

22 April 2021

To: The Leader of the Council, Councillors Jeff Beck, Elizabeth O'Keeffe, Olivia Lewis, Andy Moore and Vaughan Miller.

Substitutes: Councillors Billy Drummond, Nigel Foot, Sarah Slack.

Dear Councillor

You are required to attend a meeting of the Staff Sub-Committee to be held on Zoom at 5.00 pm, Tuesday 27 April 2021.

Join Zoom Meeting

<https://us02web.zoom.us/j/84567512763?pwd=MExYSEdDTU13WVd4WUE3WkRldi9wQT09>

Meeting ID: 845 6751 2763

Passcode: 573578

Yours sincerely,

**Hugh Peacocke
Chief Executive Officer**

AGENDA

1. **Apologies for absence**
Chairman
2. **Declarations of interest and dispensations**
Chairman
To receive any declarations of interest relating to business to be conducted in this meeting and confirmation of any relevant dispensations.
3. **Minutes of the Staff Sub- Committee meeting held on 8 March 2021(Appendix 1)**
Chairman
To agree the minutes of the Staff Sub-Committee meeting held on March 2021.
4. **Remote/Homeworking Policy (Appendix 2)**
Chairman
To Approve the Council's Remote Working Policy

5. Exclusion of the press and public

Chairman

To move That under Section 1, Paragraph 2 of The Public Bodies (Admission to Meetings) Act 1960 the press and public be excluded from the meeting for the following items of business because publicity would be prejudicial to the public interest by reason of the confidential and personal nature of the business to be transacted.

6. Staff Matters

Chairman

To update the Subcommittee on confidential staff disciplinary and performance matters.

Newbury Town Council

Public Minutes of the Staff Sub-Committee held on Zoom at 11.30 am on 8 March 2021.

Present:

Councillors Martin Colston (Chairman), Elizabeth O'Keeffe, Olivia Lewis, Jeff Beck, Sarah Slack, Billy Drummond and Nigel Foot.

In Attendance:

Hugh Peacocke, Chief Executive Officer (CEO)

Apologies for absence

Councillors Andy Moore and Vaughan Miller.

42. Declarations of interest and dispensations

None declared.

43. Minutes of the Staff Sub- Committee meeting held on 2 December 2020

Proposed: Councillor Jeff Beck

Seconded: Councillor Elizabeth O'Keeffe

Resolved that the Chairman sign the minutes of the Staff Sub- Committee meeting held on 2 December 2020 as a true record.

44. Exclusion of the press and public

Proposed: Councillor Billy Drummond

Seconded: Councillor Jeff Beck

Resolved that the press and public be excluded from the meeting for the following items of business because publicity would be prejudicial to the public interest by reason of the confidential personal nature of the business to be transacted.

45. Staff Disciplinary Matter

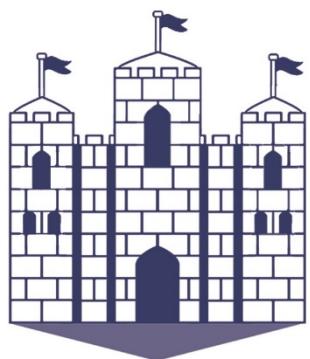
The meeting considered the report received from the Chief Executive Officer and also heard from Mr. David Ingram, regarding a confidential staff matter.

The meeting made the necessary resolutions for the CEO to deal with the matter as required.

The meeting finished at 12.10 pm.

Signed: _____
Chairman

Date: _____



NEWBURY
Town Council

Remote Working Policy

Remote Working Policy

1. Introduction

We support remote and homeworking in appropriate circumstances, either occasionally (to respond to specific circumstances or to complete particular tasks) or in some cases on a regular part-time basis. In addition, occasional or permanent remote working can, in certain circumstances, be a means of accommodating a disability and can be requested under this Policy.

This policy sets out how we will deal with requests for remote or homeworking, and conditions on which homeworking will be allowed or in some circumstances required. If you are allowed or required to work from home, you must comply with this Policy.

This Policy does not form part of any employee's Contract of Employment and we may amend it at any time. It does not contravene or override the provision in our contracts of employment that state that the Town Hall is your place of work.

