

Agile Working Policy

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The East of England Ambulance Service NHS Trust has made every effort to ensure this does not have the effect of unlawful discrimination on the grounds of the protected characteristics of age, disability, gender reassignment, race, religion/belief, gender, sexual orientation, marriage/civil partnership, pregnancy/maternity. The Trust will not tolerate unfair discrimination on the basis of spent criminal convictions, Trade Union membership or non-membership. In addition, the Trust will have due regard to advancing equality of opportunity between people from different groups and foster good relations between people from different groups.

EEAST recognises its obligations of supporting the requirements of the Modern Slavery Act 2015 and any future legislations. A prime objective of EEAST is to eradicate modern slavery and human trafficking and recognises the significant part it must play in both combatting it and supporting victims. EEAST is committed to ensuring that its supply chains and business activities are free from any ethical and labour standards abuse.

All Trust policies can be provided in alternative formats.



Contents

Paragraph		Page
1.	Introduction	5
2.	Purpose	5
3.	Scope	5
4.	Duties	6
5.	Agile working	7
6.	Split between working at Trust locations and at home	9
7.	Risk assessment	10
8.	Recruiting an agile worker	10
9.	Requesting agile working arrangements	11
10.	Working hours	12
11.	Working as a team and keeping in touch	12
12.	Technology and equipment	12
13.	Health and safety	13
14.	Health and wellbeing	14
15.	Domestic abuse	15
16.	Hot-desking	17
17.	Change to working arrangements	17
18.	Governance, confidentiality, and data protection	18
19.	Implications for tax and insurance	19
20.	Non-compliance with this policy	19
21.	Policy review	19
Appendices		
Appendix A	Equality Impact Assessment	20
Appendix B	Monitoring Table	23



1. Introduction

- 1.1 In order to provide the best service to our patients, at EEAST we aim to ensure that all our employees work in the most effective and efficient way possible and in an appropriate work environment for their role.
- 1.2 As a regional organisation we recognise that the traditional 'office-based working' approach does not necessarily support this in all cases and that providing agile working arrangements which are adaptable and flexible both to our employees and to the organisation will ensure that we continue to have the workforce we need to deliver excellent patient care now and in the future.

2. Purpose

- 2.1 This policy aims to demonstrate our commitment to ensuring that:
 - job vacancies are considered for agile working and advertised appropriately,
 - any requests for agile working are considered on a fair and equitable basis,
 - agile workers do not suffer any disadvantage or less favourable treatment.
- 2.2 The purpose of this policy is to provide a framework for the management of agile working and to ensure a consistent and safe approach is followed.

3. Scope

- 3.1 This policy applies to all EEAST employees. It does not apply to casual or agency workers.
- 3.2 This policy only applies to agile working; you should refer to the Home Working Policy for home working arrangements.
- 3.3 In accordance with NHS Terms and Conditions this policy is not intended to apply to any agile working arrangements outside the United Kingdom.



4. Duties

4.1 **Line managers** are responsible for:

- familiarising themselves with and working in accordance with this policy,
- ensuring that, when they recruit to a vacancy, the advert includes agile working as an option if applicable to the role,
- managing agile working requests/arrangements in accordance with this policy (and in conjunction with the Flexible Working Policy),
- ensuring the completion and review of relevant risk assessment(s) prior to any agile working arrangement commencing and, where approved, on an ongoing annual basis,
- keeping in regular contact with, and supporting agile workers,
- reviewing agile working arrangements on an ongoing basis to ensure that they still meet the needs of the employee, and of EEAST during any period of organisational change.

4.2 **Employees** are responsible for:

- familiarising themselves with and working in accordance with this policy,
- making any requests for agile working in accordance with this policy and the Flexible Working Policy,
- completing relevant risk assessment(s) prior to any agile working arrangement commencing and, where approved, on an ongoing annual basis,
- reporting any changes to their home working environment that may affect their work or ability to perform their daily tasks,
- keeping in regular contact with their line manager and/or colleagues,
- ensuring that they comply with any approved agile working arrangements and participate in any review.
- 4.3 **HR and Trade Union Representatives** are responsible for providing advice and guidance to employees on the application of this policy.



