

## *Our Vision*

Nambucca Valley ~ Living at its best

## *Our Mission Statement*

'The Nambucca Valley will value and protect its natural environment, maintain its assets and infrastructure and develop opportunities for its people.'

### **1.0 Policy objective**

- 1.1 Nambucca Valley Council ('Council') acknowledges that working from home arrangements may be appropriate for certain positions and in certain circumstances.
- 1.2 It is important that working from home arrangements are consistent with the needs of Council.

### **2.0 Related Legislation**

*Work Health and Safety Act 2011*

### **3.0 Related Council documents**

Working from Home Checklist (Doc. No. 12148/2020)

### **4.0 Application of the Policy**

- 4.1 This Policy applies to full-time and part-time employees, agents and contractors, collectively referred to in this Policy as 'Employees'.
- 4.2 This Policy does not form part of any employee's contract of employment. Nor does it form part of any other agent or contractor's contract for service.

### **5.0 Definitions**

'**Working from home**' is working away from Council's workplace.

'**Home office**' is a designated space for an employee to work while at home.

### **6.0 Working from home arrangements**

- 6.1 Working from home involves working for part of the time away from the normal work premises. Only in exceptional circumstances will Council permit an employee to permanently work from home.

- 6.2 During the time any employee is working from home, contact is to be maintained with Council via electronic means, such as email, hand held communication device and telephone.
- 6.3 Each working from home arrangement is a cooperative arrangement between Council and employee. Council has the discretion to offer working from home arrangements to an employee where it is appropriate in the circumstances.
- 6.4 Employees can apply to work from home but Council reserves the right to refuse an application where it is inappropriate in the circumstances.

## **7.0 Eligibility criteria**

- 7.1 Not all employees or all positions are suited to working from home arrangements. For this reason employees will be offered working from home on the basis of their suitability.
- 7.2 Employees who apply to work from home should be prepared to show their suitability.
- 7.3 The essential criteria for working from home include (but are not limited to) the following:
- a high level of computer literacy;
  - the work is able to be performed off-site, for example:
    - data entry (without the need for removal of Council's paper based records)
    - engineering and design
    - research and development
    - drafting
    - computer design and programming
  - the presence of the skills, ability and knowledge to work autonomously; and
  - an appropriate and safe workspace at home.
- 7.4 Working from home will generally not be considered suitable for:
- work that requires a high degree of supervision or monitoring;
  - projects that involve a large amount of teamwork and daily face-to-face contact with other employees;
  - positions that carry responsibilities for training or supervising others; or
  - positions where the employee has little control over the flow of work.

### Other factors relevant to eligibility

- 7.5 An employee must be able to demonstrate that:
- efficiency will be maintained or increased as a result of the arrangement;
  - the productivity of an employee's team or work group must not be adversely affected;
  - the level of service will be maintained or increased; and
  - home commitments will not detract from the performance of the work.

## **8.0 Working from home part-time**

- 8.0 Where a working from home arrangement is approved, it will in most cases be on a part-time basis. Part of the arrangement will involve an employee and the relevant manager agreeing on the number of hours or days that the employee can spend away from the office.

## **9.0 Working from home is not an entitlement**

9.0 Employees should be aware that working from home is not a formal employee benefit or entitlement and that Council maintains at all times the right to terminate a working from home arrangement.

## **10.0 Conditions of working from home**

10.1 The following conditions apply to employees who work from home:

- The employee must provide work reports and attendance records as proof of work completed.
- The employee is to be contactable during their agreed hours of work.
- Council retains the right, with reasonable notice, to access the employee's home during their agreed hours of work.

10.2 Subject to prior agreement between the employee and Council, on-site visits or inspections by officers of Council may be made for work-related matters, such as supervision, collection and delivery of work, equipment maintenance, security or workplace health and safety assessment, and retrieval of equipment.

## **11.0 Particular requirements for working from home**

### Home office

11.1 Employees must designate a space for working while they are at home. This space could be a particular room (for example, a study) or a particular area of a room. The "Home Office" should have a desk and sufficient space to perform work. Employees should not work in any area of their home, other than the Home Office.

## **12.0 Employees responsibilities in relation to workplace health and safety**

12.1 Employees are responsible for taking reasonable care for a safe working environment. They must maintain the Home Office and other relevant areas (including the entrance, bathroom and kitchen) in a safe condition at all times. Upon receipt of reasonable notice employees must allow a person, appointed by Council, to have access to their Home Office and related areas from time to time to allow them to conduct safety inspections.

12.2 Employees must take reasonable care for their own health and safety and the health and safety of other persons who enter their home during work hours. Employees must notify Council immediately if they become aware of any change in their working conditions or arrangement, or any risk to health and safety. Notification should be made in accordance with Council's Work Health and Safety Policy.

## **13.0 Work health and safety inspection**

13.0 A workplace health and safety inspection will be conducted for all working from home arrangements. As a condition of granting an employee permission to work from home, the employee must allow a person, appointed by Council, to conduct a safety inspection of the Home Office, plus any other areas that may be used while working, for example, the home entrance, bathroom and kitchen. The purpose of the safety inspection is to determine whether the employee will be exposed to risk of injury or illness while performing work at home. Unless the risk can be eliminated or minimised to the satisfaction of Council, the arrangement will not be approved or will be discontinued.

#### **14.0 Frequency of work health and safety inspections/checks**

- 14.1 As set out above, a work health and safety inspection or check must be conducted before an employee commences working from home. Employees will be provided with reasonable notice of the initial inspection.
- 14.2 Subsequent inspections or checks may be required from time to time. The frequency of inspections will depend upon how often an employee works from home and their particular working from home arrangement.