This Policy enables remote working to support the Town Council's business and employee needs and demands. It remains flexible whilst identifying the responsibilities, measures, and the risk-based approach to be carried out within the remote environment to ensure the safety and wellbeing of our staff.

This Policy does not apply to other aspects of flexible working (such as amended hours or job sharing) or to statutory applications. Such applications will be dealt with under the relevant regulations/ legislation.

The Council will consider applications under this policy and statutory applications in line with Citizens Advice guidance "Flexible Working- what is it?" (Appendix 2)

2. Definitions

Where applicable, Remote working is defined as working outside the Town Hall and includes working from home.

This is usually planned in advance and may be for complete or part days. Examples of the type of work considered suitable for remote working include report writing, preparations for meetings, project work etc.

There may be times when remote working is required by the Council to meet business need during times of emergencies or as required by law. This is not defined as "flexible" remote working. During these times the Council will pay a Working From Home allowance to the relevant employees.

Temporary or Occasional Homeworking Arrangements

There are a number of circumstances in which the ability to work remotely or from home on an occasional or temporary basis may be of benefit to you and us:

- When a child or elderly relative becomes unwell or arrangements for their care break down at short notice;

- When, despite being fit to work, travelling to the office is difficult (for example, due to recovery from an injury such as a broken leg);
- When public transport has been disrupted (for example, by the weather or by a strike that affects your travel arrangements);
- When a quiet, uninterrupted work environment will assist in dealing with a backlog of administrative tasks or in writing reports to a deadline; or
- During any period when you are unable to work from the office such as during severe weather or a global pandemic.

In these circumstances, working at home can be authorised by your line manager where, in their opinion:

- You have work that can be undertaken remotely or at home;
- You have the required equipment to work from home; and
- Remote Working at home is cost-effective and any increase in work that may be passed to your colleagues as a result is kept to a minimum.

Your line manager will, where necessary, liaise with others to confirm arrangements.

In the event that you are suffering from mild illness but are well enough to work, we may require you to work from home during your illness if you are suffering from symptoms associated with a contagious disease. This is in order to protect the health and safety of your colleagues and to prevent the spread of infections within the workplace.

In addition, if circumstances affect our ability to allow you to come into the workplace because of, for example, government restrictions, such as quarantine or self-isolating, and/or health and safety requirements, we may require you to work from home.

Permanent Homeworking Arrangements

After successful completion of your probationary period, you can make an application for homeworking which will be considered on its merits. However, not all roles and not all jobs are suitable for homeworking.

You may want to vary your working arrangements so that you may work from home permanently or for a fixed period, or you may wish to work from home for part of your working week. Any request to work from home must meet the needs of our business as well as your needs.

A request for homeworking is unlikely to be approved if:

- You need to be present in the office to perform your job (for example, because it involves a high degree of personal interaction with colleagues or third parties or involves equipment that is only available in the office);
- Your most recent appraisal identifies any aspect of your performance as unsatisfactory;

- Your line manager has advised you that your current standard of work or work production is unsatisfactory;
- You have an unexpired warning, whether relating to conduct or performance; or
- You need supervision to deliver an acceptable quality and/or quantity of work.

If you wish to apply to work from home, you will need to be able to show that you can:

- Work independently, motivate yourself and use your own initiative;
- Manage your workload effectively and complete work to set deadlines;
- Identify and resolve any new pressures created by working at home; and
- Adapt to new working practices, including maintaining contact with your line manager and colleagues at work.

3. Benefits

3.1 Benefits for Employees

Remote Working may enable work to be carried out more efficiently in a quiet location and without disruption. It may also prove a more efficient use of time if employees who have been away from their work base for part of day and are closer to their home on their return journey, complete the working day at home rather than at their normal place of work.

In cases where office facilities are shared, or the employee risks continual interruption, the CEO or Line Manager may agree that an employee can work remotely. This may include agreeing to remote working on a regular basis or for a fixed period e.g. two weeks as well as shorter ad hoc periods.

3.2 Benefits for the Council

The Council should benefit from reduced heating and lighting bills and less office space required. If a number of requests are granted, the Council may reduce its office space and may look to lease the available space to a third party or use to support the activities of the Council.

This Policy recognises that there will also be greater flexibility in the Town Hall offices and employees will no longer be designated particular offices or desk space. The Council will apply a “Clean Desk” policy to ensure that there is sufficient flexibility in the offices to enable this Policy to be implemented.

