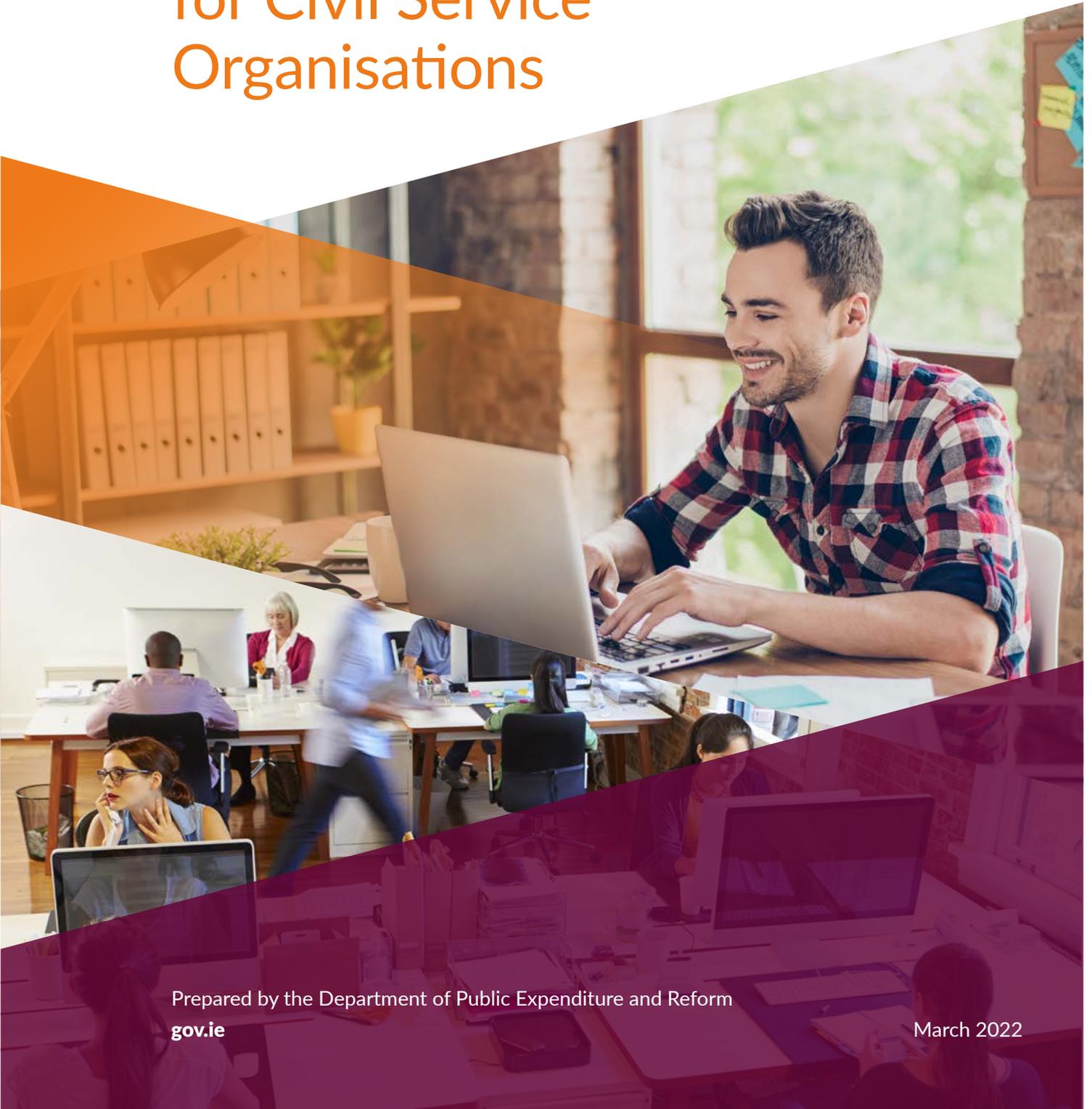




An Roinn Caiteachais
Phoiblí agus Athchóirithe
Department of Public
Expenditure and Reform

Blended Working Policy Framework for Civil Service Organisations



Prepared by the Department of Public Expenditure and Reform
gov.ie

March 2022

Foreword

I am delighted to present to you the *Blended Working Policy Framework* for the Civil Service.

Over the last couple of years, the pandemic brought about a sudden and seismic change in the working arrangements for everyone. Despite the challenges, civil servants adapted swiftly and with great success to this new working environment which required so many to work remotely. In doing so, their efforts have helped to ensure the continuity in the provision of key services to the public.

Many lessons were learned around how remote and blended working applied in practice, often in very difficult circumstances. This Framework harnesses those lessons and provides guidance to Departments and Offices which will bring a level of consistency and transparency while allowing organisations the flexibility to tailor their policy to meet their business needs.

The Government has mandated public sector employers to move to 20% remote working and this Framework supports that commitment by providing for a longer term approach to blended working across the Civil Service. This move to blended working also supports commitments in the National Remote Working Strategy, Our Rural Future, the Climate Action Plan and the National Planning Framework.

I fully support the principles set out in the Framework which aim to address opportunities and risks for both employers and employees:

1. Support the Business Needs of the Organisation
2. Leadership and Management
3. Be an Employer of Choice
4. Transparency and Consistency
5. Health and Safety

Departments/Offices will finalise and progressively roll out their individual long-term blended working policies. This Framework is a significant shift in how the Civil Service works and it presents benefits for both employers and employees by increasing flexibility, reducing time spent commuting, improving work-life balance and allowing for a more productive workforce.

I am delighted to support this new and ambitious chapter for the Civil Service and I look forward to the benefits and outcomes it will bring to better serve the people of Ireland.

Kind regards,
Michael McGrath, TD
Minister for Public Expenditure and Reform



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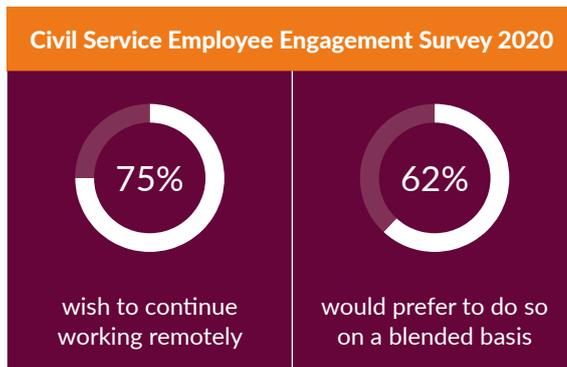
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1. Introduction

The term blended working refers to a combination of working from the employer's work premises and working remotely. There are a number of drivers for the introduction of blended working across the Civil Service. These drivers include supporting government policies and commitments set out in the Programme for Government and supporting the Civil Service Renewal 2030 Strategy by ensuring the Civil Service remains an employer of choice, promoting a diverse, innovative and progressive work environment that offers flexibility and values work-life balance. The Government has mandated public sector employers to move to 20% remote working. The Civil Service will demonstrate leadership in moving proactively to this new blended working environment with a view to achieving at least 20% initially, in line with government commitments. The move to blended working also supports commitments in the *National Remote Working Strategy*, *Our Rural Future*, *the Climate Action Plan* and *the National Planning Framework*.

In addition to the government commitments set out above, there have been substantial learnings from the move to remote working for many civil servants resulting from the COVID-19 pandemic. Having considered the benefits, challenges, opportunities and risks, the Civil Service must strive for a sustainable approach with an optimal balance where employees who work remotely do so on a blended basis in order to allow for face-to-face interaction and collaboration with colleagues and service users.

Additionally, the Civil Service Employee Engagement Survey 2020 (CSEES 2020) and other surveys carried out by Departments show there is a strong desire among civil servants to continue to work remotely in the longer term, the majority of whom wish to do so on a blended basis, in order to reduce time spent commuting, increase flexibility and improve work-life balance.



This Framework is one phase in a significant programme of work that aims to promote blended working across the Civil Service. The programme also includes:

- enhancing health and safety capacity,
- the efficient use and adaptation of accommodation/office space,
- the development of a Health and Wellbeing Framework, and
- advancement in technology to support a 'digital first' culture.

These are the steps towards building a more dynamic, agile and responsive Civil Service in terms of where, when and how we work while sustaining strong standards of performance and high levels of productivity. Organisations will need to plan how office space can be best utilised to facilitate collaboration and communication among blended teams and adapt office space to meet the needs of blended working arrangements.

As provided for in the document, the Blended Working Policy Framework will be reviewed on an ongoing basis to adapt to any changes required to meet the needs of business and employees, to incorporate any broader strategies and approaches to new ways of working and to recognise that our current views on blended working are likely to evolve as we emerge from the pandemic.

This Framework has been co-designed by the Civil Service Sector Group with representation from Civil Service organisations and in consultation with Trade Unions and Staff Associations. The development of a longer-term vision for innovative alternatives to office-based and home working in the Civil Service requires significant work around the various influencing elements such as demand, property requirements, ICT support, legal and HR considerations, as well as the practical management of a hub system. These will be considered in the context of the wider Blended Working initiatives.



2. Purpose of the Framework

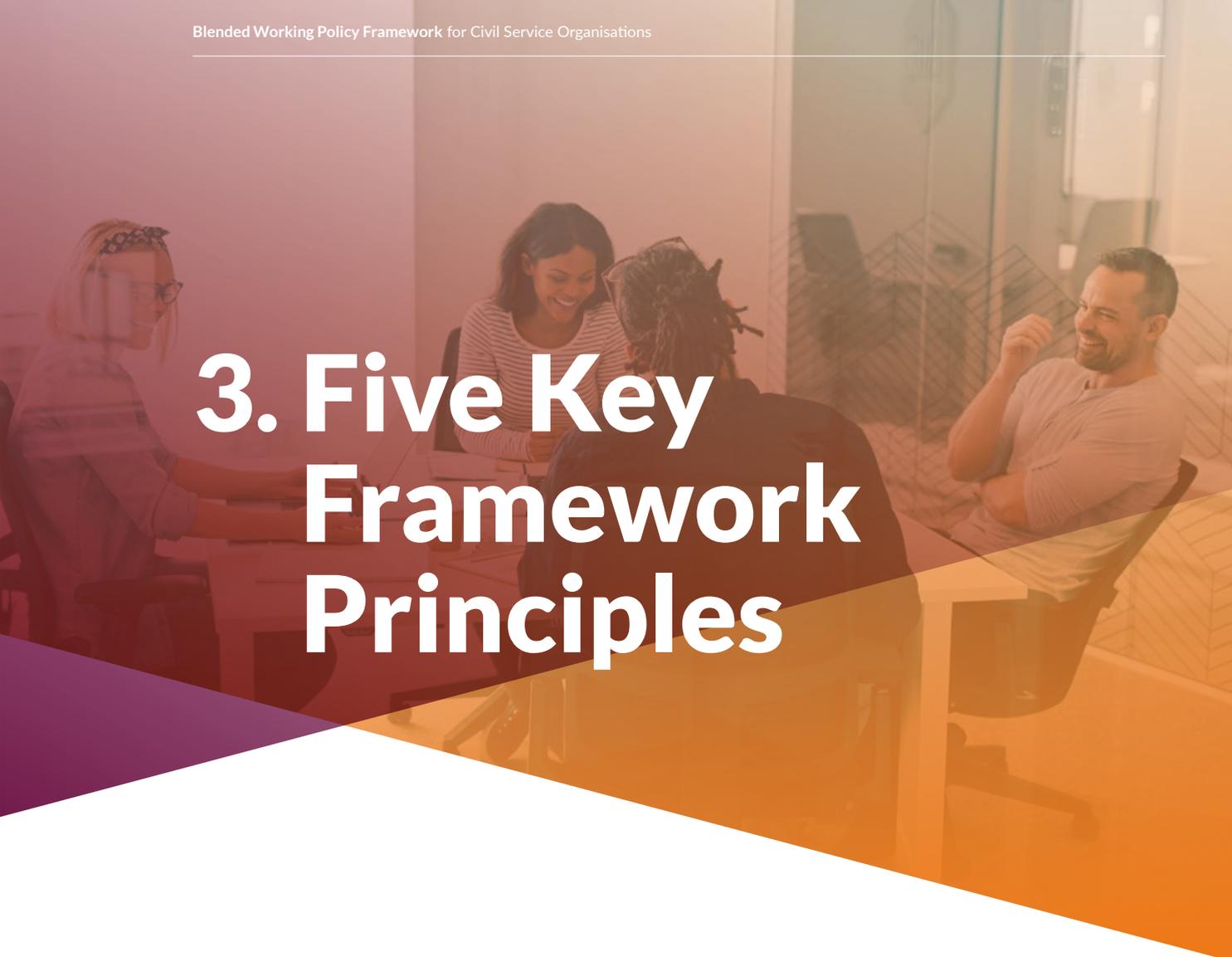
This Civil Service Blended Working Policy Framework provides an overarching framework to inform Civil Service organisations when developing blended working policies and other related initiatives. Every Civil Service organisation should develop and implement a Blended Working Policy. Blended Working Policies must ensure that the ability of the Civil Service to deliver excellence in public service delivery and strategic policy development for Government, the public and business is fully supported.

