Agile Working

Contents

Policy Statement

Summary

West Yorkshire Police (WYP) recognises the need to develop modern working practices and the benefits of having individuals working in different ways; in order to maximise performance of the individual and of the organisation primarily in order to meet operational needs effectively.

This policy outlines a clear and consistent approach to support and manage individuals who are agile workers. It explains the types of agile working how officers and staff can apply, covering different conditions and contractual issues and suitability of different roles.

The nature of agile working means that any decision to agree to this type of working pattern is dependent on:
• The requirements and suitability of the role;
• The facilitates in place to support the individual;
• The service being delivered by the individuals department, and the organisation; and
• The welfare of the individual.

Any decision to adopt a form of agile working will be on the basis of a mutual agreement between an individual and the organisation supported by clear objectives and performance measures or work outputs, which will be reviewed on a regular basis.

Scope

This policy applies to all police officers and police staff.

Principles

General

• All requests for agile working must be submitted via an Agile Working Application Form.
• There are three working style options that can be considered, these are a fixed/specialist approach, mobile working or remote working.
• There is no automatic entitlement to participate in any particular work style arrangement or to continue in a nominated work style.
• The scheme is based on the principle of no loss of grade, status or career prospects as a direct result of a change in work style.
• Agile working is not for specific requests to work solely from another police station.
• Each individual will be given training where necessary.
• It is expected that individuals working from home will always be available. There is no entitlement to work agile on any nominated day and if the individual is required to attend their normal place of work or another location they must do so, even at short notice.

- If the individuals performance does not meet the organisational requirements of 'meeting expectations' or the individual fail to meet the attendance standard during the agile working review, the individual should expect to lose the right to agile work.
- Full time employees participating in:
  o 'Remote' working will be expected to routinely work either two or three days each week from home, no more than four days; or
  o 'Mobile' working will work at home, at their workplace or from other places as necessary, no more than four days at home.
- Part time employees can participate in agile working, but must work from their normal place of work at least one day a week.
- Childcare or any other caring responsibilities must not be combined with working from home. In the event of an emergency, the individual must consult with their Line Manager with a request for alternative arrangements.
- Agile working may be considered as part of an individual's recuperative duties package in line with the **Attendance Management policy**.

Equipment

- All the equipment supplied will be subject to management agreement and agile working approval based on the circumstances of each individual and following consideration of the costs and benefits.
- Agile working individuals may require telecommunication equipment for work use. This will be subject to local business support arrangements.
- In the event of any failure of equipment at the individuals home and this prevents them from working, and cannot be repaired within half an hour, they must either return to a building which will allow them to continue working or request flexi/annual leave informing their Line Manager at the earliest convenience.
- For any IT problems, the IT service desk is the first point of contact who will attempt to solve any problems initially, and if not possible they will arrange an appropriate solution.
- In cases where laptops or port replicators require repair, the individual must return them to the IT department promptly, a stock of spare equipment will ensure working arrangements can still be adhered to.
- The Forces systems automatically log individual's use of systems at work such as internet and email. The organisation reserves the right to audit the contents of these logs without prior notification and any inappropriate usage may result in disciplinary action.
- IT equipment is provided for work use only. Only software supplied and approved by the Force may be installed via an IT Installer. All other software, including games is not allowed.
- The Use of Internet policy must be adhered to when working agile.
- Printing facilities will not be provided, laptops will be configured to use workplace printers. Documents must not be printed at home.
- It is expected that all hardware IT equipment will be provided, unless the individual seeks approval from their Line Manager to use their own that is compatible and suitable, yet this equipment if used will not be supported

by the IT department and Individuals must use their own warranty.
- Equipment, documents and material supplied by the Force must be returned immediately and in working order and good condition when:
  - Employment is ending;
  - Agile working arrangements cease to be used or ends due to review; and
  - Management requests its return.

