



# Agile Working Policy

2022  
Version 1

PFEW Policy Document

## **AGILE WORKING POLICY**

**Version 1**

### **Policy Rationale**

Representing the wishes of the membership, the Police Federation of England and Wales (PFEW) is issuing a policy statement to ensure that officers working agilely are dealt with in a consistent and fair way, in line with Employment and Health and Safety legislation and Police Regulations.

This is an area of increasing concern to PFEW with many more forces applying working practises without clear policies and procedures which, if left unchecked, could have a negative impact on health, safety and wellbeing of our members.

### **Policy Statement**

During recent years we have seen a gradual increase in agile ways of working, as forces have sought to provide maximum flexibility and minimal constraints, empowering some officers and staff to work where and when they choose to. The COVID-19 pandemic accelerated this process for many, as normal working environments were required to close and remote working became a necessity.

The Covid-19 pandemic required home working for some, and other forms of Agile Working (AW), quickly to become the 'new norm'. This transition was eased because of access to laptops and other IT equipment, as well as to Teams and other communication software which enabled widespread homeworking.

PFEW recognises the need to optimise mobile technology through modern working practices, giving officers and staff the capability and flexibility to work effectively anywhere across force areas, on the move, at home, or with partners, by being able to access, share and exchange information securely.

AW is the term used to describe how officers can undertake work at alternative locations and are enabled to work at the most effective location to do their job. Working from home when possible is a great opportunity for many officers to be effective in their role and appropriately balance home and work responsibilities.

Working agilely can provide several benefits to officers and forces, including:

- Greater flexibility in working hours,
- Higher quality work due to improved morale and fewer interruptions with greater concentration,
- Retention/recruitment of officers – wider pool of candidates, greater diversity, and inclusion,
- Reduced time and cost of travelling, whilst reducing environmental impact and carbon footprint,
- Controlling station occupancy levels to assist with infection control and prevention,
- Reduced cost of real estate,
- Provide alternative solutions to short-term or longer-term office accommodation issues.

PFEW accept that not all police roles are suitable for agile working. Some jobs are intrinsically not suitable to working from home (e.g. frontline / front facing positions) but we would encourage forces to consider those that are and have policies in place to promote AW.

PFEW believes AW should be available to officers where appropriate. Whether requested by an officer or identified as appropriate by a line manager, the manager should consider each situation on its own merits, applying the principles of fairness and consistency whilst ensuring that the overriding needs of the role and other requirements can be appropriately met.

Forces must ensure appropriate levels of AW are determined on an individual basis and must take account of the kind of work that is being delivered for a particular post and the overall context of the needs of the force, team, and community. PFEW does accept AW is not a right and equally it must not be forced upon staff.

The increase in AW has proven officers are able to perform as well or more effectively when given the opportunity to be flexible with where and when they work. This is something PFEW Representatives supporting disabled police officers have been saying for many years. This fact now needs to be acknowledged by forces when considering what reasonable adjustments officers need and PFEW will hold forces to account regarding their duties under the Equality Act

PFEW will work with forces to assist them with the development of detailed Agile Working Policies which set out an overall framework. This should enable officers to carry out duties in a more efficient and effective way, provide consistency and ensure fair practice when implementing and maintaining an AW Environment.

## **Background**

PFEW is aware of the challenges AW brings but we will work with forces to resolve these and ensure officers and forces can make the most of the opportunities afforded to them by this new way of working. Some of the challenges faced include:

- Health and Safety,
- Risk Assessments,
- Display Screen Equipment,
- Communication issues,
- Insurance breaches,
- GDPR,
- Accidents,
- Working time regulations,
- Lone working,
- Mental Health and wellbeing.

### **i. Health and Safety**

Forces have the duty under the Health and Safety at Work etc Act 1974, so far as is reasonably practicable, to ensure the health, safety and welfare of their employees and anyone else affected by their undertakings, irrespective of where their employees work, and this includes agile workers.

As a minimum, this will involve carrying out a risk assessment of work activities and agreeing safe standards of work.

## **ii. Risk Assessment**

PFEW are committed to the welfare and safety of all officers and will push forces to carry out appropriate and robust Risk Assessments (RA) for their agile workers. RA involves identifying the hazards relating to work activities and deciding whether and what steps have been taken to prevent harm. We will remind forces that AW does not remove their ultimate responsibility for RA, however, we recognise that given the nature of an agile work style, particularly in the case where the location of working can change frequently, it is not always practical for the manager to analyse, or indeed visit, each location where work may take place.

Where this is the case, PFEW will push forces to ensure officers receive training, information, and guidance, reviewed at appropriate intervals, to allow them to dynamically assess the risks of their working environment.

## **iii. Display Screen Equipment**

PFEW will work with forces to ensure they adhere to the regulations contained within the Health and Safety (Display Screen Equipment) Regulations 1992. These apply to all employees including agile workers.

Remote working arrangements that were introduced at speed in response to lockdown may have seen officers working at kitchen tables and breakfast bars. PFEW will remind forces this approach must not be a permanent solution. As with other work environments, display screen equipment should be risk assessed to determine home working suitability, with guidance provided on how to set up the DSE workstation correctly for the agile work environment.

PFEW will encourage forces to ensure a DSE assessment is carried out. In most cases there will be no need to visit to carry out the assessment. Agile workers may complete a self-assessment provided they have been given suitable training, for example by explaining how to use an ergonomic checklist or HSE self-assessment tool. DSE assessment should be conducted on an annual basis or if the equipment or work environment changes.

