



Moorlands Schools Federation

Working from Home and Overtime Policy

Date adopted: March 2021

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Statement of intent

As part of our flexible working hours scheme, [Moorlands Schools Federation](#) 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.

The school appreciates that staff may be tempted to work longer hours if they work from home; however, the school's policy on paid overtime will be outlined in the employees' contracts.

Any work completed outside ordinary working hours, [8:30-3:30pm](#), will be considered as overtime and not part of lone working.

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.

For the purpose of this policy the terms 'staff' and 'employees' have been used to refer to all staff to which this policy applies – specific terms, such as 'teachers' and 'support staff' are used where provision only applies to the said group.

Signed by:

_____ Headteacher

Date: _____

_____ Chair of governors

Date: _____

1. [Updated] 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
 - The Management of Health and Safety at Work Regulations 1999
 - Equality Act 2010
 - The General Data Protection Regulation (GDPR)
 - Data Protection Act 2018
 - **[New]** NJC (2019) Local government terms and conditions (Green book)
- 1.1. This policy also has due regard to the following policies:
- [Data Protection Policy](#)
 - [Staff Attendance Management Policy](#)
 - [Disciplinary Policy and Procedure](#)
 - [Data Handling Policy](#)
 - [Privacy Notice for Pupils and Their Families](#)
 - [Lone Worker Policy](#)
 - [Records Management Policy](#)

2. Working overtime

- 2.1. All staff will be remunerated in accordance with their contract for any overtime worked.
- 2.2. Teachers will be paid for working their allotted 1265 hours per academic year.
- 2.3. These hours relate to, but are not limited to, the following:
- Classroom teaching
 - PPA
 - Meetings
 - Marking and assessment
 - Lone working
- 2.4. Any teacher who exceeds the 1265 hours will not be paid for their additional work, with the exception of staff attending extracurricular trips and activities.
- 2.5. Stipulations of paid overtime will be outlined in employees' contracts.
- 2.6. Staff will work overtime at their own liberty; they do not need to request permission, but they cannot log it as working hours.
- 2.7. If staff choose to work overtime, they will continue to adhere to their duties, with particular regard to safeguarding, health and safety and data protection.
- 2.8. Any provision for support staff pay will be made in line with the 'Local government terms and conditions (Green book)'.

3. Working from home

- 3.1. For the purpose of this policy, working from home is understood to be lone working; employees work by themselves without close or direct supervision.
- 3.2. This policy will be implemented alongside the school's [Lone Worker Policy](#).
- 3.3. The school has a duty to assess and advise of the risks associated with home working for employees and ensure that the environments are safe for working practice.
- 3.4. Employees have a duty to take reasonable care of themselves when lone working, as well as any other people affected by their work.
- 3.5. Staff working from home will work ordinary working hours, which are [8.30-3.30](#) – any work completed outside of this time will be considered as overtime and will be dealt with in accordance with the employees' contracts.
- 3.6. The school will ensure staff have the right equipment to be able to perform their role from home, including:
 - The supply of a telephone and/or broadband line, for the exclusive purpose of conducting work related to the school.
 - Relevant IT equipment, including PC or laptops.
 - Furniture, including desk, chair or lockable drawers.
 - A mobile phone where appropriate.
 - Consumables, such as printer paper and ink, and stationery.
- 3.7. Staff will not use items purchased for home working for personal use, except fixtures and fittings already in situ and unlimited broadband.
- 3.8. Staff can, where required, use personal items for working from home, provided that it meets health and safety requirements.
- 3.9. The school will reimburse expenses at their own discretion and any agreed expenses will be agreed at the start of the home working agreement with staff.
- 3.10. The school will complete a risk assessment for staff working from home to ensure their working environment is fit for purpose and suitable for their needs.
- 3.11. The school will ensure support staff have the right equipment to be able to perform their role from home.

4. Principles

4.1. 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. stationery.
- A substitute for the care of dependants, e.g. children.

5. Roles and responsibilities

5.1. 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 local [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.

5.2. 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 collaboration 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.

