

## Hybrid Working

The imposition of lockdown measures across the UK in 2020 as a means to control the spread of COVID-19 (Coronavirus) resulted in people being ordered to stay – and work where possible – at home.

The workplace changes brought about by COVID-19 are being described as a 'once in a generation' opportunity to re-think the UK's working practices and promote a more flexible and better approach to work.

Businesses are encouraged to make plans to restart their operations. The proven success of home-working for some businesses and employees has meant that many people are expected to resist returning to the office for their full working week, with their preference being to combine home (or remote) working with reduced workplace attendance.



Some employers are also recognising the potential for operating out of smaller workplaces, if some employees work from home for part of the time. This post-COVID approach to the design of work is being referred to as 'hybrid working' or 'blended working', with people combining remote work with time spent in the workplace. Hybrid working is a form of flexible working and the pandemic has undoubtedly been the catalyst for widespread interest in its potential to deliver both high levels of productivity for employers and a better work:life balance for employees.

Not all businesses will be in a position to accommodate hybrid working as some occupations or roles may be unsuited to this. There is also some concern that socio-economic factors will make it more practical for some people to work from home than others, thus potentially generating workplace inequalities.

According to the CIPD, seven strategies are necessary to deliver effective hybrid working in an organisation:

1. *Developing the skills and culture needed for open conversations about wellbeing* – in recognition that it's harder to gauge employee wellbeing remotely.
2. *Encourage boundary-setting and routines to improve wellbeing and prevent overwork* – to ensure employees take breaks, can recognise signs of overwork and don't find themselves working overly long hours.
3. *Ensure effective coordination of tasks and task-related communication* – by determining the frequency of task-related information and developing more deliberate task-related communication, in recognition that reduced face to face time makes communication more of a challenge.
4. *Pay special attention to creativity, brainstorming and problem-solving tasks* – these are activities that tend to be more difficult to perform remotely, thus risking the loss of shared ideas, motivational energy and creativity. Agreement may be needed on when the use of technology is appropriate and when collaboration is best done face to face.
5. *Build in time (including face-to-face time) for team cohesion and organisational belonging* – to maintain and promote corporate identity and employee engagement, plus promote personal and team relationships.
6. *Facilitate networking and inter-team relationships* – on the basis that while intra-team working can be catered for online, co-working with other teams may be put at risk if there is silo working.
7. *Organise a wider support network to compensate for the loss of informal learning* – less time spent in the workplace reduces opportunities for shadowing, technical and on-the-job training. People new to the organisation and those recently promoted could be particularly disadvantaged by the loss of such informal training, so more structured development opportunities need to be considered. Arranging for training to be delivered by a wide range of staff and supplementing this with comprehensive documentation will help to address this issue.

# Hybrid Working

## Legal requirements

### Flexible working

Hybrid or blended working is a form of flexible working and whilst normally associated with a split work location, it can also be linked to modified working hours.

Flexible working was introduced by Section 47 of the Employment Act 2002, as amended, it has evolved and the Children and Families Act 2014 extended the right to request flexible working to all employees who can demonstrate 26 weeks continuous employment with their employer. Part 9 of this act deals with the right to request flexible working.

The COVID-19 pandemic has, in many cases, proven the viability of flexible working and advances in technology may therefore make it more difficult, but not impossible, to refuse such a request. If an employer does refuse a request for flexible working then the employee has a right of appeal.

### Health and safety

Before permitting home-working the employer must ensure that a risk assessment has been completed to ensure all potential hazards and risks have been properly considered. Employers with staff working at home must manage the risks to their health from display screen equipment (DSE). For long-term homeworking, employers should explain how to carry out full workstation assessments and provide workers with appropriate equipment and advice on control measures.

