



**Workforce**

## **Flexible Work Location Policy**

# Aim

To provide a framework to support:

- employees to consider and request options for flexible work locations
- managers to consider, agree or propose options for flexible work locations

# Scope

This policy applies to all employees. It also applies to bank and sessional workers.

If the arrangement is about a change to work pattern only, please refer to the [Flexible Work Pattern Policy](#). If the request relates to both work pattern and work location, both policies apply.

This policy complies with current legislation and meets the aims of the [Public Sector Equality Duty](#) of the [Equality Act 2010](#).

# Definitions

There are 3 categories of work location:

- **Fixed** – where roles and duties are undertaken at one or more specified locations and not at home.
- **Home** – where roles and duties are undertaken at home. The employee may also be required to attend specified locations, for example, for training.
- **Hybrid** – where roles and duties have a combination of home and specified locations.

# Roles and responsibilities

There is a range of standard expectations which underpin all policies. [Read more about standard roles and responsibilities](#). In addition, the following specific responsibilities apply to this policy.

# Employer

The employer should provide and maintain:

- equipment and technology to allow employees to carry out their work
- support to set up any new equipment or technology

Roles and responsibilities are based on the working from home element of this policy and the arrangements that need to be in place.

# Manager

The manager should:

- assess roles and duties to establish suitability for flexible working in response to organisational needs or a request from an employee
- agree and maintain regular communication to offer the employee support and guidance
- make arrangements for the provision of equipment
- make sure arrangements are in place for the safe storage and security of information
- make sure workplace risk assessments are completed and acted upon to maintain a safe working environment
- make sure arrangements are in place to support effective team working
- review working arrangements at least annually with the employee
- seek confirmation that domestic arrangements, such as caring arrangements, are in place throughout the hours of work

# Employee

The employee should:

- make sure infrastructure is adequate to support efficient working, for example, internet connectivity
- attend workplaces with reasonable notice as necessary, for example, to attend meetings and training
- be available during the agreed period of work
- undertake the necessary workplace assessments

- keep all work equipment provided by the organisation in good condition and report any damage or faults to the manager
- not allow work equipment provided by the organisation to be used by other household members
- maintain confidentiality at all times
- maintain contact with their manager
- inform the tax office of their working from home arrangements if claiming tax relief
- inform their home insurer that working from home is being undertaken
- make sure domestic arrangements, such as caring arrangements, are in place throughout the hours of work
- review working arrangements if circumstances change

## Procedure

Home or hybrid working arrangements can be temporary or permanent. They offer flexibility about where or how a role is carried out. However, this is restricted to working within the United Kingdom.

These working arrangements must balance the needs of the individual and their role with the following organisational factors:

- patient or service user experience
- staff experience
- service delivery and service capacity

When considering situations where home or hybrid working may be suitable, please refer to the following documents:

- [Guide for managers](#)
- [Guide for employees](#)

## Request by employee

The procedure for requesting home or hybrid working arrangements is outlined in the [Flexible Work Location Policy flowchart](#).

Employees who request home or hybrid working arrangements should have a discussion with their manager in the first instance.

Discussions should consider the needs of the service and the health, safety, and wellbeing of the employee. The issues that both parties must consider are outlined in the manager guide and employee guide.

The manager and employee should also consider the parts of the job that must be done on work premises or can be done at home.

Employees who request to work some or all their contracted hours from home will be responsible for any additional costs incurred.

The employee should complete a [Flexible working request form](#). If the request includes their home as a work location, the employee must also complete a [Health, safety, and wellbeing self-assessment](#).

These documents should be sent to and discussed with their manager to make sure the relevant health, safety, and wellbeing issues are considered.

Having received the employee's request and self-assessment, the manager must acknowledge them within 7 calendar days. They should also arrange a meeting to discuss it with the employee within 28 calendar days from the receipt of the request. If necessary and agreed upon by all parties, the manager can extend the time.

The employee is entitled to submit 2 flexible working requests within 12 months.

## **Agreement**

The employee will be entitled to all terms and conditions relevant to the flexible work location agreement.

