BENCHMARKING NICS HYBRID WORKING POLICY

Organisation

Issue	Scottish Government	Ministry of Justice (GB)	Welsh Government	Irish Government	NI Assembly
Scope	Most roles in core suited to hybrid working. Not virtual organisation and some activities best done in person	Informal, non-contractual, locally agreed, flexible working arrangement blending working from MoJ base location, other sites and from home. Recognise that some roles more suited to hybrid working than others. Applies to all permanent and fixed-term employees, including agency staff. Policy recognises that one size does not fit all, and that hybrid working will need to operate differently in different parts of the business.	Have formal homeworking policy for employees based at home for **60% or more of contracted hours**. All or majority of employee work can be perfomed at home. **Contractual arrangement** with working time split between home/office location defined in employment contract. Smart working policy (May 2019) refers to **office - based employees** who agree with manager under Workstyle Agreement to work from home regularly or occasionally for **less than 60% of contacted hours** (includes working at another Welsh Government office other location where work can be suitably undertaken)	Policy provides procedure for staff irrespective of grade and length of service to apply for blended working arrangements. Introduced on trial basis for 12 months and will be reviewed accounting for feedback from both employees and management to assess policy and its implementation. Not an entitlement, nor a term of employment. Not guaranteed on a permanent basis. Rotation of blended working opportunities among employees may be required in order to support employee mobility and career development. No change to terms and conditions of employment as part of a blended working, save that employee will be allowed to work remotely on specific days.	Assembly recognises that working from home benefits many staff eg greater work/life balance, increased productivitity and environmental benefits. Offers staff opportunity to work from home, where possible, balanced against business need and importance of colleagies being together for strong team dynamics. Policy applies to all staff permanently employed by Assembly, agency staff, inward secondees, internships, apprenticeships/scholarships. Working from home doesn't suit everyone and some staff prefer office environment. Staff new to role generally find traning and induction easier in office. No right for staff to work from home or for Assembly to insist that staff work from home
Principles	Shaped by staff feedback on how they would like to work in future, 8 principles developed. These are considered by managers when developing hybrid working practices for teams and applied consistently across organisation. Does not necessarily mean same outcome regarding working location pattern.	Principles outline key factors and expectations to be considered. MoJ supports and encourages hybrid working and committed to challenging limitations on availability of flexible working, taking account of needs of people, work and customers. Some roles not suitable for hybrid working and some tasks need to be done onsite. Hybrid working will not be appropriate for some individuals' personal circumstances and may not be the preferred way of working for others. Security, privacy, health, safety and wellbeing requirements apply wherever the employee is working, including at home.	Voluntary and informal flexible arrangement following disussion with line manger and in line with biusibess need	Blended working arrangements must align with business needs Senior management will encourage and facilitate blended working where practical Blended working part of NSSO commitment to being Employer of Choice Management committed to transparency and consistency when dealing with blended working Health and Safety of employees of paramount importance	Approach to considering hybrid working requests underpinned by key points and principles: **Business Need**: primary focus always on meeting business needs of the Assembly; **Place of Work**: Parliament Buildings remains principal place of work; **Flexibility**: hybrid working arrangement subject to requirement for staff to attend Parliament Buildings if asked by line manager to accommodate business needs eg available in building on Plenary Days, attending meetings, training courses or other events. Any hybrid working arrangement kept under review and subject to change; **Availability**: when working from home, staff required to be available/able to work during contracted working hours; **Team dynamics**: office dynamics and informal information exchange very important. **Communication**: essential that good communication and knowledge sharing maintained at all times between staff, their team and their line manager; **Location**: homeworking location must be suitable and comply with relevant law (including health and safety and data protection obligations) as well as relevant Assembly policies. **Focus**: focus of staff must be on their duties when working from home. Cannot be used as a means to facilitate or substitute for any caring responsibilities that staff might have, including childcare arrangements. **Trust**: hybrid working built on culture of trust and healthy respect for wellbeing and work/life balance; **Impact on Own/Other Teams/Business Areas**: must consider if post holder needs to be accessible in Parliament Buildings to other colleagues to allow them to do job effectively and whether work can be carried out as efficently at home so that required outputs met; **Suitability of Post for Hybrid Working**: must consider factors such as whether output can be clearly defined/measured and whether work carried out relatively autonomously or needs lot of ad hoc communication between groups of staff; **Equipment**: consider cost of equipment required to facilitate hybrid working; **Health and Safety**: risk assessment of homeworking evironment must confirm no risks to working from home