This Framework includes:

- A set of key principles to guide organisations
- Guidance on eligibility criteria
- A blended working policy template
- Guidance on central supports and obligations
- Policy review mechanisms and measurements

While the main purpose is to inform policy development, the Framework allows organisations the flexibility to meet their own specific business needs, having regard to the policy or service delivery context in which they operate. The aim is to ensure a level of consistency across the Civil Service. Areas of consistency include eligibility criteria, provision of equipment, application and decision-making process and review process. This Framework and individual blended working policies will continue to evolve to reflect the impact on new ways of working within the Civil Service.

For ease of reference, civil servants are referred to generally as “employees” in this Framework.



3. Five Key Framework Principles

3.1 Principle 1 - Support the Business Needs of the Organisation

The role of the Civil Service is to provide efficient, high-quality services to the people of Ireland. Therefore, in advance of developing a Blended Working Policy, organisations must determine how the implementation of blended working arrangements will align with the business needs of the organisation. Strategic planning at an organisational level will be crucial for managing such organisational change; ensuring a consolidated approach among teams; supporting the assessment of blended working applications and safeguarding the continuous prioritisation of business needs.

While blended working is mutually advantageous for employers and employees, access to blended working will not be an automatic entitlement, nor will an employee be entitled to retain a blended working arrangement where, following review, the role and/or individual is no longer deemed suited to blended working. The ability to successfully meet the needs of the business while working remotely must be the foremost consideration for organisations

in determining the suitability of blended working, as this is key to the approval of any blended working arrangement. Blended working presents an opportunity to meet business needs in a new way of working, to enhance service delivery, underpin business continuity and improve the performance of organisations, provided the role being performed is suitable to be carried out remotely.

Information on Obligations on Organisations, Leaders and Managers is available at Appendix A

3.2 Principle 2 – Leadership and Management

Visible support for blended working from senior leadership will be critical to ensuring the success of this new way of working by championing and demonstrating a culture of flexibility, agility, trust and innovation. Leaders and managers should actively encourage and facilitate blended working where practical, participating where possible in order to advocate blended working as the new norm and assist with embedding this organisational change. The

role of the manager at all levels is key in building and maintaining trust while ensuring that organisational culture and cohesiveness are preserved. Managers should ensure the implementation of a fair and effective system of blended working, support and develop employees to operate in a blended environment, facilitate strong channels of communication, collaboration and employee inclusivity and ensure individual accountability and effective performance management.

Information on obligations on:

- Organisations, Leaders and Managers is available at Appendix A
- The Role of the People Manager is available at Appendix B

3.3 Principle 3 – Be an Employer of Choice

The Civil Service continues to be an inclusive and progressive employer that is responsive to the needs and preferences of its workforce through its employment policies and practices. Providing a positive employee experience aligns with our strategic priority to 'Be an Employer of Choice', offering a place where talented people choose to work and talented people choose to stay.

The benefits of blended working include the potential to attract a diverse, high quality talent pool, offering fulfilling and rewarding roles with opportunities for development and career progression. Blended working will be an additional initiative to join the suite of flexible working options in the Civil Service, with the potential to reduce commutes, improve wellbeing and work-life balance. The introduction of blended working will not reduce the availability of current flexible working options.

The provision of blended working can be beneficial from an environmental and economic perspective, as it has the potential, in many cases, to support health and wellbeing career opportunities a reduced carbon footprint regional development and a diverse and inclusive workforce.

3.4 Principle 4 – Transparency and Consistency

Transparency and consistency within organisations and across the Civil Service is imperative to build the trust and confidence required to implement blended working effectively on a wide scale. Regular communication with consistent messaging and a fair and robust decision-making and review process are crucial.

In the interest of a fair decision-making process, no employee can have automatic access to a blended working arrangement on the basis that they have previously worked remotely. It is important to acknowledge that the number of employees and/or the percentage of time employees are approved to work on a blended basis at any one time may be limited based on business needs. To ensure fairness and equity to all employees on an ongoing basis, blended working will not be indefinitely guaranteed to any employee, as rotating may be required in order to support business needs, employee mobility and career development.

The management of blended working within organisations should be reviewed on an ongoing basis to ensure consistency in the implementation of blended working policies.

3.5 Principle 5 – Health and Safety

The health and safety of all employees is of paramount importance. Both the employer and employee have responsibilities in this area.

Under the Safety, Health and Welfare at Work Act 2005 employers have a duty to ensure, so far as is reasonably practicable, the safety, health and welfare of their employees. This applies regardless of where the work is being carried out, whether it is at the employer's premises, a hub or shared workspace or at the employee's home. Employers need to consult with their employees to assure themselves that the employee's workstation and equipment are suitable for their work, to determine if there are any specific risks regarding working from home and to provide any information, training or instruction required. The employer must arrange for a risk assessment, including an assessment of equipment and ergonomics, to be carried out. The employer must take appropriate protective and preventative measures following on from that risk assessment, including following up to ensure the necessary amendments have been made to mitigate any identified risks.

Employers should comply with their own obligations, and bring the employee obligations to the attention of their employees. They should ensure that such obligations are referenced in the organisation's Blended Working Policy. Employers and employees must comply with all of their obligations under the Safety, Health and Welfare at Work Act.

Information on health and safety obligations is available at Appendix C

4. Guidance on Policy Development

4.1 Obligation to Develop a Policy

Every Civil Service Department and Office should develop and implement a Blended Working Policy in consultation with local employee representatives through appropriate local fora. This section sets out what might be included in a draft policy. It should be noted that the Blended Working Policy Framework supersedes Circular 4/2003: Pilot schemes to promote e-working in the Civil Service.

Blended Working Policy Template

1. Purpose and scope

2. Remote and blended working

3. Key principles

4. Application process

5. Review process

6. Eligibility criteria

7. Trial period and continuing assessment of suitability

8. Termination of arrangements

9. Provision of equipment

10. Expenses

11. Safety, health and welfare at work

12. Supports

13. Legal and HR obligations

14. Terms and conditions / working arrangements

15. Review of policy / arrangements

16. Roles and responsibilities

Policy Appendices:

A. Application Form

B. Health and Safety Self-Assessment Form

C. Glossary of Supports

D. Obligations on senior management / people managers / civil servants

E. Tips for managers on maximising individual and team productivity

F. Health and Safety Obligations

G. Other Legal Obligations

A Blended Working Policy Template is available at Appendix D.

4.2 Eligibility Criteria

All employees, regardless of grade, can apply for a blended working arrangement. However, access to blended working will not be an automatic entitlement, regardless of any previous remote working arrangement for the employee, including during COVID-19. Civil Service employers should support and facilitate access to blended working wherever practicable, as it can be mutually beneficial for both the employer and employee. In general, no employee should work 100% remotely.

All applications for blended working should be evaluated on the basis of criteria set by the organisation in the Blended Working Policy. The criteria should include a consideration of:

- business needs and role suitability,
- employee suitability, and
- suitability of designated workstation.

Further detail on these criteria is included in section 4.2.1, 4.2.2 and 4.2.3 below.

The criteria should be:

- selected taking into account the specific needs of the organisation,
- applied consistently to ensure fairness across the organisation, and
- reviewed regularly to enable organisations to adapt their policy to meet their evolving business needs.

All criteria must be satisfied for any blended working arrangement to be approved, none of which may be excluded from consideration.

4.2.1 Business Needs and Role Suitability

Supporting the business needs of the organisation in order to deliver efficient, high-quality services to the people of Ireland is of paramount importance. Customer service, productivity standards and performance levels must never be compromised in order to facilitate blended working. Where practical, organisations should strive to be more flexible, efficient and resilient by reimagining roles and facilitating blended working, while enabling onsite interaction, collaboration and support and sustaining high levels of customer service, productivity and performance at an individual, team and organisational level.

In order to achieve this, strategic planning at an organisation level will be crucial for managing the move to blended working while safeguarding the business needs of the organisation. As part of this planning, organisations should conduct an exercise to identify the roles that are suitable (in whole or in part) or unsuitable for blended working.

Criteria to be included in the exercise must include, but shall not be limited to, the following:

- the ability to meet the business needs of the organisation,
- the ability to maintain the required level of service quality,
- team performance and team collaboration,
- operational issues, or other issues related to the organisation as a whole,
- organisational costs, and
- the extent of blended working arrangements available in the organisation.

Due to the diverse range of services provided across the Civil Service, each organisation needs to consider the suitability of the role in terms of the efficiency and effectiveness of service delivery. In this context, the following criteria should also be considered (but not limited to) during role suitability identification exercise:

- requirements to access particular technologies/equipment/data accessible only on-site,
- requirements for customer-facing service delivery at the employer premises,
- performance of tasks that have a high degree of manual work,
- performance of support tasks that must be provided on-site, and
- performance of tasks that are more efficiently carried out on-site.

Organisations must refer to the outcome of this role identification exercise in their Blended Working Policy to give clarity to employees as to which roles have been identified as suitable or unsuitable for blended working. Organisations should be cognisant of the need to review the exercise periodically, as new technology or work processes may change a role's suitability for blended working.

4.2.2 Employee Suitability

Each application should be considered on its own merits, noting that access to blended working should, as far as practical, be an option for all staff and that issues arising for individuals should be managed as appropriate and on an ongoing basis, whether in the workplace or remotely.

Criteria to be included in the assessment of individual suitability may include, but shall not be limited, to:

- confirmation that performance standards and delivery of results have been achieved using defined metrics/deliverables, as appropriate, satisfies the requirement for blended working

- satisfactory performance, including PMDS/ Probation,
- satisfactory compliance with time and attendance policy and procedures, and
- not subject to an ongoing disciplinary process or hold a live record of disciplinary action on file.

Probation

Probationary employees can be considered for blended working but the manager should consider whether blended working is appropriate, taking into account the general criteria and specific factors relevant in the context of probationers.

For example, a manager may require that a probationer attend the employer's work premises during the probationary period:

- to assist probationary employees with adapting to their new role and work environment,
- to facilitate ongoing engagement with managers and with team members,
- to facilitate team bonding and collaboration,
- to facilitate face-to-face meetings and training where required, and/or
- to assist with the assessment of the probationer's performance during the probationary period.

Managers will need to determine on a case by case basis how much attendance is required at the employer's work premises, taking into consideration the varying needs of new recruits and recently promoted employees. In some cases, full-time attendance at the employer's work premise for the entire probationary period may be required. In other cases, attendance for a set period may be appropriate, or for a specified work pattern. In any event, managers must ensure that they are able to assess probationary performance accurately.

As with any other situation, blended working arrangements are subject to review and may be withdrawn where appropriate, for example, where the manager needs attendance at the work premises to assist with the assessment of performance.

4.2.3 Designated Workstation Requirements

The responsibility for employees' health and safety at work rests with the employer, whether or not that work is being done at the employer's premises or remotely. Employees have a responsibility to take reasonable care of themselves and other people who may be affected by the work they are doing. Employers and employees should ensure that they comply with all relevant health and safety obligations as set out in more detail in Appendix C.

In order for a blended working application to be considered, the employee must identify a single designated remote workstation, which is suitable and meets the health and safety requirements as set out in the Blended Working Policy. The employee must agree to a risk assessment being conducted by the employer, whether this is an initial assessment or on an audit basis, and must also complete any required training. These assessments must be conducted by competent persons who may be internal experts and/or external providers. The employee must undertake to make no subsequent changes to their workstation without authorisation from the employer.

