

**From:** [Official Information](#)  
**To:** [S 7\(2\)\(a\) taxpayers.org.nz](#)  
**Cc:** [Official Information](#)  
**Subject:** Final Response - LGOIMA 319396 - **S 7(2)(a)** TPU - information relating to office space, working from home and stationary  
**Date:** Friday, 19 May 2023 3:18:10 pm  
**Attachments:** [ElementFormEditableTextField\\_15afbOffice GOIMA-11\\_04\\_23.pdf](#)  
[image001.png](#)  
[D-3635994 Final - Flexible Working Management Policy - December 2020.docx](#)  
[Final - LGOIMA 313396 - Transaction Listing - ending 30 June 2022.xlsx](#)

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Kia Ora,

We thank you for your information request attached. Hamilton City Council is able to provide the following response.

#### **Your request**

1. Does your council provide office space to a Union? If yes, which Union is it and do they pay for the office space? If no, what is the rental value of the office space given to Union?
2. Please provide us with your council's current working from home policy.
3. How much does the council pay to rent its offices?
4. What is the current staffing occupancy level of your offices? This relates to working from home versus staff in the office?
5. How much has the council spent on stationary in the last 12 months? Please provide a breakdown of costs.
6. How much does the council spend on newspaper and magazine subscriptions?

#### **Our response**

1. No, Hamilton City Council does not provide office space to a Union.
2. Please find attached our *Flexible Working Management Policy*.
3. Not applicable. Hamilton City Council owns all of its office buildings / locations. Therefore, Council does not pay rent.
4. We do not keep record of office occupancy. As such, we are refusing this request as per S17(e) of LGOIMA – this information does not exist.
5. When purchasing stationary items, Hamilton City Staff charge the cost to a General Ledger code which is called "Stationery & Office Consumables". Without going through every single transaction individually, we are unable to easily identify exactly what these expenses are for. As such, we are refusing this aspect of your request as per S 17(f) of LGOIMA – substantial collation.

However, we can advise that the expenditure for the year 30 June 2021 to 30 June 2022 was **\$116,252.25**.

6. Please refer to our response above as the same applies to this request.

However, staff charge these expenses to our General Code "Books, Periodicals & Publications". The expenditure for this code for the year 30 June 2021 to 30 June 2022 was **\$109,030.27**

**Please be aware, redactions have been made in accordance with S7(2)(a) of LGOIMA which are easily identified within the Excel attachment.**

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](#) or freephone 0800 802 602.

Kind Regards,

Tatiyana  
Official Information Team  
Governance & Assurance Unit | People and Organisational Performance  
Email: [officialinformation@hcc.govt.nz](mailto:officialinformation@hcc.govt.nz)



**Hamilton  
City Council**  
Te kaunihera o Kirikiriroa

**Hamilton City Council | Private Bag 3010 | Hamilton 3240 | [Hamilton City Council](#)**

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**From:** [noreply@hamilton.govt.nz](mailto:noreply@hamilton.govt.nz) <[noreply@hamilton.govt.nz](mailto:noreply@hamilton.govt.nz)>  
**Sent:** Tuesday, 11 April 2023 12:40 pm  
**To:** Official Information <[officialinformation@hcc.govt.nz](mailto:officialinformation@hcc.govt.nz)>  
**Subject:** [Mass email/Possible SPAM] OIA Request - HCC-OIA-230411-KZ5JQ



## We've received a request for you.

This request was received on 11 April 2023 @ 12:39PM.

Here's your reference number and the request details:

### UUID

HCC-OIA-230411-KZ5JQ

### Name

### Email

S 7(2)(a) [taxpayer.org.nz](mailto:taxpayer.org.nz)

# S 7(2)(a)

## Detailed description of request

Please see attachment.

## Organisation

## Attachments

OfficeLGOIMA-11\_04\_23.pdf - [Download File](#)

## Created

11 April 2023 @ 12:39PM

If you have any questions in the meantime, feel free to call us on [\(07\) 838 6699](#) or [email our customer service team](#).

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Hamilton City Council  
260 Anglesea Street  
Hamilton 3204

Date Approved by BSLT	October 2020
Next review date:	October 2023
Document number:	D-3635994
Associated documents:	Formal Flexible Working Form – Application Form D-3635994
Sponsor/Group:	Corporate Group
Policy Owner:	People, Safety and Wellness

## Flexible Working Policy

### 1. Purpose

- We want to be an employer of choice
- We want our workers to have a great work life balance
- We want to make sure we meet our legal obligations

### 2. Principles of Policy

The guiding principles for this Policy are:

- Ensuring a healthy and safe environment for our people and enhancing employee wellbeing.
- Supporting diversity and inclusion in our workplace.
- Encouraging alternative work arrangements that enhance delivery of community outcomes.
- Ensuring compliance with legislation.

