

# WELSH GOVERNMENT HR POLICY AND PROCEDURES

## SMART WORKING

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## **ROLES AND RESPONSIBILITIES**

### **Line managers are responsible for:**

- familiarising themselves with this policy and procedures and related procedures;
- ensuring that they and their team are aware of the commitments and obligations that apply when working smartly;
- discussing and agreeing a Team Charter with their team, taking into account business need and the aspirations of individual team members;
- discussing, agreeing and signing Individual Charters (Workstyle Agreements) with each member of their team, reflecting each person's smart working arrangements, having taken account of business need;
- taking prompt action and a considered approach where an employee's approach to smart working gives cause for concern; and,
- liaising with the HR Case Adviser on any concerns about an employee's approach to smart working.

### **All employees are responsible for:**

- familiarising themselves with this policy and procedures and related procedures;
- ensuring that they are aware of the commitments and obligations that apply when working smartly;
- agreeing a Team Charter with their team, taking into account business need;
- agreeing and signing an individual Workstyle Agreement.

### **HR Case Advisers are responsible for:**

- supporting and advising line managers who raise concerns relating to an employee's smart working approach; and,
- advising line managers as necessary regarding any related procedures in relation to specific queries.

## **The Policy**

The Welsh Government requires all employees to observe and comply with the procedures and arrangements set out in their terms and conditions of employment when undertaking their roles and, in the case of the Civil Service Code, even outside any workplace or working hours. Certain procedures and arrangements take on a greater significance when its employees use the flexibilities the Welsh Government makes available under its Smart Working arrangements. The Welsh Government sets out specific commitments and obligations that apply under such circumstances for clarity and confirmation of its requirements.

This policy is inclusive of all employees regardless of grade, age, marriage (including equal/ same sex marriage) and civil partnership, impairment or health condition, sex, sexual orientation, pregnancy and maternity, race, religion or belief, or gender identity.

## **The Procedures**

### **1. Purpose**

These procedures set out the broad parameters that apply when, subject always to business needs, an employee is able to and chooses to use the flexibilities the Welsh Government has made available to support smart working.

### **2. Commitments and obligations for Smart Working**

When business needs permit an employee to benefit from the flexibilities made available to support smart working, the employee will need to take into account and observe a number of commitments and obligations. These apply to anyone working for Welsh Government in the normal course of business but take on greater significance when an employee is working at a location other than their normal place of work. This could be at another Welsh Government office, an alternative non-Welsh Government location, home or other location from which they could suitably undertake their work

As part of being a Smart Worker, all employees will be subject to the following commitments and obligations:

- Employees will ensure that business needs are always prioritised when undertaking any work for the Welsh Government, and when deciding where to undertake work, including attending team meetings, check-ins, training events, etc. where and when necessary and as required.
- Employees will understand that there may be occasions when they may need to be flexible with their agreed arrangements in order to

meet the needs of the business and accept that their preferred working arrangements will need to balance with others in their team.

- Employees understand that Smart Working is a benefit dependent on the continued delivery of business objectives and current priorities of their Division and could be subject to change dependent on their role, responsibilities and performance or if their Division's business priorities change. Employees acknowledge that their ability to work away from their hub office or other Welsh Government premises may be affected or restricted by business needs and/or changes to their role and/or performance and that the practicability of remote working will be discussed and reviewed at check-ins with their line manager.
- Employees will ensure that they are contactable by colleagues during working hours regardless of the location of work by utilising the available unified communication tools, updating their presence status and Outlook calendar accordingly.
- Employees understand that they will be responsible for ensuring that when they are working away from Welsh Government premises, they will take all steps to adhere to the Home Working, Security and Health and Safety related policies, including undertaking and completing all relevant and appropriate training and risk assessments.
- Employees will ensure that they are not working excessively long hours, including taking into account the requirements of the Working Time Regulations, and will report any problems they are experiencing with workload to their line manager.
- Employees understand that, if action is taken against them under the Disciplinary Policy, Attendance Management Policy or Performance Management Policy, their line manager may determine it is no longer appropriate for them to work away from their hub or another Welsh Government office and require them to report for work at a designated Welsh Government office in future.

### **3. Individual Charter (Workstyle Agreement)**

All employees will be required to have an individual Workstyle Agreement in place. In order to agree a Workstyle Agreement, a line manager will discuss with each team member their preference for smart working. The line manager will consider all proposed arrangements and provided business and team needs permit an employee's preference to be accommodated, they will agree and sign an individual Workstyle Agreement with the employee.