5. Agile working

5.1 NHS Terms and Conditions define an agile worker as "an individual who performs their duties across more than one work base which may include their home address. They may be required to attend events of travel to other work bases or locations on a more regular and/or ad hoc basis. Their designated work base will be at one of the employer's sites".

The term 'hybrid' has also been used in the Trust as an alternative to 'agile working', therefore for the purposes of Trust policies and procedures the terms 'agile' and 'hybrid' are interchangeable and refer to an individual who performs their duties from a Trust location and their home address.

- 5.2 It is important to appreciate that not all EEAST roles will be suitable for agile working and that there is therefore no automatic right to work on an agile basis. We also recognise that not all employees will either want or be able to work from home as part of an agile working arrangement.
- 5.3 If the duties of a post can be completed at home, agile working arrangements may be considered and/or arranged as part of (this list is not exhaustive):
 - an organisational requirement,
 - an employee request under our Flexible Working Policy,
 - a reasonable adjustment for an employee with a disability, agreed as part of a wider consideration under our Reasonable Adjustments Policy of how to reduce barriers experienced in the workplace.
- 5.3.1 Prior to an agile working arrangement being agreed, the employee must ensure that their home working environment:
 - allows them to focus on work,
 - is free from non-work-related disruption(s),
 - has reliable broadband / internet access.



5.4 Work base

5.4.1 All employees, regardless of work pattern or number of work locations, will have one designated work base. If you are an agile worker this will always be a designated Trust location which will be detailed on your Principal Statement of Terms and Conditions of Employment (contract).

If you are an agile worker and you move home address, you must update your personal information page on "MyESR" and let your line manager know as soon as possible so a new risk assessment can be completed.

5.5 Reimbursement of travel costs

5.5.1 If you are required to travel to an alternative Trust location from your designated work base, you can claim for miles in excess of your 'home to agreed work base return journey' in accordance with NHS Terms and Conditions and our Business Travel Policy.

5.6 **Equal opportunities**

- 5.6.1 If you are an agile worker and you work some of your time at home you should be treated fairly and equitably and be supported to work safely and effectively in your team.
- 5.6.2 If you work in a post which is deemed not suitable for agile working you should also be treated fairly and equitably and be encouraged to discuss and consider other forms of flexible working that may meet your needs in accordance with our Flexible Working Policy.
- 5.6.3 Opportunities for development and progression will be available in the same manner for all employees regardless of their work base.

5.7 **Benefits / challenges**

- 5.7.1 Potential benefits of agile working include (this list is not exhaustive):
 - improved work/life balance,
 - improved health and wellbeing,
 - increased productivity,
 - reduced travel (with both cost and environmental benefits),
 - improving opportunities to increase inclusivity,



- the ability to recruit from a wider geographical pool.
- 5.7.2 Potential challenges of agile working include (this list is not exhaustive):
 - mental health and isolation impacts,
 - impact to physical health,
 - work intensification,
 - loss of team networking and peer support,
 - access to training and development,
 - health and safety risks,
 - impact on career implications due to lack of 'visibility'
 - implications and/or actions of any ongoing Performance and Capability Support Plan.
- 5.7.3 These benefits and challenges must also form part of the process when considering which roles are suitable to be advertised with agile working as a flexible working option.
- 5.7.4 Requests for agile working can be made and considered in accordance with the Flexible Working Policy. You and your line manager must also discuss the potential benefits and challenges and consider whether any areas of concern can be mutually addressed.
- 5.7.5 You should refer to **Section 9** for further details on making a request.
- 6. Split between working at Trust locations and at home
- 6.1 The number of days per week/month you attend the workplace compared with working at home may vary, depending on:
 - your individual circumstances,
 - the nature of your role,
 - what is happening within your role and team at any particular time,
 and
 - business needs, for example, the space we have available at our workplace locations.



6.2 Your line manager will confirm the requirements for your role as part of the agile working agreement discussed in line with **Section 8** or **Section 9**.

