



## **FLEXIBLE WORKING FROM HOME POLICY**

### **Background**

Mind in Croydon recognises that some of the work undertaken by some staff members may be carried out as efficiently at home as it can be in the office. Mind in Croydon is committed to flexibility with the aim of meeting both organisational and employees' needs. This policy sets out Mind in Croydon's approach to flexible working and the procedure that should be followed in response to a request for flexible working.

### **Key Points**

Managers may grant permission for employees to work at home on an occasional or a flexible basis to accommodate the needs of the individual or the organisation, for example because of temporary caring needs, when travel from home to a meeting or another organisation or to an event would be more efficient, or owing to public health requirements, such as the Covid-19 pandemic.

'Working from home' refers to situations in which an individual uses their home for work purposes on an ad hoc basis or as a formal arrangement (as agreed with their manager) and where their normal place of work remains one of Mind in Croydon's relevant business premises.

'Home based working' refers to an arrangement where a worker is contractually based at their home address. Mind in Croydon currently has no 'home based' employees but it is recognised that home based contracts may be desirable or necessary in the future.

While working from home is categorised as a form of flexible working, employees should not assume that other aspects of flexible working (such as amended hours) are automatically part of an agreement to work occasionally from home.

The suitability of a working from home arrangement or a home-based working contract depends upon a number of factors, including:

- the nature of an employee's role and their personal qualities
- service requirements, including the number of staff in the office or Mind in Croydon buildings
- the availability of work suitable for completion at home
- any difficulties that may have arisen with the arrangement in the past such as problems in contacting the employee in question or performance issues.

It is likely that some roles will not accommodate working from home- or home-based working and Mind in Croydon reserves the right to make the decision on which roles are and are not suitable.

Personal qualities required to work effectively from home are likely to include:

- Self-motivation and discipline
- Ability to work without direct supervision
- Ability to complete work to deadlines

## **Process**

Any employee may request the opportunity to work flexibly from home and Mind in Croydon is under a duty to consider the request in a reasonable manner.

If an employee's request to work from home is a one-off or for a very limited time period, this can be agreed informally between the line manager and the employee.

If an employee's request to work from home is longer-term and/or requires regular days working from home for more than 50% of their working week, the employee should put their request in writing as a flexible working request, which will be considered by the employer and permission for which will not be unreasonably withheld. This request should include details of the days/times that the employee expects to work regularly from home.

Dealing with the request in a reasonable manner will include:

- assessing the advantages and disadvantages of the application
- holding a meeting to discuss the request with the employee
- offering an appeal process

In all cases, the employee and their manager, in considering whether to grant the request, should ensure that the absence from the workplace will not create problems for service delivery or other staff and that the home conditions are conducive to efficient and productive working.

The employee should ensure that their manager has their contact details at home and that they can be contacted easily. Staff working from home must have access to the Internet and be contactable by phone and email.

All staff are required to comply with Mind in Croydon policies and procedures whether working at home or at their office base. This includes the employee carrying out suitable risk assessments of the working environment as required. Whilst Mind in Croydon will do everything it reasonably can to ensure it supplies safe equipment and supports staff working from home, it is the employee's responsibility to ensure their home working environment is suitable and safe.

Where working from home arrangements are ad hoc, occasional or for a limited time period, Mind in Croydon is not able to contribute towards heating/lighting or any other costs of employees choosing to work at home. Regardless of the frequency with which an employee is granted permission to work at home no contractual right to do so will arise and permission for staff to work at home may be withdrawn at any time.

## **Special Circumstances owing to untoward situations**

There are occasions when staff may be asked by the organisation to work from home, for example during the Covid-19 crisis, rather than the request coming from the staff member. Please note, any working from home arrangements in such circumstances, e.g. due to the UK government's guidance on coronavirus or any other untoward situations, are temporary and subject to ongoing review. In this eventuality, Mind in Croydon will attempt to provide suitable equipment to enable and support longer periods of working from home; any equipment and or allowances provided in these circumstances will be temporary and all equipment, including desks, chairs, lighting, IT and other items, remain the property of Mind in Croydon.

