

## **ASSESSOR'S PROGRESS REPORT TO THE LOTHIAN VALUATION JOINT BOARD**

13<sup>th</sup> June 2022

### **1.0 PURPOSE**

- 1.1 To provide members with an overview of current service delivery, priorities, risks and future direction.
- 1.2 It should be noted that most staff remain working at home at the current time or on a hybrid basis, part home based, part office based.

### **2.0 ELECTORAL REGISTRATION – MAINTENANCE**

- 2.1 Since the last progress report to the Board in April 2022 all maintenance tasks supporting the registration process have continued alongside the preparation for the recent Local Government Elections.
- 2.2 The table below shows elector numbers as at the last update prior to the recent election as of 27<sup>th</sup> April 2022.

	Eligible Electorate	Postal Voters	Proxy Voters	% Of Postal Voters
<b>City of Edinburgh</b>	399,239	96,671	614	24.2%
<b>East Lothian</b>	88,076	22,313	131	25.3%
<b>Midlothian</b>	75,636	17,987	53	23.8%
<b>West Lothian</b>	145,364	30,789	97	21.2%
<b>Totals</b>	708,315	167,760	895	23.7%

The number of electors who have a postal vote currently represents 23.7% of the electorate in Lothian.

During the run up to the Local Government Elections 23,650 applications were received. These included applications to register, amendments to the register and requests for absent voting. It perhaps should be noted that of these applications 3,454 were actually unnecessary.

The last figures I provided for the 4<sup>th</sup> of April Board meeting showed absent voter numbers as 166,048. The numbers for the recent elections totalled 167,760, an increase of just over 1%.

- 2.3 At the last Board meeting in April, I gave a more detailed report on the topic of deletions from the Electoral Register as it was felt that the numbers were perhaps higher than members may have expected. I have shown below the figures for the period 31/03/21 to 27/04/22.

	Additions	Deletions
City of Edinburgh	66,919	57,724
Midlothian	7,217	6,071
West Lothian	13,384	11,160
East Lothian	9,315	7,160
Totals	96,835	82,615

As can be seen there have been, in all the constituent councils, more additions than deletions to the register during this time. The increase to the register during this period is 14,220.

### **3.0 ELECTORAL LEGISLATION – BY-ELECTIONS**

- 3.1 There are no planned by-elections at the current time.

### **4.0 LOCAL GOVERNMENT ELECTION 2022**

- 4.1 I am pleased to report that from an ERO perspective the recent Local Government Election went smoothly.
- 4.2 There were no significant spikes in the number of registrations or postal votes received. Some additional costs in terms of staff overtime were incurred but they were not substantial.

### **5.0 ENGAGEMENT ACTIVITIES**

- 5.1 Engagement with various groups continues in order to have as many eligible voters on the register as possible. A comprehensive list of our engagement activities was reported at the Board meetings in April and February 2022. For the benefit of new members of the Board these engagements activities include the targeting of 16-17 year olds, students, foreign nationals, prisoners, armed forces.

## 6.0 ELECTIONS BILL

- 6.1 The bill received Royal Assent on the 28<sup>th</sup> of April 2022. As previously reported the provision of photo ID to electors without a specified form of photo ID is one of the main changes alongside specific changes to postal vote refresh timetables which in effect will mean there are two different postal vote refresh timetables. One for Westminster elections and one for Local Government Elections.
- 6.2 From a board perspective having two timetables is not ideal but manageable. It will however no doubt lead to confusion amongst parts of the electorate.
- 6.3 Similarly, photo ID will only be required for Westminster elections but not local elections which again may lead to confusion amongst parts of the electorate.

## 7.0 VALUATION ROLL – MAINTENANCE

- 7.1 The figures for the end of year statistics are shown within the management commentary attached to the annual accounts for 21/22. They show an improvement on the figures for 20/21 which is welcomed.
- 7.2 The numbers of amendments to the valuation roll from 1<sup>st</sup> April 2022 to 31<sup>st</sup> May 2022 are shown below.

### 1<sup>st</sup> April 2022 to 31<sup>st</sup> May 2022

	Edinburgh	Midlothian	W. Lothian	E. Lothian	Total
Inserts	37	4	0	4	45
Deletions	59	3	7	5	74
Amendments	20	4	3	3	30
Totals	116	11	10	12	149

## 8.0 VALUATION ROLL – APPEALS

- 8.1 As previously reported LVJB have c.17,000 outstanding appeals that have been lodged on the basis of Covid 19. It was announced that any appeals lodged after 01/01/20 would have their disposal date amended from 31<sup>st</sup> December 2022 to 31<sup>st</sup> December 2023 which will include these appeals.
- 8.2 Whilst this does not mitigate the risk involved with dealing with this number of outstanding appeals it does in effect allow some room for manoeuvre and provide additional planning time.

8.3 Legislation is still being considered by the Scottish Government with regard to Covid appeals though at the moment I have no further update on this. I will keep the board updated as and when further details are known.