5.3. The **DPO** (Data Protection Officer) is responsible for:

- Ensuring all laptops used for work have sophisticated anti-virus software and 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, are able to efficiently recover lost data and have sophisticated cyber security.
- Ensuring all members of staff working from home adhere to this policy.

5.4. **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.

6. Equipment

- 6.1. 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.
- 6.2. 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.
- 6.3. Staff members may use school equipment for home working purposes where this is already provided by the school, e.g. school laptops.
- 6.4. Any defects on school equipment used for home working will be reported to the **ICT technician** for repair.
- 6.5. Staff members will be required to use their own equipment and take reasonable steps to maintain this equipment to ensure that it is in good working order.

- 6.6. Staff members will be responsible for ensuring that they have suitable telephone and broadband available, and for contacting their provider in the event of any technical issues.
- 6.7. Laptops or computers used for work will be protected by anti-virus software and malware protection – these systems will be checked on a weekly basis by the user.
- 6.8. The ICT technician will not be responsible for providing ICT support to equipment owned by staff members

7. Data protection

- 7.1. Staff members will adhere to the GDPR's security principle when working remotely.
- 7.2. The DPO will be responsible for ensuring that all staff members adhere to the school's Data Protection Policy when working from home.
- 7.3. Staff receive annual training regarding what to do if a data protection issue arises.
- 7.4. Wherever possible, personal data will not be taken home by staff members for the purposes of home working, due to the risk of data being lost or the occurrence of a data breach.
- 7.5. The school will update its privacy notices to cover any use of data whilst staff are working from home.
- 7.6. Privacy notices will be distributed to individuals and written in a clear, concise manner.
- 7.7. If any unauthorised person has access to data, this is considered a data breach.
- 7.8. Any breach of confidentiality will be dealt with in accordance with the school's Disciplinary Policy.

Data usage and sharing

- 7.9. Sensitive personal data is encrypted and only transferred to a home device if this is necessary for the member of staff to carry out their role.
- 7.10. Staff members who require access to personal data to enable them to work from home 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 anti-virus software.
- 7.11. Any data that is shared via email between colleagues will only be sent if it is necessary for the member of staff to carry out their role.
- 7.12. When sending confidential information by fax, staff will always check that the recipient is correct before sending.

Data collection

- 7.13. Data collected during home working, such as test scores or information about the personal circumstances of pupils, will be processed and stored in line with the school's [Data Protection Policy](#).
- 7.14. Data will only be collected during home working if it is necessary for the member of staff to carry out their role.
- 7.15. Staff will not collect unnecessary data while working at home if it can be done whilst the member of staff is in school at a later date.
- 7.16. Any data collected will only be kept for as long as it is required for the purposes it was collected for.

Data handling

- 7.17. Data is handled in line with the school's [Data Handling Policy](#).

Data security

- 7.18. Any data transferred from a work to a home device will be encrypted or pseudonymised so that if any data is lost, stolen or subject to unauthorised access, it will remain safe until it can be recovered.
- 7.19. To ensure reasonable precautions are taken when managing data, staff will avoid doing the following things:
 - Keeping personal data on an unencrypted external hard drives and storage media
 - Sending work emails to and from personal email addresses
 - Leaving files unattended in their vehicles
 - Using a home device where other family members can access personal data
 - Bringing a work device home that has data on an unencrypted hard drive
 - Using an unsecured WiFi network at home to access data
- 7.20. Personal laptops or computers used for home working will be assessed by the [ICT technician](#) prior to home working 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

- 7.21. Home laptops and computers will be checked by the [ICT technician](#) prior to being taken home to ensure the devices have the functionality to recover any data that could be lost, stolen or subject to unauthorised access.
- 7.22. Before any device is used for home working, it will be sent to the [ICT technician](#) for a 'stress test' where the security systems will be assessed, evaluated and checked for regularity.
- 7.23. Staff members will adhere to the procedures outlined in the school's [Data Protection Policy](#) when transporting school equipment and data.
- 7.24. Employees will be given school-owned devices, where possible, to ensure data is encrypted and devices have the correct software installed.
- 7.25. Staff working from home will be encouraged to go paperless, where possible, as paper files cannot be protected digitally and may end up misplaced.
- 7.26. If the use of paper is unavoidable, the school requires employees to store paper copies of personal data in a lockable container, such as a filing cabinet, in a secure location within the home.
- 7.27. If sensitive data is taken off the school premises to allow staff to work from home, it will be transported in a lockable bag or container.

