

EMPLOYEE RELATIONS WHITLEY SUBJECT COMMITTEE

THURSDAY 8th MAY 2025

BRUCE STREET

Management Side

Aisling Quinn: Director, People & OD
(Chair)

Martin Toner: NICSHR

[REDACTED]

[REDACTED]

[REDACTED] (Secretariat)

Central Trade Union Side

Maria Morgan: NIPSA

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Robert Murtagh: FDA

Out of scope

[REDACTED]

Out of scope

[REDACTED]

Out of scope



Out of scope



Hybrid Working policy

8. MS thanked CTUS for their comments received on 6th May. CTUS responded they would give an overview of their response.

9. CTUS stated their response was in two parts. Firstly, the 40% minimum workplace attendance requirement which they fundamentally opposed and secondly, their

comments on the policy and procedure. They considered that the 40% attendance requirement must be discussed prior to the detail of the policy documentation.

10. MS responded that the two points are interlinked and can be discussed in tandem and underlined this Review would cement the practice and future use of Hybrid working in NICS. MS noted that CTUS is in opposition to the 40% attendance requirement.
11. MS stated that the proposed revisions to the policy was not an attempt to remove hybrid working, but there needed to be consistent operation of it across the Service.
12. MS provided an overview of the drivers for the policy review, including, business need and effective provision of support to Ministers and the Executive. MS further advised that the revised draft policy was developed having completed benchmarking, reviewing industry best practise, and academic research.
13. MS noted the political context, with the receipt of a substantial number of AOs in relation to hybrid working within NICS; the increasingly negative narrative in the press; and the fundamental equity issue, that while some staff are working an ad hoc hybrid arrangement, many are already working two days a week or more, while some staff cannot avail of hybrid working at all. MS stated the change in policy seeks to create consistency.
14. MS advised that the draft policy was informed by benchmarking, which was shared, highlighting the trend for organisations to have defined workplace attendance. MS noted the NICS requirement for a minimum workplace attendance of 40% is lower than the industry standard and that of the UK Government. MS further noted that in developing the draft policy, a higher rate for workplace attendance was considered.
15. MS advised that office attendance aids learning, success planning, having a good employer offer, the employee experience and the health and wellbeing benefits gained from office attendance, noting there was strong evidence to support this. MS further advised the draft policy makes clear the role of the line manager and the flexibility provided to work with staff regarding their workplace attendance.

16. CTUS responded that on the point of the political narrative, there are elements who seek any opportunity to undermine the civil service, and this should not impact on the policy and the office mandate leans into the narrative of the lazy civil servant.
17. CTUS stated that there are two distinct constituencies regarding the operation of hybrid working. Collectively the MS constituency wanted change, and the CTUS constituency, also informed by senior managers, firmly believe that the policy is working, that there are no productivity or capacity issues and business is being managed and delivered well. CTUS considered that the Hybrid Working policy was working effectively and no evidence had been provided for the need for change. CTUS stated that there is a need for their membership to understand the evidence driving the need to change the policy.
18. CTUS responded to the MS point on equity, noting staff in different areas work in-office at different levels. Staff in Jobs and Benefit Offices work 60%, in other areas staff work 5 days a week in-office. CTUS stated this is how hybrid working has developed, members are content and wish it to continue as it currently operates.
19. CTUS stated that the Accommodation Whitley Subject Committee highlighted some areas would struggle for desks with a 40% attendance requirement and this has been evidenced in DfC. CTUS raised concerns regarding the management of desks in buildings housing a number of different departments. MS responded that there had been engagement with Properties Division and that the estate could accommodate 40% although it was recognised that some buildings may require a desk booking system.
20. MS noted that one of the issues raised by CTUS was the inability for teams to sit together, however noted that staff would still be able to interact in person while in the same building. CTUS responded that if staff cannot access meeting rooms, meetings end up being conducted online and this would not aid team cohesion.
21. CTUS advised that reasonable adjustments and disability needed to be considered separately to the Hybrid working process. MS agreed and stated this

would be reinforced in the policy. MS indicated that the draft policy will be updated to reinforce the need to ensure compliance with legal obligations under the Disability Discrimination Act regarding reasonable adjustments.

22. CTUS objected to any difference in the mandatory attendance requirements for SCS, compared to the rest of the civil service. CTUS did not want a precedent of distinguishing between staff and SCS to be set and this should not be codified in policy. MS noted that some policies already distinguish between staff and SCS.
23. CTUS restated its opposition to the 40% minimum attendance and difficulty with use of the “requirement” in relation to workplace attendance. CTUS stated that instead of the 40% mandate, they would prefer to see ‘encouraged’ used throughout the policy.
24. MS advised that change to hybrid working requirements will support business delivery, provide a better employee experience, especially for new members or those who have moved post. MS highlighted the benefits to health and wellbeing of staff and the equity of application. CTUS responded that the existing Workstyle Agreements already have the flexibility to enable new staff and line managers to attend the office as often as required to support learning and development.
25. CTUS raised concerns regarding the implementation of the 40% minimum attendance requirement and referenced the difficulties experienced in DfC. CTUS advised that Workstyle Agreements had been disregarded and personal needs including part-time working were not considered. MS advised that the draft policy clarified the roles and responsibilities of management when implementing hybrid working.
26. CTUS stated that the Hybrid Working policy was introduced as part of ‘New ways of Working’, which encouraged the use of technology for communicating, such as Jabber and Teams, and this had also provided social interaction during the pandemic when staff had virtual team breaks and meetings. CTUS and MS discussed health and well-being and agreed that in office attendance could be beneficial when working in new roles.

27. MS noted CTUS position and advised they would formally respond to CTUS written comments.

AP2 – MS to provide response to CTUS comments.

Out of scope

