

Flexible/Hybrid Working Policy

1. Introduction

Flexible/hybrid working can support the physical and mental wellbeing of staff by providing alternative working arrangements including varied hours, location and pattern.

Staff have the statutory right to submit a flexible/hybrid working request from their first day of employment. They can make two statutory requests for flexible working in any 12 month period.

Where it is not possible to hold a face-to-face meeting under this procedure, the process will be conducted remotely. The organisation will ensure staff and their representatives have access to the necessary technology for participating. Staff rights will not be affected, and the organisation will ensure the procedure remains fair and reasonable.

This document forms part of a contract of employment and will be changed from time to time in line with current best practice and statutory requirements and to ensure business needs are met. Staff will be consulted in advance of any proposed changes with those required by law being implemented with or without staff consent.

2. Policy Aims

- To fairly consider all flexible/hybrid working requests submitted by eligible staff.
- To clearly outline the process for staff to submit a flexible/hybrid working request.
- To clearly outline the process for managers to consider and respond to flexible/hybrid working requests.
- To identify the eight business reasons why a request may not be granted.

3. Responsibilities

Staff Responsibilities

Staff wishing to submit a request must fully complete all sections of a flexible/hybrid Working Request Form and submit it to their line manager for consideration. Staff can request the form from their line manager.

Any appeal must be lodged within the timescales outlined by the line manager in writing.

Staff must make themselves available to discuss all aspects of the request, participate in the process and reasonably consider any alternative arrangements proposed by the line manager.

Any failure to comply with the terms of this policy including failure to participate will result in the line manager considering the request withdrawn.

Manager Responsibilities

Managers will provide staff with the Flexible/Hybrid Working Request Form within one working day of being asked.

Managers will consider all flexible/hybrid working requests reasonably and fairly, ensuring compliance with the three-month timescale, including any appeal process.

Clear communication in writing will be provided to staff stating any approval, partial approval, alternative options or refusal. Managers should consult with the employee before declining a flexible working request. During the consultation, they should provide a clear business reason for the refusal, along with an explanation.

Failure to handle a flexible/hybrid working request in a reasonable manner can expose the employer to an employment tribunal.

Organisation Responsibilities

To ensure fair, equal, reasonable and consistent treatment of all staff regarding any aspect of the implementation of this policy.

To ensure all those with line management responsibility are reasonably trained in the practical application of this policy.

To regularly review and update this policy in line with legislation and best practice.

4. Flexible Working Arrangements

There are a number of changes to contractual terms and conditions of employment which can be requested such as:

- **Reducing Contractual Hours**
When the current contract hours are requested to be reduced by whatever amount to be worked over whatever number of days.
- **Compressed Hours**
When the contracted hours are worked over fewer days for example, 35 hours worked over four days instead of five. For example this could equate to 8.75 hours being required to be worked for four days.

Staff should note this will have an impact on their annual leave calculations, whereas normal contractual working of 7 hours per day would require 7 hours of annual leave to take one day off from work, with compressed hours, as above example 8.75 hours is required to take one day off work.

Staff are entitled to a statutory minimum of 28 days annual leave per calendar year. With the above example, this would reduce to 22.4days.

- **Homeworking**
When some or all of the contracted hours are requested to be worked from their home, the request form should outline information regarding equipment arrangements to enable homeworking. If staff intend to work from a location which is not their home for a period of time, e.g. a family member's home or other accommodation, they must inform their line manager in advance for authorisation, to ensure data protection arrangements and health and safety measures are in place.

5. Hybrid Working Arrangements

Hybrid working is a form of flexible working whereby staff work part of their working week in the office and the rest of the time at home.

