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Date: 6th December 2022

To Whom it May Concern,

A Special multi-locational meeting of the **Policy and Resources Scrutiny Committee** will be held in Penallta House, and via Microsoft Teams on **Monday, 12th December, 2022 at 5.30 pm** to consider the matters contained in the following agenda. Councillors and the public wishing to speak on any item can do so by making a request to the Chair. You are also welcome to use Welsh at the meeting, both these requests require a minimum notice period of 3 working days. A simultaneous translation will be provided on request.

Members of the public or Press may attend in person at Penallta House or may view the meeting live via the following link: <https://civico.net/caerphilly>

This meeting will be live-streamed and a recording made available to view via the Council's website, except for discussions involving confidential or exempt items. Therefore the images/audio of those individuals speaking will be publicly available to all via the Council's website at www.caerphilly.gov.uk

Yours faithfully,

Christina Harrhy
CHIEF EXECUTIVE

A G E N D A

Pages

- 1 To receive apologies for absence.

A greener place Man gwyddach



2 Declarations of Interest.

Councillors and Officers are reminded of their responsibility to declare any personal and/or prejudicial interest(s) in respect of any business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

To receive and consider the following Scrutiny report:-

3 Agile Policies.

1 - 86

Circulation:

Councillors M.A. Adams, Mrs E.M. Aldworth, C.J. Cuss, G. Enright, D. Ingram-Jones, G. Johnston (Chair), C.P. Mann, B. Miles (Vice Chair), A. McConnell, D.W.R. Preece, J. Reed, J. Taylor, C. Thomas, A. Whitcombe, L.G. Whittle and C. Wright

And Appropriate Officers

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SPECIAL POLICY AND RESOURCES SCRUTINY COMMITTEE – 12TH DECEMBER 2022

SUBJECT: AGILE POLICIES

**REPORT BY: CORPORATE DIRECTOR EDUCATION AND CORPORATE
SERVICES**



1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to consult with Policy & Resources Scrutiny Committee in relation to four policies that support agile working, namely: Agile Working Policy, Annual Leave Policy, Flexi Scheme, Mileage Scheme.

2. SUMMARY

- 2.1 The Council's *Team Caerphilly – Better Together* Transformation Strategy was adopted by Cabinet on the 12th June 2019. The strategy confirmed 10 Corporate Reviews, one of which was Flexible / Agile Working.
- 2.2 Scrutiny members will know that the Government directive at the start of the pandemic required many of the Council's staff to work from home almost overnight, which heightened the need to progress the Flexible / Agile Working review, with relevant fit for purpose HR policies being key to support this change in direction for the organisation.
- 2.3 Scrutiny members will be aware that one of the key actions in both the Employee Wellbeing Strategy 2021 – 24 and the Workforce Development Strategy 2021 – 24 is to update HR policies and procedures and the priority policies have been identified as those relating to agile working.

3. RECOMMENDATIONS

- 3.1 Policy and Resources Scrutiny Committee are asked to consider and comment upon the four draft policies attached at Appendices 1 – 4 and, if they are so minded, recommend the Policies to Cabinet for approval on 14th December 2022.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 The recommendation is made to ensure that Policy and Resources Scrutiny members are consulted on the 4 draft policies and that the views of the Committee are represented to Cabinet when they consider the draft policies.

5. THE REPORT

- 5.1 As stated in section 2 of this report, Flexible / Agile Working is one of the 10 Corporate Reviews of the Council's *Team Caerphilly – Better Together* Transformation Strategy which was adopted by Cabinet on the 12th June 2019.
- 5.2 Whilst there was a requirement for home working to be introduced across parts of the organisation at the start of the pandemic, it has given the Council the opportunity to evidence continuity of service via flexible / agile working. Members will be aware that not all services can accommodate flexible / agile working and the needs of the service are of primary and paramount importance.
- 5.3 Relevant HR policies are therefore key to provide a formal platform for agile working going forward and to provide a framework to ensure fairness and equality for staff.
- 5.4 Consequently, four draft policies are attached to this report at Appendices 1 - 4 for Scrutiny members consideration:
- Agile Working Policy
 - Annual Leave Policy
 - Flexi Scheme
 - Mileage Scheme.
- 5.5 Discussions have taken place with the Trade Unions (GMB, Unison, Unite) about these policies during the pandemic and the four draft policies were sent to the three Trade Unions on 26th September 2022 as part of the formal consultation process. The feedback from GMB and Unison is attached at Appendices 5 and 6 respectively.
- 5.6 **Agile Working Policy**
- 5.6.1 This is a new policy. It confirms the Council's commitment to agile working and provides a framework which emphasises the importance of economic growth, de-carbonisation and the health and well-being of our employees.
- 5.6.2 The Policy confirms agile working as a transformational tool that allows staff to work smarter. Agile working removes a number of barriers to working efficiently and, by introducing this new modern model of working wherever possible in the Council we can, amongst many other benefits, improve service delivery. The Council can support inclusion and diversity, better health and wellbeing for our employees, improved work life balance, better employee engagement, and also help mitigate our carbon footprint with reduced travel.
- 5.6.3 The Policy introduces categorisations of 'Fixed', 'Flexible', 'Mobile', 'Home' and 'Community' roles into the organisation, but acknowledges that agile working cannot be accommodated in all services and for all posts.

5.7 Annual Leave Policy

5.7.1 The table below summarises the proposed changes to the current policy

	Current Policy	Proposed Policy
Entitlement	<p>Less than 5 years' service – 24 days More than 5 years' service – 28 days CMT* – 33 days</p> <p>These include the formerly locally agreed extra statutory days</p>	<p>Less than 5 years' service – 30 days More than 5 years' service – 34 days CMT* 39 days</p> <p>These include the formerly locally agreed extra statutory days and the NJC 2022 pay award of one additional day, but this will be an entitlement locally agreed for all employees and not just those employees under NJC terms and conditions.</p>

*CMT do not benefit from the Flexi Scheme.

- 5.7.2 As part of the pay award for National Joint Council for local government services (NJC) pay award for 2022 / 23, the NJC agreed that from 1st April 2023, all employees covered by this National Agreement, regardless of their current leave entitlement or length of service, will receive a permanent increase of one day (pro rata for part-timers) to their annual leave entitlement. The additional 6 days' annual leave includes this one day and is proposed to be implemented with effect from 1st January 2023 and not 1st April 2023 to coincide with the Council's annual leave year and is also for all staff and not just those employed on NJC terms and conditions.
- 5.7.3 Scrutiny will note that the changes to this Policy also benefit frontline staff who do not have the opportunity to make use of agile working approaches.
- 5.7.4 The proposal to increase leave is to assist recruitment and retention as the Council is not as competitive as other Local Authorities with its current annual leave offer.
- 5.7.5 The proposed six days additional leave will have revenue budget implications for the council due to the need to back-fill front line services, and for adjustments to term-time only contracts. The estimated additional annual cost is £2.459m. If the proposal is endorsed by Cabinet, growth will be included in the 2023 / 24 Budget Proposals which will ultimately be subject to approval by Council on the 23rd February 2023.

5.8 Flexi Scheme

- 5.8.1 The principles of this Scheme are based on equity and fairness, but it must be accepted that in the application of this Scheme, there will be different outcomes for employees relating to the job that they do, relating to the service, its business needs, and its client base. The Scheme does not apply to Corporate Management Team.
- 5.8.2 The Scheme recognises that the operation of any flexible working hours scheme would ideally apply to as many employees as possible. However, a number of

services will not be able to offer maximum flexibility and, in some cases, they will only be able to offer limited flexibility or no flexibility at all. The core operational hours of a service must be met and consequently, the level of flexibility that any post offers will be confirmed by the Head of Service and led by service's business needs and the client base.

5.8.3 The changes in the Flexi Scheme relating to bandwidth and time accrual changes support employees to have additional flexibility where the role supports it and with manager authorisation. The removal of core times and bandwidths is merely formalising practices that have developed well during the pandemic, but it does not mean that the core hours of the employees' contract can or will automatically change. This must always be subject to consultation.

5.8.4 The main differences between the current scheme and the proposed scheme are listed within the table below.

	Current Scheme	Proposed Scheme
Bandwidth	Mon – Fri 7am – 7pm	None across Mon – Sun
Core times	<p>Must work at least 4 hours a day or 2.5 hours if only expected to be in for half a day.</p> <p>The above example refers to an employee who works a 7 hour 24 minute shift ordinarily.</p>	<p>Must work half of contracted shift plus 18 minutes each day. For example, 4 hours for a full time employee.</p> <p>A part time employee who works 4 hours a day, must work at least 2 hours 18 minutes a day</p>
Credit & debit hours	Employees cannot go below -10 hours and will lose any hours in excess of 37 at the end of a 12 week flexi period.	Managers will receive a notification if an employee goes below 10 hours or above 37 hours at any point over the period of the calendar leave year, January to December
Flexi leave	No more than 6 full days or 12 half days in a 12 week period (maximum of 24 per annum)	<p>No more than 12 full days or 24 half days over the period of the calendar leave year i.e. January to December.</p> <p>The maximum flexi leave an employee can take at any one time throughout the calendar year with manager approval will not exceed six full days or twelve half days.</p> <p>Staff will have the opportunities to work more flexibly to support work life</p>

		balance in accordance with service needs.
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5.9 Mileage Policy

5.9.1 This Policy sets out the principles and rules for claiming travel costs incurred on Council business. In accordance with the categorisation of staff outlined in the Agile Working Policy, the revised proposals outline:

- i) Employees whose roles that are designated Fixed; Flexible; Mobile have a directed workplace for the purpose of submitting travel claims which will either be a Council owned building or a Council owned workplace.

These categorisations include employees whose posts support agile working in the form of location independence. These employees will be allocated a workplace for the purpose of claiming travelling expenses in the form of a dedicated team zone or agile working space in one of our Council buildings.

- ii) Employees whose roles are designated as Home (100%) will claim mileage expenses from home.
- iii) Employees whose roles are designated 'Community', offer them no choice over where they work but who are directed to work anywhere other than in a Council owned building or Council owned workplace, for example to care for service users in their own homes, or in the community. These employees will have their 'workplace' confirmed as being in the heart of the community.

This will be 0.5 miles away from their home. The home to work and work to home return journey will be no more than 1 mile in total. The exception to this will be if the employee's first call of each day is less than 1 mile away from their home.

5.9.2 In accordance with the Policy, the home to permanent workplace and permanent workplace to home commute will not be subject to re-imbursement of travel expenses or working time at any time of the working day for any employee. Where any employee chooses to return home during their working day only to return to their workplace later in the working day, they must do so at their own expense and in their own time. Recalls to work that are unexpected and manager led and which do not attract an overtime rate are the exception.

Trade Union Feedback

5.10 To assist Scrutiny members, Officers have offered comment on Trade Union feedback below. The full consultation responses from GMB and Unison are attached at Appendices 5 and 6 respectively.

5.11 Agile Working Policy

5.11.1 The Trade Unions believe that home to designated base mileage i.e. commute mileage, should not be deducted from business mileage where a commute to and from the designated place of work has not been undertaken i.e. instances when an employee is working from home and would go direct to site from their home location on Council business.

Officers would like to seek clarity on posts being referred to and how they are categorised as Officers believe this is more an issue of post categorisation than a policy issue (Mileage or Flexi).

Officers are also concerned that by supporting the staff who benefit from the agile working arrangement to claim mileage in this way, it could exacerbate existing inequalities with employees with low income and who may be experiencing Income Poverty. It is the employees who make up a large proportion of our front-line workforce who are more likely not to have the opportunity to work flexibly in their posts and who have no option but to travel to work each day at their own time and expense.

- 5.11.2 The Trade Unions appreciate the flexibility the draft policy may offer in terms of potentially spreading the working week over 7 days for some, they are resolute that this should be a choice for the employee to make and not mandated or expected in anyway by Management. They wish to be absolutely clear that an 'always on call' culture, be that blatant or subtle, cannot be supported.

Officers agree with this principle. Paragraph 34 and 35 of this Policy confirms that a simplified time recording system is proposed to replace the current time recording system to support 'greater flexibility' around working time. In the simplified system, there is no bandwidth that restricts working hours, enabling employees to record all hours worked at any time of the day throughout Monday to Sunday.

The Policy does not provide the opportunity to bypass the consultation process if a Manager wishes to change the days and hours of service delivery. Paragraph 41 of the Policy confirms this.

- 5.11.3 The Trade Unions are disappointed that a Home Working Payment/Allowance has not been considered.

Officers advise that this is being considered nationally. Officers will continue to discuss this with the Trade Unions.

- 5.11.4 The Trade Unions have requested that any additional cost an employee encounters to their home insurance as a result of working from home is reimbursed in full.

Officers can confirm that any such additional payments may be given consideration.

- 5.11.5 The Trade Unions have requested that the Council's Employer's Liability Insurance and Public Liability Insurance 'rules' are set out in detail.

Officers will include these in Frequently Asked Questions / supporting information.

- 5.11.6 The Trade Unions believe that the statement in the policy that managers must be able to *'ensure that they know where the employee is and what they are doing'* is unnecessary and does not engender a culture of trust within the organisation. They are also concerned that some managers may take this literally and enforce unnecessary monitoring practices upon staff which will be burdensome and lead to bureaucratic and inefficient working practices. They consider such a practice to be outdated and not in keeping with a progressive outcomes-based organisation.

It is the view of officers that it is important and responsible that Managers know where employees are for health & safety reasons, including lone working. It also

underpins the requirements of good management and supports staff wellbeing. It is unrealistic for a manager not to be able to know or ask where their staff members are.

- 5.11.7 The Trade Unions wish to see the Council's responsibilities as an employer clearly incorporated into the Policy

Officers believe these are set out, but will review this with the Trade Unions.

5.12 Mileage Scheme

- 5.12.1 The Trade Unions are less supportive of the proposals of how staff categorised as Flexible and Mobile are reimbursed for business mileage when commencing a journey from home and would like further negotiations in relation to this.

Officers would like to seek clarity on posts being referred to and how they are categorised as Officers believe this is more an issue of post categorisation than a policy issue (Mileage or Flexi).

Officers are also concerned that by supporting the staff who benefit from the agile working arrangement to claim mileage in this way, it could exacerbate existing inequalities with employees with low income and who may be experiencing Income Poverty. It is the employees who make up a large proportion of our front-line workforce who are more likely not to have the opportunity to work flexibly in their posts and who have no option but to travel to work each day at their own time and expense.

5.13 Annual Leave Policy

- 5.13.1 The Trade Unions would like to see discretion within the draft policy to allow a member of staff to carry forward more than 5 days

Officers have amended the Policy to reflect this.

- 5.13.2 The Trade Unions would also wish to see the possibility of staff being able to purchase additional annual leave added to the policy as a discretionary element.

Officers suggest this is included as a question in the next staff survey and a view gauged as to whether staff would wish to see it included in the policy as there is currently a proposal in the draft Policy for an additional 6 days annual leave for all staff. However, overall consideration must be given to the importance of annual leave as it offers the opportunity to take appropriate time away from the organisation to fully rest both physically and mentally.

5.14 Flexi Scheme

- 5.14.1 The Trade Unions would expect that should the needs of the service change and require staff to change terms and conditions of their contracted working hours this would be carried out in full consultation with the recognised Trade Unions.

Officers agree. The Policy confirms that a simplified time recording system is proposed to replace the current time recording system to support of 'greater flexibility' around

working time. The Policy does not provide the opportunity to bypass the consultation process if a Manager wishes to change the days and hours of service delivery.

- 5.14.2 The Trade Unions disagree that no payment of flexi will be made to an employee upon termination of their contract, however, if the employee is in a deficit situation, the deficit hours will be reclaimed.

Officers advise that employees should be encouraged to take their flexi before they leave.

5.15 Conclusion

The Council recognises that our workforce has been innovative, collaborative, resilient and resourceful in the face of extreme pressure from early 2020 and it has embraced the opportunities that agile working arrangements provide. These draft policies support a modern model of working wherever possible in the Council, which can improve service delivery, support inclusion and diversity, the better health and wellbeing of our employees, improve work life balance, employee engagement, and mitigate our carbon footprint with reduced travel.

6. ASSUMPTIONS

- 6.1 No assumptions have been made in this report.

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 The Integrated Impact Assessment is attached at Appendix 7 and covers the 4 draft policies.
- 7.2 The implementation of a sustainable model of flexible/agile working for the Council has been identified as a priority action and the proposed Agile Working Policy and Flexi Scheme have been created and reviewed to ensure they are inclusive, fit-for-purpose and reflective of these Council's values.
- 7.3 The policies and schemes acknowledge that not all jobs or employee situations will be suitable for agile and flexible working. Whilst the principles of the Agile Working Policy and Flexi Scheme are based on equity and fairness, it must be accepted that in the application of these policies, there will be different outcomes for employees relating to the jobs that they do, the business needs of the service they work in and its client base.
- 7.4 It is important however to note that the Agile Working Policy and Flexi Scheme in the way that they are designed, support personal choice, albeit this has to be balanced against service needs.
- 7.5 These policies and schemes support the Council's vision for sustainable development which places an emphasis on the importance of economic growth, decarbonisation and the health and well-being of our employees. The Council fully endorses and is committed to developing and resourcing agile working across our Council on a sustainable basis. The Council vision aligns to Welsh Government's vision to support agile working/remote Working across Wales.