Expenditure

Principles
- The Force will not pay for the following and the individual will be responsible for:
  - Any additional costs incurred in terms of energy and other utilities at their home;
  - Furniture and equipment required to enable the individual to perform duties from home. If temporary reasonable adjustments are required, these will be considered on a case by case basis. However on occasion, reasonable adjustments may require the individual to stop agile working for a period of time;
  - Internet connection and rental charges;
  - Any existing and ongoing rental on equipment belonging to the individual such as the telephone line for access to internet;
  - Any additional costs in home insurance; and
  - The cost of moving or installing the equipment at the current home if the individual moves home.
- Expenses will be paid in accordance with the travelling expenses and time policy. Where an individual works from home, their normal workplace will still be classes as their 'usual place of duty'. No payment will be made if the individual must travel to the usual workplace when scheduled to agile work, unless the return journey is done more than once in a day.
- If the individual is required to travel to an alternative workplace when scheduled to agile work, any excess mileage incurred above the normal return mileage from home to the usual workplace may be claimed via the PROACTIS system following Force policy.
- Any documents stored at home must be produced promptly on the reasonable demand of managers, internal audit, or authorised external agencies such as HM Revenue and Customs. Failure to do so could result in a retrospective assessment to Income Tax and/or a claw back of expenses.

Information Security and Data Considerations

Principles
- Individuals will be personally responsible for the security of the data in their possession and should comply with all relevant legislation.
- Individuals must adhere to the agile working security operating guidance and not allow any other individuals including family members to access any

Force data. All documents must be dealt with in accordance with the Handling of Protectively Marked material guide. Failure to comply is likely to result in disciplinary action.

- Up to date anti-virus software and firewall protection will be installed on Force equipment and mechanisms will be put in place to ensure updates on an ongoing basis.

Application Process

Information

- In order to submit a request for agile working, Individuals must submit the Agile Working Application Form.
- Line Managers must consider the request discussing the appropriate options with the individuals, informing them of any recommendations within 14 days. Then submitting the form and decision to the Senior Leadership Team (SLT) for approval informing the individual within a further 14 days of the outcome.

Application Approved

- Line Managers must inform the individual and HR via confirmation email when the new working arrangements will be effective from.
- The working arrangements will be on a voluntary basis and no contractual changes to the Contract of Employment should be made.
- Where the agreed work style refers to an individual working from home, the agreement is only effective from that stated address, which is not transferable without formal agreement of the Force.

Appeals Process

- If the request was declined, individuals have the right to appeal. Line Managers must inform the individual their request has been unsuccessful.
- An appeal in writing may be submitted due to one of the following reasons:
  - The individuals Line Manager has provided recommendations that do not support the initial application;
  - SLT have not approved the application; or
  - Current agile working arrangements have been terminated.
- The appeals process is a 28 day period where the appeal will be independently reviewed at the Appeals Panel. Their decision will be final and the individual will be informed in writing.
- If the appeal is upheld, the current agile working arrangements will be amended to reflect this and documents relating to the appeal will be retained on personal records.
- In some cases a decision on the job role suitability for agile working arrangements needs to be challenged to ensure a decision is applied consistently and fairly to the same role across the organisation. An individual, Line Manager, District Commanders and Departmental Heads can challenge a decision through the Agile Working Board using the

suitability outcome process.