The Agreement will include a statement to confirm that the employee has read and understood the obligations and commitments that are part of this

Smart Working Policy. The employee must sign the Agreement to confirm the arrangement and that they have read and understood this and other related policies and procedures. Once agreed, individual arrangements will be monitored and discussed during individual performance check-ins as necessary to ensure they are working for both the business and the individual.

#### **4. Remote Working and Risk Assessment**

The health and safety of employees is of paramount importance to Welsh Government. As part of working smartly there may be options for employees to work remotely or from home. Where this is the case all employees will be required to;

- read, understand and complete Appendix A of “Smart Working Guidance - Working away from Welsh Government” and,
- complete the online health and safety [homeworker](#) training module and the homeworker risk assessment so that due consideration is given to the suitability of home working for the individual and their team.

## **Appendix A**

### **Smart Working Guidance Note - Working away from Welsh Government Premises**

Smart Working will help us to become a more open, dynamic and modern organisation that fosters creativity, efficiency and collaboration.

A shared and agreed approach to Smart Working balances the freedom to choose with the responsibility to meet business needs. We want to encourage a culture focussed on output over presence, with increased wellbeing for our people. This will include looking at new common ways of working across our organisation to help make the most of, and share, our workspace. It will empower us, and our teams, to think differently about how and where we can work best, depending on the task.

Working remotely in line with Smart Working arrangements is a voluntary and informal flexible agreement following a discussion with your line manager and in line with business need. Welsh Government takes its duty of care for employees seriously, regardless of where they are working.

Smart Working in Welsh Government is defined as informal flexible working arrangements– i.e. WG staff working away from WG premises in other suitable locations on an ad hoc or more regular basis, with line manager agreement to do so. This note provides guidance to managers and staff regarding the health and safety requirements to be in place as to ensure:

- Arrangements at all working sites conform to WG standards wherever possible
- The health, safety and wellbeing of our people.

#### **1. Legal Requirements**

Welsh Government, under the Health and Safety at Work etc. Act 1974 (HSWA), has a duty to ensure the health, safety and welfare at work of its employees, so far as is reasonably practicable. WG employees also have a duty under the HSWA to take reasonable care for their own health and safety and that of anyone invited into their working area. The location where the work is to be carried out must meet the health and safety requirements under the HSWA and the Management of Health and Safety at Work Regulations, (MHWR) 1999.

The office working environment is considered to be low risk, but before agreeing to regularly work from home or any other location, we should consider all potential hazards linked to the location. WG is only responsible for the equipment supplied and its use, not the domestic premises surrounding the immediate work area. If you identify significant risks the manager should not agree to it being used as a regular place of work until the risks are addressed. (See check list Appendix B)

## 2. Managers

Line managers will ask staff to regularly review their working arrangements – this can be done, for example, as part of your regular **Check in** conversations or through locally agreed arrangements. The review conversations should take full account of all the security or health and safety issues wherever the place of work is and adjust as necessary. The results of these reviews should be recorded.

Managers must ensure:

- The questionnaire at the end of this guidance is completed (Appendix A: Smart Working Checklist), and, a risk assessment carried out to cover any agreed relevant issues and adjustments;
- That the Smarter Working H&S checklist at Appendix B is re-considered in light of any changes to a person's role, circumstances and working requirements. Ensure that staff have completed health and safety training, including DSE workstation training (emailed from Cardinus system) or the e-learning packages available through the Learning Hub such as [Safer Use of Handheld Devices](#), [Manual Handling Plus](#), [Fire Safety Plus](#);
- They should also ensure that staff can use equipment supplied to them safely and to ensure proper understanding of health, safety, welfare and security issues.

As under H&S law the employer has the same responsibilities for their employees whether in the office or at home, they will still need to:

- Provide training and information about the safe use of IT equipment (e.g. laptops, tablets etc.) supplied;
- Establish guidelines on use of IT equipment, including advice on neck, arm, wrist and back posture, changing posture frequently and taking regular breaks;
- Encourage individuals to inform line managers of any problems arising from the use of the equipment, e.g. pain and discomfort;
- Provide support for individuals when problems are reported;
- Provide a system to recognise when workplace adjustments are required and provide related equipment to support its use if necessary (e.g. docking stations, separate keyboards etc.).

