NHS
Cornwall and
Isles of Scilly

Agile working policy

Date approved: 21 September 2021

NHS Cornwall and Isles of Scilly Integrated Care Board

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V1.2	9 December 2020	Tricia Phillips, people and organisational development	Merging home working and lone working
V1.3	20 May 2021	Jo Tomlinson, people and organisational development	Updating to reflect agile working group established principles.
V1.3	2 September 2021	Trudy Corsellis, corporate governance	Change in authorising committee name and shared with CCG for approval
V1.3	21 September 2021	Jo Tomlinson, people and organisational development	Change review period to six months.
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1. Introduction

The NHS Cornwall and Isles of Scilly integrated care board (ICB) recognises the need to develop working practices that allow colleagues to maximise their performance and productivity whilst maintaining a good work life balance. It believes that promoting a culture of choice, based on agile working, can support increased colleague motivation, promote work life balance, and improve performance and productivity.

By definition, agile ways of working will continually evolve to take into account changing needs of the organisation and of individual circumstances, whether these changes are temporary or new.

2. Purpose

This policy provides a framework for consistent and fair practice on the issues to be considered when developing agile working arrangements. The policy also signposts managers and colleagues to other relevant policies that should be considered when making decisions about new ways of working.

The purpose of the policy is to provide guidance so that colleagues can carry out their role securely, efficiently, and successfully within the principles of agile working. It will enable managers and colleagues to gain a better understanding of agile working, the basic principles, and how to apply them based on best practice. The policy is underpinned by current legislation where appropriate and highlights the risks and benefits to the organisation and its colleagues.

This policy does not negate or supersede the flexible working policy which already exists for use in individual circumstances by all colleagues and has recently been reviewed and updated based on our learnings from working remotely.

The agile working policy is not appropriate for instances where regular flexibility of working patterns is required for personal reasons. A flexible working request might involve a request to permanently change a working pattern or a request for part time working or term-time working for example. In these instances, the ICB's flexible working policy should be considered.

It is recognised that the best options for models of working will vary depending on the particular circumstances of the work, individuals and teams. Individuals and line managers should consider and discuss agile working arrangements. They may wish to do this on a regular basis in line with the evolution of agile ways of working. This policy aims to ensure that there is equity, consistency and fairness in considering the options, recognising that business needs vary.

3. Definitions

Agile working

There are many definitions of agile or hybrid working, but for the purpose of this policy the ICB defines agile working as finding the most appropriate and effective way of working which might combine a variety of different models. It might involve working from a variety of locations at different times, such as from an ICB building, within the community, or by varying degrees of home working and regular hot desking. Agile working encompasses all forms of working space including non-traditional environments such as touchdown space, remote work, and virtual work. It also encompasses using the benefits of digitalisation and technology to support ways of working.

Hybrid working

Another term to describe agile working. Commonly used in the media to describe the working culture that has evolved within organisations since the COVID-19 pandemic.

Remote working

Working away from the office, often remotely from other colleagues. This can include home working.

Home working

A form of remote working, specifically undertaken in your home.

Hot or shared desk

A hot desk is a desk in an office setting that can be used by any colleague. Hot desks will usually be booked in advance and occupied for a short period of time, usually no more than 1 day at a time. Hot desks are different from those allocated to employees who require a desk on a permanent basis. There may be times when allocated desks are not occupied, for example the colleague who usually occupies the desk may be absent or on holiday. At these times, these desks may also be used, temporarily, as hot desks.

Touchdown space

Touchdown space is the term used to describe spaces that can be accessed by ICB colleagues across health and care sites on an ad hoc basis to complete work.

Designated base

This describes the contractual base of the employee for HM Revenue and Customs (HMRC), mileage and travel claims and other expenses purposes.

Lone working

Any situation or location in which someone works without a colleague nearby; or when someone is working out of sight or earshot of another colleague, including when they are travelling alone for work. Lone working may be a constituent part of someone's job or carried out more infrequently.

