



### Statement of Intent

As part of our flexible working scheme, St Mary's Catholic High School believes that allowing staff to work from home can increase their motivation, promote work-life balance, reduce employee stress and improve performance and productivity.

The school recognises that there may be an increased risk to the health and safety of employees when working alone at home. Under the Health and Safety at Work etc. Act 1974, the school has a duty to ensure, as far as is reasonably practicable, the health, safety and welfare of its employees.

In light of the above, this policy has been created in order to outline the risks associated with working from home and the procedures that are in place to minimise hazards and ensure good practice. This policy also includes guidelines for costs, equipment, insurance and data protection.

#### **1. Legal framework**

1.1 This policy has due regard to legislation, including, but not limited to, the following:

- Health and Safety at Work etc. Act 1974
- Management of Health and Safety at Work Regulations 1999
- Equality Act 2010
- The General Data Protection Regulation (GDPR) (effective 25<sup>th</sup> May 2018)

1.2 This policy also has due regard to the following policies:

- GDPR Data Protection Policy
- Staff Attendance Management Policy

- E-security Policy
- Disciplinary Policy and Procedure

## **2. Lone-working**

- 2.1 For the purpose of this policy, working from home is understood to be lone-working; employees work by themselves without close or direct supervision.
- 2.2 The school has a duty to assess and advise of the risks associated with lone-working for employees and ensure that the environments are safe for working practice.
- 2.3 Employees have a duty to take reasonable care of themselves when lone-working, as well as any other people affected by their work.

## **3. Principles**

- 3.1 Working from home is not:
  - An automatic contractual right through express or implied terms; it is granted at the school's discretion and requires prior approval from the headteacher.
  - Intended to create a situation in which staff members feel obliged to work excessive hours.
  - Subject to funding as the benefits are seen as being mutual.
  - A condition in which the school must provide equipment for use at home, e.g. stationary.
  - A substitute for care of dependants, e.g. children.

## **4. Roles and responsibilities**

- 4.1 The headteacher is responsible for:
  - Ensuring that there are arrangements in place for identifying, evaluating and managing risks associated with working from home.
  - Ensuring that there are arrangements in place for monitoring incidents associated with working from home.
  - Reviewing applications termly for flexible working in conjunction with the governing board.
  - Ensuring they have the resources necessary to action the procedures in this policy.
  - Reviewing the effectiveness of this policy annually and communicating any changes to all members of staff.
- 4.2 The health and safety officer is responsible for:
  - Ensuring that all staff are aware of this policy.
  - Taking all reasonable steps to ensure that employees working from home are at no greater risk than employees working within the school.
  - Ensuring that risk assessments are carried out regularly, in conjunction with the headteacher.

- Putting procedures and safe systems of work into practice, which are designed to eliminate or reduce the risks associated with working from home.
- Ensuring that members of staff identified as being at risk are provided with necessary information, instruction and training, including refresher training as necessary.
- Managing the effectiveness of preventative measures through a robust system of reporting, investigating and recording incidents.
- Ensuring that appropriate support is provided to staff involved in any incident.

#### 4.3 The DPO is responsible for:

- Ensuring all laptops used for work have sophisticated anti-virus malware protection.
- Ensuring all data that is transferred using the internet, e.g. via email, is encrypted and pseudonymised prior to transfer.
- Ensuring all staff are aware of the data protection principles outlined in the GDPR.
- Ensuring laptops used for lone-working are resilient and be able to efficiently recover lost data and have sophisticated cyber security.
- Ensuring all members of staff working from home adhere to this policy.

#### 4.4 Staff members are responsible for:

- Submitting applications to the headteacher, subject to their approval, before beginning their lone-working.
- Taking reasonable care of themselves and others affected by their work.
- Following the guidance and procedures outlined in this policy for safe working practices.
- Reporting any incidents that may affect the health and safety of themselves or others to the health and safety officer and asking for guidance as appropriate.
- Taking part in any training conducted to meet the requirements of this policy.
- Reporting any dangers or potential dangers they identify, as well as any concerns they may have in respect of working alone at home to the headteacher.
- Ensuring that they do not arrange any meetings with parents or other members of the public when working from home.

