

Human Resources
Goireasan Daonna

The Right to Disconnect

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Clàr-innse

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Introduction

The Highland Council supports a more agile, dynamic workforce and the development of Hybrid working practices to support the delivery of our services has changed the traditional ways we work in relation to workstyles, time and work locations.

Remote and homeworking can increase the blurring of the lines between “work” and “home” and, as we continue to promote hybrid working as the “norm” the right to disconnect takes a higher profile.

The advancement of technology, constant digital messages, emails and calls also make it harder for employees to disconnect from their work and the struggle associated with always being switched on can have an impact on an employee’s long-term health and their ability to concentrate whilst at work.

This guidance helps us to recognise and respect the boundaries between home and work and supports the introduction of a behavioural framework aligned to organisational values, best practice and employee engagement based on trust and empowerment, maintaining a focus on work outcomes rather than presence.

Disconnecting from work is vital for our employee’s health and mental wellbeing and is necessary to help them achieve a healthy and sustainable work-life balance. It is important to us that this guidance encourages and supports our employees in prioritising their own wellbeing.

During this “disconnect” period, it is anticipated that employees should not be contacted for work purposes or conduct any work on behalf of the Highland Council – this includes communications, such as making or receiving phone calls and responding to emails during their non-working hours.

The only exceptions to this are where there is an emergency or agreement to do so, for example while “on call”.



Guidance

The purpose of this document is to support the integration of the “Right to Disconnect” from work into organisational culture, whilst encouraging and supporting employees to balance their work and personal lives.

Employees are entitled to down time, regardless of:

- where an employee works
- the contracted number of hours they work
- how they work.

The document endorses best practice and forms part of the Highland Council’s overall approach to attracting and retaining employees by respecting their right to down-time and being able to offer flexible and well thought out working patterns which support a healthier balance between an employee’s work life and their personal life.

The guidance encompasses wellbeing, working hours, the use of technology, additional support and much more and supports the Highland Council’s commitment to fostering both equality in the workplace and long-term careers.

The Right to Disconnect

Employees of Highland Council have different contracts and work to different timescales and schedules. However, the Right to Disconnect applies to all employees at any level within the organisation.

The Right to Disconnect infers that every employee is entitled to switch off outside their normal working hours without the fear of being penalised and enjoy free time away from work without being disturbed or bothered by work related matters.

Statutory Duties and Working Time Regulations

An employee's working hours are set out in their contract of employment. Employees and managers have a responsibility to ensure that the requirements of the Working Time Regulations in relation to excessive hours are complied with, particularly in relation to disconnecting from work:

- a minimum 11-hour rest period between consecutive working shifts
- an average of at least one rest day per week, which can be averaged out over a 2-week period.

The Highland Council remains fully compliant with all statutory duties under the working time regulations and will take steps to ensure that all employees, regardless of their place of work are:

- informed of what their normal working hours are expected to be
- not asked to exceed a 48-hour working week (unless they have signed an opt-out agreement)
- able to take relevant rest breaks and rest periods
- able to take annual leave and not be asked to conduct work during this time
- not penalised for disconnecting out with their agreed working hours.

Roles & Responsibilities

Manager Responsibilities

All Highland Council Managers should support the Right to Disconnect principles by respecting an employee's right to switch off when they are not working.

They should:

- avoid sending messages or emails outside their own working hours
- promote that employees are not expected to read or respond to emails outside their normal working hours
- openly discuss concerns and find solutions for employees who feel their workload is preventing them from disconnecting.



Employee Responsibilities

All Highland Council employees should comply with the following in the course of their work:

- consider their obligation as an employee and take reasonable care to protect their own health and safety and that of their co-workers
- co-operate fully with the appropriate mechanisms used by the Highland Council to record their working hours, including when working remotely
- be mindful of their colleagues' working hours and those of our customers and clients and not routinely email or call outside Council business hours
- speak with their line manager if they feel their workload is preventing them from taking the rest breaks and periods away from work to which they are entitled.

Guidance Principles

Communications


Where possible, emails should only be read and responded to during your normal working hours.

Communications may be sent at inopportune times due to the differing shift patterns worked within the Highland Council, e.g. weekends or evenings. The sender should take into consideration the timing of their communication and the recipient should understand that they are not expected to respond until their working time recommences.

Management should not expect employees to respond to social communications from colleagues outside their working hours and it is entirely down to the individual if they choose to reply.

Communications on social media platforms are not an acceptable means of communication in the workplace unless this relates to an "on call" confirmation or requirement.

If a manager sends communications outside agreed working hours, unless business and operational needs dictate that an immediate response is needed, a statement should be attached to out of hours emails outlining that there is no expectation of an immediate response.



If a manager notices that team members are sending emails at odd hours or logging in excessively, a discussion should take place with the employee to establish why and put supportive measures in place. This may be a sign that the employee is finding it difficult to manage their workload or switch-off.

Meetings

We should all respect people's time by only inviting them to meetings where they play an active role and are able to contribute. Employees should be mindful of and manage how much virtual communication they have each day. Staff should not be expected to attend meetings if they fall outside their normal working hours or during their normal rest break, such as at lunchtime.

Mobile Phones

In order to respect the right of an employee to enjoy a personal life, all employees have a right to switch off any communications device(s) outside their working hours.

Automatic Replies

If you are out of office, all employees who use a Highland Council email address should set up an appropriate automatic message to inform senders that you are not available to respond to their correspondence and to provide an alternative contact to ensure that:

- there is continuity of work and urgent queries are dealt with
- senders know who to contact while you are unavailable
- senders know when they can expect a response.

For further information and an out of office template, see the [Out of Office Protocol](#).

Work-Life Balance

Employees are not expected to work unsociable hours unless it is a pre-requisite of their job role.

If any employee has concerns or questions in relation to their workload, the work patterns required by their role or their ability to maintain a work-life balance, they should discuss this with their line manager and seek to resolve informally.

Employees working from home and those engaged in flexible working arrangements or remote working should also be reminded of the requirement to switch off from work.



Additional Support

Employees are encouraged to take advantage of the many lifestyle benefits on the [Employee Benefits platform](#), including a bespoke corporate membership with Highlife Highland and a number of local discounts.

All employees of Highland Council should be aware they have access to the [Employee Assistance Programme](#) facilitated by Spectrum Life. Spectrum life provides staff with confidential, free mental well-being support, fitness plans, legal assistance and e-learning content relating to a variety of well-being topics. Managers should actively encourage their staff to make use of the EAP.

Quick Links

The Hyperlinks listed here will redirect you to the related guidance, letters, information, and relevant organisations mentioned in this policy.

HR Microsite	Click Here
Flexible Working Page	Click Here
ACAS Working Time Rules	Click Here
Out of Office Protocol	Click Here
Employee Benefits Platform	Click Here
Employee Assistance Programme	Click Here
NHS PIN Policies	Click Here



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