Review of Hybrid Working Policy, Procedures and FAQs

Feedback table - HR Business Partners

1. Feedback on Draft Hybrid Policy, Procedures, FAQs

Department	Section & Paragraph	Main comment	Points to note	People & OD response
HRBPs [redacted]	**General Comment**	The requirement for staff to be in the office 40% doesn't seem to be underpinned with any best practice or research. The FHRAG note mentions some Departments indicated wanting this % but that is the only link to the rationale for the 40%. It would be helpful if there was solid data/research to show where the 40% came from to encourage buy in and support good comms and change management with the implementation of this policy. From conversations it appears that Departments who wanted this 40% i.e. DfC it isn't happening across the board and that is due to various reasons e.g. type of work, volume of work and the need to work somewhere that increases productivity. There is a lot in the slide deck about best practice when using a hybrid working approach but then the implementation of a 40% min requirement in the office seems to contradict that application of best practice. To maximise benefits and minimise risk associated with this policy direction it shouldn't detail a minimum requirement especially without strong rationale and data to support the direction. Taking some learnings from the DfC current position and TU RD – this focuses very much on the need for business justification to a change in the current WSA, therefore it might be helpful to strengthen the information	How was the decision on 40% workplace attendance arrived at	There has been extensive research including NICS Estate Strategy, benchmarking of policies across each jurisdiction and academic research in determining the minimum attendance requirements. Permanent Secretaries and FHRAG have discussed & agreed the 40% requirement.

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HRBPs [redacted]	**General comment**	including in the presentation as to why the decision has been taken to implement a policy change and mandate the 2 days/40% Office attendance. In the main all Departments/Business Areas are/will experience challenges in respect of Estate /accommodation. Whilst not an HR specific issue, this has been raised at Departmental Forums and therefore the availability of space for all staff attending the Office will need to be considered and assurances provided around accommodation prior to the launch of the revised Policy will be required. For example, one Business Area in DoF has advised that the maximum they can operate a hybrid working policy is 33% due to accommodation restrictions. This Business Area operates a 3 weekly working pattern e.g. Week 1 Mon & Tue, Week 2 Wed & Thurs & Week 3 Fri. Other business areas may have a similar issue and should be taken into account. It would be helpful to have an enhanced reference to the variety of workplaces across the NICS, reflecting the roles carried out which are not Office based. Related to this it may be helpful to have some worked examples covering a range of working patterns e.g. how it may work for those on a shift working rota. Should there be an FAQ advising contact points for managers who may need further help and guidance on operational aspects of the hybrid working policy – If this is ER the current dedicated ER contact for each Department could be used and should be reflected. In	Assurances on accommodation / office capacity required prior to launch Non Office based roles and shift working rotas Contact for Hybrid Working Guidance	As highlighted above, Perm Secs and FHRAG have agreed the 40% attendance requirement. Departments will manage the implementation of the Hybrid Working policy. It is not possible to be specific about roles which are not office-based roles. FAQs will include worked examples of different working patterns. The procedures and FAQs should cover all aspects. Additional queries should be addressed to HRConnect in line with procedures.

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HRBPs [redacted]	**General comment**	addition, reference to other Functional Area support, including the Policy Owner would be helpful.		
		Senior management defined as G7 – does it need to be made clear that the G7 must operate their Business Areas in line with Policy and senior direction. Does it need to reflect that SCS have a responsibility to ensure that work areas under them are operating as needed and G7s aligning accordingly. Should go without saying but there have been examples of differences in opinion and approach.	Consider outlining SCS responsibility	Following feedback from FHRAG, FAQs will be updated to reflect the comments raised.
		Prior to issuing will there be any support for line managers – handling difficult conversations for instance? Has the revised Reasonable Adjustment Policy been approved as there are references to this Policy in the documents reviewed. It will be important that the revised Policy is the reference point for all staff.	LM Support – Handling difficult conversations/ Reasonable Adjustment Policy	Internal communications will support implementation of the policy and signpost support detailed in Annex C & F of the procedures. Revised Reasonable Adjustments policy has not yet been issued.
		APEX FACES option – has this been tested? Reference to Support Services should be amended to reflect the rebranding of Inspire to Lena.	Apex Faces & Inspire change to Lena	We are working with NICSHR in the development of on-line system and will amend wording for FACES and Inspire as required.
	Hybrid Working Procedures **Para 3.1**	Suggest the wording around the required 40% workplace attendance will not impact staff with existing reasonable adjustments be amended to read 'in- office attendance' requirements.	Suggested change in wording	The term 'workplace attendance' is used consistently throughout the policy, procedures and FAQs and agreed with FHRAG.
	Para 4	Calculation of Workplace Attendance - may be useful to include here (or in FAQs some examples of different scenarios – compressed hours, term time, partial	Suggested inclusion of calculation examples.	FAQs on calculation for AWPs will be included.

