



Cliffe and Cliffe Woods Parish Council
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HOME WORKING POLICY

Statement of Policy

A large proportion of Clerks to Councils work from their own homes. This results in a number of points, which need to be addressed, in terms of the employers (and employees) responsibilities. Cliffe and Cliffe Woods Parish Council will comply with the requirement in law (Employment Rights Act 1996) in that every employee (whether working at home or not) should be provided with a written Statement of the Terms and Conditions of their Employment, within two months of taking up their post.

HMRC regulations do not recognise Clerks to Councils being self-employed (All are Schedule E employees as Office Holders under the LGA 1972) and the Council will not place any reliance on the liability for insurance and other matters devolving on to the Clerks to the Council solely in their capacity as a homeowner/private citizen. The fact that a Clerk to the Council does not occupy official premises likewise does not alter the legal obligations of the employer Council toward a home-based employee.

The Clerks shall not subsidise the work of the employer and proper remuneration by salary shall be paid according to the signed and agreed contract. Annual pay increases and reimbursement of all agreed expenses should be made in full, in line with The National Agreement on pay and conditions of service of the National Joint Council for Local Government Services (the Green Book) which applies to the Clerk's employment, as the National Agreement on pay.

Employment Conditions

Employees working from home benefit from the same rights as comparable workers based at an employer's premises. In the circumstances of being a home-based worker specific additional agreements are built into the contract of employment as supplementary clauses and within the Job Description.

- Hours of work
- Agreement on attendance at meetings and on-site meetings and expenses
- Details of Line Management
- Claims procedure for expenses
- Allowance payments – amount and frequency of payment
- Home allowance for business rates, heating, lighting, wear and tear
- Provision of equipment by the employer – The Council will provide a dedicated computer and will pay for all necessary computer software or upgrades required to fulfil the duties required by the Council
- Equipment and data security procedures including remote storage

- The Council agrees to fully indemnify the Clerks to the Council for both Employers and Public Liability
- Insurance for working from their own premises or any additional premium required by the Clerks to the Council's own insurance.

Data Protection

The Council will be registered under the Data Protection Act 1998 and the General Data Protection Regulations (GDPR) which came into effect in 2018. The responsibility is for the processing and storage of data electronically or in written format. The principles set out in the Act and regulations must be applied, i.e. that data is processed lawfully, is accurate, relevant, not excessive and is kept up to date.

Data Access

The Clerks to the Parish Council will ensure that other household members do not have access to personal data as defined in the Data Protection Act 1998. Appropriate security measures must be considered and put in place to satisfy the requirements of the Act. This extends to security of electronic files, paper documents, disposal of confidential waste and the locking of the home/office computer. Passwords should be known to the Clerk only and a copy of all key passwords should be contained in a sealed envelope, which will be held by the Chair of Council, for opening in an emergency only. The list of passwords held by the Chair will be reviewed and updated if appropriate by the Clerk P/O on an annual basis. The Council should ensure that they provide the latest anti-virus software to protect information.

Privacy

Cliffe and Cliffe Woods Parish Council respects the privacy of the employee. Employees working from home have a right to privacy and should be able to separate their working and private lives. The Work Life Balance Standards apply equally to the office and home-based employee. If a Councillor or somebody else needs to contact a Clerk, during a time that they may not be working, they should email the Clerk requesting that they contact them, when they read the message and are available to do so. Home visits should be arranged in advance at times acceptable to the employee.

Equipment

All questions concerning work equipment, liability and costs must be openly and transparently defined before the contract is agreed. Cliffe and Cliffe Woods Parish Council will provide such equipment as is necessary to carry out the functions of the work and also the regular maintenance of such equipment. If the Council makes use of the home-based workers own equipment then a proper schedule of compensation to cover costs, wear and tear and depreciation must be agreed before the contract is signed. The Council is responsible for supplying whatever technical support is necessary and for upgrading equipment in line with their requirement in the job function. The home-based worker must undertake to take good care of the equipment and not to abuse its use in any way, particularly in respect of the collection or distribution of illegal material via the internet. At the end of their employment, employees must return equipment supplied promptly and in good condition.

Health and Safety

Employers have general duties under the Health & Safety legislation for all their employees. This applies whether the work is carried out in office premises or remotely. The general duty is qualified by the principle of as far as is reasonably practicable. Employees also have a responsibility to take reasonable care of their own health and safety and the health and safety

of others who may be affected by what they do. For the home-based worker this is likely to include visitors to the 'office', family, friends etc. It is the employees' responsibility to report all employment related hazards related to their own or others' health.

Employers are required to carry out a suitable and sufficient Risk Assessment of all work activity under the Management of Health and Safety at Work Regulations 1992. This includes those that work from home.

Employers have a duty to report and keep a record of certain accidents, injuries, diseases and dangerous occurrences. There is also a duty under social security legislation to record accidents involving personal injury (the Statutory Accident Book requirement).

Personal Security

The personal safety of the home-based worker is of particular relevance in the case of Clerks to Councils. There is a requirement for access to the Proper Officer by any member of the Electorate. Clearly the risk assessment must acknowledge that this is in the high category. In general any meeting to look at documents should be by appointment only and should be arranged in a public building meeting room.

Organisation of Work

Home-based working taking place as it does in isolation from a workplace and immediate colleagues can impose particular stress on the individual. The Council will seek to ensure that this aspect is fully discussed and understood at the selection stage of recruitment to the post. As the workload and performance standards of the home-based worker are equivalent to those of comparable Clerks to Councils' in office based premises the arrangement should acknowledge the need of the home-based worker to be 'kept in the loop'. A mechanism for the delivery of feedback on performance is a core responsibility of the employer. Regular meeting should take place with the Chair or Line Manager to discuss work progress, issues etc. The Chair or Line Manager are also approachable by 'phone and email.

The Council will ensure measures are in place preventing the home-based Clerk to the Council from being isolated from the rest of his/her professional community and should ensure that the means are in place as part of the job description for such contact to take place, i.e. Membership of the professional body the Society of Local Council Clerks; attendance at county meetings of Clerks to Councils', attendance at relevant training sessions provided by the Society or county association of NALC, attendance at the annual conference of the Society, etc.

Training

A home-based worker has the same rights to training as any other worker. A newly appointed, home-based Clerk to the Council will not have the advantage of office based colleagues of access to an immediate knowledge base. The learning curve for the home working Clerk should therefore be anticipated to be longer than that of a comparable office based colleague. The Council will therefore ensure that the Clerk to the Council is given the opportunity to gain recognised competence in the job by attending relevant training courses.

Taxation

Home-based employees will incur certain expenditure in the performance of their duties at home, such as additional heating and electricity costs. The Council will pay an agreed sum to take into account the use of space, lighting, heating and electricity due to working from

their private premises. The amount will be reviewed on an annual basis and if appropriate increased to reflect any price/inflation increases.

This policy was agreed by the Parish Council at their meeting on 19/3/2026