

Hybrid working: four things to think about

The prospect of lifting the working from home guidance on 19 July has brought renewed focus on hybrid working, writes *David Mills, Partner at Mills & Reeve LLP*.

Last month, Mills and Reeve hosted a webinar series on COVID and the future of work, which inevitably focused in large measure on preparing for a return to the office. It is worth [viewing the recordings](#) but here's a taster of some of the action points for employers that emerged.

Be flexible

At the risk of stating the obvious, we all need to be flexible. Clearly employers and HR departments need to plan ahead, but they also need to be flexible enough to adjust at short notice to the inevitable changes in regulation and guidance as the virus and the steps taken to combat it both continue to evolve.

One fast moving area concerns the approach employers should be taking to vaccination in their workforce. When vaccines were first approved there was a broad consensus that a voluntary approach was best. However, as we move ever closer to vaccinating the whole working population, there are signs that making COVID vaccination a condition of employment, subject to suitable safeguards, may receive some encouragement from the authorities, at least for some front-line roles.

Engage with your workforce

As restrictions are relaxed, it is essential to engage with the needs of the workforce before attempting to balance these with any conflicting business objectives in terms of a return to the workplace.

Certainly there is an opportunity to build back better. While the relatively care-free pre-COVID days are bound to evoke feelings of nostalgia, few would wish to return to exactly the same working environment. That means that staff input into what would work best for them is an essential starting point.

Understand the limits of remote working

Despite the very rapid advances in technology – and our ability to use it – over the past year, there are still some things that can't be done as well remotely. When re-imagining the workplace for the post-COVID era it is important to understand what these elements are.

For example, a recent study by McKinsey analyses the effectiveness of different tasks when these are done remotely when compared with in person. They found that updating knowledge and learning is typically about 80 per cent effective remotely, but this dropped to about 30 per cent for establishing workplace relationships, and even lower for training and mentoring.

There have also been useful studies of the different biases that emerge when conducting meetings on line rather than in person, including this dictionary of behavioural biases from the LSE.

It is clear from these new studies, as well as past experience, that designing an effective hybrid working policy involves much more than working out the optimum percentage of home working for any given role. It is also necessary to consider how the component tasks are managed, to ensure they are done in the most effective manner.

Promote equality and diversity

There is a complex relationship between increased flexibility and equality and diversity issues. To take one example, it has been an advantage for many parents to be able to work flexible

hours from home rather than fixed hours at their employer's workplace.

Leaving the choice of whether to continue to work from home entirely up to employees risks 'baking in' existing gender based inequalities around responsibilities for childcare.

Other risks arise from the differences in the dynamics as between remote and in person communication. Staff working remotely can struggle to make their views heard, and the absence of an on-site presence may translate into reduced access to informal learning and development opportunities, or being overlooked for promotion.

If not properly addressed, the potential disadvantages of working remotely could amplify existing workplace inequalities, for example in relation to race or disability.

- Feel free to email David Mills: david.mills [at] mills-reeve.com