[REF]   Agile Working Policy
(This policy is non-contractual)

Introduction

MG ALBA recognises the need to continually develop modern working practices, with the aim of implementing flexibility that can enable employees to maintain a stronger work life balance. It also recognises that there may be occasions where increased flexibility can be of great assistance to employees in both undertaking their role and balancing outside commitments.

Agile working is a term used to describe employees conducting their usual job role from varied locations which can include but are not limited to the usual place of work. MG ALBA expects that, with this added degree of flexibility, employees will be better equipped to respond to, and manage, the demands of everyday working life alongside any temporary additional demands they may face due to external factors.

This policy outlines ways in which employees can work in an agile way from varied locations. It provides a framework of consistent and fair practices on issues that need to be taken into account when considering agile working.

Scope of this Policy

This policy applies to all employees of MG ALBA, subject to the exceptions and eligibility requirements outlined below. To be eligible to be considered for agile working, employees generally need to meet the following:

- their role must not involve supervisory duties that require undertaking in person alongside the team members involved that would be adversely affected by agile working
- their role involves equipment that is only available in the workplace
- their home environment must be deemed suitable
- their recent appraisal must not have been marked as unsatisfactory
- their disciplinary record must be clean
- they need training and/or supervision to deliver an acceptable quality or quantity of work

It should be understood that the nature of agile working will depend upon the specific role of the employee concerned. All forms of agile working must be cost effective and not serve to increase the workloads of other members of staff. Considerations of its implementation will take into account business need and the specific requirements of its clients and stakeholders.

Where employees meet the above eligibility requirements and fall into the same team, or are undertaking work on the same project, they will be treated consistently to ensure they have the same entitlements.

Ultimately, the final decision on whether agile working will be permitted in any given situation will rest with MG ALBA. Its length and application will also be set by MG ALBA in consultation with the employee.

Agreed by the Board on 9/3/22

Benefits of Agile Working

MG ALBA recognises that agile working provides numerous benefits, both to management and to its employees. This can include, but is not limited to, the following:

- Trust in the working relationship
- Flexibility on contract hours
- Freedom to choose how / when you work
- Maintaining employee safety
- Improved employee morale
- Increased productivity
- Wellbeing at work including exercise and healthy working practices
- Assisting in maintaining social distancing measures due to decreased numbers
- Enabling staff to continue conducting their role if the usual place of work becomes temporarily unavailable to them
- Providing vulnerable staff with the option to keep working whilst also protecting their own health through continued isolation.
- Reduced commute brings time and cost efficiencies
- Increased time and availability for our families
- Better work / life balance & management of the boundaries
- Use of technology to bring optimum levels of collaboration
- Equality of voice in all our communications
- Valuable working community bringing social interaction, support, ideas and inspiration

Types of Agile Working

Agile working will be granted to employees, in consultation with their line manager and under the guidance of the Business Continuity Team with regards to staff safety.

Management and Business Continuity will refer to the following 5 key principles in providing such guidance:

- Safety
- Belonging
- Comfort
- Productivity
- Control

There may be different ways in which agile working will be permitted will dependent upon the needs and requirements of MG ALBA. Generally, it will permit the following arrangements:

- Homeworking for part of the week / month
- Working from the office part of the week / month
- Working from the office full time
- Working from home full time (with an agreement to attend the office a minimum no. of [xx] days

per month to keep continued engagement levels high)
- Working at a different office / site or in the community

Manager Responsibility

It is the responsibility of management to determine the work styles of agile working that will apply to specific posts. They will give careful consideration to all necessary information to determine which work styles the post in question could fall into. Steps will be taken to provide all equipment necessary for employees to undertake their role.

Management will make arrangements to keep in regular contact with staff during a period of agile working and, specifically, to encourage them to come forward with any issues they may be having. Agile working may not work for everyone and the arrangement will be regularly reviewed, and terminated if necessary.

Managers will work to agree with employees on how they will monitor their performance within the period of agile working. This may include setting of key targets, holding of regular meetings and ongoing performance reviews. Managers may wish to allow for a trial period of agreed agile working conditions to monitor whether this is considered appropriate for the employee.

Managers will also work to ensure that any period of agile working does not interfere with the career development of employees, such as them missing out on key training opportunities. It is the responsibility of management to ensure all employees are provided fair opportunity in which to take part in these types of activity.

In assessing an employees agile working preferences the following will be discussed in consultation with the staff member.