Officers who are based permanently in the Town Hall may have a designated desk, whereas those availing of remote working arrangements will be required to be flexible regarding desk space in the Town Hall.

4. Guiding Principles to be applied

4.1 Discretionary

Permission granted under this policy, outside of a statutory request for flexible working arrangements, is discretionary. It may be granted or removed at the discretion of the Employee's Manager. However, such discretion will be applied in a fair and reasonable manner

4.2 Contract of Employment

Nothing approved under this policy will override the terms or conditions of an employee's contract.

4.3 Minimum attendances

When the Town Hall is open to the public, normally from 9.00 am to 5.00 pm each working day, there should be at least 2 staff in the offices. The Management Team should ensure that this is the case at all times. At least one of the 2 staff should be at Manager level.

Managers should arrange team meetings at least once every month and all team members should attend.

The Chief Executive will arrange bi-monthly meetings of all staff, which may take place in the Council Chamber or any other suitable venue.

These arrangements will require a staff rota which will be available on the Team Diary.

The council is of the view that all employees should spend some time in the Town Hall and this policy should be operated on that basis.

4.4 Costs

The Council will not incur any extra costs arising from discretionary remote working.

4.5 Regular Review

Your manager will review any remote working arrangements with you regularly, at least twice a year and as part of your appraisal process.

4.6 Working with others

You must arrange your remote working in such a way that it does not increase the workload of those officers who are working from the Town Hall. This includes diverting your direct line number to your mobile phone and dealing with your own emails.

4.7 Health and Wellbeing

Managers and employees should be aware of the potential impact remote working could have on teams e.g. isolation from the team, and/or Council activities.

Due to the nature of individual tasks some roles within the Council are not deemed suitable for remote working.

5. Conditions

- 5.1 Remote working arrangements should work for both the Council and the employee.
- 5.2 Wherever possible requests for remote working should be made at least one month before the employee wishes to start the arrangement.
- 5.3 In general the Council will consider approval for employees to work up to 60% of their contracted hours remotely as long as core business needs are met, and that the employee can meet all the requirements of their role working remotely.
- 5.4 The working environment should be distraction free with work time for working.
- 5.5 Risk assessments of the remote working environment, in line with legal requirements, must be undertaken. An application and self-assessment form (Appendix 1) must be completed by the employee and agreed by the CEO or line Manager before remote working can commence.
- 5.6 Requests should be considered on their own merits, taking into account resources, impact on colleagues and working relationships.
- 5.7 When working remotely employees are responsible for ensuring they are contactable during normal working hours. This should be via a Council mobile telephone (where provided) or via the employee's direct line number. Microsoft Teams and/or Zoom is also an acceptable means of being contactable. Details of personal telephone numbers will remain confidential within the Council. Direct lines must be forwarded to the employee's remote phone. This will make it easier for customers and councillors to contact the employee directly and avoid adding extra workload to colleagues in the Town Hall who would otherwise have to take their calls.
- 5.6 As a general rule it is not considered necessary for those working remotely to require supplies of stationery etc. Large volumes of printing and collating of documents should be carried out on Town Council premises.
- 5.7 Remote working agreements will be reviewed in light of any change of circumstances, whether relating to employee, work they are required to undertake, or the working environment.

6. Responsibilities

6.1 Employer Responsibilities

- 6.1.1 **Health & Safety** - In line with the Health & Safety at Work Act 1974 ("the Act") and their Health & Safety Policy the Council will ensure, as far as reasonably practical, the health, safety and welfare at work of all employees, including those working remotely. The Council reserves the right to inspect remote working premises in order to ensure that the Act, current risk assessments and Council policies and procedures are being adhered to. Reasonable notice will be given to employees before any inspection.

- 6.1.2 **Insurance** - The Council accepts liability for accidents which are proven to have been caused by the authorised use of equipment provided by them in line with any instructions issued.
- 6.1.3 **Data Protection, Security & Confidentiality** - Council employees will be instructed that in instances where their colleagues are working remotely, they will not disclose any personal details e.g. telephone numbers to anyone outside of the Council.
- 6.1.4 **Running costs and expenses** – Where the employee is choosing to work remotely, the Council will not contribute towards costs – for example, heating and lighting.