8.4 In relation to Valuation Appeal Committee hearings, I can provide a further update. The functions of VAC's are transferring to the Scottish Courts and Tribunal Service from 1<sup>st</sup> January 2023. As a consequence of this and issues relating to the possible referral of appeals, where a VAC has made a judgement, to a higher court there will be no non-domestic appeals cited for hearing during the autumn. These committee hearings will instead concentrate on Council Tax appeals.

## 9.0 COUNCIL TAX – MAINTENANCE

9.1 The figures for the end of year statistics are shown within the management commentary attached to the annual accounts for 21/22. Again, they show an improvement on the figures for 20/21 which is welcomed.

9.2 The numbers of amendments to the valuation list from 1<sup>st</sup> April 2022 to 31<sup>st</sup> May 2022 are shown below.

New Housing	Edinburgh	Midlothian	West Lothian	East Lothian	Total
01/04/22 to 31/05/22	510	95	234	104	943
01/04/21 to 31/05/21	398	160	139	154	851

9.3 There are currently c.200 outstanding Council Tax appeals. A number of Council Tax appeals recently proceeded to hearing before the Valuation Appeal Committee. More council tax appeals are scheduled to be cited for the next diet of hearings in June. More will be cited for hearing in the autumn diet of appeal hearings. Resolution of appeals continues on an uncited basis where possible.

## 10.0 GOVERNANCE STRATEGY GROUP

10.1 The most recent meeting of the Governance Strategy Group was due to be held on the 6<sup>th</sup> of June. Due to the recent LGE this meeting was postponed.

## 11.0 BUDGET AND MOVING FORWARD

11.1 The budget for 21/22 shows an underspend which is to be welcomed. However future years are projected to show a shortfall in funding which will have to be addressed moving forward.

11.2 I do have concerns regarding the budgetary projection as we move forward. With use of the Board's unallocated reserves, the budget is forecast to balance for 22/23 and 23/24. However, the projected figures shown at 11.3, show a shortfall in funding from 24/25 onwards.

11.3 The projected shortfalls were reported at the 7<sup>th</sup> of February board meeting and showed the following projected shortfalls in funding going forward as.

	2022/23	2023/24	2024/25	2025/26	2026/27
	£'000	£'000	£'000	£'000	£'000
Core	5,847	6,261	6,440	6,607	6,777
IER	89	99	102	105	108
Total Requisition	(5,847)	(5,847)	(5,847)	(5,847)	(5,847)
<b>Operating shortfall/(surplus)</b>	<b>89</b>	<b>513</b>	<b>695</b>	<b>865</b>	<b>1,038</b>
VR - one-off severance/pension strain	0	0	0	0	0
<b>NET TOTAL COSTS</b>	<b>89</b>	<b>513</b>	<b>695</b>	<b>865</b>	<b>1,038</b>

11.4 These figures will require to be updated taking account of the 21/22 underspend. It should however also be noted that the Board's accommodation at South Gyle is currently subject to an ongoing rent review negotiation that is likely to result in an increase in the current rent payable from £340,000 to c. £390,000 with effect from the 1<sup>st</sup> of January 2022.

11.5 There is also the potential for the workplace parking levy to be implemented in future years. South Gyle has 66 car spaces which leaves the potential for a levy in the region of £30,000 per annum. Also, with inflation heading towards double figures, where previously inflationary increases were able to be absorbed within existing budgets that becomes more difficult to do year on year where inflation is approaching double figures.

11.6 As we will all be aware the Finance Secretary announced recently that public sector spending is to be frozen for the next 4 years which is in effect a cut in real terms which adds to the financial uncertainty.

11.7 The board has in previous years reduced staffing numbers, in the main, by allowing staff to leave under VERA. We are getting to the point where I would be extremely reluctant to lose staff in specific areas of the office though that is not to say that VERA is not a potential option moving forward, so long as it is targeted and the funds are available to finance any potential early retirements. The implementation of the Barclay review into non-domestic rates, the main change being the move from 5-yearly to 3-yearly revaluations, should not be underestimated. Changes to processes and work practices can assist but you are in essence carrying out a task that previously took 5 years in a 3 year timescale.

11.8 Simply allowing staff to leave under VERA will not solve projected shortfalls moving forward. The increase in projected core spending is down to a number of factors but the main driver is undoubtedly inescapable wage growth. Unless staff pay increases are funded on an annual basis projected shortfalls will be an annual occurrence.

11.9 The underspend for 21/22 is down to a number of factors primarily vacancy control and reduced premises and transport costs. Vacancy control will continue, where possible, and a formal move to a hybrid working model should assist in keeping premises and transport costs down.

11.10 As we move forward towards full Barclay implementation processes and work practices will continue to be reviewed to ensure they are as efficient as possible. However, at the moment

legislation is still in draft form for parts of NDR reform, perhaps most noticeably in relation to proposals and appeals which makes it difficult to predict where efficiencies will be identified. The draft legislation does suggest that increased workloads, at the very least in the short term, are inevitable.

11.11 In order to plan ahead it is essential that the Board is able to move to a sustainable mid to long term financial position as we move forward.

