



# The Aspire Educational Trust

## Working from Home and Overtime Policy

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## Statement of intent

As part of our flexible working hours scheme, The Aspire Educational Trust 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.

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 applies to all AET staff, including home-based employees and also includes guidelines for costs, equipment, insurance and data protection.

Signed by:

\_\_\_\_\_ CEO

Date:

\_\_\_\_\_

\_\_\_\_\_ Trustee

Date:

\_\_\_\_\_

## **1. 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

1.1. This policy also has due regard to the following policies:

- Data Protection GDPR Policy
- Supporting Attendance Policy
- Disciplinary Policy
- Privacy Notice for Pupils and Their Families
- Lone Workers Policy
- Data and e-Security Breach Prevention Policy
- Records Management policy

## **2. Working overtime**

2.1. Teachers will be paid for working their allotted 1265 hours per academic year.

2.2. These hours relate to, but are not limited to, the following:

- Classroom teaching
- PPA
- Meetings
- Marking and assessment
- Lone working

2.3. Any teacher who exceeds the 1265 hours will not be paid for their additional work.

2.4. Stipulations of paid overtime will be outlined in employees' contracts.

2.5. Staff will work overtime at their own liberty; they do not need to request permission, but they cannot log it as working hours.

2.6. 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.

## **3. Lone working**

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 Trust's Lone Workers Policy.

- 3.3. The school has a duty to assess and advise of the risks associated with lone 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, – any work completed outside of their agreed normal working hours will be considered as overtime and will be dealt with in accordance with the employees' contracts.

## **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 Principal/Manager.
  - 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 Principal/Manager 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.
  - Ensuring they have the resources necessary to action the procedures in this policy.
  - Reviewing the effectiveness of this policy regularly and communicating any changes to all members of staff.
- 5.2. The person responsible for health and safety 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 Principal/Manager.
  - 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 is responsible for monitoring the following:

- Ensuring the principal of each school has arranged for all laptops used for work to have;
  - sophisticated anti-virus software
  - malware protection
  - firewall
  - up to date Operating System
  - strong passwords
  - Storage Encryption
- Ensuring all data that is transferred using the internet, e.g. via email, is done so using the secure email egress.
- Ensuring all staff are aware of the data protection principles outlined in the Data Protection GDPR Policy.
- Ensuring laptops used for lone working are resilient, are able to efficiently recover lost data.
- Ensuring all members of staff working from home adhere to this policy.

5.4. Staff members are responsible for:

- Agreeing with the Principal/Manager, 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 Principal/Manager or dedicated person responsible for Health and Safety, and asking for guidance as appropriate.
- Checking their anti-virus software panda or shield icon on a regular basis to ensure that it is working correctly. If not, they should report immediately.
- 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 Principal/Manager.
- Ensuring that they do not arrange any meetings with parents or other members of the public when working from home unless this is agreed with the Principal/Manager and using the secure virtual meeting websites or apps agreed by the DPO.

## 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. Staff members may use school equipment for home working purposes where this is already provided by the school, e.g. school laptops.
- 6.3. 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.
- 6.4. 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.
- 6.5. Laptops or computers used for work will be protected by the following minimum cyber security elements;
  - sophisticated anti-virus software
  - malware protection
  - firewall
  - up to date operating system
  - strong passwords
  - storage encryption

which staff members should check for updates.

## **7. Data protection**

- 7.1. Staff members will adhere to the GDPR's security principle when working remotely.
- 7.2. The DPO will monitor that all staff members are managed and guided to adhere to the AET's Data Protection GDPR Policy when working from home.
- 7.3. 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. If it is necessary to take home personal data, this should be encrypted either on the hard drive or encrypted USB.
- 7.4. If any unauthorised person has access to data, this is considered a data breach. All breaches must be reported immediately to the DPO.
- 7.5. 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 Principal/Manager, and it will be ensured that the appropriate security measures are in place by the DPO

- sophisticated anti-virus software
- malware protection
- firewall
- up to date Operating System
- strong passwords
- Storage Encryption

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 and through secure email egress.