6.2 Employee Responsibilities

- 6.2.1 **Health & Safety** - Employees are expected to carry out their work in such a way as to ensure, as far as reasonably practical, that there is no risk to health and safety to themselves, members of their family or visitors.
- 6.2.2 **Insurance** - Home working may have an affect on domestic insurance policies. Employees wishing to work from home must inform their insurance company of the change in circumstances and the use, and identity, of equipment owned by the Council. An employee's mortgage provider may need to be informed. Employees living in council or privately rented accommodation my need to notify their landlord and/or examine the terms of their lease.
- 6.2.3 **Accidents, Incidents & Dangerous Occurrences** - In line with the Council's Accident Reporting Procedure, employees must inform their line manager of any accidents, incidents or dangerous occurrences which take place whilst working remotely. The initial report should be via telephone with the appropriate paperwork being completed as soon as possible.
- 6.2.4 **Policies and Procedures** - All work carried out on Council business is covered by the requirements of the Council's policies and procedures, even if this work is undertaken remotely.
- 6.2.5 **Data Protection, Security & Confidentiality** - Arrangements for remote working should ensure that the employee can maintain the security and confidentiality of documents within the remote environment whilst complying with Data Protection legislation and the Council's Email, Internet and Computer Use Policy & Procedure (employees should be aware that even when using their personal equipment to undertake Council business they must comply with this procedure). Employees should make sure that when leaving your computer that the desktop is locked through a password protected screen saver - ensuring data and information security.
- 6.2.6 **Remote Access** – To enable remote access, employees can use their Council issued laptop and office 365 account allowing full remote working with collaboration tools including Zoom, Microsoft Teams, Outlook, Word and Excel. The employee should adhere to all Data Protection, security and confidentiality measures while working remotely.

- 6.2.7 **Taxation** - Employees choosing to work remotely are not entitled to tax relief on additional outgoings. As there is no requirement to work remotely there would be no tax relief on any proportion of the costs for heating, lighting and rent on rooms used for business purposes.

You may be able to claim tax relief for additional household costs if you must work remotely on a regular basis, either for all or part of the week. This includes if you have to work remotely because of coronavirus (COVID-19).

7. **Equipment** - Equipment required for remote working will depend on the nature of the work being undertaken. The type and extent of equipment beyond the Council issued laptop, monitor, keyboard and mouse will be based on the risk assessment. If any equipment owned by the Council is subsequently lost or damaged by an employee that employee may be expected to pay for its replacement, if not covered by insurance.

8. **Making an application for remote working**

- 8.1 An employee requesting remote working arrangements, either on a temporary or long-term basis, should complete the application form and risk assessment form (Appendix 1) and forward it to their line manager. Employees are encouraged to complete the form electronically providing as much information as possible.
- 8.2 The line manager will discuss the application with the employee in person. Discussions should confirm the type of work which can be undertaken, arrangements for covering other duties in the office and the exact pattern of remote working being requested.
- 8.3 If the risk assessment highlights any cause for concern the line manager should seek Health & Safety advice before any further action is taken.
- 8.4 The line manager will sign the application and risk assessment form and return a copy to the employee whilst advising them of the decision on their application. This will normally be within two weeks of the request being submitted. The CEO and the rest of the Council's officer team should be made aware of the arrangements, once approved.
- 8.5 If an employee wishes to appeal against the decision, they may do so by using the Council's Grievance Procedure.
- 8.6 Employees must be aware that any abuse of the remote working arrangement may result in the Council taking disciplinary action.

Appendix 1

Remote Working: Application form and Risk Assessment

To be reviewed annually or if circumstances change

Employee Name:

Service Area:

Council direct Line Number :

Job Title:

Date of Risk Assessment:

Mobile telephone number:

Work / personal – please indicate

Remote Address:

Statement of need for remote working

Proposed arrangements, including the days you will work from the Town Hall

Benefits for Town Council

Benefits for Employee

Employee Declaration

I confirm that:

- the attached risk assessment was carried out in relation to the facilities and equipment which I intend to use when working as part of the remote working arrangement
- I understand my responsibilities under the policy in respect of occasional remote working and confidentiality of Town Council data

I understand that:

- should any equipment provided to me by the Council for use during the remote working arrangement is lost or damaged then I will be required to fund its replacement.
- on leaving the Council I will be required to return any equipment provided to me.

