Agile Working Policy

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1.   Aims and Objectives

1.1   The Trust is committed to modern working practices that enable colleagues to maximise their performance and productivity, while maintaining a positive work life balance. One of the ways we can do that is by putting agile working arrangements in place, where appropriate.

1.2   Agile Working supports a culture of trust and responsibility which focusses on results and performance and is based on the concept that work is an activity that we undertake rather than a place that we go. It is about finding ways of working, within certain parameters specific to each team, that increase people's ability to manage their work-life balance and enhance their wellbeing, while still meeting the objectives of their role. This may require us to challenge our assumptions that certain work must be carried out in a specific location or during certain hours.

1.3   Agile Working is an informal, flexible, temporary arrangement and therefore does not require a formal change to terms and conditions and is likely to vary across different teams, roles, and projects and over time. Permanent requests to change work arrangements should be treated as a flexible working request, see Flexible Working Policy.

1.4   Agile working practices hold several benefits for the Trust and colleagues:
- Enhancing the Trust's reputation as employer of choice
- Increased flexibility for colleagues
- Potential improvements in colleague wellbeing and productivity
- Improved continuity and efficiency of services with greater resilience to unplanned events such as inclement weather, disruption to public transport, and pandemic situations
- Improve the recruitment and retention of skilled colleagues who may benefit from a greater flexibility in working arrangements and an improved work-life balance
- Releasing opportunities for improvements in efficiency and cost effectiveness
- Supporting diversity within the workforce

1.5   In addition, the development of new agile working practices will directly support other initiatives which support the Trust's commitment to sustainability through a reduction in mileage and production of paper documentation.

1.6   This policy provides a medium for consistency and fair practice when implementing and maintaining an agile working environment. It will support all colleagues to gain a better understanding of agile working and the principles to consider and apply to specific roles/teams. The primary focus must be on meeting the needs of the service within agreed boundaries.

2.   Definitions

2.1   In total the Trust recognises three methods of agile working which may be considered, where appropriate for the role and individual:

Location
1.   Working from other agreed Trust premises
2.   Home working
Hours
3.   Flexible hours

2.2   **Flexible working:** is the term used to describe the way colleagues can permanently request a change to their base location, hours of work or working pattern and is applied for through the Trust's Flexible Working Policy.

2.3   **Flexible hours:** is a form of agile working, where a colleague's contracted hours are worked but with changes to when they are undertaken in line with their agile working agreement.

2.5   **Office Worker - Fixed**
A colleague whose job role requires them to be based at a designated Trust location/base. These colleagues are allocated to one desk because they are unable to carry out their role remotely or from home.

2.6   **Office Worker - Agile**
A colleague whose job role requires them to be based at the same designated Trust location/base but who can work from other Trust locations or from home on occasion. These colleagues will not usually be allocated a specific desk from which to work.

2.7   **Hot desk / Hot desking** - refers to a designated shared workspace for any colleague to use.

2.8   Individuals who have special equipment or an adapted workstation will be allocated a specific desk. This may not necessarily be for their sole use and when they are not using the computer or workstation it may be available for use by others.

2.9   **Shared workspace** - This includes bookable meeting rooms and breakout areas that are available for any colleagues to use.

2.10   **Designated Base** - This is the contractual work-base.

2.11   **Union Representative** - Accredited Trade Union Representatives from a SECAmb recognised Union.

3.   Scope

3.1   This policy is applicable to all colleagues who wish to work in an agile manner. Whilst this policy applies to all Trust colleagues, including agency staff and colleagues from other organisations, some options for agile working may not be operationally practical for certain job roles.

3.2   The ways in which agile working can be undertaken is dependent on the demands and needs of the role, the preferences of colleagues, and the circumstances and department they work in, as such, agile working may be adopted at varying levels across the Trust and will be agreed between colleagues and their line manager.

3.3   This policy does not replace the Trust's Flexible Working Policy, which should continue to be used to request permanent changes to hours, location or working pattern. The Trust's HR Advisory and Business Partnering Team will be able to provide further advice and guidance on which policy should apply.

3.4   This policy is limited to agile working requests within the UK. There is no provision for working outside of the UK.

