

Flexible Working Arrangement and Working Remotely Policy

Controlled Document – refer to Intranet for latest version

Category: Employment Relations

Date Created: November 2021

Responsibility: Executive Director People & Capability

Date Last Reviewed:

Approval: Chief Executive

Version: 21.1

Purpose

UCOL Ltd believes in a working environment which supports our employees through agility, excellence and having relationships built on trust. This policy works alongside those values, to allow an employee to work flexibly on or off campus and to support remote working, remote access to information and resources available within the institute.

This policy outlines the process for employees to request flexible working arrangements and/or work remotely, and the process for an employee to work remotely from a non-UCOL campus office or from home. Working from home or remotely will allow an employee who may for a period of time require some flexibility the opportunity to do so with the support of their manager.

Working from home arrangements are discretionary and do not constitute a contractual entitlement or create an expectation of permanency, unless such an arrangement has been expressly agreed between UCOL and an individual employee.

Scope

This policy covers all UCOL Employees.

Responsibility

Employees can initiate a request with their manager who will then assess the merits of this request taking into account the benefit to the employee and the practicality of UCOL being able to grant such a request. The Manager in conjunction with their respective Executive Director and People and Capability will consider and agree on the outcome of the request. The employee will then be advised in writing by People and Capability.

NB: The usual timeframe for consideration of a flexible work arrangement request is one month. However, in compliance with the Domestic Violence Act 1995, and all subsequent amendments, any flexible working arrangement requests resulting from Domestic Violence will be prioritised and responded to within one (1) week.

It is the responsibility of UCOL to ensure that:

- a. Where a request for flexible working arrangements (including working from home requests) pursuant to Part 6AA of the Employment Relations Act 2000 is received, the request is fairly considered and responded to in accordance with the Act.
- b. Where a request for short-term flexible working arrangements by a person affected by family violence (including working from home requests) pursuant to Part 6AB of the Employment Relations Act 2000 is received, the request is fairly considered and responded to in accordance with the Act and UCOL's Domestic Violence Leave Policy.
- c. Employees who are approved to work from home will not be disadvantaged and not unjustifiably offered adverse terms and conditions inconsistent with those employees based on campus.
- d. Appropriate steps are taken to ensure that employees, who are approved to work from home, are not working excess hours on a regular basis.

It is the responsibility of the employee to ensure that:

- a. Where a request for working from home is made pursuant to Part 6AA of the Employment Relations Act 2000, such request satisfies the requirements set out in that Act.
- b. To ensure workloads are managed, the employee should accurately record their actual hours of work. Although there will be times additional hours may need to be worked, employees should not regularly work excessive hours outside their agreed and nominated hours of work on a regular basis.
- c. They must be contactable during the agreed/nominated hours of work.
- d. They take appropriate rest and meal breaks in accordance with the Employment Relations Act 2000 and any corresponding agreement between an employee and UCOL.
- e. They perform their duties and obligations to the best of their abilities and do not mislead UCOL in any way while working from home.

Policy Statements

1. Flexible Working Arrangements

All employees can apply to their manager for flexible working arrangements at any time. There is no limit to the number of requests that an employee can make. Flexible work does not just mean working part-time instead of full-time, nor changing the shifts that you work. Employees can request at any time to change:

- a. hours of work (over a day, a week or year)
- b. days of work
- c. place of work

- d. how work is done and managed in the workplace
- e. the start and finish times of the working day

2. Remote Work by your own request or at the request of UCOL

- a. All employees can apply to their Manager to work from home or from another site at any time and there is no limit to the number of requests that employee can make.
- b. UCOL can also request an employee to work from home or from another site at any time, within reason where safety or infrastructure works pose a risk or can hinder an employees ability to work effectively (e.g., renovations to the work space, civil emergency, etc). Staff must be consulted regarding their ability to work from an alternative location.
- c. In conjunction with an employee, UCOL reserves the right to vary, modify or end any agreed working from home arrangement with an employee after consulting with the affected employee and providing reasons for any amendment.
- d. UCOL does not generally support working from home in situations where an employee, or someone who is dependent upon an employee for care is sick or injured. However, hours and days may be modified by agreement to meet these types of situations.
- e. Employees working from home are required to comply with all of UCOL's policies and instructions, including but not limited to its health and safety policies, procedures and instructions.

3. Formal Variation to Terms and Conditions

- a. Employees who work from home are managed by UCOL in the same way as if they are on campus and are subject to the same terms, conditions and policies of employment. This will remain consistent unless particular arrangements/circumstances warrant and/or justify different treatment.
- b. Due to the remote nature of working from home arrangements, and UCOL's reduced ability to monitor the employees home working environment, additional arrangements must be finalised before an employee can commence working from home. Specific terms, conditions and obligations may apply, for example duration of any variation or requirements to attend meetings or events.

4. Health and Safety

- a. Employees must ensure that they comply with their obligations under the Health and Safety at Work Act 2015, its subsequent amendments and any policies, procedures and directions from UCOL. Employees will take all reasonably practicable steps to ensure that in the performance of their duties, they do not undermine their own health and safety, or the health and safety of any other person, regardless of work location.
- b. In order to meet their responsibilities under the Health and Safety at Work Act 2015 the following applies, employees who work from home are required to ensure that:

- i. They take as far as reasonably possible all steps to ensure their safety and the safety of others within that workplace. This includes identifying, managing, eliminating, isolating and/or minimising potential hazards. Any incidents must be entered in the UCOL Health and Safety Management System, Vault.
- ii. The workspace available to them is appropriate and sufficient for the safe and effective performance of their duties, and any potential health and safety risks in this respect are immediately notified to the manager.
- iii. Any sickness or injury or work-related health issues are immediately reported to UCOL, as if the employee was working on campus.