8. FINANCIAL IMPLICATIONS

- 8.1 As mentioned in paragraph 5.7.5 the proposed six days additional leave will have revenue budget implications for the council due to the need to back-fill front line services, and for adjustments to term-time only contracts. The estimated additional annual cost is £2.459m. If the proposal is endorsed by Cabinet, growth will be included in the 2023 / 24 Budget Proposals which will ultimately be subject to approval by Council on the 23rd February 2023.

9. PERSONNEL IMPLICATIONS

- 9.1 The personnel implications are included in the report.

10. CONSULTATIONS

- 10.1 The consultation responses have been taken into consideration when drafting the policies and schemes. The written feedback from GMB and Unison is attached at Appendices 5 and 6 respectively.
- 10.2 In addition to the consultees listed on this report, Heads of Service, HR Strategy Group and the HR Management Team have also been consulted on the policies

11. STATUTORY POWER

- 11.1 Local Government Act 1972

Author: Lynne Donovan, Head of People Services

Consultees: Christina Harrhy, Chief Executive
David Street, Corporate Director Social Services and Housing
Mark S. Williams, Corporate Director Economy and Environment
Cllr Nigel George, Cabinet Member for Corporate Services and Property
Stephen Harris, Head of Financial Services and S151 Officer
Robert Tranter, Head of Legal Services and Monitoring Officer
Nicola Chapman, HR Service Manager
Lisa Downey, HR Service Manager
Emma Townsend, Health and Safety Manager
Trade Unions – GMB, UNISON, Unite

Appendices:

- Appendix 1 Agile Working Policy (draft)
Appendix 2 Annual Leave Policy (draft)
Appendix 3 Flexi Scheme (draft)
Appendix 4 Mileage Scheme (draft)
Appendix 5 GMB feedback
Appendix 6 Unison feedback
Appendix 7 Integrated Impact Assessment

Background Papers:

Report to Policy & Resources Scrutiny Committee 27th September 2022 'UPDATE ON AGILE WORKING'

Report to Policy & Resources Scrutiny Committee 9th November 2021 'TEAM CAERPHILLY BETTER TOGETHER TRANSFORMATION STRATEGY 6 MONTH UPDATE'

Report to Policy & Resources Scrutiny 28th September 2021 'EMPLOYEE WELLBEING STRATEGY 2021 – 24'

Report to Policy & Resources Scrutiny 28th September 2021 'WORKFORCE DEVELOPMENT STRATEGY 2021 – 24'

Report to Policy & Resources Scrutiny Committee 6TH April 2021 'TEAM CAERPHILLY BETTER TOGETHER TRANSFORMATION STRATEGY 6 MONTH UPDATE'

Cabinet 12th June 2019 'FUTURE CAERPHILLY TRANSFORMATION STRATEGY - *#TEAMCAERPHILLY – BETTER TOGETHER*'

AGILE WORKING POLICY

Version:	Version 1 – December 2022
Policy Ratified By:	Cabinet
Date Policy Ratified:	
Effective Date of Policy	
Review Year:	Biennial
Applicable To:	All Caerphilly employed staff whose posts are designated 'Mobile', 'Home' or 'Flexible'.
Equalities:	<p>Mae'r ddogfen hon ar gael yn Gymraeg, ac mewn ieithoedd a fformatau eraill ar gais.</p> <p>This document is available in Welsh, and in other languages and formats on request.</p>



INDEX

SUBJECT	PAGE NUMBER
Introduction	3
Policy Scope	4
Main Considerations	5
Office Space for the Agile Worker	5
Working Time and the Agile Worker	6
Greater Time Flexibility Explained	7
Communication and Contact	7
SUPPORTING SAFE AGILE WORKING PRACTICES	8
Remote Working and Data Protection	8
Health and Safety	9
Property and Insurance	9
Personal Expenses	9
Mileage Claims	9
Working from Home Expenses	10
Other Expenses	10
INTERPRETATION OF THE POLICY	10
REVIEW OF THE AGILE WORKING ARRANGEMENT	10

INTRODUCTION

1. At Caerphilly County Borough Council our workforce has been innovative, collaborative, resilient and resourceful in the face of extreme pressure and from early 2020, we have embraced the opportunities that agile working arrangements provide.
2. Aligned to our vision for sustainable development which places an emphasis on the importance of economic growth, de-carbonisation and the health and well-being of our employees, we fully endorse and are committed to developing and resourcing agile working across our Council on a sustainable basis.
3. Tailored to meet the complex and varying needs of our services, 'Agile Working' is a transformational tool that allows us to work smarter by eliminating all barriers to working efficiently. It can promote maximum flexibility and minimum constraints in terms of promoting choice of location and working time to enable employees to optimise their performance in their delivery of the Council's business.
4. Using the categorisations of 'Fixed', 'Flexible', 'Mobile', 'Home' and 'Community' as below, our Heads of Service have quantified the basic level of location and time flexibility that exists in every one of the services provided by the Council:

Category	Role Determining Factors
Fixed	<p>Your role requires you to work in a fixed location all the time. You may need a desk in a fixed location, for example, a reception area. You may share that desk. You may need to use specialist equipment which cannot be moved.</p> <p>Your role is location dependent. Your role may or may not support time independence.</p>
Flexible	<p>You may spend time in the office but you may also choose to work from home or out and about. You could work from any office or from home given the right equipment and access to systems.</p> <p>Your contractual work base will remain as the Council offices. You will be required to attend the Council offices when asked to do so by your manager e.g. for meetings, specific tasks, supervision and appraisals.</p> <p>Your role is location independent. Your role may or may not support time independence.</p>
Mobile	<p>You have an office base or you can choose to work from home but spend more than half your time out on site either visiting customers, residents or businesses at various locations.</p> <p>Your role is location independent if you can also choose to work from home rather than the office. If not, your role is location dependent. Your role may or may not support time independence.</p>
Home	<p>Through mutual agreement, a homeworking agreement is in place that confirms your entitlement to work from home a 100% of the time.</p> <p>Your home is your work base. Your role may or may not support time independence.</p>

Community	<p>Your role has never required you to attend an office base or designated Council building. You leave home each day to work in the heart of community, for example visiting clients' homes for the purpose of providing care.</p> <p>Your role is location dependent as you provide a service to residents / clients in their homes or in the community.</p> <p>Your role could be time dependent or independent, depending on the service being provided.</p>
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5. Heads of Service will regularly review the ongoing relevance of the categorisations of 'Fixed'; 'Flexible'; 'Mobile'; 'Home' and 'Community' in their individual service areas linked to business needs. They will also ensure the relevant categorisation of any new post that they introduce to the service.
6. In the agile working arrangement, work becomes something that we do, not somewhere we go. Employees whose jobs are location independent will be trusted to work from any location. This could be from a Council building, from home, in the heart of the community or in line with individual preference, any combination of these.
7. Where job roles also support time independence, this can lead to Heads of Service entrusting staff to have more control over when they work.
8. We know that by introducing this new modern model of working wherever possible in the Council, we can amongst many other benefits, improve service delivery. We can also support inclusion and diversity, the better health and wellbeing of our employees, improve work life balance, employee engagement, and mitigate our carbon footprint with reduced travel.

POLICY SCOPE

9. This Policy applies to employees whose posts in the Council are location independent and time independent in line with the post categorisation table shown on page 3. These are the posts that offer the employee choice over where and when to work.
10. This Policy also applies in part to employees in the Council whose posts are time independent but not location independent. These are the posts that offer some or significant flexibility over when to work but no choice over where to work.
11. This Policy does not apply to employees whose posts in the Council are location dependent and time dependent. For example, schools and customer facing front line service roles in care and waste collection. There are many roles in the Council that will require the employee to always attend a specified workplace at a specified time.
12. The Council's recognised trade unions have been consulted on the introduction of this policy.
13. The effective date of this policy is **(Insert Date)**.

MAIN CONSIDERATIONS:

14. Agile working can produce benefits and innovation through collaboration. With a particular focus on customer satisfaction, quality, teamwork and effective management, this modern way of working can provide mutual benefits for the Council and the employee.
15. The agile working arrangement supports flexibility and thus it is difficult to establish a rigid set of rules around it. Not all jobs or employee situations will be suitable for agile working. Some jobs are intrinsically not suitable, and some proposed arrangements may not be considered safe and secure in individual circumstances.
16. The principles of this Policy are based on equity and fairness, but it must be accepted that in the application of this Policy, there will be different outcomes for employees relating to the job that they do, relating to the service, its business needs, and its client base.
17. Heads of Service/Managers must 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.
18. Employees must take responsibility for the security of Council equipment and for sensitive, confidential data. They must continue to comply with the Data Protection Act, reporting data breaches or loss or theft of such to the Council immediately. While working in an agile way, employees remain accountable to all the Council Policies that underpin their employment.
19. Employees are required to familiarise themselves with this Policy, and with the health and safety requirements relating to agile working. Employees must ensure that they protect their own health, safety and wellbeing when working in an agile way.
20. It is important that all employees limit their travel to achieve the environmental benefits of agile working. Teams conferencing is to be used wherever possible and appropriate to do so in place of travelling to meetings.
21. Working outside of the UK is not permitted. The agile worker must be available to attend the office base at any time.
22. We recognise that most of the jobs that do not suit agile working in terms of where to work and when to work will be in the lower quartiles of the Council's pay bandings. This policy is considerate of this in supporting equity and fairness when considering any personal expenses that underpin this policy.
23. If an employee is disabled and does not already have access to the beneficial aspects of this Policy and/or limited access to the benefits of this Policy, accessibility issues must be considered to enable them to take part.

OFFICE SPACE FOR THE AGILE WORKER

24. All jobs that suit agile working will require attendance at an office base for the delivery of essential services and/or the undertaking of some essential tasks. For this purpose and for the purpose of claiming business mileage, every employee whose post has been designated 'fixed'; 'flexible', or 'mobile' will be allocated a designated office building, which could be in the form of a department/team zone and/or agile workspace.

25. The agile workspace will be modernised to deliver an inviting and aesthetically pleasing workspace. Our administrative buildings will be repurposed to provide an appropriate mix of fixed desks / hot desks, touch down points, quiet space, and meeting space to effect this.
26. In the repurposed workspace, there are limited storage facilities and all who work in that space will be expected to use the electronic storage on their laptop. A clear desk policy applies.
27. No limitation on employee attendance at the office is envisaged but this assumes that all who can work in an agile way will be taking advantage of the opportunity to do so.
28. Attendance at the office will be directed by the Head of Service in consultation with their teams to suit business needs and team development as appropriate. Any directed attendance at the office will be subject to regular review in line with business needs.
29. Heads of Service will advise and keep their teams informed of the agile working space that is available for use and they will outline any limitations that may accompany its use.

WORKING TIME FOR THE AGILE WORKER

30. The agile working arrangement must support the employee to meet their contractual working hours, but it may also offer them greater freedom over when they can work.
31. Heads of Service and their management teams will continue to plan and agree a work programme that ensures business continuity. This will include communicating the core operational hours of the service/team.
32. In supporting flexibility of working time, managers must be able to:
 - a. effectively organise work amongst team members aligned to the working hours of the client/customer base;
 - b. ensure that they know where the employee is and what they are doing;
 - c. set and monitor work performance and output expectations.
33. Employees must be able to:
 - a. commit to work rotas and/or work collaboratively with their colleagues to ensure work attendance around the core hours of the client/customer base,
 - b. ensure the delivery of essential services/the undertaking of essential tasks and,
 - c. meet work performance and output expectations.
34. In support of the agile working arrangement, managers will entrust employees to work effectively with team colleagues to ensure that the core hours of the business of the service are consistently covered.
35. In support of 'greater flexibility' around working time, a simplified time recording system has replaced the current time recording system. In the simplified system, there is no bandwidth that restricts working hours.
36. The simplified time recording system will enable employees to record all hours worked at any time of the day throughout Monday to Sunday. Employees must continue to clock in

and out and/or keep a transparent record of their working time in line with the agreed process of the service/team.

GREATER TIME FLEXIBILITY EXPLAINED

37. Where the work of the service/team supports time 'flexibility', employees in collaboration with their colleagues and manager, may be entrusted to have greater control over their working hours. They could choose for example, with the permission of their manager, to manage their working time around their childcare, caring and/or work life balance preferences, providing that service needs can be met.
38. An employee could with the permission of their manager, work in 'bursts of time' throughout the day, stepping out of work for the school run/for caring responsibilities, or for a fitness class or to take the dog for a walk/take themselves for a walk, etc. providing that this is supported by service needs and does not negatively impact business delivery.
39. Having a greater expanse of days and hours to work over makes it easier for the employee to manage their working time and commit to their contractual working hours. An employee who works Monday to Friday may welcome the opportunity to catch up with some work in the early morning/late evening and/or on the weekend if it suits them to do so and if the post offers them this level of flexibility whilst supporting the needs of the service and business delivery.
40. Greater flexibility over 'when to work', does not mean that employees can fundamentally change their core working days which have to be aligned to business needs, without the prior agreement of their Manager/Head of Service. This means that employees who work Monday to Friday will still be expected to be in work predominantly on those days unless the needs of the service change.
41. Greater flexibility over 'when to work' also does not mean that the Council can fundamentally change the core working days/core working hours of the employee under this Policy. If the service is proposing employment contract changes, the service must fully consult with all affected employees and any relevant employee representatives.
42. Absence from work on any contracted day must be requested as usual in line with the Council's annual leave, flexi leave and leave of absence policies. Employees must work more than half of the hours of their contracted shift for this requirement not to apply. For example, an employee whose contractual working hours are 7 hours 24 minutes a day must work at least 4 hours.
43. The extent to which a job will offer time flexibility will depend on the business needs and the client base of the service. Heads of Service via their management teams will ensure that employees are aware of the level of flexibility the service can reasonably support.
44. There will always be jobs that support very little or no working time flexibility. Public facing front line roles that can operate remotely may fit this description. In some services, the need to commit to the office hours of 8:30am to 5:00pm or an alternative bandwidth of hours to meet customer expectations may remain necessary.

COMMUNICATION AND CONTACT

45. In the agile working arrangement, openness, team communication and learning from each other remains as important as ever. Building in regular social and human connection

opportunities into the agile working arrangement can support employee engagement and assist team building.

46. Arrangements must be made for effective communication to be maintained between employees, line managers and colleagues. It is essential for regular team meetings and “My Time” meetings to be held.
47. Communication and support channels must also be made available.
48. Our digital journey supports the agile workforce to communicate and remain in contact using a modern desktop.
49. All employees are provided with laptops with an integrated phone system and video conferencing facilities. This ensures that employees when not in the office, are contactable as if they were.
50. Whether working at home, working in the community, or working in the office, the laptop supports the same level of contact. The device is mobile and will need to accompany the employee wherever they choose to work, including to the office, if the functionality of a laptop is needed for work that day. Laptops have predominantly replaced workplace PC's and workplace I-Gels.
51. Electronic diaries must be always used, and they must be open for colleagues to view. Employees must ensure that their contact details are up to date.
52. The [Digihub](#), which is presented and administered by the Council's Digital Services team, dedicates a whole section to remote working which is full of information and advice including good tips about maintaining security when using the Council's devices.
53. Any employee undertaking client visits or attending meetings must follow the same “lone working principles” of contact that they would if leaving from the office.

SUPPORTING SAFE AGILE WORKING PRACTICES

Remote Working and Data Protection:

54. In the agile working arrangement, the employee must take relevant action to safeguard themselves, service users and the Council.
55. On the matter of data protection, employees must:
 - a. be aware of the environment/surroundings when working, especially if working in public spaces;
 - b. keep work mobile devices safe and maintain information securely ensuring that family members, visitors and others are not able to view Council information, and/or overhear confidential conversations. This includes voice controlled electronic devices such as Alexa and Amazon Echo and public wi-fi;
 - c. ensure a secure place to store any information taken from the workplace when it is not in use;
 - d. never dispose of confidential information in household/public waste;
 - e. always use the Council's Virtual Private Network (VPN) to access information and if using their own device, always remember to connect using

Council-issued token/app so that the information being worked on remains within the Council's secure networks. Saving work to personal devices is not permitted.

- f. ensure compliance with the Council's IT Policies and report any matters of potential data breach in line with the Council's procedure. (Insert relevant link).

