



Northern Ireland

Civil Service

People and Organisational Development
Forbairt Daoine agus Eagraíochta

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From: Jill Minne

Deputy Secretary, People and Organisational Development

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To: Permanent Secretary Stocktake (PSS)

HYBRID WORKING POLICY UPDATE

1. As previously advised consultation with CTUS on the draft Hybrid Working policy, procedure and Frequently Asked Questions is ongoing.
2. CTUS has provided written feedback on the policy, procedure and FAQs and has communicated its position at the Whitley Subject Committee on 8th May. Key issues of contention are noted below with a summary table and proposed People & OD response provided at **Annex A**:
 - **40% minimum attendance** requirement – opposed by CTUS.
 - **Grade 7 decision maker** – CTUS consider that the decision on whether the job role/work activities can accommodate hybrid working should be made by the line manager or jointly with the senior manager and line manager.
 - **Workplace definition** – CTUS consider that Connect2 hubs should be included in the policy definition of what constitutes the workplace.
 - **Business needs** – CTUS consider that full reasons should be given for duties which cannot be satisfactorily discharged from home and has cited legislation to support the need to enable hybrid working.

- **Appeals** – CTUS has queried the appeal process under the policy; they consider any appeal should be against the G7 decision maker and not the immediate line manager, as the line manager is enacting the G7 instruction rather than deciding.
- **Limited workspace availability** – CTUS considers there to be insufficient workspace in several departmental locations to enable the minimum 40% attendance requirement to be effectively applied to support ‘purposeful’ workplace attendance, where staff are located together. We understand that CTUS has also raised this issue with CPD as part of engagement on the wider NICS Estate Strategy.
- **Reasonable adjustments** – CTUS request greater emphasis on the legal duties under the Disability Discrimination Act 1995 (DDA) regarding reasonable adjustments.
- **Senior Civil Servants workplace attendance** – CTUS are opposed to provision within the draft policy and guidance which encourages more than the 40% minimum workplace attendance for senior civil servants (and certain other categories of staff, e.g. new starts; apprentices; or those on the graduate management programme). CTUS consider that all staff should be treated equally.

Next Steps

3. Subject to PSS, People & OD plan to formally respond to CTUS as follows:
 - i. **40% minimum attendance requirement:** 40% minimum workplace requirement for all staff operating hybrid work will remain as drafted.
 - ii. **Grade 7 decision maker:** it is considered that G7 is the appropriate management grade to assess business needs to determine if hybrid working can be facilitated in the business area and to communicate the business area workplace minimum attendance requirements to line managers in their business area.
 - iii. **Workplace definition:** agree that Connect2 hubs will be included as attendance in the workplace with line manager’s approval.

- iv. **Business needs:** The Civil Service is compliant with legislative provisions relating to flexible working applications which are provided for under the Alternative Working patterns policy. Business area workplace minimum attendance requirements will be determined by senior management having fairly and consistently considered business needs and the potential for job role/activities to be delivered through a hybrid working model. Policy wording will be updated to reflect requirements will be explained and communicated to line managers who will confirm with their direct reports/staff.
- v. **Appeals:** Appeals on the decision made by the senior manager regarding the ability to facilitate hybrid working in a business area would be considered by the next line manager i.e. G6 or G5. Appeals on the implementation by the line manager of the business area hybrid working arrangements will be considered by the next level of management.
- vi. **Limited workspace availability:** The NICS estate is sufficient to enable a minimum workplace attendance requirement of 40%. Where there is shared office space between departments and/or business areas, senior managers will work together to facilitate attendance which may include the introduction of desk booking systems.
- vii. **Reasonable adjustments:** the policy language will be reviewed to ensure sufficient emphasis is placed on legal duties under the Disability Discrimination Act 1995 and the line manager role in relation to same.
- viii. **Senior Civil Servants workplace attendance:** Senior Civil Servants and certain other categories of staff will be encouraged to attend the workplace more than the 40% minimum workplace attendance per week.

4. People & OD will request a response from CTUS no later than two weeks from date of letter, specifically, in relation to its position of opposition and intended next steps. We will also highlight that while it remains open to Management

Side to impose the policy, the preferred approach would be to reach an agreed position.

5. PSS is asked to note and agree People & OD proposed next steps. Please address responses to [REDACTED] by **cop 27 May 2025**.
6. I am of course happy to discuss.

Jill Minne

PEOPLE AND ORGANISATIONAL DEVELOPMENT

Ext: [REDACTED]