(CorpDocs Number)
AGILE WORKING POLICY

The following policy sets out Cheshire Fire and Rescue Service's policy and processes in relation to Agile Working. This policy is available to eligible Cheshire Fire and Rescue Service (CFRS) operational and support staff, part time, full time and fixed term employees.

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OTHER (CROSS) REFERENCES:
Flexible Working Hours Policy; Parental Leave Policy; Paternity Leave Policy; Maternity Leave Policy; Adoption Policy; Special Leave Policy; Annual Leave Policy; ACAS Statutory Code of Practice; Job Share Scheme;

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PART 1 - POLICY SECTION

1. INTRODUCTION

During the COVID-19 pandemic the Service recognised the numerous benefits that were gained from homeworking for both the organisation and staff, leading to a cultural shift in the way we view the requirement for staff to be physically in work whilst carrying out their roles. This policy, which replaces the interim homeworking guidance, is intended to set out the parameters for any member of staff who wishes to request an agile working from home arrangement on conclusion of the pandemic lockdown restrictions.

Cheshire Fire and Rescue Service (CFRS) recognises that enabling staff to work in an agile way, having the option of undertaking their roles from a different location to their normal working base, can continue to be beneficial to both the individual and the organisation.

This policy sets out the agile working provisions available to eligible Cheshire Fire and Rescue Service (CFRS) operational, support, part time, full time and fixed term employees.

The purpose of this policy and associated procedures is to:
- Explain eligibility criteria in relation to agile working.
- Explain the implications of agile working for employees.
- Provide clear guidance and outline responsibilities in relation to agile working.
- Ensure that managers are aware of their responsibilities to employees covered by this policy.

1.1 Definition of Agile Working

1.2 The Service defines agile working as where there is an agreement in place between an individual and their manager to carry out the duties of their role either from an alternative CFRS location or from the employee's home.

1.3 Agile working cannot be carried out in a public venue or at the premises or home of any other organisation, family member or third party.

1.4 Informal working at home which is not by arrangement or prior agreement does not qualify under the definition of agile working.

2. Agile Working Principles

2.1 Agile working can be requested by any member of staff who has successfully completed a probation period and/or period of initial training.

2.2 All requests require approval of the respective Head of Department and will be considered based on the individual's ability to perform the duties associated with their role effectively and efficiently from home or another CFRS location.

2.3 It is acknowledged that not all jobs are suitable for agile working and for those which are suitable, employees may prefer to remain in the workplace. Therefore any arrangements for working from home should be voluntary on the part of the

employee, and at the discretion of the Service. The key to success is mutual understanding and trust, leading towards mutual benefit.

2.4 To promote flexibility and to ensure that agile working remains beneficial for both the individual and the organisation, all agile working arrangements will be subject to regular review and will not constitute a permanent change to an individual's contract of employment.

2.5 There is no automatic right or entitlement to agile working and the Service reserves the right to refuse requests at its discretion, according to the needs of the business, and no right of appeal in relation to agile working under this policy is provided.

2.6 Staff will not be permitted to work all of their contracted hours from home or from an alternative location. This is because the Service believes that all CFRS roles, in order to be carried out effectively, require an element of face to face contact with colleagues, customers or partners, as well as some proportion of time spent attending their main work base in person. All staff who have an agreed agile working arrangement will therefore be required to work a minimum of one day per week at their normal place of work.

2.7 All agile working arrangements will be subject to an initial trial period of up to 3 months, and will be subject to annual reviews thereafter.

2.8 The reviews should be used an opportunity to review the working patterns and to consider any variations to the agreement. As agile working arrangements do not constitute a permanent arrangement or a change to an individual's contract of employment, the agreement can be withdrawn by either the service or the individual at any time with a minimum of one weeks' notice.

2.9 Once an agile working arrangement is approved there is an expectation that the employee will still exhibit flexibility and make themselves available to attend the normal work base for events, meetings and activities that are pertinent to their roles.