Under this policy, when the manager and employee agree to a change, both parties should sign a [Flexible work location agreement](#).

The written agreement should confirm the change of work location. For contractual purposes, employees who have requested hybrid working or to work from home will continue to have a designated employer work base.

## **Review**

On an annual basis, the employee's flexible work location arrangement should be reviewed. Where the employee's home is one of their work

locations, the manager should also review their completed [Health, safety, and wellbeing self-assessment](#).

For employees who are appointed on the basis that they are homeworkers on either a full or part-time basis, their contractual base arrangement will be deemed to be substantive. If there is any requirement to change the employee's contractual base, this should be managed under the local organisational change policy.

For employees who have requested hybrid working or to work from home, a formal review of the agreement should take place every 2 years. This is to allow a review of the employee's situation and consider other employee requests. If the agreement is being ended, the employee should be given 3 months' notice of the date of the change to their working location unless mutually agreed otherwise.

The review could form part of the job planning process for medical and dental staff. For all other employees, it could form part of the appraisal process.

An employee or manager can request a review at any point. A review should also take place where circumstances or requirements change.

## **Refusal of the request**

An employee's request for home or hybrid working should be supported where possible. A manager should only refuse a request for valid service or organisational reasons, such as:

- adverse impact on service delivery or quality
- adverse impact on work colleagues
- outcome of the health, safety, and wellbeing self-assessment

If the request is refused, the decision, including reasons for the refusal, should be confirmed in writing within 7 calendar days. More information is provided in the following documents:

- Guide for managers
- Guide for employees

## Appeal process

The employee has a right to appeal within 14 calendar days of receiving a written outcome of their request or withdrawal of a previously agreed arrangement. When exercising this right, the employee must identify the reason for their appeal.

The appeal panel will be chaired by the next level of management and supported by an HR adviser who has not previously been involved in the process.

The appeal panel Chair will inform all parties of the arrangements for the hearing in writing no later than 14 calendar days before the hearing. The hearing and outcome must take place within 3 months of the application being submitted.

The process for the appeal should be managed in line with the Formal hearing guide.

## Outcome

Following the hearing, the Chair will confirm the outcome of the appeal hearing in writing to the employee copied to all relevant parties. It should include the rationale behind any decision taken in response to the employee's grounds for appeal. The letter will be issued within 7 calendar days following the appeal hearing.

The outcome of the appeal will be final for this application.

## Request by employer

If a manager or the organisation wants employees to change their work location, they should discuss it with the employees in the first instance.

Proposed changes like this are covered by the [Staff Governance Standard](#). It requires full engagement and involvement with affected staff.

The needs of the service and the health, safety and wellbeing of the employee should be considered. The issues that both parties must consider are outlined in the Manager guide and Employee guide.

The manager and employee should also consider the parts of the job that must be done on work premises or can be done at home.

For employees who are required to work at home, their designated base will be home.

The board's Organisational Change Policy should be followed where appropriate to introduce the change. The local policy ensures the protection of terms and conditions without detriment to the employee.

## **Agreement**

The employee is entitled to all terms and conditions relevant to the flexible work location agreement.

Under this policy, when the manager and employee agree to a change, both parties should sign a [Flexible work location agreement](#).

## **Review**

The arrangements should be reviewed at least once a year. Where the employee's home is one of the work locations, the manager should also review the completed Health, safety, and wellbeing self-assessment form.

The review could form part of the job planning process for medical and dental staff. For all other employees, it could form part of the appraisal process.

An employee or manager can request a review at any point. A review should also take place where circumstances or requirements change. A formal review of the agreement should take place every 2 years.

## **Reasonable refusal of an employer request**

Employees can reasonably refuse an employer's request to change their work location to the employee's own home. The manager should support the refusal by taking the following into account:

- adverse impact on the health, safety, or wellbeing of the employee
- adverse impact on the employee's ability to undertake their duties or role effectively
- suitability of the work location
- adverse impact on the employee's caring responsibilities



## Related policies

The following policy is related to the Flexible Work Location policy:

- [Flexible Work Pattern](#)