3.5   Agile working aims to support the Trust's Values by:

- **Taking Pride -** Putting the patient/service user at the centre of all decision making/solutions. Service provision should always come first when considering agile working boundaries and agreeing expectations with colleagues.
- **Assuming Responsibility** - Focusing on delivering quality outcomes and improving performance rather than on artificial

measures of success such as whether someone is visible during work hours.

- **Acting with Integrity** - Developing both a responsive and proactive workforce by enabling colleagues to work within a culture of trust and responsibility focusing on results and performance.
- **Demonstrating Compassion and Respect -** Emphasising the importance of wellbeing, diversity, and equity across teams; particularly in creating an improved work/life balance by providing opportunities for colleagues to work in different ways.
- **Striving for Continuous Improvement** Supporting teams through the change to an agile working model to ensure best practice and lessons learned are shared and embedded into core business.

4.   Principles

4.1   All colleagues should be supported to adopt agile ways of working.

4.2   The Health and Safety at Work Act 1974 states that an employer shall ensure, so far as it is reasonably practicable, the health, safety and welfare at work of all employees. This extends to colleagues who work agilely at Trust sites and colleagues who may work from home, as such, the Trust will make available:

- Home Working Risk Assessment.
- Display Screen Equipment (DSE) Risk Assessment.
- Statutory and Mandatory Training.
- All workspaces will be subject to the latest government advice and guidance in relation to working safely.

4.3   All colleagues identified as agile workers will be provided with appropriate IT equipment (Laptop, Keyboard, Mouse, USB Headset, Monitor, Mobile Phone), as necessary, upon request through the Marval portal.

4.4   Colleagues may privately purchase additional equipment such as a desk, chair, monitor riser, desk lighting, mouse mat up to a value of £150. Receipted costs should be claimed via e-expenses. The Trust will reimburse the approved expenses up to the maximum value of £150. Any privately purchased equipment will remain the property of the individual and will not be recoverable by the Trust at any time.

4.5   Additional/ replacement equipment identified through the DSE risk assessment, Agile Working Agreement or agreed with the line manager can be requested on a case-by-case basis. Colleagues requiring equipment as a reasonable adjustment may consider an application for funding via the Governments Access to Work Scheme.

4.6   In circumstances where a colleague is unable to purchase equipment by the reimbursement process, as in 4.4 above, office equipment/ furniture should be requested via the Marval portal and will be supplied by the Trust. Equipment/ furniture supplied this way will be the property of the Trust and will be recoverable should a colleague no longer require this to undertake their job role or upon leaving the Trusts employment.

4.7   In the event that employment, home working or an agile working agreement ceases colleagues are required to return Trust equipment. Should any colleague not co-operate then the Trust may seek to directly recover any expenses or losses incurred.

4.8   Colleagues are encouraged to ensure they take breaks as set out in the Working Time Regulations policy, i.e., a minimum 20 minutes for every 6 hours work.

4.9   All colleagues have the right to privacy out of hours enabling colleagues to separate work and non-work time.

4.10   Unless required to maintain round the clock services to deliver patient care, services should not extend their working hours into the unsocial hours' periods. Colleagues who choose to work in unsocial hours will not attract unsocial hours enhancements. Colleagues who are required to work outside of these times will be eligible to receive unsocial hours payments in line with Agenda for Change terms and conditions of service.

4.11   Variations to terms and conditions, where required by the Trust, will not be made without prior consultation, in line with the Trust's Organisational Change Policy.

4.12   Regardless of location or working hours all Trust policies, practices, and procedures will apply at all times.

4.13   Colleagues must note the ability to work from home is not a substitute for childcare or similar carer responsibilities. It is the colleague's responsibility to ensure adequate provision or flexibility is in place.

4.14   The Trust will not meet any additional costs that colleagues may incur when working from home, with the exception of agreed costs for workplace equipment.

5.   Roles and Responsibilities

5.1   Chief Executive Officer

The Chief Executive Officer has overall responsibility for ensuring that measures are taken to ensure that agile working is implemented in a manner which is consistent with this policy. The accountability for implementation of these measures is devolved to Executive Directors and Heads of Service.

5.2   Executive Directors/Heads of Service/Senior Managers

- A culture of agile working is promoted and that barriers to agile working are reduced.

