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From: Jill Minne
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To: 1. DoF Permanent Secretary
2. Minister

REVIEW OF CIVIL SERVICE HYBRID WORKING POLICY

Issue:	**To provide an update on the review of the Civil Service Hybrid Working policy and seek your agreement to the draft policy (Annex A) and procedures (Annex B) to allow formal consultation with trade unions.**
Timing:	**Routine.**
FOI Implications:	**In the event of a request for disclosure of information contained in this submission under the FOI Act, the request would be considered in the context of the relevant provisions of the legislation, including any relevant exemptions that may be applicable.**
Presentational Issues:	**Hybrid working in the Civil Service has been the subject of several AQWs and FOI requests.**
Financial Implications:	**None.**
Equality implications:	**None. The Civil Service is an equal opportunities employer and is committed to demonstrating its commitment to creating an inclusive workplace through all HR policies. The revised policy has been subject to s.75 screening; Rural Needs**

	Impact Assessment and Financial, Social and Economic Impact Assessment
Legislative Implications:	**None.**
Recommendation:	**You are asked to agree the draft Hybrid Working policy and procedure to allow formal consultation with trade unions.**

Background

1. The Civil Service Hybrid Working policy was implemented in June 2022 to support new ways of working, promote better work-life balance for staff, increase productivity and deliver environmental benefits. The policy was also introduced in response to Public Accounts Committee Report on Capacity and Capability in the Civil Service, (Recommendation 9) which recommended that 'a home-working policy, reflective of modern-day expectations, should be put in place immediately'. The policy contributes to the Civil Service Estate Strategy and is included in the Department of Finance Climate and Sustainability Action Plan.

2. Hybrid working covers a variety of working arrangements agreed between managers and staff enabling a combination of time spent working in the designated workplace, or other work, or remote location or at home, subject to business need. It is a non-contractual arrangement.

3. Not all job roles are suitable for hybrid working due to the nature of the business. Examples of roles not suitable for hybrid working include staff such as Forest Rangers, Road Workers, Prison Custody Officers, and MOT centre staff.

4. When developed, it was agreed the policy should be regularly review to ensure it meets the needs of the Civil Service and considers any new and emerging aspects of hybrid working. Hybrid working in the Civil Service has been the subject of several AQWs and FOIs. Questions raised have focused on the number of employees, including the Senior Civil Service, working both in the office and at home.

5. A staff survey on the implementation of hybrid working was undertaken by the new ways of working project between 10 October 2022 and 13 January 2023. The survey results were published on 27 February 2023, and made several recommendations, including the need for some policy amendments. Having been operational for almost three years and taking account of survey recommendations and departmental feedback, the policy has been reviewed to ensure hybrid working is optimised effectively across the Civil Service.

Policy Review

6. The policy review has been informed by benchmarking with other Civil Service jurisdictions and large employers (which showed a trend towards a minimum workplace attendance requirement), and best practice research, including the Chartered Institute of Personnel Development report 'Flexible and Hybrid Working Practices in 2023, Employer and Employee Perspectives' which found that over half (52%) of organisations that operate hybrid working require a minimum workplace attendance which was typically two or three days per week.

7. Feedback provided by Permanent Secretaries and the departmental Finance and Human Resources Advisory Group (FHRAG), (a cross-departmental group advisory group relating to Finance and HR matters made up of senior representatives from all departments, chaired by the Department of Finance Permanent Secretary), indicated that a consistent, minimum workplace attendance was important to support business delivery and to ensure consistent operation of hybrid working across the Civil Service. It was considered that this would go some way to creating a more equitable approach (particularly for those staff who are unable to avail of hybrid working due to the nature of their job role) and may also help address recruitment/retention difficulties in certain job roles where regular or full attendance at the workplace is required.

Revised policy- key changes

8. The revised Hybrid Working policy is provided at **Annex A**. Key changes to the policy are summarised below:

i Improved policy definitions to emphasise that hybrid working is a combination of time spent working in the designated workplace, or other work, or remote location or at home, subject to business need.

ii The primary principle underpinning the operation of hybrid working in the Civil Service is business need.

iii Senior management will be responsible for: (i) fairly and consistently considering business need; (ii) determining the potential for job role /activities to be delivered through a hybrid working model and (iii) communicating the business area workplace minimum attendance requirements to line managers in their business area.

iv Line managers will be responsible for: (i) confirming the business area workplace attendance requirements determined by senior management to their direct reports/staff; and (ii) meeting with them to discuss and agree the implementation of hybrid working arrangements.

v All staff will be required to attend their designated workplace for a minimum of 40% of their contractual hours each week. Staff who work an alternative working pattern workplace attendance requirement will be calculated on a pro-rata basis.

vi Senior civil service (SCS) staff will be encouraged to attend the workplace for more than the 40% minimum workplace attendance requirement per week along with staff who are on: (i) an apprenticeship scheme; (ii) a graduate management programme; (iii) a probationary period; or (iv) have moved to a new post.

Next Steps

9. Subject to your approval of the draft policy and procedure, formal consultation with trade unions on these will be required.

Recommendation

10. You are asked to note and agree the draft Hybrid Working policy and procedure, to allow formal consultation with trade unions.

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ANNEX A & B