7. Risk assessment

- 7.1 We have the same health and safety responsibilities for agile workers as for any other worker. A risk assessment is a process which identifies any potential hazards in your working environment so that we able to implement any reasonable control measures to remove or reduce them.
- 7.2 Prior to an agile working arrangement being agreed, it is important that you have completed and provided your line manager with an Agile Working Risk Assessment (POL158-01) for your agreed home workstation.

This is to ensure that your home working environment is appropriate and that you are working in a safe manner.

- 7.3 Agile working is unable to commence prior to a risk assessment being carried out and any reasonable control measures required being implemented. If you and your line manager are unable to remove or reduce any potential hazards in your working environment, you would be unable to work from home.
- 7.4 Where agile working has been approved on a long-term/permanent basis, you and your line manager must ensure that an Agile Working Risk Assessment is completed on at least an annual basis. If you and your line manager are unable to remove or reduce any potential hazards in your working environment, you would be unable to continue to work from home.

You must complete this earlier if there has been any change in your working conditions, for example, you have moved home.

7.5 You must let your line manager know if you identify any additional potential risks to your working environment at any stage.

8. Recruiting an agile worker

8.1 Line managers must consider the potential benefits and challenges (see **Section 5.7**) when deciding whether a role is suitable for agile

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- working. If a role is suitable this will be included as an option within the advertised vacancy.
- 8.2 An unconditional offer of employment as an agile worker will only be issued following completion and approval of a risk assessment (see **Section 7**).
- 8.3 Prior to your start date, your line manager will confirm the agile working arrangements including how many days you will be required to work from home and/or at a Trust location to meet the needs of the role. For example, working in a Trust location one day a month.
 - You will have the opportunity to discuss any concerns or difficulties you may have around these requirements.
- 8.4 For further information on the recruitment process, you should refer to our Recruitment and Selection Policy.
- 9. Requesting agile working arrangements
- 9.1 Informal arrangements
- 9.1.1 There could be times when you and your line manager can agree informal short-term agile working arrangements (for example, to support you during religious holidays and festivals).
- 9.1.2 You and your line manager should refer to the Informal Arrangements Section of the Flexible Working Policy for further information and the process to follow.
- 9.2 Temporary/Permanent arrangements
- 9.2.1 If you wish to request to agile work on a temporary/permanent basis, you should follow the process in the Flexible Working Policy.
- 9.3 Risk Assessment
- 9.3.1 Prior to an agile working arrangement being agreed, it is important that you have completed and provided your line manager with an Agile Working Risk Assessment.
- 9.3.2 You and your line manager should refer to **Section 7** for the process to follow.



10. Working hours

- 10.1 Regardless of your work base you should always:
 - be available and working during your agreed hours of work,
 - take a daily rest/meal break away from your workstation. (This should not be at the beginning or end of the working day),
 - let your line manager and colleagues know your availability, for example, by updating your calendar, using the out-of-office message on your work email, setting the correct status in MS Teams,
 - discuss with your line manager if you need to temporarily change hours for any reason (see Section 17).

11. Working as a team and keeping in touch

- 11.1 We appreciate that agile working may result in some individuals feeling isolated when they are working from home. It is therefore important that you have regular contact and opportunities for check ins and collaboration with your colleagues / other team members.
- 11.2 Your line manager will keep in regular contact with you, for example, via email, telephone, and/or virtual meetings, to ensure that:
 - they are setting and/or discussing your work responsibilities,
 - reviewing progress,
 - offering support.
- 11.3 You should also keep in contact with your line manager:
 - letting them know what you are working on,
 - if you need further information on your work requirements,
 - if you are experiencing any difficulties.

We encourage you to be proactive in reaching out and connecting with your manager and colleagues.

12. Technology and equipment

12.1 When you work on an agile basis, you will be provided with the necessary Trust equipment to fulfil your role. This will include:

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- a laptop,
- a docking station,
- display screen(s),
- a keyboard,
- a computer mouse,
- a headset.

This list is not exhaustive, and you should speak to your line manager if you think you need any other equipment.

- 12.2 You must take care of any Trust-issued equipment at all times, and in accordance with our Digital policies, by for example:
 - storing it safely whilst working from home,
 - not leaving it unattended in a vehicle,
 - notifying any faults using the IT Self-Service Portal.