### 3. Flexible by choice principles

The Flexible by choice principles should be used to support Flexible Working proposals and to help guide decision making (in alignment with legislation). The principles recognise that proposals and decision making should consider benefits and impacts for the individual, role requirements, wider-team and our stakeholders.

- **If not, why not?** All roles are treated as flexible unless there is a good business reason for a role not to be. Flexibility is equally available to women, men and gender diverse employees, irrespective of the reason for wanting it. Working flexibly does not undermine career progression or pay.
- **Works for the role:** Every role should be suitable for some form of flexibility but not every type of flexibility will work for every role. Genuine business reasons may mean that some types of flexibility cannot be implemented for some roles.
- **Works for teams:** Flexible working needs to work for the team and should not be viewed as something which is just agreed between an employee and their people leader. This means that the impact of flexible arrangements should be considered on teams and Council as a whole.
- **Works for stakeholders:** Flexible working needs to work for our stakeholders. This means that the impact of flexible arrangements should be considered on our stakeholders and community.
- **Requires give and take:** Flexibility requires give and take between the employee, people leader and team. It also places collective obligations on employees, managers and teams to be open and adaptable so that it works for everyone.
- **Mutually beneficial:** Flexible working needs to benefit employees, teams and the organisation. Key consideration should be given to how flexible work arrangements can maintain or enhance the performance and delivery of outcomes. It should not result in increased workloads for employees working flexibly, or for other team members who are not.
- **Actively championed by leaders:** Leaders support, champion and role model flexible working for their teams and themselves.

*(The Flexible by Choice Principles were developed by the State Services Commission for the Public Sector)*

## 4. Scope

This Policy applies to all Hamilton City Council employees.

## 5. Types of flexible working

Type of arrangement	Description
<b>Flexibility of Role</b>	How the role is performed or divided. For example – Casual work, job share, part-time, transition work plan, when breaks are taken.
<b>Flexibility of Place</b>	Working from alternative locations. For example - performing work at a different work site, working from home or other locations.
<b>Flexibility of Schedule</b>	Working flexible hours. Hour or days worked and the work pattern. This may include irregular days, hours, earlier or later start and finish times, condensed hours where the employee can compress their set hours into a shorter work week. For example - nine-day fortnight, compressed hours, staggered hours or time off in lieu.
<b>Flexibility of Leave</b>	Supporting flexible leave arrangements. Different kinds of leave that people can apply for. For example - leave without pay, purchase of additional week's leave or study leave.

**Given the wide range of responsibilities and functions at Council not all forms of flexible working are available to all roles.** Use flexible working principles to work out what works for different roles. Flexible working arrangements may be formal or informal. Flexibility of place is reliant on a safe and suitable work environment and any flexible working arrangement may be cancelled if the place of work is not suitable.

### Formal flexible working

This is where a flexible working arrangement changes the regular pattern of working hours, days or locations. This should be captured as part of your employment agreement and may have an impact on remuneration and leave. A formal written flexible working proposal should be made for this type of arrangement.

For example:

- someone reducing their hours of work from 40 to 32 hours a week will need a formal flexible working agreement in place. This agreement will be used to adjust their remuneration accordingly to reflect the reduction in hours and new pattern of work (including hours and days). A change in agreed working days will impact on accrued leave and entitlement to public holidays. If an employee used to work Monday to Friday and now works Monday to Thursday, they will no longer be entitled to any public holidays that fall on a Friday. Their annual leave accrual will also be adjusted to reflect the reduced hours and they would only take leave as required on a Monday to Thursday.
- someone working remotely or from home on a regular schedule (e.g. always on a Wednesday and Thursday). This should be formalised, and the Remote Working policy guidelines applied to ensure a safe remote working environment.

### Informal flexible working

This is where flexible working is ad hoc or temporary. There is no regular or significant changes to the pattern of working hours, days or locations. This type of arrangement does not require a change to your employment agreement and has no impact on remuneration and leave. Informal flexible working arrangements should be agreed with your manager on a case by case basis.

For example:

- Someone requests to work from home, as a one off on a Tuesday. They speak with their manager beforehand to ensure that it is ok and they agree to it without the need for formal documentation.

## **6. Requesting flexible working arrangements**

Both formal and informal flexible working proposals can be put forward for any purpose or reason and can be initiated by either the employee or the employer at any time. There are no limits to how many times a proposal can be made. This is supported by legislation.