#### **Data collection**

7.12. Personal data processed during home working, such as test scores or information about the personal circumstances of pupils, will be processed and stored in line with the AET's Data Protection GDPR Policy.

7.13. Personal data will only be processed during home working if it is necessary for the member of staff to carry out their role.

7.14. Staff will not process unnecessary data while working at home if it can be done whilst the member of staff is in school at a later date.

7.15. Any data processed will only be kept for as long as it is required for the purposes it was collected for and in line with the data retention as detailed in the Records Management Policy.

#### **Data handling**

7.16. Data is handled in line with the AET's Data Protection GDPR 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 and devices 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. Staff working from home will be encouraged to go paperless, where possible, as paper files cannot be protected digitally and may end up misplaced.
- 7.21. If the use of paper is unavoidable, the school requires employees to store paper copies of personal data in a secure place, preferably a lockable container, such as a filing cabinet, in a secure location within the home.
- 7.22. 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. If it is necessary for personal data to be shared between staff, this should be through encrypted e-mail only eg Egress.
- 7.30. 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 Principal/Manager in line with the Disciplinary Policy. School devices must have a locked screen on a short time frame eg at most 5 minutes.
- 7.31. 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.
- 7.32. 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.
- 7.33. Staff will not verbally disclose personal data over the phone in the presence of an unauthorised person.

### **Data removal**

- 7.34. Data will not be kept for longer than is necessary.
- 7.35. Unrequired digital data will be deleted as soon as practicable.
- 7.36. Any paper copies of data which are no longer required will be disposed of safely or shredded in line with the Records Management Policy.

## **8. Assessing risks**

- 8.1. 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. Costs and expenses**

- 9.1. The school will not contribute to any household expenses incurred whilst performing home working duties, e.g. heating, lighting or council tax.
- 9.2. The school will not reimburse any costs for travel between staff members' homes and the school premises.

## **10. Communication**

- 10.1. All staff members working from home will be contactable throughout normal working hours by the principal/manager or other work colleagues.
- 10.2. Arrangements for contact will be agreed prior to commencing home working, which usually involves regular contact with the principal/manager to monitor working practices.
- 10.3. A staff member's phone number and home address will not be shared to others without their permission.
- 10.4. 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.
- 10.5. 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 or agreed virtual meetings to maintain professionalism and safety. Please see latest update regarding AET approved guidance.
- 10.6. 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.
- 10.7. The principal/manager may request that staff members attend the school on any normal working day, e.g. to provide sickness cover, to attend meetings.
- 10.8. 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 Supporting attendance procedure and will inform the Principal/Manager of their absence by 8:00am.
- 10.9. If any incidents or near-misses occur in a staff member's home, they are required to report these to the Principal/Manager or dedicated person responsible for Health and Safety immediately so that appropriate action can be taken.
- 10.10. A meeting will be held with the Principal/manager and health and safety person following any incident and, if necessary, a risk assessment of the staff member's home will be conducted.

## **11. Insurance**

- 11.1. The school holds liability insurance that provides cover for the legal liabilities of the school and its employees.
- 11.2. 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.
- 11.3. Staff members are advised to ensure that they have their own domestic insurance policies in places for household contents and buildings.

## **12. Monitoring and review**

- 12.1. This policy will be reviewed annually by the Trust.
- 12.2. Any changes to this policy will be communicated to all members of staff.

## **Further guidance and optional training**

<https://www.ihasco.co.uk/courses/detail/health-and-safety-for-homeworkers>

<https://www.britsafe.org/about-us/press-releases/2020/free-training-courses-to-help-you-stay-safe-working-from-home-during-coronavirus/>

<https://www.youtube.com/watch?v=YT9geyiJso4&t=17s>

<https://www.ncsc.gov.uk/guidance/home-working>