## 3. Risk Assessment

Under the Management of Health & Safety at Work Regulations (MHW), the line manager is required to ensure a complete assessment of significant risks resulting from work activities is carried out for all workers. This involves:

- Identifying the significant hazards relating to the worker's work activities, through the risk assessment questionnaire;
- Deciding who may be harmed and how, including children or visitors;
- Assessing risks and taking steps to remove or reduce them so far as is reasonably practicable;
- Recording and regularly reviewing the findings and remote working arrangements;
- Review the risk assessment if the employee moves to a new residence or has other regular places of work away from WG premises.

When assessing significant risks, and developing safe working systems the risk assessment should be carried out as a joint agreement between the manager and member of staff. It should take into account a number of issues, including the individual's need for regular contact with colleagues.

**Individuals should use the Smart Working Checklist to assess whether the proposed work area within the employee's home (or other location regularly used) is suitable, both in terms of carrying out the work and from a health and safety point of view. The detail in the checklist should be proportionate to the amount of time intended to be spent working there.**

#### **4. Smart working and an employee's duties**

Individuals working at locations other than their hub must take all reasonable steps for the safety of themselves and of any others that may be affected by their work activities, e.g. family members. They must:

- Work according to any instructions and undertake the e-learning courses in [DSE \(Workstation Safety Plus\)](#), [Safer Use of Handheld Devices](#), [Manual Handling Plus](#), [Fire Safety Plus](#);
- Report any accidents, incidents or hazards using the same processes already in place for working in the office;
- Not interfere with or misuse any item provided for their safety;
- Check that having departmental equipment located at home does not invalidate your household insurance policy (building and contents) and/or mortgage/tenancy agreement.

#### **5. Arrangements for securing health and safety at other locations**



WG will ensure that all equipment supplied to our people to carry out their duties is suitable for the purpose intended, with due regard to health and safety, informed by the DSE questionnaire/risk assessment process.

It is envisaged that equipment will be provided for a low risk occasional use environment unless a risk assessment identifies any specific needs, and agreement is reached as to the suitability of the proposed homeworking area.

The manager should ensure that any equipment supplied to employees is signed for. All equipment supplied will meet current safety standards and could be subject to regular safety checks actioned by the manager in line with relevant legislation.

## **6. Using electrical work equipment at home**

If you use or intend to use electrical equipment provided by WG as part of your work, WG must ensure it is correctly maintained. WG is only responsible for the equipment it supplies.

WG is not responsible for other organisations' or individual's domestic electrical system, such as electrical sockets and lights. Laptop leads need to conform with WG guidance on PAT testing. If WG provides equipment to our people for use at work, it must ensure that:

- The equipment is correct for the job;
- Proper information and training is given on how to use it;
- The equipment is regularly checked and kept in a safe condition;
- The equipment is suitable for the safe use of the individual; and that
- Anyone who checks/tests the equipment or provides training to individuals is competent to do so.

Regular visual inspection of the equipment should be carried out by the user. Such inspections are necessary because they can reveal potentially dangerous faults. Things to look for include loose cables or signs of burn marks or discoloration and, if possible, checking inside the plug for internal damage, bare wires and the correct fuse (Annex A).

## **7. Manual handling**

Managers should avoid the need for staff to carry out manual handling operations (e.g. moving heavy equipment or papers). Where individuals do need to perform manual handling operations, managers must provide advice on how to assess and reduce the risks e.g. through training (manual handling awareness e-learning) and/or providing lifting aids to prevent injury.

## **8. New and expectant mothers working at home**

The [Management of Health and Safety at Work Regulations 1999](#) (MHSW) requires all employers to assess the risks to new and expectant mothers while at work.

The initial risk assessment undertaken by the Workplace Adjustments Team will inform the decision whether the core WG office location is appropriate for the new and expectant mother to work, followed by a further assessment to cover remote working, if approved.

The risks include those to the unborn child, or to the child of a woman who is still breast-feeding and not just to the mother herself. Workers who are new or expectant mothers should inform their doctor, midwife and/or health visitor about the work they do in order to assist in the risk assessment process.

## **9. Children and working at home**

Workers should not allow children near to, or allow them to help with the work. They should be kept away from work areas and work materials should be kept safely out of reach of children.

## **10. First aid, fire, accident reporting and working at home**

When working at home, individuals should consider whether their domestic arrangements for fire and first aid are sufficient according to the work activity carried out.

The [Accident Procedure Policy](#) will also cover secondary locations such as home.

## **11. Health and Safety Representatives**

Safety Representatives appointed by a recognised trade union can represent workers in consultation with employees about health and safety matters.

Workers should stop work in the event of serious or imminent danger arising from the work that they are doing and immediately inform their manager, without it affecting their employment rights and must report all faults that may be a work-related hazard.