Signed.....

Date.....

Risk Assessment on the remote working environment

Questions	Yes / No	Comments
1. General		
• Completed a DSE assessment?		
2. Chair		
• Is the chair height adjustable? • Is the back rest adjustable in height & tilt? • Does the chair have a five-staff base? • Is the chair comfortable? • Do you need a footrest?		
3. Desk / work surface		
• Is the area large enough for all the equipment and the full range of tasks to be undertaken there? (Employees should adopt a clear desk approach) • Is there sufficient clearance beneath the area for thighs and knees and to stretch the legs? • Have you sufficient space to access your desk as well as more space around it? • If you use a document holder is it positioned at same height and distance as your monitor?		
4. Keyboard		
• Is there sufficient space in front of the keyboard to place a wrist rest? • Are all the keys present and in working order?		
5. Mouse		
• Is there sufficient space adjacent to the keyboard for the mouse to be used comfortably? • Is it positioned close to the keyboard to prevent overextending or cramping of the wrist? • Do you have a mousemat?		
6. Screen		
• Is the monitor positioned firstly in front of you? • Is the monitor positioned at the correct height? (<i>when looking horizontally eyes should be resting just below the top of the screen</i>) • Does the screen tilt and swivel easily? • Is the image on the screen clear and stable?		

Questions	Yes / No	Comments
6. Environment <ul style="list-style-type: none"> • Are there any manual handling issues relating to you working remotely? • Is the work area free from trip hazards – including the tidying of cables and leads? • Does the route to your workplace involve using a loft ladder? • Are there access problems if you carry large or heavy items? • Is the general lighting adequate? • Can you eliminate strong light sources / reflections? • Is the temperature and ventilations adequate and free from draughts? • Is the work area free from distracting noise? • Will your remote working activities involve significant use of the telephone? • Are you intending to use a mobile phone for this purpose or will you have access to a land line? • In relation to your electrical equipment is there any evidence of damage to plugs or leads? • Is there any evidence of overheating? • Are combustible materials kept away from sources of heat? • Do you have a smoke alarm fitted? • Do you know what action to take in the event of a fire? 		
7. I.T. Equipment <ul style="list-style-type: none"> • I have a suitable broadband internet connection and good wi-fi or a cable to the router 		

Line managers response to employee's self-assessment of the proposed working arrangements

Actions taken in relation to any risks identified:

I have reviewed the employee's request for remote working with their line manager and:

- a) I agree to the proposed occasional remote working arrangements
OR (*delete as appropriate*)
b) I do not agree to the proposed remote working arrangements for the following reasons:

Signed:.....

Date _____



Flexible working - how to make a request

There are two ways in which you can make a flexible working request. One is to make a formal statutory request - a request under the rules set out in law. The other is to make a non-statutory request.

This page tells you the advantages and disadvantages of each and how to make both a statutory and a non-statutory request.

Deciding what type of request to make

If you are eligible to make a statutory request, you have the choice of doing that, or making a non-statutory request.

If you aren't eligible to make a statutory request, you can still make a non-statutory one.

Your employer might also have a scheme for asking for flexible working. If you are not sure, ask your employer or look in the staff handbook.

You can find out who can make a statutory request (</cymraeg/Gwaith/hawliau-yn-y-gwaith/flexible-working/flexible-working-what-is-it/>)

Advantages and disadvantages of statutory and non-statutory requests

Statutory request	Non-statutory request
You have to meet eligibility criteria.	You won't have to meet any eligibility criteria.
You can only make 1 request a year.	There's no limit on the number of requests you can make each year.
If your employer refuses your request, there are rules on how you can make a claim in the employment tribunal under the law on flexible working.	If your employer refuses your request, you might still be able to take a claim to an employment tribunal but not under the law on flexible working. For example, if it's discrimination.
It can take up to 3 months, or longer if you agree to an extension of time, for your request to be approved.	Getting a decision could be quicker. This may be worth considering if you want to make temporary or small changes to your working pattern and need this to start soon.
You might not need to make a statutory request if your employer's scheme is better.	It might be a good idea if you want to try out a new working pattern before making a permanent change.

