OC250507

16 June 2025

Tēnā koe

I refer to your email dated 30 May 2025, requesting the following under the Official Information Act 1982 (the Act):

> *"Since 1 January 2023:*
> * *A copy of the agency's current work from home policy, including the date it was last updated and any accompanying documentation outlining the rationale for the most recent changes.*
> * *Copies of any previous versions of the work from home policy within the specified timeframe, including the dates each version was in effect (to and from) and any documentation explaining the reasons for changes made.*
> * *Copies of all documents (including but not limited to briefings, memos, internal advice, and reports) provided to or from the Chief Executive or Executive Leadership Team relating to proposed or actual changes to the work from home policy."*

9 documents fall within the scope of your request "*A copy of the agency's current work from home policy, including the date it was last updated and any accompanying documentation outlining the rationale for the most recent changes"* and are detailed in the document schedule attached as Annex 1. The current policy has been in place since 11 September 2023.

1 document falls within the scope of your request "*Copies of any previous versions of the work from home policy within the specified timeframe, including the dates each version was in effect (to and from) and any documentation explaining the reasons for changes made"* and are detailed in the document schedule attached as Annex 1. This policy was in place from 2 October 2020 to 10 September 2023.

3 documents fall within scope of your request "*Copies of all documents (including but not limited to briefings, memos, internal advice, and reports) provided to or from the Chief Executive or Executive Leadership Team relating to proposed or actual changes to the work from home policy"* and are detailed in the document schedule attached as Annex 1.

The schedule outlines how the documents you requested have been treated under the Act.

Certain information is withheld under the following sections of the Act:

transport.govt.nz | hei-arataki.nz

HEAD OFFICE: PO Box 3175, Wellington 6140, New Zealand. PH: +64 4 439 9000
AUCKLAND OFFICE: NZ Government Auckland Policy Office, PO Box 106483, Auckland 1143, New Zealand. PH: +64 4 439 9000

9(2)(a)   to protect the privacy of natural persons.

9(2)(j)   to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

With regard to the information that has been withheld under section 9 of the Act, I am satisfied that the reasons for withholding the information at this time are not outweighed by public interest considerations that would make it desirable to make the information available.

You have the right to seek an investigation and review of this response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman's website **www.ombudsman.parliament.nz**

The Ministry publishes our Official Information Act responses and the information contained in our reply to you may be published on the Ministry's website. Before publishing we will remove any personal or identifiable information.

Nāku noa, nā

Suzanne Williams
Manager, Human Resources

Annex 1

Doc#	Date	Document	Decision on release
1	11 September 2023	Flexible working arrangements policy	Released in full
2	11 September 2023	Appendix A: Te Manatū Waka – Flexible Working Guidance	Released in full
3	23 August 2023	Flexible Working Consultation 2023	Released in full
4	17 July 2023	Consultation Draft Flexible Work Policy	Released with redactions under s9(2)(a)
5	17 July 2023	Flexible working arrangements policy DRAFT	Released in full
6	November 2021	Worksafe – staying mentally healthy when working from home	Released in full
7	September 2022	Worksafe – setting up a healthy workstation when working rom home	Released in full
8	April 2020	Government Health & Safety Lead: Supporting workers to work from home	Released in full
9	6 March 2023	Growing Opportunities: Working outside of Wellington, findings and recommendation	Released in full
10	2 October 2020	Flexible Work by Default Policy	Released in full

11	12 December 2024	PSC Guidance: Flexible Working (Work from Home)	Released with redactions under s9(2)(a)
12	8 January 2025	Updated PSC flexible working (work from home) guidance and next steps	Released with redactions under s9(2)(a)
13	12 December 2024	Guidance: Flexible Working (Work from Home) - Te Kawa Mataaho Public Service Commission	Released in full

Flexible working arrangements policy

Purpose

Te Manatū Waka | the Ministry is committed to supporting the health and wellbeing of its workforce alongside its commitment to the reduction of emissions, through flexible working opportunities.

The aim of this policy is to outline a fair and transparent approach of how Te Manatū Waka considers the offer of flexible opportunities, manages existing arrangements and to meet our Wellbeing, Health, Safety, and data reporting obligations.

Scope

This policy applies to all prospective and current employees of Te Manatū Waka, inclusive of contractors.

Policy statement

Te Manatū Waka values flexibility within its workforce and recognises the benefits it has to the development of a positive and inclusive environment. Flexibility can make it easier for employees to balance their work, personal life and other commitments and manage their career as they move through different phases of their life.

Flexible work practices also help Te Manatū Waka to attract and retain diverse talent, aid in the reduction of the gender and ethnic pay gap, build workplace resilience, maintain business continuity, support wellbeing, and reduce emissions.

Overall, flexible work practices provide an opportunity to consider a range of working arrangements that work for the organisation, team, and individuals.

However, not all types of flexibility will be possible for every role. Different types of flexibility may suit different types of roles.

Principles

"If not, why not", Te Manatū Waka recognises all roles will be suitable for some form of flexible working unless there is a genuine business reason for a role not to be. Our roles will be suitable for some form of flexibility but not every type of flexibility will work for every role. It needs to be mutually beneficial for individuals, our organisation, and teams.

Flexibility requires partnership and give and take between individual, manager, and team. It also places collective obligations on individuals, managers, and teams to be open and adaptable so that it works for everyone.

Enabling flexibility within Te Manatū Waka will allow the normalisation of flexibility in a way that does not undermine career progression or pay and is equally available to all employees irrespective of the reason for wanting it.

Leaders will actively support, champion and role model flexible working practices for themselves and teams.

Te Manatū Waka will give genuine consideration to all requests for flexible working on their own merits, and genuinely think about how the arrangement may work for the organisation, individual and team.

Associated Guidance and Policies

This policy is intended to be read in conjunction with guidance in relation to flexible working opportunities and broader Ministry Human Resources (HR) advice regarding a healthy work and life balance.

a) Te Manatū Waka's flexible working guidance

b) Health, Safety and Wellbeing Policy and guidance

c) Reasonable Accommodation Policy

d) Parental Leave Policy

e) Dress for your day guidance

f) ICT remote guidance

g) Digital Services Policy

h) Security Information Policy

i) Security Hub

Relevant legislation:

j) Employment Relations Act 2000

k) Human Rights Act 1993

l) Public Service Act 2020

m) Health and Safety at Work Act 2015

n) Holidays Act 2003

o) Privacy Act 2020

Definitions

Flexible working is a broad term relating to any type of work arrangement that allows employees flexibility in how they work. This generally refers to hours of work, place of work and days of work. Flexible working arrangements may be permanent or temporary via agreement.

Arrangement is a term that in this context, is an agreement between parties about how something happens or will happen.

Te Manatū Waka flexible working arrangements and process

Te Manatū Waka may consider the following types of flexible working arrangements on an individual case by case basis:

Hybrid Working: a flexible work arrangement that allows individuals to split their work time between working remotely and working in the office. In view of our limited office capacity, we acknowledge that this will likely be an arrangement that is one of our default ways of working.

Flexi Time: individuals agree their core hours and then schedule their day around these to how it best suits i.e. take a longer lunch to get to the gym or drop the kids off.

Part Time: working less than full time hours. This could be a temporary flexible working arrangement/contractual change or a permanent contractual arrangement.

Flexi Career: individual is able to (gradually) move in/out of workforce; sabbaticals and career breaks.

These flexible arrangements are examples of arrangements that may accommodate both organisational and employees needs.

Other flexible arrangements will be considered on an individual case by case basis.

Requests for formal flexible working arrangements should follow the process as outlined in Te Manatū Waka – Flexible Working Guidance (**Appendix A**). Employees may choose to initially discuss their request for a flexible working arrangement with their manager before submitting a written request (a written request is elaborated on in the guidance). However, this is not essential, and you can submit a written request at any time. All requests will need to be approved in advance of commencing a flexible working arrangement.

We expect all managers to follow the guidelines (**Appendix F**) when considering flexible working requests and to be fair and consistent in their approach. We encourage managers to actively manage informal flexible ways of working how they see best.

We expect all employees with a flexible work arrangement to adhere to Te Manatū Waka – Flexible Working Guidance (**Appendix A**) and the expectations of their manager. It is important to read and understand our policy and guidance as with any policies, breaches may result in disciplinary action.

Te Manatū Waka may consider financial support to those requesting hybrid or remote working arrangements; however, this would typically only be considered in exceptional individual circumstances and will be agreed at Te Manatū Waka discretion and as such is not guaranteed.

Employees affected by domestic violence will have different considerations for flexible working arrangements and supported by Te Manatū Waka. Employees will be able to find more guidance on this in our Domestic Violence Policy and Leave Policy.

Monitoring and review

The Senior Leadership Team (SLT) may request reports about flexible arrangements across the Ministry to enable them to review, comment and provide strategic advice including risks.

Te Manatū Waka has the right to review flexible working arrangements if it is on one or more of the following business grounds and/or conflicts with the collective agreement.

Recognised business grounds or non-accommodation grounds
- Cannot reorganise work among existing staff
- Cannot recruit additional staff
- Negative impact on quality
- Negative impact on performance
- Not enough work during the periods the employee proposes to work
- Planned structural changes
- Burden of additional costs
- Negative effect on ability to meet customer demand.

This will be done in consultation with the employee and Te Manatū Waka will review any arrangement on an individual case-by-case basis in a fair consistent manner and in good faith.

Owner	Approved by	Date Approved	Next Review Date
Manager Human Resources	Deputy Chief Executive Corporate Services	TBC – once policy is agreed to	TBC – once implementation is completed

TE MANATŪ WAKA
MINISTRY OF TRANSPORT

Appendix A: Te Manatū Waka – Flexible Working Guidance

Te Manatū Waka values flexibility within its workforce and recognises the benefits it has to the development of a positive and inclusive environment. Flexibility can make it easier for you to balance work, personal life and other commitments and manage your career as you move through different phases of your life.

This guidance accompanies our Flexible Working Policy and outlines:

- Types of flexible working
- Process
- Employee, organisation, and manager responsibilities
- Your at home set up
- Wellbeing, Health & Safety
- Etiquette

Types of flexible working

There are many options of flexible work that may enable you to live a healthy work life balance. Usually, flexible working includes changes in where, how, or when you would work.

These options can be a short-term or long-term arrangements.

Flexi Place	Flexi Time	Flexi Career
Options that allow employees to work from home or another location outside of the office on full, part-time, or casual basis. **Working from home/Hybrid working** allows individuals to split their work time between working remotely and working in the office or location of work. This arrangement allows balance in interaction time with colleagues at the office and time working away from the office. **Working from another office** We currently have two office spaces in Te Whanganui-a-Tara/Wellington and Tāmaki Makaurau/Auckland. Our Auckland office is limited by capacity.	Options that allow employees to vary their work hours or days on a regular basis or from time to time **Flexi Time** individuals agree core hours and then schedule their day around these to how it best suits i.e. take a longer lunch to get to the gym or drop the kids off. **Part-time** an arrangement where an individual is contracted to work less than full-time hours. This may be working fewer than 5 days per week and/or working less hours per day (hard to explain without saying what a standard day is).	Options that allow employees to manage their roles and careers flexibly **Study** to support you to pursue study while working. **Career break** extended period of leave that is normally unpaid. **Work transition** provides opportunities to make changes in your work hours, location, or job responsibilities. For example, moving to a less demanding job to enable care of an elderly relative. **Phased retirement** hours of work are progressively reduced until full retirement is reached at a specified date **Phased return** hours of work are progressively increased until a full complement to full- or part-time

		hours is reached at a specified date. Often used when returning from parental leave.

Process

Before requesting a flexible working arrangement, consider what arrangement would best support your wellbeing, role requirements and work life balance.

You will need to read the step-by-step guide to understand if the arrangement you want is formal or informal and the process for either option.

You may also consider having a discussion with your manager to discuss your proposed arrangement.

Informal arrangements:

- Usually occurs when managers agree that employees have flexibility over when and where they carry out their work, subject to meeting position responsibilities and deliverables. This can mean that the exact arrangements (times or place of work) vary and are agreed between managers and employees as and when needed.

- Do not require changes to pay or terms and conditions in employment contracts.

- Can be agreed to verbally but can be helpful to have an email that clarifies understanding.

Formal arrangements:

- Occurs when a recurring work arrangement impacts on pay or involves changes to employment terms and conditions such as working hours, patterns and location. It may take place for an agreed period or on an ongoing basis with regular review.
    - i.e. it is agreed that remote work is regular

- Are required to be in writing as per the Employment Relations Act 2000.

- Enables us to meet our legal obligations under the Employment Relations Act 2000 and Health and Safety at Work Act 2015.

Example table of arrangements, not comprehensive

Arrangement	Description	Formal/informal (as a guide)
Arrival/departure times	Change the time you start, and finish work i.e. 7.30 – 3.30 rather than 8 – 4	Informal
Variable work schedule	Completing contracted hours with some hours outside of core standard operating hours i.e. making up for two-hour break after hours	Informal (usually short term)
Appointments	Time during working hours to attend appointments	Informal
Flexibility in work location	Occasionally or regularly working from another location, or from home	Informal or formal dependant on regularity.

		Informal is when someone may work in the office but every so often asks their manager to work remote. Formal is when there is an agreement that someone will work regularly remotely (i.e. you work three days each week remote)
Phased retirement	Agreed plan between employee and employer to gradually reduce hours of work prior to retirement	Formal

If you think your arrangement is formal, you will need to request formal approval (particularly where work is performed remotely and a regular and systematic basis) in writing either by email, letter or if you need some supported guidance, you could use the Flexible Working Arrangement form (**Appendix B**). Whatever form of written submission you choose, it must reference '*Part 6AA of the Employment Relations Act 2000'*, as per legislative requirements.