4. The benefits of agile working

The introduction of agile working can be of benefit to the ICB and to colleagues in the following ways:

For the ICB agile working can:

- improve individual and team performance and effectiveness
- increase opportunity for productive working time through reduced travel to meetings
- reduce carbon and vehicle emissions through reduced commuting and travel
- increase productive utilisation of current office space
- enable recruitment from outside of a reasonable commuting radius
- aid colleague retention through improved flexibility and work life balance
- enable the ICB to better respond to colleagues' needs for flexibility
- provide alternative solutions to short or longer term office accommodation issues

For colleagues agile working can:

- provide alternatives to an office based working environment
- provide a solution to a temporary problem where travel to the office is not possible
- reduce the cost and time associated with travelling to an office base
- enable greater flexibility and autonomy
- improve work life balance

5. Principles

Choice

Agile working means that individuals can make choices about how, when and where they work as long as these also support the effectiveness and efficiency of the work.

Depending on the nature of the role or work, individuals may be required to work at specific work locations for some or all their contracted hours. Where the role requires the post holder to be present in an office or when the needs of a team can be reasonably justified, a manager should discuss these requirements with colleagues and be clear about the expectation.

Agile working allows colleagues to influence how they carry out their role. It also supports various means of flexibility within the workplace. Personal circumstances or personal preference may influence an employee's decision about whether to work remotely. There is no expectation that colleagues must work from home, and managers cannot force any member of their team to do so. In such cases where an individual does not want to work remotely, other elements of agile working can still be considered, for example using touchdown space to hot desk, or having a permanent allocated desk.

Managers should avoid the temptation to influence their direct reports based on their own personal preference.

The use of technology is encouraged when organising meetings to allow people to attend remotely. Digital communication methods can be used to help teams communicate when they are not all sharing an office space. The ICB will provide training for managers to increase confidence and capability and support them to manage their teams in an agile way.

Fairness

The principle of fairness is that everyone should have an equal opportunity to access agile working and flexibility and feel comfortable in discussing their individual needs. Equality is not about treating everyone the same and applying the same solutions but considering needs on an individual basis to ensure that all colleagues are offered the same opportunity. Therefore, it may be appropriate to ensure that some colleagues have access to a permanent or fixed desk within an office, whilst the needs of others can be met by them having the opportunity to book a hot desk when it is required. Managers should be mindful that not all colleagues will be able or willing to disclose the full reasons for requesting a particular method of working, for example, requesting an office base.

Workload and opportunities need to be fairly distributed across teams and it is essential to ensure that additional workload does not fall onto those who spend more time in any one preferred location. Opportunities must not be disproportionately weighted towards any one group of workers due to their work preferences or choice of location.

Inclusion

Different models of working need to take in to account the needs of different individuals to ensure that working practices are inclusive of all team members regardless of how they choose to work.

Providing increased flexibility should support improved inclusion, however it might be the case that within one team, every member may have a different balance of hours, or work location. We should be mindful of the risk of unintentionally excluding colleagues within new models of working and be aware of discussions or decisions that happen when some but not all colleagues are in a shared space.

The ICB recognises the benefits that assistive aids and technology can bring to people in the workplace. Assistive aids and technology are especially important and beneficial for colleagues with a disability and those with musculoskeletal problems. There are a range of assistive aids and technology available. These can include a specifically adapted office chair, screen reader technology and screen magnifiers. Some aids may not be portable, and the ICB recognises this may affect people's ability to be agile in their work approach.

6. Responsibilities

Line managers

Managing a team of colleagues who are working in an agile way is quite different from managing a team that is either mostly office based, or mostly remote. It is likely to require a range of skills and approaches. Managers will need to adapt their approach and may need to consider the following where there are a number of different working models. In the context of managing effective team performance these will include:

Communication and review

- Ensuring fairness and equity in applying this policy.
- Having regular open conversations with colleagues about working preferences.
- Considering opportunities to optimise ways of working.
- Recognising that individual circumstances and work requirements may change.
- Periodically reviewing working arrangements with colleagues.
- Checking that colleagues are clear about what is expected of them.
- Regularly reviewing, with the team, the effectiveness of agile working.
- Ensuring that connection between the team and direct reports is working well.
- Making sure people do not become isolated.
- Ensuring that all individuals remain included in team discussions.

Safety and wellbeing

- Considering all health and safety implications.
- Considering reasonable adjustments where required.
- Ensuring that all appropriate risk assessments are in place and regularly reviewed.
- Identifying training needs for self and team.

Information governance and security

- Considering information governance and security and seeking advice as appropriate.
- Being familiar with general data protection regulations (GDPR) and promoting compliance within teams.