11.12 I am now considering the 3<sup>rd</sup> phase of transformation to fully assess the impact of Covid and legislative change in relation to Barclay and Electoral Registration in order to implement new, smarter and more efficient ways of working. The aim being to minimise the impact of legislative change on workloads and to make cost efficiencies where possible.

## **12.0 HYBRID WORKING POLICY**

12.1 It is good to see that the impact of Covid 19 has begun to lessen. The Covid pandemic did show that a hybrid working approach can have benefits both in a financial sense and with the work/life balance of employees. It is my intention to introduce a formal hybrid working policy not only to maintain these benefits but also to put the board in a position where at some point in the future the actual accommodation required by the board can be considered, and if appropriate, downsized which would inevitably lead to further savings in property costs.

12.2 At appendix 1 is my proposed Hybrid Working Policy.

## **13.0 RECOMMENDATION**

13.1 The Board is asked to note the content of this report.

**Gary Elliott**  
**ASSESSOR & ERO**



# Hybrid Working Policy

<b>LVJB Hybrid Working Policy</b>	
Approved By	LVJB Corporate Leadership Team
Date of Approval	June 2020
Owner	Hannah Carruthers, HR Manager
Issue & Date	3
Identity	Hybrid Working Policy
Location of electronic copy	SharePoint
Location of paper copy	Human Resources
Next Review Date	The policy will be reviewed as and when a change to the existing policy deems this necessary, primarily as a result of: changes to legislation or statute; agreement of new national terms and conditions or Government Policy or organisational change.

Issue	Author	Date	Details of Change
1	Bernie Callaghan	June 2020	Initial creation
2	Bernie Callaghan	January 2021	Review reflecting existing hybrid working operational procedures
3	Bernie Callaghan	March 2022	Updated with CLT comments
4	Hannah Carruthers	April 2022	Updated with Unison comments – clarification provided regarding requirements for permanent homeworkers to attend the office.



## 1. INTRODUCTION

1.1 Hybrid working refers to an arrangement that involves the employee working between home and the office for some or all of the time where this would be appropriate for service delivery and beneficial to both the employee and the service provided. The objective of this policy is to :-

- ensure the health and safety of all employees;
- to provide all employees with the equal opportunity to work from home and
- to ensure that employees are aware of their obligations in relation to information security, data protection, freedom of information and records management.

1.2 All hybrid working arrangements will be tailored to individual circumstances and key factors in setting up an arrangement will be the needs of the service in association with work life balance gains. Not all roles will be suitable for this type of working arrangement.

1.3 If a member of staff wants to have hybrid working considered it should be requested under the Flexible Working Policy.

## 2. SCOPE

2.1 It is our policy to support the provision of hybrid working wherever possible. All employees have the opportunity to apply to work from home. Line managers, in conjunction with the HR Manager, will assess the suitability of hybrid working and should consider the implications with those likely to be affected. Suitability will be based on determining whether the role is appropriate for hybrid working and that a self-assessment Health and Safety Checklist has been completed. All requests will be considered carefully and will only be declined if there is a "justifiable reason" for doing so. Justifiable reasons for refusing a hybrid working request are detailed in **Appendix 1**.

2.2 This policy should be read in conjunction with the LVJB's standard policies & procedures, which apply equally when working from home.

## 3. PRINCIPLES

3.1 The policy will provide the following:-

- (a) A framework within which employees and managers can agree arrangements for working from home;
- (b) Fair and consistent arrangements for employees to work from home;
- (c) Clear guidelines on how the LVJB will manage and review hybrid working;
- (d) Guidance to managers on how to assess suitability for hybrid working

#### **4. HYBRID WORKING**

4.1 Hybrid working is a form of working in which a person's home is used as a place of work for all or some of their working week. The LVJB defines three types of hybrid working: occasional, regular and permanent.

Staff will be encouraged to take ownership of managing their own time and when they undertake their work, so long as work does not suffer.

#### 4.2 Occasional homeworking

- (a) This applies to employees who work at home on an occasional/ad hoc basis even though their contract of employment requires them to be based at our South Gyle office. It is recognised that this may be for part of the working day. Employees must have the agreement of their line manager or equivalent.
- (b) Occasional homeworking may be appropriate for certain roles, for example in one or more of the following circumstances, it should be noted this is not an exhaustive list:-
  - To allow employees the opportunity to work more effectively on a particular piece of work where concentration is important and to avoid interruptions that are part of the office environment;
  - To provide a solution to a temporary problem where employees may be unable to travel to the office.

#### 4.3 Conditions for occasional homeworking

- (a) All occasional home workers must complete the Health and Safety Checklist detailed in **Appendix 2** when they first undertake occasional homeworking (and again **only if any major changes occur**). The completed form should be given to the HR Manager and will help the organisation ensure that their working conditions at home are safe and without risk to health. If a risk / hazard is identified, the line manager should be notified so that appropriate action can be taken.
- (b) The line manager has the right to refuse the request for operational or practical reasons e.g. the maintenance of service levels, impact on team.
- (c) The nominal “normal place of work” remains our South Gyle Office and employees may not claim travelling expenses between home and their normal place of work.
- (d) Employees working from home should be contactable during normal working hours.