After your request has been submitted, your manager will respond to you as soon as possible and no later than one month. Genuine consideration in a fair and consistent way, will be given to all requests and managers must follow guidance on how to consider, deal and respond to requests (**Appendix F**).

If approved, your arrangement will be confirmed in writing by your manager and if required, in consultation with Human Resources (HR) All other terms and conditions of your employment will remain the same.

If your request is declined, your manager is responsible, in consultation with Human Resources, to set out on which of the recognised business grounds or non-accommodation grounds that is it being refused. We will work with you to consider an alternative flexible arrangement.

You can only make a formal complaint if you believe the process has not been followed for notifying you of a decision. This is the only ground that you have for taking an action. Action cannot be taken because your manager refused your request, or because you disagree with the ground given. Please engage with you Human Resources Adviser to go through the complaints process or alternatively, you can seek guidance from MBIE.

Organisation Responsibilities
- Te Manatū Waka has a duty to genuinely consider all requests in a fair and consistent manner and in good faith.
- Provide employees with the highest level of protection from workplace health, and safety risks, so far as reasonably practicable. This includes risks to both physical and mental health.
- Te Manatū Waka is to provide all employees with one standard technology kit that assists and enables them to work in the office and remotely. This currently includes a laptop, mobile device, screen, keyboard and mouse. This is provided at the Ministry's discretion and may be subject to review and change.

Manager Responsibilities

- Managers at Te Manatū Waka have a duty to genuinely consider all requests in a fair and consistent manner and in good faith.
- They must reply to a request in writing as soon as practicable, but no later than one month.
- Each request is assessed on a case-by-case basis but should be considered with organisation, team and individual in mind.
- Must follow guidance on how to consider, deal and respond to requests (**Appendix F**).
- Must consult with HR about flexible working requests if they are unable to be agreed between individual and manager.
- Managers are responsible for maintaining and monitoring performance, health and safety and wellbeing of employees as they usually would, irrespective of location.
- Must conjointly work through the working remote checklist (**Appendix C**)

Employee Responsibilities

- Employees must comply with the Flexible Working Policy and the guidelines contained in this document as well as all other organisational policies and procedures
- Be consistent in keeping in regular contact with manager, team, and customers and stakeholders.
- Comply with all health and safety requirements as per the Health and Safety at Work Act 2015.

Wellbeing, Health, and Safety

No matter when or where you work, health and safety is a shared responsibility between Te Manatū Waka and yourself. When working remotely, you are responsible for organising a work area that is appropriately set up to ensure that you can work comfortably, ergonomically, and safely.

Regardless of your work location, Te Manatū Waka is committed to eliminating or minimising the risks that may arise in your at home workplace environment so far as is reasonably practicable. This includes the risks to your mental health

Working from home can support positive wellbeing but it can also introduce health risks. You can manage the risks of working from home by setting up a healthy workstation and making sure that you work in a suitable environment.

Together, we will enable you to identify risks and hazards, report accidents and near misses, continue to take regular breaks, and not work unrequired additional hours. Government Health and Safety Lead New Zealand have supporting guidance that we will use to Act, Plan, Check and Do (**Appendix D**).

Working remotely regularly can have a risk of social isolation (Worksafe NZ). Your manager will make sure that you have plenty of opportunities to stay connected– either alternating days working at home and in the office or having regular 'virtual catchups' through phone, email, or video conferencing. It will be your responsibility and requires your commitment to engage in these opportunities and stay connected.

You will refer to the Ministry guidance documents available on Discover for information about maintaining wellbeing, health and safety when working from home or remotely, specifically:

- Health and Safety New Zealand – Guide to manage risks for workers at home
- Worksafe New Zealand –Working from home guidance

Your at home set up

It is required that you work from a location that is safe and suitable for working remotely. We are different shapes and sizes and work in different ways, so there is no single workstation set up that would suit everyone. You need to set up your workstation to suit you.

Workstations that do not suit your body or your work tasks may cause fatigue, discomfort, or pain. We have provided Worksafe New Zealand's best practice guidance for Setting up a Healthy Workstation and Staying Mentally Healthy (**Appendix E**). This is also available in Discover under Wellbeing@work. Additionally, you can speak to any of our Wellbeing, Health, and Safety Representatives for further support.

With your manager, you will work through our working from home check list (**Appendix C**). While not a requirement, we encourage you to share a photo with your manager or a representative of the Health and Safety Committee, of your workstation set up to help assist you in having a set up that supports your wellbeing, health, and safety and if necessary, an assessment of the workstation may be arranged.

Te Manatū Waka provides you with one standard technology kit that should assist enable you to work in the office and remotely. This currently includes a laptop, mobile device, screen, keyboard and mouse. This is provided at the Ministry's discretion and may be subject to review and change.

As outlined in the Flexible Working Policy, Te Manatū Waka may consider financial support to those requesting hybrid or remote working arrangements; however, this would typically only be considered in exceptional individual circumstances and will be agreed at Te Manatū Waka discretion and as such is not guaranteed.

You are to keep all work information secure and are encouraged to refresh yourself on our:
- Digital Services Policy
- [Security Information Policy](#)
- Working Remotely Hub ([Discover](#))
- Security Hub ([Discover](#))

Etiquette

We acknowledge that at times it is more productive to work remote. This can be an opportunity for you to be in a controlled environment that best suits you and your workload. We encourage everyone to follow the great practices and habits already in place at work, when working remote.

Wherever you base yourself for your workday it is always good to communicate with your manager, team, or clients your location. This could be done by using teams, email, an excel spreadsheet, whatever your team has agreed best works and just like when you're in the office, it is useful to let your team/manager know if you will be away for an extended time.

Where practical, it is required that your camera will be on for all meetings, acknowledging that at times for larger meetings it may benefit the connection to have your camera off. Certain meetings do require that your camera is on, as an example, meeting with our CE. You will be in an appropriate workspace where you may choose to blur or replace your background for additional privacy.

As usual practice do not hold in-person meetings with external stakeholders at your home and be mindful of the conversations you are having if you meet in a public setting.

If you have other members of your household at home, take care to ensure that they are not able to hear meetings or conversations or disrupt you.

When working from home, it is expected that you are primarily engaged in your work.

Be mindful of our "Dress for your day" guidelines and other related policies.

Appendix B: Flexible work application form

Kia ora! Please fill in this application or use as a guide, then give to your manager who will consult with Human Resources and if approved, will get the appropriate documentation prepared.

Full Name		Date	
Role			
Manager Name			

Under Part 6AA of the Employment Relations Act 2000 I would like to request a variation to my current working arrangements which are:

Place(s) of work	
Days and hours of work	

My proposed working arrangement is:

Place(s) of work	
Days and hours of work *specify days and hours both at office and remote*	

I would like this arrangement to be:

☐ permanent ☐ temporary and effective from Click or tap to enter a date. and if applicable, end by Click or tap to enter a date.

Benefits I believe my new arrangement would benefit myself, Te Manatū Waka, my team, and customers by	
Potential Impact I believe my new arrangement may have the following impacts on myself, Te Manatū Waka, my team, and customers by	
Mitigation Any impacts can be mitigated or fixed by	

If my request for a flexible working arrangement is approved by Te Manatū Waka, I acknowledge that I will:

☐ Read, agree, and comply with the Flexible Work Policy, Flexible Work Guidelines as well as all other related Ministry policies and procedures as outlined

☐ Only work from a location that is safe and suitable for working from home and/or remotely

☐ Read and comply with all wellbeing, health, and safety requirements

☐ Take reasonable steps to keep the organisation's technology, equipment, and information safe and in working order

Signature		Date	

Appendix C – Working remotely: *How we set up, plan, and check your health, safety, and wellbeing*

Name		Date	

Work Environment

You have assessed your workspace as follows

☐ A safe (physical and psychosocial) space to work
☐ Electrical sockets and plugs in good condition, not overloaded and surge protected
☐ Electrical leads in good condition and not causing a trip hazard
☐ Lighting suitable and no glare on screen
☐ Noise levels acceptable
☐ Photo or video conference of space given, if consented and agreed to
☐ Temperature is suitable and comfortable

Creating a routine

☐ Method of preferred contact is ☐ phone ☐ teams *it is expected you will be contactable on both but will use your preferred first initially
☐ Contact phone number is confirmed and up to date
☐ Discussed safe computer use including micropauses, stretching and regular breaks
☐ Read Worksafe guidance section on routine (**Appendix E**)

Wellbeing

☐ Discussed wellbeing and a plan to check in on wellbeing regularly
☐ Discussed impact of isolation on wellbeing
☐ Discussed important signs of physical problems (Worksafe guidance **Appendix E**)

Team, connection & communication

☐ Plan in place for regular team meetings to enable connection (both in person and virtual)
☐ Discuss what success looks like when working from home

Workstation set up

☐ Has an appropriate desk or an equivalent that is supportive to you
☐ Has an adjustable chair with back support or an equivalent that is supportive to you
☐ Has a second monitor, if not can be provided by IT
☐ Has a keyboard and mouse, if not can be provided by IT
☐ Has read the Worksafe guidance section on workstation set up (**Appendix E**)

Expectations

☐ Understanding of expectations for meeting attendance
☐ Understanding of policy, guidance, and appendices
☐ Understanding of etiquette outlined in guidance

Emergencies

☐ Emergency contact details are up to date
☐ If able, has appropriate first aid supportive to you
☐ Knows closest civil defence centre
☐ Has manager and one other team members contact details if needed

Privacy and Security

☐ Workspace allows for privacy
☐ Has read all related privacy and security documentation outlined in the flexible working policy's associated documents section

Signature		Manager Signature	

Appendix F – Manager guidance: Consider, deal, and respond

This guidance has been created to help managers approach flexible working transparently, fairly and in good faith. If in doubt, speak to a HR Adviser.

Consider

Consider the request carefully and fairly. You must consider all requests for flexible working arrangements in a fair way and in good faith. There are only a few business-related grounds to say no to a request and you shouldn't try to assess whether one person's need for flexible working arrangements is greater than another's.

Acknowledge

It's important to acknowledge that you have received the request.

You must deal with a request as soon as possible, but no later than one month after you receive it. The one-month time limit for dealing with a request should provide plenty of time for you to weigh up the impact on your business and decide. You must respond in writing.

Meet

The best way for both parties to understand each other's position and find a solution that meets all their needs is to discuss the request face-to-face. This is a chance to talk about the requested working arrangement in depth, and consider how these could fit with the TMW, employee, yourself, and other workers. It will help if both you and the employee are prepared to be flexible. If the requested working arrangement can't be agreed to, the discussion may help identify alternatives or perhaps a flexible working arrangements trial.

Approve

Remember that the agreed new working arrangement will be a permanent change to the employee's terms and conditions of employment, unless agreed otherwise. Where a flexible working arrangements trial or time-limited period has been agreed this should also be described.

Once you have made your decision and advised the employee you also need to think about:

- informing others in your organisation of the new working arrangement, such as other employees and human resources
- whether the new working arrangement means that you need to change your employee's pay and what the impacts might be on holidays and leave
- whether health and safety requirements are still satisfied. This might be relevant if the employee is going to be working from another location or alone out of core business hours.

If in doubt, contact HR!

Decline

In some cases, you may not be able to approve the requested flexible working arrangement. However, it's important that you give all requests your full consideration. You may want to explore alternatives to find an arrangement that works for you and your employee.

When declining a request, you must work with an HR Adviser to state the ground/s for your refusal, and explain the reasons for these ground/s.

How to decline a request There will always be circumstances where, due to the needs of the business, the employer feels they can't accept a request. Employers can refuse a request on one or more of the following recognised business grounds:

if it conflicts with a collective agreement, recognised business grounds or non-accommodation grounds, cannot reorganise work among existing staff, cannot recruit additional staff, Negative impact on quality, Negative impact on performance, Not enough work during the periods the employee proposes to work, Planned structural changes, Burden of additional costs, Negative effect on ability to meet customer demand.

Conflicts with a collective employment agreement You must refuse a request if the proposed new working arrangement conflicts with the provisions of an employee's collective employment agreement. However, there are also likely to be times where a compromise can be reached between the employer, the employee making the request, and other employees in the workplace. It is encouraged to discuss these issues with a view to developing procedures for dealing with such conflicts before they come up.

Notify employee You are required to notify the employee of their decision in writing, and if the request is refused, to give reasons for the refusal.

Reference MBIE

TE MANATŪ WAKA
MINISTRY OF TRANSPORT

Flexible Working
Consultation 2023

| Increase engagement | Increase productivity | Reduce emissions, commute and costs | Ensure Business continuity | Support worklife balance |

Tēnā koutou,

Thank you to those who contributed feedback to our flexible working policy. We appreciate that we all value flexibility and want to continue to make sure our organisation can support this in a sustainable and empowering way.

Why are we changing the current policy?

It is our standard practice to review and refresh existing policies between 2-3 years, as this ensures they remain relevant and fit for purpose.

Are we moving away from flexible by default?

No, we are still a flexible-by-default organisation.

We still treat all roles as suitable for some form of flexible working and are committed to exploring how flexibility could work unless there is a genuine business reason/ground for any role not to be flexible.

Our policy provides a guide as to how you may consider a range of working arrangements that work for our agency, team, and yourself. However, it does not mean that all types of flexibility will be possible for every role. Different types of flexibility may suit different types of roles.

For example, the demands of frontline roles may preclude an employee working from home frequently (one type of flexibility), but other types of flexibility (e.g. varied start and finish times) may be workable.