#### **15.0 Adjustments required to make a home office safe**

- 15.1 Where the safety inspection or check reveals that adjustments are required to an employee's home for safety reasons, an employee must cooperate with Council in making the adjustments. If adjustments are required, an employee will not be permitted to work from home, until the required adjustments have been made.
- 15.2 An employee will be responsible for making adjustments to their Home Office and related areas. Council may reimburse at its own discretion, the employee in part or in full for adjustments required to make their Home Office and related areas safe in relation to compulsory working from home arrangements, where Council considers this reasonable.
- 15.3 Council will not finance any structural changes to an employee's home.

#### **16.0 Accident or injury while working from home**

- 16.1 If there is an accident or an employee is injured while working from home, the accident or injury must be immediately reported to management. Council may investigate the accident or injury. The employee must allow a person, appointed by Council, access to their home for the purpose of conducting such investigation.
- 16.2 Injuries that occur at home outside working hours are not covered by this or any other Council Policy or workers' compensation legislation.

#### **17.0 Costs of telephone calls**

- 17.1 Council will reimburse the employee for any work-related telephone calls on their private telephone line. In order to claim reimbursement, the employee must complete a reimbursement form and attach an itemised telephone bill with work-related transactions highlighted.

#### **18.0 Cost of utilities**

- 18.0 Employees are required to pay their own home utilities such as electricity, water, gas, internet, heating, air-conditioning, home maintenance, insurance etc.

#### **19.0 Terms and conditions of engagement when working from home**

- 19.0 An employee's terms and conditions of employment remain the same when working from home. This includes hours of work, remuneration and, in the case of an employee, leave entitlements/accruals. An employee is required to perform their work duties effectively and efficiently, as if they were working in the office. Contracting out or delegating work duties to others without the express written permission of the relevant manager is strictly prohibited.

## **20.0 Reporting to manager**

20.0 Reporting is a critical part of any working from home arrangement. The relevant manager will, as far as possible, provide advice concerning the required reporting arrangements prior to commencement of the working from home arrangement. An employee must report to the relevant manager what work has been completed while working from home and comply with any reporting requirements, for example providing written reports, compiling work sheets etc. If an employee does not comply with reporting requirements, the working from home arrangement may be terminated.

## **21.0 Communication with staff**

21.0 Employees must inform other team members and the relevant manager of the hours/days an employee working from home arrangement applies and appropriate contact details. If an employee is working from home regularly, they must maintain regular communication with their manager and work team while working from home. It is an employee's responsibility to ensure their work team can effectively communicate with them while working from home and that employee is available to discuss work matters if required.

21.1 Working from home can result in employees feeling disengaged and isolated and also bring about absenteeism and lapses in judgement. To avoid this, managers should maintain contact with their staff via telephone and/or video conference and be attentive to any changes in behaviour.

## **22.0 Requirement to attend the office on the days you work from home**

22.0 All employees working from home may be required to attend work from time to time. Even when an employee regularly works from home on designated days, they may be required to attend work on those days. In particular, employees may be required to attend staff meetings, announcements, client functions, employee training, in case of emergencies or where other work commitments arise.

## **23.0 When working from home arrangement is terminated or ends**

23.1 If an employee is not happy with the working from home arrangement for whatever reason, management should be informed as soon as possible.

23.2 The arrangement may be reviewed to address concerns or terminated where appropriate.

23.3 Working from home arrangements will be reviewed on a regular basis to ensure that they operate effectively, meet the requirements of the organisation and do not adversely affect other employees.

23.4 If Council does not want to continue the working from home arrangement for whatever reason, it may review or terminate the arrangement at any time. Council does not require an employee's agreement to terminate a working from home arrangement. If Council terminates a working from home arrangement, the employee will be given reasonable notice.

23.5 If an employee's working from home arrangement is terminated or ends for any reason (including at the end of a trial period), they must return all Council equipment within 14 days.

## 24.0 Security of information and property

- 24.1 As a remote user, an employee will be provided with access to and use of Council property, equipment and information, including the Council network. By accepting and using remote access privileges, an employee has a shared responsibility with Council to protect Council property, equipment and information against theft, unauthorised access and destruction.
- 24.2 Employees must take all reasonable precautions to secure Council property, equipment and information (both paper and electronic) within their home. This includes employees taking all reasonable precautions to prevent unauthorised access and use of such property, equipment and information. Employees are prohibited from allowing family members to use Council hardware and systems.
- 24.3 An employee's obligation to maintain confidentiality in relation to Council information continues while working from home, and is the same as if working in the office. However, given the potential security issues, an employee must take extra care to ensure confidential information is properly protected. Employees are not permitted to use their home printer for confidential Council documents.
- 24.4 Employees are prohibited from using social media to post photographs of their home office or work station.
- 24.5 The use of electronic signatures must be in accordance with Council's protocol.

## 25.0 Breach of working from home policy

- 25.1 When working from home, an employee must comply with the terms and conditions contained in this Policy. Employees will be required to enter into a formal working from home agreement with Council, recording the specifics of the working from home arrangement.
- 25.2 Where an employee of Council is found to have breached this Policy, they may be subjected to disciplinary action in accordance with relevant Council policies. The type and severity of the disciplinary action will depend upon the circumstances of the case and the seriousness of the breach. In serious cases, this may include termination of employment.
- 25.3 Contractors or agents of Council who are found to have breached this Policy may have their contracts with Council terminated or not renewed.

## 27.0 Variations

Council reserves the right to vary, replace or terminate this policy from time to time.

## 28.0 History

Department:	Governance	Last Reviewed	Resolution Number
Policy Category	Organisation		
Endorsed By:	MANEX A		
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