Within the requirements of government or public health guidelines relating to working from home, it remains at the discretion of Mind in Croydon to decide which roles are suitable for working from home and which are not.

### **When we receive a request**

We will meet with the employee as soon as possible to discuss the proposed homeworking. We may want to carry out risk assessments e.g. health and safety before deciding whether or not to agree to the homeworking. We may need to visit the employee's home (possibly more than once) in order to complete these.

We will write to the staff member to let them know whether we agree to the homeworking. Each request will be considered on its own merits. Even if we have approved a similar request in the past, we are not tied to doing the same in the future.

If the request is approved, we will require the staff member to complete a three-month trial period. If that trial period is unsuccessful, we may need to return to the previous working arrangements.

If the request is refused, the member of staff can appeal the decision by writing to the Chief Executive within one week of our decision, explaining why the member of staff disagrees with the decision. The Chief Executive's decision is final.

If the employee believes that homeworking would be a reasonable adjustment under the Equality Act 2010, this should be stated and it should be explained why this is the case.

### **Setting up the homeworking**

We will provide the staff member with the equipment needed. This may include for example: stationery, computer equipment, desk/chair, secure filing cabinet, shredder, phone etc.

The staff member must take care of anything we loan to them and equipment must be returned to us when requested.

The equipment we provide should only be used for business purposes.

If the member of staff intends to use their personal equipment, such as a computer or phone, for homeworking, they must check with us first. We will need to make sure that it is suitable. Any personal equipment that we agree to being used remains the responsibility of the member of staff, meaning that they would need to cover the cost of repairs and/or replacements.

### **Household bills**

You will be expected to cover the cost of utilities including heating and electricity necessary for your homeworking.

The amount we contribute will be relative to the usual working pattern of the individual and will not exceed £6 per week (this is the maximum contribution that is automatically exempt from tax and NI from 6<sup>th</sup> April 2020). This amount will be reviewed in line with HMRC guidance. For more information visit - <https://www.gov.uk/expenses-and-benefits-homeworking>

The member of staff may be able to claim tax relief as a result of homeworking. It is their responsibility to get specific advice on this.

### **Mortgage Lease and insurance**

The member of staff is responsible for making sure their mortgage or lease and home insurance do not restrict or prevent the home being used for work purposes. The member of staff should discuss with their home insurer any changes that may need to be made to their policy to ensure that they are fully protected while working from home. They are responsible

for any additional premiums. If the staff member is required to work from home by the organisation, or the contract is home based, we will contribute to extra costs.

### **Managing the homeworking**

Staff who work from home are subject to the same rules, procedures and expected standard of conduct and performance as all others. Duties, expectations, and responsibilities apply in the same way as if they worked in the office or a building, as do our general workplace policies and procedures.

Unless otherwise indicated, the employee should continue to work their normal hours while homeworking.

If the member of staff wishes to change their hours, they should discuss this with their line manager. There are, however, core hours during which they must be available to respond to calls and emails etc. and these working hours are set out in the contract of employment.

While homeworking, staff members should ensure they take adequate breaks.

As a minimum you must take a break of at least 20 minutes for every six hours worked per day.

We want all employees to remain as involved as possible in our organisation and activities while working from home. This includes having access to the organisation's news, events, meetings, including team meetings for which they may be required to attend the office, and activities which may appear on our website at [www.mindincroydon.org.uk](http://www.mindincroydon.org.uk) or via internal communications.

Members of staff will be expected to contact their line manager at least once a day unless agreed otherwise and comply with any formal reporting procedures.

The line manager will keep in contact with the member of staff during homeworking via phone, email, video conferencing, and face-to-face meetings.

Your line manager will organise regular supervision meetings with you.

If the member of staff at any point feels isolated, left out, or lacking guidance or support they should discuss this with the line manager.

On occasion, the staff member may be required to attend the workplace for purposes such as training, formal meetings, team away days etc. These dates will be arranged in advance. Where an IT or other problem prevents the member of staff from working effectively from home, they should contact their line manager immediately. They may need to come into the office until the issue has been resolved.