Existing arrangements

We acknowledge that there are many existing flexible work arrangements across our Ministry. We have no intention to change what is already working for many. We are asking though that if you have a remote working arrangement that is over 2 days per week consistently to formalise this in writing. This will be elaborated on in the sections below.

Formal, informal, something in between?

We want to continue to enable our leaders and yourselves to work in ways that best suit your teams.

We are asking that formal or not our leaders keep a record of everyone's flexibility in a way that best suits your teams. This may an excel spreadsheet, an email chain or something creative! This

will help our leaders to manage team flexibility and if required for reporting to Public Service Commission/OIAs or during a disaster we can access this information quickly.

For any formal arrangements we have guidance attached to our policy that will let you know whether you need to request anything in writing or not. If things still seem a bit unclear you can talk to your manager or an HR Advisor.

We understand this will take time, so we are asking that all records be confirmed and documented by the end of October 2023

Remote work

If you regularly work more than 2 days a week remote, we ask that you please submit a formal request in writing as required by Employment Relations Act 2000. If you already have this arrangement agreed and in place currently we would like an email to confirm the arrangement with you. We are asking this as you will be at home more than at one of our offices. This has implications for wellbeing, health and safety, our business continuity (especially in disasters) and the Public Service Commission's requests, alongside, OIAs on arrangements across the Ministry.

*This is not a comprehensive example list but some common scenarios

Remote Example	Formal or not?
Mike regularly works remote 2 days a week but these days change depending on business requirements	This **does not** require a formal arrangement
Dustin works 3 days a week remote, generally these are the same 3 days but occasionally change, however, Dustin consistently will work remote 3 days regardless of changing days	This **does** require a formal arrangement
Max regularly works remote 2 days a week every Friday and Wednesday	This **does not** require a formal arrangement
El is going to catch a late-night flight to join their whānau for a long weekend in the Hawkes Bay but plans to work remote for the Friday	This **does not** require a formal arrangement, however, check with your manager that you have no in person commitments and so they are aware of your whereabouts in case of an emergency
Nancy works five days in the office then the next week works 3 days at home.	This **does not** require a formal arrangement, however, if Nancy did this as a regular pattern it would require a formal arrangement
Robin works 4 days remote then the next week works 3 days remote. This is Robin's consistent pattern of work.	This **does** require a formal arrangement
Jim's partner is away for a month. Their partner's mother-in-law is unwell and needs to be picked up at 3pm several days a week. Usually, Jim's partner does this, but Jim will need to do this for the next month.	This **does not** require a formal arrangement, however, talk to your manager about what support is needed and how your hours may look during this period and have clear expectations

Tone didn't hit the mark

We heard you. Releasing this policy as a draft for feedback meant we were able to adapt the policy to be reflective of our culture here at Te Manatū Waka. We hope you see these changes reflected throughout.

Guidance

It's always worth remembering while our policy may be our base, our guidance is adaptable and fluid as we recognise our environment is ever changing. There are linked documents that will be worked on as we review and make live our refreshed policy.

Unwell?

If you are unwell, please look after yourself and others by staying home. While we encourage you to use sick leave when you are sick, we acknowledge there's periods of having the sniffles, a nasty cough or you're on the way to recovery, where you're not 100% but do feel up to working. We support you to make the decision best for you. However, when it comes to Covid it is expected that you remain at home for the recommended 5 days and if someone in your household is positive you test for 5 days before coming to work.

Nāku i runga i aku mihi ki a koe,

Enable Diversity > Equitable > Contribute to positive wellbeing > Broaden talent > Decrease turnover

Harry Atkins

From:	HRConsultationFeedback
Sent:	Monday, 17 July 2023 9:12 am
To:	AllMOT
Subject:	Consultation Draft Flexible Work Policy
Attachments:	TMW Flexible working policy DRAFT 2023.docx; Appendix E Mentally Healthy WFH.pdf; Appendix E Setting up Workstation WFH.pdf; Appendix D Act, Plan, Check and Do.pdf

Tēnā koutou,

I hope you all had a restful Matariki.

As you may be aware, we are looking to update our Flexible Working policy.

I wanted to start off by acknowledging the mahi done as part of the Growing Opportunities project. Lead by our colleagues in Tāmaki Makaurau, the *People working outside of Wellington workstream* tested our views on exactly that, people working outside of Wellington. While this piece of work is separate to our policy, I acknowledge that it explored flexibility across Te Manatū Waka and that many of you contributed feedback to this. More can be read here.

Te Manatū Waka values flexibility within our workforce and recognises this may look different to every one of you. Our current policy was last reviewed in 2020 and post the initial covid disruption, we are looking to what our new ways of flexible working look like here at Te Manatū Waka. Alongside this, we want to ensure we are meeting our obligations under the Health and Safety Act 2015.

As this draft policy links to documentation that is live with the current policy, links will be updated to reflect the finalised policy following consultation and enactment. This is also required for all related Discover content.

I would like to invite you to provide feedback, which will be for a period of 2 weeks, starting today **17th July 2023 until 31st July 2023**. We will aim to have the final policy live by the week of the **14th of August 2023**.

Please provide all feedback to our HRConsultationFeedback@transport.govt.nz inbox.

If you have any questions, I invite you to please email me or I am available to talk on teams or in person.

Thank you in advance for your review and feedback.

Ngā Mihi,

Emily Bathgate (she/her)

Kaitohutohu | OD Adviser
s 9(2)(a)   E: e.bathgate@transport.govt.nz

Flexible working arrangements policy

Purpose

Te Manatū Waka | the Ministry is committed to supporting the health and wellbeing of its workforce alongside its commitment to the reduction of emissions, through flexible working opportunities.

The aim of this policy is to outline a fair and transparent approach of how Te Manatū Waka considers the offer of flexible opportunities and to meet out Health and Safety obligations.

Scope

This policy applies to all prospective and current employees of Te Manatū Waka, inclusive of contractors.

Policy statement

Te Manatū Waka values flexibility within its workforce and recognises the benefits it has to the development of a positive and inclusive environment. Flexibility can make it easier for employees to balance their work, personal life and other commitments and manage their career as they move through different phases of their life.

Flexible work practices also help Te Manatū Waka to attract and retain diverse talent, aid in the reduction of the gender and ethnic pay gap, build workplace resilience, maintain business continuity, support wellbeing, and reduce emissions.

Overall, flexible work practices provide an opportunity to consider a range of working arrangements that work for the organisation, team, and individuals.

However, not all types of flexibility will be possible for every role. Different types of flexibility may suit different types of roles.

Principles

Te Manatū Waka recognises all roles will be suitable for some form of flexible working unless there is a genuine business reason for a role not to be. Our roles may be suitable for some form of flexibility but not every type of flexibility will work for every role. It needs to be mutually beneficial for our organisation, teams, and individuals.

Flexibility requires partnership and give and take between individual, manager, and team. It also places collective obligations on individuals, managers, and teams to be open and adaptable so that it works for everyone.

Enabling flexibility within Te Manatū Waka will allow the normalisation of flexibility in a way that does not undermine career progression or pay and is equally available to all employees irrespective of the reason for wanting it.

Leaders will actively support, champion and role model flexible working practices for themselves and teams.

Te Manatū Waka will give genuine consideration to all requests for flexible working on their own merits, and genuinely think about how the arrangement may work for the organisation, individual and team.

Associated Guidance and Policies

This policy is intended to be read in conjunction with guidance in relation to flexible working opportunities and broader Ministry Human Resources (HR) advice regarding a healthy work and life balance.

a) Te Manatū Waka's flexible working guidance

b) Health, Safety and Wellbeing Policy and guidance

c) Reasonable Accommodation Policy

d) Dress for your day guidance

e) ICT remote guidance

f) Digital Services Policy

g) Security Information Policy

h) Security Hub

Relevant legislation:

i) Employment relations Act 2000

j) The Human Rights Act 1003

k) Public Service Act 2015

l) Health and Safety at Work Act 2015

Definitions

Flexible working is a broad term relating to any type of work arrangement that allows employees flexibility in how they work. This generally refers to hours of work, place of work and days of work. Flexible working arrangements may be permanent or temporary via agreement.

Te Manatū Waka flexible working arrangements and process

Te Manatū Waka may consider the following types of flexible working arrangements:

Hybrid Working: a flexible work arrangement that allows individuals to split their work time between working remotely and working in the office.

Flexi Time: individuals agree their core hours and then schedule their day around these to how it best suits i.e. take a longer lunch to get to the gym or drop the kids off.

Part Time: working less than full time hours. This could be a temporary flexible working arrangement or a permanent contractual arrangement.

Flexi Career: individual is able to (gradually) move in/out of workforce; sabbaticals and career breaks.

These flexible arrangements are examples of arrangements that may accommodate both organisational and employees needs.

Other flexible arrangements may be considered on an individual case by case basis.

Requests for formal flexible working arrangements must follow the process as outlined in Te Manatū Waka – Flexible Working Guidance (**Appendix A**). Employees may choose to initially discuss their request for a flexible working arrangement with their manager before submitting a written request (a written request is elaborated on in the guidance). However, this is not essential, and you can submit a written request at any time. All requests must be approved in advance of commencing a flexible working arrangement.

We expect all employees with a flexible work arrangement to adhere to Te Manatū Waka – Flexible Working Guidance (**Appendix A**) and the expectations of their manager. It is important to read and understand our policy and guidance as with any policies, breaches may result in disciplinary action.

Te Manatū Waka will not provide financial support to those requesting hybrid or remote working arrangements; however, this may be considered if there are exceptional individual circumstances and will be agreed at Te Manatū Waka discretion.

Employees affected by domestic violence will have different considerations for flexible working arrangements and supported by Te Manatū Waka. Employees will be able to find more guidance on this in our Domestic Violence Policy and Leave Policy,

Monitoring and review

The Senior Leadership Team (SLT) may request reports about flexible arrangements across the Ministry to enable them to review, comment and provide strategic advice including risks.

Te Manatū Waka has the right to review flexible working arrangements if they are perceived to be no longer beneficial to the organisation or negatively impacting performance. This will be done in consultation with the employee and Te Manatū Waka will review any arrangement fairly and in good faith.

Owner	Approved by	Date Approved	Next Review Date
Manager Human Resources	Deputy Chief Executive Corporate Services		

Appendix A: Te Manatū Waka – Flexible Working Guidance

Te Manatū Waka values flexibility within its workforce and recognises the benefits it has to the development of a positive and inclusive environment. Flexibility can make it easier for you to balance work, personal life and other commitments and manage your career as you move through different phases of your life.

This guidance accompanies our Flexible Working Policy and outlines:

- Process
- Employee, organisation, and manager responsibilities
- Your at home set up
- Wellbeing, Health & Safety
- Etiquette
- Types of flexible working

Process

Before requesting a flexible working arrangement, consider what arrangement would best support your wellbeing, role requirements and work life balance

You will need to read the step-by-step guide to understand if the arrangement you want is formal or informal and the process for either option.

You may also consider having a discussion with your manager to discuss your arrangement.

Informal arrangements:
- Refers to an ad hoc or infrequent arrangement, agreed between a manager and employee, to enable work flexibility and are generally appropriate for flexibility that doesn't involve changes in employees terms and conditions of employment.
- Can be agreed to verbally but can be helpful to have an email that clarifies understanding.

Formal arrangements:
- Refers to a flexible working arrangement that involves changes to employment terms and conditions, such as health and safety considerations, change to pay or permanent change to working days or hours.
  - i.e. if remote work is regular and 2 days or more per week.
- Must be in writing.
- Enable us to meet our legal obligations under the Health and Safety at Work Act 2015.

Example table of arrangements, not comprehensive

Arrangement	Description	Formal/informal (as a guide)
Arrival/departure times	Change the time you start, and finish work i.e. 7.30 – 4.30 rather than 8 – 5	Informal
Variable work schedule	Completing contracted hours with some hours outside of core standard operating hours	Informal (usually short term)

	i.e. making up for two-hour break after hours	
Appointments	Time during working hours to attend appointments	Informal
Flexibility in work location	Occasionally or regularly working from another location, or from home	Informal or formal dependant on regularity. Informal is when someone may work in the office but every so often asks their manager to work remote. Formal is when there is an agreement that someone will work regularly remotely (i.e. you work one day each week remote)
Phased retirement	Agreed plan between employee and employer to gradually reduce hours of work prior to retirement	Formal

If you think your arrangement is formal, you will need to request formal approval (particularly where work is performed remotely and a regular and systematic basis) in writing either by email, letter or using the Flexible Working Arrangement form (**Appendix B**).

After your request has been submitted, your manager will respond to you as soon as possible and no later than one month.

If approved, your arrangement will be confirmed in writing by your manager in consultation with Human Resources (HR)

If your request is unable to be accommodated, we will work with you to consider an alternative flexible arrangement.

Organisation Responsibilities
- Te Manatū Waka has a duty to consider all requests in a fair and consistent manner and in good faith.
- Provide employees with the highest level of protection from workplace health, and safety risks, so far as reasonably practical. This includes risks to both physical and mental health.
- Te Manatū Waka is to provide all employees with one standard technology kit that assists and enables them to work in the office and remotely.

Manager Responsibilities
- Managers at Te Manatū Waka have a duty to consider all requests in a fair and consistent manner and in good faith. They must reply in writing as soon as practical, but no later than one month.
- Each request should be considered with organisation, team and individual in mind.
- Must consult with HR about flexible working requests.