- Managers are supported to implement/promote the development of an agile working culture.

5.3   All Colleagues

- Working and agreeing with your manager how you can work in an agile manner and deliver outcome-based measures of performance, via an agile working agreement.

- Completing a DSE Assessment and Risk Assessment (if working from home).

- Ensuring that statutory and mandatory training is maintained and up to date.

- Maintaining appropriate communication with your manager and other colleagues.

- Work from your base or other Trust sites as required to attend meetings, training, supervision or perform the duties of their role.

- Seeking agreement from your line manager, in a timely manner, for any changes to agreed agile working arrangements.

- Raising any concerns and reporting issues, including those relating to health and safety and data protection to your line manager, as soon as reasonably practicable.

- Ensuring that all information is handled in accordance with the Trust's Information Governance and IT policies, as follows:

- Confidential and sensitive data is stored securely so that it cannot be accessed by other parties.

- Any loss of confidential information or data breaches to the Trust must be reported in line with the relevant policies as soon as reasonably practicable.

- Requesting and reporting faults of IT and workplace support equipment via the Trust's Marval Portal. Attending a Trust location where physical IT support is required ie device swap.

- Taking reasonable care of all equipment provided by the Trust regarding condition, working order and security. If equipment is stolen, the theft must be reported to IT via the Trust's Marval system and to the police where a crime reference number must be obtained and logged on the Trust's Incident Reporting System.

- Ensuring visiting colleagues feel comfortable, safe, and welcome when using hot desks or shared workspaces.

- Ensuring standards of behaviour are maintained, and you are respectful of shared workspaces wherever you work, leaving any hot desks in a clean and tidy manner.

- Colleagues working in an unfamiliar environment must familiarise themselves with the security, first aid and fire safety arrangements for the area. This includes fire safety notices, exit routes, fire assembly arrangements for the building. Reference may need to be made to the Trust's Fire, Health, Safety and Security policies for further information.

- Seeking further advice and support where required (e.g., your line manager, HR Advisor/Partner for your business area, union representative).

5.4 Managers

- Promoting agile working and ensuring all requests are considered fairly and objectively, remaining focused on the needs of the business and service requirements.

- Considering arrangements at a department, role, or individual level, considering any implications associated with agile working, including any risk assessment and display screen equipment (DSE) requirements, prior to confirming an agile working agreement.

- Fully considering any reasonable adjustments that will allow a colleague to benefit from agile working.

- Seeking further advice and support where required (e.g., your line manager, HR Advisor/Partner for your business area, union representative).

- Retaining all agile working agreements and the corresponding assessments.

- Regularly review the agile working arrangements and as a minimum, annually.

- Ensuring agile working arrangements do not adversely affect the provision of services and that systems are in place to maintain suitable office/department presence, as required.

- Ensuring that effective communication is maintained with all team members regardless of their agile working arrangements and that colleagues are encouraged to be part of a team.

- Ensuring that all specific expectations of the agile working arrangement are clear to the colleague, including measurable objectives and what constitutes effectiveness in the delivery of their role.

- Maintaining regular reviews such as appraisal and one-to ones to help support wellbeing and performance.

- Communicating the changes to other Trust colleagues/departments/ service areas as necessary.

5.5   Information Governance (IG) Team

- Ensuring IG related policies reflect the requirements of this policy.

- Providing information, support, and advice in relation to IG elements of agile working.

5.6   Information Technology Team

- Maintaining the Trust's IT infrastructure in a manner which will reasonably prevent security breaches relating from agile working.

- Providing appropriate technical support to colleagues for Trust issued IT equipment.

- Maintaining the IT equipment asset register with information on which colleagues have agile working equipment so that records can be updated, and the use of assets can be monitored.

5.7   Human Resources

- Providing advice and support in the application of this policy, ensuring that fairness and consistency are applied.

- Supporting managers and colleagues to develop and promote a culture of agile working and identifying and reducing any barriers.

- Ensuring that other related HR policies reflect the requirements of this policy.

- Advising on the completion of workspace risk assessments or reasonable adjustments that may be required to enable agile working.

- Providing resources, guidance, and appropriate training.

- Issuing contracts/variation to contract of employment in writing, as appropriate to the agile worker category.