#### 4.4 Regular homeworking

- (a) This applies to employees who work at home regularly having made a flexible working request, in line with the LVJB Flexible Working Policy, for part of their contracted hours even though their contract of employment requires them to be based at our South Gyle office.
- (b) Regular homeworking may be appropriate for certain roles, for example in one or more of the following circumstances, it should be noted this is not an exhaustive list:-
  - Where the employee’s presence is regularly required at the office but not all the time;
  - To cut down on the amount of time spent commuting.
  - To provide the employee with an improved work life balance

#### 4.5 Conditions for regular homeworking

- (a) Employees working from home should be contactable during normal working hours.
- (b) All hybrid workers must complete the Health and Safety Checklist detailed in **Appendix 3** before working from home.

The hybrid worker should make the HR Manager aware of the outcome of the Health and Safety risk assessment by attaching a copy to their Flexible Working Application Form, and if a risk / hazard is identified, the HR Manager should be notified so that appropriate action can be taken.

- (c) The hybrid worker will need to accept that this flexible working pattern may mean that their workstation at South Gyle Office may be used by other employees.

#### 4.6 Permanent homeworking

- (a) This applies to employees who work from home for the majority of their contracted hours and do not retain a workstation at our South Gyle Office. Their main place of work is home and they may be mobile on some days (survey/appointments/canvass).
- (b) Permanent homeworking may be appropriate for certain roles, for example in one or more of the following circumstances, it should be noted this is not an exhaustive list:-
  - Employees who do not fulfill a role that requires them to be present at our South Gyle office
  - Employees who do not require a dedicated desk space at our South Gyle office
  - Employees who are mobile, visiting different locations

#### 4.7 Conditions for permanent homeworking

- (a) Employees working from home should be contactable during normal working hours.
- (b) All permanent home workers must complete the Health and Safety Checklist detailed in **Appendix 3** before homeworking.

The home worker should make the HR Manager aware of the outcome of the Health and Safety risk assessment by attaching a copy to their Flexible Working Application Form, and if a risk / hazard is identified, the HR Manager should be notified so that appropriate action can be taken.

- (c) Employees should agree their deliverables and objectives, which will be reviewed regularly by their line manager.
- (d) Dependent on operational requirements, a permanent homeworker will be expected to attend our South Gyle Office on no more than 24 times a year. Attendance at South Gyle office will be expected only on occasions where there is a specific work task, project or equivalent event which can be undertaken most efficiently in the office environment.
- (e) The line manager can request that the employee attends our South Gyle Office, by providing reasonable notice (e.g. 48 hours in advance)
- (f) The employee will need to accept that to cope with this flexible working pattern they may not retain a desk at South Gyle and that they will have to use alternative equipment (pc, desk etc) when they attend the office for meetings, appraisals, training days etc.

## 5. REQUESTING HYBRID WORKING

### 5.1 Requesting occasional homeworking

Any request for occasional homeworking by employees must be made to and have agreement from their line manager or equivalent.

### 5.2 Requesting hybrid or permanent homeworking

Hybrid or permanent homeworking is a form of flexible working and employees wishing to request hybrid/permanent homeworking should apply using the application form in the **Flexible Working policy**. The line manager should follow the procedure outlined within that policy, holding any meetings as required. Any changes to working arrangements will be agreed in writing.

### 5.3 Application outcome

Line managers, in conjunction with the HR Manager, will assess the suitability of homeworking and will consider the implications with those likely to be affected, suitability will be based on determining whether the role is suitable for homeworking.

### 5.4 After the meeting, the line manager will write to the employee:-

- either agreeing to the new work pattern with confirmation of a start date; or
- providing clear business ground(s) as to why the application cannot be accepted and the reasons why

5.5 If the request for occasional homeworking is supported then this will apply on an ad-hoc basis as and when required and agreed.

5.6 If the request for hybrid or permanent homeworking is supported the line manager must follow the process outlined in the Flexible Working Policy, notifying HR.

5.7 The employee will continue to operate under the normal LVJB policies and procedures when working from home, in particular the relevant policies, as detailed in **Appendix 4**.

5.8 Line managers will remain responsible for supervising employees working from home, ensuring agreed objectives are achieved. Line managers will inform employees of meetings or training sessions that they may need to attend and will ensure that employees are kept up to date with information relevant to their work and wider organisational matters.

### 5.9 Application Rejected

LVJB may reject an application for homeworking, using a justifiable reason as outlined in the Flexible Working Policy and detailed in **Appendix 1**. Employees have the right to appeal against the line manager's decision not to accept their flexible working request.

## 6. **APPEAL PROCEDURE**

6.1 If a request is rejected, the employee can lodge an appeal, in writing, to the Assessor (or other nominated senior officer) within 14 calendar days of receipt of the written decision. The notice of appeal should be dated and set out the grounds for the appeal. If necessary, a meeting to discuss the appeal should be held within 14 calendar days

and the decision should be communicated to the employee, in writing, within a further 14 calendar days from the date of that meeting.

The decision of the Assessor shall be final and as a result, there are no further rights of appeal for employees once this process has been exhausted.