Conditions and Contractual Issues

Principles

- If you apply internally for another post, you must apply for the post on the basis of the working pattern/locations as per the job advertisement. There is no automatic right to continue working on your current agreed work style arrangement. A new request must be submitted after three months of being appointed a new post.
- Sickness absence whilst working agile must be reported in the usual manner following Force Policy.
- For individuals taking Maternity, Paternity, Shared Parental or Adoption leave; the issued agile equipment can be retained for keeping in touch but there is no expectation to undertake any sort of planned work whilst on leave. For the laptop to maintain functionality over the leave period the individual will be required to commit to networking in at a Police building at least every 8 weeks. Alternatively, the agile equipment can be returned to IT dept.
- Line Managers must agree and specify with their staff frequent reviews of the working arrangements, attendance standard and performance that should be undertaken 3 months after initial implementation of the arrangement and then an annual review thereafter. An ongoing review period will ensure that the needs of both internal and external customers are met.
- If following a review it is identified that the particular work style is not appropriate, discussions with the individual and Line Manager should take place and where possible agreed. The individual and HR team must be notified via written confirmation to initiate a trail period of the new arrangements which will also be subsequent to an annual review.
- If a working arrangement is proving to be ineffective, there is the provision for either party to terminate the agreement following due consideration. In such cases a months' notice must be given and the reasons for the termination documented. This followed by a discussion on new working arrangements more suited to the individual or the role.
- There may be exceptional circumstances where a shorter notice period or no notice of termination can be given, this may be in cases of serious concern of abuse of Force policy, health and safety issues or significant business demands. Disciplinary procedures can be implemented where necessary.
- New external individuals who are appointed to a role within the organisation will not be eligible for agile working until their probationary period is completed.
- If work issues arise during the individuals agile working arrangements, every effort will be made to resolve them, but in some cases it may be necessary for further discussion to agree a way moving forward.
- Not all agile working arrangements will be successful either from the

service or the individual's point of view, so reviews can occur at any point. Managers must only terminate an individual's agile working arrangements:

o For sound business or performance reasons; or

o The outcome of a DSE workplace assessment; and

o After consulting fully with the individual.

Working Arrangements

Line Managers
- Line Managers must ensure that there are appropriate and effective communication channels implemented according to the role duties and the individual when working agile. It is important that individuals are aware of the duties and their responsibilities and through their actions they do not expose WYP to any unnecessary financial, legal or contractual risk.
- Existing performance measures must be used to monitor team and individual performance to set clear objectives and outputs for all individuals who work agile and those who do not.
- The working time regulations limit the working week to 48 hours. While it is unlikely this will be exceeded on a regular basis, Line Managers must monitor the hours staff are working even when agile to ensure there are no impacts on health, taking the appropriate action where necessary.

Individuals
- Any problems identified in the timely completion of assigned tasks must be communicated to management at the earliest opportunity, taking personal responsibility to maintain performance even when working agile.
- Officers must continue to use CARM in the usual way when working agile.
- Staff must continue to use CARM in the usual way, to work according to their working time arrangements and can utilise the 'flexi-time' arrangements when working agile.
- Good practice must be maintained when working agile to not abuse for policy regarding the use of systems and break periods when working agile.
- Overtime will require the usual management approvals.
- It is a requirement to keep any 'Outlook' calendars or similar online diaries up to date to ensure Line Managers can keep a record of planned activities and events and make communication when required, with the calendar showing available and working.
- Travelling time can only be claimed when in excess of the normal return journey from a home address to the usual place of work. This is irrespective of the time of day which the travelling occurred.
- When working from home, agile workers are classed as at work and must attend the usual place of work or other location when required, this may be with notice or not. Home addresses are not classed as the usual place of work.
- Workstations will not be routinely allocated to an individual. They are a shared resource and can be used by anyone in the workplace. Certain areas may be given priority to be used by certain teams or individuals to

facilitate working where necessary.
- Certain individuals may retain a personal desk/chair or other adjustments where this supports the individuals identified adjustment under the Equality Act 2010.
- The **Clear desk and clear screen policy** must be adhered to by all when working in the usual place of work or agile. For personal property and/or information a locker will be supplied for storage.

Health and Safety

- Everyone is advised that they are required to follow the Health and Safety Guidance document prepared for agile working.
- In accordance with the Health and Safety at Work Act 1974, Working Time Regulations, Display Screen Equipment Regulations and other safety regulations, the Force has an obligation to ensure that all employees' health and safety is safeguarded whether any work for the Force is conducted at a Force site or at home.
- Individuals who are agile workers are to take due care and attention ensuring any equipment is utilised for and cared for appropriately so as to not impair anyone's safety. Any health and safety issues arising or identified while working at or from home must be notified to Line Managers or a Health and Safety Officer immediately.
- Each agile worker must complete a DSE Assessment for their home working environment. The initial assessment is to be checked by a DSE assessor, if there are no future changes, periodically assessments should be conducted by the user.