- Managers are responsible for maintaining and monitoring performance, health and safety and wellbeing of employees as they usually would, irrespective of location.
- Must conjointly work through the working remote checklist (**Appendix C**)

Employee Responsibilities
- Employees must comply with the Flexible Working Policy and the guidelines contained in this document as well as all other organisational policies and procedures.
- Be consistent in keeping in regular contact with manager, team, and customers and stakeholders.
- Comply with all health and safety requirements as per the Health and Safety Act 2015.

Wellbeing, Health, and Safety
No matter when or where you work, health and safety is a shared responsibility between Te Manatū Waka and yourself. When working remotely, you are responsible for organising a work area that is appropriately set up to ensure that you can work comfortably, ergonomically, and safely.

Regardless of your work location, Te Manatū Waka is committed to eliminating or minimising the risks that may arise in your at home environment so far as is reasonably practicable. Together, we will enable you to identify risks and hazards, report accidents and near misses, continue to take regular breaks, and not work unrequired additional hours. Government Health and Safety Lead New Zealand have supporting guidance that we will use to Act, Plan, Check and Do (**Appendix D**).

Working remotely regularly can have a risk of social isolation. Your manager will make sure that you have plenty of opportunities to stay connected– either lternating days working at home and in the office or having regular 'virtual catch-ups' through phone, email, or video conferencing. It will be your responsibility and requires your commitment to engage in these opportunities and stay connected.

You will refer to the Ministry guidance documents available on Discover for information about maintaining wellbeing, health and safety when working from home or remotely, specifically:

- Health and Safety New Zealand – Guide to manage risks for workers at home
- Worksafe New Zealand –Working from home guidance

Your at home set up
It is required that you work from a location that is safe and suitable for working remotely.

We have provided Worksafe New Zealand's best practice guidance for Setting up a Healthy Workstation and Staying Mentally Healthy (**Appendix E**). This is also available in Discover under Wellbeing@work Additionally, you can speak to any of our Wellbeing, Health, and Safety Representatives for further support.

With your manager, you will work through our working from home check list (**Appendix C**). We encourage you to share a photo with your manager or a representative of the Health and Safety Committee, of your workstation set up to help assist you in having a set up that supports your wellbeing, health, and safety and if necessary, an assessment of the workstation may be arranged.

Te Manatū Waka provides you with one standard technology kit that should assist enable you to work in the office and remotely.

As outlined in the Flexible Working Policy, Te Manatū Waka will not provide financial support to those requesting hybrid or remote working arrangements (e.g. at home desk set up, utility bills);

however, this may be considered if there are exceptional individual circumstances. It will be agreed at the Ministry's discretion and as such is not guaranteed.

You are to keep all work information secure and are encouraged to refresh yourself on our:
- Digital Services Policy
- Security Information Policy
- Working Remotely Hub (Discover)
- Security Hub (Discover)

Etiquette

When working remotely we expect employees to continue to adhere to our "Dress for your day" guidelines.

It is required that your camera will be on for all meetings and that you are in an appropriate workspace. You will not hold in-person meetings with external stakeholders at your home and be mindful of the conversations you are having if you meet in a public setting.

If you have other members of your household at home, take care to ensure that they are not able to hear meetings or conversations or disrupt you.

Just like when you're in the office, it is useful to let your team/manager know if you will be away for extended time.

When working from home, it is expected that you are able to be fully engaged in your work.

Types of flexible working

There are many options of flexible work that may enable you to live a healthy work life balance. Usually, flexible working includes changes in where, how, and when you would work.

These options can be a short-term or long-term arrangements.

Flexi Place	Flexi Time	Flexi Career
Options that allow employees to work from home or another location outside of the office on full, part-time, or casual basis.	Options that allow employees to vary their work hours or days on a regular basis or from time to time	Options that allow employees to manage their roles and careers flexibly
Working from home/Hybrid working allows individuals to split their work time between working remotely and working in the office or location of work. This arrangement allows balance in interaction time with colleagues at the office and time working away from the office.	**Flexi Time** individuals agree core hours and then schedule their day around these to how it best suits i.e. take a longer lunch to get to the gym or drop the kids off.	**Career break** extended period of leave that is normally unpaid.

Work transition provides opportunities to make changes in your work hours, location, or job responsibilities. For example, moving to a less demanding job to enable care of an elderly relative. |
| **Working from another office** We currently have two office spaces in Te Whanganui o Tara/Wellington and Tāmaki Makaurau/Auckland. Our | **Part-time** an arrangement where an individual is contracted to work less than full-time hours. This may be working fewer than 5 days per week and/or working less hours per day (hard to explain without saying what a standard day is). | **Phased retirement** hours of work are progressively reduced until full retirement is reached at a specified date |

Auckland office is limited by capacity.		**Phased return** hours of work are progressively increased until a full complement to full- or part-time hours is reached at a specified date. Often used when returning from parental leave.

Appendix B: Flexible work application form

Kia ora! Please fill in this application then give to your manager who will consult with Human Resources and if approved, will get the appropriate documentation prepared.

Full Name		Date	
Role			
Manager Name			

Under Part 6AA of the Employment Relations Act 2000 I would like to request a variation to my current working arrangements which are:

Place(s) of work	
Days and hours of work	

My proposed working arrangement is:

Place(s) of work	
Days and hours of work
specify days and hours both at office and home	

I would like this arrangement to be:

☐ permanent ☐ temporary and effective from Click or tap to enter a date. and if applicable, end by Click or tap to enter a date.

| **Benefits**
I believe my new arrangement would benefit myself, Te Manatū Waka, my team, and customers by	
Potential Impact
I believe my new arrangement may have the following impacts on myself, Te Manatū Waka, my team, and customers by	
Mitigation
Any impacts can be mitigated or fixed by	

If my request for a flexible working arrangement is approved by Te Manatū Waka, I acknowledge that I will:

☐ Read, agree, and comply with the Flexible Work Policy, Flexible Work Guidelines as well as all

other related Ministry policies and procedures as outlined

☐ Only work from a location that is safe and suitable for working from home and/or remotely

☐ Read and comply with all wellbeing, health, and safety requirements

☐ Take reasonable steps to keep the organisation's technology, equipment, and information

safe and in working order

Signature		Date	

Appendix C – Working remotely: *How we set up, plan, and check your health, safety, and wellbeing*

Name		Date	

Work Environment

You have assessed your workspace as follows

- ☐ A safe (physical and psychosocial) space to work
- ☐ Electrical sockets and plugs in good condition, not overloaded and surge protected
- ☐ Electrical leads in good condition and not causing a trip hazard
- ☐ Lighting suitable and no glare on screen
- ☐ Noise levels acceptable
- ☐ Photo or video conference of space given
- ☐ Temperature is suitable and comfortable

Creating a routine

- ☐ Method of preferred contact is ☐ phone ☐ teams *it is expected you will be contactable on both but will use your preferred first initially
- ☐ Contact phone number is confirmed and up to date
- ☐ Discussed safe computer use including micropauses, stretching and regular breaks
- ☐ Read Worksafe guidance section on routine (**Appendix E**)

Wellbeing

- ☐ Discussed wellbeing and a plan to check in on wellbeing regularly
- ☐ Discussed impact of isolation on wellbeing
- ☐ Discussed important signs of physical problems (Worksafe guidance **Appendix E**)

Team, connection & communication

- ☐ Plan in place for regular team meetings to enable connection (both in person and virtual)
- ☐ Discuss what success looks like when working from home

Workstation set up

- ☐ Has an appropriate desk
- ☐ Has an adjustable chair with back support
- ☐ Has a second monitor, if not can be provided by IT
- ☐ Has a keyboard and mouse
- ☐ Has read workstation set up
- ☐ Has read the Worksafe guidance section on workstation set up (**Appendix E**)

Expectations

- ☐ Understanding of expectations for meeting attendance
- ☐ Understanding of policy, guidance, and appendices
- ☐ Understanding of etiquette outlined in guidance

Emergencies

- ☐ Emergency contact details are up to date
- ☐ Has appropriate first aid
- ☐ Knows closest civil defence centre
- ☐ Has manager and one other team members contact details if needed

Privacy and Security

- ☐ Workspace allows for privacy
- ☐ Has read all related privacy and security documentation outlined in the flexible working policy's associated documents section

Signature		Manager Signature	

WORKSAFE
Mahi Haumaru Aotearoa

HSWA

November 2021

Staying mentally healthy when working from home

Guidance for workers who do office-type work in their home, or an equivalent location, rather than at their business premises.

What is this guidance about?

It is now more common for people to work from home part-or full-time. Working from home often supports positive wellbeing, but can expose you to different work health and safety risks, including when it comes to mental health.

This guide describes practical steps that you can tailor to your situation to stay mentally healthy when working from home. For the purpose of this guidance, a worker who is 'working from home' is someone who does office-type work in their home or an equivalent location rather than at a business premises.

Some of the guidance will also be relevant for workers who occasionally work on-the-go from various other locations (for example, from improvised settings such as a coffee shop or airport, or on a temporary basis from a co-working space or another city).

This guidance is not intended to advise you on your employment relations or employment contract. If you need further advice on this, independent advice is available from the Employment New Zealand website. It includes about your rights and obligations in relation to flexible working, sick leave, and other employment rights and responsibilities.

What are the mental health risks when working from home?

Working from home can create challenges that could impact your health and safety. Risks to your mental health can arise from:

- a poor work environment
- a lack of social connections
- poor work design.

Your business must first try to eliminate work health and safety risks so far as is reasonably practicable. If it is not reasonably practicable to eliminate the risk, it must be minimised so far as is reasonably practicable. This includes the risks to your mental health from working from home.[1]

It is important that you and your business work together when identifying and assessing risks, and making decisions about how to eliminate or minimise the risks using appropriate control measures.

For more information on worker's rights and obligations, see our guidance: Your health and safety rights and responsibilities

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[1] For information on what your business should do to manage risks to mental health from working from home see: worksafe.govt.nz

Te Kāwanatanga o Aotearoa
New Zealand Government

WSNZ_3860_NOV 21

Exceptional circumstances (for example, during global pandemics or natural disasters) can often be complex and surrounded by a lot of uncertainty. If you have to work from home due to one of these circumstances, you may be more likely to experience challenges, which may include mental health challenges.

The practical steps described in this guidance are also relevant for working from home during exceptional circumstances. However, it is important to continue communicating with your manager and team during these types of situations as you may need additional support.

> Remember – you are working from home, not living at work.

Set up a healthy work environment

The work environment is about the physical work area (including equipment, climate, space, and lighting), the people present, and the tasks being completed there.

	PRACTICAL STEPS YOU CAN TAKE
Find a work area at home that suits you and the tasks you do Think about how **you** work best. Consider whether you get your energy from being in a quiet focussed space, or from working around people/ background energy and noise.	Consider working on different kinds of tasks in different spaces. – For example, for creative tasks, working outside in natural light or in a shared space with music playing may be stimulating for you. Tasks where you need privacy to make calls or to perform intense mental work might be better suited to a quiet space. – Discuss your needs with other household members and agree how you will work with and around each other. – Natural lighting, glare, noise, and climate may change during the day. Different areas may be suitable depending on the time of day.
Use physical boundaries to help create a mental boundary between work and home life When working from home, it is beneficial for your mental health to keep clear physical and mental boundaries between your personal home life and your work life. By setting up a dedicated workspace, you can help to create a mental boundary. This will help your brain shift into 'home mode' so that you can enjoy your personal time without feeling like you are still at work.	Examples of how you can help to mentally separate work and home life include: – separating your main work area from the rest of your home. Use screens or plants to create a work area, or if one is available set up a desk in a separate room – using separate work equipment can help you to form mental separation (for example, work-only computer, pens and paper) – at the end of your workday, covering your work area with a sheet, packing up your equipment, or closing the door of the room you were working in – having a short walk around the block – this can be a good way to mentally transition between work and home – Wearing 'work clothing' during work to help mentally separate work time and home time.
Have the right equipment and work environment to work from home effectively Having the right tools and resources will help you to be effective when you work from home. Appropriate technology and a suitable physical work area are important for your mental health.	Discuss your equipment needs with your manager. If possible, request that you have the same, or similar, equipment, technology, and resources that you do at your business premises. Consider whether your equipment and work environment are suitable for the tasks that you do from home. Discuss with your manager what systems and processes you need to use, and whether they are accessible and effective to use from home. Consider whether different tasks would be more suitable to do at home than others. When working from home, the people who share your home may also be working or doing other activities in the home environment. This can add a wide range of distractions that make work more challenging. You could: – try to think outside the box, and brainstorm with the people in your home or your manager to problem solve ways to work around any issues – consider what other resources (for example library, shared office spaces, or support services) are available to you.

Build and maintain social connections

Social connections are about the working relationships and interactions you have with your colleagues. We often work with the same people, and form bonds and connections that contribute positively to productivity and mental health.

Working from home will change the way you interact with other people, which can lead to negative outcomes like feelings of loneliness and isolation. To stay mentally healthy, it is important to maintain strong social connections while you work at home.