It will be necessary for you to visit a Trust location for essential maintenance and service of equipment, for example, PAT testing.

- 12.3 You will be expected to use your own desk and chair when working at home, subject to a risk assessment and/or reasonable adjustment (see **Section 7** for additional information). An application for agile working will be refused if there is not sufficient space to accommodate all equipment necessary to effectively perform your duties at home.
- 13. Health and safety
- 13.1 Display Screen Equipment (DSE) including Visual Display Unit (VDU)
- 13.1.1 If you are a regular DSE user it is important that your workstation is set up correctly for you to achieve the best possible posture and to minimise strain on your body whilst working.
- 13.1.2 You should follow the procedure outlined in the DSE Users Policy including VDU and complete an OLM/ESR <u>Display screen equipment</u> (DSE) self-assessment on at least an annual basis.



13.2 Reporting health and safety concerns

- 13.2.1 Once a risk assessment and DSE assessment have been completed in accordance with **Section 7** and **Section 13.1** you should continue to take responsibility for your health and safety and that of anyone else who is affected by your work (for example, others in your household when you are working from home).
- 13.2.2 You must notify your line manager if:
 - you feel any discomfort due to working (such as back pain),
 - you believe that there are any work-related health and safety hazards,
 - any work-related incidents/accidents occur, including in your home.

You should also report work-related incidents/accidents by submitting a Datix: DCIQ: EEast Incident Reporting Form

13.2.3 Your line manager will take the appropriate actions, for example asking you to complete a further DSE assessment, follow up on a Datix investigation.

14. Health and wellbeing

- 14.1 It is important that your wellbeing continues to be supported when you are working from home. This includes:
 - being part of a team and ensuring regular communication and support,
 - regular assessments and interaction with any lone-working issues,
 - assessment of the risks to mental health from work related stress including isolation and workload.
- 14.2 You and your line manager should refer to the relevant EEAST policy, for example, Health and Wellbeing Policy, Lone Worker Policy, Managing Stress at Work Policy for further information.

It is also important that you consider how to maintain your own health and wellbeing and speak to your line manager if you need any support.



14.3 Attendance and Sickness absence

- 14.3.1 We understand that there may be occasions, even when working from home, when you are:
 - unwell and unable to work,
 - going to be late for work.
- 14.3.2 If this happens, you must let your line manager know as soon as possible before you are due to start work by following the local reporting arrangements set out in our Attendance and Sickness Absence Policy and Procedure.

14.4 Caring responsibilities

- 14.4.1 We understand that working from home may help with caring responsibilities. However, you must not have any caring responsibilities during your working hours, and we expect you to make adequate arrangements for childcare or care for other dependants just as you would if you were attending a Trust location.
- 14.4.2 For further information and support for balancing your caring responsibilities you and your line manager should refer to the Carer's Leave Policy and/or the Special Leave Policy as applicable.

15. Domestic Abuse

- 15.1 In addition to us recognising our duty to protect the health, safety, and welfare of our people, we recognise that domestic abuse can have a devastating impact to those affected, including those working on an agile basis, and we commit to take all reasonable steps to support them.
- 15.2 Whether you are their line manager or their colleague, supporting someone experiencing domestic abuse can be sensitive, complex, and trickier if they are working from home. It is therefore important to pick up cues, such as:
 - a change in behaviour,
 - a change in productivity,
 - not dialling into virtual meetings when expected to do so,
 - not using the camera facility when in virtual meetings,

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• seeming withdrawn.

Victims of domestic abuse can sometimes have their communication monitored by the perpetrator, so speak to them normally whilst considering ways to support them so that you do not increase risk.

- 15.3 If you have any concerns, or an individual lets you know, that they are experiencing domestic abuse you should consider how to support them appropriately, such as:
 - finding a way to communicate safely, for example by text message
 if calls are not possible, or a different email address if their email is
 being monitored by the perpetrator,
 - suggesting they speak to their line manager,
 - arranging an ad hoc meeting at a Trust location,
 - seeking advice from HR and/or the Safeguarding Team,
 - signposting the support available at **Section 15.5**.