Personal Security

- All personal details must remain confidential at all times and must not be released to clients and service users. It is essential that home addresses are not used by individuals for meetings, all meetings should be held on Force premises.
- If the Force has provided a mobile telephone, then this number should be passed on to service users.
- Personal security protocols must be discussed with Line Managers before individuals commence agile working.

Responsibilities

Line Managers

Line Managers are responsible for:
- Advising their District or Departmental Head about the intention of team members wanting to apply for agile working before the decision is made to ensure consistency across all teams and any additional funding costs for equipment or licences, e.g. growth within the department.
- Following the application process once an individual has submitted their form, ensuring a valid discussion has taken place and the individual is satisfied.

- Taking into account the considerations, in relation to duties, other colleagues, communication channels and mechanisms for performance measurement that will determine whether the agile working arrangement is suitable, encouraging greater levels of empowerment and responsibility to the individual.
- Ensuring all legislation, policy and guidance is adhered to as regards health and safety assessments for individuals at their agile working location, and that individuals are made aware of their rights and responsibilities within this policy.
- Ensuring the individual is vetted to the appropriate level of their post and the sensitivity of information they have access to, and that they meet system security;
- Consulting with the individual on their request making a decision based upon:
  o Their Performance Development Review (PDR), obtaining a minimum overall rating of 3 'meeting expectations'. If this is below, it will trigger a review of their current arrangement;
  o Their attendance record, considering the attendance management standard that must be met; and
  o Their suitability as an individual, and the role requirements if agile working is appropriate.
- Ensuring a request is sent to the **Agile Working Project Mailbox** when an individual leaves the organisation or moves from the role so the agile equipment can be re-allocated and set up by IT for another user. All agile equipment is a force asset and may be subject to recall at any time and is not to be re-issued by the Department or District.

Individuals	Individuals are responsible for:

Individuals are responsible for:

- Adhering to all policies and legislation in relation to working agile, carrying out the required assessments for a safe working environment, working cooperatively with the Force;
- Liaising with any necessary parties such as landlords, insurance or mortgage companies and HMRC in relation to agile working arrangements.
- Identifying a suitable location and internal environment that is suitable to carry out health and safety checks for agile working;
- Ensuring insurance policies cover the use of personal equipment if used as part of agile working, notifying management immediately if there is damage to your own property and force equipment regardless of blame initially;
- Ensuring all Force equipment is looked after and stored securely within the agile working location, as individuals are responsible for any loss arising from misuse, abuse, wilful damage or negligence, which will affect the agile working arrangement; and
- Returning agile equipment when leaving the organisation or department.

Additional Information

Compliance   This policy complies with the following legislation and policy:
- Equality Act 2010
- Health and Safety at Work Act 1974
- Freedom of Information Act 2000
- Data Protection ACT 1998
- Computer Misuse Act 1990
- Official Secrets Act 1989
- Working Time Regulations
- Information Management
- Use of Internet policy
- Travelling Expenses and Time policy
- Attendance Management policy
- Clear Desk and Clear Screen policy
- Protective Marking Scheme policy
- College of Policing – Code of Ethics

Supporting Information   The supporting information for this policy can be accessed via **this link**.

Further Information   Further guidance in relation to this policy can be sought from:
- Security Operating Guidance
- Health and Safety Guidance
- Challenge role suitability process
- Standard Build for Laptop

Policy Database Administration

Item	Details
Document title:	Agile Working
Owner:	Force Performance Improvement Unit
Author / Reviewer:	
Date of last review:	09/12/2016
Date of next review:	09/12/2018
The Equality and Human Rights Assessment for this policy is held on Force Registry which can be accessed via **this link**.	

The table below details revision information relating to this document:	
Topic title	Date