

Contractual Homeworking Policy

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Policy Summary

1 Purpose

- 1.1 This policy outlines the principles, eligibility, application process, and operational expectations for employees designated as contractual homeworkers—those whose primary workplace is their home, as reflected in their contract of employment.
- 1.2 Contractual Homeworking is considered under this policy, but where the application constitutes a statutory flexible working request, the statutory flexible working process must also be followed. See Working Hours Policy for further information.

2 Scope

- 2.1 This policy applies to Welsh Government (WG) employees whose roles require or justify a contractual home-based working arrangement, either due to the nature of the role or as a workplace adjustment.
- 2.2 All our policies are fully inclusive of all staff regardless of age, marriage and civil partnership (both same sex and opposite sex), pregnancy and maternity, race, religion or belief, sex, sexual orientation, whether they have an impairment or health condition, are neurodivergent or use British Sign Language, their gender identity or gender expression. We acknowledge that the terms ‘gender identity’ and ‘gender expression’ are not protected characteristics as defined by the Equality Act 2010, however, we believe that Government policy which includes provision for those persons who identify within the ‘trans’ umbrella (rather than on the basis of binary gender) is a more inclusive approach and one which ensures the Welsh Ministers are in a position to comply with all their statutory duties related to equality and the promotion of well-being in Wales. If you have any feedback on the inclusivity of this policy, please email EqualityintheWorkplaceTeam@gov.wales.

3 Definition

- 3.1 A contractual homemaker is an employee whose contract specifies their home as their primary workplace. This differs from SmartWorking, which is a flexible, non-contractual arrangement. Welsh Government employees are unlikely to meet the [HMRC definition](#) of ‘homeworker’ and will [not be eligible for tax relief](#).

4 Eligibility

- 4.1 Contractual homeworking is where an employee's contractual work base is at their home. Employees may make a request for contractual home working as part of their [statutory rights](#) for flexible working. Contractual home working is usually suitable where:

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- 4.1.1 permanent home working is the only way to fulfil a role efficiently, for example where the job role takes place at a variety of premises belonging to other organisations.
- 4.1.2 As a reasonable adjustment for employees with impairments and/or health conditions, where the needs cannot be met by SmartWorking provisions. Homeworking as a workplace adjustment may also be agreed via Workplace Passports and SmartWorking without needing to become a contractual homeworker. Workplace Passports must be kept under regular review by line manager and employee to take account of any change in the individual's health or condition along with the needs of the job role. The line manager and employee will review contractual home working arrangements every six months.

5 Application Process

- 5.1 In most cases, contractual homeworker status will be a defined role-specific requirement set by the business area, and there will be no formal application process. However, prior to appointment the recruiting line manager will collaborate with the employee to undertake a risk assessment of the proposed homeworking environment to fulfil the WG's obligations under Health & Safety law. This will entail the employee undertaking an online DSE assessment of their proposed home workstation.
- 5.2 If an employee wishes to apply for contractual home working on the grounds that they need to work from home as a long-term workplace adjustment, it is advisable to consider being referred by their manager or HR Case Adviser to the WG's Occupational Health Service provider as Occupational Health who will advise whether this is medically necessary or whether alternative workplace adjustments can achieve the same outcome. Whilst not obligatory, OH advice can provide additional advice or evidence in support of the contractual homeworking application or other adjustments. This scenario may arise where the employee's requirements cannot be supported by the standard SmartWorking arrangements.
- 5.3 If OH advice is sought and they confirm that homeworking is a necessary adjustment, management should consider whether this can be accommodated via Smart Working arrangements or whether a contractual change is required which must be made in writing (supported by the optional OH advice) to the relevant Director General and the Head of HR Policy.
- 5.4 Employees who wish to request contractual homeworking for any other reason should make that request with any relevant or supporting information as per their statutory right for flexible working.
- 5.5 Employee's may remove their name from their application to the DG and Head of HR Policy if they prefer and submit it via their line manager or Deputy Director. Line managers and DDs can take a view on the level of personal information that is shared when requesting approval. The colleague's name or identifying details about their role can be removed from any application to the DG and Head of HR Policy and the application can be submitted by the line manager or Deputy Director.

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- 5.6 All applications should be made by completing the standard Contractual Homeworking Application Pack. Applications for statutory flexible working should be made in line with the provisions in the Working Hours Policy which is a separate process.