5.8   Union Representatives

- Providing advice and support in the application of this policy, ensuring that fairness and consistency are applied.

6.   Agile Working Request

6.1   Where an individual wishes to request to work in an agile way they should discuss this with their manager and together work through the agile working arrangements, via the agile working agreement form. If there are any manageable risks, the manager and colleague should agree specific control measures, to determine whether the request can be accommodated.

6.2   It is important for colleagues to remember that not all roles within the Trust will be suitable for this style of working.

6.3   Managers must ensure that both they and their colleagues fully understand how agile ways of working can be successfully adopted and there should be evidence that both parties are in agreement with the agreed working practices. In addition, both managers and colleagues are responsible for ensuring that, once established, the arrangements continue to work effectively and are reviewed on a regular basis.

6.4   When determining the appropriate style of working the following will be considered:

- How will the agile working proposed improve or enhance the service and/or the performance of the colleague.
- How will working in an agile way impact the health, safety, and wellbeing of the colleague.
- Whether the request is to enable a reasonable adjustment to be accommodated or where a colleague has existing reasonable adjustments in place and how these can be adapted to support agile working.
- Whether the colleague has the necessary internet access and data privacy requirements.
- The ability for the colleague to perform their role effectively and meet the needs of the business.
- Whether the colleague needs to be located with or near another team or colleague.
- Whether the job role can only be carried out in an office environment/ fixed desk.
- Whether there are specific times of the day or week when individuals need to be at work in order to meet service requirements.

7.   Agile Working Agreement

7.1   Expectations should be made clear to colleagues in terms of:

- Output – What are the agreed measurables such as data quality, timeliness of record keeping, caseload management and other related performance measures.
- Availability - There may be specific times of the day or week when individuals need to be contactable to meet service requirements.

7.2   It is advisable to plan and agree a work programme for colleagues so that other team members are aware of an individual's working patterns, current location and contact arrangements. Hours of work must be agreed in advance, enabling colleagues to separate work and non-work time.

7.3   Where agile working arrangements are agreed these will be confirmed on the agile working agreement form.

7.4   If agile working is not deemed appropriate, the manager should confirm this in writing, explaining the reasons why the request has been denied. The line manager may wish to seek HR advice in such instances. The colleague may appeal against the decision via the Grievance Policy.

8.   Monitoring and Review

8.1   The effectiveness of agile working will regularly be monitored by the line manager to ensure that:

- the agile working practices continue to meet the operational needs of the business.
- the required levels of performance and behaviour are being maintained.
- The on-going wellbeing of colleagues is not negatively impacted.

8.2   Agile working arrangements, including the risk assessments, should be reviewed:

- On a regular basis through 1:1s and as a minimum, annually as part of an appraisal to ensure that the arrangements continue to be support the colleague's performance. Where performance is adversely impacted, the manager should take appropriate steps to ensure colleagues have received the support and training they need to perform effectively in their role. (See Supporting Performance Improvement Policy).
- When there is a change of home address to review whether contractual and agile arrangements are affected.
- When a colleague's health changes to ensure arrangements continue to support their wellbeing.

- Where the agile working agreement no longer meets the needs of the service to review whether the arrangements can be adapted accordingly or if they will need to be withdrawn.

8.3 If a colleague is finding that the agile working arrangements are no longer suitable for them, they should discuss this with their line manager so the adjustment/withdrawal of the arrangements can be discussed.

8.4 Abuse of an agile working arrangement could lead to arrangements being terminated and/or disciplinary action being taken in accordance with the Trust's Disciplinary (Managing Concerns) Policy.

9. Communication

9.1 Some colleagues may be uncomfortable with change, feeling the loss of a permanent desk and the reduced face to face contact with colleagues. Having agile working practises in place means some colleagues won't always be working at the same place or time as their line manager and other colleagues. This makes effective communications between a colleague and all their key stakeholders even more important.

9.2 It is recognised that there are a number of communication methods available, and individuals have their own preferences. Managers should adapt to both the needs of the individual and the team in their methods of communication. To aid effective communications, please refer to the Agile Working Toolkit.