	PRACTICAL STEPS YOU CAN TAKE
Connect with your team Social connections at work are about more than just tasks and formal meetings. The casual conversations you have with colleagues form a large part of the work experience, and contribute positively to mental health at work. It is important when you are working from home to take time to consciously connect with your team, and build and maintain relationships.	Maintain positive social connections with colleagues by arranging social video chats, face-to-face catchups, and other social events. For example, everyone in the team could agree to: – call or check-in each morning – use video calls to help build connections rather than email or phone calls – be at your business premises on the same day on a regular basis – try new ways to connect, for example through messaging services. Agree with your team 'work from home team rules'. Are there common team hours of work if some team members are working flexibly? What social versus work-related communications will work best for everyone? Social connections from life activities outside of work are a great alternative to work connections. For example, arrange to have lunch with family or friends, or play a sport on a work-from-home day to support positive mental health.
Actively manage your professional networks Part of working from the office is that you usually have quick and equal access to information about business performance and drivers and how you and your team contribute, as well as training and professional development opportunities available to you. If this information is usually delivered verbally, then working from home can make it harder for you to stay 'in the loop'. You may hear the information later than other people, or not at all.	It is important to be proactive to understand business and team direction, as well as managing your professional networks when you are working from home. Ways you can do this include: – actively engaging your manager in conversations about the team and business, as well as about training and professional development. Let them know you would like to be kept in the loop and agree on ways that this can happen. – maintaining your professional 'presence' by continuing to actively build relationships and stay in touch with people inside and outside of your business – having conversations with your manager around your key performance indicators, outcomes, and work goals – regularly checking in with your colleagues to make sure you have not missed any information when you have been working from home.
Be open with your manager and team about how you are feeling Even when we make a deliberate effort to maintain social connections when working from home, it can still sometimes feel like an isolating experience. Everyone has different social needs, and work in unique home environments. Because you are not at your business premises, others might not notice if you are not quite yourself. If you feel like your mental health is being negatively affected, it is important to talk to your manager or team about how you are feeling.	Regularly talk to your manager or your team about how you are feeling and any challenges you face from working from home. Discuss what changes could be made to the situation so you can feel more connected and to make sure your work from home arrangements are working.

Design your work in a way that supports your mental health

Work design is about the tasks you do, and how and when you do those tasks.

Mental harm associated with work design may be caused by:

– high physical, mental and emotional workloads

– lack of variety or meaningless work

– high uncertainty in your work

– work overload or underload

– high time pressures and short deadlines

– difficult or inflexible work schedules.

Good work design involves thinking about your work and how mental harms might impact you. For example, consider how you work best, what motivates or demotivates you, when you have the most energy, what flexibility you have around where and when you work, and then design your work in a way that supports your wellbeing.

Take notice of what does or does not work for you, and where possible design your work to suit your work and your home life.

Some practical steps you can take to support good work design are described below.

How you work

	PRACTICAL STEPS YOU CAN TAKE
Design for success – plan your tasks	Plan your tasks so that you are working effectively. Take notice of: – the types of work that energise or drain you – whether you would rather work alone or with others – the types of tasks you have to complete and whether you are working alone or collaborating with others on them – location options available (for example, work at home, from the office, from a hub in your community or a combination of these). Talk to your manager about your options and come up with a plan for how you will work best.
Agree and manage expectations	Discuss and agree deadlines with your manager and stakeholders. Consider how you can best fit their expectations into your work plan. Build connections and regularly communicate about your availability and when you will be working on their tasks. For example, set an automatic email signature to show which days and times you are available, and where you will be working from. Discuss with your manager what success when working from home looks like. It may look different than when you work at your business premises. Considerations include: – sometimes working from home can be more focussed and intense than at your business premises, with fewer breaks and ad-hoc conversations. Are the same time-based approach or performance targets you had when you worked at your business premises still appropriate? – sometimes working from home can create a self-driven need to appear busy, or to go above and beyond as a 'thank you' for being allowed to work at home. Consider whether you are taking on too much work and what you would be doing if you were at your business premises – your workload and your support needs may not be as obvious to your manager as when you were at your business premises. Discuss your needs with your manager, including whether you need more work or less work.
Get active	Working from home can provide different opportunities to get active. For example: – instead of your usual daily commute, spend this time doing some physical activity – consider which tasks do not need you to be at your desk. Could documents be read outdoors, or could phone call meetings be taken while you are walking?

When you work

	PRACTICAL STEPS YOU CAN TAKE
Set a routine	Setting up a routine can help you to mentally engage with work, and then help you to mentally detach at the end of the day. Steady schedules can also help to keep the lines between work and personal time clear. Some steps to help you achieve this include: – break your day into manageable blocks, and stick to a similar routine as you would when working at your business premises – try to take rest breaks like you do when you are at your business premises – think about when you are most productive. For example, if you are more energised in the morning, these blocks of time could suit focussed, independent work. During any afternoon 'slump' times, collaborative tasks online with your team may energise you – turn off work notifications on your cell phone, or set an out-of-office message so it is clear you are no longer available for work purposes when you have finished for the day.
Explore opportunities to work more flexibly	Depending on the agreement that you have with your manager, as well as the kind of work you do, working from home may provide an opportunity to be more flexible. Take notice of what you are giving your time to and when. You might be able to structure your day to suit your home and working life more easily than when you are at your business premises. For example: – having early start and early finish times could provide an opportunity to be more available for family, social or sporting commitments – taking a break between mid-afternoon and early evening, followed by a quiet focussed block of work later in the evening may help you to better manage childcare or other family needs. Come to an agreement with your manager and your team around your flexibility that takes their needs as well as your own into account. Communicate your availability with your team and manager, and re-visit how it is working on a regular basis.

What you work on

	PRACTICAL STEPS YOU CAN TAKE
Be deliberate when scheduling tasks	If you have the option to work at your business premises as well as at home, be deliberate when you are deciding which tasks are most suitable to do at each location. Take notice of what motivates and energises you: – some people may be motivated by achieving results. They may find scheduling quick win tasks will keep energy levels high – others might speak to mentors or engage with colleagues to gain focus and energy – creative people may gain energy from collaborating with others. Depending on your role and what energises you, different tasks might be better suited to be completed at home than others. For example: – you may choose to work on tasks that require higher concentration and a quieter environment at home, and save more collaborative tasks for days you are at your business premises – alternatively, you may find booking online meetings or collaboration time helps to energise and connect you with your team when at home. Work with your manager and use your time management skills to help prioritise and plan your work in a way that supports positive mental health.
Build in time to learn	It is important to keep learning while you work from home and to build time for this into your work plan. Agree with your manager how this will be done, and work out what new skills you need to learn, articles you can read, and information or courses you can access.

Additional support

If you are struggling with working from home, or with mental health in general, there is support available. This includes:

– free call or text 1737 any time to talk with a trained counsellor

– the Mental Health Foundation: www.mentalhealth.org.nz

– an employee assistance programme if your business has signed up with one.

WORKSAFE
Mahi Haumaru Aotearoa

HSWA

September 2022

Setting up a healthy workstation when working from home

Guidance for workers who do office-type work in their home, or an equivalent location, rather than at a business premises.

Introduction

It is now more common for people to work from home part- or full-time. In this guidance, 'working from home' refers to office-type work conducted by a worker at their home, or another location, rather than at a business premises.

The practical tips in this guide will be useful for any worker who uses computers to perform tasks while at home.

Working from home can support positive wellbeing but it can also introduce health risks. You can manage the risks of working from home by setting up a healthy workstation and making sure that you work in a suitable environment. You should also consider:

- the social and psychological factors of working from home,
- how your work is organised, and
- factors that are specific to you, such as physical limitations or anxiety.

Making sure that you have a healthy and safe place to work at and addressing the factors above will help you stay healthy while you are working from home. You should work with your business to make sure that you are healthy and safe when you work from home.

This guide provides practical tips on:

- how to set up home workstations to minimise your physical health risks, and
- how businesses can support your physical health when you are working from home.

To learn more about social and psychological factors of working from home, see our guide Staying mentally healthy when working from home

What does the law say?

Many businesses now offer flexible working arrangements that include working from home. This is a positive step towards supporting workers' wellbeing. However, there are risks associated with working from home.

Under the Health and Safety at Work Act 2015 (HSWA), businesses must ensure, so far as is reasonably practicable, the health and safety of their workers. **This includes workers who work from home.**

As a worker, you also have responsibilities under HSWA. For example, you must cooperate with any reasonable health and safety policies and comply with reasonable instructions provided by your business.

> Good communication between you and your employer is key to a healthy working from home arrangement. Businesses must engage with workers and their representatives to:
> - identify hazards and assess health risks
> - come up with plans to eliminate or minimise these hazards and health risks.

Businesses also should work with you to make sure they support your physical and mental health when you work from home.

Te Kāwanatanga o Aotearoa
New Zealand Government

Managing health risks when working from home

When you work from the office, your business provides you with a workstation, equipment, and suitable environment. However, when you work from home you need to set up your own workstation and environment.

Workstations that do not suit your body or your work tasks may cause fatigue, discomfort, or pain.

Continuous use of an uncomfortable workstation can lead to conditions, including:

– muscle strain

– neck pain

– back pain

– hand/arm pain.

These disorders can impair productivity and impact your life outside of work.

A well set up workstation that supports a variety of relaxed working positions is a great starting point to manage health risks.

We are different shapes and sizes and work in different ways, so there is no single workstation set up that would suit everyone. You need to set up your workstation to suit you.

> Even with a great workstation set up, our bodies will still become tired if we sit or stand in the same position for a long time. Take regular breaks and **remember**, **the best position is the next position**

If you feel sore or achy, make some changes to where or how you are working, or how long you are working for.

What to look out for

It is important to notice the signs of physical problems early and do something about them. Take note of:

– dull aches

– discomfort during or after work

– pain that makes work or home activities difficult

– numbness, burning sensations, or pins and needles

– sleep disturbance, especially if you are kept awake by discomfort or numbness

– muscle weakness

– stiff joints

– swelling

– headaches

– pain that lasts for more than 24 hours or keeps coming back.

Making changes when you first notice these symptoms will lower the chances of more serious (severe or long-lasting) problems.

The more changes and improvements you put in place, the less likely you are to have health problems.

Work with your business to manage health risks

It is important that you and your business work together to identify, assess, and eliminate (or minimise) risks to your health when you are working from home.

Your manager should discuss your home workstation and environment with you before you both agree on an arrangement that involves you working from home. This is to make sure that suitable risk control measures, such as adjustable equipment and a dedicated space to work, are in place.

If you are unable to set up a healthy workstation at home, you should consider working from the office instead.

Your business should apply similar furniture and equipment standards to a home workstation as they would in an office.

Different businesses have different ways of managing the risks of working from home. These could include:

– giving advice and guidance on how to set up a healthy home workstation, and monitor for and recognise symptoms of work-related health problems

– giving financial support for home workstation furniture and accessories, or providing them

– offering a home workstation assessment with an in-house expert or an external consultant. The assessment should consider work tasks and methods, the amount of time spent at the computer, the space around the workstation, and other restrictions

– monitoring workers' health and wellbeing to make sure that the risk control measures are effective

– using procedures to identify and control risks, and reporting work-related discomfort or incidents.

> **Equipment for a home workstation**
>
> – Adjustable chair with back support.
>
> – External mouse and keyboard with your laptop (using a touchpad and the small keyboard on devices may strain your wrists).
>
> – External screen and/or a raised laptop stand (using the laptop screen may strain your neck).

Set up your home workstation

Where to start

Choose a safe and comfortable place to set up your workstation.

– Make sure that the floor and walkways around your workstation are free from trip hazards such as cords or wires. Take extra care on steps and slippery surfaces.

– Make sure that your electrical equipment, including cords and multiplugs, is in good condition.

– Install and regularly check smoke detectors.

– Practice personal safety. Be mindful of your surroundings and lock your doors.

How to set up your workstation

A good workstation is essential to your health and wellbeing when you are working from home.

Chair
– Start with your feet flat on the floor.
– Adjust the chair height so your thighs are horizontal.
– Adjust the backrest angle and height for comfort.
– Relax into the backrest and let it support you.
– If the chair allows, adjust the seat tilt so your knees are slightly lower than your hips.

Desk
– Your desk should be at a height that allows your shoulders to be relaxed, elbows to hang from your shoulders, and your forearms to be horizontal.
– Supporting your feet can stop slumped postures and can ease a sore back.

Screen
– Position your screen about an arm's length away from you.
– The top of the screen should be about the same height as your eyes.

Mouse and keyboard
– Position your keyboard and mouse so you do not stretch your arms to reach them. When positioning your keyboard, place it so the space bar is about 10cm from the front edge of the desk.
– Align the 'B' on your keyboard to your belly button.
– Leave your keyboard flat on the desktop – putting your keyboard on an angle increases wrist strain.
– Make sure your shoulders are relaxed and your elbows are bent when you are typing and using the mouse.

More tips to keep you healthy

Make your equipment work for you

– If your chair does not have lumbar (lower back) support, try placing a small cushion, rolled sweatshirt, or rolled up towel behind you.

– If you are right-handed, try using the mouse with your left hand so you don't have to stretch your arm to use it. To make it easier, switch your primary button, so you click with your index finger.

– If your desk is too low, you can use a monitor arm, laptop stand, books, or a box to make sure that your screen is at a comfortable height.

– If your desk is too tall but you can't adjust it, start by adjusting your chair to make sure that your arms and shoulders are relaxed. If your feet do not reach the ground in this position, you can use a footrest, a cushion, a box, or even a book to rest your feet.

Take breaks often

– Take all your breaks away from your workstation and screens. Stand up and walk if you have been sitting.

– Take a 5-minute break every hour that you are continuously using your mouse and keyboard. You can do different work tasks or just move and stretch.

– Make micropauses a part of your work pattern. Every 3–5 minutes, take your fingers off the keyboard and mouse, and relax your wrists and shoulders. Using a padded wrist support in front of your keyboard or mouse can encourage you to take micropauses while you work.

> **Micropauses** are brief pauses that you build into the natural rhythm of your work. They need to last just 3–10 seconds to refresh busy muscles.

Take care of your eyes

– Avoid working with sunlight directly on your screen, a window reflection on your screen, or a bright window right behind it. Use blinds to control light and position your screen to avoid sunlight and reflection.