The employee must also be able to connect to a work computer via their own reliable broadband connection and have a working environment which complies with data security and applicable confidentiality standards. With the exception of employees who reside in Northern Ireland and those posted to specific roles or assignments such as a consulate/embassy, remote working outside of the State will not be facilitated. It should be noted that in respect of employees residing in Northern Ireland, in some situations taxing rights on their employment income may arise in Northern Ireland. In this scenario, such employees may be exposed 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. This area can be complex, with the individual facts and circumstances of each case having different implications so each Department or Office, or any employee affected, can seek advice from the Office of the Revenue Commissioners as to specific tax treatments, where required.

Blended workers will generally have no automatic right to a dedicated workstation or single occupancy office in their employer's work premises but will have a shared work space available to them when required to attend.

4.3 Application and Decision Making Process

Organisations must adopt an application and decision-making process to ensure a consistent approach to blended working applications.

The application and decision-making process must be included in the organisation's Blended Working Policy. The process must facilitate the transparent and consistent consideration of applications using the eligibility criteria set out in Section 4.2 and should include:

- an application and decision-making process and
- a review process (referred to below in Section 4.4).

A sample Application and Declaration Form is available at Appendix E.

All applications should be subject to a two-stage approval process, and have the facility for a review process. The two-stage approval process will be completed by a Recommender and an Approver. This will usually be a manager and a more senior manager within the applicant's reporting line or HR. Each organisation must set out in their Blended Working Policy the level at which Recommenders and Approvers will be designated within their organisation.

The stages of the application and decision-making process should generally include the following:

- Review of the Self-Assessment Form, Blended Working Application Form and Declaration and Blended Working Policy by the applicant.
- An initial conversation between the applicant and their manager and/or the Recommender to discuss the suitability of a blended working arrangement for the employee, including the eligibility criteria as set out in Section 4, the potential blended working pattern and the impact on the team. The applicant may be given feedback by their manager in relation to any areas where the eligibility criteria have not been met, giving the applicant the opportunity to rectify these areas before submitting their application.
- Completion of the Blended Working Application Form and Declaration by the applicant to reflect the discussion with their manager.
- Submission of the Blended Working Application Form and Declaration by the applicant to the Recommender for assessment of the application in line with the Blended Working Policy and the employee suitability criteria set out (Section 4.2.2).
- The Recommender records, on the application form, whether or not they support the application and passes their recommendation to the Approver for review.
- The Approver considers the application and recommendation and makes a decision whether to provisionally approve, or refuse, the application.
- The Approver will record their decision on the application form which will be relayed to the applicant in writing.
- Where an application has been refused, the reasons for refusal should be clearly communicated to the applicant.
- The confirmation of refusal should also inform the unsuccessful applicant of the option to review the decision-making process.
- Any approval provided is provisional pending the following steps:
 - » Completion of appropriate training by the applicant in relation to their designated workstation set-up.
 - » Completion of the Blended Working Self-Assessment by the applicant before commencing work, and submission to the designated competent person(s), as determined by the organisation.
 - » Review by competent person(s) to identify required potential risks highlighted by the Self-Assessment form. Where risks cannot be mitigated, the blended working arrangement will not be approved. The blended working arrangement may commence where requirements set out in Self-Assessment form are satisfied.
 - » Assessment of the employee's designated workstation by a competent person. While the remote working arrangement may have commenced prior to this assessment, the arrangement will be rescinded if the assessment confirms that the designated workstation fails to meet the required health and safety standards, or should it be changed subsequently so that it fails to meet such standards.
 - » Formal sign-off and written approval of the blended working arrangement following the assessment and where the designated workstation meets the required Health and Safety standard.

The approval of any blended working arrangement is at the discretion of management in line with Section 4 – Eligibility Criteria. Blended working agreements should include an initial trial period. In general, the trial period should last no less than three months and no more than six months.

An employee may submit a Blended Working Application for consideration no more than once every 12 months unless their role and/or unit changes or there have been significant changes to their proposed home work station.

Requests for a blended working arrangement as a reasonable accommodation should be dealt with under the usual process for seeking reasonable accommodation and not through the Blended Working Policy.

The requirements of any application process may be subject to change depending on changes to legislation related to remote working, and specifically the right to request remote working, which is currently under consideration.

A sample Self-Assessment Form is available at Appendix F.

The Application Process map is available at Appendix G.

4.4 Employee Right to Review a Decision to Refuse

Where an application for blended working is refused, the applicant may wish to request a review of the application process. Before seeking a formal review, applicants should have an informal discussion with their manager (the Recommender) in the first instance to discuss the reasons for refusal and to explore if there is an opportunity to resolve any issues identified. If the issues can be resolved, the manager can re-assess the application and may amend their decision. If the issues cannot be resolved, the applicant may seek a formal review. The review will be undertaken by a Review Officer, who will be appointed by the organisation. This Review Officer will not have been involved in the original decision-making process. The steps in the formal review process should generally include the following:

Step 1:

The request for a formal review must be made, in writing, within 10 working days of the decision to refuse the application. The application for a review should set out the grounds of the review. The focus of the review will be to determine whether the application process was in line with the organisation's Blended Working Policy. All records relating to the application and original decision should be made available to the Review Officer. In general, the review will be a review of the file only. The Review Officer will, determine the process for review and may give due consideration to any request for a meeting in a specific case, however their decision will be final on whether a meeting is necessary with the applicant, Recommender or Approver /HR.

Step 2:

The decision of the Review Officer will be communicated in writing to the applicant, the Recommender and Approver, and HR. In general, this should occur within 10 working days of receipt of the formal review request. The decision should set out the reasons for the decision. The Review Officer may:

- Affirm the decision to refuse the application, or
- Recommend that the original decision be reconsidered by the Recommender and/ or Approver, taking into account any issues identified by the Review Officer,
- Make other recommendations related to blended working, where appropriate.

While the main purpose of the review is to assess the original decision-making process, the Review Officer has discretion to consider reviews of other cases where blended working arrangements are deemed inappropriate or unsuitable after a trial period, or as a result of a change of circumstances.

For the avoidance of doubt, the decision of the Review Officer is final.

The Review Process map is available at Appendix H.

4.5 Continuing Assessment of Suitability of Arrangements

An agreed blended working arrangement should, in the first instance, be granted on a trial basis. The trial period is an opportunity for the employee and the manager to keep in regular contact and to evaluate the success and ongoing suitability of the arrangement.

After the trial period, the employer and employee should continue to assess the suitability of the arrangement. Managers should continue to review the arrangement, through regular conversations with employees. A formal review of the blended working arrangements should also take place as part of the PMDS process. The manager and the organisation will need to assess if the blended working arrangement continues to suit the business needs of the organisation.

Blended working arrangements must not be guaranteed to any employee on a permanent basis. Rotation of blended working opportunities among employees may be required in order to support employee mobility and career development.

Blended working must not be used as a substitute for annual leave or sick leave. While blended working may have benefits for persons with caring responsibilities, any caring responsibilities must take place outside of working time.

Blended working arrangements may be terminated by the employee, or the employer following review, giving reasonable notice. For instance, an employee may be notified of the requirement to cease their blended working arrangement at any time due to business needs, team mobility, performance management purposes or no longer meeting the eligibility criteria. Arrangements may also be terminated due to the employee declaration no longer being honoured, poor broadband connectivity or health and safety risks. Managers must discuss the reason(s) behind any decision to terminate the blended working arrangement. In addition, an employee's personal circumstances may change, requiring them to return to working in an office-based environment.

In most cases, reasonable notice will be one month. In exceptional cases, shorter notice or longer notice may be necessary at the discretion of management.

The obligation to continually assess the suitability of blended working arrangements, and the right to terminate the arrangements, should be set out in the Blended Working Policy.

4.6 Provision of Equipment

Employees availing of blended working in the home should, as far as is reasonably practicable and in line with funding availability, be equipped with a mobile device (e.g. laptop), keyboard/mouse, monitor and such ancillary peripherals (e.g. mobile phone) as are locally agreed as essential for the execution of official duties. In general, printers will not be provided for data protection reasons. Any equipment provided by the employer must be returned on termination of the blended working agreement.

Employees will complete a self-assessment form identifying any potential risk and confirming that their workstation meets the relevant health and safety requirements. Following the health and safety assessment and provisional approval for blended working, an employer should, where it is reasonable to do so and necessary for the employees work, provide appropriate furniture and equipment. Employers must inform employees that the employer reserves the right to audit the workstation to ensure compliance with health and safety standards.

4.7 Expenses

Employers should not pay a daily allowance to their employees in respect of working from home. 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. The application can be made at the end of the relevant tax year, in accordance with the relevant tax laws. Any claim made in this regard is solely a matter for the individual concerned. Further details on eWorking and tax are available at: www.revenue.ie/en/tax-professionals/tdm/income-tax-capital-gains-tax-corporation-tax/part-05/05-02-13.pdf

No expenses will be paid or reimbursed in respect of costs accruing to an employee who makes changes to their home, or purchases equipment in order to avail of a blended working opportunity.

Travel and Subsistence will not be payable for attending the main work premises during a blended working arrangement.



5. Guidance on Central Supports and Obligations

5.1 Supports

Each Civil Service organisation should consider the various supports that should be made available to employees in the context of blended working. Further information in relation to the following supports is set out in Appendix I and includes:

- Technology solutions for blended working,
- Learning and development, and
- Health and well-being, including access to the CSEAS.

5.2 Health and Safety Obligations

Obligations under the Safety, Health, and Welfare at Work Act 2005 are of great importance when considering and implementing any blended working arrangement, whether at application stage or on an ongoing basis. Guidance on the key obligations of the Act are contained in Appendix C. All organisations should ensure that they comply fully with the obligations contained in the Act and take them into account when drafting their Blended Working Policy.

5.3 Other Legal Obligations

Civil Service organisations should also be mindful of the various legal obligations on employers, regardless of whether business is conducted at the employer's premises, the employee's home or another location where the employee is engaging in blended working. It is also important to remind employees that they must continue to comply with all of their obligations as a civil servant, including all legislative obligations, and remain bound by all relevant policies and procedures, regardless of the location from which work is being carried out.

Obligations for both employers and employees are set out in the following:

- Data Protection obligations
- Employment Equality Acts requirements
- Obligations under the Organisation of Working Time Act:
 - » Rest periods
 - » Annual Leave entitlements
 - » Excessive hours.
- Official Secrets legislation/requirements
- ICT acceptable usage policy
- Internet content policy
- Overtime policy
- Right to Disconnect Code of Practice
- Employment (Miscellaneous Provisions) Act 2018
- Terms of Employment (Information) Acts 1994 to 2014
- Data Protection Acts
- Freedom of Information Acts
- HR Code of Conduct, etc.
- Data Protection Policies
- Disciplinary Code, Circular 19/2016
- Policies regarding Diversity and Equality including but not limited to: Circular 42 of 2001, Gender Equality Policy for Civil Servants and Circular 24 of 2002, Diversity in the Civil Service
- Grievance Procedure as set out in Circular 11/2001.

This list is not exhaustive. Details of relevant policies can be found at <https://hr.per.gov.ie/>.

Further guidance is set out at Appendix J.



6. Review Mechanism and Measurements

6.1 Review of Framework

This Blended Working Policy Framework will be reviewed on an ongoing basis in consultation with the employee representative bodies to adapt to any changes required to meet the needs of the business and employees and to incorporate any broader strategies, legislative changes and approaches to new ways of working.

6.2 Review of an Organisation's Blended Working Policy

Each organisation should carry out regular reviews of their Blended Working Policy, ensuring that it is continuously fit for purpose and is being applied in line with the Principles set out in this Framework, including any subsequent updates. Organisations should be cognisant of the need to review the role identification exercise periodically, as new technology or work processes may change a role's suitability for blended working and each organisation's policy should be updated accordingly.



Organisations should also carry out regular reviews of their blended working arrangements, ensuring that they are consistently meeting the business needs of the organisation. Employers should have systems in place to assess the impact of blended working arrangements on productivity and performance and on the organisation in general. Organisations should satisfy themselves through the collection and analysis of relevant data that blended working is being applied in an equitable and consistent manner across each division/unit, in line with the processes laid down in the organisation's Blended Working Policy.