10. Training & Development

10.1 Training and career development opportunities should remain unchanged, irrespective of the colleague's working pattern/base. It will be the responsibility of the line manager to ensure colleagues receive appropriate training for their role and are advised and encouraged to participate in career development.

11. Conditions of Service

11.1 Use of Private Vehicles for Business Purposes and Claiming Expenses

11.1.1 All colleagues will continue to use their contractual base for travel claims purposes and the agreed rules on mileage apply. Colleagues working agilely can claim travel expenses only when the home to base mileage has been exceeded.

11.2   Working from Home

11.2.1   Insurance - The Trust's Property Insurance covers up to £1m in the event of Trust property causing damage to employees' home. There may be other insurance implications and colleagues are responsible for checking/advising their insurance company of any home working arrangements and, if applicable, taking out an appropriate policy to cover any additional risks.

11.2.2   Tenancy Agreements and Leases - Colleagues renting or leasing property should refer to the terms of their agreement to check if the Landlord's or Council's consent is required to work from home. If there is any doubt the Landlord or Council should be approached. Colleagues should also check their tenancy/mortgage agreements to ensure there are no provisions that prohibit home working.

11.2.3   Liabilities and Tax Implications - It is unlikely that working from home will have any impact on a colleague's tax liability, either for income tax, council tax and business rates purposes. Refer to: https://www.gov.uk/introduction-to-business-rates/working-at-home

11.2.4   Tax Relief - Colleagues working from home might be eligible for tax relief on their costs associated with utility bills and telephone costs. Colleagues should refer to Claim tax relief for your job expenses: Working from home - GOV.UK (www.gov.uk)

12.   Monitoring & Compliance

12.1   Compliance with this policy will be monitored by the appropriate line manager and any issues will be raised with the responsible manager and/or the relevant directorate.

13.   Audit and Review (evaluating effectiveness)

13.1   This policy will have its effectiveness audited by the HR Working Group at regular intervals, and initially six months after a new policy is approved and disseminated.

13.2   Effectiveness will be reviewed using the tools set out in the Trust's Policy and Procedure for the Development and Management of Trust Policies and Procedures (also known as the Policy on Policies).

13.3   This document will be reviewed in its entirety every three years or sooner if new legislation, codes of practice or national standards are introduced, or if feedback from employees indicates that the policy is not working effectively.

13.4   All changes made to this policy will go through the governance route for development and approval as set out in the Policy on Policies.

14.   Associated Trust Documents

- Agile Working Toolkit
- Flexible Working Policy
- Fire Safety Policy
- Health, Safety and Security Policies
- Information Governance Policies
- Information Technology Policies
- Lone Working Policy
- Supporting Improvement (Capability) Policy
- Lease Car Policy
- E- Expenses Policy
- Display Screen Equipment.
- Travel and Subsistence Policy
- Manual Handling Policy
- Business Continuity Policies
- Handling Concerns Policy
- Maternity Risk Assessment
- Organisational Change Policy
- Disciplinary (Managing Concerns) Policy
- Access to Work Guidance

15.   References

Current statutory legislation that is relevant to home working includes:

- Health and Safety and Work Act (HSWA) 1974
- The Management of Health and Safety at Work Regulations (MHSW) 1999
- The Health and Safety (Display Screen Equipment Regulations) (DSE) 1992
- Provision and Use of Work Equipment Regulations (PUWER) 1998
- The Equality Act (EA) 2010

16.   Financial Checkpoint

16.1   This document has been confirmed by Finance to have financial implications and the relevant Trust processes have been followed to ensure adequate funds are available.

17.   Equality Analysis

17.1   The Trust believes in fairness and equality, and values diversity in its role as both a provider of and as an employer. The Trust aims to provide accessible services that respect the needs of each individual and exclude no-one. It is committed to comply with the Human Rights Act and to meeting the Equality Act 2010, which identifies the following nine protected characteristics: Age, Disability, Race, Religion and Belief, Gender Reassignment, Sexual Orientation, Sex, Marriage and Civil Partnership and Pregnancy and Maternity.

17.2   Compliance with the Public Sector Equality Duty: If a contractor carries out functions of a public nature then for the duration of the contract, the contractor or supplier would itself be considered a public authority and have the duty to comply with the equalities duties when carrying out those functions.