2.10 The Service's existing insurance policies (both public and employer's liability) will continue to operate and cover employees but agile workers who are working from home are also advised to check their insurance documents to ensure that working from home is covered.

2.11 Nothing in this policy is intended to alter the contractual requirement for all CFRS staff to work from any of it's locations within Cheshire, as required.

3. Responsibilities

Employees who are permitted to work as an agile worker must be able to demonstrate they can:

- Work independently, on their own initiative and self-motivate;
- Manage their workload effectively, completing work and projects within the required deadlines;
- Cope well when away from their normal office/location;
- Work safely and keep all documentation and equipment secure;
- Maintain contact with their manager and all affected by their work;
- Keep their manager informed on a regular basis of their whereabouts and work activities;

- Remain contactable during normal office hours;
- Only work outside of normal business hours with the agreement of their manager
- Understand that business need will have to take priority over any agile working arrangement
- Due to the temporary nature of agile working arrangements, participate in an annual review of their specific arrangement and acknowledge that depending on the changing needs of the organisation, the abililty to undertake agile working is at the discretion of the Service and may need to change over time or cease.

Staff should not have sole responsibility for the supervision of children who are primary school age or younger (11 years old and younger) or for the care of elderly/vulnerable relatives when scheduled to work from home. Where a member of staff is working from home and encounters a conflict between caring responsibilities and work commitments, they should alert their line manager in order to discuss and agree the most appropriate arrangements in line with existing policy. i.e. Parental Leave Policy; Special Leave Policy; Flexi Time Policy; Annual Leave Policy.

Line Managers of staff undertaking agile working must:

- Ensure that the necessary forms have been completed and discuss the implications and expectations with staff prior to any agreement being put in place.
- Establish that the proposed workplace is suitable and the work can be completed satisfactorily and without frequent direct supervision;
- Agree and document clear work objectives with measurable outputs;
- Determine how work will be monitored, produced and delivered and agree working hours and patterns, contact times and availability;
- Undertake annual reviews (or sooner if there are performance concerns) of agile working arrangements for each member of their team and discuss with staff how/if agile working arrangements may need to change or cease;
- Put in place arrangements so they are aware of the agile worker's whereabouts and work activities at all times; (e.g. through accessing the agile workers outlook diary)
- Maintain regular 1-1's and ensure that the agile worker is kept informed of matters that affect them or their work, and that personal wellbeing is discussed.
- Ensure agile workers have comparable contact, appraisal, access to learning and development, and team events as other employees;
- Ensure that agile working arrangements do not have an adverse affect on any particular group of employees;
- Take into account any reasonable adjustments that may be necessary in the case of a disabled employee;

Heads of Department must

- Ensure that the required discussions have been undertaken between the line manager and individual prior to approval of the agile working arrangement
- Consider the wider implications of approving the agile working application on the wider department and discuss any issues/concerns with the manager prior to approval

- Ensure that all agile working arrangements are reviewed at the appropriate intervals.

The Human Resources team are responsible for ensuring this policy is implemented consistently across the Service, and will provide advice and guidance on its interpretation.

4. Agile Working Eligibility

4.1 To submit an agile working request, an employee has to meet certain criteria. They must:

- be an employee of Cheshire Fire and Rescue Service;
- have demonstrated that they can carry out their role to the required standard
- have passed their probationary period (if applicable to the role)

5. Consideration of Agile Working requests

5.1 All requests for an agile working arrangement will need to be considered by the relevant manager, who will consider whether the request is compatible with the role being undertaken. All requests will require final approval from the relevant Head of Department.

5.2 Key factors that will be considered in determining whether an agile working request is suitable include:

- the level of face-to-face / in person interaction or communication required with customers / colleagues / other contacts.
- the requirement and frequency of the individual to attend meetings in person
- the ability to access IT systems / files remotely
- the requirement to use equipment / tools which are on site
- the need to undertake activity simultaneously as part of a team
- the degree to which work activity is generated by on site attendance

5.3 In addition the following personal factors will be considered when reaching a decision on an agile working request:-

- if requesting the ability to work from home, whether the individuals' home working environment is suitable and fit for purpose
- whether there are any current, formal performance concerns
- whether there any health/wellbeing issues which might arise if the request is granted such as social isolation.

