

Agile Working Policy

NHS West Essex Clinical Commissioning Group Policy Reference Number:
WECCG94

DOCUMENT CONTROL SHEET

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Change History:

Version	Date	Reviewer(s)	Revision Description
v1.0		Hannah Preston	Adapted for use as the Shared Service Policy.

Implementation Plan:

Development and Consultation	Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs.
Dissemination	This policy will communicate to staff representatives. It will be communicated electronically to all staff and managers and will be published on the CCG's intranet.
Training	There are no specific training requirements in order to implement this policy. However, managers will be able to access advice from the HR Department on the implementation and interpretation of this policy.
Monitoring	The CCG proactively monitors and reports on agile working. The data identified from monitoring will be used to update the policy and ensure best practice as necessary.
Review	Every 2 Years
Equality and Diversity	17/05/2017 - Equality Impact Assessment
Associated Documents	<ul style="list-style-type: none"> ▪ Flexible Working Policy ▪ Information Governance Policy ▪ Health and Safety Policy ▪ Sickness Absence Policy ▪ Adverse Weather Policy

	<ul style="list-style-type: none"> ▪ Information Governance Policy
References	<ul style="list-style-type: none"> ▪ <u>Agile Working – A guide for employers</u>. Employers network for equality & inclusion (ENEI). ▪ Agenda for Change NHS Terms and Conditions

Document Status:

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Sustainable Development - Environmental

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1.0 Introduction

- 1.1 NHS Bedfordshire, NHS East and North Hertfordshire, NHS Herts Valleys, NHS West Essex and NHS Luton Clinical Commissioning Groups (respectively referred to as 'the CCG') recognises the fact that space is becoming an increasing challenge and that there is a need to develop modern working practices enabling employees to maximise their performance.
- 1.2 Agile working is the term used to describe how employees can work flexibly from any location; this could include CCG headquarters or other NHS locations, offices of Partners, Stakeholders or Shared Service providers, at home on occasion, or in any combination of these.
- 1.3 The concept of agile working gives employees the ability and the equipment to carry out their role securely, efficiently and successfully in different locations across the geographical area in which they work.
- 1.4 The aim of this policy is to support agile working for staff employed by the CCG. This policy does not negate or supersede the CCG's flexible working policy that already exists for use by all employees. This policy is not appropriate for instances where regular flexibility of working patterns is required for personal reasons; instead the CCG's Flexible Working Policy should be considered.
- 1.5 It is accepted that not all jobs or employees may be suitable for agile working. Some jobs are intrinsically not suitable (e.g. receptionists and staff whose role requires them to be office based) and some proposed arrangements may not be considered safe and secure. Line managers should consider each situation on its own merits, applying the principles of fairness and consistency whilst ensuring that overriding business needs and other requirements can be appropriately met.
- 1.6 This policy provides a framework for consistent and fair practice on the issues to be taken into account when considering agile working arrangements. The policy also sign-posts managers and employees to other relevant policies, not unique to agile working that should be considered when making decisions about new ways of working.

2.0 Scope

- 2.1 This policy applies to all CCG staff members, including Governing Body Members.

3.0 Definitions

- 3.1 Agile working is based on the concept that work is an activity that we undertake, rather than a place that we go. Agile working allows organisations to work smartly and to take advantage of the opportunities available as a result of technology and situations where employees travel as a requirement of their role.
- 3.2 Nominal Base describes the contractual base of the employee for HMRC, mileage/travel claims, and other expenses purposes.
- 3.3 Remote working is when an employee works from a location other than the nominal base remaining in contact electronically and via telephone.

4.0 Policy Statement

- 4.1 The CCG is committed to adopting agile working practices, where appropriate in the context of business needs, and empowering employees to maximise their performance.

5.0 Roles and Responsibilities

5.1 Accountable Officer/Chief Executive

The Accountable Officer/Chief Executive has overall responsibility for this policy.

5.2 Line Managers

Line Managers are required to:

- Consider and where appropriate encourage agile working across their teams.
- Ensure fairness and consistency in applying this policy.
- Ensure flexibility, openness and constructiveness in all discussions and agreements about agile working with employees within their area of responsibility, remaining focused on the needs of the service.
- Consider any health and safety implications when agreeing to agile working arrangements by consulting the CCG's Health and Safety manager/provider regarding any particular risks and the need to undertake any assessments such as Risk Assessments and Display Screen Equipment (DSE) Assessments.