HEALTH AND SAFETY:

- 56. The incorrect setup of workstations (including chairs, monitors, keyboards, mouse, and desk layout) is a common cause of discomfort in the back, arms, and hands of users of such equipment.
- 57. Employees working from home are required to have a suitable and compliant workspace. They will be required to complete a DSE Homeworking Self-Assessment Form and discuss any concerns with their Line Manager.
- 58. Employees that work in a CCBC office will be required to complete a DSE Workstation Risk Assessment Form. Employees that work at multiple locations will be required to implement the principles of safe DSE working at each workstation, for e.g. chair, screen and keyboard adjustments.
- 59. Employees who need to carry equipment and documents must ensure they use handling aids where required such as trolleys and carriers.
- 60. Resources including guidance and videos that set out responsibilities and advise on how to set up workstations correctly is available on the Council's Health & Safety Intranet Page (Insert relevant link).

PROPERTY AND INSURANCE

- 61. Computers, laptops, phones, and other items of equipment provided by the Council are covered by the Council's insurance policy.
- 62. If working from home, employees should inform their household insurer of this fact. This should not result in any increase in personal cost.
- 63. The Chartered Institute of Personnel and Development suggest that employees should also inform their mortgage lender.
- 64. Employees working at home are covered by the Council's Employer's Liability Insurance and Public Liability Insurance in the same way as if they were working from an office, providing that employees adhere to this Agile Working Policy and associated guidelines.

PERSONAL EXPENSES

Mileage claims:

- 65. Every employee who can work agile (i.e. where posts are categorised as 'flexible' or 'mobile') will be able to access a designated office base and there is an expectation that these employees will be required to attend the office in accordance with service needs.

66. For employees whose posts are designated 'flexible' or 'mobile', mileage claims will be reimbursed under the same terms and conditions for claiming expenses that apply to all employees whose posts are designated 'fixed'. The employees whose roles are designated as 'fixed' are required to travel to work each day. The mileage scheme can be seen here ([insert relevant hyperlink](#)).
67. Travel time and mileage incurred between the designated office base for employees whose posts are designated 'fixed'; 'flexible'; or 'mobile' is not refundable. Refer to mileage scheme for further information.
68. If the employee chooses of their own volition to travel to an alternative workplace that is not their office base and incurs additional mileage because of this, they may do so but at their own expense.
69. For employees whose posts are designated 'home' or 'community', please refer to the mileage scheme for further detail.

Working from home expenses:

70. It is anticipated that, in the majority of cases, the costs of working from home will be offset by the savings in the cost and time of commuting to work, and the benefits of an improved work/life balance. Therefore, any additional costs incurred by working at home will not be met by the Council.
71. HMRC and Tax relief. In accordance with HMRC guidance, employees cannot claim tax relief if they choose to work from home. This includes if the employment contract lets them work from home some or all of the time or they work from home because of COVID-19 or the employer has an office that they cannot always go to because sometimes it is full.

Other expenses:

72. Employees should speak to their manager about any furniture and/or additional equipment they require to undertake their jobs remotely. These resources may be provided at the Council's expense wherever appropriate.

INTERPRETATION OF THE POLICY

73. In the event of a dispute relating to the interpretation of the policy, the Head of People Services or a HR Service Manager along with a Corporate Director in consultation with the Cabinet Member for Corporate Services will make the final decision on interpretation.

REVIEW OF THE AGILE WORKING ARRANGEMENT

74. Not all agile working arrangements will be successful either from the service point of view or the individual's point of view, so they must be subject to regular review.
75. Managers will only stop agile working arrangements for sound business or performance reasons and after consulting fully with the employee.
76. An employee who disagrees with their manager's position on the agile working arrangement, may issue an appeal to their Head of Service.

ANNUAL LEAVE POLICY

Version:	Version 1 – December 2022
Policy Ratified By:	Cabinet
Date Policy Ratified:	
Effective Date of Policy	
Review Year:	Biennial
Applicable To:	All Caerphilly employed staff including school-based support staff where the governing body adopts the Policy.
Equalities:	<p>Mae'r ddogfen hon ar gael yn Gymraeg, ac mewn ieithoedd a fformatau eraill ar gais.</p> <p>This document is available in Welsh, and in other languages and formats on request.</p>



INDEX

SUBJECT	PAGE NUMBER
Introduction	3
Policy Scope	3
Statutory and Contractual entitlement to paid holiday time	3
Annual Leave Entitlement	4
Bank or Public Holiday (Statutory Days)	4
The Taking of Annual Leave	5
Annual Leave – Leavers and Joiners	5
Employees who work additional hours	6
Reporting Sick during a period of annual leave	6
Annual Leave and Long-Term Absence	7
Taking Annual Leave during Sickness Absence	8
Annual Leave and Maternity and Adoption Leave	8
Annual Leave and Paternity and Shared Parental Leave	9
Annual Leave and Career Break	9
Interpretation of Policy	9
Review of Policy	9

INTRODUCTION

1. At Caerphilly County Borough Council our workforce continues to be innovative, collaborative, resilient and resourceful in the face of extreme pressure and we recognise that paid holiday entitlement is fundamental to supporting our employees' health and wellbeing.
2. All employees covered by this policy can expect to be treated fairly and consistently and be confident that their statutory and contractual entitlements to paid holiday time are complied with.

POLICY SCOPE

3. This policy applies to all employees covered by the NJC for Local Government Services terms and conditions of employment and the Council's Single Status Agreement. This policy also includes employees whose pay terms are covered by the JNC for Chief Executives and the JNC for Chief Officers of Local Authorities terms and conditions of employment and to the JNC for Youth and Communities and Soulbury Committees.
4. This Policy does not apply to school-based support staff for whom the Governing Body sets the local terms and conditions of employment. The leave entitlement referred to herein however will be presented to schools and recommended for adoption with a view to sustaining our Council's Single Status position and to ensure the equitable calculation of term time only holiday pay.
5. This Policy does not apply in any capacity to Teaching staff who are governed by the School Teachers' Pay and Conditions Document (STPC(W)D) and Staffing of Maintained Schools (Wales) Regulations 2006.
6. The Council's recognised Trade Unions have been consulted on the introduction of this policy.
7. The effective date of this policy is (**Insert Date**) and it supersedes all earlier policies

STATUTORY AND CONTRACTUAL ENTITLEMENT TO PAID HOLIDAY TIME

8. There are three different categories of paid holiday leave:
9. **Type One** is the statutory annual leave that originates in EU law and gives workers four weeks' paid holiday. This type of leave come from the Working Time Regulations 1998 and must follow EU and European Court of Justice (ECJ) requirements.

N.B: These 4 weeks of statutory leave must be used in the annual leave year to which it applies and cannot be carried over to the next leave year in ordinary circumstances. There are however a few exceptions to this rule, which are highlighted in the detail of this Policy.

10. **Type Two** is the statutory annual leave that originates in UK law and gives workers 1.6 weeks' paid holiday. This type of annual leave is also found in the Working Time Regulations, but it does not have to follow EU or ECJ requirements (although the UK courts can choose to follow them in some instances).
11. **Type Three** is contractual annual leave, which the Council does provide above and beyond the statutory requirements in the Regulations.

12. With regard to the leave referred to in points 9, 10 and 11, the Council, in exercising its discretionary responsibility supports no more than one week carry over of annual leave from one leave year to the next. Where an employee has more than one week of untaken annual leave at the end of their annual leave year, any untaken annual leave over the one week that the employee does not take, will be lost. The exception to this is where the Head of Service and Director have agreed to a higher leave carry over in support requests from employees in exceptional circumstances. If the exigencies of the Service have hindered the taking of the leave at the end of the leave year, the outstanding leave balance will be carried over.
13. The Council will not as a general rule make a payment to employees in respect of “lost” untaken annual leave. The Council does however reserve the right to make a payment for annual leave on the termination of employment where the exigencies of the service prevent the taking of the leave.

ANNUAL LEAVE ENTITLEMENT

14. Employees who work 5 days a week over 52.143 weeks of the year have an annual leave entitlement amounting to:

30 days per annum	For up to 5 years’ continuous local government service
34 days per annum	For 5 years or more continuous local government service

N.B. The above leave entitlements include the former locally agreed Extra Statutory days and the additional leave day that was included in the NJC April 2022 pay award.

15. Part Time employees will have a pro-rata entitlement to the annual leave days referred to in Point 14 above.
16. The additional entitlement for employees who attain 5 years’ continuous service will be calculated from the date of the employment anniversary and is calculated pro-rata for the annual leave year.
17. Corporate Management Team’s annual leave entitlement is 39 days per annum, regardless of Service. They do not benefit from a further entitlement to annual leave with reference to years served.
18. Continuous Local Government Service in relation to this Annual Leave Policy applies to employees covered by the NJC for Local Government Services, JNC for Chief Officers, JNC for Youth and Community Services and Soulbury Committees.

BANK (OR PUBLIC) HOLIDAY AND STATUTORY DAYS

19. Employees will receive a paid bank holiday entitlement in addition to their annual leave entitlement.
20. The Bank Holiday entitlement, assuming an employee is continuously employed for the period 1 January to 31 December, is 9 days.

The Council recognises the eight statutory bank holidays, which are:

- New Year's Day
 - Good Friday
 - Easter Monday
 - Early May Bank Holiday
 - Spring Bank Holiday
 - August Bank Holiday
 - Christmas Day
 - Boxing Day and,
 - One extra statutory holiday day which follows Boxing Day each year.
21. Part time employees will receive a pro-rata entitlement to Bank Holiday based on their contract hours.
 22. Bank Holiday entitlement accrues over the year and should not be pre-calculated at the start of a financial year. Bank Holiday entitlement starts to build up from the moment an employee starts work.
 23. Managers should be fair and reasonable when drawing up rotas for Bank Holiday cover to ensure that cover is shared fairly amongst the applicable employees.

THE TAKING OF ANNUAL LEAVE

24. Employees must make every effort to take their full annual leave entitlement during the calendar leave year January to December. Employees must request authorisation from their managers to take annual leave as soon as practically possible.
25. Employees may carry over up to one week of their annual leave into the following leave year with the prior approval of their manager. The exception to this is where the Head of Service and Director have agreed to a higher leave carry over in support requests from employees in exceptional circumstances. If the exigencies of the Service have hindered the taking of the leave at the end of the leave year, the outstanding leave balance will be carried over.
26. Carried over leave should be used as soon as is reasonably possible in the new holiday year.
27. All annual leave requests must be approved in advance wherever possible, by the employee's Manager. If an employee wishes to request to take a block of annual leave, they must provide their Manager with as much notice as possible. The request for leave will be agreed in line with the operational requirements of the service.
28. There may be a need for employees to retain some leave to cover planned closures, for example the Christmas Closedown period.

ANNUAL LEAVE – LEAVERS AND JOINERS

29. The additional entitlement for employees who attain 5 years' continuous service during a calendar year will be pro-rata for the annual leave year in which that additional entitlement falls.

30. Annual leave entitlement from previous employers, including other Local Authorities, must be settled with them before beginning employment with Caerphilly CBC. No carry over of leave from any former employer will be supported.
31. Where an employee seeks to call upon continuous Local Government Service, the date of continuous service must be confirmed by the former employer at the appointment stage. In terms of this policy, continuous local government service only applies to employees covered by the National Joint Council for Local Government Services, Joint National Council for Youth and Community Services and the Soulbury Committees in respect of annual leave accrual.
32. The annual leave year date for new employees joining the Council is 1 January to 31 December. When employees join the Council after the commencement of the leave year, their annual leave entitlement for that year will be calculated from the first day of their employment with the Council to the end of the annual leave year on a pro-rata basis.
33. The annual leave entitlement of an employee leaving the Council before the end of the annual leave year will be recalculated from the beginning of the leave year up to the last day of employment with the Council on a pro-rata basis.
34. Employees shall make every reasonable effort to take all remaining annual leave due to them before they leave the Council. The Council can require the employee to take any unused annual leave during the notice period and prior to the termination of employment.
35. Any annual leave taken over and above the allocated entitlement will be deducted from the employee's final salary payment.
36. Annual leave entitlement for employees joining or leaving the Council is calculated on a proportionate basis. Any fraction of a day equal to less than half a day will be treated as a half day. Any fraction of a day equal to over half a day shall be treated as a whole day.

EMPLOYEES WHO WORK ADDITIONAL HOURS

37. Employees who work part time, i.e., less than 37 hours each week, will receive compensation for annual leave relevant to any basic additional hours that they work up to 37 in any week.
38. Employees who work additional hours will receive a pro-rata entitlement to annual leave, calculated on a monthly basis, expressed in hours. This additional annual leave entitlement will be paid to the employee via the Payroll on a monthly basis.
39. Employees will also receive compensation for annual leave relevant to working a night shift, overtime shift, sleep in, and standby shift.
40. All payments made for working additional hours will be made in accordance with ACAS Guidance.

REPORTING SICK DURING A PERIOD OF ANNUAL LEAVE

41. If an employee becomes sick or is injured whilst on annual leave, they may transfer their annual leave to absence due to sickness and take the replacement annual leave at a later time. This is subject to the following strict conditions:

42. The total period of incapacity must be fully certificated by a qualified medical practitioner.
43. The employee, or in exceptional circumstances someone acting on their behalf, must contact their Line Manager by telephone, as soon as practical, on the first day of any known period of incapacity during the period of annual leave, even if they are overseas.
44. The employee must submit a written request to their Head of Service no later than 10 working days after returning to work setting out how much of the annual leave period was affected by sickness and the amount of annual leave that the employee wishes to take at another time.
45. Where the employee is overseas when they fall ill or injured, evidence must still be produced that the employee was ill either by a medical certificate or proof of a claim on an insurance policy for medical treatment received at the overseas location. All costs of medical certification are incurred by the employee.
46. Where the employee fulfils all the above conditions, the Council will grant the employee the same number of days' replacement annual leave in the current leave year as the number of annual leave days lost due to sickness or injury.
47. The replacement leave must be taken in the employee's current leave year wherever practicably possible and in accordance with service needs. The rules relating to carry over of leave as referred to in point 25 apply here. A maximum of one week carry over into the following leave year will be supported, or more in exceptional circumstances and any carry over of leave is to be taken as soon as possible in the new leave year. Refer to the Section below if the employee takes long term sick and/or does not return to work before the end of the calendar year.
48. If an employee is ill or is injured and reports absent from work as a result of this before the start of a period of planned annual leave, the Council will agree to the employee postponing the annual leave dates to another mutually agreed time in that leave year whenever possible. The employee must submit a written request to postpone the planned annual leave and this must be accompanied by a fit note from their doctor confirming that they are unfit, or are still likely to be unfit, to take the annual leave. The Service may require an employee to take all, or part of their replacement leave on particular days because of operational requirements.
49. Where leave cannot be taken within the leave year, only the statutory element of any untaken leave may be carried over unless this is less than the council's one week supported carry over.

ANNUAL LEAVE AND LONG-TERM SICKNESS ABSENCE

50. Employees will continue to accrue, during any paid or unpaid period of sickness absence, their full annual leave entitlement.
51. Where the employee returns to work following long term sickness absence, annual leave entitlement accrued must be taken in the same leave year where practicably possible and in accordance with service needs. The one week carry over rule applies where employees have sufficient time to take the majority of their leave.
52. Where the employee is absent for the whole leave year or there is insufficient time for the accrued statutory element of annual leave to be taken in the same year, the

contractual annual leave entitlement over and above the minimum statutory holiday entitlement provided for by the Working Time Regulations 1998 cannot be carried forward from one leave year into the next, i.e. an employee whose leave year ends while they are on long term sick will be entitled to carry over a maximum of 28 days statutory leave (pro-rata for part-time employees), less any annual leave and bank holidays that were taken prior to the sickness commencing in that leave year.

53. The statutory entitlement to annual leave will be calculated with reference to the number of statutory days already taken by the employee in the year that they have reported sick in line with the Council's sickness absence policy. For example, a full-time employee who has taken 8 days of their statutory leave entitlement (inclusive of bank holidays) before they report sick, may be supported to carry over the 20 statutory leave days that they have not been able to take into the following leave year.
54. Any statutory leave carried over following long term sickness absence must be taken within eighteen months of the carry over.

TAKING ANNUAL LEAVE DURING SICKNESS ABSENCE

55. Employees can request to take annual leave during a period of sickness absence as long as they formally request it, and the annual leave is authorised. The sickness absence will be paused for the period of annual leave.
56. During any period of sickness absence, employees are expected to be available to attend meetings / appointments in relation to their absence. However, during a period of annual leave, the manager knows that the employee will not be available to the employer for this purpose.
57. Employees must seek their manager's authorisation before they can take annual leave during a period of sickness absence. Managers must ensure that they notify the Payroll Team of any leave that they have authorised in this capacity to ensure that the sickness absence is paused, and that the employee receives their contractual pay during the period of annual leave.
58. After the employee has taken the annual leave, the sickness absence will be reinstated if they are still not well enough to return to work. Any sickness absence that is paused will be treated as one period of sickness absence.