5.4 The Service will ensure that requests are dealt with promptly and fairly, however it is recognised that each case will be considered on its merits. For example two roles which may appear similar may have different requirements due to department-specific factors.

5.5 During the discussion about an agile worker request, if the employee's preferred pattern of agile working cannot be accommodated, then the manager should consider and offer alternative arrangements, where this is feasible for the role and department.

5.6   There is no right of appeal against a decision on an agile working request, however managers are encouraged to discuss their reasons for refusing a request so that the individual understands why their request has not been granted.

6.   Agile Working Request Procedure

6.1   The procedure to request agile working is intended to be as informal and as simple as possible.

6.2   The actions required when an individual wishes to request an agile working arrangement are:-

  -   Individual submits an agile working request form (ensuring that DSE / Health & Safety Risk Assessment have been carried out)
  -   The manager meets with the individual to discuss their request
  -   The manager reviews the request and if supported, discusses with Head of Department who will determine whether to provide final approval.
  -   The manager will inform the individual whether or not their request has been granted with explanation where declined.

7.   Provision of Equipment

7.1   IT Equipment

The Service will provide approved agile workers with the necessary IT equipment in order to be able to carry out their roles remotely, this equipment will remain the property of the Service and should be returned if the individual leaves.   Examples of equipment that can be provided are:

  -   Laptop
  -   Laptop Riser
  -   Document Holder
  -   Speaker

7.2   Office Furniture

All agile workers will be required to evidence and confirm that they have a suitable desk, office chair, footrest (where required) and lockable cabinets or drawers to function away from the workplace.

This confirmation will be sought via the undertaking of a DSE/risk assessment of the proposed workspace to evidence that the proposed furniture to be used for agile working presents no health and safety hazards.

Where a DSE assessment flags up a risk the agile worker will be required to purchase office furniture at their own costs that fulfils the requirements of the DSE/risk assessment.

In extenuating circumstances or in instances where the purchase of furniture will result in hardship, the Service will consider the purchase of office furniture to facilitate the agile working arrangement.   Purchase of office furniture will be subject to a buy-back arrangement through the payroll in instalments over an

agreed period.

8. Financial Implications

8.1 It is considered that working from home is mutually beneficial and that the costs and benefits of working from home will cancel each other out. Consequently as this is a voluntary arrangement, a working from home allowance will not be paid.

8.2 Due to agile working being an individual choice, any agile worker undertaking their role from home will not be eligible, under current HMRC rules, to claim tax relief for working from home.

8.3 Staff with an agile working arrangement involving working from home are not eligible to claim excess mileage for journeys from home to their normal workplace and back. The normal mileage rates and rules apply and staff will only be reimbursed for business mileage.

9. Health & Safety

9.1 Agile working from home will require staff to carry out a DSE/Working from Home Health, Safety and Wellbeing risk assessment, which will be recorded and reviewed on a regular basis, depending on the resultant risk.

9.2 It is the member of staff's responsibility to rectify any flaws in the home workplace highlighted by the assessment e.g. ventilation, temperature, lighting, space and floor area. The Service is responsible for supplying IT equipment.

9.3 Once the proposed home workplace has been assessed and passed as suitable, it is the responsibility of the member of staff to keep it that way and take reasonable care of their health and safety.

9.4 The Service retains the right to check the home work area if deemed necessary for Health, Safety, and information security purposes. The need for such inspections will depend on the nature of the work undertaken and in the event that a home check is required, a minimum of one working day's notice will be provided. If such a check is refused then the agile working arrangement will be reviewed and may need to cease, or may be refused if it is a new request.