Roles and Responsibilities

- Whilst working out with the office, the 'work site' should be adequate both for practical working and to comply with health and safety. Ideally staff should have a separate room or area set aside for homeworking which will be sufficient for all necessary furniture and equipment.
- When working from home, the focus needs to be on organisation and not other activities that would distract you from your paid work. For example, child minding or other carers responsibilities while working is not allowed. ***If you intend to supervise your children or act in a responsible carer capacity for another adult while working from home then the dispensation will not be given.*** To re-emphasise the earlier general principle – *this is a dispensation only with regard to where you work not as to the hours you work or the requirement for full time application to your job during working hours.*
- If staff intend to work from a location which is not their home for a period of time, e.g. a family member's home or other accommodation, they must inform their line manager in advance for authorisation, to ensure data protection arrangements and health and safety measures are in place.
- It is the responsibility of staff to ensure their home insurance policy includes the use of the home for work purposes, equipment provided by DbS will be insured by the organisation. Should the member of staff need to use their home telephone for work, a record will need to be made to be reimbursed.
- Regular communication between staff and their line manager/team is essential to prevent the Hybrid Worker feeling vulnerable and isolated which can lead to stress. Staff must be available by telephone and email during working hours.
- All documents/files should be stored within the Shared Drive of Deafblind Scotland Server to ensure compliance with data protection and security requirements. All members of staff who undertake hybrid working/working from home must ensure that the new VPN function (virtual private network) is used at all times, allowing all members of staff to establish a secure digital connection between their computer/laptop and DbS server.
- All IT equipment provided by Deafblind Scotland should solely be used for business needs. It is the employees duty to ensure proper care of equipment and materials provided by the Organisation.
- If for any reason employees leave employment then it is the employees responsibility to return any equipment, materials or documentation belonging to the organisation to their line manager.
- Stationery will be provided if required.
- It is the responsibility of staff to ensure all documents, hardware, software and information associated with the organisation is secure at all times. Staff are obliged to keep any confidential pieces of work securely filed in a locked cabinet and electronic

documents password protected. It is staff responsibility to ensure any personal device used for work purposes has sufficient security and firewalls to protect all data.

- You must have sufficient broadband (or equivalent) telephone access available to facilitate accessing organisation e-mail and other systems.
- In Line with Deafblind Scotland's accreditation with Cyber Essentials, employees must access business applications and data from company-provided devices. If any employee requires to use personal devices for work purpose, approval must be given by the Chief Executive, as use of personal devices may lead to data loss and security breaches. Deafblind Scotland does not have control over the devices that employees use, and they may be exposed to malware or other forms of malicious software. Employees could also lose their devices, which would result in loss of sensitive files and sensitive information.
- The organisation is obliged to ensure the health and safety of Hybrid Workers. Before homeworking is granted, the organisation will request staff to complete a homeworking risk assessment checklist. In addition, staff will be provided with relevant and appropriate Health & Safety Training. Staff are expected to answer all questions regarding their homeworking environment truthfully. If it is found they have given false information, they may be subject to disciplinary action for breach of health and safety and deliberately misleading the organisation. Any Hybrid Working agreement between the organisation and staff will be reviewed annually and continually monitored throughout the year to ensure the continuation of a safe working environment.

Staff should discuss any implications of hybrid working with their landlord or mortgage provider and house insurer before submitting a request.

6. Process

Staff should ask their line manager for a Flexible/Hybrid Working Request Form, complete all sections and return to their line manager for consideration.

The line manager will then arrange a meeting to discuss the requested changes and any alternative suggestions.

- **Meeting Arrangements**

The line manager will invite the staff member in writing to a meeting and advise them of their right to bring a work colleague or Trade Union representative with them, should they wish to do so.

If the requested changes are to be refused, the manager will propose alternative options and may arrange a trial period.

Following the meeting, the manager will write to the staff member to confirm the decision in writing within five working days. If the request is accepted as submitted or varied and accepted, this will form a permanent contractual change.

- **Trial Periods**

A trial period may be considered to allow staff and manager to assess the direct and indirect impacts, if any, on the organisation, department, work and staff member. Trial periods will be for a minimum of four weeks and maximum of three months. A trial period may be extended

with mutual agreement of staff and manager under certain circumstances such as sickness/absence or annual leave resulting in the trial period not being reasonably assessed.

- **Refusal of Flexible/Hybrid Working Request**

If the line manager refuses to grant the request, this will be confirmed in writing detailing which business reasons apply:-

- Burden of additional cost
- Inability to reorganise work amongst existing staff
- An inability to recruit additional staff
- A detrimental impact on quality
- A detrimental impact on performance
- Detrimental effect on ability to meet customer demand
- Insufficient work for the periods the member of staff proposes to work
- A planned structural change to the business.
- Appealing a Refusal or Alternative Arrangements

Whilst staff do not have a legal right to appeal a refusal of the flexible/hybrid working request, the organisation may choose to consider any appeal.

If the request is refused or alternative arrangements are offered which the staff member deems unsuitable, they may choose to appeal the decision. The appeal must be submitted in writing within five working days of the letter confirming the decision from the manager

The manager will then arrange a meeting to discuss the appeal and confirm the outcome in writing, this is the final stage of the flexible/hybrid working request process.

7. Data Protection Act 2018

The organisation will treat all personal data in line with obligations under the current data protection regulations.