Employers have a responsibility under the Employment Equality Acts to ensure that employees have access to equal opportunities. Under the Employment Equality Acts, an employee cannot be treated in a less favourable manner than another employee based on any of the nine protected grounds (i.e. based on the employee's gender, civil status, family status, sexual orientation, religion, age, disability, race or membership of the Traveller community). When reviewing blended working arrangements in their organisation, an employer should ensure that the facilitation of such arrangements does not lead to any unintended indirect discrimination.

6.3 Measurement of Remote Working

The Programme for Government mandates public sector employers to move initially to 20% home and remote working. Organisations will be required to report on numbers of employees who are availing of blended working arrangements periodically.

Appendix A

Obligations on Organisations, Leaders and Managers

Planning for Blended Working

- Consider the overall objectives for the organisation when implementing a blended working arrangement (e.g. attract or retain high quality talent, promote regional development and recruitment, reduce office space, reduce commuting / carbon footprint, facilitating flexible working arrangements, improving employee well-being and work-life balance)
- Consider what type of blended working arrangement is best suited to meet those objectives and the appropriate steps that are necessary to achieve them
- Undertake appropriate strategic planning to determine how the implementation of blended working arrangements will align with the business needs of the organisation
- Consider how the benefits of remote working can be harnessed while ensuring adequate facilitation of collaboration, team-building and engagement with colleagues and stakeholder
- Carry out necessary internal consultation and assessment in order to determine the extent to which blended working can be facilitated in various teams, having regard to required office attendance patterns and commitments
- Consider the technology requirements and put in place the technology infrastructure and digital literacy to support a productive blended working environment
- Consider how new technologies can help to build a resilient workforce that supports business needs and a sustainable service delivery in an increasingly digital world
- Plan how office space can be best utilised to facilitate collaboration and communication among blended teams
- Develop appropriate eligibility criteria for the organisation
- Be progressive when considering and assessing the types of roles suited to blended working and embrace the use of new and innovative technologies in order to reimagine roles so as to facilitate blended working, where possible.

Implementation of Blended Working Policy

- Develop and introduce a blended working policy
- Ensure that the policy aligns with and includes all the appropriate elements referred to in the Framework
- Ensure the organisation's blended working approach is reflected in the blended working policy
- Ensure implementation is consistent across the organisation and in line with business needs.

Managing Blended Working

- Confirm the roles that are suited to blended working and the roles that are not
- Encourage and facilitate blended working, where practical, while always ensuring no diminution of business and service delivery as a result of blended working arrangements
- Ensure there is a seamless delivery of services, irrespective of the locations from which employees are working, by reimagining roles where appropriate
- Continue to be innovative and adaptable in managing and developing distributed workforces
- Drive an inclusive 'digital first' approach for employee communication and training, to increase flexibility and to overcome logistical challenges
- Prioritise virtual training and communications, as well as providing supports for employees and managers
- Ensure that employees are suitably equipped to effectively carry out their role remotely through relevant training and supports, where appropriate
- Developing management capability and capacity through the relevant training and supports to ensure managers are suitably equipped to successfully manage distributed teams and to assess the continued suitability of blended working for individuals and teams
- Strive for an optimal balance where employees who work remotely do so on a blended basis in order to allow for face-to-face interaction and collaboration with colleagues
- Consider the wider impact of blended working on team performance and the business needs of the organisation
- Ensure that all employer health and safety obligations and other legal obligations are complied with.

Transparency and Consistency

- Put measures in place to ensure equitable treatment for employees whether working from the employer's work premises or remotely, including access to training and supports as well as suitable communication strategies and platforms
- Base decisions around access to blended working on objective and clearly-defined eligibility criteria to determine whether blended working is appropriate in any specific case
- Acknowledge that there are certain roles which are not suited to working on a blended basis and communicate this to employees
- Ensure an employee who has been refused access to blended working is provided with adequate reasons and informed that they can request a review to ensure that the decision-making process was correctly followed
- Review blended working arrangements periodically to determine if the arrangements are meeting the business needs of the organisation and that applications are being dealt with consistently in line with the Principles set out in the Framework
- Maintain appropriate records in relation to blended working arrangements in the organisation.

Appendix B

Role of the People Manager

Leading and Managing Teams

People Managers at all levels should:

- Promote a positive, open and inclusive working environment where individuals and teams feel valued and supported.
- Examine and reimagine the roles of their teams in order to support blended working where possible and in line with the needs of the business.
- Ensure equal opportunities for team members whether they are working from the employer's work premises or remotely by facilitating a 'digital first' environment for employee communication and training in order to increase flexibility and remove the barriers of location.
- Champion and demonstrate a culture of flexibility, agility, trust and innovation.
- Adapt communication and management techniques to effectively manage blended working teams.
- Embrace the use of new and innovative technologies in order to reimagine roles and provide a seamless delivery of services irrespective of the locations from which team members are working.
- Actively foster innovation by encouraging their teams to share ideas, use their initiative, take informed risks and develop their confidence to make decisions.
- Empower their team members to take responsibility for their work and give them the authority to do so.
- Help their teams to avoid burnout and overworking by encouraging a healthy routine around the hours they work, for example, take tea breaks and a lunch break each day and set their start time and end time.
- Ensure team members are not working excessively long hours and understand their rights under the Organisation of Working Time Act, including their right to uninterrupted rest breaks.
- Promote a culture that supports a healthy work-life balance in line with the Code of Practice on the Right to Disconnect.
- Report and investigate remote working incidents notified by employees in line with local procedures.
- Read [the HSA's Guidance on Working from Home for Employers and Employees](#)

Maximise Individual and Team Productivity and Performance

People Managers at all levels should:

- Set clear work priorities, objectives and expectations. Focus on what employees should be accomplishing by emphasising objectives and outcomes over processes.
- Consider how they can best support employees in achieving their agreed objectives in the short term while at the same time developing their skills and capability in the longer term.
- Trust teams to get on with their work but provide them with ongoing support and supervision.
- Ensure as far as is practicable that team members have access to the relevant tools, systems and equipment to perform their jobs and help them adjust to new ways of working.
- Review individual and team performance against customer service, output, efficiency and quality metrics.
- Communicate performance to employees and teams and advise individual employees if performance needs to be improved.
- In doing this, proactively manage, motivate and support individual and team performances in line with:
 - » Civil Service Performance Management Development System
 - » Management of Underperformance Policy
 - » Guidelines on the management of probation in the Civil Service.
- Continue to engage with employees to ensure effective management of performance
- Continue to use support tools (for example, ePMDS, eProbation, LEADS) recognising that these are in place to support effective people manager/employee engagement and not to replace direct engagement and conversation.
- Provide team members with feedback in relation to productivity and performance on an ongoing basis, as well as having discussions as part of the PMDS and Probation processes.
- Review their own and their team members' individual learning needs in light of blended working and changing job requirements.
- Encourage team development as far as is practicable including exploring innovative development methods.
- Enhance opportunities for recognition to motivate the individual team member and encourage similar behaviour from their team members.
- Allocate time to discuss career development with team members.
- Discuss any issues (performance/connectivity etc.) with the employee as soon as practical in order to give the employee the opportunity to rectify the issue, seeking HR advice as required.
- Keep a record of performance related discussions and agreements with the employee.

Engaging Employees and Communicating Effectively

People Managers at all levels should:

- Maintain close and regular contact with their team members to maximise engagement at an individual and team level.
- Identify where employees are having difficulty adjusting to blended working in order to offer support as and when required.
- Keep teams informed of ongoing developments by regularly communicating relevant organisational and team information.
- Ensure regular contact with their manager, teams and colleagues for both work and social engagements.
- Ensure a 'digital first' approach for sharing updates, discussing the work programme, agreeing ways of working, and supporting each other.
- Hold frequent one-to-one conversations to discuss outputs, progress and development options.
- Actively instigate contact with their team members to promote involvement and engagement and should encourage people managers within their teams to do likewise.
- Make time for social conversations. This increases rapport, reduces feelings of isolation and eases communication between blended or distributed teams.
- Be alert to the health and wellbeing of the individuals on your team.
- Remind team members of existing health and wellbeing supports, for example CSEAS, organisational wellbeing programmes.

Appendix C

Health and Safety Obligations

The Safety, Health and Welfare at Work Act 2005 places a number of obligations on employers and employees. The employer has responsibility to ensure a safe place of work “so far as is reasonably practicable.” “Reasonably practicable” is defined in the Act, in relation to the duties of an employer, as meaning: “that an employer has exercised all due care by putting in place the necessary protective and preventive measures, having identified the hazards and assessed the risks to safety and health likely to result in accidents or injury to health at the place of work concerned and where the putting in place of any further measures is grossly disproportionate having regard to the unusual, unforeseeable and exceptional nature of any circumstance or occurrence that may result in an accident at work or injury to health at that place of work”.

An employee has a responsibility to take reasonable care of themselves and other people who may be affected by the work they are doing. These obligations apply to employers and employees, regardless of whether business is conducted at the employer’s premises, the employee’s home or another location where the employee is engaging in blended working. The following health and safety obligations must be considered in the development of any blended working policy.

The revised [HSA Guidance on Working from Home for Employers and Employees](#) sets out good practice across a range of health and safety issues. This includes guidance on how employers and employees should manage remote working (including blended working), covering issues such as; employer policies, work-related stress, training, communication and health and safety. The HSA Guidance emphasises the employer’s responsibility in relation to health and safety at work, irrespective of the location in which work is being carried out. The HSA Guidance should be reviewed by managers and applied in practice. The following key obligations apply:

Employers are required to:

- carry out a risk assessment. This assessment must be carried out by a competent person and should include an assessment of equipment and ergonomics
- consult with employees to ensure they are aware of any specific risks regarding working from home, that the work activity and the workstation are suitable, that equipment is provided to enable the work to be done and there is a pre-arranged means of contact
- take protective and preventative measures based on the assessment, which may include training, providing equipment and/or checking any identified risks have been mitigated

- update the Safety Statement to incorporate remote / blended working arrangements
- document the procedures in place for incident reporting and investigation, while following the usual protocols in terms of notification, mitigation of risks and investigation
- ensure that working hours are appropriately recorded in order to comply with the Organisation of Working Time legislation and to be able to assess incidents that occur during the course of employment
- promote a healthy work-life balance in line with the Code of Practice on the Right to Disconnect
- rescind or pause blended working arrangements where it is deemed that health and safety requirements are not being met while working remotely.

Employees working from home are required to:

- co-operate with their employer and follow their instructions
- comply with health and safety measures and follow procedures set by their employer
- attend any training or undergo such assessments as may reasonably be required by their employer relating to safety, health and welfare at work
- take reasonable care for their own safety
- protect themselves from harm during the course of their work
- take care of any equipment provided
- report any defect in the equipment, place of work or systems of work which might endanger their safety, health and welfare
- report any injury arising from the work activity to their employer immediately and in accordance with local policy and procedures.

Incident Reporting and Investigation

The Safety, Health and Welfare at Work Act defines “accident” as meaning “an accident arising out of or in the course of employment which, in the case of a person carrying out work, results in personal injury”. The duty to report such accidents should be made known to the employee.

Internal Reporting Requirements

Employers should have documented procedures in place for incident reporting and investigation. Should an incident occur related to blended working, the employer and employee should follow the usual protocols in terms of notification, mitigation of risks and investigation. HR or Risk Managers/H&S section should be consulted where it is unclear if an incident

should be reported. Employers are advised to review their current incident reporting and investigation procedures to ensure they are in line with this framework.

External Reporting Requirements

Accidents and dangerous occurrences must be reported to the Health and Safety Authority (HSA) in line with the Safety, Health and Welfare at Work (Reporting of Accidents and Dangerous Occurrences) Regulations 2016 (S.I. No. 370 of 2016). The HSA has published a guidance document providing further information on the obligation to report certain accidents:

https://www.hsa.ie/eng/Publications_and_Forms/Publications/Safety_and_Health_Management/Accident_and_Dangerous_Occurrences_Reporting.pdf

In general, there is an obligation to report an injury of any employee as a result of an accident while at work where the injury results in the employee being unable to carry out their normal work for more than three consecutive days, excluding the day of the accident.