All colleagues

To help everyone benefit from the opportunities of agile working, all colleagues have a responsibility for the following:

Awareness and review

- Being familiar with the content of this document.
- Being aware of and agreeing to work to other associated policies.
- Regularly reviewing working arrangements, raising any concerns with line manager.
- Being flexible and open in discussions about agile working.
- Considering own circumstances at the same time as considering the needs of others.

Practical considerations

- Handling sensitive, confidential data in compliance with GDPR.
- Agreeing the ways to stay in contact with manager and other colleagues.
- Ensuring outlook calendar is up to date and that it is visible.
- Not using own home for any face-to-face business meetings.
- Liaising with line manager for advice or clarification as required.
- Ensuring that all risk assessments are followed including those for lone working.
- Considering and raising any training needs in relation to working in an agile way.
- Taking responsibility for the security of ICB equipment.
- Taking reasonable steps to maintain own health and safety when working.

Other responsibilities

The head of people and organisational development (POD) is responsible for this policy and for managing the process of implementation and evaluation of this policy. They are also responsible for preparing submissions on a regular basis to the people and organisational governance committee, liaising with relevant people and ensuring provision of training as required.

The people and organisational governance committee is responsible for reviewing the policy and receiving reports on a regular basis and providing challenge and feedback to the policy.

7. Eligibility and exclusions

Agile working is not a substitute for flexible working, nor is it considered a contractual right or a permanent arrangement. In instances where regular flexibility of working patterns is required for personal reasons, the ICB's flexible working policy should be considered.

8. Designated base

For colleagues where agile working principles have been implemented there is a choice to work from alternative locations and touchdown space to allow for improved efficiency and a more effective service. Colleagues will use offices differently. Some may use one location more frequently while others rarely use any location.

All colleagues will continue to have a named office location as their designated base. For colleagues moving to agile working arrangements the designated base will remain as the current contractual base unless otherwise advised.

For new colleagues, the designated bases will be identified on appointment.

As agile and integrated working continues to develop across our system, new office space may be identified that could result in changes to existing contractual bases for colleagues. Where this is the case the appropriate conversations and consultation with colleagues will be undertaken in line with the policy on organisational change.

9. Lone working

Lone working will be applicable for colleagues who:

- visit people in their own homes
- travel for business reasons (but not commuting to the normal place of work)
- work in an office when there are reduced numbers of colleagues in that location
- work remotely or from home

There are no absolute restrictions on working alone but there will always be greater risks for lone workers who have no direct supervision to help them if anything should go wrong. These risks can be reviewed through risk assessment and measures should be put in place to avoid or reduce the risk. Risk assessment will help colleagues and managers decide on the right level of control measures.

Measures that managers and colleagues can take to minimise any risks associated with lone working can be found in the agile working policy guidance document and lone workers health and safety responsibilities.

10. IT support

When working from home, broadband connections are the responsibility of the home user and the cost will not be reimbursed by the ICB. IT support services will not be available to resolve issues relating to home broadband connectivity, cabling, printers, consumables, or stationery.

The use of personal IT equipment for business use with the exception of accessing NHS mail is not usually permitted unless authorisation is specifically granted by IT support services.

Colleagues should refer to the acceptable use policy for use of IT equipment.

11. Tax implications of using equipment at home

HMRC states that as long as private use of an employer's equipment is insignificant when equipment is provided for business purposes, no benefits charge (tax) would arise. The ICB has issued colleagues with multiple mobile computing devices which it considers essential for colleagues to carry out their work duties. In this case, a reasonable amount of additional personal use is permitted without attracting a benefits charge.

12. Insurance

The ICB will be responsible for any necessary insurance of IT equipment supplied by them.

Some home insurers may want to be informed about changes to circumstances such as agile working. Colleagues are advised to check their policy. It is the responsibility of individuals to notify their insurers of any changes to their circumstances. Colleagues are reminded that work equipment is already insured by the ICB, and no face-to-face meetings or other similar business transactions should take place in their homes.

13. Use and care of equipment

Colleagues are expected to take reasonable care of equipment provided and always keep it secure. This includes using screen locks to prevent data being shared with anyone who isn't authorised to see it and keeping the risk of theft, to a minimum. When transporting equipment, items should never be left unattended and when not being used, they should be kept in a secure place where risk of damage or theft is minimised. Colleagues are encouraged to treat hardware, phones, and other items of value in the same way as they would their own belongings. For example, high value desirable items should never be left on view in a parked car.