PFEW also encourages forces to issue officers laptop risers, separate mice, keyboards and screens on request. The desk and chair used when working from home must conform to Health & Safety Regulations. Officers requiring reasonable adjustments should be catered for to ensure that any particular disadvantage they experience, compared to non-disabled officers, as a result of a provision, criterion or practice, is alleviated.

PFEW will work with our officers to remind them of their responsibility to notify their forces of any changes to their home office environment or personal health that may affect their Health and Safety.

## **iv. Communication**

Working remotely does not always provide the same opportunity for employees or supervisors to raise concerns or provide updates. Therefore, it is important for forces to consider what methods will be used to maintain employee relations, the frequency of meetings (both formal and informal), and the wellbeing strategies that will be required to meet the needs of a remote workforce. PFEW will support this effort by encouraging our members to engage fully and raise issues they have before they become problems.

PFEW believes officers should be consulted on how this contact and supervision should be maintained. It is accepted there is an obligation for officers to participate fully with managers and the supervisory process, but we do not accept there is a need for those supervisors to carry out unannounced home visits or inspections. We feel doing so would put undue and unwelcome pressure on the home lives of AW.

#### **v. Insurance Arrangements**

As with using a vehicle for business purposes there may also be insurance implications if officers choose to work occasionally from home. Officers need to be aware agile working arrangements (if working from home) could lead to changes in their home insurance requirements and we would therefore encourage them to contact their Insurance Company to confirm there are no restrictions on their domestic policy.

We do not feel officers should be liable for additional charges against their home insurance. We also believe all equipment owned/provided by forces should be covered by the force's existing insurance policy.

#### **vi. Additional Expenditures**

PFEW understands agile working could lead to extra expenditure in relation to heating and electricity for our members.

PFEW will remind chief constables they can pay employees a homeworking allowance of £6 per week (£26 per month) tax-free, and without the employee having to demonstrate that they have actually incurred additional household costs of at least this amount as a result of working from home.

PFEW representatives will also remind our members who have been required to work from home that they can claim tax relief for the additional costs of doing so where these are not met by the chief constable. HMRC will accept claims of £6 per week/£26 per month without needing evidence of the actual additional costs. Where these are higher, the higher amount can be claimed, as long as this can be substantiated.

#### **vii. General Data Protection Regulation (GDPR)**

In order to comply with the GDPR and the Data Protection Act 2018, any personal data used must be secure and access controlled. This means that all hardcopy information must be kept either in a locked cabinet or by secure means if travelling, and that electronic information is password protected.

If forces require officers to have hardcopy information at their home address, they must ensure they provide suitable lockable storage units and not expect officers to personally meet these costs.

#### **viii. Recording of Accidents**

PFEW, through our Health and Safety Representations, will encourage our members, working at home, to inform their manager in the event of accidents, incidents or dangerous occurrences which may prevent them from carrying out their duties or affect their ability to do so. The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 apply to home working.

PFEW will push forces to, in the event of an incident, inform enforcement agencies such as the HSE and to conduct any relevant investigation to prevent recurrence.

#### **ix. Working Time Regulations**

Reg 9 of the Working Time Regulations (WTR) requires employers to keep and maintain adequate records showing whether the limits on average working time, night work and provision of health and safety assessments are being complied with in the case of each worker.

The European Court of Justice has held that in order to comply with the Working Time Directive (on which the WTR are based), employers must set up a system for recording actual daily working time for individual workers.

PFEW encourage forces to implement procedures to ensure officers working hours are recorded to prevent unhealthy working practises.

#### **x. Lone working**

AW may involve officers not only working in isolation, but potentially also undertaking visits to sites away from their normal workplace. Forces have a responsibility to assess the potential risks associated with the type of lone working activities that are to be undertaken and to implement suitable precautions to keep lone workers safe.

#### **xi. Mental Health and Wellbeing**

PFEW recognises there are potential mental health and wellbeing concerns amongst agile workers that could go unchecked. We would therefore encourage forces to ensure their managers are equipped with suitable training to enable them to manage mental health amongst an agile workforce.

The provision of formal training, such as Mental Health First Aid, is one way of achieving this and managers should feel confident in holding regular conversations about mental health and wellbeing with team members, with the opportunity for concerns to be raised at an early stage.

PFEW believes clear leadership is essential, with senior managers talking openly about mental health issues and the support available to officers should they have any concerns and how to access this. We also highlight the following to offer additional support:

- Agile workers should, when able to do so, attend their normal workplace regularly to ensure interaction with colleagues. This helps to alleviate any feelings of isolation,
- Managers must hold regular team meetings, both physically and virtually, to ensure everyone is kept informed and to maintain a team ethos,
- Managers must promote the use of technology to keep in touch with people working remotely,
- Managers should be given guidance on how to recognise the signs of poor or deteriorating mental health.

#### **Scope of the Policy**

The policy applies to all officers working agilely across England and Wales.

### Key Stakeholders

- The National Police Chiefs' Council (NPCC)
- The Association of Police and Crime Commissioners (APCC)
- Home Office, UK Government
- PFEW Membership
- Local Branch Chairs and Secretaries
- Her Majesty's Inspectorate of Constabulary and Fire Service (HMICFRS)
- College of Policing
- Chief Police Officers' Staff Association (CPOSA)

This is not an exhaustive list.

### Policy Review

Recommend to review biennially.

### Policy Document – Versions

Version 1	Drafted by PFEW Business Area Health and Safety Lead	Policy Approved on: 17 <sup>th</sup> Aug 2022	Policy to be revised in: 18 <sup>th</sup> Aug 2024
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**Approved by National Board on: 17<sup>th</sup> Aug 2022**