent in the office.

### *2.2 Home-worker*

- 2.2.1 A home worker differs from a hybrid worker. This category of worker works from home for 100% of their working time, by mutual agreement.

### *2.3 Front line worker*

- 2.3.1 Worker who will have regular/daily interaction usually on a face-to-face basis with members of the public, clients, in addition to internal and external customers during the completion of their roles/responsibilities. Frontline workers include employees who provide services to the general public and do not have the ability to choose which location they work from, for example, roads and grounds workers, nursery nurse.

### *2.4 Hybrid Worker*

- 2.4.1 Involves a mix of working from home and in Comhairle premises – in most cases this will be a minimum of one to three days per week in the office. There will likely be the need to attend offices to catch up with paperwork or to maintain contact/relationships with team members. The amount of time spent working from home and office depends on job and business requirements. Hybrid working means that as well as working in Comhairle premises, there is performance of Comhairle work for agreed hours from the home (i.e. in the employee's private dwelling). Spending part of the week working from home can save use of cars, fuel and commuting time. Time spent working from home should not create additional workload for other employees, or otherwise affect operational efficiency and effectiveness.

#### 2.4.2 Working within a hybrid approach:

- Is granted at the Comhairle's discretion and requires the prior approval of the appropriate line manager following consultation and discussion with the employee; it will not alter an employee's general terms and conditions of employment;
- is not intended to create a situation where employees feel obliged to work excessive hours;
- Will not attract subsidy since the benefits are seen as being mutual;
- Does not normally mean that equipment will be provided by the Comhairle for use at home, although routine supplies such as stationery may be provided at the discretion of line manager.
- Where employees spend less than three full days per week in the office, desks will be depersonalised and available for others to use.
- Please note work patterns can be varied if circumstances change depending on business need and the employer has the right to require an employee to attend the office where necessary.

### 3. Equality and diversity statement

- 3.1 This policy should ensure an appropriate and equitable response to employee requests for hybrid working, with decisions taken and communicated in an efficient and fair manner and will be implemented in conjunction with the Comhairle's commitments to diversity and equality.

### 4. Scope

- 4.1 This policy can be applied in principle to all Comhairle employees, regardless of contract type or duration, other than those employed on a casual basis, although it is recognised that because of the nature of some roles, hybrid working would not be practicable. Hybrid working is primarily suitable for office-based tasks.

- 4.2 Positions with at least one of the following requirements will not normally be considered for hybrid working:

- front line service delivery, for example care workers, bus drivers, cleansing operatives, mechanics, road workers, teachers (unless delivering e-learning), school support employees, catering, leisure attendants, library and museum workers and so on. This is not an exhaustive list.
- direct face to face contact on a frequent basis (for example reception duties for internal and external visitors);
- being a member of a team who needs to have face to face contact with other team members such as checking off or signing documents, providing cover during breaks;
- servicing and serving other Comhairle facilities or assets (e.g. security of buildings, cleaning and maintenance duties);
- Where there is a need for face-to-face supervision such as allocating work on an ongoing basis, dealing with queries, checking work, organising rotas, for example management and supervision in a residential establishment.

### 5. Health and safety considerations

- 5.1 Most of the work that employees undertake at home is work on a computer, and in general such work is not high risk from a health and safety perspective. A home working risk assessment

must be completed, and a sample is available from the Health & Safety Team on the Health & Safety Intranet pages.

- 5.2 The employee must refer to the Comhairle Display Screen Equipment (DSE) Guidance and must undertake the online DSE training module and self-assessment for their workstation. For employees who undertake occasional work at home using a computer e.g. a few times throughout the year perhaps when there is severe weather, then there is no need to complete an online DSE assessment for this activity provided they have completed the online training module and assessment for their workstation in a Comhairle office.

## **6. Working hours**

- 6.1 Employees must work their normal contractual hours when working from home and use the Crown time recording system to record time worked.

Employees are required to take their legally required rest breaks which are:

- At least 30 minutes break during each working day lasting more than 6 hours.
- Time period between stopping work one day and beginning the next is not less than 11 hours.
- Have at least one complete day each week when no work is done.

- 6.2 Hybrid working is not the same as flexible working and employees are expected to work normal office hours as they would in the office.

- 6.3 The Comhairle's Flexible Working Hours Scheme applies to eligible employees. Work outside the flexi bandwidth must be agreed with Managers in advance. Flexi is subject to audit in the normal way and any breach of flexi will be considered a disciplinary matter.

## **7. Contractual terms**

- 7.1 Contracts of employment will not be changed to detail hybrid working as this is subject to change depending on the needs of the service. You will still have a Comhairle building noted as your base location.

- 7.2 Arrangements will be in place for a period of 12 months. These arrangements should be reviewed regularly to ensure there are no issues that need to be addressed.

- 7.3 Normal Calling in Sick procedures apply to hybrid workers.