If the member of staff cannot work on a homeworking day because of illness or injury, they should follow the procedure set out in our Sickness Policy.

### **Expenses**

We will reimburse the member of staff for reasonable postage, photocopying, printing costs and reasonable travelling costs in respect of meetings with clients/service users/customers. Expenses should be claimed on a standard expenses form.

### **Health and safety**

Homeworkers have the same health and safety duties as other workers. They will be required to take reasonable care of their own health and safety while working at home and should comply with our Health and Safety policy and follow all health and safety instructions

issued by us. We may carry out periodic health and safety risk assessments of your homeworking, as well as maintenance checks and electrical testing if necessary.

The Health and Safety at Work Act 1974 states that an employer shall ensure, so far as is reasonably practicable, the health, safety and welfare at work of all employees. As the control that can be exercised over an employee working remotely is limited, the main responsibility will be with the employee under Section 3 (2) of the Act. This places obligations on employees working remotely to ensure that they and other people who may be affected, including other members of the household as well as the public, are not endangered by work activities undertaken remotely using Mind in Croydon equipment.

All employees who work remotely must ensure that they have a suitable environment in which they can focus on work. Employees must ensure that they can work free from disruption, e.g. by having adequate care arrangements in place for dependents who may be at home during working hours.

If the employee has any health and safety concerns, or if an accident or incident takes place, they should immediately report these to their Line Manager.

It is not appropriate for members of staff to hold client or other work-related meetings in their home, or to give out personal details like your address, personal phone number, personal e-mail address etc.

### **Wellbeing**

Being a homeworker can be challenging and isolating. You are encouraged to identify what support is needed and share this with your line manager. It is important to consider communication preferences, what to do when a line manager cannot be contacted, and what you need to stay well while working at home.

### **Security, confidentiality and data protection**

Our high standards must be maintained at all times. Homeworkers should familiarise themselves with our policies, particularly our Data Protection policy.

Members of staff will be responsible for ensuring the security of all equipment, documents, and information; and must take all necessary steps to ensure that private and confidential material is kept secure at all times. In particular, they are required to:

- password protect any confidential information held on their computer
- lock their computer whenever it is left unattended
- store confidential papers securely when not in use
- ensure the secure disposal of any confidential papers
- comply with our policies in these areas.

Only equipment that we have authorised may be used for homeworking; and IT and other equipment issued by Mind in Croydon must not be used by other members of the family or household for any purpose.

Whenever a member of staff is prompted to install a legitimate update to a computer or other equipment, this must be done straightaway.

Any actual or potential breach of security, confidentiality, or data protection must be reported to your line manager or the Chief Executive immediately.

If a member of staff is unsure about any aspect of security, confidentiality or data protection, they must speak with their line manager.

**Accessing your home**

We may need to access the home to set up the homeworking and to carry out risk assessments, checks, and repairs to our equipment.

We may also need access in order to retrieve our property, whether during the homeworking, at the end of the homeworking arrangement, or when the employment ends. We will give as much notice as possible that we need to enter the home and the member of staff must cooperate with our reasonable requests.

**What if you move to a new house?**

If the member of staff moves to a new house, we will reassess the homeworking arrangement.

If we consider that the house move would make, or has made, homeworking unsuitable, we will discuss this with the member of staff, and we may decide to bring the homeworking arrangement to an end. If that happens the member of staff will usually be able to return to their previous arrangements, although that cannot be guaranteed.

**Ending the homeworking arrangement**

If a member of staff wants to bring the homeworking to an end, they should speak with their line manager.

We may decide to end a homeworking arrangement on reasonable notice if we think that it is not working as it should, or that it has become or will soon become unsuitable.

If homeworking has become unsuitable because of conduct or performance, we may terminate the homeworking arrangement immediately and ask the member of staff to return to the normal location for the role.

We may decide to implement our Disciplinary policy, which could lead to the member of staff being suspended and/or the employment being ended.

Upon termination of the homeworking arrangements, all equipment provided to facilitate this arrangement should be returned to us.