- 3 key questions for staff / manager discussions:
    - Staff personal preferences / circumstances
    - Impact of agile working on the team and other colleagues
    - Output requirements and optimum working style of the job
- Staff and their managers should also consider the following:
    - "Phase In" approach – regular review / evaluation
    - Ask for second opinion & management/HR support
    - Number of days in / out & communication tools to support this
    - Space / remote facilities / technology to support the employee
    - Flexibility around start / finish times – fairness to all in the team
    - What adaptations can we / should we make
    - How can we support individuals and teams?
    - When do we review?
    - What if a staff member is unhappy with a decision or recommendation?
    - What are the staff members near and far worries / concerns?

Agreed by the Board on 9/3/22

Health and Safety Provisions

MG ALBA will work to ensure that usual company health and safety provisions are adhered to in all locations involved in agile working. This will include conducting risk assessments of the agile working environments where necessary to comply with legal provisions, such as inspecting the home set-up

If an employee's health condition or impairment is likely to be within scope of the Equality Act 2020, management will ensure that a risk assessment is undertaken to identify and implement any reasonable adjustments necessary that will assist them in carrying out their role.

Employee Responsibility

Employees who are working remotely may not be as regularly observed by management, meaning that an element of trust will need to be maintained between all parties in order for the agile working arrangement to work.

Employees must ensure that they take rest breaks during the working shifts in line with MG ALBA's usual policies. This is to ensure their continued wellbeing and continued compliance with government Regulations. Again, if it is found that appropriate rest breaks are not being taken, the effectiveness of the agile working arrangement may be reviewed.

Employees working from home need to ensure a safe working environment that complies with the organisation's policies on health and safety. This includes adherence to Display Protective Equipment (DPE) standards. Full details can be found in these policies.

Employees who are working from other buildings separate to the usual workplace are expected to leave their workspace clean and tidy following use and remove all personal items. Standards of hygiene will be expected to be maintained throughout their period of working in this environment.

Agile workers need to remain fully contactable by management and colleagues, as they would be when office based, and must be prepared to undertake reasonable requests as directed.

Additionally, all confidential information relating to the organisation needs to be kept secure in line with its data protection policies. If it is found that the agile working arrangement has resulted, or has the potential to result in, a data breach, the arrangement may be terminated and those responsible could face disciplinary action.

Flexible Working and Permanent Requests

It is understood that agile working is to be permitted on a transitional basis subject to organisational review and does not represent a permanent change in working conditions. MG ALBA will therefore only consider such an arrangement within specific circumstances. In this situation, employees should make a request under the Flexible Working Policy.

Employees who have at least 26 weeks of continuous employment have the statutory right to make a

formal request for flexible working, which can involve changes to the usual place of work such as working from home permanently. In these situations, such a change would be considered permanent by both parties until a separate agreement is reached to change it further.

MG ALBA does not have to agree to such a request but will carefully consider it and provide sound business reasons should it be refused. Employees will be granted leave to appeal against this decision as soon as is reasonably practicable.

Productivity

It is the responsibility of employees to make sure any agile working arrangement does not impact upon their productivity and output. If it is found that this is the case, MG ALBA will review the effectiveness of the arrangement. Employees must also ensure that they comply with usual policies on absence and sickness.

Home Expenses

HMRC guidance expressly states that <u>you cannot claim tax relief if you choose to work from home</u> (if you have a base office location available to you).

If your contract of employment identifies you as a home worker, you can claim tax relief for gas/electricity/metered water/business phone calls/internet but you can only claim a part of the bill that relates to your work and not the whole bill.

TEMPRORARY MEASURES DURING THE COVID PANDEMIC

At the time of writing (February 2022) there is a COVID exception where employees can claim tax relief on £6 per week for working from home.

Insurance

MG ALBA employer's liability insurance covers employers working from home.

Staff who are working from home must declare this to their own home insurance company to ensure it doesn't impact any resulting claim (for which MG would not accept liability).

Travel Expenses

Travel expenses can only be claimed for travel from an employees' primary place of work.

Employees are not able to claim for travelling to and from work, unless the employee is travelling to a temporary place of work.

Staff working under agile working practices will have a base location of either Stornoway or Glasgow offices and would not be eligible to claim travel expenses from their home to their designated office location.

Agreed by the Board on 9/3/22

Staff who are designated home workers, whose contractual base location is their home address, are eligible to claim travel expenses from their home location to any of MG ALBA offices

Further guidance can be accessed via HMRC:

https://www.gov.uk/tax-relief-for-employees/travel-and-overnight-expenses

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