5. Work Location and Home Office Equipment, Utilities and Travel

- a. For the purposes of ACC and occupational health and safety considerations UCOL and the employee will agree to a specific work location where the employee will carry out their duties. Areas not covered by that agreement will not be deemed to be a workplace for the purposes of any ACC claim and/or occupational health and safety considerations. Support and advice for set up will be provided by the UCOL Health & Safety Team.
- b. The workspace/workstation the employee intends to use when working remotely will require a working from home self-assessment form (Attached) to be completed. The workspace may be inspected from time to time with an employee's consent to ensure it is suitable for the effective and safe performance of the employee's duties. Employees are expected to consent to such reasonable inspections.
- c. To ensure staff can work effectively from home, a laptop and single monitor will be provided as standard. Where an employee may require additional equipment such as a second monitor, docking station, keyboard and mouse, these must have the approval from your manager in accordance with department budgets. This equipment is only to be accessed and used by UCOL employees.
- d. The Employee must immediately notify UCOL of any change to the home office setup that may adversely affect the employee's ability to effectively and safely perform their duties.
- e. Unless expressly directed to work from home, UCOL will not be responsible for meeting or contributing to any costs associated with the setting up, maintenance and operation of the home-office (e.g. furniture and utilities), except for the provision of necessary equipment (e.g. IT, stationery) to enable the employee to perform their duties. Where UCOL provides any such equipment, the employee must take all reasonable steps to keep the provided equipment safe and in working order.
- f. Unless agreed prior between UCOL and the employee, where UCOL directs an employee to work from home or an alternative location, UCOL will not contribute to any utilities or associated costs for the employee working from home.
- g. The employee may be required to travel to and from campus from time to time (e.g. to attend meetings, etc.). Unless agreed between UCOL and the employee prior to travel being undertaken,

such travel time does not amount to work time and the employee will meet all costs associated with such travel/commuting requirements.

6. Security Considerations

- a. All UCOL policies and instructions regarding the protection of confidential business information continue to apply in the context of any working from home arrangement. Business/work-related information and data are to be kept secure, either in locked storage or by restricting access to work-related files on computers (e.g. by using passwords, etc.).
- b. Employees are not to transfer or store UCOL data or information on personal computers, laptops, or hard drives.
- c. The employee will safeguard all business/work-related information and documentation from access by other members of the household and/or visitors.

7. Risk Management

- a. For insurance purposes, both UCOL and the employee must be able to distinguish between work and personal time in the home. This may include the employee recording their breaks, among other work related activities.
- b. To prevent liability on the part of UCOL and maintain appropriate professionalism, employees are not permitted to have clients or other business guests meet at their home. Such meetings must be scheduled in the client's office or on campus.
- c. The employee with a standard schedule of working at home should maintain appropriate levels of homeowners or renters insurance coverage to protect individual and UCOL assets. UCOL assets will be covered by UCOL's own insurance policy.
- d. The employee must ensure that they do not have other commitments outside of UCOL's business at the time they are working from home (e.g. it is not appropriate to combine home-based work with personal commitments during work hours).

Relevant Legislation

- Health and Safety at Work Act 2015, and all subsequent amendments
- Employee Relations Act 2000 Part 6AA, and all subsequent amendments
- Domestic Violence Act 1995, and all subsequent amendments
- Human Rights Act 1993
- Education & Training Act 2020

Related Documentation

- [Employee Interests Policy](#)
- An Employees relevant Individual or Collective Employment Agreements

Appendix 1

Working from Home Self-Assessment Form

Self-Assessment Checklist:

UCOL understands that there may be times that employee may request to work from home or be required by UCOL to work from home in certain circumstances. If you find yourself in this situation, you must first talk to your direct line manager and follow the working Arrangement & Working from Home policy.

This self-assessment form is to aid employees and act as a list of key items which must be reviewed and checked by the employee. Where deficiencies are identified, please discuss these with your manager in the first instance to agree the actions required to mitigate any findings.

Environment	Checked
Floor Space sufficient At least 2.3 sq. m of free floor space in the users' area is recommended. Ensure you have enough room to work safely while not endangering other family members.	
Lighting Ensure lighting levels are adequate for tasks, absence of glare.	
Noise levels acceptable Ensure there is no distracting noise, and separated from any loud equipment or appliances to minimise noise levels as much as possible. Adjust your work times to make this easier.	
Ventilation Adequate ventilation and comfortable thermal environment.	
Electrical safety Electrical equipment is in good condition, no frayed cords or broken plugs and where possible safety switches are installed and/or RCD protection. No double adaptors or piggyback extension leads; individual switches on power boards.	
Floors Floor surface appropriate, non-slip. Slow rolling castors for seating on tiled, timber or vinyl floor surfaces. Ensure rugs and cables don't pose a tripping hazard.	
Storage Storage shelves or filing cabinets are not overloaded, and/or anchored when necessary, heaviest items stored on low shelves or drawers.	
Emergency Emergency plan is in place for you and your family and everyone is aware of it. Suitable first aid supplies are available to everyone in the house or on the property. Current smoke alarms are active.	
Posture and Ergonomics Suitable furniture such as chairs and work surfaces which are fit for purpose and do not cause straining of your arms, neck or back and are comfortable.	

<p>Children/Pets Control potential risks such as heavy objects falling from the desk top (e.g. a child pulling a computer screen downward), sharps (scissors, staplers), electrical hazards (power points, metal objects, water).</p>	
<p>Signed by Employee:</p>	<p>Date:</p>
<p>Signed by Manager:</p>	<p>Date:</p>