Work Styles	**Home** - roles where employee able to work permanently from home, generally as part of adjustment under equality legislation. Not expected many roles fall into this category. **Hybrid** - roles that include regular mix between working from home, offices and/or other on-site location. No singular or pre-determined ratio between the number of days in each location. This is agreed between managers and colleagues to suit business requirements and personal preferences. **On-site** - roles requiring colleagues to be somewhere specific, eg Scottish Government building. Could also be because they prefer to work predominately in Scottish Government building or unable to work effectively from home.			Remote work refers to broad concept of arrangement where individual works at alternative worksite to employer's work premises (in all cases employer's work premises will be the office). Blended working refers to working arrangements combining working from work premises and working remotely, based on agreement between employee and manager, approved through application process.	o
Office/Home Accommodation	Availability of desks or other working spaces in workplace a factor in deciding when staff will attend.	MoJ provide furniture and equipment for use at home to support hybrid working which remains MoJ property.		Blended workers will generally have no automatic right to a dedicated workstation, or single occupancy office, but will have a shared work space available to them when required to attend. All equipment provided is property of NSSO and appropriate care shall be taken when in possession of it. Printers will not be provided. NSSO reserves right to perform security tests from equipment provided to ensure secure connectivity into NSSO systems. Any equipment provided must be returned on termination of the blended working arrangement or when requested by NSSO. Following health and safety assessment and provisional approval for blended working, NSSO will, where it is reasonable to do so and necessary for employee's work, provide appropriate furniture and other equipment.	Staff required to complete general and DSE risk assessment of homeworking environment. Hybrid working cannot begin or continue until all issues identified in risk assessments resolved. DSE risk assessment required annually or when change of circumstances. Once home environment assessed as safe, staff responsible for keeping it that way and advising manager of any risks to be addressed. Staff provided with certain equipment to work at home eg desks, chairs etc and other items identified in DSE risk assessment can be provided eg laptop risers, wrist rests etc. All furniture/equipment provided remains Assembly property. Hours at Work policy applies to working from home, including cour hours of 10 - 12 and 2 - 4. Staff must maintain standards of conduct expected when working in office or at home. If staff found in breach of these policies or there is breach of trust relating to hybrid working arrangement, may be treated as misconduct and appropriate action taken. In event of technical or systems problems or failure, staff must contact line manager immendiatel, who will need to establish extent of problem, business impact and decide on appropriate course of action which may well include staff coming to Parliament Buildings at short notice. Removal of paper documents from office in line with Information Assurance policy. Staff must check security restrictions on documentation and consult line manager on whether documents should be taken from office

Equality of Treatment	Managers mindful that some staff have contractual hours, work part-time. When discussing work styles, all different working patterns in team considered to ensure equal opportunity and inclusion.	All hybrid working arrangements must be implemented with regards for inclusion, equality and fairness. This means adopting inclusive ways of working, balancing the needs for the individual and the team while ensuring fair access to hybrid working.			May not be reasonable or practical for Assembly to replicate adjustments made in office for staff disabled within meaning of DDA 1995 at home. If adjustments at home cannot reasonably be made, staff continue to work in office to ensure no detriment to health.
Review of Agreements	Staff should not assume that agreed hybrid way of working with manager remains fixed. Business needs change, situations arise and requests will likely be made that don't fit within fixed schedule.	Arrangements must be reviewed at least once every 12 months, when an employee moves to a new role, or when their existing role or personal circumstances change.	Arrangements monitored and discussed during individual performance check ins to ensure working for busness and individual	Granted, initially for trial period of 3 - 6 . This is opportunity for employee and manager to keep in regular contact, evaluate success, and ongoing suitability, of arrangement. After trial, suitability of arrangement shall continue to be assessed through regular feedback conversations. Arrangements may be terminated by employee's Recommender/Approver following review on reasonable notice (1 month in most cases) eg due to business needs, team mobility, performance management purposes, poor or no broadband connectivity, health and safety risks, or where other eligibility criteria are no longer met.	Agreed arrangements kept under review by member of staff and line manager and may be subject to change.