– Adjust your screen brightness depending on your environment. If you are working in a brightly lit room, increase your screen brightness.

– Blink and rest your eyes. For every 20 minutes that you focus on the screen, look away for 20 seconds at something in the distance.

Change positions and move around

– Change your working position at least once an hour. Your body is made to move, and you will get sore if you hold a position for a long time. Try reading from a lounge chair, walking around during phone calls, or standing for virtual meetings.

– If possible, switch between standing and sitting positions. Avoid standing for more than 45 minutes at a time.

– Your arm position should be similar whether you are sitting or standing. Adjust the height of your desk so that your shoulders are relaxed, and your elbows are at the same height as your wrists when you are typing or using the mouse.

– If you do not have a standing desk, you can use an adjustable ironing board or a box on top of a table. Place your monitor so that the top of it is at the same level as your eyes. You can use a monitor stand, books, or a box to reach the desired height.

– Remember to stretch your neck, torso/back, and arms to prevent pain. Do more targeted stretches if you feel uncomfortable.

> Keep in mind that stress and anxiety can make you tense more. For more information about ways to manage work-related stress, see our guidance Work-related stress

Even with good workstation set-up you might still experience fatigue, discomfort, pain, or stress.

Report aches and pains to your manager early. Make changes to improve your setup and how you work.

See a health professional if symptoms do not resolve. You can see:

– an occupational health physiotherapist

– osteopath

– chiropractor

– general practitioner

– an ergonomist/human factors professional, or

– a vocational occupational therapist.

For more information on how to prevent discomfort and pain related to your posture, see our guidance What are musculoskeletal disorders?

Other factors that affect your health

Your wellbeing can be affected by different factors.

A good workstation is an important aspect of a safe and healthy home workplace. However, you should also consider:

– the environment you work in

– the social and psychological factors of working from home

– how your work is organised, including the tasks you perform and the structure of your team

– factors that are specific to you, such as physical limitations or anxiety.

Environment you work in

Temperature and humidity	Observe the temperature in your work area: – When it is too cold, you may feel more distracted and lose some movement in your hands and fingers. – When you are too warm, you can be uncomfortable and tire more quickly. Humidity can affect how you feel too. For example, when humidity levels are too high, you may become fatigued faster and may need to drink more water/fluids to avoid dehydration. Comfortable temperature and humidity will vary from person to person, so assess your needs and adjust as needed. For more information, see our guidance Managing thermal comfort at work
Air quality	It is important to think about air quality because we are likely to spend most of our time indoors. Consider: – letting fresh air in – cleaning regularly to avoid dust build up. You can also use appliances, such as air purifiers, to improve air quality.
Lighting	Working in dark environments puts unnecessary strain on your eyes. Try adding a lamp to your desk to increase light levels. Illuminate the work area and documents, not the screen of your computer. Keep in mind that as we age, we may require more light at our workstations.
Noise	Aim to have background noise as low as possible. General noise can make focusing more difficult and become a source of stress. Excessive, repetitive, or loud noise can lead to health issues. Set up your workstation at a location that limits your exposure to noise and distractions.

Other factors

For more information about social and psychological factors, factors related to how your work is organised, and factors that are specific to you, see our guidance Staying mentally healthy when working from home

For more information

WorkSafe guidance

Quick guide
Staying mentally healthy when working from home

Guidelines for using computers
Safely using computers at work

Guidance
What are musculoskeletal disorders?

Other guidance

Mobile Working Risk Management System

Government
Health & Safety Lead

Supporting workers
to work from home

A guide for Government agencies to manage
risks for workers working from home

April 2020

New Zealand Government

Disclaimer

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Contents

Introduction to this guide

What is this guide about?

Workers are more frequently seeking flexible working arrangements with their employer, particularly working from home. Working from home can enable flexibility and freedom in how workers choose to work, and can help to manage work–life balance, accessibility challenges, and personal commitments. It can also enable business continuity in unplanned events which prevent workers from coming into the office. However, working from home is different to working in an office and may require additional measures to ensure it is healthy and safe for workers.

This guide is designed to support government agencies to take appropriate steps to ensure the health and safety, privacy and security of workers working from home. The advice within this guide is not prescriptive and should be tailored to each agency's needs and existing systems, while considering the types of work being undertaken by workers and circumstances around the working from home arrangement. For the purpose of this guide, the terms 'you' and 'agency' will refer to the person conducting business or undertaking (a PCBU) and employees of the agency will be referred to as 'workers'.

Many of the principles for managing health and safety risks also apply when managing security and privacy. Because health and safety, security, and privacy risks can interact and impact each other, they have been described in a shared context in this guide. Further information on security and privacy can be found in the resources section of this guide.

Who is responsible?

Under the Health and Safety at Work Act 2015, **agencies** (PCBUs) have a primary duty to ensure workers are not put at risk by the work they do, so far as is reasonably practicable. This includes the environment they work in. If your workers undertake some or all of their work from home, it is your responsibility to eliminate or minimise the risks arising from the unique hazards of the home-environment **so far as is reasonably practicable.** Reasonably practicable should should reflect the situation and context in which the agency and worker are in; in some cases, like an unplanned event, it may not be reasonably practicable to put in place controls that would be used for a planned, long-term arrangement

Agencies will have greater control over the health, safety, security and privacy of workers working from their premises than from home, however there are still practicable steps agencies can take to eliminate or minimise risks.

Workers also have a duty to take reasonable care to keep themselves and agency information safe while working. This is particularly important when working from home as agencies have less control over the home environment and aren't able to supervise workers as normal. Workers must also follow any reasonable instruction about their health and safety given by the agency.

You should **engage** with your workers when identifying the risks in their workplace and determining appropriate controls.

What is the risk?

Working from home can introduce unique risks that may differ from the office environment. These risks may also vary by the location work is undertaken, the nature of the work, and the circumstances under which the work is being undertaken. Additionally, there can be significant interaction between different types of risk when working from home, for example, a breach of information may compromise the security of a worker which may impact their physical safety. It is important to take a systematic approach to assessing and managing the risk to ensure workers are sufficiently supported to work from home.

How can I manage the risk?

When managing risks relating to health and safety, privacy, and security, use the *Plan-Do-Check-Act* approach to help ensure you take a structured step-by-step (systematic) approach to risk management. This guide will address each of these risk areas within each component of the *Plan-Do-Check-Act* framework.

Figure 1. WorkSafe New Zealand – Plan-Do-Check-Act approach

Examples of common hazards of working from home

Health and Safety	Security	Privacy
• Uneven/slippery floors • Flammable materials • Electrical equipment • Workstation setup • Isolation/Lone working • Job design/workload • Hours of work • Other people in the home-work environment	• Inadequate home security • Information storage • Information transportation • Unauthorised software, malware and viruses • Device with information • Tracking functionality	• Worker's personal information or location • Agency information • Third party/client information • Mixed living arrangements • Insecure premises

In order to assess the risk, start by looking at the hazards (the things that could cause harm) that a worker may encounter while working at home. This may vary from worker to worker, and may differ due to the area or location of the work, the type of work, and specific circumstances under which the work is being undertaken.

Assess the risk

When assessing the risk, consider the **likelihood** that harm from the hazard may occur and the **consequences** (the degree of harm) if this happens. Consider how often your workers may work from home as this will help you to determine the level of risk exposure involved.

Some workers may be more at risk than others, such as mobility-impaired workers, workers with health conditions, or new workers. You'll also need to consider the unique circumstances for your workers when assessing the risk and identifying controls to manage this; if a worker has been asked to work from home for business continuity during an emergency for several weeks there may be additional risks than if they were working from home one day a week by choice to reduce their weekly commuting time.

It is important to also consider the potential interaction between different types of risks when working from home. For example, a breach of information could compromise the security of a worker which may impact their physical safety or psychosocial wellbeing.

Using a risk assessment tool can help you to assess the risk.

Examples of possible consequences from risks of working from home

Health and Safety	Security	Privacy
• Muscle strain • Repetitive strain injuries • Eye strain • Fatigue • Stress • Loneliness	• Compromised personal safety (physical attack) • Unauthorised access to information • Loss of information • Tracking of worker location by unauthorised person • Malware infection	• Unauthorised access/accidental sharing of information • Cyber security breaches • Loss of data privacy for self or client • Misuse of information

Identify controls

Once you have identified the hazards your workers may encounter while working from home, you will need to identify ways to control the risks that may arise from these. You must first try to eliminate the risk, but if this is not reasonably practicable you must put in place controls that minimise the risk. Controls should be proportional for the level of risk and what is reasonably practicable to put in place.

You are likely to have less control over your worker's home environment than the office environment. Therefore, it is especially important to clearly set the minimum standard of specific controls you expect to be in place in a worker's home.

Involve your workers in deciding the ways to eliminate or minimise risk, as they may offer a helpful perspective of the pros and cons of certain controls. Use the hierarchy of controls when deciding which controls to use:

	Type of control	Risk	Example control
Most effective	Eliminate	Breach of privacy with sensitive client information	Worker will not handle any client information while working from home
	Substitute	Unauthorised access to classified documents	Worker will only complete tasks that involve unclassified information
	Isolate	Visitor at the house may view documents on screen	Separate lockable office room from the rest of the house
	Engineer	Muscle strain from desk set up	Supply worker with ergonomically designed desk and chair
	Administrative	Psychosocial harm from isolation/lone working	Communication plan for manager to check in at scheduled times with home worker and scheduled team Skype meetings
Least effective	Personal protective equipment	UV radiation exposure while working outside on laptop	Wear protective clothing including sun hat and glasses

Examples of controls for working from home

Health and Safety	Security	Privacy
• Separate room (office) for work station • Ergonomic/work station assessment • Equipment/devices (surge-protected) • Communication plan • Manager monitor hours worked	• Home security system • Personal alarm • Lockable office • Lockable filing cabinet	• Encrypted information sharing systems • Secured internet connection • Work space set up • Use of agency-issued equipment and signatures/sign-off in communications

Document your plan

Once you've assessed the risks and identified your controls, document your approach to managing the risks associated with working from home. This may be a policy, protocol or standard outlining what you want to achieve, guiding principles, high level actions, roles and responsibilities and your procedures for monitoring and assuring the risk. Ensure that the roles and responsibilities within your agency relating to working from home are clearly defined, including those specific to managers and workers.

Example scenario

Tom and his team were given notice three weeks ago that they couldn't come into the office due to an outbreak of a contagious illness in the office. Tom's manager asked him to work from home as he is performing critical tasks for the business. This was fine for the first few days, but after three weeks of working from home, Tom is still not sure when he will be able to return to the office and is beginning to feel unsettled and stressed about his work. Tom performs critical tasks which often need to be checked by his manager, but this has not happened while working from home so Tom has started to work an extra two hours a day to thoroughly review his work. He's also not sure about the security of his home internet connection and is worried about sending some of his work via email. Tom's workplace did not yet have a working from home policy or procedures in place, so Tom's manager did not know to complete a working from home risk assessment. Because of this, Tom's manager failed to identify the risk of psychosocial harm. Tom's manager alerts the Health & Safety and Security teams to this and together they develop a policy and procedures to help her to assess the risk and identify suitable controls for this situation. Tom and his manager then assess the risk and identify controls:

Hazard	Risk	Likelihood	Controls
Lone working/ isolation	- Psychosocial harm (socially isolated from team, stress from reduced contact with manager)	Very likely	- Communication plan for regular daily contact - Secure mobile device to stay in contact
Work hours	- Fatigue - Psychosocial harm (overworked from extra hours worked)	Likely	- Reduced workload expectations - Agreement of hours of work
Cyber security	- Cyber security breach from unsecure internet connection	Low	- Stop tasks involving sharing sensitive information until back in office
Uncertainty around office re-opening	- Psychosocial harm (stress from uncertainty about returning to office)	Likely	- Regular communications/ updates from leaders - Peer Support programme - Date to review plan if office not re-opened

② Do

Implement controls to manage the risk

After you have identified control measures that are effective and reasonably practicable for your agency to implement, the next step is to put these in place. Your approach to implementation should be comprehensive, considering the key components that will help to embed this in your agency. Some of the key components are:

- **Communicate**
  Ensure your workers and managers are aware of your agency's working from home position. Managers and workers should be aware of the policies and procedures in place and understand their respective roles and responsibilities in relation to working from home. This is likely to include information about the potential risks, the controls (including minimum expectations for controls), why it's important to use them. Workers should be provided with information on how to apply them. All workers should also know where they can seek further guidance relating to health and safety, privacy, or security.

- **Initial check**
  Before a worker is given approval to work from home, complete an initial check to ensure a risk assessment has been completed and appropriate controls are in place. Managers need to be assured that the minimum expectations for controls are met. Your agency may consider putting in place a formal system and/or process to check this. This may include processes such as a self-report system where workers provide photographs of their home office set up, or complete a full health and safety, privacy and security assessment.

- **Supply**
  If workers don't have the necessary controls in place to manage the risks you have identified, you may need to provide workers with these controls (depending on the specific risk and/or control). This may include supplying necessary equipment (e.g. desk chair, mobile phone, lockable file storage) or access to assessments (e.g. ergonomic assessments).

- **Systems to support controls**
  Put in place the systems you need to support the implementation of controls. Consider what systems you may need in place to check your controls are working, and what systems may be most helpful to support your workers to work from home. This may include online tools for workers to self-assess their home office, a support line for workers to call, and a reporting system to record any health and safety, privacy or security issues or concerns.

- **Train/Educate**
  Consider what guidance or training you may need to provide to managers or workers in understanding your agency's position on working from home, implementing the processes and procedures, and using any systems in place. This may include training for managers on completing a risk assessment, or guidance for workers on setting up their home work space or using a reporting system.