A Delegated State Authority to the State Claims Agency (SCA) has a statutory duty to report all incidents to the SCA within a reasonable period of time. An incident is an unplanned or uncontrolled occurrence or sequence of occurrences that caused or had the potential to cause injury, ill-health or disease to a person and/or damage/loss to property/service. Incidents should be reported via the National Incident Management System (NIMS) or by forwarding soft/hard copy of the report to the SCA where NIMS web entry is not available.

State Indemnity

Under the National Treasury Management Agency (Amendment) Act, 2000 and subsequent orders the management of personal injury and third party claims against Delegated State authorities (DSAs) and of the underlying risks was delegated to the National Treasury Management Agency (NTMA). When performing these functions, the NTMA is known as the State Claims Agency (SCA).

State indemnity as operated by the State Claims Agency will apply to claims which occur in the home where there is negligence on the part of the employer(s), its servants and/or agents for claims for personal injury and/or third-party property damage as a result of their activities on the part of their

organisation. State indemnity will not cover the homemaker for injuries/damage which were not related to their employment.

Home Insurance: The State Claims Agency has advised that where a formalised blended working arrangement has been agreed between employer and employee, and where the employee has home insurance, it is recommended that the employee notify their insurers of their blended working arrangements.

Home Meetings: Employers should advise against holding meetings in the home with employees and/or clients. State indemnity will apply if there is negligence on the part of the employer, however the homemaker will retain responsibility for the physical property. Similarly with home insurance policy, cover is for domestic use of the house, not business use.

Equipment and Furniture: State indemnity will apply in the event that the employer fails to assess and ensure the replacement of unsuitable equipment. No State indemnity cover will be provided for damaged or stolen goods. It is stated in the Public Financial Procedures guidance that the State should self-insure these risks and that position does not change when work is undertaken in the home environment. The requirement to regularly inspect office equipment and ensure they are stored in an appropriate manner should be communicated to employees and employers should put appropriate procedures and processes in place to respond to any reports from employees of defective equipment/furniture. Where employees have home insurance it is unlikely that cover will be provided for office equipment and furniture provided by the employer, as these are unlikely to be considered 'household goods'.

Queries in relation to State Indemnity should be directed to stateclaims@ntma.ie

Appendix D

Blended Working Policy Template

1. Purpose and Scope

[Department / Office] is committed to embracing opportunities for remote and blended working, to build a more dynamic, agile and responsive Civil Service, while sustaining strong standards of performance and high levels of productivity. [Department / Office] believes that blended working can increase flexibility, improve health and wellbeing, and enhance work-life balance.

[Insert further info on the organisation's aims and the benefits of blended working for your organisation if you wish – Consider using the findings of the Civil Service Engagement Results and any other surveys].

This policy provides a procedure for civil servants employed by [Department / Office] (regardless of grade, or length of service) to apply for blended working arrangements. We have developed this Policy in line with the Blended Working Policy Framework for Civil Service Organisations.

2. Remote and Blended Working

The term remote work refers to the broad concept of an arrangement where an individual works at an alternative worksite to the employer's work premises (in most cases the employer's work premises will be the office). The term blended working refers to working arrangements that involve a combination of working from the work premises and working remotely, based on an agreement between the employee and the manager, and approved through the application process.

Our physical office in [insert place] will continue to be the primary work place for all employees, and there will be a requirement to attend the office:

- on specific days each week agreed with the manager
- an agreed percentage of days per week or month as agreed with the manager and/or
- on days as and when required by the manager, for example for collaboration, meetings, training and key events.

In general, no employee should work 100% remotely.

3. Key Principles

The following key principles inform this Policy and the approach of [Department / Office] to blended working:

- a. Blended working arrangements must align with business needs
- b. Senior management will encourage and facilitate blended working where practical
- c. Blended working is part of our commitment to be an Employer of Choice
- d. We are committed to transparency and consistency when dealing with blended working
- e. The health and safety of employees is of paramount importance.

4. Eligibility Criteria

All of the following criteria must be satisfied for any blended working arrangement to be approved, none of which may be excluded from consideration.

(a) Business Needs and Role Suitability

Supporting business needs in order to deliver efficient, high-quality services is of paramount importance. Productivity standards and performance levels will not be compromised to facilitate blended working. We aim to strike the balance between striving to be more flexible, efficient and resilient by reimagining roles and facilitating blended working where practical, while enabling onsite interaction, collaboration and support as required in order to sustain high levels of productivity and performance at an individual, team and organisational level. The number of employees, and/or the percentage of time, approved to work on a blended basis may be limited based on the assessed impact on business needs.

[Department / Office] will consider the impact of the application on:

- the ability to meet the business needs of the organisation,
- the ability to maintain the required level of service quality,
- team performance and team collaboration,
- operational issues, or other issues related to the organisation as a whole,
- organisational costs, and
- the extent of blended working arrangements available in the Organisation. [Consider setting this out in the Policy, if relevant].

While [Department / Office] is committed to facilitating blended working where practical, not all roles will be suitable for blended working. [Department / Office] has conducted a role suitability identification exercise, taking the following into consideration:

- requirements to access particular technologies/ equipment/data accessible only on-site
- requirements for customer-facing service delivery at the employer premises
- performance of tasks that have a high degree of manual work
- performance of support tasks that must be provided on-site
- performance of tasks that are more efficiently carried out on-site.

In line with the organisation's policy requirements and strategic approach to blended working, when assessing applications, the Recommender/Approver should consider the need to facilitate collaboration, team-building and engagement with colleagues and other stakeholders, where it is more beneficial or appropriate to take place in person at the employer's work premises.

We have assessed the suitability for blended working of the roles in our organisation. The roles set out in Appendix A are suitable/unsuitable for blended working:

[Organisations should set out roles that are currently suitable/unsuitable for blended working]

(b) Employee Suitability

Each application should be considered on its own merits, noting that access to blended working should, as far as practical, be an option for all staff and that issues arising for individuals should be managed as appropriate and on an ongoing basis, whether in the workplace or remotely.

An assessment of individual suitability may include, but may not be limited to:

- confirmation that performance standards and delivery of results have been achieved using defined metrics/deliverables, as appropriate, satisfies the requirement for Blended Working
- satisfactory performance including PMDS/ Probation
- satisfactory compliance with time and attendance policy and procedures
- not subject to an ongoing disciplinary process or hold a live record of disciplinary action on file.

Probationary employees may be considered for blended working, where blended working is appropriate taking into account the general criteria,

and specific further factors relevant in the context of probationers. For example, a manager may require that a probationer attend the office during the probationary period:

- to assist with adapting to their new role and work environment
- to facilitate ongoing engagement with managers and with team members
- to facilitate team bonding and collaboration
- to facilitate face-to-face meetings and training where required and/or
- to assist with the assessment of the probationer's performance during the probationary period.

(c) Designated Workstation Requirements

All parties must ensure that they comply with all relevant health and safety obligations as set out in more detail in Appendix F.

The employee must:

- complete the application, declaration and self-assessment form (see Appendix B)
- identify a single designated remote workstation which is suitable and meets the health and safety requirements as set out in the Blended Working Policy
- agree to a risk assessment conducted by the employer
- agree to make no subsequent changes to the workstation without authorisation from the employer
- confirm that they are able to connect to a work computer via their own reliable broadband connection
- confirm that the workstation allows compliance with data security and applicable confidentiality standards.

With the exception of employees who reside in Northern Ireland and those posted to specific roles or assignments such as a consulate/embassy, remote working outside of the State will not be facilitated. It should be noted that in respect of employees residing in Northern Ireland, in some situations taxing rights on their employment income may arise in Northern Ireland. In this scenario, such employees may be exposed 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. This area can be complex with the individual facts and circumstances of each case having different implications so each Department or Office, or any employee affected, can seek advice from the Office of the Revenue Commissioners as to specific tax treatments, where required.

Blended workers will generally have no automatic right to a dedicated workstation, or single occupancy office, in the offices of [Department / Office], but will have a shared work space available to them when required to attend.

5. Application

[Department / Office] will facilitate access to blended working, where practical. All applications are subject to an evaluation process, based on eligibility criteria, which take into account the specific needs of our organisation. Blended working is not an automatic entitlement, regardless of any previous remote working arrangement. An employee may submit a blended working application for consideration no more than once every 12 months, unless their role and/or unit changes or there have been significant changes to their proposed home workstation. Requests for blended working arrangements as a reasonable accommodation are dealt with under the usual process for seeking reasonable accommodation and not through the application process in this policy.

The approval of any blended working arrangement is at the discretion of management, following the process outlined below.

[Application form can be completed online via the NSSO portal]

5.1 Review documentation

An employee who wishes to apply for blended working arrangements should familiarise themselves with this policy, the eligibility criteria, Health and Safety Self-Assessment Form, Blended Working Application and Declaration Form.

5.2 Discussions with manager

The employee (applicant) should then discuss the possibility of blended working with the manager (Recommender), to determine the suitability of a blended working arrangement, taking into account the eligibility criteria (i.e. business needs and role suitability, employee suitability and remote workstation suitability).

The applicant may be given feedback by the Recommender in relation to any areas where the eligibility criteria have not been met, giving the applicant the opportunity to rectify these areas before submitting their application.

5.3 Application process

- i. The applicant may complete the Blended Working Application and Declaration Form to reflect the conversation with the Recommender. These forms are then submitted to the Recommender.
- ii. The Recommender considers the application form and makes a determination on whether they

support, or refuse to support, the application, and submits their recommendation to the approving manager (the Approver) for review.

- iii. The Approver considers the application and recommendation and makes a decision whether to provisionally approve, or refuse, the application. That decision is confirmed to the applicant and the Recommender in writing. Any approval is provisional, pending completion of the Self-Assessment Form, and the outcome of the workstation risk assessment.
- iv. Where provisional approval has been granted, the applicant completes online training on setting up their remote workstation and completes the Self-Assessment Form. The applicant submits the Form to the competent person who assesses the designated workstation. If risks are identified, the applicant has the opportunity to address these risks (e.g. through training, advice, equipment, etc).
- v. Where risks cannot be mitigated the blended working arrangement will not be approved. The Blended Working arrangement may commence where requirements set out in Self-Assessment form are satisfied.
- vi. A risk assessment of the employee's designated remote workstation will be conducted by the competent person. The applicant will be informed of the outcome of the risk assessment. While the remote working arrangement may have commenced prior to this assessment, the arrangement will be rescinded if the assessment confirms that the designated workstation fails to meet the required Health and Safety standards, or should it be changed subsequently so that it fails to meet such standards.

[Organisations must identify the competent person(s) responsible for the review of the Self-Assessment forms submitted by employees and completion of workspace risk assessments.]

5.4 Refusal

- Where an application is refused, the reasons for refusal should be clearly communicated to the applicant. The confirmation of refusal should also inform the applicant of the option to review the decision making process.
- The request for a formal review must be submitted, in writing, within 10 working days of receipt of the decision to refuse the application.

6. Review process

Where the application is refused, the applicant has a right to request a review. The steps in the review process are set out below.

6.1 Informal discussion

Before seeking a formal review, applicants should have an informal discussion with their manager to discuss the reasons for refusal and to explore if there is an opportunity to resolve any issues identified. If the issues can be resolved, the manager can re-assess the application and may amend their decision. If the issues cannot be resolved, the applicant can seek a formal review.

6.2 Formal review

The applicant's request for a formal review should set out the grounds of the review. The review will focus on whether the application process was appropriate and in line with this Blended Working Policy. The review will be undertaken by a Review Officer, who was not involved in the original decision making process. All records relating to the application and original decision should be made available to the Review Officer. The Review Officer will determine the process for review and may give due consideration to any request for a meeting in a specific case, however their decision will be final on whether a meeting is necessary with the applicant, Recommender or Approver /HR.

6.3 Outcome of formal review

The decision of the Review Officer should be communicated in writing to the applicant, Recommender and Approver, and HR. In general, this should occur within 10 working days of receipt of the formal request for a review. The Review Officer may:

- Affirm the decision to refuse the application, or
- Recommend that the original decision be reconsidered by the Recommender/Approver, taking into account any issues identified by the Review Officer
- Make other recommendations related to blended working, where appropriate.

While the main purpose of the review process is to deal with a request for review of the decision to refuse an application, the Review Officer has discretion to consider reviews of other cases where blended working arrangements are deemed inappropriate or unsuitable after a trial period, or as a result of a change of circumstances. For the avoidance of doubt, the decision of the Review Officer is final.