Local Agreements	Agreements reached locally for roles suited to hybrid working and should ensure colleagues combine working from home with a presence in a workplace each week. May vary each week depending on business need and some roles more location-specific than others eg some have more interaction with colleagues in roles not suited to hybrid working. Needs of staff who have adjustments in place under equality legislation, or where adaptations are agreed must be met. Staff wanting to be office based all the time should be accommodated.	Business groups should set clear guidelines for hybrid working to ensure a consistency of treatment for similar roles, conducting an equalities impact assessment and consulting local trade unions in the normal way. Guidelines should be set at a level appropriate to the business area concerned and empower teams and individuals to set their own norms and expectations with reference to them. Workplace adjustment requests must be considered wherever the employee is working, including at home.	Managers agree Team Charters with team accounting for business need and individual team member aspirations individual workstyle agreementsthen agreed with individual team members	All of following criteria must be satisfied for any blended working arrangement to be approved: **Business Needs and Role Suitability** Supporting business needs to deliver efficient, high-quality services is of paramount importance. Productivity standards and performance levels will not be compromised to facilitate blended working. Some roles may be less suited to blended working and may require more on-site attendance than others. When assessing applications Recommender/ Approver consider need to facilitate collaboration, team-building and engagement with colleagues and other stakeholders, and whether it would be more beneficial for this to take place in person at employer's work premises. Management has assessed suitability for blended working of roles - set out in Appendix D are deemed to be less suited for blended working arrangements. **Employee Suitability** Each application considered on its own merits. Assessment of individual suitability may include, but not limited to: • confirmation that performance standards and delivery of results have been achieved using defined metrics/deliverables; • satisfactory performance including probation, not subject to ongoing disciplinary or performance improvement process; and • satisfactory compliance with time and attendance policy and procedures, including managed for attendance arrangements. Probationary employees may be considered for blended working, where appropriate taking into account the general criteria,	Staff requesting hybrid working must dicuss factors with line manger including: suitability of post for hybrid working ability to work independently ability to work without daily social interaction with colleagues ability to switch off from work and maintain appropriate balance between working and non working hours personal circumstances and suitability of home environment for working Heads of Business determine broad framework in which hybrid working appropriate for their business area and accountable to their Director for ensuring that arrangements facilitate work in their business area cotinuing to be carried out effectively anf efficiently In line with framework, hybrid working requests considered at AG6 (SO) level.
				Where application refused, reasons clearly communicated to applicant. Also informed of option to review decision. Before seeking formal review, applicant has informal discussion with their manager to discuss reasons for refusal and explore if there is opportunity to resolve any issues identified. If issues can be resolved, manager can re-assess application and may amend their decision. If the issues cannot be resolved, applicant can seek formal review with request submitted, in writing, within 10 working days of receipt of decision to refuse application. Review will focus on whether application process was appropriate and in line with policy. Decision of Review Officer is final.	Staff who feel request not considered fairly and consistently by line manager can ask for review in writing to Head of Business setting out reasons for review. Head of Business considers details provided and responds in reasonable timescale. Their decision final. Agency staff, inward secondees, inernships no right of review. If they have dispute with arrangement which cannot be resolved locally, they should contact their employer who will consider and liaise with Head Of Business as necessary.
Business Need	Different for different directorates, so no centrally fixed amount of time in workplace each week. Directors agree this locally and support their leadership teams to discuss with colleagues how principles will work in practice and what it means for teams. May be work that cannot be done from home and not suited to hybrid working. Local leadership should discuss and agree with colleagues what, if any, flexibility can be offered, and how often this will be reviewed.	Business need prime consideration in determining hybrid working arrangements along with being a modern, inclusive employer. Factors pointing towards a business need for a task to be done in person set out in Introductory Guide	Employees must ensure business neeeds alayas prioirtised when deciding where to work including attending team meetings, check ins, training events etc Smart Working dependent on continued delivery of business obejctives and subject to change depending on role, reponsibilties and performance		
Contractual Place of Work	Contracts don't have colleague's home as contractual place of work. Working from home will be on voluntary basis. Exception may be where it's appropriate for formal homeworking agreement in place as part of adjustment under equality legislation. Won't prevent staff from working on a hybrid basis by splitting time between home and contractual place of work.	Does not involve changes to terms and conditions, such as pay and base location. Option to come into the workplace on a continuous basis remains, including with flexibility to work from home occasionally.		Employee's location of work remains the same, occasionally staff may apply with adequate notice to work from another office location. Must be space available and agreed with management.	Hybrid working agreement does not change permanet wokplace of staff which remains Parliament Buildings Arrangement does not constitute change to employment contract which will continue to require staff to work from Parliament Buildings

Workplace Attendance	Every effort to accommodate personal choice but always weighed against business and operational needs. Expected that colleagues with hybrid work style will combine working from home with presence in a workplace each week. This expectation means staff may have to come to a workplace to do certain tasks, functions or take part in certain events. Capacity to attend specified Scottish Government work location remains contractual requirement and expectation that staff able to attend their work location as and when needed. Staff can choose to live some distance from contractual work location, but accept travel to and from home in own time and at own expense.		Staff have on-site attendance requirement of **minimum on-site attendance of 20% across a calendar month**, including specific days agreed with manager and team; and on days as and when required by manager eg training intact days, collaboration, meetings, on-site events. Full or more regular on-site attendance than minimum requirement available to all staff. Flexibility from both employees and managers required for blended working to be successful. Employees flexible to ensure they participate when sessions arranged by managers. Managers ensure, where possible, adequate notice is provided. Leave applications such as annual or other leave types not used to mask non on-site attendance.	Balance between working at office/home varies by post, business need and staff preference. Consideration given to up to 60% of contracted hours/week working at home. (Greater flexibility considered during recess). Staff in some business areas required to work up to and including 100% of contracted hours/week in Parliament Buildings. Methods by which stay stay in contact with line manager and team agreed and regularly reviewed to ensure they are working effectively. Staff advised of meetings, training sessions and other events required to attend. Also kept up to date with information relevant to work.