## **7. EQUIPMENT & EXPENSES**

7.1 LVJB in consultation with the employee and based on the work activity, will be responsible for determining the equipment requirements for the employee undertaking a homeworking arrangement. Any equipment supplied will remain the property of LVJB. Whilst in receipt of equipment, the employee will have a responsibility to only use the equipment provided for the purposes of work, to take reasonable care and report any defects promptly to the line manager (or other appropriate person). LVJB may require periodic access to the employee's house for the purpose of inspection, servicing, repair and replacement of its equipment, on reasonable notice.

### 7.2 Personal Computer

(a) LVJB will provide and service any personal computer equipment considered necessary to the performance of the employee's duties. This will be subject to specific requirements, as determined by the line manager, in conjunction with the IT Manager, to ensure proper and safe use of the equipment supplied.

**(b) Employees will require to comply with the LVJB Information & Technology Management and Security Policy**

(d) It will only be possible to connect computer equipment provided by LVJB to the LVJB computer network or such other arrangements, as agreed.

### 7.3 Telephone

(a) LVJB will assess the employee communication and telephone needs and if necessary, arrange to provide any equipment or connections. In the event of a subsequent house move (where the arrangement is approved to continue), the employee will be liable for the cost of reinstallation of any communication or telephone connections.

### 7.4 Furniture and General Office Equipment

- (a) Depending on the nature of homeworking arrangement, the employee will agree to the LVJB carrying out a Health and Safety Risk Assessment to determine the suitability of the workstation proposed as part of the request for homeworking where required. Thereafter, the employee will be advised if the workstation meets the appropriate standard. To meet health and safety standards LVJB may consider assisting in the supply of suitable office equipment.

## 7.5 Expenses

- (a) LVJB will not as a matter of course reimburse any additional employee expenses such as heating and lighting as a consequence of approving a homeworking arrangement.
- (b) Travel expenses incurred for journeys from home to our South Gyle Office cannot be claimed. Relevant business journeys will be reimbursed, subject to agreement in line with relevant LVJB travel and subsistence arrangements.

## **8. INSURANCE COVER**

- 8.1 Employees are advised that working from home may affect the provisions of any home and contents insurance policy. It may also affect mortgage provisions. Employees should therefore inform all other relevant parties including insurers/mortgage lenders/landlord before commencing homeworking and accept that it is their responsibility to inform their landlord/mortgage lender/insurance company that they are homeworking.
- 8.2 Employees should ensure that all LVJB owned property is used appropriately and responsibly and that all reasonable precautions are taken to prevent damage and theft. Any damage or theft of LVJB property must be reported to the line manager immediately.
- 8.3 All employees working at home are covered by the LVJB Employer's Liability Insurance and Public Liability Insurance providing the rules of this policy have been followed.

## **9. COMMUNICATION AND CONTACT**

- 9.1 Communication arrangements must be robust. Employees working from home should be contactable during normal working hours.



- 9.2 Home workers must let their line manager or colleagues know in advance (where appropriate) of any times they will be out e.g. at business meetings, site visits, etc.
- 9.3 For employees working from home, it is essential that the line manager maintains regular contact with the employee during normal working hours. Employees working from home should receive all usual employees' communications, notices etc. The suitability of the working at home arrangement will be regularly reviewed with the individual member of staff.

## 10. INFORMATION SECURITY, DATA PROTECTION AND FREEDOM OF INFORMATION & RECORDS MANAGEMENT

- 10.1 All employees working from home must ensure that they adhere to LVJB's policies, procedures and guidance in relation to Information Security, Data Protection and Freedom of Information.

### 10.2 Information security

Employees must comply with **LVJB Information & Technology Management and Security Policy** which provides guidance on the security of electronic information systems.

### 10.3 Data protection

All employees must ensure that they understand their obligations under the Data Protection Act and take appropriate security measures to protect personal data, held on electronic systems, physical devices or in manual format, from unauthorised loss, destruction, corruption or disclosure. The LVJB's **Data Protection Policy** provides detailed guidance on the security of personal data.

### 10.4 Freedom of information & records management

All employees are expected to comply with the **Records Management Policy**.

Further information and practical guidance are given in **Appendix 5**.

## **11. REPORTING ABSENCE AND BOOKING LEAVE**

- 11.1 All other LVJB policies and procedures apply and home-workers should comply with the **Managing Attendance Policy** at all times. Employees should book time-off in agreement with their line manager as per local arrangements.

## **12. TRIAL PERIOD**

- 12.1 The homeworking arrangement, if approved, will be offered on a trial basis and reviewed to assess whether it works in practice. The Health and Safety checklist for regular or permanent hybrid workers must be reviewed on an annual basis.
- 12.2 Consideration should be given to additional support or development/training opportunities if the homeworking arrangement proves problematic for any employee.