6 Decision-Making

- 6.1 Decisions for the Contractual Homeworking Application referred to in this policy will be made within 8 weeks by the Director General and Head of HR Policy.
- 6.2 If approved, the Shared Service Centre (SSC) will update the employee's contract.
- 6.3 If declined, the employee may appeal to the Director of People and Places, using the appeals template within 8 weeks of the decision.

7 Review and Termination

- 7.1 Employees with new or existing contractual homeworking arrangements will continue to be reviewed informally during check-ins but must be reviewed and agreed between line manager and employee every 6 months.
- 7.2 The contractual homeworker or the WG may give at least 8 weeks' written notice to terminate the contractual homeworking arrangement to their line manager, including reasons for the termination. Where the arrangement is being terminated at the request of the WG, legal advice will be sought prior to any decision being taken and ratified by the Director, HR. The employee will have the right of appeal outlined in paragraph 6.
- 7.3 Employees who request a termination of their contractual homeworking arrangement will revert to SmartWorking or site-specific working and their linked hub will usually become the new designated workplace. Where management can demonstrate an essential business reason for an alternative workplace, they may place the former homeworker at another WG site or office, although this must be within reasonable daily travelling distance of 1 hour from their home by their normal method of travel (usually public transport, walk or cycle, or private vehicle). If the new workplace is not within reasonable daily travel distance of the employee's home, the new working arrangement will be treated as a permanent and compulsory transfer and the employee may qualify for Excess Fares Allowance under the terms of the [Moving to Another Office Policy](#).
- 7.4 Where an employee terminates the agreement, the new working arrangements will be treated as a voluntary transfer and the terms of the Moving to Another Office policy will not apply.
- 7.5 If the reason for terminating the contractual homeworking agreement is because of restructuring, arrangements should be made to give as much notice as possible, with 8 weeks as a minimum. The employee will revert to SmartWorking, or site-specific working and their employment contract will be amended accordingly.

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8 Equipment and Resources

8.1 WG will provide necessary IT and office equipment on a [loan](#) basis.

Employees may request some or all of these items:

- 1 x standard office chair
- 1 x fixed or folding desk
- 1 x standard monitor
- 1 x keyboard
- 1 x mouse
- 1 x footrest
- 1 x laptop riser
- 1 x headset

8.2 Employees are responsible for their own appropriate and suitable IT connectivity to enable them to work from home

8.3A height-adjustable desk or any other items deemed to be necessary workplace adjustments following a health and safety risk assessment / DSE assessment may also be provided on a loan basis. Approval from the Workplace Adjustment Team will be required. If any non-standard software is required, this must be ordered via MyIT. Contractual homeworkers may request additional needed items where the need can be justified.

8.4 Contractual homeworkers are responsible for collecting all equipment required to work from home unless other arrangements have been agreed. Employees should contact their line manager to arrange for the delivery or collection of stationery. All equipment supplied by the WG should be stored appropriately and must be used for official business only. Printers for official use in the home are supplied only by exception. However, all employees can access printing services via one of the options outlined in the [Printing Solutions](#) guidance.

8.5 For furniture returns, line management must contact the Shared Service Centre. Where furniture and equipment have been provided following the advice of OH or the Workplace Adjustments Team, employees should discuss the return or movement of this with those teams.

8.6 All equipment remains WG property and must be returned upon termination of the arrangement or if the employee leaves the organisation. The WG will arrange to collect all furniture and equipment it has provided. The employee must not attempt to move or dismantle furniture or equipment themselves. For all equipment returns, line management must raise a service request [via MyIT](#).

9 Caring Responsibilities and Working from Home

9.1 Working from home can bring benefits to those who are carers and those with school age children. It can enable employees to work around their caring role. However, it is important that employees keep their caring role separate from their work on days when working from home and record their hours accordingly. Employees cannot be the caregiver and work at the same time. For example, if you are providing care for dependents i.e. school pick up or a

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providing a welfare check on a dependant, this should be reflected on your flexi time sheet and not be included in your total hours worked for that day.

