

From: [Official Information](#)
To: [\[REDACTED\]@stuff.co.nz](#)
Cc: [Official Information](#)
Subject: Final response - LGOIMA 434407 - [REDACTED] - Staff data
Date: Wednesday, 13 November 2024 4:39:41 pm
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)
[Flexible Working - Management Policy - December 2020 FINAL Approved.pdf](#)

Kia ora,

We refer to your information request below. Hamilton City Council provides the following response.

Your request:

I'd like to request the following information under the Official Information Act 1982 to help me understand how the trend on "working from home" and "return to office mandate" changed for the organisation over the last three years.

- The current total number of staff within the organisation.*
- How many staff are required to be physically present in the office for more than two days a week?*
- What percentage of employees were able to work from home in 2022, 2023, 2024?*
- How many new roles had been advertised between the period 1/09/2024 and 15/10/2024?*
- For new roles advertised within the period, how many require staff to be physically present in the office for more than two days a week, how many have no office presence requirements, and how many require full time presence in the office?*
- Current HR policy regarding working from home, or days in the office.*
- Internal correspondence, including emails and meeting minutes regarding working from home or return to the office mandates, for the period between August 2024 and October 2024.*

Our response:

1. The current total number of staff within the organisation

The total number of staff as of 30 September 2024 was 1483, which is made up of 1129 full-time employees and 354 part time employees.

2. How many staff are required to be physically present in the office for more than two days a week?

Our expectations are that staff in roles that are office-based are on site at least three days a week. The nature of some front-line roles across Council's 28 different operational functions, including aquatic centres, libraries, Hamilton Zoo, parks, building control and many more customer-facing services, require staff to be on site every workday (noting many Council functions operate 24/7, therefore a workday could be outside of usual business hours). At any one time, there will be some exceptions, and these are considered on a case-by-case basis.

3. What percentage of employees were able to work from home in 2022, 2023, 2024?

The current expectation has been in place since staff began returning to office-based work following the COVID-19 lockdowns. So, the percentage of staff able to work from home in 2022, 2023, and 2024 has not materially changed. As above, the ability to work from home is not universal. There are specific roles that Council staff perform which can only be done on location e.g. lifeguard, zookeeper, water treatment operator, mower operator, or arborist. Lessons have been adopted over the years since COVID-19, with Council implementing improved technology to allow employees to work remotely more effectively, improving work flexibility and work-life balance.

4. How many new roles had been advertised between the period 1/09/2024 and 15/10/2024?

As of the 21 October we have 13 roles advertised. In September we advertised 54 roles, 37 in August and 66 in July. These are vacancies to replace existing roles, not new roles.

5. For new roles advertised within the period, how many require staff to be physically present in the office for more than two days a week, how many have no office presence requirements, and how many require full time presence in the office?

The 13 roles that are currently advertised as of 21 October include a parks labourer, tour guide at Hamilton Gardens, a librarian, gardener, field technician, turf technician, and a zookeeper. These roles would obviously require a full-time presence on location. The other four roles are office based and would have an expectation of at least three days being spent in the office.

6. Current HR policy regarding working from home, or days in the office.

Please find attached Council's Flexible Working Policy, which is currently being reviewed. While the expectation that office-based staff are on-site for at least three days is not made explicit, it is a direction from Council's Executive Leadership Team (this has not changed or been restated recently in response to trends or political context).

7. Internal correspondence, including emails and meeting minutes regarding working from home or return to the office mandates, for the period between August 2024 and October 2024.

Council has not issued any return to office mandates, including the period between August 2024 and October 2024. We have relied on our current expectations and policy, which is currently under review. The review is likely to make the policy clearer on the long-standing expectation for office-based staff to be on site at least three days a week.

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.

Ngaa mihi

Keeley Faulkner

Official Information Advisor & Legal Support Officer

Legal services

Governance & Assurance Team | Partnerships, communication & Maaori

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I support flexibility at work. While it suits me to send this email now, I don't expect a response outside of your own working hours.

From: [REDACTED] [stuff.co.nz](mailto:[REDACTED]@stuff.co.nz)

Sent: Tuesday, October 15, 2024 9:59 PM

To: undisclosed-recipients:

Subject: [REDACTED] OIA 16 Oct

Kia ora team,

I'd like to request the following information under the Official Information Act 1982 to help me understand how the trend on "working from home" and "return to office mandate" changed for the organisation over the last three years.

- The current total number of staff within the organisation.
- How many staff are required to be physically present in the office for more than two days a week?
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- How many new roles had been advertised between the period 1/09/2024 and 15/10/2024?
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- Current HR policy regarding working from home, or days in the office.
- Internal correspondence, including emails and meeting minutes regarding working from home or return to the office mandates, for the period between August 2024 and October 2024.

Happy to clarify any questions.

Ngā mihi,

[REDACTED]

Reporter

[REDACTED]

[REDACTED] stuff.co.nz

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



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Date Approved by BSLT	October 2020
Next review date:	October 2023
Document number / Location:	D-3635994 / Flexible Working - Management Policy - December 2020 FINAL Approved.docx
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
Flexibility of Role	How the role is performed or divided. For example – Casual work, job share, part-time, transition work plan, when breaks are taken.
Flexibility of Place	Working from alternative locations. For example - performing work at a different work site, working from home or other locations.
Flexibility of Schedule	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.
Flexibility of Leave	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
Flexibility of role	How the role is performed or divided. For example – Casual work, job share, part-time, transition work plan, when breaks are taken.
Flexibility of place	Working from alternative locations. For example - performing work at a different work site, working from home or other locations.
Flexibility of schedule	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.

Flexibility of leave	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.
Formal flexible working	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.
Informal flexible working	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](#)