

MAYOR OF LONDON

FLEXIBLE & REMOTE WORKING



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1. WHAT IS FLEXIBLE WORKING?

Flexible working is a way of working that suits an employee's needs, for example part time; working, having flexible start and finish times; or working from home.

Legal obligations for employers

Every employee has the statutory right to ask to work flexibly after 26 weeks' employment service. An employee can only make one statutory request for flexible working in any 12-month period. Having received the request, the employer is obliged to consider the request in a reasonable manner and in a reasonable timeframe.

You can find more information on the websites below, including a code of practice for employers on handling requests for flexible working, in a reasonable manner, from ACAS.

[GOV.UK](https://www.gov.uk)

[ACAS](https://www.acas.org.uk)

Flexible working includes the following practices:

- **Part-time working** – when employers are contracted to work anything less than full-time hours.
- **Term-time working** – a worker remains on a permanent contract but can take paid and/or unpaid leave during school holidays.
- **Job-sharing** – a form of part-time working where two (or occasionally more) people share the responsibility for a job between them.
- **Flexitime** – allows employees to choose, within certain set limits, when to begin and end work.
- **Compressed hours** – allows workers to work their normal contracted hours over fewer days, for example only working four days in the week. The central feature is reallocation of work into fewer and longer blocks during the week.
- **Annual hours** – the total number of hours to be worked over the year is fixed but there is variation over the year in the length of the working day and week. Employees may or may not have an element of choice over working patterns.
- **Working remotely on a regular basis** – employees work all or part of their working week at a location away from the organisation's physical workplace.
- **Career breaks** – career breaks, or sabbaticals, are extended periods of leave – normally unpaid – of up to five years or more.
- **Commissioned outcomes** – there are no fixed hours, but only an output target that an individual is working towards.



2. REMOTE WORKING

Remote working (also referred to as teleworking, mobile work and home working) is one form of flexible working. It is important to emphasise that employers have the same health and safety responsibilities for home workers as for any other workers.



According to the **Health & Safety Executive*** employers should consider the following for home workers:

- How will you keep in touch with them?
- What work activity will they be doing (and for how long)?
- Can it be done safely?
- Do you need to put control measures in place to protect them?

Further guidance is provided by the HSE around the following aspects of remote working:

- Lone working without supervision
- Working with display screen equipment (DSE)
- Stress and mental health

*Available at: <https://www.hse.gov.uk/toolbox/workers/home.htm>

3. FLEXIBLE WORKING IN THE COVID-19 ERA

There has been a huge increase in homeworking since the COVID-19 outbreak, in part due to government guidance on safe working. Remote working has obvious benefits in terms of social distancing and reducing commuting time to help minimise risk of infection.

The pandemic has also encouraged employers to think more creatively about ways to implement flexible working, for example "any 5 of 7", in which employers make the workplace accessible seven days a week and employees are allowed to work some of their physical workplace hours at the weekends.

Whilst remote working has many advantages, it can also result in over-work, inability to detach from work and feelings of isolation. Furthermore, a recent study during the lockdown period found that people who were able to psychologically detach from work were more likely, on average, to report better life satisfaction, better mental health, and better general self-reported health. Conversely, people who found it difficult to detach, were twice as likely to suffer from anxiety (Hassard 2020, unpublished). Therefore, a focus on health and wellbeing is essential. The following practices can help support wellbeing amongst remote workers:

- Managers taking additional time to 'check-in' with team members, to get to know individual circumstances and connect with people on a more informal basis
- Use of both annual and pulse surveys to evaluate staff engagement and wellbeing, to identify specific concerns related to working conditions and make changes in response to feedback
- Providing consistent, accessible, and concise information about wellbeing, such as the importance of taking regular breaks, setting limits on meeting and screen time (e.g. 45 – 50 mins); and applying techniques for switching off from work. Promoting a limited number messages about health and wellbeing to avoid information overload.



4. FLEXIBLE WORKING SUCCESS FACTORS

- Develop clear flexible working policies in consultation with staff – Gather input from employees and trade unions on flexible working procedures policies and produce clear policies and guidelines in which remote and office-based workers are treated fairly
- Undertake appropriate risk assessments – including DSE/workstation assessments for home workers. The employer’s Duty of Care for staff still applies to the home.
- Provide the right equipment and training to support home working, for example offering an individual allowance for workers to purchase home office equipment, and proving access to, and training on, the best digital systems for homeworking.
- Provide training for people managers on the benefits of flexible working as well as how to manage flexible workers. Training should ideally cover topics such as relevant employment law; the organisation’s policy on flexible working and how to assess a job for flexible working potential.
- Provide support for wellbeing, with consistency and clarity of messaging to avoid information overload.