14. Update and review

This policy will be formally reviewed 6 months after it is approved. As agile working is a new approach for the ICB, it is anticipated there may be some learning and revisions to be made at that time.

15. Policies referred to in this document

This policy should be read in conjunction with other ICB policies, including but not exclusive to:

- flexible working policy
- health and safety policy
- acceptable use policy
- organisational change
- information governance

Appendix 1: Equality impact assessment

Name of policy and service to be assessed: Agile working policy
Department or section: POD
Date of assessment: 23 December 2020
Person(s) responsible for the assessment: Tricia Phillips
Is this a new or existing policy? New

Aims, objectives and purpose of the policy

Describe the aims, objectives and purpose of the policy

To support the process of change to more agile working. This policy provides a framework for consistent and fair practice on the issues to be considered when developing agile working arrangements. The best options for models of working will vary depending on the particular circumstances of the work, individuals and teams. This policy aims to ensure that there is equity, consistency and fairness in considering the options, recognising that business needs vary. Agile working allows colleagues to influence how they carry out their role and supports various means of flexibility within the workplace. Personal circumstances or personal preference may influence an employee's decision about whether to work remotely. The ICB believes that promoting a culture of choice based on agile working can support increased colleague motivation, promote work life balance, and improve performance and productivity. Line managers are expected to recognise that individual circumstances and work requirements may change, review working arrangements periodically, and make sure people do not become isolated.

The head of POD is responsible for this policy, checking it is applied consistently, and for managing the process of implementation and evaluation of this policy.

Who is intended to benefit from this policy, and in what way?

All colleagues of the ICB.

What outcomes are wanted from this policy?

Clear and consistent process and a good understand of agile approach to work.

What factors or forces could contribute or detract from the outcomes?

Failure to consistently apply the principles of the policy.

Who are the main stakeholders in relation to the policy?

Colleagues, trade union representatives and management.

Who implements the policy, and who is responsible for the policy?

Managers implement with POD support. POD is responsible for the policy.

Differential impacts

Perspective of race, nationality and/or ethnic origin

Does this have a positive or negative impact on black, Asian and minority ethnic (BAME)?

There will be no negative impacts on this group providing the policy is applied consistently.

Perspective of sex

Does this have a positive or negative impact on people who identify as male, female or intersex?

There will be no negative impacts on this group providing the policy is applied consistently.

Perspective of disability

What's the positive or negative differential impact on people from the perspective of disability?

There will be no negative impacts on this group providing the policy is applied consistently.

How will any negative impact be mitigated?

Due consideration should be given to any individual needs or issues prior to confirming ways of working. Providing increased flexibility should support improved inclusion. We should be mindful of the risk of unintentionally excluding colleagues within new models of working and be aware of discussions or decisions that happen when some but not all colleagues are in a shared space. Line managers are expected to consider reasonable adjustments for individuals. When considering whether lone working is suitable for colleagues, consider whether there are any reasons the colleague may be more vulnerable than other workers. For example, a person who has a disability could experience more risks associated with working alone. Also remember that lone working may negatively impact some colleagues particularly in relation to work related stress levels and their mental health. If these are not managed properly, they can lead to work related stress.

The ICB recognises the benefits that assistive aids and technology can bring to people in the workplace. Assistive aids and technology are especially important and beneficial for colleagues with a disability and those with musculoskeletal problems. Some aids may not be portable and the ICB recognises this may affect people's ability to be agile in their work approach. Colleagues with a disability in particular would benefit from communication with their line managers to support agile working choices.

In instances where regular flexibility of working patterns is required for personal reasons, the ICB's flexible working policy should also be considered.

Perspective of sexual orientation

Does this have a positive or negative impact on people who identify as heterosexual, lesbian, gay, bisexual, pansexual or asexual?

There will be no negative impacts on this group providing the policy is applied consistently.

Perspective of age

What's the positive or negative differential impact on people from the perspective of age?

There will be no negative impacts on this group providing the policy is applied consistently.

Perspective of religion or belief

What's the positive or negative differential impact on people from the perspective of religion or belief?

There will be no negative impacts on this group providing the policy is applied consistently.

Perspective of marriage and civil partnership

What's the positive or negative differential impact on people from the perspective of marriage and civil partnership? This is particularly relevant for employment policies.

There will be no negative impacts on this group providing the policy is applied consistently.

Perspective of gender re-assignment

Does this have a positive or negative impact on people who identify as trans or transgender, non-binary or gender fluid?