ANNUAL LEAVE AND MATERNITY AND ADOPTION LEAVE

59. Employees will continue to accrue their full annual leave entitlement during any paid or unpaid period of Maternity and Adoption Leave.
60. An employee may return to work and immediately commence annual leave if this has been agreed by the Line Manager.
61. If an employee has not used all their annual leave prior to commencing Maternity or Adoption Leave, then any outstanding annual leave can be carried over to the new leave year if there is insufficient time to take it in the leave year to which it applies.

ANNUAL LEAVE AND PATERNITY AND SHARED PARENTAL LEAVE

- 62. Employees will continue to accrue their full annual leave entitlement during any period of Paternity Leave and Shared Parental Leave.
- 63. If an employee has not used all their annual leave entitlement prior to commencing Shared Parental Leave, then any outstanding annual leave can be carried over to the new leave year.
- 64. If an employee has not used all their annual leave entitlement prior to commencing Paternity Leave, given the short duration of Paternity Leave, the rules relating to the maximum carry over of annual leave into the following leave year applies i.e., one week.

ANNUAL LEAVE AND CAREER BREAK

- 65. Employees must take any outstanding annual leave prior to starting a career break. If the career break period commences or ends part way through the annual leave year, then the annual leave entitlement for that year will be calculated on a pro-rata basis.
- 66. Annual leave and Bank Holiday entitlements will not be accrued for the duration of the career break. Payment for annual leave and bank holidays during this period are not applicable.

INTERPRETATION OF THE POLICY

- 67. In the event of a dispute relating to the interpretation of the policy, the Head of People Services or a HR Service Manager along with a Corporate Director in consultation with the Cabinet Member for Corporate Services will make the final decision on interpretation.

REVIEW OF THE POLICY

- 68. A review of this policy will take place when appropriate. Any amendments will be consulted on with all the relevant parties. However, in the case of amendments relating to legislative requirements, the procedure will be amended and reissued.

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FLEXIBLE WORKING HOURS SCHEME

Version:	Version 1 – December 2022
Policy Ratified By:	Cabinet
Date Policy Ratified:	
Effective Date of Policy	
Review Year:	Biennial
Applicable To:	All Caerphilly employed staff whose posts are designated 'Mobile', 'Home' or 'Flexible' with time independence.
Equalities:	<p>Mae'r ddogfen hon ar gael yn Gymraeg, ac mewn ieithoedd a fformatau eraill ar gais.</p> <p>This document is available in Welsh, and in other languages and formats on request.</p>



INDEX

SUBJECT	PAGE NUMBER
Introduction	3
Scheme Scope	4
Main Considerations	4
Accrual of Working Hours	5
Making use of Working Time Flexibility	6
General Working Time	6
Additional days off work (flexi)	7
Other Scheme Considerations	7
Interpretation of the Scheme	7
Review of the flexible working hours scheme arrangement	7

INTRODUCTION

1. At Caerphilly County Borough Council, we recognise the importance of supporting our employees to work more flexibly where business needs will support this.
2. Where services can offer minimum constraints on working time, the mutual benefits to the employer and the employee are numerous. Employees may seek out a better balance between work and home life, improve their health and wellbeing and feel more engaged. The Council in return, may benefit from reduced absenteeism and increased productivity and support optimised employee performance.
3. The principles of this Scheme are based on equity and fairness, but it must be accepted that in the application of this Scheme, there will be different outcomes for employees relating to the job that they do, relating to the service, its business needs, and its client base.
4. Thus, tailored to meet the complex and varying needs of our services, this flexible working hours scheme supplements the 'time flexibility' that is referred to in the Council's agile working policy.
5. Using the categorisations of 'Fixed', 'Flexible', 'Mobile', 'Home' and 'Community' as below, our Heads of Service have quantified the basic level of time flexibility that exists in every one of the services provided by the Council:

Category	Role Determining Factors
Fixed	<p>Your role requires you to work in a fixed location all the time. You may need a desk in a fixed location, for example, a reception area. You may share that desk. You may need to use specialist equipment which cannot be moved.</p> <p>Your role is location dependent. Your role may or may not support time independence.</p>
Flexible	<p>You may spend time in the office but you may also choose to work from home or out and about. You could work from any office or from home given the right equipment and access to systems.</p> <p>Your contractual work base will remain as the Council offices. You will be required to attend the Council offices when asked to do so by your manager e.g. for meetings, specific tasks, supervision and appraisals.</p> <p>Your role is location independent. Your role may or may not support time independence.</p>
Mobile	<p>You have an office base or you can choose to work from home but spend more than half your time out on site either visiting customers, residents or businesses at various locations.</p> <p>Your role is location independent if you can also choose to work from home rather than the office. If not, your role is location dependent. Your role may or may not support time independence.</p>
Home	<p>Through mutual agreement, a homeworking agreement is in place that confirms your entitlement to work from home a 100% of the time.</p>

	<p>Your home is your work base.</p> <p>Your role may or may not support time independence.</p>
Community	<p>Your role has never required you to attend an office base or designated Council building. You leave home each day to work in the heart of community, for example visiting clients' homes for the purpose of providing care.</p> <p>Your role is location dependent as you provide a service to residents / clients in their homes or in the community.</p> <p>Your role could be time dependent or independent, depending on the service being provided.</p>

6. Where the work of the service/team supports time 'flexibility' or as referred to above time independence, employees in collaboration with their colleagues and Manager, may be entrusted to have greater control over their working hours.
7. The operation of any flexible working hours scheme would ideally apply to as many employees as possible. We recognise however that a number of services will not be able to offer maximum flexibility and in some cases, they will only be able to offer limited flexibility or no flexibility at all. The core operational hours of the Service must be met and thus, the level of flexibility that any post offers will be confirmed by the Head of Service and led by service's business needs and the client base.

SCHEME SCOPE

8. The flexible working hours scheme applies to those employees whose posts offer time independence. This scheme does not apply to the Council's Corporate Management Team.
9. The Council's recognised trade unions have been consulted on the introduction of this scheme.
10. The effective date of this scheme is **(Insert Date)**. This scheme supersedes all earlier schemes.

MAIN CONSIDERATIONS

11. In support of offering employees time flexibility, Managers will first ensure that employees are aware of the core hours of the business. Thereafter, they will entrust employees to work effectively with team colleagues to ensure that the core hours of the business are consistently covered, whilst supporting them to have greater choice over when to work.
12. Managers in supporting time flexibility must always be able to effectively organise work amongst team members aligned to the working hours of the client/customer base; ensure that they know where the employee is and what they are doing; set and monitor work performance and output expectations.
13. Employees in return must always be able to commit to work rotas and/or work collaboratively with their colleagues to ensure work attendance around the core hours of the client/customer base; ensure the delivery of essential services/the undertaking of essential tasks and meet work performance and output expectations.

14. Ensuring service delivery will be the leading factor in Manager and employee conversations when decisions about flexi time arrangements are being discussed.
15. In support of enabling 'greater flexibility' around working time, a simplified time recording system has been put in place. In the simplified system, there is no bandwidth and/or reference periods that restrict working hours. The simplified time recording system enables employees to record all hours worked at any time of the day throughout Monday to Sunday.
16. Employees must continue to clock in and out on their Council laptop and/or keep a transparent record of their working time in line with the agreed process of the service/team.
17. Having a greater expanse of days and hours to work over makes it easier for the employee to manage their working time and commit to their contractual working hours. For example, whilst supporting the needs of the service and business delivery, an employee who works Monday to Friday may welcome the opportunity to catch up with some work in the early morning/late evening and/or on the weekend if their post offers them that level of flexibility.
18. Greater flexibility over 'when to work', does not mean that employees can fundamentally change their core working days which have to be aligned to business needs, without the prior agreement of their Manager/Head of Service. This means that employees who work Monday to Friday will still be expected to be in work predominantly on those days unless the needs of the service change.
19. Heads of Service through their Managers have the responsibility for ensuring this scheme is applied to all eligible employees in their Service Area.
20. If an employee is disabled and does not already have access to this scheme and/or limited access to this scheme, accessibility issues must be considered to enable them to take part.

ACCRUAL OF WORKING HOURS

21. The operation of the flexi scheme relies on trust and all employees who can use this scheme will be entrusted to do so responsibly, particularly in relation to the accurate recording of any hours worked. Any proven breaches of trust that leads to abuse of this scheme will be deemed to be gross misconduct and referred for relevant consideration under the Council's Disciplinary Procedure.
22. Based on the position of trust, there are no bandwidths in the new time recording system that restrict working time. This means that any hours worked at any time over the period Monday to Sunday will register on the employee's record.
23. Employees must however continue to work sufficient hours to meet their contractual working time and avoid large fluctuations in their working hours, unless these have previously been agreed with their Manager.
24. To ensure adherence to the working time directive, employees must:
 - a. continue to clock out when they are not working and take at least one uninterrupted 20 minutes rest break during their working day if they work more than 6 hours that day,

To support employee wellbeing, the Council requires employees to take an uninterrupted break of 30 minutes during the working day if employees work more than 6 hours. This break cannot be at the beginning or at the end of the working day,

- b. ensure their working time stays below 48 hours averaged over a 17 week period and,
 - c. ensure that their working hours allow for a period of at least 11 hours away from the workplace between working days.
25. The time recording system will hold a limited number of flags, which will alert Managers to the working time of employees if;
- a. The employee's working time falls to ten hours or more below their contractual working hours at any point over the period of the calendar leave year, January to December.
 - b. The employee's contracted working hours reach thirty seven or more at any point over the period of the calendar leave year, January to December.
26. These flags will be an alert to Managers to review employee working time in line with their contracted hours, the business needs of the service and any material factors that are affecting the employee's working time. The Manager will review these flags with a view to supporting the employee to work their contracted hours and/or support their work life balance as appropriate.

MAKING USE OF WORKING TIME FLEXIBILITY:

General working time

27. Where the post supports time flexibility, employees could choose to manage their working time around their childcare, caring and/or work life balance commitments/preferences, providing that service needs can be met, and they obtain permission from their Managers.
28. Employees could work in 'bursts of time' throughout the day, for example, stepping out of work for religious observance; for the school run/for caring responsibilities, or for a fitness class or to take the dog for a walk/take themselves for a walk, etc. This again is providing that service needs can be met, and they obtain permission from their Managers.
29. Absence from work on any contracted day must still be requested and authorised as usual by the Manager in line with the 'Additional days off work (flexi)' section of this policy below, and/or the Council's annual leave, leave of absence and sickness absence policies.
30. If the employee works eighteen minutes or more than half of their contracted daily working hours on any given day, no authorised absence request will be needed. If they work less than this, they must cover the remainder of their working day with an authorised absence request. For example:
- a. An employee who is required to work 7 hours and 24 minutes a day, must work for at least 4 hours or more.
 - b. An employee who works 6 hours a day must work at least 3 hours and 18 minutes or more.

Additional days off work (flexi)

31. In addition to the employee's annual leave, they may use their accrued working time to request a flexi day or flexi half day off work, subject to the following constraints:
 - a. No more than 12 flexi days or 24 half days can be requested over the period of the calendar leave year (January to December).
 - b. Part Time employees may request the pro-rata equivalent of 12 flexi days or 24 half days off in relevance to their contracted working days/hours.
32. There will be no cut off periods of time accrued during the calendar year and all time worked by the employee will show on their worked time record.
33. Flexi leave must be approved by Managers and wherever possible be pre-booked. In an emergency, employees may book flexi leave at short notice, subject to the operational requirements of the Service Area.
34. The maximum flexi leave that an employee will be supported to take at any one time throughout the calendar year will not exceed six full days or twelve half days or the pro-rata equivalent of these days for employees who work part time.
35. Any flexi leave taken must also be balanced against the employee's annual leave entitlement and Managers should ensure that annual leave is taken throughout the year.

OTHER SCHEME CONSIDERATIONS:

36. All debit and credit flexi balances belong to the service in which the employee accrued those hours. For this reason, they must be cleared before the employee transfers to another Service Area or leaves the service of the Council.
37. No payment for flexi leave will be made for an employee who is transferring to another service or on termination of an employee's employment. However, if the employee is in a debit situation, the deficit hours will be reclaimed.
38. A debit flexi or credit balance will only transfer with the employee to another service area if the service area to which they are transferring approves this.

INTERPRETATION OF THE SCHEME

39. In the event of a dispute relating to the interpretation of the scheme, the Head of People Services or a HR Service Manager along with a Corporate Director in consultation with the Cabinet Member for Corporate Services will make the final decision on interpretation.

REVIEW OF THE FLEXIBLE WORKING HOURS SCHEME ARRANGEMENT

40. A review of this scheme will take place when appropriate. Any amendments will be consulted on with all the relevant parties. However, in the case of amendments relating to legislative requirements, the scheme will be amended and reissued.
41. An employee who disagrees with their manager's position on flexible working arrangement, may issue an appeal to their Head of Service.

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MILEAGE SCHEME

Version:	Version 1 – November 2022
Policy Ratified By:	Cabinet
Date Policy Ratified:	
Effective Date of Policy	
Review Year:	Biennial
Applicable To:	This scheme applies to all employees, including those in schools if this scheme is adopted by the governing body, who incur additional expenses whilst undertaking their duties, taking them away from their workplace.
Equalities:	<p>Mae'r ddogfen hon ar gael yn Gymraeg, ac mewn ieithoedd a fformatau eraill ar gais.</p> <p>This document is available in Welsh, and in other languages and formats on request.</p>



INDEX

SUBJECT	PAGE NUMBER
Introduction	3
Scheme Scope	4
The workplace for the purpose of claiming travelling expenses	5
Driving Documentation Checks	6
Reimbursement of Mileage	6
Claiming travel costs whilst on call/ standby/ working overtime.	7
Cycle Rates	8
Green Car Scheme	8
Claiming Tax Relief on Business Mileage	8
Excess Travel	9
Interpretation of the Scheme	10
Review of the Scheme	10

INTRODUCTION

1. This scheme sets out the principles and rules for claiming travel costs incurred on Council business. In the points that follow, we aim to set out the principles and rules fairly and transparently. This is to ensure that anyone needing to incur expense can understand which claims are permitted and what steps to take to ensure reimbursement.
2. No employee will be financially disadvantaged whilst undertaking Council duties that take them from their directed workplace. This is if the expenses incurred are reasonable and necessary in the performance of those duties and are allowable under Her Majesty's Revenue and Customs (HMRC) regulations.
3. Employees will be reimbursed for total travel costs incurred in the day if the claim is in excess of their home to designated workplace return journey.
4. For employees who use their own vehicle, the mileage rates that can be claimed will be in line with the HMRC approved rates for car, van, motorcycle, moped and cycle journeys.
5. When using a privately owned electric vehicle at work, it is possible to claim for mileage too. These are known as AMAP rates and just like diesel or petrol cars, the amount that can be claimed is set by HMRC.
6. A Passenger rate also applies in the form of 5p per mile for the carriage of one or more passengers who are Council employees.
7. Employees who use public transport in the reasonable and necessary performance of their duties can claim for the cost of their travel on the production of the relevant receipts.
8. It is important and expected that all employees manage their work travel efficiently and that they limit it along with any associated expense claims, as much as possible.
9. Value for money must always be ensured when incurring expenses on Council business. Official travel must always be conducted in an economic manner and alternative means such as the use of audio / video conferencing and public transport must be considered before the use of privately owned vehicles. It is expected that employees will car share when attending meetings at the same location, wherever possible.
10. Using the categorisations of 'Fixed', 'Flexible', 'Mobile', 'Home' and 'Community' as below, our Heads of Service have quantified the basic level of location flexibility that exists in every one of the services provided by the Council. All employees whose posts are designated 'Fixed', 'Flexible', 'Home' or 'Mobile' must have a workplace for the purpose of claiming travelling expenses which is agreed with their Manager. This will be called the designated workplace. The exception to this is the role designated 'Community'.

Category	Role Determining Factors
Fixed	Your role requires you to work in a fixed location all the time. You may need a desk in a fixed location, for example, a reception area. You may share that desk. You may need to use specialist equipment which cannot be moved. Your role is location dependent. Your role may or may not support time independence.