Confidentiality

- 7.28. Members of staff will ensure the confidentiality, integrity and availability of their device systems at all times.
- 7.29. No personal data will be shared between staff and pupils via email.
- 7.30. When emailing parents or pupils, the BCC function will be used to protect the email addresses of others.
- 7.31. 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](#).
- 7.32. Staff will be informed that if an unauthorised person enters the room whilst the member of staff is accessing data, the device in use should be locked immediately.
- 7.33. Staff will be informed that if they leave the room whilst an unauthorised person is in the room, the device in use should be locked or taken with them.
- 7.34. The [ICT technicians](#) locks volumes on the cloud or VPN service the school uses so that files cannot be saved to local drives.
- 7.35. Devices will automatically lock after [five minutes](#) of inactivity to avoid an unauthorised person gaining access to the device.

7.36. Staff will not verbally disclose personal data over the phone in the presence of an unauthorised person.

Data removal

7.37. Data will not be kept for longer than is necessary.

7.38. Unrequired digital data will be deleted as soon as practicable.

7.39. Any paper copies of data which are no longer required will be disposed of safely or shredded.

8. Application for working from home

8.1. 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.

8.2. 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 being made should be treated as that for a reasonable adjustment resulting from a disability or impairment

8.3. The headteacher will arrange a meeting with staff members as soon as possible after receiving the application form, within a maximum of 28 days.

8.4. 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.

8.5. Staff members will be informed of their right to be accompanied by a work colleague or trade union representative at the meeting.

8.6. Following the meeting, the headteacher will discuss the outcomes with the local governing board, and staff members will be informed of the final decision in writing as soon as possible, within a maximum of 14 days.

8.7. 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.

8.8. 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.

- 8.9. 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.
- 8.10. Staff members have no further right to appeal following the decision of the appeals committee; they will be informed of this in writing.

9. Assessing risks

- 9.1. 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.
- 9.2. 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.
- 9.3. 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.
- 9.4. Risk assessments will be reviewed annually, or when there has been a significant change in working practice.
- 9.5. All documentation of risk assessments will be kept for as long as it is required and disposed of securely after the retention period outlined in the school's Records Management Policy.
- 9.6. 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.

10. Costs and expenses

- 10.1. The school will not contribute to any household expenses incurred whilst performing home working duties, e.g. heating, lighting or council tax.
- 10.2. The school will not reimburse any costs for travel between staff members' homes and the school premises.
- 10.3. If a staff member is provided with a school device, 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.

11. Communication

- 11.1. All staff members working from home will be contactable throughout normal working hours by the headteacher or other work colleagues.

- 11.2. Arrangements for contact will be agreed prior to commencing home working, which usually involves regular contact with the [headteacher](#) to monitor working practices.
- 11.3. A staff member's phone number and home address will not be shared with others without their permission.
- 11.4. 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.
- 11.5. 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.
- 11.6. 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.
- 11.7. 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.
- 11.8. The [headteacher](#) may request that staff members attend the school on any normal working day, e.g. to provide sickness cover, to attend meetings.
- 11.9. 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 Policy](#) and will inform the [headteacher](#) of their absence by [7:00am](#).
- 11.10. 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.
- 11.11. 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.

12. Insurance

- 12.1. The school holds liability insurance that provides cover for the legal liabilities of the school and its employees.
- 12.2. 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.
- 12.3. Staff members are advised to ensure that they have their own domestic insurance policies in place for household contents and buildings.

13. Monitoring and review

- 13.1. This policy will be reviewed annually by the headteacher.
- 13.2. Any changes to this policy will be communicated to all members of staff.
- 13.3. The next review date for this policy is January 2022.