- Arrange for the provision of any appropriate equipment needed by the employee to ensure they can work securely, effectively and safely when working agilely.
- Periodically review agile working arrangements for employees within their area of responsibility, in line with the policy and guidance.
- Ensure employees working in an agile way are clear of the expectations on them and that effective communication and an effective managerial relationship is maintained.
- Consider any information governance and security implications associated with agile working and seek advice as appropriate.
- Ensure the employee takes responsibility for the security of CCG equipment and sensitive, confidential data and complies with the Data Protection Act, reporting data breaches or loss or theft of such to the CCG immediately.

5.3 All Employees

All employees are required to:

- Familiarise themselves with the content of this document, and with health and safety requirements relating to agile working, ensuring that they protect their own health and safety when working agilely.
- Comply with all conditions contained within this document, and any other policies or guidance referred to within this document.
- Ensure their line manager has authorised (either verbally or in writing) the agile working arrangements in advance of undertaking any agile working.
- Ensure their line manager is advised of any changes to agreed agile working arrangements in a timely manner.
- Raise any concerns arising from agile working arrangements, including health and safety and information governance concerns to their line manager.
- Ensure flexibility, openness and constructiveness in all discussions with their line manager about agile working remaining focused on the needs of the service.
- Ensure the security of CCG equipment and data complying with the Data Protection Act and the CCG information governance policy.
- Report the loss or theft of any CCG equipment or data or breaches of the information governance policy and/or Data Protection Act in line with local policy and as soon as is reasonably practicable.
- Ensure that when working agilely, they are contactable via telephone and email at a minimum.
- Liaise with their line manager for advice or clarification as required.

5.4 Human Resources Responsibilities:

- The HR & ODL Service is responsible for providing advice and guidance to employees and managers in relation to this policy and its procedural guidelines.
- To advise on the Impact of the Equality Act 2010, including in relation to reasonable adjustments for disabled staff.

6.0 Eligibility and Exclusions

- 6.1 Line managers are responsible for determining eligibility for agile working and have the ultimate responsibility for deciding whether an employee is authorised to undertake agile working. Line manager's decisions in these matters will be final.
- 6.2 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 CCG's Flexible Working Policy should be considered.

7.0 Process for Agreeing Agile Working

- 7.1 Either the line manager or the employee can initiate a discussion about the possibility of agile working. The line manager should give appropriate consideration to a request made by an employee to work in an agile way and employees should similarly give appropriate consideration to management requests to work agilely
- 7.2 The line manager and employee should consider the following points before agreeing an agile working arrangement:
- Whether this policy is applicable or whether an alternative policy may be more appropriate, for example, the flexible working policy;
 - Whether the business needs of the CCG can be best met if an agile working arrangement were to be agreed;
 - Whether there are any health and safety implications or information governance implications, consulting the information governance lead or the CCG's Health and Safety manager/provider and undertaking assessments such as Risk Assessments and Display Screen Equipment (DSE) Assessments, as appropriate;
 - Whether there are any other risks associated with agile working, for example, risks to equipment and the CCG's obligations in relation to the Data Protection Act in line with information governance requirements. Where risks are identified, the line manager and employee should discuss whether these can be adequately mitigated to ensure that the CCG continues to comply with any legal or other obligations;
 - Whether any additional equipment may be required and whether this is financially feasible;
 - Whether the employee will be adequately contactable. As a minimum staff should be contactable by email and telephone; and