What to put in a non-statutory request

There is no set format for a non-statutory request, but it is usually best to make the request in writing and date it. In your letter you should:

- set out the working pattern you are asking for and the date on which you would like it to start
- explain how the proposed change would affect your employer and colleagues and how you think these changes might be dealt with
- say why you're making a request - you don't have to give a reason, but it might help your employer make a decision. For example, if you need help with caring arrangements, your employer might realise that it could be discriminatory to refuse

your request. Find out more about flexible working and discrimination (</cymraeg/Gwaith/hawliau-yn-y-gwaith/flexible-working/flexible-working-discrimination/>)

What to put in a statutory request

A statutory application for flexible working must:

- be in writing
- be dated
- state that it is a statutory request for flexible working
- set out the working pattern you are asking for and the date on which you would like it to start
- explain how the proposed change would affect your employer and colleagues and how you think any changes might be dealt with
- state whether you have made a previous application for flexible working to your employer, and if so, when
- say if you are making a request because you are put at a disadvantage because of your age, sex, race, disability, religion or belief, or sexual orientation. For example, asking for flexibility as a reasonable adjustment to help with a disability
- say why you're making a request - you don't have to give a reason, but it might help your employer make a decision. For example, if you need help with caring arrangements, your employer might realise that it could be discriminatory to refuse your request. Find out more about flexible working and discrimination (</cymraeg/Gwaith/hawliau-yn-y-gwaith/flexible-working/flexible-working-discrimination/>)

What you need to say about how your proposed new working pattern will affect your employer

You should say how you think the change in working pattern will affect your employer's business and how these changes can be dealt with. You're not expected to know every factor which may influence your employer's decision but you need to show that you have considered how flexible working could work in their business.

You can show this by:

- suggesting who might be able to cover your work when you aren't there
- being clear about the changes that you want
- being flexible about what might be suitable. If you have more than one option, you could describe them all to your employer, saying which choice you prefer and why. This is important if you are making a statutory request because you can only make one application a year. For example, your first choice may be to work 3 days a week, but you would accept working 4 days a week
- explaining how the work could be managed around your changed hours
- emphasising your continued commitment to the organisation and suggesting ways in which you might be able to provide additional working hours in emergencies

When to make a request

Non-statutory request

You can make a non-statutory request at any time. It is a good idea to start planning it as soon as you can and asking your employer early enough for the changes to be in place by the time you want them to start.

Your employer might consider requests in the order in which they receive them, so it might help you to make your request as soon as you can.

Statutory request

You can make a statutory request at any time after you have worked for your employer for 26 consecutive weeks. It is a good idea to start planning it as soon as you can and to ask your employer as soon as you can so the changes to be put in place by the time you want them to start.

If you have made a statutory request in the previous 12 months, you have to wait until 12 months after the date of that request before you can ask again. You might be able to make a non-statutory request instead.

What happens next?

If your employer doesn't agree to your request, they should arrange to discuss your request with you as soon as possible and let you know if there is going to be any delay in dealing with your request.

How long will you have to wait for a decision?

There is no deadline for an employer to decide on a non-statutory request.

If you make a statutory request, the whole process, including any appeal, should not take more than three months from the date on which you made your request unless you and your employer agree to an extension of time.

Next steps

- [Flexible working - preparing to discuss your request with your employer \(/cymraeg/Gwaith/hawliau-yn-y-gwaith/flexible-working/flexible-working-preparing-to-discuss-your-request-with-your-employer/\)](#)
- [Flexible working - negotiation \(/cymraeg/Gwaith/hawliau-yn-y-gwaith/flexible-working/flexible-working-negotiation/\)](#)

- [Flexible working - discrimination](/cymraeg/Gwaith/hawliau-yn-y-gwaith/flexible-working/flexible-working-discrimination/)

Other useful information

- [Flexible working - what is it](/cymraeg/Gwaith/hawliau-yn-y-gwaith/flexible-working/flexible-working-what-is-it/)
 - [Acas Code of Practice and guidance ↗](#)
 - [Flexible working application form from BIS ↗](#)
-

A oedd y cyngor hwn yn fuddiol?

Oedd

Nac oedd

 **Page last reviewed:** 25 Chwefror 2021

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