- 9.2 Where children or other dependants cannot be left unsupervised, employees must have alternative care arrangements in place. Working from home is not a substitute for childcare or other caregiving. It is expected that employees with caring responsibilities provide information on how they will manage these responsibilities while working at home by completing a [Carer's Passport](#), which will provide valuable information for line managers to recognise and endorse any contractual homeworking application. Employees must also inform their line manager of any changes to their care or domestic arrangements that could affect their agreed working pattern. For a fuller understanding of the support the WG offers for employees with caring responsibilities, including short term or sudden issues, employees and line managers should refer to the [Carer's Policy](#).

10 Office Attendance

- 10.1 A contractual homeworker's working pattern will be in their contract of employment. It is important that when we bring people together, it is for an essential or good business purpose. 'Purpose' should mean doing something collectively that is best achieved face-to-face and may involve attending Cabinet or briefing a Minister in person. Alternatively, it may involve connecting with colleagues as part of an anchor day or problem-solving event that brings different teams together. It could also include face-to-face training or performance check-ins.
- 10.2 While leaders and managers should be able to bring colleagues together for purposeful, in-person meetings and events, they must ensure that all colleagues feel part of the team and can contribute, wherever their working location. Meeting inclusivity is an important part of our organisational commitment to the [social model of disability](#). There may also be occasions when attendance at their hub office, other WG offices/sites or alternative locations becomes necessary, for example in the following scenarios:
- To attend essential or purposeful meetings or training and development activities.
 - To obtain new or replacement IT equipment
 - For resolution of IT incidents that cannot be fixed remotely
- 10.3 Normally these occasions will be agreed in advance but there may be emergency or critical situations when employees will be required to attend and work from a specific location for a set period and/or at short notice. Such situations will be determined by management and, wherever possible, employees will be given notice of any on-going requirement to work from a specific office/site which could impact on the arrangements set out in their contract of employment.
- 10.4 Line managers may arrange from time to time to visit contractual homeworkers at home or a mutually convenient location to discuss work-

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related issues. Any such visits will take place during the working hours set out in the employee's contract and following reasonable notice

11 Travel and Expenses

- 11.1 Contracted homeworkers will be eligible to claim for travel (and subsistence where appropriate) to their linked hub office. Travel to the homeworker's agreed hub office will be reimbursed but is considered by HMRC to be ordinary commuting and will be subject to tax and National Insurance contributions and reimbursed via payroll unless the homeworking is a 'reasonable adjustment' is [exempt from Tax and NI contributions](#). A linked hub can be varied with the agreement of the homeworker and line management but not for the purpose of avoiding any tax and National Insurance contributions relating to the HMRC regulations.
- 11.2 Any travel from the homeworker's home to other WG offices or sites will also be reimbursed. However, where an employee regularly travels from home to a particular office base or other location, they may be considered to have a 'secondary permanent workplace.' Any travel and subsistence claim for visits to such destinations could also be subject to tax and National Insurance contributions and must be claimed via payroll.
- 11.3 The rules around T&S claims associated with business journeys to other locations are set out in the WG's [Travel & Subsistence Policy](#)

12 Health, Safety and Security

- 12.1 While working away from WG premises, employees must ensure they comply with this policy and the related security and health & safety policies/procedures. This includes undertaking and completing all relevant training and risk assessments.
- 12.2 As part of the Welsh Government's health and safety training programme, regular DSE users are required to complete an e-learning module for their computer workstation. This is mandatory and has been designed to make staff aware of how to set up and use their workstation correctly whilst working at an office or remotely.
- 12.3 Employees who work remotely from home must ensure that they have an appropriate space in which to do so, where they can conduct official/sensitive business. The [WG Security Policy](#) sets out the security obligations that apply to all employees regardless of working location, and should also note the following:
- WG-supplied software or IT equipment / furniture must be used solely by the employee and is provided for business use only.
 - Unauthorised software must not be installed on WG IT equipment.
 - Employees must protect all confidential information and make sure it is disposed of in a manner agreed with their line manager and consistent with the WG Security Policy. The employee and line manager may need to

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specifically consider how they will comply with confidentiality issues, the GDPR and the Data Protection Act 2018 as part of their blended working or contractual homeworking arrangement.