- Whether HR or other advice may be required.
- 7.3 If agreed, the line manager should:
- Confirm agreement to the principle of working agilely to the individual. Where appropriate, the line manager may wish to confirm arrangements in writing;
 - Confirm any particulars of the agreement, for example, in relation to management supervision and communication, or other specific arrangements, including how the employee will be contactable and their location known to their manager, their team and others;
 - Ensure that all specific expectations of the agile working arrangement are clear to the employee, including the delivery of outcomes whilst working agilely; and
 - Regularly review the agile working agreement and update this where necessary.
- 7.4 If an employee's request to work agilely is not agreed, the line manager should confirm this as soon as is reasonably practicable to the employee, providing a rationale for the rejection of the request. The line manager may wish to seek HR advice in such instances.
- 7.5 If an employee does not agree to a manager's request to work agilely, the line manager should ascertain the reasons for the employee's refusal and discuss the reasonableness of this, the reasonableness of the request and all other relevant circumstances with their HR Business Partner. In some cases where there is a critical business need to transition staff to working more agilely, it may be necessary to consult with employees and HR advice should be sought from the appropriate HR Business Partner to determine the best course of action in the circumstances.
- 7.6 Any agreement to work agilely will not constitute a change to an employee's nominal base. Line managers who would like to consider a permanent change of nominal base should contact their HR Business Partner.

Appendix 1 Equality Impact Assessment Stage 1 Screening

Title of policy, service, proposal etc being assessed:

Agile Working Policy

What are the intended outcomes of this work? Include outline of objectives and function aims

The aim of this policy is to support agile working for staff employed by the CCG. This policy does not negate or supersede the CCG's flexible working policy that already exists for use by all employees. This policy is not appropriate for instances where regular flexibility of working patterns is required for personal reasons; instead the CCG's Flexible Working Policy should be considered.

How will these outcomes be achieved? What is it that will actually be done?

The CCG is committed to adopting agile working practices, where appropriate in the context of business needs, and empowering employees to maximise their performance.

Who will be affected by this work? e.g. staff, patients, service users, partner organisations etc. If you believe that there is no likely impact on people explain how you've reached that decision and send the form to the equality and diversity manager for agreement and sign off

Staff

Evidence

What evidence have you considered? Against each of the protected characteristics categories below list the main sources of data, research and other sources of evidence (including full references) reviewed to determine impact on each equality group (protected characteristic).

This can include national research, surveys, reports, research interviews, focus groups, pilot activity evaluations or other Equality Analyses. If there are gaps in evidence, state what you will do to mitigate them in the Evidence based decision making section on page 9 of this template.

If you are submitting no evidence against a protected characteristic, please explain why.

Age Consider and detail age related evidence. This can include safeguarding, consent and welfare issues.

No local assessment. Policy based on other organisation's policies and best

practice.
<p>Disability Detail and consider disability related evidence. This can include attitudinal, physical and social barriers as well as mental health/ learning disabilities. No local assessment. Policy based on other organisation’s policies and best practice. Potential for agile working to be a positive, reasonable adjustment. Also potential for agile working requirements to need to take account of reasonable adjustments.</p>
<p>Gender reassignment (including transgender) Detail and consider evidence on transgender people. This can include issues such as privacy of data and harassment. No local assessment. Policy based on other organisation’s policies and best practice.</p>
<p>Marriage and civil partnership Detail and consider evidence on marriage and civil partnership. This can include working arrangements, part-time working, caring responsibilities. No local assessment. Policy based on other organisation’s policies and best practice.</p>
<p>Pregnancy and maternity Detail and consider evidence on pregnancy and maternity. This can include working arrangements, part-time working, caring responsibilities. No local assessment. Policy based on other organisation’s policies and best practice. Potential need to assess agile working arrangements’ suitability during pregnancy and for breastfeeding women. Potential to enable better flexibility and therefore a positive impact.</p>
<p>Race Detail and consider race related evidence. This can include information on difference ethnic groups, Roma gypsies, Irish travellers, nationalities, cultures, and language barriers. No local assessment. Policy based on other organisation’s policies and best practice.</p>
<p>Religion or belief Detail and consider evidence on people with different religions, beliefs or no belief. This can include consent and end of life issues. No local assessment. Policy based on other organisation’s policies and best practice.</p>
<p>Sex Detail and consider evidence on men and women. This could include access to services and employment. No local assessment. Policy based on other organisation’s policies and best practice.</p>

Sexual orientation Detail and consider evidence on heterosexual people as well as lesbian, gay and bisexual people. This could include access to services and employment, attitudinal and social barriers.

No local assessment. Policy based on other organisation's policies and best practice.

