

WORKING OFF PREMISES POLICY AND PROCEDURE

1 INTRODUCTION

Whilst the University expects its employees and staff to comply with this policy, it does not confer contractual rights or form part of any contract of employment and may be amended by the University or replaced at any time following appropriate consultation and negotiation with recognised trade unions.

Breach of this policy may be addressed via the University's Disciplinary Policy and Procedure and Code of Conduct.

This policy will be reviewed by the Human Resources department on a 3-year basis or earlier in response to practical issues or to changes in future legislation and/or case law.

2 OWNERSHIP

The Human Resources department owns and manages this policy on behalf of The University of Northampton.

3 ORGANISATIONAL SCOPE

This Working Off Premises Policy and Procedure applies to all employees (and workers, as applicable) of The University of Northampton including any wholly owned subsidiaries, unless an alternative policy exists, subject to any qualifying conditions.

4 DEFINITIONS

Working off premises - carrying out some or all duties at a location that is not within University premises for example at home, on commute or in public spaces.

Normal place of work – the place of work specified in an employee's contract of employment as their normal place of work, which will usually be University premises.

Flexible working – statutory right for an employee to request a change to their contractual terms and conditions of employment in order for them to work flexibly (in

accordance with associated eligibility criteria).

Domestic disruptions – sudden unforeseen events for example burst pipes, gas leak, flood, fire burglary.

Dependency/ carer disruptions – sudden unexpected problems for example breakdown in childcare arrangements or illness of dependant

Smart Working – Our approach to organising work and working environments that promote flexibility, efficiency and use of technology to achieve job outcomes. More information can be found in 'What is Smart Working?' on the intranet.

5 POLICY STATEMENT

- 5.1 The University of Northampton is a Smart Working organisation, adopting principles that make full use of the facilities provided within the premises of the University, utilising technology to allow flexibility of working and promoting a culture of trust that focuses on results and outcomes. Further information on our approach to Smart Working can be found under 'What is Smart Working' on the intranet.
- 5.2 Smart working enables employees to work more effectively by providing a choice, where appropriate, of where and when they undertake their work including at other locations such as at home, in a public space or on commute.
- 5.3 This policy and procedure aims to provide managers and employees with a fair and transparent procedure for working in locations other than University premises that protects the University, staff members, university data and equipment.
- 5.4 Working off premises is not a contractual requirement for any employee, there are sufficient facilities for employees to undertake duties within University premises. However, working off premises may be an option for some employees, depending upon the work they do. The needs of the University take priority, this means in some cases there is a requirement for employees to be present at a particular location in order to carry out the duties of their post and working off premises is not an option. See section 6.8

6 KEY PRINCIPLES

- 6.1 The University of Northampton is committed to ensuring that its employees maintain a healthy work-life balance, and this will be considered fully as part of any agreement relating to an employee working off premises.
- 6.2 Line managers are responsible for ensuring that the needs of the University are met and that their teams are working in accordance to Smart principles in as far as they are able within their roles.
- 6.3 An agreement by the University for an employee to work off premises (not including flexible working requests, see point 7.4 below):
- does not constitute a contractual right or entitlement for that employee, either through express or implied terms, and will not alter the employee's contract of employment.
 - is done so at the University's discretion and may be reviewed or revoked in line with the needs of the University or if the employee is found not to fulfil their responsibilities.
 - is voluntary and is not intended to create a situation where employees feel obliged to work excessive hours;
 - does not give rise to a claim for expenses;
 - does not normally mean that equipment will be provided by the University for use at home. Exceptions may be made where provision would be considered a reasonable adjustment following appropriate assessment.
- 6.4 If an employee has not been provided with a mobile device such as a laptop, loan equipment is available, or employees may use their own devices subject to use within current IT policies and observance of the General Data Protection Regulations (GDPR) Policy and Procedure.
- 6.5 The procedure below provides basic standards and processes that employees and managers should follow to ensure working off premises is appropriate and successful for both the employee and the University, to allow for line management and to ensure that the principles and how they apply in the University are embraced. Team practices will apply to complement and achieve the above within the parameters defined at any given time.

Employees are responsible while working off premises, for ensuring protection of the University's equipment, computing and data, as detailed in the current IT policies and The General Data Protection Regulation (GDPR) Policy and Procedure.