Flexible	<p>You may spend time in the office but you may also choose to work from home or out and about. You could work from any office or from home given the right equipment and access to systems.</p> <p>Your contractual work base will remain as the Council offices. You will be required to attend the Council offices when asked to do so by your manager e.g. for meetings, specific tasks, supervision and appraisals.</p> <p>Your role is location independent. Your role may or may not support time independence.</p>
Mobile	<p>You have an office base or you can choose to work from home but spend more than half your time out on site either visiting customers, residents or businesses at various locations.</p> <p>Your role is location independent if you can also choose to work from home rather than the office. If not, your role is location dependent. Your role may or may not support time independence.</p>
Home	<p>Through mutual agreement, a homeworking agreement is in place that confirms your entitlement to work from home a 100% of the time.</p> <p>Your home is your work base. Your role may or may not support time independence.</p>
Community	<p>Your role has never required you to attend an office base or designated Council building. You leave home each day to work in the heart of community, for example visiting clients' homes for the purpose of providing care.</p> <p>Your role is location dependent as you provide a service to residents / clients in their homes or in the community. Your role could be time dependent or independent, depending on the service being provided.</p>

SCHEME SCOPE

11. This scheme applies to all Council employees who incur additional travel expenses whilst undertaking work duties which take them from their designated workplace.
12. This scheme also includes travel to directed training events and excess travel that is incurred by an employee following a contractual redeployment from one permanent workplace to another.
13. This Scheme is intended for School based employees but will not automatically apply to school based support/teaching staff for whom the Governing Body sets the terms and conditions of employment unless the scheme has been adopted by the school Governing Body.
14. The Council's recognised trade unions have been consulted on this Scheme.
15. The effective date of the scheme is **(Insert Date)**.

THE WORKPLACE FOR THE PURPOSE OF CLAIMING TRAVELLING EXPENSES

16. For employees whose posts are designated 'Fixed'; 'Flexible'; or 'Mobile', ordinary commuting is the journey they make most days between their home and their designated workplace. HMRC call this substantially ordinary commuting (SOR) and employees are responsible for the cost of these journeys.
17. In promoting equity and fairness, the designated workplace from which travel expenses can be claimed must be a Council Building or Council workplace that the employee is required to attend to fulfil the duties of their employment.
18. Employees may have more than one designated workplace during the same period. This would be when:
 - a. The employee regularly performs a significant part of his or her duties there
 - b. People would expect to be able to contact the employee at the second location
 - c. The employee has a desk and/or support services at the second location, which he/she regularly uses, for example, a care manager who is responsible for more than one care home or a supervisor who is responsible for staff at and working from a number of sites.
19. HMRC class travel from home to a designated workplace and travel from a designated workplace to home as ordinary commuting and no claim can be made for these journeys. Travel claims can however be made for any necessary and reasonable business travel between these workplaces during the working day.
20. The workplace for the purpose of claiming travel costs for most employees will be the Council building or Council workplace that they must attend every day. For others it will be the workplace agreed by their Manager from which they perform a significant part of their duties, where other employees/service users expect to see them/meet with them, receive a service from them, etc.
21. As we move to support a new way of working and offer employees greater choice over where they work, we do expect employees to manage their travel efficiently and limit it, and any claims, as much as possible in the spirit of agile working and the benefits to the environment that this can bring. If an employee chooses to travel to other locations (other than their permanent workplace) as part of agile working, HMRC will consider this as personal convenience and no claims can be made for those journeys.
22. Based on the principles of equity and fairness therefore, every employee whose role is designated 'Fixed'; 'Flexible'; or 'Mobile' will have a designated workplace for the purpose of submitting travel claims that will either be a Council owned building or a Council owned workplace.
23. The first exception to Point 17 are the roles which are designated 'community'. These employees will have their workplace confirmed as being in the heart of the community.
24. Employees whose roles are designated 'community' have no choice over where they work but they have never been required to attend an office base or designated Council workplace / Council building for the purpose of undertaking work. They leave home each day to work in the heart of community, for example visiting clients' homes for the purpose of providing care.

25. Employees whose roles are designated 'community' will have their 'workplace' confirmed as being in the heart of the community. This will be 0.5 miles away from their home. The home to work and work to home return journey will be no more than 1 mile in total. The exception to this will be if the employee's first call of each day is less than 1 mile away from their home.
26. The second exception to Point 17 are the roles which are designated 'home'. These are the employees who have entered into a 'mutual agreement' with the Council to work 100% from home and their home has formally been confirmed as their work base.
27. The employee whose role is designated 'home', may make a travel claim from home for any necessary and reasonable business travel incurred during the working day. It is expected however that the employee whose role is designated 'home' will only incur business travel rarely and potentially never as their roles do not require them to work anywhere else.
28. The home to permanent workplace and permanent workplace to home commute will not be subject to re-imbursement of travel expenses or working time at any time of the working day where employees choose to return home during their working day only to return to their workplace later in that working day.
29. Where it is appropriate for an employee to use their private vehicle, business mileage must be conducted in accordance with the Road Traffic Act in conjunction with the Highway Code and any current legislation.

DRIVING DOCUMENTATION CHECKS

30. Employees who use their own vehicle for work must:
 - hold a valid driving licence,
 - have a current and valid MOT on their vehicle where the age of the vehicle requires this,
 - have current road tax on their vehicle,
 - have current vehicle insurance cover which includes appropriate business travel,
 - declare any health issues that may affect their ability to drive,
 - declare any points or convictions received.
31. Managers will generally entrust employees to have the above-mentioned checks in place. They can however request relevant documents in order to check them for general audit purposes and if necessary. Failure to provide the documents within a reasonable time, will result in any claims for mileage not being authorised until the documents have been produced.

REIMBURSEMENT OF MILEAGE

32. When submitting claims for mileage, employees must:
 - a. Ensure their vehicle registration is correct on self- service and/or on the form that they submit to claim their mileage if submitting a paper claim.
 - b. classify expenses properly;

- c. submit them for approval and on time;
 - d. keep and scan receipts for claimable expenses, ensuring a relevant VAT receipt, which is dated on or before the first date of travel that the claim covers and no earlier than one month before. Those using electric or hybrid vehicles should make domestic electricity bills available on request.
 - e. Ensure they have deducted their home to directed workplace travel from any claim as required before submitting it. This is important for all employees to remember when they have travelled from home to an alternative work location and/or travelled from an alternative work location to home. Only additional miles incurred in the undertaking of Council business can be claimed.
33. Managers will authorise any claims for mileage and ensure that all the journeys claimed for are necessary and reasonable in accordance with Financial Regulation 27.06 which states, 'The certification of expenses claims by or on behalf of the Head of Service shall be taken to mean that the certifying officer is satisfied that the journeys were authorised, the expenditure properly and necessarily incurred and that the fixed allowances payable by the Council are properly due'.
34. All mileage claims must be claimed via official Council processes, on official Council claim forms, either via self-service or by hardcopy claim. All employees with access to self-service must make their claims in this way, no hardcopy claims will be accepted for employees who have access to self-service.
35. Employees must be able to demonstrate that they have claimed the shortest, practical mileage, identified by Google maps, in relation to work journeys made. When assessing whether an employee has made the shortest, practical journey all health and safety considerations must be considered. Employees who have known health and safety concerns regarding a route that forms part of their work based travel are encouraged to raise any such concern with their Manager in advance of the journey.
36. Employees must submit their mileage claims on a regular basis and any claims submitted more than six months after the mileage has been incurred will only be paid with the approval of their Director.
37. Employees will certify that any claims are accurate and that the mileage has been incurred. Any employee who is found to have deliberately falsified a mileage claim or submitted false expense claims will be subject to disciplinary action.
38. The cost of car parking and tolls can be reclaimed on the production of receipts for the cost incurred whilst undertaking work duties.

CLAIMING TRAVEL COSTS WHILST ON CALL/STANDBY/WORKING OVERTIME

39. Employees who are called back to work with an overtime offer and who receive overtime rates of pay for that work, will not be eligible to claim any business mileage or travel time for travelling to and from the workplace for this purpose.
40. Employees who are called back to work without an overtime offer, will be able to claim business mileage and travel time for any unexpected and manager led necessitated second journey of that working day. Where the employee chooses themselves to return home only to return to work later during the working day, refer to point 28.

41. Employees who are required to work overtime at a location other than their confirmed workplace, and receive an overtime payment for doing so, will be able to claim the additional mileage that is more than their usual home to workplace mileage.
42. Employees who are either on call or on a standby shift will be able to claim the full mileage incurred if they are required to attend their workplace or other work location during this shift. This claim however will be subject to tax in respect of the home to workplace mileage incurred. The claim must show that travel was from home to work under this arrangement and for the purpose of relevant tax deduction.

CYCLE RATES

43. To promote the use of cycles in line with the Council's health and wellbeing and sustainable development initiatives, a cycle mileage allowance can be claimed where employees use their own bike to undertake their duties. This does not include commuting to and from the confirmed workplace. This rate will be paid at the prevailing HMRC rate for cycles.
44. Such journeys will only be considered for short distances where the duration of travel would not constitute an excessive use of officer time. If an employee chooses to use this method of travel they must ensure that their pedal cycle is in a roadworthy condition and that they wear protective headgear at all times.
45. All mileage must be claimed via official Council processes, on official Council claim forms, either via self-service or by hardcopy claim. All employees with access to self-service must make their claims in this way, no hardcopy claims will be accepted.
46. According to HMRC rules, to claim this payment an employee must own the bike themselves. This means that any employee who has hired a bike via the Council's Cycle to Work Salary Sacrifice Scheme or is using a pool bike are unable to submit a claim for this payment. If the bike is purchased by the employee at the end of the scheme, they will become eligible to claim for their cycle mileage at the prevailing HMRC rate for cycles.

GREEN CAR SCHEME

47. Employees who have joined the Green Car Scheme will be eligible to claim the Council's published mileage rates under that Scheme. However, as the car is classed as a company car for tax purposes employees will pay tax and National Insurance on the difference between the rate that the Council pays and the HMRC rate for company cars. The tax applicable to the mileage rate will be recovered by a change to employees' tax codes.

CLAIMING TAX RELIEF ON BUSINESS MILEAGE

48. You may be entitled to tax relief, known as Mileage Allowance Relief (MAR), if your business journey starts or finishes at home. MAR is not an automatic entitlement and must be claimed. To qualify for MAR, you must be able to demonstrate to the HMRC that your attendance at a temporary workplace (i.e. not your permanent workplace) was necessary for the performance of your duties and not just a matter of convenience.

49. You can claim tax relief on the difference between the total miles travelled and the claimed miles (having taken off ordinary commute). If you wish to claim tax relief on total business miles rather than miles claimed, you will need to provide details at the end of each tax year via an on-line P87 claim form for "Income tax relief on employment expenses". You need to keep records of dates, mileage and details of all business journeys to allow you to complete the P87 (this will not be provided by the Council who will no longer submit a P11d on your behalf).

EXCESS TRAVEL

50. Excess travel is only applicable when the Council has instigated a redeployment or change of workplace and not where the employee has requested a move, or the move is because of disciplinary action.
51. Employees who are redeployed into a post in a new workplace will be eligible to claim excess mileage if their journey to the new location is longer than the journey to their previous work location. The additional mileage will be for the shortest journey to the new location identified by Google maps.
52. Excess mileage will be paid at the prevailing HMRC rate.
53. Only additional expenditure incurred will be reimbursed. This will be the difference in the miles involved in travelling from the employee's home to the old workplace and the miles involved in travelling from the employee's home to the new workplace. Employees will receive payment for any additional miles that they actually travel.
54. Where there are no additional miles of travel, employees will not be eligible for any payment. Employees have to legitimately and reasonably incur additional travel expense in order to claim it.
55. In terms of public transport, the additional cost incurred will be reimbursed. Payment will be based on a maximum of two journeys per day except for posts that involve split shifts. A maximum of four journeys can be claimed in this circumstance.
56. If there is an increase in public transport costs linked to inflationary increase, the employee will be entitled to claim the difference between the old travel costs at the increased cost of the ticket and the new travel costs at the increased rate of the ticket.
57. Excess mileage travelled must be claimed for as and when incurred on the excess mileage declaration form. This will be for a maximum of eighteen months from the date of the first additional mile claimed. The right to claim for this additional mileage will cease earlier if the employee applies for and secures a post at a higher grade during the claim period or if their circumstances change so that they are no longer travelling the additional miles.
58. Employees are responsible for reporting any changes to their personal circumstances if it could affect the payment of the excess travel allowance. If an employee changes their home address, they must highlight this on the excess mileage declaration form and include the date from when the change of address took effect. The payment will be recalculated and if additional miles are still being travelled, the recalculated additional miles can be claimed for the balance of the eighteen months in line with point 57 above.

INTERPRETATION OF THE SCHEME

59. In the event of a dispute relating to the interpretation of the scheme, the Head of People Services or a HR Service Manager along with a Corporate Director in consultation with the Cabinet Member for Corporate Services will make the final decision on interpretation.

REVIEW OF THE SCHEME

60. A review of this scheme and procedure will take place when appropriate. Any amendments will be consulted on with all the relevant parties. However, in the case of amendments relating to legislative requirements, the scheme will be amended and reissued.

DRAFT



GMB has now had the opportunity to consider and receive the views of our membership on the following draft policies, which were shared with us on 26th September 2022 and revised versions again on the 28th November 2022.

These policies were:

- Agile Working Policy
- Mileage Scheme
- Annual Leave Policy
- Flexible Working Hours Scheme

GMB feedback on each is as follows:

Agile Working Policy

GMB are generally supportive of the draft Agile Working Policy presented and believe that it clearly sets out the principles and tone for agile working moving forward, which we believe will benefit both the Employee and the Council.

We are in general agreement with the categories that have been defined within the policy and agree that these should be subject to regular review, taking account of both service and employee needs.

Whilst we appreciate the need for the majority of staff to be allocated a designated base we disagree that this should be linked to where an employee subsequently claims mileage to and from. We believe that home to designated base mileage i.e. commute mileage, should not be deducted from business mileage where a commute to and from the designated place of work has not been undertaken i.e. instances when an employee is working from home and would go direct to site from their home location on Council business.

Whilst we appreciate the flexibility the draft policy may offer in terms of potentially spreading the working week over 7 days for some, we are resolute that this should be a choice for the employee to make and not mandated or expected in anyway by Management. We wish to be absolutely clear that an 'always on call' culture, be that blatant or subtle, can not be supported by GMB.

We would expect full consultation to take place with the three recognised Trades Unions, GMB, Unison and Unite, if any changes are planned or being considered by Management to staffs contracts of Employment.

GMB are disappointed that a Home Working Payment/Allowance has not been considered within the policy. The costs incurred to the employee because of working from home are real and growing. It is incorrect to assume that home working costs can be offset against a reduction in travel costs. Travel costs are not being offset for many staff as they are required to deduct these costs from any business miles claimed, thereby incurring both artificial commute costs and working from home costs. This is

an unacceptable position which GMB will continue to challenge through consultation with the Councils representatives in HR.

Paragraph 60 of the policy sets out that if an employee is working from home they should advise their household insurer, and that this should not result in any personal cost. Should this not be the case and an employee does incur an additional cost we would expect to see this additional expense reimbursed in full to the employee.

Paragraph 62 makes reference to employees who are working from home being covered by the Council's Employer's Liability Insurance and Public Liability Insurance '*provided the rules of this policy have been followed*'. Further clarity is sought on this as the '**rules**' are not set out in any detail.

Mileage Scheme

GMB are supportive of the changes proposed to those working in the Community but find it difficult to support the approach by which some other categories of workers are reimbursed for business mileage.

GMB is clear that further negotiations are required in order to agree the approach used for those who are working from home, occasionally or otherwise, with regards to claiming business mileage. We do not believe that it is appropriate or acceptable to deduct normal commute mileage and time from employees who are undertaking the work of the Council. However, GMB are prepared to support the document providing agreement can be reached on the above employees.

GMB would request that if agreement cannot be reached, then consideration is given by Council for these staff to be treated the same as those in the community.

Annual Leave Policy

GMB are supportive of the draft Annual Leave Policy and welcomes the additional 5 days contractual annual leave which is being proposed for all staff.

We feel that there is also a lack of discretion within the draft policy to allow a member of staff to carry forward more than 5 days, unlike in the existing Annual Leave Policy. There are many reasons why a member of staff may not be able to use all of their annual leave, for example due to service pressures or personal reasons, consequently staff should not be at detriment because of this. We would request that the element of discretion be retained within the proposed draft policy.

This would then allow staff to apply in writing to their Head of Service to carry over more than five days annual leave, this will then help to avoid any disagreement between staff and Management.

GMB would like to take this opportunity to confirm that we will always encourage members/staff to take their annual leave in the year it has been allocated for, however, we do understand and appreciate that in some situations, this may not always be possible for staff to do.

Flexible Working Hours Scheme

Overall, we are generally supportive of the draft Flexible Working Hours Scheme, however we would like to bring the below points of concern to your attention, and would welcome further consultation on these points with our colleagues from HR.

Paragraph 18 of the draft scheme states that employees will still be expected to predominantly work Monday to Friday '*unless the needs of the service change*'. We would expect that should the needs of

the service change and require staff to change terms and conditions of their contracted working hours this would be carried out in full consultation with the recognised Trade Unions.

Paragraph 37 of the draft scheme states that no payment of flexi will be made to an employee upon termination of their contract, however, if the employee is in a deficit situation, the deficit hours will be reclaimed. We disagree with this practice. If an employee has worked above their contracted hours, they should receive the appropriate remuneration for these hours. If the Council recognises the validity of these hours and would seek to reclaim them, then conversely, they must recognise their validity for payment.