A formal flexible working arrangement should be requested in writing using the Formal Flexible Work Application Form available on Velocity. Both temporary and permanent flexible working requests must be submitted to the employee's manager. The written request should be dated and:

- State the employee's name, what type of flexible arrangement is requested, the specifics of the arrangement (such as hours, days and place of work), how long the arrangement is for and when the arrangement would start.
- Be aligned with our principles and explain what changes (if any) the employee believes would be required to make the arrangement work for all stakeholders. In many cases a meeting may be needed to understand more about what is being asked and how this could be accommodated. This may result in exploring alternative arrangements.

## **7. Making decisions on flexible working proposals**

Flexible working proposals should be discussed and considered in good faith and accommodated where practical. They should be free from discrimination and should not be negatively influenced by the reason for the proposal.

Approved arrangements should be reviewed regularly in alignment with legislation and our Flexible by Choice Principles. They can be adapted or cancelled with agreement or in accordance with any of the conditions the agreement is subject to, such as a suitable and safe work environment for remote working. A 90-day review period is recommended for all new flexible work arrangements to ensure the arrangements are working for all parties.

Formal flexible working arrangement proposals should be acknowledged by the manager in writing within 10 days of the proposal being received. Requests will be accepted or declined in writing no later than one month after it has been submitted. Before a proposal is approved or declined the decision maker should discuss it with their own manager (1-up) and their HR Business Partner or Advisor to ensure their decision is supported, reflects the Council's legal obligations, and is consistent with the wider unit, group and organisational direction. A permanent arrangement can be approved by the Unit Manager or higher.

If the request is supported, a formal agreement will be created by People, Safety and Wellness and provided to the employee outlining the arrangement and any other terms and conditions.

## **8. Flexible working proposals involving remote working (formal and informal)**

For informal and formal flexible working arrangements involving remote working please refer to our Remote Working Guidelines. This outline responsibilities and IS and Health and Safety considerations and steps to be taken.

## **9. Reason for refusing flexible working proposals**

There may be occasions where a flexible working proposal is not able to be accommodated, due to the needs of the organisation. A request can be refused on the following legislative grounds:

- Cannot reorganise work among existing staff
- Cannot recruit additional staff
- Negative impact on quality
- Negative impact on performance
- Not enough work during the periods the employee proposes to work
- Planned structural changes
- Burden of additional costs
- Negative effect on ability to meet customer demand.

Arrangements should take into account workplace obligations, safety and wellness requirements and security of information systems.

If the request is declined, the employee must be advised in writing and must state the reason for the not accommodating the request.

## 10. Conflicts with a Collective Agreement

If the employee is covered by a Collective Agreement, Employers must refuse a request if the proposed new working arrangement conflicts with the provisions of the Collective Agreement. However, there may be instances where a compromise can be reached on working arrangements. The employer, staff member and unions are encouraged to discuss any arrangements with a view to reaching a compromise.

## 11. Privacy

When considering an employee's request for flexible working, the leader may need to discuss the proposal with other relevant people including those from Information Services (IS) and People, Safety and Wellness (PSW). The leader may need to seek information from others within the immediate team to determine how the request could be accommodated. The reasons for the request, such as the personal circumstances, shall not be communicated unless agreed.

If the request is approved, the leader may communicate the arrangement to other staff and other stakeholders where appropriate.

## 12. Definitions

Definition	Detail
<b>Flexibility of role</b>	How the role is performed or divided. For example – Casual work, job share, part-time, transition work plan, when breaks are taken.
<b>Flexibility of place</b>	Working from alternative locations. For example - performing work at a different work site, working from home or other locations.
<b>Flexibility of schedule</b>	Working flexible hours. Hour or days worked and the work pattern. This may include irregular days, hours, earlier or later start and finish times, condensed hours where the employee can compress their set hours into a shorter work week. For example - nine-day fortnight, compressed hours, staggered hours or time off in lieu.
<b>Flexibility of leave</b>	Supporting flexible leave arrangements. Different kinds of leave that people can apply for. For example - leave without pay, purchase of additional week's leave or study leave.
<b>Formal flexible working</b>	This is where a flexible working arrangement has a regular pattern of working hours, days or locations. This should be captured as part

	of your employment agreement and may have an impact on remuneration and leave.
<b>Informal flexible working</b>	This is where flexible working is ad hoc or temporary. There is no regular pattern of working hours, days or locations. This type of arrangement does not require a change to your employment agreement and has no impact on remuneration and leave.

## 12. References

Employment Relations Amendment Act 2014

<https://www.employment.govt.nz/workplace-policies/productive-workplaces/flexible-work/>

Holidays Act 2003

Remote Working Guidelines

[Formal Flexible Working Form - Application](#)