13 Mortgage and Insurance

- 13.1 Employees must check with their mortgage provider / landlords and home buildings/contents insurer to ensure homeworking does not invalidate their cover. It is possible that working from home would increase the premium and if this did happen, the employees would bear the cost

Roles and Responsibilities

Employees are responsible for:

- Familiarising themselves and complying with this policy and any relevant policies referred to within this policy.
- Completing the standard application for formal home working in consultation with the line manager to ensure all issues are carefully considered so the line manager can consider approving in principle a home working request.
- Completing the online [DSE Assessment Training and Risk Assessment](#) (ensuring that the module relating to home working is chosen), so that due consideration is given to the suitability of home working for the individual and their team;
- Confirming that they have the necessary home insurance and /or tenancy mortgage agreement to provide appropriate cover for homeworking.
- Working with their line manager to ensure all necessary actions are cleared.

Line managers are responsible for:

- Familiarising themselves and complying with the Contractual Homeworking policy and any relevant policies referred to within this policy including the process for statutory flexible working requests as set out in the Working Hours Policy.
- Considering the suitability of home working both for the employee and the team concerned.
- Ensuring that all decisions on homeworking applications are appropriate, justifiable, consistent with previous decisions and based on the relevant policies, so that they can be explained to the employee and line management.
- Completing the standard application for formal home working in consultation with the employee to ensure all issues are carefully considered before giving approval in principle to a home working request.
- Meeting the employee to go through the requirements and application process for furniture, IT, and telephony for contractual homeworking.
- Ensuring that all ICT service requests are raised appropriately

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- Issuing an agreement for formal homeworking once all the formalities have been completed and furniture and IT equipment have been installed.
- Ensuring formal homeworkers do not feel isolated and arranging specific regular Catchups at an agreed location to maintain contact.
- Reviewing any formal homeworking arrangement with the homeworker on a regular basis (at least six monthly).

The relevant Director General and Head HR Policy are responsible for:

- Ensuring that all formal homeworking applications are dealt with fairly. If an application is rejected, the reasons must be justifiable, appropriate, in line with the relevant policies, and consistent with other applications.

The ICT Strategy & Services Team is responsible for:

- Once formal homeworking has been agreed, sending a request for any additional IT kit that may be required (see section8), via e-mail to the MyIT catalogue which will then be taken forward by ICT services.

The Health & Safety Team is responsible for:

- Arranging for a homeworker assessment to be conducted by the Workplace Adjustments Team, if required, where an application is made for health reasons once all equipment is in place and the employee has started home working.

The Workplace Adjustments Team is responsible for:

- Arranging a homeworker assessment where an application is made for health reasons, if required once all equipment is in place and the employee has started home working.

FAQs

What is SmartWorking?

SmartWorking is a flexible, non-contractual arrangement that allows employees to blend home, hub, and other suitable locations depending on business need. It does not change the contractual workplace and is reviewable through local arrangements.

Example of SmartWorking

An employee attends their hub office twice a week for team anchor days and works from home the remaining days, adjusting occasionally based on meetings or training.

What is Contractual Homeworking?

Contractual homeworking is where an employee's official contractual workplace is their home.

Example of Contractual Homeworking

A field-based inspector whose duties require extensive travel across external sites might have home designated as their contractual base because attending an office daily would not be efficient.

What is Working from Home as a Reasonable Adjustment?

Working from home may be agreed as a workplace adjustment for an employee with an impairment or health condition. It does not automatically require contractual homeworking.

Example of Reasonable Adjustment Homeworking

An employee undergoing medical treatment may be advised by Occupational Health to work from home for stability and reduced sensory overload, with the arrangement recorded in their Workplace Passport but without changing their contractual base.

How is Contractual Homeworking approved?

Through completion of the Contractual Homeworking Application Pack, risk assessment, and—where applicable—Occupational Health advice. Final approval is made by the Director General and Head of HR Policy.

How is SmartWorking approved?

SmartWorking should be agreed between the employee and their line manager as part of normal working arrangements; and recorded in an Individual Workstyle Arrangement.

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If I have caring responsibilities, can I work from home?

Yes, but caring and working cannot occur simultaneously. A Carer's Passport should outline how responsibilities will be managed. Working from home is not a substitute for childcare or care provision.

Is specialist equipment provided?

For contractual homeworkers, standard IT and furniture are provided on loan. Additional items may be supplied if justified through DSE or Workplace Adjustment assessments.

Glossary of Terms – Contractual Homeworking Policy

SmartWorking

A flexible, non-contractual working arrangement allowing employees to blend home, hub and other suitable locations depending on business need.