## **12. HSE and Local Authority Inspectors**

The Health and Safety Executive (HSE) has produced [“Guidance for employers and employees on health and safety and home working”](#) This provides further information on employers’ duties towards home workers and should be read in conjunction with the [WG Health & Safety Policy](#).

Whilst this does not relate specifically to flexible/remote working as part of the Smarter Working programme, it may provide useful advice.

## **Annex A**

### **User PAT (portable appliance testing) visual check guidance**

Following the obligation of the Health & Safety at Work etc. Act (1974), employers should take reasonable practical steps to ensure no danger results from the use of electrical equipment. To ensure that no danger results from the use of portable equipment, the Electricity at Work Regulations place a legal responsibility on employers and employees to comply with its provisions.

It is therefore important to check all portable appliances before use, below is a checklist of possible faults that can occur. Maintaining a local record can be a useful way to monitor and review the effectiveness of the maintenance scheme. Make a note of the date checked and inform your Line Manager the visual check has been completed, it is suggested this visual check is done at regular intervals as agreed.

If any faults are found the offending item must be brought back to IT team for replacement immediately.

### **What are the hazards from using electrical equipment?**

Most staff within the WG use electrical equipment, but if electrical equipment is unsafe or in a poor condition it could cause personal injury.

### **User visual checks for electrical equipment**

As a user of electrical equipment, it is also important that you visually check the equipment is in good condition before use. You should consider the following:

- Has the equipment been PAT tested and is this test still current? (suggested re-testing every three years)
- Is there damage to the cable, such as cuts, fraying, taped joints?
- Is the plug damaged, is the casing cracked or the plug pins bent?
- Is the outer sheath of the cable effectively secured where it enters the plug and the equipment? (If the coloured insulation of the internal cables is showing, the equipment must not be used.)
- Is there evidence of overheating (burn marks or discoloration)?
- Is there any damage to the external casing of the equipment or are there some loose parts or screws?
- Does the appliance work and switch on/off properly?
- Is the equipment suitable for the job and the environment?

These checks also apply to extension leads and sockets.

Any faults should be reported to your line manager and via the MyIT catalogue. The equipment must be taken out of use immediately and labelled as faulty. The equipment should not be used until it is repaired and then tested by a competent person.

- Ensure cables are not squashed under furniture or boxes, and do not put cables underneath carpets or rugs.
- Where extension cables or extensions in drum reels are in use, ensure the equipment is not overloaded - check the information on the extension cable and ensure the required current in amps does not exceed the quoted figures.

Also see HSE Publication [Maintaining portable electric equipment in low-risk environments](#).

## Annex B

The Smart Working programme brings together three key elements of WG Transformation – our people, workplace and our technology – to deliver our vision of becoming a smarter, simpler and more unified WG. It will put flexible working at the heart of our people offer; reduce our reliance on our expensive WG estate; and help us exploit the suite of new digital tools to ensure that we can work collaboratively from a range of locations – whether that be in the office, from home, a commuter hub, or elsewhere.

Working remotely in line with Smart Working arrangements is a **voluntary** and informal **flexible agreement** following a discussion with your line manager and in line with business need. WG takes its duty of care for employees seriously, regardless of where they are working. Requests to work from alternative locations may be declined if your line manager is not confident that your chosen environment is safe and secure.

You **must** complete this checklist **before** using it to inform a discussion with your line manager, identifying if it is suitable for you to work remotely. If you respond 'no' to any of the questions in sections 1-9, you must discuss with your line manager what issues may need to be resolved and final approval (section 12) must be confirmed before you work remotely. You and your line manager should retain a copy of the completed checklist and revisit if your circumstances change.

If you identify that you have any special requirements to enable you to work remotely (section 10 of this checklist), you may find it helpful to refer to **Appendix A**. It is important that you raise any issues with your line manager and use **Appendix A** as a basis to understanding next steps and options available to you.

### Note to line managers:

This guidance has been drafted to facilitate discussions with your team members about the suitability of remote/flexible working in line with the H&S guidance, above.