Neil Funnell
GMB Branch Secretary

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AGILE WORKING PROPOSED POLICIES FEEDBACK FROM CAERPHILLY UNISON

Caerphilly Unison has now had the opportunity to consider and take the views of our membership on the following draft policies, which were shared with us on 26th September 2022. These policies were:

- Agile Working Policy
- Mileage Scheme
- Annual Leave Policy
- Flexible Working Hours Scheme

Accordingly, our feedback on each is as follows:

Agile Working Policy

Overall, we are generally supportive of the draft Agile Working Policy presented and believe that it clearly sets out the principles and tone for agile working moving forward.

We are in general agreement with the categories that have been defined within the policy and agree that these should be subject to regular review, taking account of both service and employee needs.

Whilst we appreciate the need for the majority of staff to be allocated a designated base we dispute that this should be linked to where an employee subsequently claims mileage to and from. We believe that home to designated base mileage i.e. commute mileage, should not be deducted from business mileage where a commute to and from the designated place of work has not been undertaken i.e. instances when an employee is working from home.

Whilst we appreciate the flexibility the draft policy may offer in terms of potentially spreading the working week over 7 days for some, we are resolute that this should be a choice for the employee to make and not mandated or expected in anyway by Management. We wish to be absolutely clear that an 'always on' culture, be that blatant or subtle, will not be supported by UNISON.

We are disappointed that a Home Working Payment/Allowance has not been considered within the policy. The costs incurred to the employee because of working from home are real and growing. It is incorrect to assume that home working costs can be offset against a reduction in travel costs. Travel costs are not being offset for many staff as they are required to deduct these costs from any business miles claimed, thereby incurring both artificial commute costs and working from home costs. This is an unacceptable position which UNISON will continue to challenge and campaign on.

Paragraph 31(b) of the policy states that managers must be able to '*ensure that they know where the employee is and what they are doing*'. We believe this is unnecessary and does not engender a culture of trust within the organisation. We are also concerned that some managers

may take this literally and enforce unnecessary monitoring practices upon staff which will be burdensome and lead to bureaucratic and inefficient working practices. Such a practice we consider to be outdated and not in keeping with a progressive outcomes-based organisation.

The Policy sets out safe agile working practices which are essential for the health, safety and wellbeing of all staff. The Policy is prescriptive in its expectations of staff yet less so in setting out CCBC's responsibilities as an employer. We would wish to see these responsibilities clearly incorporated into the policy.

Paragraph 60 of the policy sets out that if an employee is working from home they should advise their household insurer, and that this should not result in any personal cost. Should this not be the case and an employee does incur an additional cost we would wish to see this additional expense reimbursed in full to the employee.

Paragraph 62 makes reference to employees who are working from home being covered by the Council's Employer's Liability Insurance and Public Liability Insurance *'provided the rules of this policy has been followed'*. Further clarity is sought on this as the '**rules**' are not set out in any detail.

Mileage Scheme

With the exception of those categorised as 'Community' and 'Home' workers, there would appear to be very little change in terms of the approach by which employees can claim mileage expenses i.e. normal home to work commute being deducted from any claim. For those classified as 'Flexible' and 'Mobile' we believe this may be problematic based on the feedback we have received from our membership.

We are supportive of the changes proposed to those working in the Community and 100% at Home but less so of the approach by which other categories of workers, such as 'Flexible' and 'Mobile' are reimbursed for business mileage. For example:

Employee A is classified as a 'Flexible worker'. Employee A works from the office Monday to Thursday but works from home on a Friday. Their normal daily commute to the office is 20 miles and takes approximately 40 minutes. From Monday to Thursday Employee A travels to the office and has several business meetings out in the community to attend. These business miles and the time it takes to travel to these meetings can be claimed in full. Mileage is paid from the office to the address of the business meeting.

On a Friday Employee A works from home and again has business meetings to attend out in the community. These business meetings total 20 miles and takes 40 mins of travel time. Under the system proposed in the draft policy, these miles **cannot** be claimed as normal home to office mileage will be deducted. Also, the employee will have to work an additional 40mins to meet their contracted hours for the day as normal commute time is deducted, yet the employee has been working for a full day i.e. 9am to 5pm. This day working from home will see the employee incurring mileage costs, time costs and the costs of working from home i.e. heating, lighting etc.

UNISON is clear that further negotiations are required in order to agree the approach used for those who are categorised as 'Flexible' or 'Mobile' workers, and specifically how mileage and time can be recognised while undertaking their employment role from home.

Annual Leave Policy

UNISON is generally supportive of the draft Annual Leave Policy and welcomes the additional 5 days contractual annual leave which is being proposed for all staff.

However, there are a number of concerns around the classification of annual leave and the inability to carry forward the contractual aspect (5 days) which may leave the authority open to challenge on a number of fronts, such as:

- Supreme Court Ruling Chief Constable of the Police Services of Northern Ireland -v- Agnew 2019;
- Indirect Disability Discrimination;
- Covid19 Legislation, which allowed for the carry over of annual leave for 2 years;
- Working Time Regulation 15, and
- Effect on Term Time only staff i.e. potential claw-back of 6 days annual leave from pay.

There is also a lack of discretion within the draft policy to allow a member of staff to carry forward more than 5 days, unlike in the existing Annual Leave Policy. There are many reasons why a member of staff may not be able to use all of their annual leave, for example due to service pressures, consequently staff should not be at detriment because of this. We would request that the element of discretion be retained within the proposed draft policy.

We would also wish to see the possibility of staff being able to purchase additional annual leave added to the policy as a discretionary element.

Flexible Working Hours Scheme

Overall, we are generally supportive of the draft Flexible Working Hours Scheme presented with the exception of the points stated below:

Paragraph 12 of the draft scheme states that managers must be able to '*ensure that they know where the employee is and what they are doing*'. We believe this is unnecessary and does not engender a culture of trust within the organisation. We are also concerned that some managers may take this literally and enforce unnecessary monitoring practices upon staff which will be burdensome and lead to bureaucratic and inefficient working practices.

Paragraph 18 of the draft scheme states that employees will still be expected to predominantly work Monday to Friday '*unless the needs of the service change*'. We would expect that should the needs of the service change and require staff to change terms and conditions of their contracted working hours this would be carried out in full consultation with the recognised Trade Unions.

Paragraph 37 of the draft scheme states that no payment of flexi will be made to an employee upon termination of their contract, however, if the employee is in a deficit situation, the deficit hours will be reclaimed. We disagree with this practice. If an employee has worked above their contracted hours, they should receive the appropriate remuneration for these hours. If the Council recognises the validity of these hours and would seek to reclaim them, then conversely, they must recognise their validity for payment.

Lianne Dallimore
Caerphilly UNISON Branch Secretary

Juan-Antonio Garcia
Caerphilly UNISON Branch Chair

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Caerphilly County Borough Council - Integrated Impact Assessment

This integrated impact assessment (IIA) has been designed to help support the Council in making informed and effective decisions whilst ensuring compliance with a range of relevant legislation, including:

- Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011
- Socio-economic Duty – Sections 1 to 3 of the Equality Act 2010
- Welsh Language (Wales) Measure 2011
- Well-being of Future Generations (Wales) Act 2015
- Statutory Consultation v Doctrine of Legitimate Expectation and Gunning Principles

PLEASE NOTE: Section 3 *Socio-economic Duty* only needs to be completed if proposals are of a strategic nature or when reviewing previous strategic decisions.

See page 6 of the Preparing for the Commencement of the Socio-economic Duty Welsh Government Guidance.

1. Proposal Details

Lead Officer:- Lisa Downey

Head of Service:- Lynne Donovan

Service Area and Department:- People Services - Human Resources

Date:- 30/11/2022

What is the proposal to be assessed? *Provide brief details of the proposal and provide a link to any relevant report or documents.*

The following draft HR policies:

Agile Working Policy

Annual Leave Policy

Flexible Working Hours Scheme.

Mileage Scheme.

The draft Agile Working Policy and Flexible Working Hours Scheme

Our workforce has been innovative, collaborative, resilient and resourceful in the face of extreme pressure. We have embraced the opportunities that large scale remote and agile working provided us. The challenge now is for us to take what we've learned, harness the skills and teamwork that have been developed and create an environment that will deliver long term, sustainable growth.

Aligned to a priority action of the Council's Workforce Development Strategy 2021 – 2024 and 'focusing on what matters', the Covid-19 pandemic has brought into sharp focus the importance of organisational transformation. It has highlighted the necessity to have resilient, efficient, and effective services, where we adapt and respond positively to rapid and evolutionary change, truly embrace flexible/agile working, and work smarter.

The implementation of a sustainable model of flexible/agile working for the Council was identified as a priority action in this context and the proposed Agile Working Policy and Flexible Working Hours Scheme have been created and reviewed to ensure they are inclusive, fit-for-purpose and reflective of these Council's values.

As the largest employer in the County Borough, this Policy and Scheme support our aspiration of being recognised as an employer of choice in terms of our approach to diversity, equalities, and personal well-being.

The agile working offer can bring about additional benefits and improvements to the way we attract, retain, and develop staff, including those from Protected characteristic groups. The flexibility of the agile working arrangement, however, means that it is difficult to establish a rigid set of rules around it. Not all jobs or employee situations will be suitable for agile working

Whilst the principles of the Agile Working Policy and Flexible Working Hours Scheme are based on equity and fairness, it must be accepted that in the application of these policies, there will be different outcomes for employees relating to the jobs that they do, the business needs of the service they work in and its client base.

It is important however to note that the Agile Working Policy and Flexible Working Hours Scheme in the way that they are designed, support personal choice, albeit this must be balanced against service needs. The Council's Ty Penallta Offices for example will continue to operate as a thriving work environment that supports employee attendance with dedicated workspace and/or agile workspace. Data gathered by Service Heads and also from staff surveys in 2020 and 2021 indicate that most employees who worked remotely during Covid, continue to do so now and that they welcome the opportunity to continue to do so moving forward.

The draft Annual Leave Policy has been reviewed and presented for consultation alongside the Agile Working Policy and Flexible Working Hours Scheme as a complimentary Policy that supports the employees of the Council to benefit from an additional 6 days leave per annum, pro-rata for part time employees. The proposed uplift of 6 days leave per annum includes the additional day that has been awarded under the NJC 2022 collective national pay agreement. The proposal is, however, that all staff benefit from this additional day and not just staff employed on NJC terms and conditions.

The draft Annual Leave Policy offsets the reduction in flexi leave that sits under the Council's current Flexible Working Hours Scheme. The current Scheme supports a maximum of 24 days off work relevant to time accrued, whilst the proposed draft Flexible Working Hours Scheme supports a maximum of 12 days off work per annum relevant to time accrued. It should be noted in this context that the Flexible Working Hours Scheme will only benefit employees whose jobs support flexibility. **ALL** employees as referred to in the scope of the Annual Leave Policy however will benefit from the uplift of annual leave that is proposed.



The Annual Leave Policy is universal in its appeal. For this reason, this Integrated Impact Assessment does not consider the Annual Leave Policy in any significant detail throughout this Assessment. If it is approved, it will benefit all of the employees as identified in the scope of the Policy, i.e. regardless of who they are, what job they hold and where they work.

The Mileage Scheme has also been reviewed and presented for consultation alongside the Agile Working Policy and Flexible Working Hours Scheme as a complimentary Policy.

In consultation with Trade Union Colleagues, the Agile Working Policy, Flexible Working Hours Scheme and Mileage Scheme include the same 'categorisation table'. Using the categorisations of 'Fixed', 'Flexible', 'Mobile', 'Home' and 'Community' our Heads of Service have quantified the basic level of location and time flexibility that exists in every one of the services provided by the Council.

Employees who hold jobs that have been identified as location independent and/or time independent, i.e. 'Flexible' 'Mobile' or 'Home' may benefit from the Agile Working Policy and/or Flexible Working Hours Scheme.

Employees who hold jobs that have been identified as location dependent and time dependent will not benefit from the Agile Working Policy or the Flexible Working Hours Scheme. Their workplace and their time to attend work is 'Fixed'. This is particularly relevant in the context of the Mileage Scheme in that these are the employees who are required to undertake the 'ordinary commute' to work each day and home again at their own time and expense aligned to HMRC and Gov.uk Guidance.

In the interest of equity and fairness, the employees who may benefit from the opportunity to work agile/flexibly are also required to deduct any home to work and work to home travel from any business travel claim that is made. The proposed Mileage Scheme therefore requires all employees whose posts have been designated as Fixed, Flexible or Mobile and who have to travel to work, to do so at their own time and expense.

The first exception to this is the area designated 'Community'. These are the employees who work in the heart of the community each day. These are the employees who have no choice over where they work but they have never been required to attend an office base or designated Council workplace / Council building for the purpose of undertaking work. They leave home each day to work in the heart of community, for example visiting clients' homes for the purpose of providing care.

Employees whose roles are designated 'Community' under the proposed Mileage Scheme will have their 'workplace' confirmed as being in the heart of the community. This will be 0.5 miles away from their home. The home to work and work to home return journey will be no more than 1 mile in total. The exception to this will be if the employee's first call of each day is less than 1 mile away from their home. The person whose role is designated 'Community' is unlikely to benefit from the Flexible Working Hours Scheme and/or the Agile Working Policy. These are predominantly the front-line workforce that deliver to the community and have little or no choice over where and when they work.

The second exception to this is the roles which are designated 'Home'. These are the employees who have entered into a 'mutual agreement' with the Council to work 100% from home and their home has formally been confirmed as their work base. The employee whose role is designated 'Home', may make a travel claim from home for any necessary and

reasonable business travel incurred during the working day. It is expected however that the employee whose role is designated 'home' will only incur business travel rarely and potentially never as their roles do not require them to work anywhere else ordinarily. The Council does not currently have any employees that fit this designation.

The proposed Mileage Scheme is relevant to any employee who must attend their designated workplace and, in this context, no different to the current Scheme. For this reason it is not featured further in Section 2 of this Assessment. Aligned to Section 2, the proposed Mileage Scheme would have a neutral impact. The Mileage Scheme is picked up again in this Assessment at Points 3a and 3b and in the consultation feedback. Inclusion in 3a and 3b aligns the Mileage Scheme as relevant to all employees including those who have protected characteristics who have Low Income/Experience Poverty.

Section 2 for the most part focuses on the positive, neutral and negative impacts that align to the development and introduction of a new Agile Working Policy and the fundamental review of the proposed Flexible Working Hours Scheme .

2. Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011

*(The Public Sector Equality Duty requires the Council to have "due regard" to the need to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity between different groups; and foster good relations between different groups). Please note that an individual may have more than one **protected characteristics**.*

2a Age (people of all ages)

(i) Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?

An agile and flexible working arrangement can provide numerous benefits for employees and potential employees across the whole age range as geographical and other barriers to a wide range of employments are removed.

Young people may look for work or training opportunities at the Council which would have been outside of the scope of their geographical area normally. Work opportunities may open for them that may not have been possible for them to pursue before.

For women and men with caring responsibilities, the agile working arrangement can offer them more flexibility to work around their childcare and/or caring needs.

For older workers, who may welcome the opportunity to work in a more agile way because of a greater likelihood of health issues, disability or caring responsibilities, the agile working arrangement can assist them to limit their travel and work around their needs.

Conversely,

Low-income areas with inadequate or poor broadband connectivity could prevent employees and/or prospective employees from all age ranges taking advantage of the opportunity to work from home / remotely.

Suitable workspace at home may also present a barrier for employees and/or prospective employees from all age groups to work from home.

People at risk of experiencing domestic abuse due to increase in isolation may also be a barrier across the whole age range to agile working, with women far more likely to be adversely affected than men.

Older persons have the potential to be digitally shy and, in this context, may not welcome the opportunity for an agile working opportunity.

Not all jobs or employee situations will be suitable for agile and flexible working. Some jobs are intrinsically not suitable, and some proposed arrangements may not be considered safe and secure in individual circumstances.

(ii) If there are negative impacts how will these be mitigated?

Throughout the Covid crisis, the Council's digital services team worked tirelessly to assist employees to work from home remotely. The provision of laptops and support alongside the creation of the Digihub with helpful advice and troubleshooting guidance is designed to benefit most employees who may otherwise have been digitally shy to embrace this opportunity. Training sessions are run by the Digital Services Team.

The agile working arrangements support choice taking account of service needs. The opportunity to attend the workplace remains.

(iii) What evidence has been used to support this view?

<https://business.senedd.wales/documents/s111798/09.%20Wales%20Co-operative%20Centre.pdf>

<https://business.senedd.wales/documents/s111795/06.%20Equality%20and%20Human%20Rights%20Commission%20Wales.pdf>

2b Disability (*people with disabilities/long term conditions*)

(i) Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?

Some disabled people prefer to work at home as they may personalise/adapt their working environment more ably to manage their impairment related needs.

Remote or home working is the most requested reasonable adjustment across the UK for people with a disability. For some, remote working can remove work-related barriers and stresses such as tiring commutes and reduce the importance of factors such as travel.