10. IT and Information Security

10.1 Agile workers must ensure that information and equipment are kept securely. In particular, when not in use private and confidential material must be kept in secure storage at all times, which is lockable. Line managers must be satisfied that all reasonable precautions are taken to maintain confidentiality of material in accordance with the Services ICT policy.

10.2 Agile workers must also be mindful of confidentiality when engaging in meetings / telephone calls from home or other locations to ensure that sensitive information cannot be overheard by third parties.

PART 2 - PROCEDURE SECTION

Procedure 1 Application for Agile Working–

	Process/Action	Responsibility
1	Employee completes Agile Working Request Form and forwards to their Line Manager. The following details must be included on the application: • the date the request was made • confirmation of the reasons why agile working is being applied for • specification of agile working pattern applied for including days, and details of location that is being requested • the impact the change would have on the individual's role and wider section / department / station • DSE / Health & Safety risk assessment of agile working location • Consideration of any additional equipment required • proposed start date It is the responsibility of the employee to ensure submission of a completed form otherwise the application will be returned	Employee
2	Line Manager receives form and considers the request based on the information on the form. In some cases it may be necessary to verify information about the proposed workplace i.e. via home visit.	Line Manager
3	Meeting held between manager and employee to discuss the agile working request.	Line Manager
4	The Line Manager follows up the meeting with the HOD and discusses the application. The HOD considers and determines whether or not approval should be provided.	Line Manager / HOD
5	The Line Manager reviews the arrangement after the intitial 3 month trial period, and annually thereafter.	Line Manager

PART 3 - GUIDANCE SECTION

FREQUENTLY ASKED QUESTIONS

Q:	**Is an employee entitled to have their agile working request approved?**
A:	Whilst the Service encourages agile working requests from eligible staff, there will be no obligation on the Service to approve it. Whilst reasonable consideration will be given to all requests they will be balanced against the needs of the business, and the suitability of the proposed agile working location.
Q:	**What should the employee consider as part of their agile working request?**
A:	As part of their application, employees should consider: • whether agile working fits with the requirements of their role • the impact the change will have on the rest of the team and the provision of the service • how the impact might be dealt with • be willing to consider alternative agile working proposals • the suitability of their home environment • the equipment/furniture that they currently have or may need to purchase • how their will maintain communication with their team and manager
Q:	**What considerations should managers give to an agile working request?**
A:	Managers should consider: - the level of face-to-face / in person interaction or communication required with customers / colleagues / other contacts. - the requirement and frequency of the individual to attend meetings in person - the ability to access IT systems / files remotely - the requirement to use equipment / tools which are on site - the need to undertake activity simultaneously as part of a team - the degree to which work activity is generated by on site attendance In addition they should also consider personal factors such as: - whether the individuals' home working environment is suitable and fit for purpose - whether there are any current, formal performance concerns - whether there any health/wellbeing issues which might arise if the request is granted such as social isolation.
Q:	**Will the request constitute a permanent change to Terms and Conditions of Employment?**
A:	All agile working requests are deemed to be temporary, subject to annual review, and can be withdrawn at any point by either party. Therefore an agile working request being granted will not result in any permanent change to the individual's employment contract.

Q:	**Can an employee request a agile working arrangement on a temporary basis?**
A:	Yes, but it will still need to be considered in the normal way. All requests which are agreed are subject to a 3 month trial period and annual review.
Q:	**Can an employee appeal against a decision to refuse their agile working request?**
A:	No, there is no right of appeal against a decision to refuse an agile working request.
Q:	**As a new member of staff can I request agile working straight away?**
A:	Before submitting an agile working request you will be required to complete any probationary period for your, and successfully complete any initial training to ensure you are able to undertake your role to the required standard without direct supervision.
Q:	**Will I be provided with the necessary equipment to work from home?**
A:	The Service will provide staff who approved agile workers with the necessary IT equipment, but the individual will be responsible for providing/purchasing any required office furniture.