### 5. **Application for working from home**

5.1 All requests for working from home will be made in writing by filling in the appropriate application form and will be submitted to the headteacher.

5.2 In their application, staff members are required to include the following:

- Date of application
- Requested changes they are seeking to their terms of employment
- Date on which they would like home working to commence

- Any effects they envisage the changes would have on the school and how such changes would be dealt with
  - A statement outlining that it is a formal request
  - Whether they have previously made a request for flexible working and, if so, when
  - A statement outlining if the request is being made for reasonable adjustments as a result of a disability or impairment
- 5.3 The headteacher will arrange a meeting with staff members as soon as possible after receiving the application form, within a maximum of 28 days.
- 5.4 If the application can be approved without further discussion, a meeting will not be convened and the staff member will be informed of the decision in writing.
- 5.5 Staff members will be informed of their right to be accompanied by a work colleague or trade union representative at the meeting.
- 5.6 Following the meeting, the headteacher will discuss the outcomes with the governing board, and staff members will be informed of the final decision in writing as soon as possible, within a maximum of 14 days.
- 5.7 The school retains the right to grant applications in full or in part, e.g. the application may be accepted with some changes, or be granted on a temporary basis.
- 5.8 Staff members will be informed of their right to appeal the decision and who to appeal to in the letter outlining the outcome of the meeting. Staff members are required to submit an application to appeal the decision within 14 days of notification.
- 5.9 A meeting will be held by the appeals committee of the governing board and the headteacher; staff members will be informed of the final decision by writing within 14 days of the meeting.
- 5.10 Staff members have no further right to appeal following the decision of the appeals committee; they will be informed of this in writing.

## **6. Assessing risks**

- 6.1 The school has a duty to assess risks of staff members working from home and provide effective control measures to manage these risks and promote safe working practices.
- 6.2 The headteacher and health and safety officer will conduct individual risk assessments following each application and will discuss the outcomes at the meetings held to discuss applications.
- 6.3 Applications may be rejected if the level of risk associated with a staff member working from home is too high, or the risks cannot be managed effectively.
- 6.4 Risk assessments will be reviewed annually, or when there has been a significant change in working practice.
- 6.5 All documentation of risk assessments will be kept for as long as it is required and disposed of securely after the retention period.

6.6 All staff who work from home are required to undertake a self-assessment of their home working provision annually, which is to be returned to the headteacher.

## **7. Equipment**

7.1 If the school remains a frequent work base for a member of staff and equipment is retained on the premises, the school will not usually provide staff members with additional equipment to use at home.

7.2 The only exception to the above is the possession of a school mobile phone for communication purposes. Staff members are required to ensure that the phone is charged, the volume setting is on loud, it is in good working order and has sufficient credit remaining.

7.3 Staff members may use school equipment for home working purposes where this is already provided by the school, e.g. school laptops.

7.4 Any defects on school equipment used for home working will be reported to the ICT technician for repair.

7.5 Staff members are required to use their own equipment and take reasonable steps to maintain this equipment to ensure that it is in good working order.

7.6 Staff members are responsible for ensuring that they have suitable telephone and broadband available, and for contacting their provider in the event of any technical issues.

7.7 Laptops or computers used for work will be protected by anti-virus malware systems – these systems will be checked on a weekly basis by the user.

7.8 The ICT technician is not responsible for providing IT support to equipment owned by staff members

## **8. Data protection**

8.1 Staff members are responsible for adhering to the GDPR's security principle when working remotely.

8.2 The DPO is responsible for ensuring that staff members adhere to the GDPR when working from home.

8.3 Any data transferred from a work to a home laptop or computer is encrypted or pseudonymised so that if any data is lost, stolen or subject to unauthorised access, it remains safe until it can be recovered.