Reasonable adjustments can enable disabled people to participate effectively in a home / remote and/or flexible working environment. For example, the Council's supported use of remote working technology can enable improved participation in work for disabled people and potentially support skills development.

Neuro divergent and autistic people as well as those with sight or hearing impairments may be more likely to experience difficulties associated with communication and technology in the work environment. These difficulties potentially exacerbated if working remotely.

Loneliness and isolation because of remote working is a possibility. Levels of loneliness are reported as generally high for people with mental health related impairments. Loneliness and isolation could potentially lead to depression and for this reason may not always be considered the preferred option of the disabled person.

Residents who are disabled may welcome the opportunity to carry out their business at home and the agile working position of the Council will not affect this. There will however be situations in which the Council will also need to reasonably adjust the service it is providing to support the needs of the individual.

Not all jobs or employee situations will be suitable for agile and flexible working.

(ii) If there are negative impacts how will these be mitigated?

The Council is a Disability Confident Employer and with the support of the Occupational Health Department and relevant specialist organisations, the Council will always support the disabled person to pursue reasonable adjustments, enabling them to attend the workplace and/or work remotely and/or flexibly wherever possible.

Where people need specialist chairs, office equipment and/or specialist digital software at work this will also be made available at home wherever it is possible to do so.

A risk assessment underpinning the work from home of a disabled member of staff who requires reasonable adjustment will underpin the reasonable measures that are introduced. By and large, the impacts and reasonable adjustments that will be necessary will vary depending on the situation, condition, and disposition of individual.

For people with musculoskeletal conditions, the incorrect setup of workstations (including chairs, monitors, keyboards, mouse, and desk layout) for example, is a common cause of discomfort in the back, arms, and hands of users of such equipment. All Employees working from home are required to complete a [DSE Homeworking Self-Assessment Form](#) and discuss any concerns with their Line Manager.

Resources including guidance and videos that set out responsibilities and advise on how to set up workstations correctly is available on the Council's Health & Safety Intranet Page.

Residents with disabilities still need the same flexibility of services and people to meet them as they would have if all the staff were based in an office environment. The hybrid working opportunity that the agile working arrangement brings through the application of these policies is service led. Employees will respond to the needs of the business as appropriate in terms of when they come into work and this also includes meeting the needs of a disabled resident at an office base where it is necessary to do so.

People with disabilities may choose to work in any service of the Council including front line where the opportunity to work from home may not apply. If however, an employee is disabled and does not already have access to the beneficial position of these policies and/or limited access, accessibility issues must be considered to enable them to take part. In seeking

solutions to implement remote working in a way that is inclusive and accessible, we must continue to work closely with disabled people to identify the barriers and solutions to achieving their potential at work.

(iii) What evidence has been used to support this view?

Legally Disabled (2021), Submission to the Committee for Economy, Infrastructure and Skills 'Remote Working: Implications for Wales.' Available online at:

<https://business.senedd.wales/documents/s111801/12.%20Legally%20Disabled.pdf>

Disability Wales (2021), Consultation Response to Economy, Infrastructure and Skills Committee on Remote Working: Implications for Wales. Available online at:

<https://business.senedd.wales/documents/s500006342/15.%20Disability%20Wales.pdf>

2c Gender Reassignment (*anybody who's gender identity or gender expression is different to the sex they were assigned at birth*)

(i) Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?

In the application of these policies, it is the post held that will determine the extent to which the Agile Working Policy and Flexible Working Hours Scheme applies. All the potential benefits that apply to the worker who can work in an agile way, equally applies to people with a protected characteristic.

The agile working arrangement, even where it is available may not be preferred the position of the employee. Some transgender people for example, particularly young trans people living in the family home may be at risk of loneliness, nonacceptance or transphobia in the home. The LGBTQ+ helpline Switchboard reported 20% more calls, emails and instant messages during the Covid-19 pandemic.

Not all jobs or employee situations will be suitable for agile and flexible working. Some jobs are intrinsically not suitable, and some proposed arrangements may not be considered safe and secure in individual circumstances.

(ii) If there are negative impacts how will these be mitigated?

The agile working arrangements support choice. The opportunity to attend the workplace remains and with the opportunity to attend work, hopefully the added difficulties, dangers and worries facing trans people will ease.

The Council is committed to ensuring that there are policies and a culture in place which are designed to prevent gender reassignment discrimination in all aspects of recruitment and selection, determining pay, training and development, selection for promotion, discipline and grievances, countering bullying and harassment, taking time off work and customer care.

The Council was particularly proud of being recognised for its' hard work within the umbrella of Proud Councils by being shortlisted as finalists in the 2022 Pink News Awards. Proud Councils is a partnership of South Wales councils who have come together to support LGBTQ+ issues.

(iii) What evidence has been used to support this view?

Barnardo's, How Coronavirus has affected the LGBTQ+ community, 22nd June 2020.
Available online at: <https://www.barnardos.org.uk/blog/how-coronavirus-has-affected-lgbt-community>

The Council's Gender Reassignment / Transgender document

2d Marriage or Civil Partnership (*people who are married or in a civil partnership*)

(i) Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?

This assessment has not identified any disproportionate or differential equality impacts based on the protected characteristic of marriage and civil partnership.

Not all jobs or employee situations will be suitable for agile and flexible working. Some jobs are intrinsically not suitable, and some proposed arrangements may not be considered safe and secure in individual circumstances.

(ii) If there are negative impacts how will these be mitigated?

The agile working opportunity supports choice and the opportunity to attend the workplace remains.

(iii) What evidence has been used to support this view?

Not applicable

2e Pregnancy and Maternity *(women who are pregnant and/or on maternity leave)*

(i) Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?

Positive impacts for some pregnant women who may welcome the agile working opportunity in order not to have to commute into an office or other place of work.

Also positive for some women, who after giving birth, welcome the opportunity for increased flexibility. The option to work from home may support the return to work following maternity leave and/or make it easier to keep in touch with colleagues while on leave.

The agile and/or flexible working arrangement may enable planning, feeding of the baby, exercise, and the opportunity to spend more time with family. It can also promote positivity and flexibility in the working day.

An agile working arrangement can give the employee or prospective employee the confidence to return to work/to join work again if they have had a break and to continue climbing the career ladder of their choice.

Conversely, the agile working opportunity could also create an expectation that women will return to work earlier than they might otherwise choose, which could have negative impacts.

Some potentially negative impacts may also include people working in housing that may not be appropriate for work due to lack of space. Also, there is the risk of (particularly women) being overwhelmed by managing both work and the family or caring obligations in the agile working circumstance.

Not all jobs or employee situations will be suitable for agile and flexible working. Some jobs are intrinsically not suitable, and some proposed arrangements may not be considered safe and secure in individual circumstances.

(ii) If there are negative impacts how will these be mitigated?

The agile working arrangements support choice. The opportunity to attend the workplace remains.

The agile working arrangement will not apply to all women in all roles. The Council family friendly working policies will apply to those who may not benefit from the agile working arrangement in their chosen job.

The Council supports the full maternity entitlement of employees and it is an expectation that the employee will remain absent for the whole entitlement unless they, the employee advise differently.

(iii) What evidence has been used to support this view?

Research for the Department for Business, Innovation and Skills and the Equality Human Rights Commission (EHRC) found that a high proportion of women requested more flexible working practices on their return to work, including 15% who requested to work from home or do so more frequently. Of mothers who chose not to return to work, 36% said that they could not find a job with the right hours, and 24% said that they could not find a job in a suitable location.

2f Race (*people from black, Asian and minority ethnic communities and different racial backgrounds*)

(i) Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?

In the application of these policies, it is the post held that will determine the extent to which the Agile Working Policy and Flexible Working Hours Scheme applies. All the potential benefits that apply to the people who can work in an agile way then equally applies to people with a protected characteristic.

A negative impact for some people from some Black, Asian and minority ethnic communities may arise where the individual does not have a suitable workspace in the home to benefit from the agile working arrangement.

The Council's percentage of non-white employees is very low, accounting for less than 1% of the total workforce. However, when this is compared with Census data for the Caerphilly County Borough, we can see that the number is broadly reflective of the demographics of the local community. We will continue to champion diversity and inclusivity and build upon existing good practice to increase numbers in under-represented groups.

(ii) If there are negative impacts how will these be mitigated?

The agile working arrangements support choice. The opportunity to attend the workplace remains.

(iii) What evidence has been used to support this view?

The Equality and Human Rights Commission's (ECHR) report, Is Britain Fairer.

2g Religion or Belief (*people with different religions and beliefs including people with no beliefs*)

(i) Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?

Potential positive impacts for some religious groups as an agile/flexible working arrangement may allow people increased flexibility to attend or celebrate religious events and festivals. Working remotely may also allow people to work during religious holidays they don't observe.

Not all jobs or employee situations will be suitable for agile and flexible working.

(ii) If there are negative impacts how will these be mitigated?

The Council does not require or promote religious belief in general or any religious belief in particular. It is however committed to protecting and promoting the rights of everyone in its communities, people with or without formal religious affiliation, of all faiths and none, and provide for the principle of respecting other people's freedom to express their beliefs and convictions.

The Equality and Human Rights Commission have published updated guidance which the Council follows.

(iii) What evidence has been used to support this view?

The Equality and Human Rights Commission Guidance on Religion or Belief

2h Sex (*women and men, girls and boys and those who self-identify their gender*)

(i) Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?

This assessment has not identified any disproportionate or differential equality impacts based on the protected characteristic Sex. The Council does however have a predominantly female workforce in both the agile and frontline services of the Council.

In the application of these policies, it is the post held that will determine the extent to which the Agile Working Policy and Flexible Working Hours Scheme applies. All the potential benefits that apply to the people who can work in an agile way then equally applies to people with a protected characteristic.

(ii) If there are negative impacts how will these be mitigated?

Not applicable

(iii) What evidence has been used to support this view?

Not applicable

2i Sexual Orientation (*lesbian, gay, bisexual, heterosexual, other*)

(i) Does the proposal have any positive, negative or neutral impacts on the protected characteristics and how?

In the application of these policies, it is the post held that will determine the extent to which the Agile Working Policy and Flexible Working Hours Scheme applies. All of the potential benefits that apply to the worker who can work in an agile way then equally applies to people with a protected characteristic.

The agile working arrangement, even where it is available may not be preferred the position of the employee. Some LGBTQ+ people, particularly young people living in the family home may be at risk of loneliness, nonacceptance or homophobia/transphobia at home. The LGBTQ+ helpline Switchboard reported 20% more calls, emails and instant messages during the Covid-19 pandemic.

Not all jobs or employee situations will be suitable for agile and flexible working. Some jobs are intrinsically not suitable, and some proposed arrangements may not be considered safe and secure in individual circumstances.

(ii) If there are negative impacts how will these be mitigated?

The agile working opportunity supports choice. The opportunity to attend the workplace remains.

(iii) What evidence has been used to support this view?

Barnardo's, How Coronavirus has affected the LGBTQ+ community, 22nd June 2020. Available online at: <https://www.barnardos.org.uk/blog/how-coronavirus-has-affected-lgbt-community>

3. **Socio-economic Duty** *(Strategic Decisions Only)*

*(The Socio-economic Duty gives us an opportunity to do things differently and put tackling inequality genuinely at the heart of key decision making. **Socio-economic disadvantage** means living on a low income compared to others in Wales, with little or no accumulated wealth, leading to greater material deprivation, restricting the ability to access basic goods and services)*

Please consider these additional vulnerable group and the impact your proposal may or may not have on them:

- Single parents and vulnerable families
- People with low literacy/numeracy
- Pensioners
- Looked after children
- Homeless people
- Carers
- Armed Forces Community
- Students
- Single adult households
- People misusing substances
- People who have experienced the asylum system
- People of all ages leaving a care setting
- People living in the most deprived areas in Wales (WIMD)
- People involved in the criminal justice system

3a **Low Income / Income Poverty** *(cannot afford to maintain regular payments such as bills, food, clothing, transport etc.)*

(i) **Does the proposal have any positive, negative or neutral impacts on the following and how?**

The Agile Working Policy and Flexible Working Hours Scheme may provide employees with a benefit of reduced travel and associated costs.

For the employees who have no option but to travel to work, the cost of fuel and the requirement to travel to work each day has become a concern for many in line with the current cost of living crisis.

In order not to exacerbate existing inequalities with employees on Low Income and who may be experiencing Income Poverty, the employees whose posts support agile/flexible working and who may have to travel to work are required to deduct their home to work travel and work to home travel from any business travel claim that they incur. It is the employees who generally work out of an office building who are more likely to benefit from the ability to have more choice over where and when they work, compared to the employees who make up a large proportion of our front-line workforce and who may not have this flexibility in their roles.

With reference to the agile worker specifically, the Trade Unions expressed disappointment when considering these policies and schemes that a Home Working Payment/Allowance has not been considered. This is a matter that is being considered nationally and Officers will continue to discuss this with the Trade Unions.

With further reference to the agile worker, the Trade Unions have requested that any additional cost an employee may encounter to their home insurance as a direct result of working from home is reimbursed in full. The Council has confirmed that any such claims of additional costs may be given consideration, should they arise.

(ii) If there are negative impacts how will these be mitigated?

The Council has committed to paying the Real Living Wage to all employees of the Council who would otherwise earn less than this and this year has introduced the uplift of £10.90 per hour from 22nd September 2022 i.e. earlier than normal. The vast majority of the Real Living Wage recipients will occupy front line posts that mostly do not offer the flexibility of where and when to work.

The Council has adopted the Interim 'Joint Mileage protocol - Mileage Rates in Local Authorities in Wales' with effect from 26th September 2022. This is a joint protocol between Leaders of local authorities in Wales, facilitated through the WLGA Executive Board and the Trade Unions of the Joint Council for Wales, to introduce a measure that provides for a temporary increase in mileage reimbursements costs in the short term to address current market volatility in fuel rates.

The protocol is intended to cover staff directly employed by local authorities in accordance with local policies and is a temporary arrangement through to 31 March 2023, at which time it will be reviewed. This protocol will be automatically superseded by any increase in the HMRC Approved Mileage Allowance Payments (AMAP) rate.

The proposed draft Mileage Scheme supports the front line 'community' based workers who work in the heart of the Community to claim their travel aligned to an 'ordinary commute' of one mile per day.

(iii) What evidence has been used to support this view?

The Cost of Living Crisis and its reported impact on workers.

The Joint Mileage protocol - Mileage Rates in Local Authorities in Wales ([Insert Link](#))

3b Low and/or No Wealth (*enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provisions for the future*)

- (i) **Does the proposal have any positive, negative or neutral impacts on the following and how?**

Please note the answer to 3a (i) above.

- (ii) **If there are negative impacts how will these be mitigated?**

Please note the answer to 3a (ii) above.

- (iii) **What evidence has been used to support this view?**

Please note the answer to 3a (iii) above.

3c Material Deprivation (*unable to access basic goods and services i.e., financial products like life insurance, repair/replace broken electrical goods, warm home, hobbies etc.*)

- (i) **Does the proposal have any positive, negative or neutral impacts on the following and how?**

Not applicable.

- (ii) **If there are negative impacts how will these be mitigated?**

Not applicable

- (iii) **What evidence has been used to support this view?**

Not applicable

3d Area Deprivation (*where you live (rural areas), where you work (accessibility of public transport) Impact on the environment?*)

- (i) **Does the proposal have any positive, negative or neutral impacts on the following and how?**

The offer of an Agile Working Arrangement will open up the geographical boundaries search for employees and prospective employees, creating opportunities for employment that would have been out of reach for some before.

- (ii) **If there are negative impacts how will these be mitigated?**

Not applicable

(iii) What evidence has been used to support this view?

Not applicable

3e Socio-economic Background (*social class i.e. parents education, employment and income*)

(i) Does the proposal have any positive, negative or neutral impacts on the following and how?

Not applicable.

(ii) If there are negative impacts how will these be mitigated?

Not applicable.

(iii) What evidence has been used to support this view?

Not applicable.

3f Socio-economic Disadvantage (*What cumulative impact will the proposal have on people or groups because of their protected characteristic(s) or vulnerability or because they are already disadvantaged*)

(i) Does the proposal have any positive, negative or neutral impacts on the following and how?

The key points emerging from this assessment are that there are a range of potential positive and negative impacts for different Protected Characteristic Groups.

(ii) If there are negative impacts how will these be mitigated?

As outlined in this assessment.

(iii) What evidence has been used to support this view?

As outlined in this assessment.

4. Corporate Plan – Council’s Well-being Objectives

(How does your proposal deliver against any/all of the Council’s Well-being Objectives? Which in turn support the national well-being goals for Wales as outlined in the Well-being of Future Generations (Wales) Act 2015. Are there any impacts (positive, negative or neutral? If there are negative impacts how have these been mitigated?) Well-being Objectives

Objective 1 - Improve education opportunities for all

Not applicable.