Working Abroad	Remote working abroad not supported unless genuine requirement to do so in role eg official business travel overseas to attend conferences, meetings, networking opportunities. Or if role attached to working from one of overseas Scottish Government offices. Very short-term requests may be possible (refers to further information in international travel guidance policy) In line with position agreed across UK Civil Service, reflecting significant issues of compliance related to employing individuals resident in another country. This includes immigration or the right to work in that country, security, taxation, pensions, social security and employment law. Applicants living overseas and successfully applying for Scottish Government position, must become resident in Scotland, or be within commuting distance of contractual work location. Working from abroad for very short-term periods may be possible, if application form completed and approved. All compliance measures must be met and can't be any cost to public purse. Maximum period supported in these circumstances is 4 weeks in rolling 12 - month period.		With exception of employees who reside in N Ireland, remote working outside of ROI for blended workers not facilitated. All NSSO operational employees involved in processing personal data, governed by Data Processing Agreement, which forms a binding governance arrangement with each Department or Office. The agreement gives assurances on data confidentiality, data security and data transfers. Nowhere in those signed agreements have clients approved processing of such data outside of the State. For employees residing in Northern Ireland, in some situations taxing rights on their employment income may arise, exposing such employees to double taxation where employment duties are also performed in the State. Relief for any double taxation may be available under the Ireland/ UK Double Tax Treaty. Can be complex with individual facts and circumstances of each case having different implications. Each Department or Office, or any employee affected, can seek advice from Office of the Revenue Commissioners as to specific tax treatments, where required.	
Expenses	Home working under hybrid model voluntary, so staff not eligible for any specific allowances. Business expenses like phone calls may be reimbursed. No home working allowance to cover costs such as home insurance, broadband, heating or lighting. Base location set out in contract seen as ordinary commute, regardless of how frequently that journey made. Travel and subsistence expenses can only be claimed for journeys to another location in excess of ordinary commute. Contractual work locations reflect fact that business areas are allocated to a building. These cannot be amended to another building to suit personal preference. However, staff can hot desk from any Scottish Government building where space available.	MoJ will not reimburse additional household expenses incurred as result of hybrid working. Employee's responsibility to let mortgage company or landlord know they are working from home and get advice from their insurance company.	Expenses will not be paid where an employee makes changes to premises (such as a home office) to allow for blended working. Employees availing of blended working arrangements may make claims directly from the Revenue Commissioners in respect of tax relief for certain costs when working from home. Any claim made solely a matter for the individual concerned. Travel and Subsistence will not be payable for attending office during a blended working arrangement.	Employees not reimbursed for additional costs incurred when working from home eg heating, lighting, home insurance, broadband If additional expense associated with hybrid working incurred, staff may seek tax relief directly from HMRC Staff responsible for consulting with home insurance company re working from home if appropriate. Mileage not payable between home and permanent workplace.
Caring and Childcare When Working From Home	Working from home can bring benefits to carers and those with school age children ie can enable colleagues to work around caring role. Important that caring role kept separate from work when working from home and hours recorded accordingly eg clock out of flexi to do school run and be realistic about number of hours you can work when children are also at home. Childcare costs for days worked in office not met. Only paid in exceptional and unavoidable circumstances e.g. provision of childcare if staff kept on duty for longer than anticipated or called out at short notice.		While blended working may have benefits for persons with caring responsibilities, any caring responsibilities must take place outside of working time.	Cannot be used as a means to facilitate or substitute for any caring responsibilities that staff might have, including childcare arrangements.