Most importantly, let them know that you value them, that you care about their safety and are prepared to support them.

- 15.4 Line managers can have a crucial role to play in enabling individuals experiencing domestic abuse to seek help, including by providing support and advice on the options available. However, they will also recognise the limitations of their role and signpost you to experts and/or professional counsellors where necessary.
- 15.5 The following support and information is available to people experiencing and supporting victims of domestic abuse:
 - our Domestic Violence and Abuse Policy available on East24,
 - Refuge provides domestic abuse support for women and children,
 - <u>National Domestic Abuse Helpline</u> 0808 2000 247 (a 24-hour helpline),
 - Women's Aid provides domestic abuse support for women and children,
 - Government advice and guidance guidance on how to get help if you or someone you know is a victim of domestic abuse,



- The <u>Bright Sky App</u> is for anyone who is experiencing domestic abuse or is worried about someone else,
- Hestia's domestic abuse support services support for victims of domestic abuse in London and the south east,
- <u>Employers' Initiative on Domestic Abuse</u> (EIDA) line managers can find out more about an employer's duty of care.

16. Hot-desking

- 16.1 In some areas of the Trust, we operate a hot-desking system where we provide a bank of workstations (hot desks), which usually includes a docking station, display screen(s), a keyboard, and a computer mouse.
- 16.2 Our hot desks may either be allocated in line with your usual working days or can be booked according to the specific Trust location. For example, hot desks in Melbourn can be booked via the EEAST Asset Booking System.
- 16.3 If you have not been allocated a desk, it is your responsibility to ensure that a hot desk is available if you intend to work in the office.
- 16.4 It is also your responsibility to ensure that:
 - Trust issued equipment (for example, your laptop and headset), and any personal items are not left on the desk at the end of your working hours,
 - the hot desk is returned to its original layout,
 - the hot desk is left clean and tidy.

17. Change to working arrangements

- 17.1 There may be occasions where your usual agile working arrangements may need to change on an ad hoc or temporary basis. For example, you may be required to attend the workplace on specific days (this list is not exhaustive) for:
 - in-person training,
 - meetings at a Trust location,
 - recruitment and selection processes.



- 17.2 There may also be circumstances where your line manager asks you to work at home when you would usually attend a Trust location. For example (this list is not exhaustive):
 - if we have too many employees attending the workplace on specific days,
 - in unforeseen circumstances for example, power outage at a Trust location,
 - in the event of a pandemic/government guidance that employees should work from home if they can.

In such cases, you will be given as much notice as possible.

17.3 We recognise that you may experience personal circumstances where you would like to vary a day when you would usually work from home or at a Trust location. You should discuss your requirements with your line manager on a case-by-case basis, giving as much notice as possible. Your line manager will consider your request and approve wherever possible.

If you experience internet issues / outage while working at home you must report this to your line manager as soon as possible for alternative arrangements to be discussed, for example, working from your usual Trust location where practicable.

17.4 If you want to vary your working arrangements on a longer-term basis, you should make a request under our Flexible Working Policy. If we need to permanently change your designated work base due to operational / business requirements, we will follow the process in our Change Management Policy, where appropriate to the circumstances.

18. Governance, confidentiality, and data protection

- 18.1 You are responsible for complying with the General Data Protection Regulation (GDPR) / Data Protection Act 2018 by keeping all work-related information secure and confidential at all times and in accordance with the following policies:
 - Confidentiality Code of Conduct Policy,
 - Digital Remote Access Policy,
 - Information and Data Security Policy,



- Digital Electronic Communications Policy.
- 18.2 You must also ensure that you are able to store, use and dispose of confidential information appropriately while working from home.

19. Implications for tax and insurance

- 19.1 Working from home may affect your personal tax or insurance. You should speak to your financial advisor, HMRC or your insurance provider if you think this may apply to you. EEAST cannot accept any responsibility for invalid insurance or tax implications.
- 19.2 You may be able to apply for tax relief for additional household costs if you work from home regularly, either all or part of the week. You cannot claim if it is your choice to work from home. You can visit www.gov.uk/tax-relief-for-employees/working-at-home to find out more.