- 6.6 Employees working off premises are responsible for ensuring they adhere to the University's Health & Safety requirements in relation to the set-up of their workspace, or to relevant Health & Safety requirements of the place where they are working, if working at a third-party site for example.
- 6.7 Working off premises should not normally be used as an alternative to care for dependants, for ongoing domestic disruptions or when an employee is sick or injured. Please refer to the Time Off and Special Leave Policy. Exceptions to this may apply where employees can demonstrate that they are able to fulfil their job requirements effectively, which may include making up time after normal working hours, and their line manager agrees. Consideration should be given to alternative options such as flexitime or annual leave. See section 7.8.
- 6.8 This policy and procedure applies (in principle) to all employees. However, it is recognised that not all employees will be able to work off premises due to the nature of their job requirements. This is not considered unfair or preferential treatment as the job requirements determine the need such as those where:
- Direct student staff face to face contact is required.
 - Servicing and serving other university facilities or resources (e.g. security office, receptionist, electrician) is the primary activity
 - A high level of supervisory duties (day to day oversight of an employee's work where direct contact is appropriate) are required.
- 6.9 Should any employee feel they have a genuine complaint of unfair treatment a complaint may be made following the Grievance Procedure, informally in the first instance.
- 6.10 Some posts within the University require employees to work in locations other than University premises for some of their time, including at partner institutions, schools, hospitals and recruitment fairs. The procedure for agreement detailed in section 7.1 does not apply in this instance as this will already be agreed through work allocation. The remainder of the responsibilities within this policy and procedure will apply.

7 PROCEDURE

Agreeing to work off premises

- 7.1 If an employee wants to request to work off premises either as an ongoing or an ad hoc basis, they should agree it with their line manager (or alternative manager of the same level or above if their line manager is unavailable) in advance. Requests and agreements do not have to be in writing and no formal process is required.
- 7.2 Agreements to work off premises should form part of team planning processes where appropriate.
- 7.3 When considering a request from an employee the manager will take into account:
- the needs of the University, the requirements of the employee's post and ability to carry out their duties effectively
 - if the employee plans to undertake work that is more effectively achieved by working off premises
 - the employee's circumstances – so for example if they need to deal with a domestic disruption
 - any restrictions in the employee's home environment including health and safety and accessibility issues – for example to equipment or digital services
 - the work the employee is able to undertake
 - fairness to other staff members who may be affected by the arrangement, for example if there will be a need for another staff member to cover any aspect of their work if the request is granted.
- 7.4 Requests from an employee that include a request to work off premises on a regular basis for example one day per week, can be addressed under this procedure. However, in some circumstances there may be a requirement to change the contract of employment and therefore should be addressed via the University's Flexible Working Policy & Procedure. Advice should be sought from the HR department. Where a flexible working agreement is in place for working off premises all elements of this policy and procedure will apply with the exception of approval.
- 7.5 Employees may also be able to request and agree that they self-manage their time on a longer-term basis and are able to work off premises when they deem it appropriate to the task they are undertaking. These agreements should be regularly reviewed, for

example at 1-2-1 meetings and are subject to all elements of this policy with the exception of approval.

- 7.6 Smart working principles demand an environment of trust and this will be assumed unless there is reason to suspect otherwise. Nevertheless, employees working off premises are still accountable to their line managers and may be required to inform them where they are. Line managers are entitled to gain an understanding of their team work outputs therefore off premises employees should expect to discuss their progress when asked.
- 7.7 Employees with agreement to work off premises may be requested to attend their normal place of work at short notice, if organisational needs require it.
- 7.8 Working off premises should not normally be used as an alternative to reporting sickness absence.
- 7.9 However, in exceptional circumstances where an employee feels able to and where the job requirements allow, employees may request to work from off premises whilst injured or with a minor illness, which may be agreed following discussion with line managers. The request will only be approved if the employee is confident that continued working does not impact on their ability to recover and it is seen as a reasonable adjustment. Employees will be required to demonstrate that they are able to fulfil their job requirements effectively and is intended to be for a period of only 1-2 days.
- 7.10 The University will not request any employee continue working if they have reported sick.
- 7.11 Where illness or injury recovery is likely to be ongoing beyond a few days, requests to work off premises during this time will be considered as a reasonable adjustment and agreed in conjunction with the employee, line manager and HR. Medical advice may be sought either from the employee's doctor or via Occupational Health.
- 7.12 To ensure employee wellbeing, to be able to support ongoing illness and to identify trends employees who have reported as sick but have requested and been agreed to continue working, will be reported as 'working from home whilst sick' on the HR system (U4BW), pay will not be affected and salary will be paid as normal.

- 7.13 On return employees who have worked from home whilst ill must discuss with their manager their illness, confirm they are fit to return to work and that work has been undertaken.
- 7.14 If an employee plans to work from home but falls ill on the day, normal sickness reporting procedures apply.

Preparing to work off premises

- 7.15 Before working off premises employees must read all IT policies, GDPR policy and Procedure and trial the technology used to connect to work systems in advance.
- 7.16 Employees should plan what work will be completed when working off premises in order to ensure that they have access to the necessary information for completing tasks, particularly where the arrangement is ad hoc. Line managers may also ask employees to outline their plans as part of their request.