[Organisations must identify the Review Officer(s) responsible for the review of the application process.]

7. Trial period and Continuing Assessment of Suitability

Blended working arrangements are not an entitlement, or term of employment. Such arrangements are 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.

A blended working arrangement should, in the first instance, be granted for a trial period (in general, no less than three months and no more than six months). The trial period is an opportunity for the employee and the manager to keep in regular contact, to evaluate the success, and ongoing suitability, of the arrangement.

After the trial period, the suitability of the arrangement should continue to be assessed, through regular feedback conversations. Where performance issues arise, the manager should discuss the issues with the employee as soon as practical, and give them the opportunity to rectify the issue. A record should be kept of such discussions and the agreed outcome.

A formal review of the blended working arrangements should also take place as part of the PMDS process. The manager and the organisation will need to assess if the blended working arrangement continues to suit the business needs of the organisation. Tips for people managers are included at Appendix D.

Employees must be in a position to carry out all the responsibilities of their role when availing of remote blended working. Blended working must not be used as a substitute for annual leave or sick leave. While blended working may have benefits for persons with caring responsibilities, any caring responsibilities must take place outside of working time.

8. Termination of Arrangements

Blended working arrangements may be terminated by the employee Recommender/Approver following review on reasonable notice.

For example, blended working arrangement may be terminated by the Recommender/Approver due to business needs, team mobility, performance management purposes, poor broadband connectivity, health and safety risks, or where other eligibility criteria are no longer met. Arrangements may also be terminated due to the employee declaration no longer being honoured. Recommender/Approver should discuss the reason(s) behind any decision to terminate the blended working arrangement, and confirm the decision in writing.

Alternatively, an employee's circumstances may change, requiring them to return to working in an office-based environment.

In most cases, reasonable notice will be one month. In exceptional cases, shorter or longer notice may be necessary at the discretion of management.

9. Provision of Equipment

Employees availing of blended working will be equipped with a [laptop, keyboard, mouse, monitor]. Printers will not be provided. All equipment provided is the property of [Department/Office] and appropriate care should be taken when in possession of it. Any equipment provided must be returned on termination of the blended working arrangement, or when requested by [Department/Office]. Following the health and safety assessment and provisional approval for blended working, the [Department/Office] will, where it is reasonable to do so and necessary for the employees work, provide appropriate furniture and equipment. The [Department/Office] reserves the right to audit the workstation to ensure compliance with health and safety standards.

10. Expenses

Expenses will not be paid where an employee makes changes to premises (such as a home office) to allow for remote 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. The application can be made at the end of the relevant tax year, in accordance with the relevant tax laws. Any claim made is solely a matter for the individual concerned. Further details on eWorking and tax are available at: <https://www.revenue.ie/en/tax-professionals/tdm/income-tax-capital-gains-tax-corporation-tax/part-05/05-02-13.pdf>. Travel and Subsistence will not be payable for attending the office during a blended working arrangement.

11. Health, Safety and Welfare at Work

Obligations under the Safety, Health, and Welfare at Work Act 2005 are of great importance when considering and implementing any blended working arrangement, whether at application stage, or on an ongoing basis. Employers have an obligation to provide a safe place of work, and safe systems of work. Employees have a personal responsibility to manage their own health, both physical and mental. Guidance on the key obligations of the Act are contained in Appendix F. All staff must comply fully with the obligations contained in the Act.

The application process includes the obligation to complete a health and safety self-assessment form in relation to the physical remote workspace. Supports for psychological health and well-being are available to all employees, including through the CSEAS. The CSEAS has developed a suite of targeted online

supports to respond directly to employee health and well-being challenges. These articles, videos and links are available at www.cseas.per.gov.ie.

[Organisations should set out further Health and Wellbeing initiatives available to employees and supports for employees availing of a blended working arrangement]

12. Supports

[Provide information regarding supports available in your organisation, these may include but shall not be limited to:

- HR Manager/Unit contact details
- Competent person contact details
- IT Unit contact detail
- CSEAS information
- OneLearning and online courses
- DLO contact details
- DPO contact details]

13. Legal and HR Obligations

An employee working on a blended working arrangement must continue to comply with all of their obligations as a civil servant, including all legislative obligations, and remain bound by all relevant organisational policies and procedures (including those referred to in Appendix G of this Blended Working Policy).

14. Terms and Conditions / Working Arrangements

There should be no change to terms and conditions of employment as part of a blended working arrangement, save that the employee will be allowed to work remotely on specific days.

15. Review of Policy / Arrangements

We will carry out regular reviews of this policy and the approach of [Department / Office] to blended working arrangements to ensure:

- The arrangements are consistently meeting the business needs of the organisation
- The policy is applied in an equitable and consistent manner across each area, in line with the provisions of the policy
- There is no discrimination under the Employment Equality Acts, or other employment provisions
- We are aware of the impact of arrangements on team productivity and performance and on the organisation in general
- Appropriate reporting on the number of employees availing of blended working arrangements.

16. Roles and Responsibilities

[Organisations may wish to set out the roles and responsibilities as relevant to this policy in their own organisation. Organisations should also consider setting out obligations on the senior management / managers / employees in an Appendix. Suggested wording for policy:

Senior managers

Visible support for blended working from senior leadership will be critical to ensuring the success of this new way of working by championing and demonstrating a culture of flexibility, agility, trust and innovation. Where the role permits, leaders should consider participating in blended working arrangements in order to advocate blended working as the new norm and assist with embedding this cultural change.

(See Appendix D for more information on the role of senior management)

People Manager

People managers have a role in ensuring the implementation of a fair and effective system of blended working and play an important role in supporting and developing employees through strong communications and employee inclusivity. The role of the people manager is key in building and maintaining trust. They are responsible for overseeing and ensuring individual accountability and effective performance management.

(See Appendix D for more information on the role of a people manager)

HR Unit

HR plays an integral part in organisational business continuity by aiding the transition from working in an office environment to working remotely. This includes supporting both people managers and officers regarding health and wellbeing; performance management; training needs; and other supports as necessary. HR also has responsibility for the implementation of this Policy, for ensuring compliance with relevant employment law, dealing with issues that may arise when operating the policy, and ensuring it is reviewed when appropriate.

(See Appendix D for more information on the role of HR)

Policy Appendices – Organisations to Consider Including:

- a. Application Form
- b. Health and Safety Self-Assessment Form
- c. Glossary of Supports
- d. Obligations on senior management / people managers / employees
- e. Tips for managers on maximising individual and team productivity
- f. Health and Safety Obligations
- g. Other Legal Obligations.

Appendix E

Application Form and Declaration

Application Form

BEFORE COMPLETING THIS APPLICATION FORM, PLEASE CONFIRM:

I have read, understand and accept the Blended Working Policy, the Declaration Form and Self-Assessment Form		<input type="checkbox"/> Yes	<input type="checkbox"/> No
I have discussed with my manager the request for blended working, taking into account the documents referenced above and my application form reflects this discussion		<input type="checkbox"/> Yes	<input type="checkbox"/> No
I confirm that the information included in this form is accurate		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Name:		Recommender: [Makes Recommendation]	[organisations to decide appropriate level]
Current Work Pattern		Approver: [Makes Decision]	[organisations to decide appropriate level]

PART 1 – APPLICATION

1.1 Business Needs

Has your role been identified in the current Blended Working Policy as being suitable for blended working? Yes No

If no, on what basis are you applying for blended working at this time?

[Drop down options: for future consideration, personal necessity, believe role should be identified as suitable. If you select no, you will not be able to input to the remainder of the form as your role has not been identified as suitable for blended working at this time.]

1.2 Employee Suitability

Do you meet the following criteria?

I have confirmed with my manager that my performance standards and delivery of results against defined metrics/deliverables, as appropriate, satisfies the requirement for Blended Working.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Satisfactory performance including PMDS/Probation.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Satisfactory compliance with time and attendance policy and procedure.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Not subject to an ongoing disciplinary process or hold a live record of disciplinary action on file.	<input type="checkbox"/> Yes	<input type="checkbox"/> No

1.3 Blended working pattern:

- X of days per week, fortnight, month, working remotely (on average).

APPLICANT DECLARATION*[pop up box to be ticked before submitting]***DECLARATION**

I, [insert name of applicant], confirm that:

- I have read, understand and accept the Blended Working Policy, including the appendices.
- I have completed the Blended Working Application Form and Health and Safety Self-Assessment Form.
- I have discussed my request for blended working with my manager and I have completed the Application Form based upon that discussion. The information included in the Application Form is true and accurate, and reflects the discussion with my manager.
- I have discussed and understand the expectations regarding my goals, role and performance indicators when working remotely and in the office.
- I will inform [employer/relevant contact] where there is a change in circumstances impacting eligibility criteria, including any change to the my role, performance or location of the designated workstation.
- I have identified a single designated remote workstation and I understand this will need to meet all health and safety requirements as set out in the Blended Working Policy.
- I will complete the Health and Safety Self-Assessment Form before commencing work and provide a copy to [insert contact].
- I will cooperate with any risk assessment, or other employer requirements, to ensure health and safety at work, taking reasonable care of myself and other people who may be affected by the work I am doing.
- I will not make any changes to my workstation without authorisation from my manager.
- I will report any work related incident to [appropriate contact in line with organisational procedures] and participate in/comply with any subsequent investigations.
- My workstation allows compliance with data security and applicable confidentiality standards.
- I will continue to comply with all of my obligations as a civil servant, including all legislative obligations, and remain bound by all relevant organisational policies and procedures.
- I agree that blended working is granted to me, in the first instance, on a trial basis, after which a decision made as to whether to continue the arrangement.
- I can connect to a work computer via my own reliable broadband connection.
- I will be contactable by phone, email or other established method during regular hours and be available for online conference calls.
- My employer's work premises/office remains the primary place of work, my pattern of attendance may change, and I may be required to attend on any work day, as and when required in line with business needs.
- My working hours will not change, unless agreed with my manager.
- My existing terms and conditions of employment continue to apply when I am availing of a blended working arrangement, whether I am working remotely or in the work premises/ office. I continue to be bound by the same standards and behaviours whether working in the office, or remotely.
- I will have no automatic right to a dedicated workstation when attending the office / work premises, unless access to specialist equipment or special provisions are required in the workplace.
- I will not use my home for in-person work related meetings.
- I will not work remotely outside of Ireland/Northern Ireland, except where my role requires it as part of my official duties (see Blended Working Policy Framework for more details regarding taxation).
- I agree that blended working is not an entitlement, or term of employment. The arrangement may be terminated at any time, on reasonable notice.
- Blended working must not be used as a substitute for annual leave or sick leave. While blended working may have benefits for persons with caring responsibilities, any caring responsibilities must take place outside of working time.
- I agree that future promotion/transfer/mobility opportunities will impact on blended working arrangements and a new application will have to be raised on assignment to new position.
- I will return all employer's equipment/property to the Department/Office upon ceasing the blended working arrangement, or upon request by the employer.

Employee Signature:

Date:

PART 2 - DECISION

RECOMMENDER'S DECISION

Does the applicant meet the following criteria?

Confirmed with line manager that their performance standards and delivery of results against defined metrics/deliverables, as appropriate, satisfies the requirement for Blended Working.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Satisfactory performance including PMDS/Probation.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Satisfactory compliance with time and attendance policy and procedures.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Not subject to an ongoing disciplinary process or hold a live record of disciplinary action on file.	<input type="checkbox"/> Yes <input type="checkbox"/> No

Recommenders' Decision - Recommended for Blended Working Yes No

If Yes, the following arrangements are proposed following discussions between the applicant and the Recommender:

- Blended working pattern :
 - » X of days per week, fortnight, month, working remotely.
- **Start date for blended working arrangement:** *[calendar to be inserted to pick dates]*

Note: Blended working should also form part of any performance related discussion, e.g. PMDS/Probation

If No, please select from the list below, the reasons for your decision:

Does not meet the following requirements:

- Employee suitability criteria not met.
- Ability to meet the business needs of the organisation.
- Ability to maintain the required level of service quality.
- Team performance and team collaboration.
- Operational issues, or other issues related to the organisation as a whole.
- Organisational costs.
- The extent of blended working arrangements available in the organisation.