5. WHAT ARE LEADING ORGANISATIONS DOING?

Financial Services Compensation Scheme (FSCS)

"Our starting point at the FSCS has been for about the last 2 ½ years, every job in our organisation is flexible. So we turned the process for requesting flexible working on its head and said, rather than every employee having to explain to us or justify why the role could be worked flexibly, we said, our starting point is that every job in the organisation is flexible. So, at the beginning [of the pandemic], from March, we already had an organisation where about 90% of the workforce was working flexibly in some way or another.

"[Since the pandemic] we've evolved some of our flexible working principles ... we've got rid of core hours and we now have a seven to seven day. Not only do we recognise that colleagues want greater flexibility about where they work, they want greater flexibility in the working day itself. What they might want to do is work from home between seven and 10, they might then come into the office for a series of meetings, avoiding peak time public transport, do that for a couple of hours, and then go home, maybe have a break, maybe pick the kids up from school, and then do an hour between six and seven. We've been very explicit; your day is entirely down to you and your team and your line manager for you to structure." David Blackburn, Chief People Officer, FSCS.

HM Revenue and Customer

"The biggest opportunity when we changed to more flexible and remote working is that we have found an increase in employee engagement. The last poll survey taken in July, showed an increase of 13 percentage points ... that's pretty unprecedented for HMRC. We also ran a pulse survey to give us a really rich picture about what was driving changes in engagement and how people were feeling in the organisation. Over three quarters of respondents agreed that HMRC was doing a good job helping them to feel connected to one another. Managers reported that they felt more connected to their teams and that there's more space and time to get to know individual circumstances. We also found that managers were making much more time to connect with their teams on a more informal basis, rather than just the typical team meeting ... and over 90% of colleagues agreed that their manager trusted them to do their job effectively. That was pretty profound for us. In previous annual poll surveys, levels of trust were much lower in the organisation. Natasha Harris, HR Director, HMRC.

These extracts are from a webinar run by the LHWA on 15 Oct 2020: Managing An Agile Workforce in the COVID-19 Era. Available at: <https://vimeo.com/482036262>

6. LONDON HEALTHY WORKPLACE AWARD

The London Healthy Workplace Award (LHWA) is an accreditation scheme led by the Mayor of London and supported by Public Health England. It acts as a template for good practice and recognises London employers who invest in their employee's health and wellbeing.

There are three main awards: Foundation, Achievement and Excellence. There is also a Micro Award (for business with < 10 employees) and a Communal Workspace Award.



At the **Micro** and **Foundation** levels, all applicants must demonstrate that their organisation is aware of and complies with flexible working law, by showing how all employees can request flexible working after 26 weeks of continuous service.



At **Achievement level**, applicants must demonstrate that (1) there are flexible working practices and family friendly policies in place; (2) all staff members can request flexible working from day one and (3) requests for flexible working will be considered unless there are genuine business why it is not possible.

To find-out more about the LHWA email the GLA Health Team at:

LondonHealthyWorkplace@london.gov.uk

To sign-up to the award – **and say “yes, I’m interested”** – [click here](#)



7. FURTHER RESOURCES

The following resource guide lists web-based resources, books and reports published London-based and UK-wide professional organisations.

7.1 WHO, WHAT AND WHERE

London Business Hub

The [London Business Hub](#) provides guidance on how teams in small businesses can collaborate when working remotely.

Remote Collaboration:

Tools for Small Organisations and Businesses.

Web: <https://tinyurl.com/y23rsaw2>



[Thrive LDN](#) has a series of 'Coping Well During COVID' webinars that are freely accessible and cover issues surrounding remote working. These webinars

are accompanied by a PDF toolkit of evidence-based resources and ideas for working from home and staying well.

Toolkit: <https://tinyurl.com/y4k68m3p>

Webinars: <https://thrivedn.co.uk/resources/coping-well-during-covid/>



[Working Families](#) has advice on flexible working and features articles for specific issues such as negotiation of hours, changing working hours and guidance for caregivers.

Web: <https://tinyurl.com/yyzmmbb3>



The [ACAS](#) website offers guidance with several sub-topics relating to flexible working (i.e. equipment, technology, setting clear expectations, pay, expenses etc).

Web: <https://www.acas.org.uk/working-from-home>

Flexible working and work-life balance. Advisory booklet. [Download](#)



Changing the world
of work for good

The [TUC](#) website has a comprehensive document outlining changes to work due to COVID-19. There are links to government websites for advice on home working, workplace closures, self-isolation and more.

COVID-19: Guidance to Unions document. [Download.](#)

7. FURTHER RESOURCES

7.2 REFERENCES

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