Communication

- 7.17 Good communication is an essential part of any successful team especially when team members are not always in the same location. Unless otherwise agreed, employees must be contactable throughout normal working hours and be able to respond.
- 7.18 Employees should ensure colleagues know where they are working and how they can be contacted. It is good practice to keep Outlook calendars up to date and allow others to view availability. Employees must use appropriate communication tools and should log in when they start work and update location and availability. This is good practice and helps managers and colleagues know whether they can be contacted.
- 7.19 Employee's personal phone number(s) and home address may not be divulged without their express permission.
- 7.20 Employees would normally be expected to have a basic internet connection and access to a PC or equivalent. Employees may use their own devices however laptops will be available to borrow if the employee is not issued with a University mobile device. The University is not responsible for providing broadband connectivity and is not obliged to pay for broadband or telephone costs.

Visitors

- 7.21 Under no circumstances are arrangements to be made for clients, representatives or students to meet with the employee at their home. All meetings should be held at University premises/partner organisations or similar professional setting in order to maintain the necessary level of professionalism and safety.
- 7.22 Visits from University employees to an employee working from home should only take place under exceptional circumstances.

Security of equipment, University and personal data

- 7.23 When working off premises staff should not use IT equipment where it can be overlooked by a third party. Staff should be mindful of the type of work they are undertaking and plan to work on non-confidential work when working in public places.
- 7.24 IT equipment must not be left unattended in public places.
- 7.25 When left unattended in a secure environment, for example at home, screens should be locked. No other members of your household are entitled to view business sensitive information relating to the University.
- 7.26 Access to University systems should only be made through the approved secure routes as detailed in the current IT policies.
- 7.27 It is the employee's responsibility to protect the University information from loss, theft or unauthorised access and exploitation. All employees must read and observe the General Data Protection Regulations (GDPR) Policy and Procedure, current IT policies and guidance provided by the Records Management Office on the staff intranet relating to safe information storage, transmission and use.
- 7.28 All personal computer equipment used for processing university information must have adequate virus and firewall protection. Refer to the current IT policies for minimum requirements.
- 7.29 Breaches of Data protection must be reported in line with the General Data Protection Regulations (GDPR) Policy and Procedure.
- 7.30 Damaged, lost or stolen equipment must be reported in line with the current IT policy.

University requests for an employee to work off premises

7.31 In exceptional circumstances the University may request that an employee works off premises including at home for example if University premises are not accessible. The request will be made directly to them, will be as far in advance as is reasonably practicable and will take the employee's circumstances into consideration.

Health, Safety and Wellbeing

7.32 Whilst working off premises employees have a responsibility to ensure their own health and safety requirements are met. This includes but is not limited to:

- Ensuring a suitable place to work that is free from slip and trip hazards with adequate fire detection and enough room for work to be carried out safely (including space for the workstation and any other equipment that might be appropriate).
- Setting up their workstation (including the chair) in accordance with the advice given by the Safety, Health & Environment team and through the Display Screen Equipment training all employees are required to complete.
- Risk assessment of activities by line managers ensuring equipment provided by the university is safe – manual handling should not be necessary, nor should handling of harmful substances
- Observance of local escape routes and safety requirements if in a public place.
- Understanding of all relevant Health and Safety policies and accident/incident reporting processes.
- Taking a 5 minute break from the screen at least every hour; this could be a change of task such as to make a telephone call and not necessarily a specific break.
- Ensuring work-life balance, taking regular breaks, (at least 20 minutes uninterrupted in every 6 hours) and ensuring disconnect from work systems outside of working hours.
- Setting an end of day time to avoid working excessive hours.
- If lone working, maintain regular contact with colleagues as agreed in your team.

7.33 When working off premises employees are also responsible for ensuring that the working environment is conducive to the work they are undertaking, free from distractions and comfortable.

Insurance

- 7.34 Where it has been agreed that an employee can work from home it is the employee's responsibility to assess the implications for themselves with respect to taxation, insurance or leasing arrangements.
- 7.35 The University holds liability insurance that provides cover for the legal liabilities of the University and its staff whenever they are engaged in University business. This cover applies irrespective of where the activity is taking place.
- 7.36 The University's insurance does not cover an employee for personal liabilities arising from non-work activities undertaken whilst working at home including liabilities in connection with the employee's own premises. The employee should hold their own domestic insurances for household contents and, where applicable, household buildings to cover their personal liabilities as occupier/owner of the home.
- 7.37 It is the employee's responsibility to advise their insurers if they are working from their normal place of residence and using the premises and certain equipment, e.g. computers for professional purposes on a regular basis. This would be considered a material fact by insurers and failure to notify this change could invalidate the employee's insurance policy.
- 7.38 As there is no requirement to work at home no contribution will be made by the University towards home insurance.

Costs and Expenses

- 7.39 No contribution will be made by the University towards normal household expenses where an employee works from home.

8 ASSOCIATED DOCUMENTS

- 8.1 Highlight an associated document and legislation within this section.

9 EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment must accompany this document.

10 VERSION CONTROL

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