Example scenario

The Health and Safety team at a new government agency have just developed their *Working from Home* policy in response to the Human Resources team launching a flexible workplaces commitment. They consult with the Privacy and Security team before implementing this across the business and agree to work together in developing shared processes and procedures. The teams recognise they'll need to address multiple components to ensure the right systems are in place, and that both workers and managers know what to do. The Health and Safety team put guidance out for managers, including a checklist on the steps they need to take if a worker requests to work from home and a risk assessment tool. The team also upload a self-assessment tool on the work intranet for workers to self-assess their home work station. This includes instructions on reporting this to their managers using a self-submit tool to send photos of their home office setup. Both teams also share a reporting tool which has been adjusted so workers can use it to report any risks, near misses or incidents while working from home.

Figure 2. Example of guidance for workers

Incorrect Sitting Position   **Correct Sitting Position**   **Correct Standing Position**
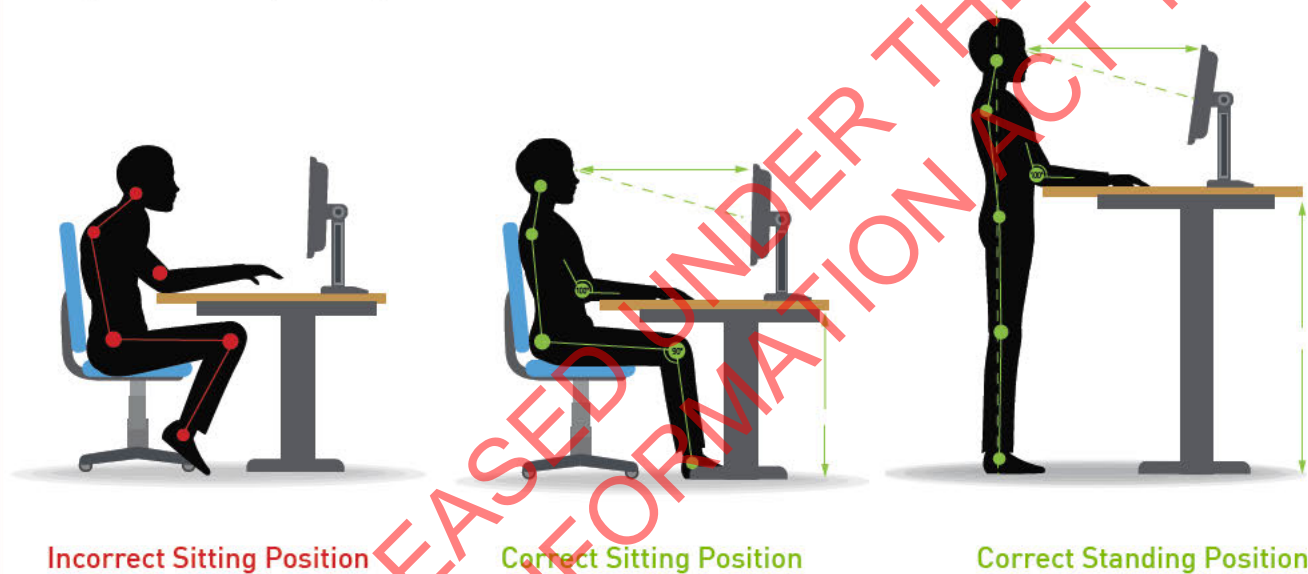
③ Check

Monitor the controls are working

Once your controls are in place, actively monitor how they are performing to make sure they are working the way they should. Your controls should remain effective and be suitable for the nature and duration of the work, and be implemented by workers correctly. The findings from these checks will help you to identify areas to improve on. Monitoring does not need to be complex or time consuming, this may be as simple as regularly checking in with workers and ensuring they report concerns or issues to you. Involve your workers when making decisions about how you will monitor the controls put in place. The key components for effective monitoring are:

Reporting: put in place a system or process for workers to report incidents, near misses, or concerns. Make sure this system or process is easy to use and is not off-putting to workers or encourages under-reporting. Some examples of reporting systems/processes include:

- Manager-worker 'check-in' on a scheduled regular basis.
- Regular pulse-checks to see if policies and processes are understood and are being followed.
- Scheduled ergonomic assessments.
- Privacy/security reviews.
- Health and Safety reporting system for incidents/near misses.

Communication: continuously encourage your workers to report concerns or incidents whether they are big or small. Any incidents that occur at home during work hours, and happen as a result of a work activity, should be considered a work-related incident and reported to the appropriate team to then review the controls in place.

Example scenario

Debbie manages a team of ten workers who all work between 2-5 days a week from home. Debbie reviews her agency's working from home policy and notes that it is the responsibility of the manager to check in with workers frequently and to report any health and safety concerns to the Health and Safety team if the worker hasn't logged them themselves. Her agency has a health and safety reporting system for near misses or incidents, but she's aware that her workers probably wouldn't use this to report minor day-to-day concerns. Debbie is concerned she might not have visibility of early indicators of health concerns, such as minor aches and pains from their desk set up, or feelings of isolation or stress from being a remote-working team.

Debbie decides to implement a system for her to monitor how her team are going and to capture any concerns early. She incorporates a simple 5-10-minute health and safety check into her scheduled weekly one-to-one phone call with each worker. Before she starts discussing general work matters in the catch-ups, she now begins with a health and safety check of how they are going and if they have any concerns relating to their work space, desk set up, workload, and remote working arrangement. Debbie keeps a secure record of her check-ins in a spreadsheet and keeps a separate password-protected document for concerns which she takes to the Health and Safety team for further advice.

④ Act

Regularly review the information gathered from your monitoring systems or processes. Look for common themes or any indications that the controls may not be working, then take action to address these. Consider collating this information into a report for governance or leadership teams to involve them in the process for improving or changing controls. Here are some of the ways you can take action:

- Update policies, processes and systems to ensure they are fit-for-purpose and align to the needs of your agency and your workers.
- Investigate incidents and near misses to identify their causes and what you need to change to prevent them from happening again.
- Ask workers on an ongoing basis to check if the control measures are effectively eliminating/ minimising work risks. Use the results of your ongoing worker conversations, reviews/audits, investigations and workplace/worker health monitoring to help you to continually improve the effectiveness of the control measures.

Example scenario

Tina manages a large Privacy and Security function within her agency. Her team collect data from a range of sources across the business which her Insights and Assurance team review. The team collate the data from several audits, monthly pulse-checks and the agency's formal reporting system. Tina notices there has been a spike in the number of threats made to case workers from clients, particularly about clients threatening to harm workers in their homes. After reviewing the monthly pulse-check data in particular, Tina notices that many of the workers who joined within the previous six months report they aren't aware of the agency's *privacy and security* policy. Tina sends an email out to the managers of the case workers for more information.

After several discussions with managers, Tina finds that because many of the new case workers weren't aware of the *privacy and security* policy, they have been stating in their email signatures the days they work from home. Tina takes these findings to the governance team, who decide that the agency needs to put more of a focus on communicating and training all workers on how to ensure their privacy and security while working from home. The Privacy and Security function work with the agency's Learning and Development team to develop a compulsory e-learning module for all workers which outlines the key points in the policy about managing their privacy and security while at work and at home. Several months later, Tina sees that the number of threats of harm to case workers at home begins to decrease.

Working from home checklist

Health and safety ○ Privacy ○ Security

	✓	✗
Plan		
We have a policy, protocol or standard in place that outlines our agency's position on working from home which describes roles and responsibilities	☐	☐
We have developed a risk assessment tool or guidance for managers on how to assess the risk	☐	☐
We have documented our procedure for monitoring and assuring the risk	☐	☐
We have provided guidance on our minimum expectations for controls	☐	☐
Do		
We put controls in place before we approve our workers to work from home	☐	☐
We have communicated to our workers and managers about our policies, procedures, guidance and tools so they are aware of them	☐	☐
We perform checks of our workers' set up at home to understand and confirm the controls in place/we have a process in place for workers to self-report on controls	☐	☐
We supply necessary controls (e.g. equipment, assessments) when we are not satisfied with the worker's controls and the level of risk requires it	☐	☐
We have put systems in place to support to support our controls (e.g. an online system for workers to report concerns)	☐	☐
We provide guidance and/or training for our workers and managers (e.g. how to complete a risk assessment, how to use the reporting system, how to use the controls we have identified)	☐	☐
Check		
We monitor the performance of our controls by collecting and reviewing relevant data (e.g. reviews, self-reports, formal reporting system data)	☐	☐
We continually encourage reporting of any incidents or concerns and create a culture where workers feel confident to raise issues	☐	☐
Act		
We regularly review and update our policies, processes and systems to ensure they are fit-for-purpose and align to the needs of our agency and workers	☐	☐
We continually review our monitoring information and discuss this with our governance/leadership teams	☐	☐
We investigate incidents and near misses to identify their causes and what we need to change to prevent them from happening again	☐	☐
We ask our workers on an ongoing basis to check controls are working effectively and provide feedback	☐	☐
We take action to continually improve our controls	☐	☐

Helpful resources

General

- **Protecting employees who work alone**
  (Ministry of Business, Innovation and Employment)

Health and Safety

- **Good Practice Guide on Remote Working**
  (Government Health and Safety Lead)
- **Habit at work**
  (ACC)

Privacy

- **Privacy Impact Assessment Handbook**
  (NZISM – Government Communications Security Bureau)

Security

- **New Zealand Information Security Manual**
  (NZISM – Government Communications Security Bureau)
- **Checklist for mobile computing and communications/remote working**
  (Protective Security Requirements)
- **Take a risk-based approach to information security**
  (Protective Security Requirements)
- **Working away from the office**
  (Protective Security Requirements)

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Health & Safety Lead

New Zealand Government

TE MANATŪ WAKA
MINISTRY OF TRANSPORT

Te Rōpu Kaiarahi Matua te kahui hautu | Senior Leadership Team Meeting Paper

Meeting date	Tuesday 6 March 2023
Title	Growing Opportunities: Working outside of Wellington, findings and recommendations
Paper preparation date	Monday 27 February 2023
Author	Karen Lyons, Director Laura McCarthy, Senior Adviser
Action required	Approval

Purpose

1 As part of the Growing Opportunities project, the *People working outside of Wellington workstream* was established to consider an agreed approach to enabling people to work in locations outside Wellington, and to consider support requirements for people working outside of Wellington.

2 The findings and recommendations from this report was reviewed by the Growing Opportunities Committee on 14 November 2022. Feedback from this session has been incorporated into the recommendations.

Recommendation(s)

3 We recommend that the SLT:

a **note** the engagement approach and findings outlined in the attached report

b **agree** the wording changes on recommendations 4 and 5 in Appendix 1

c **resolve** the outstanding issue of what financial support is provided to those people who are appointed to work outside of Wellington and Auckland to travel to Wellington (recommendation 13 in Appendix 1)

d **approve** the recommendations in Appendix 1 subject to the above

e **agree** that this SLT report and the Working Outside of Wellington Report (Attachment 1) is published on the Growing Opportunities page on Discover, once recommendations are final

f **agree** that HR progress and oversee the recommendations of this workstream, including finalising the guidance for managers (Appendix 2).

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Page 1 of 8

Background

4   The People working outside of Wellington workstream has considered:

- an agreed approach to enabling people to work in locations outside of Wellington

- what needs to be in place to support people working outside of Wellington.

5   This workstream was prompted by:

- Expectations of flexible working, accentuated post-Covid, combined with recruitment and retention challenges, and the changing nature of the Ministry's work

- Growth in Auckland-based staff and recent placements of some staff outside of Wellington and Auckland

- A commitment to supporting staff that are based outside of Wellington.

6   The intention was not to explore a radical shift away from the Ministry's current model of a Wellington concentration of staff, but to consider views and approaches to location and to look at how people, who are working out of Wellington, might be better supported. We expect the proportion of the fully remote workforce to remain low   Currently three people work outside either the Wellington or Auckland office. There are sixteen people working in Auckland across various teams, up from 6 in the 2018-early 2022 period.

Approach to this workstream

7   In undertaking this work, we held interviews and focus groups with internal staff and managers, other public sector and private sector agencies as well as reviewing literature regarding the benefits and challenges of remote and hybrid working practices.

8   The first draft of recommendations were tested with Human Resources representatives, DCE Te Kāhui Tangata, Corporate Services, managers, and staff that participated in the engagement process.

Previous Discussion and Outstanding Issue

9   In November, the Growing Opportunities Committee discussed the draft recommendations. The Committee recognised the organisational and individual benefits that emerge from supporting more flexible and remote working such as supporting recruitment and retention and a more diverse and engaged workforce. Challenges were also noted in terms of managing physically dispersed teams, fostering team cultures and connections, as well as managing carbon and cost budgets associated with bringing teams physically together.

10   The Committee supported the majority of the recommendations. Discussion supported Auckland as our satellite office with the view that people working outside of Wellington and Auckland would remain an exception. Re-locating existing staff as a retention strategy was seen as beneficial but people felt more comfortable if this was a relocation to the Auckland office as compared to elsewhere.

11   There was some concern that opening up promotional opportunities to people working outside of Wellington could create some challenges, but it was also acknowledged that location should not be a default barrier to applying for promotional opportunities. Recommendation 5 in Appendix 1 now makes it clear that managers take final selection decisions (including internal promotion) and will use the Flexible-Work-by-Default policy to help determine location decisions.