Recommender's Signature:

Date:

Appendix F

Self Assessment Form

Employee:		Department:	
Employee Remote Working Address:		Division and working location:	
Designated Workstation location e.g. room		Recommender:	
Completion Date:		Approver/HR:	

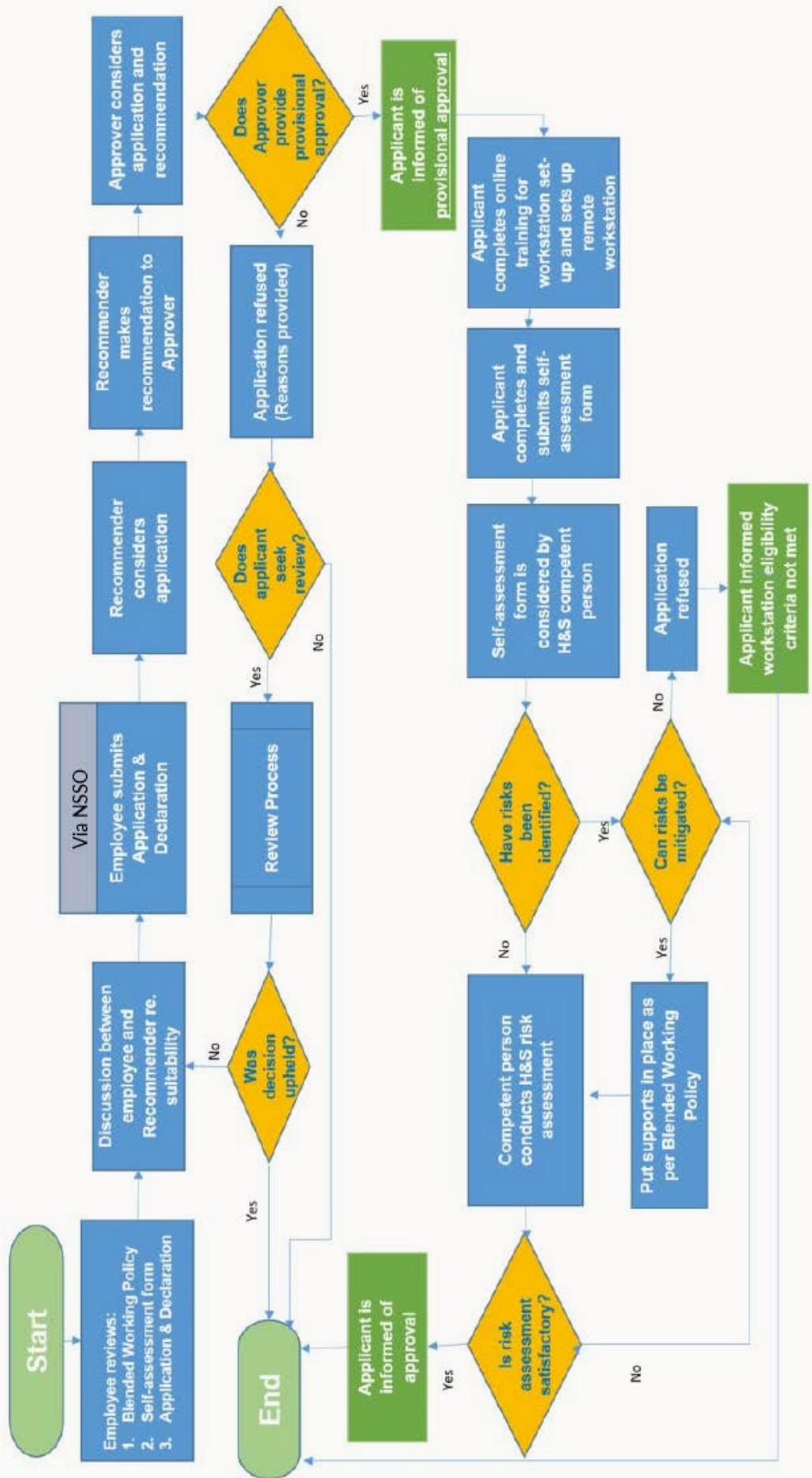
Workstation (See One Learning Training for guidance on setting up a workstation)	Yes	No
Have you completed the One Learning Training on home working?		
Is there a dedicated workspace that can be set up in the home that is safe, suitable and free from distractions?		
Can you make/take business calls including video calls in a private space?		
Does the workstation have adequate space for mouse, keyboard and laptop/pc and monitor?		
Is there enough space to allow you to change position and vary movements?		
Is there enough space underneath the workstation for your knees?		
Is the area you are working in clutter free to allow you to focus easily on a task?		
Do you use reference documents for daily work such as for data entry (1 hour or more a day)?		
Chair (See One Learning Training for guidance on setting up a workstation)	Yes	No
Is the chair you are using stable and allows freedom of movement?		
Is the chair you are using adjustable in height?		
Is the seat back adjustable in height?		
Is the seat back adjustable in tilt?		
Does the chair provide lower back support?		
Is the chair set up so that your forearms are level with the desk?		
Can your feet rest flat on the floor?		
Screen (See One Learning Training for guidance on setting up a workstation)	Yes	No
Is the screen free of reflective glare and swivel and tilt easily so it can be positioned to avoid glare and reflection (for example sit at 90 degrees to a window to avoid glare)?		
Is the screen positioned so that the top of the screen is at eye level or slightly below and avoids sustained bending of the neck?		
Is the screen set up at a comfortable distance (for example arm length away)?		
Is the image on the screen stable with no flickering?		
Are the characters on the display screen well defined, clearly formed of adequate size and with adequate spacing?		
Communications	Yes	No
Is there a reliable internet connection?		
Does your laptop or PC have a camera to enable video conference calls etc.?		
Do you have a headset/speaker or microphone?		
Are you aware of the requirement to report issues for example accidents, health related issues including musculoskeletal discomfort and faulty equipment?		
Keyboard/Mouse (See One Learning Training for guidance on setting up a workstation)	Yes	No
Is the laptop/PC connected to an external keyboard and mouse?		
Can you maintain a neutral wrist posture when typing, for example no bending of the wrist?		
Can the slope angle of the keyboard be adjusted so as to allow you to find a comfortable position?		
Is the mouse and keyboard within easy reach with space provided in front of the keyboard?		

Lighting (See One Learning Training for guidance on setting up a workstation)	Yes	No
Is there an adequate level of lighting (for example natural, task lighting) available for the type of work being carried out and your vision?		
Health	Yes	No
Are you aware that an eye and eyesight tests are provided as needed?(An eye test can be requested via the NSSO self-service system)		
Are you required to carry out manual handling tasks associated to your work whilst working at home?		
Heating/ventilation (See One Learning Training for guidance on setting up a workstation)	Yes	No
Is your workspace warm enough and have adequate ventilation?		
Electricity (See One Learning Training for guidance on setting up a workstation)	Yes	No
Is the area around the workstation kept clear of trailing cables and trip hazards?		
Do you regularly check the electrical equipment used in conjunction with your work station e.g. sockets, lamp, heater etc.?		
Do you regularly check that sockets aren't overloaded?		
Do you regularly check all portable electrical equipment provided by the employer? Any unsafe equipment should be taken out of use (check for frayed wires, signs of burns or melting).		
Have you considered exit points and routes from your work station in the event of an emergency?		
Specialised Equipment Requirements	Yes	No
Do you require any specialised equipment as prescribed by a Chartered Physiotherapist or Occupational Health Practitioner?		
Are you aware of any additional Health and Safety issues applicable to you that have not been identified above, if so please specify below?		

Appendix G

Application Process Map

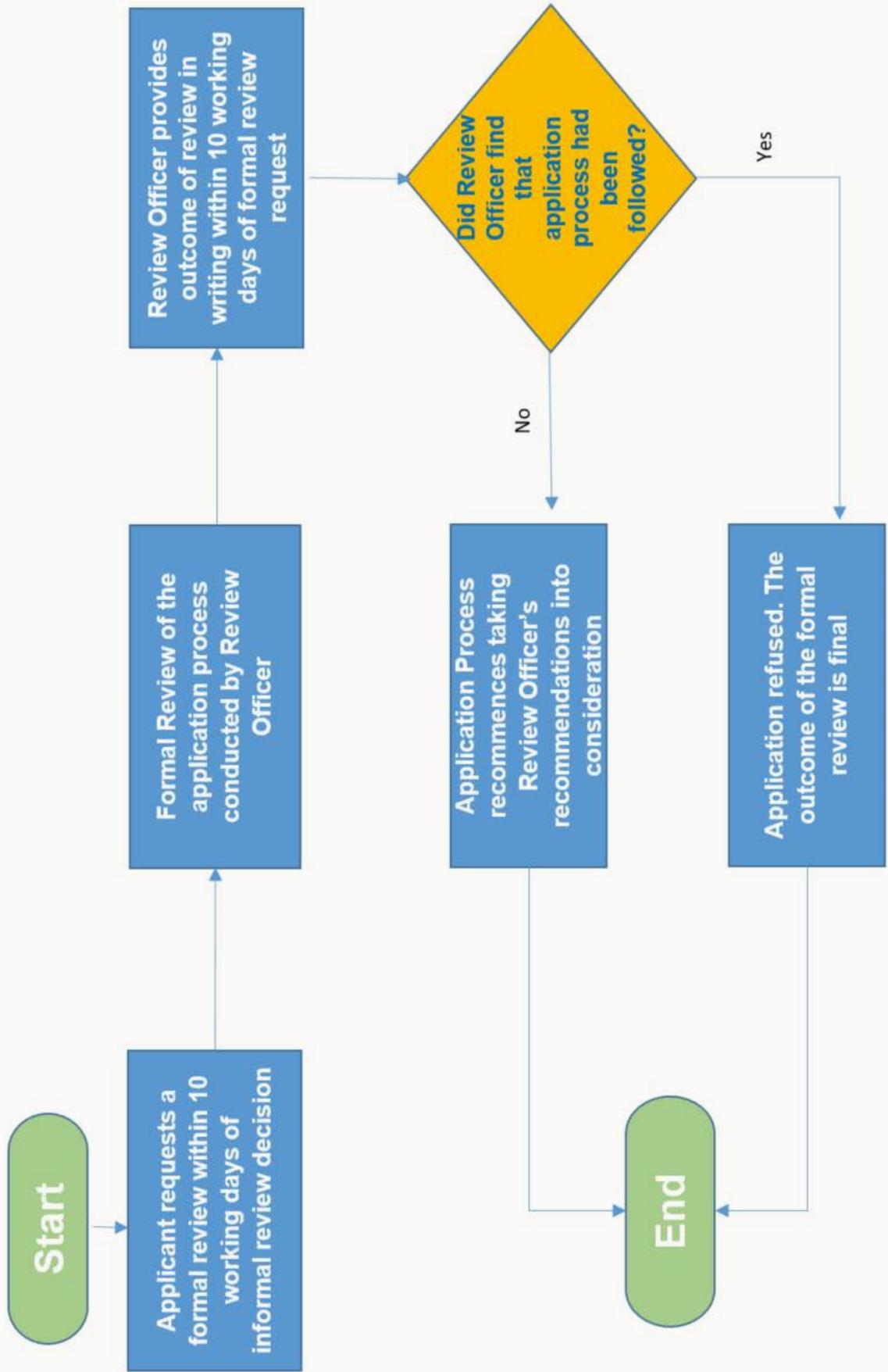
Blended Working Application Process



Appendix H

Review Process Map

Blended Working Review Process



Appendix I

Supports

Health and Wellbeing

The health and wellbeing of all employees is paramount. HR and people managers should consider issues that may be impacting employees while working remotely such as the feeling of isolation, maintaining a work-life balance etc. Employees also have a personal responsibility to manage their own health, both physical and mental. Supports, including those available through the Civil Service Employee Assistance Service (CSEAS), should be provided as required. Employees should be made aware of the supports available to them. The CSEES 2020 showed that 54% of respondents reported receiving regular well-being supports from their organisation while 15% either disagreed or strongly disagreed. The remaining respondents (31%) neither agreed nor disagreed with this question. It is recommended that Employers examine the results of the CSEES 2020 survey in respect of their own organisation and put appropriate measures in place to ensure employees are supported from a health and wellbeing perspective.