## **13. TERMINATION OF HOMEWORKING**

- 13.1 If business or personal circumstances change, these should be raised at the earliest opportunity to do so, by either the line manager or employee.
- 13.2 In cases where hybrid/permanent homeworking arrangements cannot be continued a one-month period of notice on either side should be given before the post reverts to being office-based.
- 13.3 If employees do not meet the requirements of the hybrid working policy and procedure, are not available for work, or are unable to be contacted then the hybrid working arrangement may be terminated, and the employee will be required to be at our South Gyle Office during usual working hours.
- 13.4 LVJB reserves the right to terminate occasional, hybrid or permanent homeworking arrangement at any time.

## Appendix 1

### REASONS FOR DECLINING A REQUEST OR DISCONTINUING HYBRID WORKING

LVJB may refuse the request for hybrid working arrangements, and justifiable reasons for refusal can include one or more of the following:-

- The burden of additional cost
- Detrimental effect on ability to meet customer demand
- The roles and responsibilities of the post under working at home conditions would be detrimental to organisational service delivery
- Specific organisational requirements cannot be adequately sustained by the individuals working from home request
- Planned structural changes
- Insufficiency of work during the periods the employee proposes to work.
- Exigencies of the service
- 

In addition to the justifiable reasons listed above, a request for homeworking is unlikely to be approved, on either a hybrid or permanent basis, if the line manager also considers that:

1. The employee needs to be present in the office to perform their role (for example, because it involves a high degree of interaction with colleagues, or third parties or involves physical access to central resources or equipment that is only available in the office. i.e. letter opening machinery and scanning equipment at peak activity periods).
2. The employee needs supervision to deliver an acceptable quality and/or quantity of work.
2. The employee's conduct/ performance is deemed unsatisfactory.

## Appendix 2

# OCCASIONAL HOME WORKERS HEALTH AND SAFETY

## SELF ASSESSMENT CHECKLIST

Please complete this checklist when you commence homeworking and again **if any major changes occur**. The completed form should be given to your line manager and will help LVJB ensure that the working conditions in your home are safe and without risk to health. Once completed and signed this form should be returned to HR.

Name:

\_\_\_\_\_

Home Address:

\_\_\_\_\_

Job Title:

\_\_\_\_\_

Home contact  
number:

\_\_\_\_\_

Details of any room/space used for homeworking:

\_\_\_\_\_

Please tick to confirm the following

	Yes	No
Is the room / area used easily accessible?	<input type="checkbox"/>	<input type="checkbox"/>
Are you satisfied that your workstation arrangements are adequate and suit all your personal requirements?	<input type="checkbox"/>	<input type="checkbox"/>
All walkways are clear of tripping hazards, such as trailing cables?	<input type="checkbox"/>	<input type="checkbox"/>
There is suitable and sufficient ventilation?	<input type="checkbox"/>	<input type="checkbox"/>
There is adequate light - natural and artificial?	<input type="checkbox"/>	<input type="checkbox"/>
The electrical equipment in your workspace does not have any signs of damage? <i>Look for the obvious faults, such as loose cables, cracked plugs, split covering to leads etc. This is a visual inspection only – you should not open or take covers off the equipment.</i>	<input type="checkbox"/>	<input type="checkbox"/>
Is the property fitted with a smoke and heat alarm?	<input type="checkbox"/>	<input type="checkbox"/>
I have an escape plan in case of fire.	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No
I know what to do in the event of having an accident at home? <i>All work related accidents, including those that take place in their home whilst working, must be reported using the LVJB accident forms available from HR.</i>		
I have access to appropriate first aid arrangements and guidance normally found in the home.		
My home area is secure. My workstation and confidential LVJB files will be stored securely when not in use.		

Please comment where you have ticked "No" to the questions above or where you have any concerns about your working conditions or any other health and safety concerns?

Please detail the action that is to be taken, if any, to address any issues highlighted in the assessment

All LVJB Health & Safety policies apply equally when working from home, these can be found at. <http://intranet/sites/Intranet/human-resources/policies-procedures>

Further information on Homeworking can be found on the HSE website <https://www.hse.gov.uk/toolbox/workers/home.htm>

**Employee's Name:** .....

**Employee's Signature:** .....

**Date:**.....

**Line Manager's Name:** .....

**Line Manager's Signature:** .....

**Date:**.....

## Appendix 3

# REGULAR/PERMANENT HOMEWORKERS HEALTH AND SAFETY

## SELF ASSESSMENT CHECKLIST

Please complete this checklist when you commence homeworking and again **on an annual basis**. The completed form should be given to your line manager and will help LVJB ensure that the working conditions in your home are safe and without risk to health. Once completed and signed this form should be returned to HR.