- 7.4 Arrangements are subject to change to meet service delivery requirements, employee wellbeing and the needs of customers, which will always take priority.

## **8. Key information for employees**

### *8.1 Equipment and technology*

#### 8.1.1 Furniture

The Comhairle will not normally provide hybrid workers with additional office furniture as desks are provided on Comhairle sites, either as a hot-desk or a permanent allocated desk.

#### 8.1.2 IT and Communications Equipment

The Comhairle will not normally provide a hybrid worker with additional IT equipment, phone, broadband connection or furniture to work from home. The Comhairle will provide equipment identified as reasonably required through a DSE assessment.

The Comhairle's direction is towards mobile equipment and flexible workstations however not all employees have IT equipment which enables hybrid working. Service management will prioritise the provision of equipment within their service areas.

- 8.1.3 The hybrid worker is responsible for ensuring that they have suitable telephone and broadband services where required, and for contacting the service provider in the event of any technical issues. It is not possible for the Comhairle to provide IT support for equipment owned by members of staff.
- 8.1.4 Hybrid workers who are using Comhairle supplied and supported equipment can receive telephone support from the IT Section, but if the issue cannot be resolved by telephone, they will be required to bring the equipment on-site, as home visits are not possible. This is also the case where upgrades, installations of new software or maintenance is required.
- 8.1.5 All employees are required to use their own and supplied equipment correctly and to take reasonable steps to maintain any equipment provided, removing defective equipment from use and reporting defects on supplied equipment to their line manager. Comhairle equipment may not be used by others i.e. family and friends etc.
- 8.1.6 Employees must login to the Comhairle's IT Network when working from home using the instructions issued by the IT Section. This ensures security and safe storage of electronic information in line with the Comhairle's Information Security Policy.
- 8.1.7 Employees are responsible for ensuring the security of Comhairle property and all Comhairle information, files, documents, data etc. within their possession, including both paper and electronic material. All employees when working at home are required to adhere to the Comhairle's policies and guidance on data security. Some key duties include:
- Maintain service user confidentiality.
  - Carry out sensitive conversations in confidence.
  - Store confidential files securely and use agreed methods of encryption.
  - Comply with password policies for your work computer, IT systems and any other digital devices.
  - For more information please refer to the section on information handling within the Employee Handbook.

## 8.2 *Insurance*

- 8.2.1 It is the employee's responsibility to assess the personal implications of hybrid working with respect to taxation, insurance or leasing arrangements, though any Comhairle equipment would be covered by the Comhairle's own arrangements.
- 8.2.2 The Comhairle holds liability insurances that provide cover for the legal liabilities of the Comhairle and its employees whenever they are engaged in Comhairle business. This cover applies irrespective of where the activity is taking place, but it only covers the activity itself, not the home where the activity is taking place.

### 8.3 *Advising mortgage provider/landlord when working from home*

8.3.1 You must ensure that you are not in breach of any covenant or agreement by working from home. For example, before working from home, you should check the terms of any mortgage, lease or rental agreement and, if necessary, obtain any permissions required to work from home.

### 8.4 *Costs/ expenses*

8.4.1 It is for each employee to decide whether to request a Hybrid working arrangement. Employees adopting a Hybrid working arrangement are responsible for any home costs/expenses eg broadband/heating/electric charges and no expenses will be paid for these costs. No contribution will be made by the Comhairle towards normal household expenses attached to hybrid working.

### 8.5 *Communication*

8.5.1 Good communication is an essential part of any successful hybrid working arrangement. Provision must be made to allow effective communication with work colleagues and external clients during the working day. Employees are required to have their camera switched on during team meetings to ensure there is a visual presence.

This should include regular communication between:

- individual employees and their managers
- employees who need to work together
- team members

This will include using video or conference calling technology.

8.5.2 The employee must be contactable at home as they would be if they were working in the office.

8.5.3 The employee's home telephone number and home address and personal non work email address must not be divulged to third parties without their express permission. Personal email addresses must not be used for Comhairle business for security reasons.

8.5.4 Under no circumstances are arrangements to be made for service users, clients, pupils, members of the public or representatives to meet with the employee at their home. All such meetings should be carried out at a Comhairle premises or a similar professional setting, in order to maintain the necessary level of professionalism and safety.

8.5.5 Visits from Comhairle employees to an employee's home should only take place with prior agreement or in exceptional circumstances, such as welfare reasons or for security purposes.

### 8.6 *Caring Responsibilities*

8.6.1 It is recognised that hybrid working can assist with caring responsibilities, for example by being closer to a child's school for drop off and collection or being able to call in regularly on an elderly relative who lives nearby. Caring responsibilities must not be combined with hybrid working during working hours and employees should have arrangements in place for childcare or other caring responsibilities whilst working at home.