20. Non-compliance with this policy

20.1 Non-compliance with this policy will be managed in accordance with the appropriate Trust policy, for example, Disciplinary Policy, Local Counter Fraud/HR liaison Policy, Performance and Capability Policy.

21. Policy review

21.1 This policy will be reviewed on a three yearly basis or will be amended in the light of new employment legislation and / or relevant case law.



Appendix A

Equality Impact Assessment

EIA Cover Sheet							
Name of process/policy	ne of process/policy Agile Working Policy						
Is the process new or existing? If existing, state policy reference number	New (POL158)						
Person responsible for process/policy	HR						
Directorate and department/section	People Services						
Name of assessment lead or EIA assessment team members	HR Policy Subgroup						
Has consultation taken place? Was consultation internal or external? (please state below):	Internal consultation through HR Policy Subgroup members						
The assessment is being made on:	Guidelines Written policy involving staff and patients Strategy Changes in practice Department changes Project plan Action plan Other (please state)						

EEAST: POL158 – Agile Working Policy

April 2025, V1.0



Equality Analysis						
What is the aim of the policy/procedure/practice/event? The purpose of this policy is to provide a framework for the management of agile working and to ensure a consistent and safe approach is followed.						
Who does th	ne poli	cy/procedure/practice/ev	/ent i	mpact on?		
Race		Religion/belief		Marriage/Civil Partnership		
Gender		Disability	\boxtimes	Sexual orientation		
Age	\boxtimes	Gender re-assignment		Pregnancy/maternity	\boxtimes	
Who is respo	onsible	for monitoring the polic	y/prc	ocedure/practice/event? HR		
policy/proce	edure/p	is currently available on to continuation of the consultation processing the consultat		npact of this o negative impact was raise	ed.	
=		guidance before you can practice/event? No	mak	e an assessment about this		
Do you have any examples that show that this policy/procedure/practice/event is having a positive impact on any of the following protected characteristics? Yes/No, if yes please provide evidence/examples:						
Race		Religion/belief		Marriage/Civil Partnership		
Gender		Disability		Sexual orientation		
Age		Gender re-assignment		Pregnancy/maternity		
Please provide evidence: This policy is designed to be inclusive of all employees whose roles are suitable for agile working. Alternative flexible working options can be discussed with employee's whose roles are not suitable. The agile working risk assessment will highlight any areas of concern, for example, health, disability, pregnancy/maternity, age related, and control methods implemented before agile working is formally approved.						

21

EEAST: POL158 – Agile Working Policy

April 2025, V1.0



negative im	pact or	• • • •		e/practice/event could have ristics? Yes/No, if so, please	а
Race		Religion/belief		Marriage/Civil Partnership	
Gender		Disability		Sexual orientation	
Age		Gender re-assignment		Pregnancy/maternity	
_	ewed a negati	and updated the policy and updated the policy and we impact was raised, and		mpleted a full consultation th the evidence available the	re
Action Plan	/Plans	– SMART			
S pecific					
M easurable	<u> </u>				
A chievable					
R elevant					
T ime Limite	d				
Evaluation	Monito	oring Plan/how will this b	e mo	onitored?	
Who – see I	Monito	ring Table			
How					
Ву					
Reported to)				

22

EEAST: POL158 – Agile Working Policy April 2025, V1.0



Appendix B - Monitoring Table

What	Who	How	Frequency	Evidence	Reporting	Acting on recommen-	Change in practice and lessons to be
					arrange- ments	dations	shared
Audit of employee experience, and that the policy and procedure is being applied consistently, fairly, and accurately for all.	Head of Resourcing and Shared Services / HR People Partnering	Monitor Trac and any ER Tracker data	As required	Trac and ER Tracker data	Reported to and discussed at People Committee where required	Head of Resourcing and Shared Services / HR People Partnering will address any actions or changes required.	Any change in practice will be identified and: • process updated with Resourcing Team and HR People Partnering team, • line manager training implemented where applicable, • policy updated where required.

23