Name:

---

Home Address:

---

Job Title:

---

Home contact  
number:

---

Details of any room/space used for homeworking:

---

Please tick to confirm the following

	Yes	No
<b>1. Environment</b>		
Is the room / area used easily accessible?		
Do you need additional task lighting?		
Do lighting or windows cause glare on your monitor?		
Do you find the heating and ventilation acceptable?		
<b>2. Electrical</b>		
Is the fixed electrical system in good condition (eg no damaged sockets or wiring)?		
Are there enough sockets?		
Do you know the arrangements for ensuring portable appliances are maintained safely and how to check them visually for faults? <i>Look for the obvious faults, such as loose cables, cracked plugs, split covering to leads etc. This is a visual inspection only – you should not open or take covers off the equipment.</i>		

	Yes	No
Are there any faults on existing portable electrical equipment?		
<b>3. Fire</b>		
Are flammable materials (eg paper) and ignition sources (eg cigarettes) kept to a minimum?		
Do you have an escape plan in case of fire?		
Is the property fitted with a smoke and heat alarm?		
<b>4. Workspace and storage</b>		
Is there enough space for you to work comfortably?		
Does the work area provide enough privacy and freedom from disturbances?		
Do you have enough storage space?		
Are there any slip or trip hazards?		
<b>5. Miscellaneous</b>		
Are there any concerns about managing working hours, workload or work–life balance?		
Are you aware of arrangements for lone working?		
Are you aware of arrangements and requirements for communication and reporting to the office?		
Do you know how to get help on using computers or other equipment?		
Are there any security concerns?		
Do you know what to do in the event of having an accident at home? <i>All work related accidents, including those that take place in their home whilst working, must be reported using the LVJB accident forms available from HR.</i>		
<b>6. Workstation and computer use</b>		
Do you know how to set up the workstation and chair for safe use?		
Is the screen clear, readable and flicker-free?		
Are the brightness and contrast adjustable and do you know how to adjust them?		
Are your eyes level with the top of the screen?		
Is the keyboard tiltable and is there space in front of it to rest your hands when not typing?		
Are the screen, computer and keyboard kept clean?		
Is the chair adjustable and has it been adjusted to suit your needs?		
Do you need a footrest? (Are your feet not flat on the floor when the chair is adjusted to the right height for typing?)		



	Yes	No
Is there enough legroom for free movement?		
Are equipment and papers within easy reach?		
Is there enough space on the desk for work?		
Is the mouse or input device suitable?		
Do you take adequate breaks from computer work?		
When using the computer, do you get aches, pains, tingling or pins and needles in the hands, arms, shoulders, neck or back?		
Do the symptoms persist after you have stopped working on the computer?		
Do you regularly suffer from blurred/poor vision, red/sore/dry eyes or headaches while using the computer?		
If using a laptop, do you need a screen, keyboard, mouse or docking station?		
Do you need a rucksack or trolley bag to transport the laptop?		
My home area is secure. My workstation and confidential LVJB files will be stored securely when not in use.		
If we are unable to personally assess your working environment can you supply a photograph or plan of your work area showing the location of the workstation and where the windows, doors and sockets are?		
<b>7. Policy</b>		
Have you read and understood our policy and safe working procedures relating to remote working?		

Please comment where you have ticked "No" to the questions above or where you have any concerns about your working conditions or any other health and safety concerns?

Please detail the action that is to be taken, if any, to address any issues highlighted in the assessment

All LVJB Health & Safety policies apply equally when working from home, these can be found at. <http://intranet/sites/Intranet/human-resources/policies-procedures>

Further information on Homeworking can be found on the HSE website <https://www.hse.gov.uk/toolbox/workers/home.htm>

**Employee's Name:** .....

**Employee's Signature:** .....

**Date:**.....

**Line Manager's Name:** .....

**Line Manager's Signature:** .....

**Date:**.....

## Appendix 4

### AGREEING A HOMEWORKING ARRANGEMENT

#### 1. Health and Safety

The hours to be worked at home must be agreed formally and must comply with the employee's contractual hours of work.

Under the Health and Safety at Work Act, employees working at home are required to take reasonable care of their own health and safety, to comply with all aspects of the LVJB Health and Safety policy.

#### 2. Work related stress

Employees need to be aware of time management issues and social isolation. It's important to maintain good communications systems and formal means of contact with their line manager and colleagues to avoid feelings of isolation.

For further details go to the LVJB stress policies

#### 3. Accidents / Near Misses at work

Employees who sustain an injury or have an accident while working from home are required to follow LVJB procedures for reporting such incidents.

#### 4. Personal Details and Safety

Employees are advised not to reveal their home address and telephone number to other individuals. If a postal address needs to be given out, it should be that of the LVJB at 17A South Gyle Crescent, Edinburgh, EH12 9FL. Arrangements should be made for the collection/forwarding of post. Only office mobile telephone numbers or an LVJB telephone number should be given out. Arrangements can be made to divert telephone calls from a LVJB extension to the home-workers office mobile number. Other arrangements to mask outgoing calls via an LVJB extension can also be put in place. Home-workers are advised that they must not meet agents or members of the public at

home. Suitable arrangements for meetings should be discussed with the line manager. In addition, personal email accounts should not be used for business purposes.

For employees working permanently at home they may need to admit authorised visitors to their home for the following reasons:

- Inspection of working arrangements and equipment for health and safety reasons;
- Delivery and installation of equipment and furniture;
- Repairing and servicing of LVJB equipment;
- Meeting with the line manager.

All visitors will give reasonable advance notice and carry proper identification which should be asked for before admitting them.

Further information is available from the Health & Safety Executive:

## **5. Information Services Equipment and Resources**

Employees must comply fully with the LVJB Information & Technology Management and Security Policy, which provides guidance on the security of electronic information systems.