Contractual Homeworking

A formal arrangement where an employee's home becomes their contractual workplace.

Reasonable Adjustment Homeworking

Homeworking agreed as part of workplace adjustments for an employee with an impairment or health condition.

Workstyle Arrangement

An agreed SmartWorking arrangement between employee and manager setting out how and where work will be carried out.

Workplace Passport

A record outlining support or adjustments needed due to health, impairment or caring responsibilities.

Carer's Passport

A document describing how an employee will manage caring responsibilities while working.

Director General (DG)

Senior decision-maker who approves or declines contractual homeworking applications.

Head of HR Policy

HR leader responsible for co-approving contractual homeworking applications.

Occupational Health (OH)

Specialist service providing advice on health-related adjustments including homeworking.

DSE Assessment

A mandatory workstation risk assessment for safe home or office work.

Contractual Homeworking Application Pack

The standard documents required when applying for contractual homeworking.

Linked Hub Office

The WG office is where an employee is linked to for business travel and other organisational purposes.

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Secondary Permanent Workplace

A frequently visited location which HMRC may classify as a permanent place of work for tax purposes.

Workplace Adjustments Team

Team advising on equipment and adjustments for employees with health-related needs.

Shared Service Centre (SSC)

Team responsible for updating employment contracts following approval.

Contractual Homeworking Application Form

Section 1: Employee Details

Full Name:

HRIS number:

Post Reference number:

Line Manager:

Work Location (Current):

Section 2: Reason for Request

Please explain why you are requesting formal homeworking. Please consider the following along with any other relevant considerations:

- role suitability
- Specific equipment needs.
- health reasons
- caring responsibilities (in compliance with contractual homeworking and SmartWorking policies)
- other workplace adjustment

Enter response here:

Section 3: Health & Safety Compliance

☐ I have completed and attached my DSE assessment for my home workstation to this application

☐ My home insurance covers homeworking

☐ I confirm my homeworking setup meets organisational standards

Section 4: Occupational Health (if applicable)

☐ Occupational Health referral attached

☐ Not applicable.

Section 5: Line Manager Comments

Line manager to provide assurance that they:

- Discussed and agreed the application with their DD, considering the impact on business and individual needs along with any associated costs.
- Have considered business needs that will be affected by this application and any mitigation.

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- Ensure employee is included in team meetings, updates, training and development activities and opportunities for promotion or alternative work, without requiring frequent attendance at an office.
- Will discuss any issues that might affect the employee working away from the office.

Enter response here:

Section 6: Declaration

I confirm that the information provided is accurate and I understand the responsibilities and provisions associated with both contractual homeworking and SmartWorking policies.

Employee Signature:

Date:

LINE MANAGER SUMMARY AND RECOMMENDATION

Having considered the issues within this document, the following recommendation is made to the relevant Director General and Head HR Policy:

Either:

I recommend that a formal homeworking arrangement be adopted for this employee.

OR

A formal homeworking arrangement is not recommended for this employee because:

(please give reasons for any recommendation not to approve formal homeworking)

Name:

Signed

Date:

Director General of work area and HR Head of Policy decision:

We approve/do not approve* the application for a formal/informal* homeworking arrangement. (*delete as appropriate)

Names:

Signed:

Date:

The line manager and employee should retain a copy of this form. If agreed, line manager will forward the completed and signed form to Shared Service Centre to issue new contract

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Appeal Proforma: Contractual Homeworking Decision

This form is to be used by employees of the Welsh Government who wish to appeal a decision to decline or rescind a request for contractual homeworking. Please complete all sections and submit this form to the Deputy Director of People and Places within the specified time limit.

1. Employee Details

Full Name: _____

Job Title: _____

Department/Division: _____

Line Manager: _____

Contact Email: _____

2. Appeal Details

Date of Original Request: _____

Date of Decision: _____

Decision Maker(s): _____

Reason Provided for Decline/Rescind: _____

(Attach a copy of the decision letter if available)

3. Grounds for Appeal

Please explain the grounds for your appeal. Include any additional information, clarification, or supporting evidence that you believe was not considered in the original decision.

4. Supporting Documentation

List any documents you submit in support of your appeal (e.g., Occupational Health reports, correspondence, etc.):

5. Declaration

I confirm that the information provided in this appeal is accurate and complete to the best of my knowledge.

Signature: _____

Date: _____