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HRBPs [redacted]		retirement, part-ime / reduced hours and leave arrangements during part of a working week. For completeness should there be a reference to cover additional LM attendance e.g. "…. therefore, entailing greater office attendance from the LM". Consider addressing this as a FAQ.	Clarification that LMs should attend office with their staff	Paragraph wording being considered following FHRAG feedback. This will be for business areas to manage. All staff are entitled to Hybrid working / flexibility.
	Para 5.4	Suggest inclusion more specific "will be required to attend the workplace more than 40%...."	Strengthen wording so to not appear optional	Wording is currently under consideration following feedback from FHRAG.
	Para 7.3, Q11 FAQs and Annex B flow chart	To assist LM and individuals where there is a disagreement on the WSA it might be useful have more information on the uniform appeal process (or as FAQ or step in flow chart) and what happens on UA outcome in terms of the WSA - for example where the appeal is not upheld.	Include more detail on actions following the outcome of UA	The Uniform Appeals process will continue to apply as normal. Do not consider that further information on UA required other than will include in flowchart.
	Para 9.2	Suggest 'encouraged' should be amended and 'LM will be required to address……'	Strengthen wording to not appear optional	Wording is being considered following feedback from FHRAG.
	Para 10.2	Bullet point 7 references to links learning bundles should be removed and referenced made to Links Toolkits	Consider change of reference	Will update.

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HRBPs [redacted]	**Para 11.8** **Annex A – Benefits** **Annex A - Benefits**	May be helpful to clarify the position around requiring equipment for **both** at home and in the workplace.	Clarify equipment provided for home and workplace.	Do not consider it is necessary to include detail on equipment required in the workplace as this will be addressed by business areas.
		Not sure that reference to commuting time and cost should be included, as the reality is the change in the policy position means the vast majority of NICS staff will actually be spending more time and money on commuting. Whilst it is a benefit vs doing is 5 days a week, since 2020 this has not been the case, so from a presential perspective it may be best to remove. Hybrid Working is also not available in all Departments i.e. operational areas in DoJ – it might therefore be best to avoid reference to benefits that all NICS staff cannot avail of.	Most staff will have increased costs & travel time consider removing benefit. Many staff cannot avail of hybrid working, consider removing benefits.	Noted – however FHRAG has accepted the wording, and will not be changed at this point. It is recognised that some job roles will not facilitate hybrid working. However, we cannot avoid highlighting the benefits of Hybrid Working as an organisation offering hybrid working.
	Hybrid Working Policy **Para 4.4**	Refers to pro-rata arrangements this reference is absent in the Procedures document.	Ensure procedures are clear that AWP will be on pro rata basis	Not required – Para 4.2 of the procedures is clear that it is 40% of contracted hours.
	Para 4.6	Use of the word 'encouraged' may cause difficulties, particularly for DfC where staff are required to attend the office on a full-time basis for periods of up to 6 months when commencing a new role. Emphasis on business	Strengthen wording to not appear optional	Issue currently under consideration

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HRBPs [redacted]		need should be reflected. (see also comment under 5.4 of procedures document).		
	Para 4.11	Suggest that the use of word '**encouraged**' when referring to Office attendance should be reconsidered throughout all documents.	Strengthen wording to not appear optional	Issue currently under consideration by FHRAG
	Annex C	Reasonable adjustments should specially reference workplace attendance adjustments.	Reasonable Adjustments regarding Workplace attendance	Point is addressed at Para 7.9 of procedures updated as below: **"Requests to avail of home working or working from another location as a reasonable adjustment due to a disability are separate to requests for hybrid working under the Hybrid Working policy. Implementation of reasonable adjustments is a legal duty under the Disability Discrimination Act 1995 (DDA).**
	FAQs Q.11	Makes reference to 'abuse of trust' – suggest that this is cross referenced throughout all documents.	Reference abuse of trust in all documentation	Para 4.11 of the policy details that hybrid working is built on a culture of mutual trust and deals with abuse of trust.
		See comment at 7.3 under Procedures – Cross reference	Include more detail on actions following the outcome of UA	The Uniform Appeals policy will continue to apply as normal. Do not consider that any further

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		More information and what happens on UA outcome in terms of the WSA - for example where the appeal is not upheld.		information is required in the Hybrid Working policy.
	Q.09	Refers to LInKS Learning Bundles this should be amended to LInKs Toolkits	Consider change of reference	Will be updated.
	Q.15	Amalgamate with Q16 for better clarity/consistency	Consider combining Q15 & Q16	FAQs will be updated.
	Qs 21 and 22	Wording ambiguous in terms of caring responsibilities – suggest that wording includes reference to the need to have caring arrangements in place whether working from home or in the Office	Suggested change to clarify refers to WFH and Office	FAQs will be updated.
	Q23	Suggest that wording reflects that LM have a duty of care for staff and should be aware on a daily basis of working arrangements/location.	Include reference to LM duty of care	FAQ will be updated.
	Q25	Use of word 'encouraged' should be amended (see comment at 9.2 under Procedures)	Strengthen wording to not appear optional	Wording is being considered.
	Additional FAQs	See comment at 4 under Procedures – suggest examples of types of scenarios be included in this document	Include examples of calculations	FAQs on calculation for AWPs will be included.