Most of the Regulations made under Health and Safety at Work etc. Act 1974 (HSWA) apply to home-workers as well as to employees working at an employer's workplace. These include:

- Management of Health and Safety at Work Regulations (MHSWR) 1999 (as amended)
- Health and Safety, Display Screen Equipment Regulations 1992 (as amended)
- Manual Handling Operations Regulations 1992 (as amended)
- Provision and Use of Work Equipment Regulations (PUWER) 1998 (as amended)
- Control of Substances Hazardous to Health Regulations (COSHH) 2002 (as amended).

## Hybrid working models

### Remote-first

A business operates as a fully remote company with employees potentially spread across the globe and using online communication, but with retained office space.

### Office-occasional

In this model a business retains its office(s) and expects employees to attend in-person for part of any working week. Employees can use the workspace for both solo work and collaboration.

### Office-first, remote allowed

In this scenario the primary place of work remains the office, but some (not necessarily all) employees can work remotely. The leadership team will usually be based in the office. There are concerns that in this scenario staff working remotely can easily be disadvantaged.

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## Consulting with employees

Many workers have been accustomed to working from home for almost 15 months and some may be reticent about returning to the workplace; albeit, even with hybrid working there will be an expectation that at some point they actually attend the workplace.

Concerns may include:

- Still awaiting full vaccination.
- Colleagues haven't been vaccinated.
- Potential for increased exposure to the virus.
- Employer's ability to manage social distancing and COVID prevention measures.
- Addition of domestic responsibilities taken on during lockdown, eg caring role.
- Social anxiety.
- Unfair treatment of colleagues – some employees may have needed work during the pandemic whilst others were furloughed.
- Using public transport.

There are a number of strategies to help boost employee confidence and allay any return to work concerns; these include:

- Demonstrating compliance with Government's COVID-secure workplace guidance.
  - Agreeing a delay in a return to work for vulnerable employees, or for those employees who live in the same household as a vulnerable person, until they have received their second dose of vaccine.
  - Promoting vaccination take up.
  - Determining a policy on COVID testing and isolation arrangements for those testing positive.
  - Communicating with the workforce and explaining COVID prevention measures in place.
  - Staggering start/finish times to accommodate post-pandemic public transport issues and to help manage numbers at the workplace.
  - Reminding staff with caring and parental responsibilities of their entitlement for time off for these purposes.
  - Reviewing training and development needs of employees to help them regain full competence.
  - Offering financial management workshops/advice to help those transitioning from furlough to salary, dealing with debt issues or facing a drop in universal credit.
  - Offering occupational health support.
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# Hybrid Working

## Benefits and challenges of hybrid working for the employer

### Benefits

- Scope for recruiting from a wider pool of talent – both within the UK and overseas.
- Increased job satisfaction and employee engagement.
- Better employee mental health.
- Opportunities for more diversity and better inclusion.
- Potential savings achieved by downsizing office space, along with lower utility bills.
- Greater business agility.
- Facilitates social distancing of employees.
- Encourages collaboration and teamwork.
- Can offer a practical option for employees with disabilities or chronic health conditions.
- Lower absence rates.
- Reduced corporate carbon footprint.

### Challenges

- Maintaining effective communication and ensure inclusion.
- Creating a level playing field for workers.
- Dealing with resentment amongst workers whose roles aren't suitable for hybrid working.
- Managing increased demand for flexible working alternatives.
- Cost of investing in digital infrastructure and delivering remote IT provision for workers.
- Cyber/data security issues.
- Providing appropriate telephony solutions.
- Determining how performance will be measured and monitored.
- Ensuring employer business insurance will cover business equipment in a worker's home.
- Maintaining a shared social identity to ensure team effectiveness and performance.

### Case study

#### Facebook

Back in May 2020, Facebook CEO Mark Zuckerberg announced that many of the company's employees would be permitted to adopt a permanent "hybrid" model of working (remote and in-person office work) post pandemic. They would attend the office for certain types of training, some meetings, and culture-building events. It is accepted that the option won't be appropriate for all employees, but it is estimated that this style of working could be available to 50% of the workforce.

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