Carers Detail and consider evidence on part-time working, shift-patterns, general caring responsibilities.

No local assessment. Policy based on other organisation's policies and best practice.

Other identified groups Detail and consider evidence on groups experiencing disadvantage and barriers to access and outcomes. This can include different socio-economic groups, geographical area inequality, income, resident status (migrants, asylum seekers).

No local assessment. Policy based on other organisation's policies and best practice.

Engagement and involvement

How have you engaged stakeholders with an interest in protected characteristics in gathering evidence or testing the evidence available?

Policy Forum established. Members include representatives of CCGs and Trade Unions

How have you engaged stakeholders in testing the policy or programme proposals?

Policy Forum established. Members include representatives of CCGs and Trade Unions

For each engagement activity, please state who was involved, how and when they were engaged, and the key outputs:

Policy Forum established. Members include representatives of CCGs and Trade Unions

Summary of Analysis

Considering the evidence and engagement activity you listed above, please summarise the impact of your work. Consider whether the evidence shows potential for differential impacts, if so state whether adverse or positive and for which groups and/or individuals. How you will mitigate any negative impacts? How you will include certain protected groups in services or expand their participation in public life?

Policy based on other organisation's policies and best practice.

Now consider and detail below how the proposals could support the elimination of discrimination, harassment and victimisation, advance the equality of opportunity and promote good relations between groups (the General Duty of the Public Sector Equality Duty).

Eliminate discrimination, harassment and victimisation

Policy based on other organisation's policies and best practice.

Advance equality of opportunity

Policy based on other organisation's policies and best practice.

Promote good relations between groups

Policy based on other organisation's policies and best practice.

Next Steps

Please give an outline of what you are going to do, based on the gaps, challenges and opportunities you have identified in the summary of analysis section. This might include action(s) to eliminate discrimination issues, partnership working with stakeholders and data gaps that need to be addressed through further consultation or research. This is your action plan and should be SMART.

New HR monitoring system being developed

How will you share the findings of the Equality analysis? This can include sharing through corporate governance or sharing with, for example, other directorates, partner organisations or the public.

Publication alongside the policy

Health Inequalities Analysis

Evidence

1. What evidence have you considered to determine what health inequalities exist in relation to your work? List the main sources of data, research and other sources of evidence (including full references) reviewed to determine impact on each equality group (protected characteristic). This can include national research, surveys, reports, research interviews, focus groups, pilot activity evaluations or other Equality Analyses. If there are gaps in evidence, state what you will do to mitigate them in the Evidence based decision making section on the last page of this template.

Policy based on other organisation's policies and best practice.

Impact

2. What is the potential impact of your work on health inequalities? Can you demonstrate through evidenced based consideration how the health outcomes, experience and access to health care services differ across the population group and in different geographical locations that your work applies to?

Policy based on other organisation's policies and best practice.

3. How can you make sure that your work has the best chance of reducing health inequalities?

Policy based on other organisation's policies and best practice.

Monitor and Evaluation

4. How will you monitor and evaluate the effect of your work on health inequalities?

New HR monitoring system being developed

Quality Impact Initial Assessment.

Quality can be defined as embracing three key components:

- Patient Safety – there will be no avoidable harm to patients from the healthcare they receive. This means ensuring that the environment is clean and safe at all times and that harmful events never happen.
- Effectiveness of care – the most appropriate treatments, interventions, support and services will be provided at the right time to those patients who will benefit.
- Patient Experience – the patient’s experience will be at the centre of the organisation’s approach to quality.

What is the impact on:

Patient Safety?	Positive <input type="checkbox"/>	Negative <input type="checkbox"/>	Neutral <input checked="" type="checkbox"/>
Patient Experience?	Positive <input type="checkbox"/>	Negative <input type="checkbox"/>	Neutral <input checked="" type="checkbox"/>
Clinical Effectiveness?	Positive <input type="checkbox"/>	Negative <input type="checkbox"/>	Neutral <input checked="" type="checkbox"/>

If any there is any negative impact please complete seek advice from the Nursing and Quality Team and a full Quality impact assessment will need to be completed.

Name of person(s) who carried out these analyses: Paul Curry

Date analyses were completed: 17 May 2017