Working from home, where possible, was a necessary response to the national health crisis. There have been valuable learnings from this experience, which can be applied to the way civil servants work in the future. The experience of mass full-time home working due to the pandemic has highlighted the challenges remote working can bring, including its impacts on mental health with some employees struggling with isolation, loneliness, stress and the merging of work-life boundaries. Effective communication, engagement and performance management are essential to ensure ongoing delivery of services to the public.

Civil Service organisations must ensure that employees and managers are suitably equipped through the provision of appropriate training and supports to effectively carry out their roles remotely, sustaining strong standards of performance and high levels of productivity.

The Civil Service Health and Wellbeing Framework outlines the importance of a healthy Civil Service and will assist organisations in understanding the multi-dimensional aspect of employee Health and Wellbeing. It will also provide examples of possible interventions to Civil Service employers that can be put in place to support and enable employees' Health and Wellbeing.

Making Remote Work

National Remote Working Strategy

Benefits of Remote Working

- Increased flexibility
- Reduced commute times
- Increased diversity
- Widen talent pools
- Reduced carbon emissions
- Increased productivity
- Balanced regional development
- Improve work-life balance
- Improve family wellbeing
- Increased employment rates

Challenges of Remote Working

- Isolation & loneliness
- Stress & mental health issues
- Difficulty switching off
- Reduced creativity & collegiality.

The Role of the People Manager at Appendix B includes information on how People Managers can support the health and wellbeing of individuals.

Physical and Mental Wellbeing for employees working remotely

Employers should:

- Review and/or develop wellbeing strategies in their organisation, being mindful of the need for these programmes to be delivered remotely
- Adopt systems of work which allow employees time to move about, for example, brief breaks between meetings
- Promote a culture that supports a healthy work-life balance in line with the organisation's Right to Disconnect policy
- Provide training and guidance in relation to maintaining healthy lifestyles while working remotely, for example, taking work breaks and incorporating exercise into their daily routine
- Give particular consideration to the needs of employees who are sensitive to risk and provide reasonable accommodation where appropriate and as far as practicable

- The need for access to reasonable accommodation should not be an impediment to any application for blended working
- Promote and encourage the use of supports such as Disability Liaison Officers (DLOs), CSEAS and OneLearning.

Dignity at Work

The Civil Service is committed to protecting dignity and respect across the organisation, whether this be in the employer's work premises or when working remotely in any location. The Employment Equality Acts 1998-2015 place an obligation on employers to prevent harassment in the workplace. Every employee should be aware that all forms of bullying, harassment, and sexual harassment are unacceptable, and every employee has a duty to behave in a courteous and respectful manner. This continues to apply when working from home or working remotely in any location.

Under the Safety, Health and Welfare at Work Act 2005, employers have a duty to prevent any improper conduct or behaviour which is likely to put the safety, health and welfare of employees at risk, and are required to deal with complaints appropriately. Organisations should provide training and guidance in relation to the appropriate use of communication platforms provided by the employer to facilitate blended working.

Learning and Development

A key focus must be placed on L&D as an enabler of effective performance in a blended working environment. Leaders and managers should be supported to develop their own skills and those of their teams through the provision of formal and on the job training.

OneLearning and the Senior Public Service Team provide a range of L&D supports that are continuously updated in collaboration with Civil Service Bodies to reflect evolving business needs. These supports are available online and virtually, as well as on a face to face basis, and should be referred to in the first instance.

Employers should ensure that appropriate L&D supports are in place, are promoted at all levels and that supporting technology and equipment is available, in order to equip employees to thrive in a distributed workforce.

Civil Service Employee Assistance Service (CSEAS)

The CSEAS is a confidential* service providing support to civil servants at times of personal and/or work-related difficulties. Both immediate consultations and sessional supports remain available to employers and employees, and may be accessed by telephone, email or face-to-face in line with

public health guidelines. The CSEAS has developed a suite of targeted online supports to respond directly to employee health and well-being challenges. These articles, videos and links are available at www.cseas.per.gov.ie.

An Employee Assistance Officer (EAO) is available by phone: 0761 000 030 and email: cseas@per.gov.ie during office hours. Consultations can be arranged outside of core business hours if required. The operational hours and individual EAOs' contact details at available on the CSEAS website.

Health and Wellbeing initiatives are communicated to Civil Servants through the organisations' HR, the organisations' intranet sites and Newsletters/ Magazines.

*Exceptions to confidentiality apply.

For further details see

www.cseas.per.gov.ie/about-us/role-of-the-cseas/

The CSEAS [People Manager Guide](#) can be found [here](#).

Technology

Organisations should implement technology solutions which take into consideration their specific business needs, technical requirements and local related policies with the aim of enabling the relevant employees to work from home effectively. Organisations should take a 'digital first' approach to training, supports, communication and administration to ensure equitable access and treatment for employees whether working from the employer's work premises or remotely.

Employers need to consider issues such as acceptable usage of IT, internet content policy, security and data protection policies as well as budget/spend. Connecting with the organisation's network from home brings risks and challenges. Organisations should ensure the necessary safeguards are in place in order to mitigate these risks. For example:

- Provision of a secure, password protected work device e.g. laptop
- Provision of headset to facilitate work conversations in confidence
- Access to technical support via helpdesk, phone number etc.
- Security/firewall etc.
- Methods and contingencies for fixing devices used for work
- Access to a secure and approved video conferencing platform.

Employees should be reminded of their responsibility to take necessary precautions to safeguard equipment and ensure that the appropriate policies are followed in relation to security, personal data and work use.

Organisations must make employees aware of any monitoring in place, for example, data usage and internet search history.

Glossary of Supports

As detailed in the above guidance, a number of supports are available to employers and employees to help navigate their way through the challenges of working remotely.

Health and Safety Authority Supports

- [Guidance on Working from Home for Employers and Employees](#)
- [Homeworking risk assessment/checklist](#)
- [Display Screen Equipment Guidance](#)
- [Display Screen Equipment Documents](#)
- [Work Related Stress: A Guide for Employers](#)
- [Work Related Stress: Information Sheet for Employees](#)
- [Further Information on Sensitive Risk Groups](#)
- [Fire Extinguisher Safety Checks Information Sheet](#)
- [Practical Information on Managing Electricity](#)

OneLearning Online Supports

- [Organising and Chairing Effective Virtual Meetings](#)
- [Tips for Effective Virtual Meetings](#)
- [Remote Working during COVID-19](#)
- [Remote Working for Managers during COVID-19](#)
- [Wellbeing for Workers Providing Essential Services](#)

Mediation Service

The [Mediation Service](#) provides a voluntary confidential process that allows parties resolve their conflict in a mutually agreeable way with the help of a neutral third party, a Mediator. The Mediator does not impose a solution but rather works with all parties to create their own solution.

Disability Liaison Officer

Departments and Offices are required to appoint a Disability Liaison Officer (DLO) to assist and support staff with disabilities and their managers by the provision of necessary information, appropriate contacts, guidance, suggestions and advice. Inform employees of the departmental DLO contact details.

Data Protection

Data Protection Commission – www.dataprotection.ie

General Data Protection Regulation (GDPR)

- [Protecting Personal Data when Working Remotely](#)
- [Tips for Avoiding Data Breaches](#)

The Data Protection Officer advises on and monitors compliance with the laws protecting individuals' personal data within an organisation. The designation, position and tasks of a DPO within an organisation are described in Articles 37, 38 and 39 of the GDPR.

The Data Protection Commission's guidance relating to video calls can be accessed [here](#).

State Claims Agency

The SCA Enterprise Risk Management Unit are available to advice on workplace risk management, insurance and indemnity queries in respect to remote working. There are a number of risk and state indemnity guidance available on their website or by contacting the SCA. This includes:

- State Indemnity Guidance - Remote working
- Risk advisory Notice - Use of Electrical Adaptors

Please email stateclaims@ntma.ie or visit www.stateclaims@ntma.ie

Appendix J

Other Legal Obligations

Terms and Conditions

Whether working in the employers work premises, or on a blended arrangement, the employee's terms and conditions of employment remain the same, save for any changes to the place of work when working remotely. Employees and managers continue to have a responsibility to ensure they operate within the requirements of the Organisation of Working Time Act 1997 (OWTA) and adhere to the organisation's Right to Disconnect policy. Employees must take adequate breaks, maintain a healthy work-life balance and set boundaries in relation to working hours in order to facilitate disconnection from work outside of these hours.

The Organisation of Working Time Act 1997 stipulates that an employer must keep a record of working time for each employee, even where flexibility may be required in respect of working time. This can be recorded in the form of a clock in/out system on the laptop / computer, subject to the usual data protection and employee monitoring regulations. Organisations must make employees aware of any monitoring in place, for example, data usage, activity or internet search history. In particular, any change to the way in which working time is monitored while working remotely should be clearly communicated to the employee in advance of any blended working arrangement, and any employee monitoring should comply with data protection regulations.

All leave entitlements, including sick leave arrangements and thresholds remain the same. Employees who become ill while working remotely should report that they are ill through the normal sick leave procedures (i.e. their manager).

No employee has an automatic entitlement to be granted, or to retain, blended working arrangements. If blended working arrangements are granted, they are granted as an arrangement that is subject to ongoing review as to suitability, and not as a term and condition of employment. This means that the employer, or employee, can change the arrangements on reasonable notice.

The employer's work premises will continue to be the primary work place for all civil servants and will be the formal base location for all administrative purposes. Attending the employer's work premises will remain the default arrangement and all employees availing of blended working will be required to attend, either set days per week or as required, for example for meetings, training and key events. This will be agreed

between the employee and their manager based on the requirements of the business. With the exception of employees who reside in Northern Ireland and those posted to specific roles or assignments such as a consulate/embassy, remote working outside of the State will not be facilitated. It should be noted that in respect of employees residing in Northern Ireland, in some situations taxing rights on their employment income may arise in Northern Ireland. In this scenario, such employees may be exposed 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. This area can be complex with the individual facts and circumstances of each case having different implications so each Department or Office, or any employee affected, can seek advice from the Office of the Revenue Commissioners as to specific tax treatments, where required.

Security, Confidentiality, Secrecy and Standards of Behaviour

Employers must ensure that employees working on a blended basis understand that the employee is responsible for both the security of any official devices issued to them and the information stored on these devices. The same responsibilities apply to employees enabled to work on a blended using their personal device. The following protocols apply:

- Work related documents must be stored securely
- Business calls should be conducted in a confidential setting
- Sensitive or confidential documents must be password-protected and devices must be shut down when not in use
- Screens must be locked when the employee is away from the device at any time
- Organisational IT equipment must be used in line with relevant organisational policies
- Lost or stolen devices must be reported immediately to the employer in line with the relevant organisational procedure
- Freedom of Information (FOI) – all records on computers/laptops etc., including instant messaging conversations are encompassed under the FOI Acts
- Standards of Behaviour – employees working remotely are governed by the same standards of

behaviour as when in the office environment – respect, dignity, conduct, professionalism etc.

- Disclosure of information - employees remain subject to obligations in respect of confidentiality and the requirement under the Official Secrets Act 1963 to avoid improper disclosure of information gained in the course of their official work.

Data Protection

Employers and employees should be aware that their obligations under the General Data Protection Regulation (GDPR) and Data Protection Acts 1988 to 2018 are not confined to the employer's work premises. They also apply when working remotely in any location.

Organisations should be alive to the risks associated with employees processing personal data while carrying out their duties remotely. Organisations should ensure the arrangements for remote working do not conflict with the organisation's data protection policies and take any additional measures necessary to ensure the security of confidential, personal and sensitive data during blended working. Consideration should be given to the provision of secure storage where an employee's role involves the removal of files or documents from the employer's work premises.

Employers and employees must be mindful of the principles of the GDPR:

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality
- Accountability.

Employers and employees who are processing personal data must have a legal basis to do so - Article 6 and Article 9 (special category data) of the GDPR refers.

Obligations under Data Sharing and Governance Act 2019 and the National Archives Act 1986 continue to apply.

Helpful resources include your organisation's Data Protection Officer and the Data Protection Commission website - in particular their guidance on [Protecting Personal Data when Working Remotely](#). The following documents issued to HR from the Department of Public Expenditure and Reform in February, 2020;

Data Protection for HR in the Civil Service – Guidelines for HR Units in the civil service; and

Civil Service Human Resources Personal Data Records Retention Schedule.

per.gov.ie

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Phoiblí agus Athchóirithe**
Department of Public
Expenditure and Reform