8.4 Data which involves sensitive personal data is encrypted and is only transferred to a home laptop or computer if it is absolutely necessary for the member of staff to carry out their role.

8.5 Members of staff will ensure the confidentiality, integrity and availability of their computer systems at all times.

8.6 Staff members who require personal data as part of their lone-working will first seek approval from the headteacher, and it will be ensured that the appropriate security

measures are in place by the ICT technician and the DPO, e.g. secure passwords and virus protection.

- 8.7 Personal laptops or computers used for lone-working will be assessed using the following checks:
- System security check – the security of the network and information systems
  - Data security check – the security of the data held within the systems
  - Online security check – the security of any online service or system, e.g. the school website
  - Device security check – the security of the personal device, including any ‘Bring your own device (BYOD)’ systems
- 8.8 Home laptops and computers will be resilient and will be able to recover any data that could be lost, stolen or subject to unauthorised access.
- 8.9 Any laptops used for lone-working will be sent for ‘stress tests’ where the security systems will be assessed, evaluated and checked for regularity.
- 8.10 Staff members are not permitted to let their family members or friends use any school equipment which contains personal data – any member of staff found to have shared personal data without authorisation will be reprimanded by the headteacher in line with the Disciplinary Policy and Procedure.
- 8.11 Staff members will adhere to the procedures outlined in the school’s E-security Policy when transporting school equipment and data.
- 8.12 Any breach of confidentiality will be dealt with in accordance with the school’s Disciplinary Policy and Procedure.

## **9. Costs and expenses**

- 9.1 The school will not contribute to any household expenses incurred whilst performing home working duties, e.g. heating, lighting or council tax.
- 9.2 The school will not reimburse any costs for travel between staff members’ home and the school premises.
- 9.3 If a staff member is provided with a school mobile phone, an agreement will be written and signed between the headteacher and the staff member prior to commencing home working, outlining the terms and conditions of usage and costs.

## **10. Communication**

- 10.1 All staff members working from home will be contactable throughout normal working hours by the headteacher or other work colleagues.
- 10.2 Arrangements for contact will be agreed prior to commencing home working, which usually involves regular contact with the headteacher to monitor working practices.
- 10.3 A staff member’s phone number and home address will not be shared to others without their permission.
- 10.4 The school understands that staff working at home have the right to privacy out-of-hours and should be able to separate their working and home lives, and so communication is only compulsory during working hours.

- 10.5 Staff members are not permitted to arrange visits to their home from pupils or clients. Any meetings of this kind will always be conducted on the school premises to maintain professionalism and safety.
- 10.6 Visits to a staff member's home by school staff members will only take place in exceptional circumstances, such as to conduct a risk assessment, for welfare reasons or security purposes.
- 10.7 Arrangements will be established by the headteacher for staff members to sign in and out at the school office and indicate what time they will be returning to the premises.
- 10.8 The headteacher may request that staff members attend the school on any normal working day, e.g. to provide sickness cover, to attend meetings.
- 10.9 If staff members need to report sickness or absence when they are due to be home working, they will adhere to the usual procedures outlined in the school's Staff Attendance Management Policy and will inform the headteacher of their absence by 8:00am.
- 10.10 If any incidents or near-misses occur in a staff member's home, they are required to report these to the health and safety officer immediately so that appropriate action can be taken.
- 10.11 A meeting will be held with the headteacher and health and safety officer following any incident and, if necessary, another risk assessment of the staff member's home will be conducted.

## **11. Insurance**

- 11.1 The school holds liability insurance that provides cover for the legal liabilities of the school and its employees.
- 11.2 The liability insurance policy held by the school covers staff members who work from home; however, this will not cover staff members for personal liabilities arising from non-work activities.
- 11.3 Staff members are advised to ensure that they have their own domestic insurance policies in places for household contents and buildings.

## **12. Monitoring and review**

- 12.1 This policy will be reviewed annually by the headteacher.
- 12.2 Any changes to this policy will be communicated to all members of staff.