There will be no negative impacts on this group providing the policy is applied consistently.

Perspective of pregnancy and maternity

Does this have a positive or negative impact on people who are pregnant, breast feeding mothers, or those on maternity leave?

There will be no negative impacts on this group providing the policy is applied consistently.

How will any negative impact be mitigated?

Due consideration should be given to any individual needs or issues prior to confirming ways of working. Line managers are expected to consider reasonable adjustments for individuals. When considering whether lone working is suitable for colleagues, consider whether there are any reasons the colleague may be more vulnerable than other workers. For example, a person who is pregnant could experience more risks associated with working alone.

Other identified groups

Consider carers, veterans, different socioeconomic groups, people living in poverty, area inequality, income, resident status (migrants), people who are homeless or living in unstable accommodation, long term unemployed, people who are geographically isolated, people who misuse drugs, those who are in stigmatised occupations, people with limited family or social networks, and other groups experiencing disadvantage and barriers to access.

How will any negative impact be mitigated?

Due consideration should be given to any individual needs or issues prior to confirming ways of working. People who are carers, who have limited social networks, live in unstable accommodation or who experience domestic violence could be more affected by the agile working policy. More home working can further risk isolation and affect people's ability to strike a work life balance. Colleagues should discuss agile working with their manager. Managers should be mindful that not all colleagues will be able or willing to disclose the full reasons for requesting a particular method of working, for example, requesting an office base.

In instances where regular flexibility of working patterns is required for personal reasons, the ICB's flexible working policy should also be considered.

Human rights values

How have the core human rights values of fairness, respect, equality, dignity and autonomy been considered in the formulation of this policy, service or strategy?

The policy aims to ensure fairness through consistent application for all colleagues.

Which of the human rights articles does this document impact?

☐ To life
☐ Not to be tortured or treated in an inhuman or degrading way
☐ To liberty and security
☐ To a fair trial

☒ To respect for home and family life, and correspondence
☐ To freedom of thought, conscience and religion
☐ To freedom of expression
☐ To freedom of assembly and association
☐ To marry and found a family
☐ Not to be discriminated against in relation to the enjoyment of any of the rights contained in the European Convention
☐ To peaceful enjoyment of possessions

What existing evidence (either presumed or otherwise) do you have for this?

Changes in approach to agile working work organisation may impact on home and family life and are likely to improve the effect on freedom and autonomy.

How will you ensure that those responsible for implementing the policy are aware of the human rights implications and equipped to deal with them?

Ensuring that managers are aware of the policy and that POD is consulted where appropriate.

Public Sector Value Act 2020

The ICB is committed and obliged to fulfil the requirements of the Public Sector Social Value Act 2012. This Act requires the organisations to consider how services commissioned or procured might improve the economic, social and environmental wellbeing of an area.

Please describe how this will support and contribute to the local system, wider system and community.

Please consider:

- the inclusion of small medium size enterprises (SMEs) in the process and supply chain
- economic – promote skills, tackle worklessness, maintain employment, increase volunteer hours to support the community and promote inclusion
- social – reduce antisocial behaviour, tackle exclusion by promoting inclusion including to vulnerable groups
- environmental – support local, reduce congestion

This policy may support the environmental green plan for the organisation by reducing congestion and carbon emissions is more people to chose to work from home rather than travelling to offices bases every day. It may maintain employment by giving people greater flexibility regarding where and how they wish to work.

Describe how the policy contributes towards eliminating discrimination, harassment and victimisation.

This policy provides a framework for fair and consistent application of agile working.

Describe how the policy contributes towards advancing equality of opportunity.

This policy provides a framework for fair and consistent application of agile working.

Describe how the policy contributes towards promoting good relations between people with protected characteristics.

This policy provides a framework for fair and consistent application of agile working.

If the differential impacts identified are positive, explain how this policy is legitimate positive action and will improve outcomes, services and/or the working environment for that group of people.

Not applicable.

Explain what amendments have been made to the policy or mitigating actions have been taken, and when they were made.

This is a new policy that provides a consistent approach for all colleagues.

If the negative impacts identified have been unable to be mitigated through amendment to the policy or other mitigating actions, explain what your next steps are using the following equality impact assessment action plan.

Not applicable.

Signed (completing officer): Jo Tomlinson

Date: Click here to enter text.

Signed (head of department or section): Emma Goudge

Date: Click here to enter text.