Objective 2 - Enabling employment

The offer of an agile working arrangement will open up the geographical boundaries search for employees and prospective employees, creating opportunities for employment that would have been out of reach for some before.

Objective 3 - Address the availability, condition and sustainability of homes throughout the county borough and provide advice, assistance or support to help improve people’s well-being

Not applicable.

Objective 4 - Promote a modern, integrated and sustainable transport system that increases opportunity, promotes prosperity and minimises the adverse impact on the environment

Not applicable. The Agile Working Arrangement however will enable the Council to reduce its Carbon footprint, assisting the minimisation of adverse impact on the environment.

Objective 5 - Creating a county borough that supports healthy lifestyle in accordance with the Sustainable Development principle with in the Well-being of Future Generations (Wales) Act 2015

The Annual Leave Policy proposes the addition of a further 6 days leave entitlement per annum. Aligned to the current holiday entitlement, employees benefit from more paid time off from work which is beneficial to supporting a healthier lifestyle.

The agile working arrangement can lead to a healthy lifestyle by supporting working arrangements that better fit to individuals’ circumstances. The policy and scheme aims to support improvements in work-life balance by reducing the time spent amongst the workforce for commuting. The flexibility in an agile working arrangement in terms of choice over when to work may also support individuals’ who have childcare and/or caring requirements. The policies do not limit flexibility to those with care requirements. Enabling time out for a break to walk the dog or to undertake exercise for example are choices that individual’s may wish to make in managing their contractual working time.

Objective 6 - Support citizens to remain independent and improve their well-being

Not applicable.

4a. Links to any other relevant Council Policy *(How does your proposal deliver against any other relevant Council Policy)*

Workforce development Strategy 2021-2024
Wellbeing Strategy 2021 - 2024
Strategic Equality Plan 2020-2024
Customer and Digital Strategy 2019-2023
Commercialisation and Investment Strategy 2020
Service Review Methodology 2020

5. Well-being of Future Generations (Wales) Act 2015 – The Five Ways of Working *(Also known as the sustainable development principles. The Act requires the Council to consider how any proposal improves the economic, social, environmental and cultural well-being of Wales using the five ways of working as a baseline)*

How have you used the Sustainable Development Principles in forming the proposal?

Long Term – Alongside the philosophy of Welsh Government, the Council in the promotion of the Agile Working Policy and Flexible Working Hours Scheme is proactively responding to a long-term behavioural change that has been accelerated by the former need to work from home during the Covid-19 pandemic restrictions. The policies support the principle of Welsh Government to maximise the long-term benefits of increased remote working and support sustainable long-term growth, whilst mitigating potentially adverse impacts.

Prevention – Higher levels of remote working are expected to occur as a result of underlying changes in the economy. The Council in acting and proactively engaging to support agile/flexible working with an enhanced annual leave entitlement will position the Council as an employer of choice. If the Council were not to support the principle of agile working and the roll out of this to as many jobs as appropriate and possible, the potential to lose the right people with the right skills to an organisation that does support agile working is foreseeable. To do nothing would present a considerable recruitment risk to the Council, based on employees' confirmed preferences for hybrid working and the benefits that could apply to the Protected Characteristic Group as outlined in this assessment.

Integration – Increased agile/flexible working has wide-ranging implications for other policy areas such as transport, planning and development, the labour market and the economy.

Collaboration – The Council has taken a collaborative approach to the development of these policies and schemes has ensured the consultative bargaining process of the Council has been followed. The trade unions have helped to shape these policies. Their feedback is included in the report to which this Assessment relates.

Involvement – The Workforce Development Strategy 2021-2014 from which this priority action has arisen involved Cabinet and Council, the Corporate Management and Leadership Team, Management Network, Operational Management and the Trade Unions.

6. Well-being of Future Generations (Wales) Act 2015

Does the proposal maximise our contribution to the Well-being Goals and how?

A Prosperous Wales

An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work

These policies and schemes will assist the Council in its goal to lower carbon emissions, by supporting more flexible and productive working practices with less geographic dependency. It will enable our journey to improve working conditions and place the Council as an employer of choice. By enabling access to job opportunities to a much wider geographical area of the population, whilst including and pro-actively promoting these opportunities to persons in protected characteristic groups, we enable more people to take advantage of the wealth generated through secure and decent work.

A Resilient Wales

A nation which maintains and enhances a biodiverse natural environment healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for climate change)

The agile working arrangement can assist in supporting a more resilient and sustainable natural environment by reducing levels of commuting and work-based travel. Agile working supported by a Business continuity plan can support the Council's resilience to respond to crises and incidents. The closure of office buildings in situations of inclement weather and situations that require an emergency response, such as Covid have no need to affect the productivity of the Council and its' ability to provide a service as it once did, once Agile Working is embedded.

A Healthier Wales

A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood

The agile working arrangement can enhance physical and mental health by supporting working arrangements that better fit to individuals' circumstances. The policy aims to support improvements in work-life balance by reducing the time spent amongst the workforce for commuting. The flexibility in an agile working arrangement in terms of choice over when to work may also support individuals' who have childcare and/or caring requirements. The policies do not limit flexibility to those with care requirements. Enabling time out for a break to take the dog for a walk or to undertake exercise for example are choices that individual's may wish to make in managing their contractual working time.



A More Equal Wales

A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio-economic background and circumstances)

These policies and schemes enable and encourage people across different communities to access employment and training opportunities with less dependency on their geographic location. The ability to work remotely will lower the barriers to employment that exist for those who would otherwise have to commute longer distances. It will also alleviate the requirement to travel to work for individual's who find any commute and/or attendance at the workplace challenging.

A Wales of Cohesive Communities

Attractive, viable, safe and well-connected communities

These policies have the potential to support more coherent local communities, by increasing the presence of workers in their residential area or wider locality during the working week. The Government's position on this is that remote working opportunities can help support decentralised growth and regeneration of smaller population centres, with greater demand for locally provided goods and services.

A Wales of Vibrant Culture and Thriving Welsh Language

A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation

Increased usage of the Welsh Language, by advocating a more joined-up and digitally connected workforce with an improved work-life balance may enable greater time for pursuit of cultural activities which can create new opportunities to use the Welsh Language. The Council remains committed to promoting the Welsh Language and the Equalities and Welsh Language Team continues to provide training and learning opportunities to the Council's front line and wider workforce.

A Globally Responsible Wales

A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being

The agile working arrangement and the access to digital technology that underpins this can equip the workforce to respond to changes in society and the wider world that thrives in this digital age. The Council's position to support agile working will contribute to Wales' vision and thus assist with Wales' contribution towards global wellbeing, and its role in shaping it.

7. Welsh Language (Wales) Measure 2011 and Welsh Language Standards

*(The Welsh Language Measure 2011 and the Welsh Language Standards require the Council to have 'due regard' for the positive or negative impact a proposal may have on opportunities to use the Welsh language and ensuring the Welsh language is treated no less favourably than the English language) **Policy Making Standards - Good Practice Advice Document***

7a. Links with Welsh Government's Cymraeg 2050 Strategy and CCBC's Five Year Welsh Language Strategy 2022-2027 and the Language Profile

(i) Does the proposal have any positive, negative or neutral impacts on the following and how?

Agile working opportunities may present more opportunity to use Welsh in the home and more opportunity to use Welsh in the community if the employee resides in a Welsh speaking household and community.

Some people will have more job options without leaving Welsh speaking areas which may support the economies of rural Welsh speaking communities.

For some there may be less opportunity to speak Welsh in work, and to benefit from office based Welsh language campaigns.

(ii) If there are negative impacts how will these be mitigated?

The Council remains committed to promoting the Welsh Language through the digital platform.

(iii) What evidence has been used to support this view? e.g. the WESP, TAN20, LDP, Pupil Level Annual School Census

The work of the Equalities and Welsh language Team.
Five Year Welsh Language Strategy 2022-2027

7b. Compliance with the Welsh Language Standards. *Specifically Standards 88–93*

- (i) Does the proposal have any positive, negative or neutral impacts on the following and how?

Neutral

- (ii) If there are negative impacts how will these be mitigated?

Not applicable

- (iii) What evidence has been used to support this view? *e.g. the WESP, TAN20, LDP, Pupil Level Annual School Census*

Not applicable

7c. Opportunities to promote the Welsh language *e.g. status, use of Welsh language services, use of Welsh in everyday life in work / community*

- (i) Does the proposal have any positive, negative or neutral impacts on the following and how?

Neutral

- (ii) If there are negative impacts how will these be mitigated?

Not applicable

- (iii) What evidence has been used to support this view? *e.g. the WESP, TAN20, LDP, Pupil Level Annual School Census*

Not applicable

7d. Opportunities for persons to use the Welsh language *e.g. staff, residents and visitors*

- (i) Does the proposal have any positive, negative or neutral impacts on the following and how?

Neutral

- (ii) If there are negative impacts how will these be mitigated?

Not applicable

- (iii) What evidence has been used to support this view? *e.g. the WESP, TAN20, LDP, Pupil Level Annual School Census*

Not applicable

7e. Treating the Welsh language no less favourably than the English language

- (i) Does the proposal have any positive, negative or neutral impacts on the following and how?

Neutral

- (ii) If there are negative impacts how will these be mitigated?

Not applicable

- (iii) What evidence has been used to support this view? *e.g. the WESP, TAN20, LDP, Pupil Level Annual School Census*

Not applicable

7f. Having considered the impacts above, how has the proposal been developed so that there are positive effects, or increased positive effects on (a) opportunities for persons to use the Welsh language, and (b) treating the Welsh language no less favourably than the English language.

Not applicable based on the neutral position these policies present.

8. Data and Information

(What data or other evidence has been used to inform the development of the proposal? Evidence may include the outcome of previous consultations, existing databases, pilot projects, review of customer complaints and compliments and or other service user feedback, national and regional data, academic publications and consultants' reports etc.)

Data/evidence *(Please provide link to report if appropriate)*

Workforce development Strategy 2021-2024
Wellbeing Strategy 2021 - 2024
Strategic Equality Plan 2020-2024
Customer and Digital Strategy 2019-2023
Commercialisation and Investment Strategy 2020
Service Review Methodology 2020
Results from staff surveys
Staff engagement through the Council's Collective Bargaining Process via Trade Union consultation and feedback.

Key relevant findings

These policies and schemes support the Council's vision for sustainable development which places an emphasis on the importance of economic growth, de-carbonisation and the health and well-being of our employees. The Council fully endorses and is committed to developing and resourcing agile working across our Council on a sustainable basis. The council vision aligns to Welsh Government's vision to support agile working/remote working across Wales.

How has the data/evidence informed this proposal?

These policies and schemes were created and reviewed as a priority action of the Workforce Development Strategy 2021-2024 and the Employee Wellbeing Strategy 2021-24.

Were there any gaps identified in the evidence and data used to develop this proposal and how will these gaps be filled? *Details of further consultation can be included in Section 9.*

The Council's percentage of non-white employees is very low, accounting for less than 1% of the total workforce. However, when this is compared with Census data for the Caerphilly County Borough, we can see that the number is broadly reflective of the demographics of the local community. We will continue to champion diversity and inclusivity and build upon existing good practice to increase numbers in under-represented groups.

9. Consultation

*(In some instances, there is a legal requirement to consult. In others, even where there is no legal obligation, there may be a legitimate expectation from people that a consultation will take place. Where it has been determined that consultation is required, **The Gunning Principles** must be adhered to. Consider the **Consultation and Engagement Framework**. Please note that this may need to be updated as the proposal develops and to strengthen the assessment.*

Briefly describe any recent or planned consultations paying particular attention to evidencing the Gunning Principles.

Who was consulted?

The Council's collective consultation process was followed with our local and regional officers from GMB, UNITE and UNISON in the creation of these policies. The Council's Leadership Team, HR Management Team, HR Strategy Group and the Health & Safety Manager have also been consulted. The policies have also been considered at Policy and Resources Scrutiny Committee and at Cabinet.

When they were consulted did the consultation take place at the formative stage and was adequate time given for consultees to consider and respond?

Yes

Was sufficient information provided to consultees to allow them to make an informed decision on the proposal?

Yes

What were the key findings?

The Trade Unions of GMB, UNISON and UNITE have worked with Officers in HR over a number of months to shape the policies.

The Trade Unions are now in general agreement with the categories that have been defined within the policy which emphasise the location and time independence that may exist in those staff categories of Fixed, Flexible, Mobile, Home and Community. They agree that these should be subject to regular review, taking account of both service and employee needs. These are the categorisations that define whether the Agile Working Policy and/or Flexible Working Hours Scheme applies.

The Trade Unions disagree with the policy position that the agile worker should always deduct their 'ordinary commute' mileage from any mileage claim that is made. The Agile Working Policy signposts to the revised Mileage policy in this context.

The Trade Unions advocate for home to work and work to home which is the 'ordinary commute' not to be deducted from business mileage where a commute to and from the designated place of work has not been undertaken i.e., instances when an employee is working from home and would go direct to site from their home location on Council business.

This Integrated impact Assessment highlights the potential risk of exacerbating existing inequalities with employees on Low Income /Income Poverty. It is the employees who generally work out of an office building who are more likely to benefit from the ability to have more choice over where and when they work, compared to the employees who make up a large proportion of our front-line workforce and who may not have this flexibility in their roles. It is these front-line employees who naturally incur an 'ordinary commute' to work each and every day and against which home to work and work to home mileage is at their own time and expense.

The Trade Unions advocate for the Agile Worker to be able to claim from home if they have to travel to an alternative workplace other than their normal place of work on the premise that this is not an ordinary commute. They advocate that the employee does not deduct their ordinary home to designated workplace travel as prescribed by the Policy.

N.B: There would be a clear inequality created if the Council supported this position for the Agile Worker but not the Front-line Worker who does not benefit from the Agile Working Policy. The front-line worker has no option but to undertake the 'ordinary commute' each day, which is at their own time and expense.

The Trade Unions expressed disappointment that a Home Working Payment/Allowance has not been considered within the policy. The Council will continue to discuss this with the Trade Unions with reference to the ongoing national consideration of this matter.

How have the consultation findings been taken into account?

The Policies and Schemes have been updated in line with the feedback from the Trade Unions save for the matters above and included in the accompanying report.

10. Monitoring and Review

How will the implementation and the impact of the proposal be monitored, including implementation of any amendments?

The policies will progress through Scrutiny Committee and Cabinet and any supported amendments to the policies will be made.

The equalities data that we hold will be reviewed and measures put in place to enhance our data capture for groups with protected characteristics. We will also review this data on an annual basis to understand how and if the promotion of an agile working culture leads to more interest from groups that would ordinarily not consider applying for jobs and particularly in the context of those with a protected characteristic.

What are the practical arrangements for monitoring?

The monitoring arrangements in the Workforce Development Strategy 2021 -2024 include:

HR Strategy Group
Corporate Management Team
Policy & Resources Scrutiny Committee
Cabinet

How will the results of the monitoring be used to develop future proposals?

The Council will commit to reviewing these Policies and Schemes on a Bi-Annual Basis.

When is the proposal due to be reviewed?

The Policies and Schemes at the point of implementation will be due for review in January 2025.

The data monitoring in relevance to these Policies and Schemes will be reviewed annually.

Who is responsible for ensuring this happens?

The Head of People Services

11. Recommendation and Reasoning (delete as applicable)

- Implement proposal with no amendments

Have you contacted relevant officers for advice and guidance? (delete as applicable)

- Yes

12. Reason(s) for Recommendations

(Provide below a summary of the Integrated Impact Assessment. This summary should be included in the "Summary of Integrated Impact Assessment" section of the Corporate Report Template. The Integrated Impact Assessment should be published alongside the Report proposal).

The development of the Agile Working policy and the review of the Flexible Working Hours Scheme was a priority action of the Workforce Strategy 2021-2024. Inclusive of the complimentary Annual Leave Policy and Mileage Scheme, this collective of Policies and Schemes support the Council's vision for sustainable development which places an emphasis on the importance of economic growth, de-carbonisation and the health and well-being of our employees. The Council fully endorses and is committed to developing and resourcing agile working across our Council on a sustainable basis. The council vision aligns to Welsh Government's vision to support agile working/remote working across Wales.

13. Version Control

(The IIA should be used in the early stages of the proposal development process. The IIA can be strengthened as time progresses to help shape the proposal. The Version Control section will act as an audit trail to evidence how the IIA has been developed over time) (Add or delete versions as applicable)

➤ Version 1

Author:- Lisa Downey

Brief description of the amendments/update:-

Revision Date:-

➤ Version 2

Author:-

Brief description of the amendments/update:-

Revision Date:-

Integrated Impact Assessment Author

Name:- Lisa Downey

Job Title:- HR Service Manager

Date:- 05/12/2022

Head of Service Approval

Name:- Lynne Donovan

Job Title:- Head of People Services

Signature:- 

Date:- 05/12/2022