



General Purposes Committee
1 November 2023

**Report from the Corporate Director
of Governance**

Flexible Working Arrangements Review

Wards Affected:	None
Key or Non-Key Decision:	Non-key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
List of Appendices:	Two Appendix 1: Revised Flexible Working Policy Appendix 2: Equalities Impact Assessment
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Sue Evans Interim Director of HR and OD 020 8937 1811 sue.evans@brent.gov.uk

1.0 Executive Summary

1.1 This report covers the refreshed Flexible Working Policy which reflects the proposed changes to the borough/office attendance requirements from 1 January 2024 and 1 April 2024.

2.0 Recommendation(s)

2.1 To note the Revised Flexible Working Policy in Appendix 1.

2.2 To agree the Equalities Impact Assessment in Appendix 2.

3.0 Contribution to Borough Plan Priorities & Strategic Context

3.1 The proposed changes to the Flexible Working Policy will support the implementation of the Brent Workforce Strategy – 2022-25 and other workforce related policies, to support delivery of the Borough Plan 2023-27 by enabling increased and more effective collaborative working and innovation and strengthening the relationship between staff and the borough which they serve.

4. Background

- 4.1 The council is committed to flexible working and has a currently agreed working pattern for office attendance based on 1 day per week for most staff and 3 days for senior staff. This refers to working in the Civic Centre or elsewhere in the borough other than at home. It is now considered appropriate to review these arrangements and to ensure that, as a public service focused on meeting the needs of local people, the council is accessible and best placed to deliver effective local services.
- 4.2 The way in which we deliver services is changing. An increasing use of technology for efficiency, a move to self-service, a greater emphasis on outcomes, performance management and productivity, together with the changing needs and demands of the people we serve and the people who serve, require a fundamentally different approach to working.
- 4.3 The Council is committed to encouraging a culture of flexible working that benefits both staff and customers and recognises its positive impact on wellbeing, commitment, engagement, and outcomes.
- 4.4 That said, the services we provide are local and therefore based in the borough and at the Civic Centre, so maintaining a presence is important for our residents. Understanding our place and the communities that we serve are critical if we are to deliver the services that best meet their needs and deliver the political priorities of the administration. This understanding can best be derived from being in that place and amongst those communities.
- 4.5 Regular working together is also important for creativity and cohesion in teams and career development, especially for those early in their careers.
- 4.6 It is proposed that the minimum requirement for working in the borough/office is 2 days per week for all staff from 1 January 2024 (with senior managers remaining at 3 days). From 1 April, it is proposed that this increases to 3 days in the borough/office, where at least one of these days should be a Monday or a Friday. This will help us make best use of space.
- 4.7 3 days has been identified as the optimum for office presence in a recent study by IPSOS, Karian & Box "The Case for the Office" which provides some independent assurance that the proposed changes to the policy are the right approach.
- 4.8 The increased demand for workstations and meeting spaces will require reinstatement of office accommodation in the Civic Centre previously earmarked for rental (see section 6 below).

5.0 Communications plan

- 5.1 It will be important to ensure that the changes to the requirements for working in the office/borough are well communicated to staff and that managers understand and are able to communicate the new policy.

- 5.2 A programme of face to face and written briefings for managers and staff has therefore been put in place. In addition, the adoption of the refreshed policy, if agreed by the committee, will coincide with a series of Forward Together sessions for all staff which will provide an opportunity for staff to ask questions about the changes.
- 5.3 In addition, a detailed employee survey is planned to go live from mid-November which will provide a further opportunity for employee feedback.

6.0 FM and IT considerations

- 6.1 To accommodate the three-day requirement of working in the office/borough, approximately 1,500 desks are likely to be required in the Civic Centre. To meet this requirement, an additional 250 desks would need to be brought into operation. This would mean that the 1st Floor West wing and the 7th floor north wing, which were recently vacated as part of the Civic Centre restack, would likely need to be reoccupied (230 desks approximately).
- 6.2 An income target of £680K was agreed for the letting out of office space which had been vacated as a result of the restack. This will be reduced to £370k by any additional space that is brought back into use for council staff.
- 6.3 Since the restack, space for equipment such as monitors from the 1st and 7th floors has been used to replace broken stock. As a result, new equipment will need to be purchased before these floors can be occupied. STS is currently auditing available stock but a budget of approximately £60K is estimated to be required.

7.0 Stakeholder consultation and engagement

- 7.1 Consultation with the trade unions has been undertaken throughout. They are content with the changes proposed.

8.0 Financial Considerations

- 8.1 An income target of £680k was agreed for the letting out of office space which had been vacated as a result of the restack of the Civic Centre. This target would be reduced by £370k if the 1st Floor West wing and the 7th floor north wing are needed to accommodate the additional desk capacity.
- 8.2 The letting out of the vacant office space is already posing a significant challenge due to the current economic environment so alternative proposals will have to be sought to cover this proposal or any shortfall in the income target leading from this policy change.

9.0 Legal Considerations

- 9.1 Flexible working is not a legal entitlement. It may form part of an application for Flexible Working which the Council has a duty to consider. The Council may refuse the request for a legitimate reason, however, the Council should bear in

mind the potential of employment tribunal claims for discrimination and/or unfair dismissal. The Council has a good chance of defending these claims where a fair process has been followed.

9.2 The Council's duty of care under the Health and Safety at Work Act 1974 applies to Hybrid workers.

10.0 Equality, Diversity & Inclusion (EDI) Considerations

10.1 The public sector equality duty requires public bodies to pay due regard to the need to:-

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- advance equality of opportunity between people who share a protected characteristic and those who do not;
- foster good relations between people who share a protected characteristic and those who do not.

10.2 The Equality Act 2010 and the Public Sector Equality Duty (outlined above) cover the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation.

10.3 An Equality Assessment has been undertaken in relation to the proposed changes to the policy and is attached as Appendix 2. There must be a proper regard to the duty set out in s.149 and to the Equality Assessment. At the same time, regard must also be paid to countervailing factors which it is proper and reasonable to consider as set out in this report in coming to a decision.

11.0 Climate Change and Environmental Considerations

11.1 Some increase in travel is anticipated where staff are in the Civic Centre more often.

12.0 Human Resources/Property Considerations (if appropriate)

12.1 There will be increased demand for workstations and meeting space. In addition, for some existing and potential staff the requirement to work in the borough/office for 3 days each week may make the council less attractive as an employer.

Report sign off:

Debra Norman
Corporate Director Governance