## Appendix 5

### Data Protection, Freedom of Information and Records Management Guidance

This Appendix gives general guidance to all LVJB employees who work at, or from, home on an occasional, regular or permanent basis to ensure that:-

- any LVJB work or data is protected from loss, unauthorised access and/or exploitation;
- the LVJB can comply with its obligations under the Freedom of Information (Scotland) Act 2002 (FOISA) and the Data Protection Act 2018 in respect of records and any requests that may be received under either Act.

This guidance applies to:

- any employee undertaking work at home; and
- information in all formats, including paper files, electronic data on PCs, or downloaded to physical devices e.g. CDs, DVDs & USB sticks and emails.

### Compliance with DPA and FOISA

Both Acts:

- apply to any information which is created and received as part of the employee's employment or research with the LVJB, regardless of where they work and store that information;
- confer rights to request records from the LVJB;
- have deadlines by which the LVJB must respond to these requests; the LVJB must therefore know what information is held and be able to retrieve that information when key employees are out of the office on leave or sickness absence
- require appropriate records retention practices;
- impose financial penalties and other sanctions for non-compliance.

FOISA also imposes obligations on the LVJB under a statutory Code of Practice to maintain good records management practices and this includes records created and/or held at home.

### Interaction between DPA and FOISA for homeworking purposes

	DATA PROTECTION ACT 2018	FOI (Scotland) ACT 2002
<b>Geographical coverage</b>	UK	Scotland
<b>Applies to</b>	All organisations	Scottish public authorities only – estimated to be 10,000
<b>Scope</b>	Covers the processing by the LVJB of personal data about living individuals. Individuals have the right to request access to their personal data held by the LVJB.	Covers information we hold i.e. create or receive in our activities as a public sector body. Individuals or organisations have a general right of access to information from public bodies.
<b>Timescales for requests responses</b>	One calendar month	20 working days
<b>Record Retention</b>	No longer than is necessary. See relevant LVJB records retention schedule.	Defined periods according to the relevant LVJB records retention schedule
<b>Storage of records</b>	<b>Manual:</b> secure storage i.e. locked filing cabinet/desk. <b>Electronic:</b> encryption recommended; use personal “H” drives and restrict access to any shared networks	Do <b>not</b> store the master record at home as this means no-one else can gain access to it. Update and back up records to LVJB systems regularly in case of accidental loss or computer malfunction

### Risks, potential consequences and mitigating actions

The key risks are accidental/unauthorised loss, access to and/or amendment of LVJB records. These events can occur as a result of:-

- leaving confidential or sensitive records in household areas where they may be seen by household members or visitors;
- a crime e.g. theft of a briefcase or burglary at home;
- accidental loss e.g. mislaying papers, laptops and other physical devices on the journey to and from home;
- inadvertent disclosure through e.g. working whilst travelling on a train/bus/plane.

In addition, unless you work directly from/to a LVJB server via a virtual private network, electronic information is vulnerable to loss, unauthorised access or amendment through:

- loss or damage to the PC or storage medium on which the record is held;
- accidental access by household members if records are stored on a home PC or other storage medium without adequate protection;
- remote access by e.g. someone hacking into their system whilst a PC is switched on and/or connected to the internet.

Potential consequences of any of the above could include damage:-

- to their and/or colleagues' work;
- to their or the LVJB's reputation;
- to collaborative partnerships/relationships caused by inappropriate release of information;
- which could lead to enforcement orders or fines being imposed under DPA and FOISA or legal action being taken against you or the LVJB.

### Assessing the risks

Use this risk matrix to help you assess the risks:

Risk	High	Medium	Low	Very low
How serious would the consequences be for unauthorised access?				
How likely is it that someone could gain access?				
What is the cost of any security measures?				

Consider the risks with reference to the types of records you are creating or working on, e.g. if the consequences:

- of unauthorised access were very low, then low cost security measures would be appropriate;
- are high e.g. in the case of sensitive personal or LVJB data, medical information, data which has a strong duty of confidentiality or the disclosure of which may be legally forbidden and the cost of the security measures is also high, then you must consider whether you should be working on that information at home.

Conversely, if information is highly sensitive but the necessary security precautions are simple to apply and low in cost then you may consider it permissible to work on that information at home.

### **Mitigating actions by employees**

You should:-

- Ensure your homeworking environment enables you to comply with the security and records management aspects of creating, holding and working on LVJB records; Use the LVJB's software for encryption of data and emails where appropriate both at home and on any laptops and other physical devices;
- Adhere to all Information Services policies and guidance for working remotely from home
- Not use personal email accounts for LVJB business.
- Note that records contained in private email accounts may be disclosable in certain circumstances under Freedom of Information legislation;
- Not dispose of paper records containing personal data in your domestic waste. These records must be brought back to the LVJB and destroyed in accordance with LVJB guidance;
- Ensure that all work files and records have been deleted from your home PC before you sell or otherwise dispose of it. In extreme cases e.g. where highly sensitive data or research records you would want to protect are concerned, then you may need to consider whether the hard drive should be destroyed.