If your member of staff responds 'No' to any questions in sections 1-9 and you are unsure how to resolve issues, or you are not confident their remote working environment is appropriate and need to seek further advice, please contact the [Shared Service Helpdesk](#)

Smart (Remote) Working Checklist Areas to Consider	Yes	No	Notes/ Issues to resolve
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<b>1. Initial Request</b>			
I understand that working remotely (either from home or a commuter hub) is a voluntary and informal flexible agreement between me and my line manager and that it must be in line with business need.	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
I have read the Smart Working Policy above and understand my duties and responsibilities as an employee electing to work remotely.	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
I understand the H&S requirements of working remotely.	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
<b>2. Remote work environment (from home, commuter hub, etc.)</b>			
I consider my chosen remote working location to be adequately well lit to enable me to work safely.	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
I consider my chosen remote working location to provide sufficient leg room to support a comfortable working posture.	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
I consider my chosen remote location to provide adequate temperature and ventilation control to allow me to work comfortably.	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
I have familiarised myself with WG <a href="#">staff support services</a> around wellbeing considerations.	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
<b>3. Working with DSE</b>			
I have completed the <a href="#">Cardinus DSE training and risk assessment</a> and I understand how to work safely at my remote working location.	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
I know about the WG's <a href="#">eyesight scheme</a> .  I know how to report persistent musculoskeletal pain that doesn't improve after undertaking any recommendations as a result of undertaking the <a href="#">Cardinus DSE training and risk assessment</a>			
I have read the guidance on <a href="#">The Safe Use of 2 in 1 laptop</a> and the recommendation that I use a separate keyboard and mouse for sustained mobile work.	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
I am also aware that a screen riser from the stationery catalogue may be purchased to further assist with a good ergonomic set up and that a variety of options are available to assist with carrying the IT equipment and peripherals should this be needed	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.

I am aware of the importance of taking regular breaks, by way of changes of activity from prolonged display screen work (every 15 minutes if not working at an workstation) and take responsibility for doing so when working remotely.	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
<b>4. Work &amp; Electrical Equipment</b>			
I consider the equipment provided will enable me to complete the tasks I have been asked to undertake in a safe manner.	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
I know I can contact <b>MyiT</b> (and 5555) if I have any problems with my electronic equipment / devices issued to me by WG or what to do if they are <a href="#">lost/stolen</a>	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
<b>5. New &amp; Expectant mothers risk assessment</b>			
As a new or expectant mother, my line manager has referred me for a <a href="#">Pregnant worker risk assessment</a> relating to my remote working arrangements. <a href="#">Generic risk assessments</a> which include considerations for New and Expectant mothers are also available for managers on the intranet.	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
<b>6. Fire/First Aid</b>			
I consider my environment to be safe for its intended use.	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
<b>7. Accident/Incident &amp; Near Miss Reporting</b>			
I am aware of my <a href="#">duty to report any accident, incident or near miss</a> to my line manager regardless of where I am working.	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
<b>8. Children and working at home</b>			
I am confident that the work I do on behalf of WG does not pose any risk to any other person or visitor in my home.	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
I have caring commitments and have discussed with line manager that working remotely from home (or any other location) is suitable. If not applicable, please indicate N/A in the column where it states " <b>Click here to enter text.</b> "	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
<b>9. Health and Safety Consultation</b>			
I have a contact telephone number for my manager, should I have any concerns regarding my health, safety or wellbeing.	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
I know the name of my health and safety representative and how to contact them, should I have any concerns regarding my health & safety.	<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.



10. Workplace Adjustments		Yes	N/A	Notes/Issues to Resolve
<p>I am provided with specialist equipment at my usual place of work. e.g. specialist software, enhanced chair, back support fixed desk environment etc.</p> <p>If yes, I have discussed my adjustment requirements with my LM and escalated to the Workplace Adjustments Team for advice where necessary. We have an agreed approach.</p>		<input type="checkbox"/>	<input type="checkbox"/>	Click here to enter text.
11. Additional discussion points				
<p>Is there anything else you would like to discuss with your line manager? (if so please expand in the box below)</p> <p>Click here to enter text.</p>				
<p>Any summary of discussion / suitability to work from home / issues to resolve / next steps [cont. on separate page if required]:</p> <p>Click here to enter text.</p>				
12. Final Agreement		Yes	No	Notes/Issues to resolve
<p>Have you discussed the options of remote working with your line manager and reached an agreement on what is appropriate for you?</p>		<input type="checkbox"/>	<input type="checkbox"/>	
<p>Name of Employee</p> <p>Click here to enter text.</p>	<p>Signature</p> <p>Click here to enter text.</p>	<p>Date</p> <p>Click here to enter a date.</p>		
<p>Name of Line Manager</p> <p>Click here to enter text.</p>	<p>Signature</p> <p>Click here to enter text.</p>	<p>Date</p> <p>Click here to enter a date.</p>		