### 8.7 *Hybrid working location*

8.7.1 Hybrid workers are expected to work from their place of residence. This must be within the Western Isles. This is to ensure that employees are reasonably accessible to an office location, clients, service users or other local locations as and when required.

8.7.2 The hybrid worker must report to their office base if they are unable to work from home, for example if the broadband connection has been disconnected.

### 8.8 *Travel to Work*

8.8.1 Any expenses incurred when travelling to and from your office base from home cannot be claimed. Similarly, you travel to and from your office base in your own time, this does not form part of your working day. For example: If you are required to attend the office for a team meeting at 2pm, but choose to work from home prior to, and after the meeting, the time taken to travel to and from the office does not count as working time. You could choose to work from the office for the full day and your journey to and from work would not count as working time, as has always been the case.

8.8.2 If you are required to attend a number of different meetings throughout the day, you are encouraged to attend your work location and travel from there. Time taken to travel from the office to a meeting as part of the working day does count as working time.

## 9. **Responsibilities**

### 9.1 *Line manager responsibilities:*

- To consider and grant permission for hybrid working at their discretion.
- To notify employees of relevant arrangements, and to provide the employee with a copy of this hybrid working guidance.
- To ensure that the employee is aware of expectations and the required standard of work, including specific deliverables for each occasion of homeworking.
- To provide feedback and to discuss and evaluate the arrangement.
- To evaluate and review the arrangement on a regular basis (minimum annually) to ensure appropriate outcomes are being delivered.

### 9.2 *Employee responsibilities:*

- To abide by the requirements of this document.
- To give details of a mobile and/or home telephone number and email address to facilitate communication with the Comhairle as appropriate.
- To deliver the expected work outcomes to the required standards and deadlines.
- Be able to work without direct supervision and display self-motivation and discipline.
- Understand and consider all the information within these guidelines, in particular their own responsibilities regarding health and safety, data security and confidentiality.

### 9.3 *Human Resources responsibilities:*

- To provide advice and guidance to managers and employees on how to effectively deal with hybrid working at departmental or individual level.
- To assist managers with the fair and consistent application of the guidelines.

## 10. **Other relevant guidelines**

10.1 Employees working at home will continue to be covered by all the Comhairle employment policies and procedures, including discipline, grievance, dealing with competence and performance appraisals.

10.2 If an employee is subject to competence procedures whether formal or informal, hybrid working arrangements will be withdrawn to ensure they are able to receive the supervision, support and training and assessments required to comply with the procedure.



- 10.3 If an employee is on long-term sickness absence, hybrid working arrangements may be withdrawn to ensure that they are able to be supported on return to work.
- 10.4 Employees have the legal right to request flexible work arrangements. This is detailed in the Comhairle's guidelines for Flexible Working.
- 10.5 In certain adverse conditions, home working may be a practical alternative to travel. Information about adverse weather will be communicated to employees as appropriate.
- 10.6 Homeworking may be an option in circumstances where someone has short-term mobility issues where they are unable to travel to work but are otherwise fit for work.

## **11. Information Security**

- 11.1 You must ensure that all confidential information is kept secure. For example, if working from home confidential information must not be accessible to family members or visitors to the house. Similarly, if working from another Comhairle location, ensure any time you leave your workstation that you lock your screen and secure confidential paperwork.
- 11.2 Confidential waste should be returned to your office location as soon as possible for destruction and not disposed of with household rubbish or in other locations.
- 11.3 The LearnPro Data Protection course must be completed annually.

## **12. Application Process**

- 12.1 A hybrid request should be submitted in writing and passed to the line manager.
- 12.2 A manager should aim to be as flexible as possible in accommodating such a request but may refuse a request to a hybrid approach for legitimate business or logistical reasons.
- 12.3 The line manager when considering the request should meet with the individual and discuss and/or consult with other relevant parties. The line manager should give the individual their decision within 15 working days. If they are unable to make a decision within this timescale then the employee should be informed of the reason for the delay and the date when the decision will be advised.
- 12.4 A note of discussions and agreement (if either agreed or not agreed) should be made and this should be passed to Human Resources where it will be held on the employee's personal file.
- 12.5 Hybrid working arrangements can be withdrawn at any time. For example, if there is evidence of under-performance, detrimental impact on the service, or a breach of trust.

## **13. Request to Cease Hybrid Working**

- 13.1 An employee can request hybrid working arrangements to cease once every 12 months. The line manager will take account of any personal change in circumstances, change in the nature of the work and availability of space in the office base, but is not bound to agree to the request.

## **14. Appeals Process**

- 14.1 If the request is refused, employees may appeal the decision. The appeal should be submitted in writing, setting out the grounds of the appeal, within 14 days of receipt of the written decision. Appeals should be submitted to the Chief Officer within the service.

14.2 Appeals will be considered within two months of first receiving the original request for flexible working unless an extension is mutually agreed. Once a decision has been made about an appeal, the employee will be informed of that decision, in writing, without unreasonable delay.

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