12   Wording has also been added to recommendation 4 in Appendix 1 concerning work that individuals working outside of Wellington can expect to be involved in. The new wording

qualifies that opportunities need to be reasonable and practical. This responded to a concern that it might not always be practical for someone outside of Wellington to undertake some work, while acknowledging that every effort should be given to provide similar opportunities in work to people in Auckland and outside of Wellington and Auckland.

13   The outstanding issue is the level of financial support provided by Te Manatū Waka when people are located outside of our Wellington and Auckland offices (recommendation 13 in Appendix 1). The choices appear to be:

- No financial support. This would require clear expectation setting at appointment with regards to travel requirements. Feedback from our remote staff suggested that travel requirements are greater than what they envisaged when taking the roles

- Negotiation as part of the employment contract. This would enable some flexibility but also will mean inconsistency across the business

- Te Manatū Waka funds a set number of trips each year for staff working outside of Wellington and Auckland and these are budgeted for on annual basis.

Summary of findings

14   Views on staff locating outside of Wellington are mixed but generally staff emphasised the benefits while managers reflected on the challenges of supporting teams in different locations.

15   Staff are looking for flexibility, including location and highlighted benefits to individuals as well as to the organisation, such as productivity and bringing in perspectives from around New Zealand, as well as attracting and retaining staff.

16   Managers understand labour market challenges and people's desire for flexibility but see challenges in building culture, support for team members, managing performance, increased workload for team members in Wellington (when in-person requirements arise) and difficulties in assigning particular pieces of work to remote staff.

17   Existing staff, already established at the Ministry, are seen as being better placed to work remotely. Staff in the earlier stages of their career are seen to be less suited to working remotely as they learn from "in-the office" connections. Those managing staff and in coaching roles are viewed as needing to have in-person connections, while acknowledging that Covid lockdowns, hybrid working, and our existing remote workers demonstrate this is not necessary all of the time.

18   Placing staff in the Auckland Policy Office (APO) is viewed as being different to staff working outside of Wellington and Auckland, given the Te Manatū Waka team presence and support. The APO is a recognised Ministry office.

19   The challenges are not insurmountable, but managers are concerned about the cumulative impacts of several people in a team working remotely.

20   It is also clear that the Ministry values in-person connections as an intrinsic part of our culture and as a contributor to our work. This means that any expansion of staff based outside of Wellington needs to be based on enabling these staff to have in-person connections. Costs, both financial and carbon related, need to be considered as well as where these costs sit.

21   Any explicit costs to the Ministry of locating people outside of Wellington need to be set against the benefits of being able to tap into a broader and more diverse labour market, as well as being able to retain people in the current tight labour market.

22   This trade-off needs to be carefully balanced. The recommendations therefore use the Ministry's Flexible-Work-by-Default policy as a basis and its guiding principle that flexible working needs to work for the organisation, for managers, employees and teams. The recommendations focus on a consistent process for location considerations combined with case-by-case decisions on location made by managers in consultation with HR and their teams.

23   We also recommend more explicitly monitoring and learning from our experiences of people working outside of Wellington and from other agencies so that we can continue to evolve our approach.

24   Alongside this, the Public Services Commission has recently released guidance regarding hybrid working. While focused on hybrid working, the document provides useful guidance that is applicable to remote working, such as the types of activities that are best suited to in-person rather than remote working.

25   Our engagement with MfE, MHUD, Waka Kotahi and MBIE, highlighted a trend towards a more open-location approach. This is primarily driven by challenges recruiting but also recognising the benefits this approach brings in terms of engagement and well-being of their staff. MHUD, an agency most similar to our own have around forty people working outside of Wellington and Auckland.

Support for people working outside of Wellington

26   Most people working outside of Wellington feel well supported by their manager and generally connected to the Ministry. They also recognise that there is an expectation on them to be purposeful in their engagement with their manager and Wellington colleagues.

27   Challenges include missing out on conversations and not being updated; not being included in meetings because they are not physically present; lack of visibility with managers and other senior staff members; hybrid meetings; lack of understanding of the overall work programme; development and progression opportunities; lack of consistency in funding travel to Wellington; and technology (for APO staff).

28   Managers are not necessarily equipped for managing hybrid and remote working. This is reinforced in the recent Health and Safety Audit. It is felt that there needs to be a focus on leading an inclusive culture and managers need to be more conscious of visibility bias for those people either spending less time in the Wellington office or working outside of Wellington

29   Staff currently working outside of Wellington feel uncertain of career pathways as roles (promotional opportunities) are generally advertised as Wellington roles and there is no dialogue about considering career opportunities in other teams.

30   People working in Auckland reporting to Wellington managers and recruited for a non-specific Auckland role are unclear as to whether they should, or need to, have Auckland context and knowledge. This reflects the expansion of Auckland-based people from different teams and contrasts with the original Ministry model of a very small number of Auckland people that all had knowledge of the Auckland context. There are mixed views on this and it requires further working through. The Director Auckland also does not have the same capacity as in the past to work closely/mentor all Auckland-based staff but the Ministry corner in the APO is working well and the fortnightly team meetings of all Auckland based staff continue. Desk space (even with hot-desking) has become more constrained and there will be SLT decisions needed about future expansion in Auckland with associated APO fees.

31   The recommendations focus on improvement areas around: managers promoting an inclusive culture; training for managers; ensuring people outside of Wellington can participate in training; ensuring rotation, progression and promotional opportunities are available to all staff regardless of location; and that on-the job learning opportunities are not limited by location.

Consultation

32   The following people have been consulted on this work:

a   Managers and staff involved in the engagement processes were consulted on initial proposed recommendations

b   Human Resources representatives and DCE Corporate Services on an initial set of recommendations before these were shared with managers and staff

c   Feedback from managers is reflected in the recommendations and narrative around working outside of Wellington.

Attachments/Appendices/Schedules

Appendix 1   Recommendations for staff working outside of Auckland and their support

Appendix 2   Draft Guidance for Managers

Attachment 1   Growing Opportunities: People Working Outside of Wellington (full report)

Appendix 1 - Recommendations for staff working outside of Auckland and their support

Working outside of Wellington

These recommendations aim to bring more consistency to the process of requesting to work outside of Wellington and emphasise that managers will make decisions on location guided by the Flexible-Work-by-Default policy.

1   Promote and apply the Flexible-Work-by-Default policy and strengthen processes to support this. Specifically:

    a   Decisions on location are made on a case-by-case basis by managers in consultation with HR and relevant teams, on the basis that flexible working needs to work for the organisation, for managers, employees and teams

    b   Ensure the Ministry's approach to flexible working (as outlined in the Flexible-Work-by-Default policy) is noted in job advertisements

    c   Ensure managers discuss location with HR as part of the recruitment approach

    d   Develop a more transparent process for relocation applications for existing staff

    e   Provide more guidance on "genuine business need" referenced in the Flexible-Work-by-Default policy.

2   HR to monitor our approach to recruitment and relocation requests and our experiences of people working outside of Wellington so that we can learn and evolve our approach as well as exchange learnings with other small agencies.

Supporting people working outside of Wellington

Recommendations 4, 5 and 13 (in bold and italics below) have been revised to account for feedback received at the GO Opportunities meeting on 14 November 2022.

3   Managers with staff outside of Wellington need to be purposeful about fostering an inclusive team environment

4   Ensure development opportunities for staff to undertake parts of their work, or particular work, is not limited by an employee's location *provided this is reasonable and practical*

5   Ensure roles and promotional opportunities are open to all staff, regardless of their location, *noting that managers make selection decisions and the Flexible-Work-by-Default policy will help guide location decisions*

6   Managing a dispersed and hybrid workforce forms part of leadership development training

7   Relevant managers work with the Director Auckland to determine extent of the Auckland context and knowledge required by their staff based in Auckland

8   Provide practical tools and guidance for all staff to work in an inclusive manner, regardless of their location

9   Managers set up a formal plan for remote working arrangements for staff working outside of Wellington

10   Ensure all technology is working well and ensure technology training forms part of the induction process

11   Options for in-person training in Auckland to be considered

12   Auckland-based staff will continue to be funded to travel to Wellington, within reason, and taking into account financial and carbon costs. These costs are to be budgeted by relevant managers on an annual basis

13   *Either: The Ministry will fund an agreed number of visits for staff working outside of Wellington or Auckland to connect in-person with or to attend training in Wellington*

      Or: staff that work outside of Wellington or Auckland will fund their own travel costs to Wellington and this will be agreed as part of the appointment process and will include expectations on the amount of travel required for the role

      Or: staff that work outside of Wellington or Auckland will negotiate travel costs as part of their employment contract.

Appendix 2 - Draft Guidance for Managers

Draft guidance for Managers in considering staff requests for working outside of Wellington [to be updated/reviewed by HR]

1   Considering requests for fully remote working

When a staff member requests to work outside of Wellington managers are required to:

a   Give due consideration to any request for remote working

b   Request the staff member puts the request in writing with rationale and consideration of the Flexible-Work-By-Default policy

c   Discuss the request with your team and consider organisational implications

d   Discuss the request and your views with HR and apply the Flexible-Work-By-Default policy

e   Ensure any arrangement works for the individual, team, manager and organisation. Specific consideration should be given too:

　　i   Current team composition (e.g. proportion of staff based outside of Wellington)

　　ii   Team skills and diversity (e.g. need for in-demand skills, greater team diversity)

　　iii   Specific team needs (e.g. frequency of interaction with Minster's Office, requests for work within short turnaround times)

　　iv   Carbon and cost implications.

2   Responding to requests for remote working

a   Ensure terms and conditions are noted in the individual's employment contract

b   If approved, establish a plan that details the timeframes and process for reviewing the arrangement, in line with the Flexible-Work-By-Default policy

c   If not approved, outline the rationale in writing to the staff member.

3   On-going support for staff working remotely

Managers need to be prepared to support their staff working in Auckland or fully remotely in a different way than being co-located in an office. Managers are expected to:

a   Set expectations for communication and interaction with the staff member (frequency and method) as well as travel frequency upfront in a plan

b   Find ways to interact with the team member working remotely outside of formal catchups and meetings

c   Operate an inclusive culture to keep the full team engaged and connected when working across different locations

d   Ensure team members working outside of Wellington are supported in all training, development and work opportunities as is reasonable and practical

e   Manage and monitor the health, safety and wellbeing of staff located remotely.

Ministry of Transport
TE MANATŪ WAKA

Flexible-Work-by-Default Policy

Purpose

The purpose of this policy is to set out the objectives and principles that the Ministry and its managers commit to undertake to ensure fair and consistent implementation of flexible working arrangements across the Ministry. It's to help to ensure consistency when managers are processing flexible working requests and to make it easier to provide work life balance.

Scope

1. This policy applies to all prospective and current employees of the Ministry of Transport, including contractors.

2. All health and safety issues including evacuation procedures and protocols are covered under the Health, Safety and Wellbeing Policy and associated processes and procedures.

3. What's accepted as flexible working is dependent on the requirements of the role and will be advised on by a member of the Human Resources team and in line with Public Service Commission guidance.

4. Flexible working options, process and procedures are covered under the flexible-work-by-default guidance documents. The Ministry does not intend to describe all possible arrangements, nor restrict the options that may be arrived at through discussion between manager, employee and team.

5. The decision sits with Managers with support from appropriate DCE.

6. This policy replaces the existing Work Life Balance policy 2014.

Policy Statement

The Ministry is committed to providing, where practicable, flexible working options that enable employees to achieve balance between work and home lives, manage and protect their health and wellbeing, take opportunities for rest and recreation, contribute to wider family/whanau responsibilities and participate in community activities.

Key Principles

The Ministry recognises all roles will be considered flexible unless there is a genuine business reason for any role not to be. Every role should be suitable for some form of flexibility but not every type of flexibility will work for every role. Genuine business reasons may mean that some types of flexibility cannot be implemented for some roles.

Managing flexible working requests will be carried out in partnership between the employee, manager and wider team. Flexibility requires give and take between the employee, manager and team. It also places collective obligations on employees, managers and teams to be open and adaptable so that it works for everyone.

Through implementing a flexible-work-by-default approach the Ministry aims to seek to normalise flexible working so that it does not undermine career progression or pay, and is equally available to all employees regardless of gender, ethnicity, disability and other dimensions of diversity. Leaders will support, champion and role model flexible working for their teams and themselves. Flexible-work-by-default will help the Ministry of Transport to:

- build a more diverse and inclusive workplace actively and better support its people
- attract and retain diverse talent

- meet our Gender Pay Gap Action Plan objectives
- give effect to the Gender Pay Principles e.g. all agencies flexible-by-default by 2020
- strengthen its ability to maintain business continuity
- comply with legislative requirements
- be competitive and inclusive of its customers and employees
- promote the transport benefits e.g. reducing congestion by having employees travelling outside peak hours; contribute to lowering carbon emissions and traffic congestion through reducing staff commute

The Ministry values each of its employees and their ability to contribute and improve the overall morale of the workplace. To attract new talent and retain our existing employees the Ministry aims to work with individuals to identify and reasonably accommodate what will assist that individual to do the best job possible.

Definitions

Flexible working

Has a minimum statutory definition under part 6AA of the Employment Relations Act 2000. It is a broad term referring to changes in an employee's terms and conditions of employment relating to their working arrangements. Working arrangements, in relation to an employee, refers to (a) hours of work, (b) days of work, (c) place of work (for example, at home or at the employee's place of work).

Flexible working provisions under part 6AA of the of the Employment Relations Act 2000 state:

1. Any employee may request flexible working arrangements at any time and any number of times during their employment (this includes while on parental leave). A request must be writing.

2. An employer needs to respond to a request in writing within one month, and if they refuse must give a reason in writing.

3. An employer may refuse a request for flexible work practices on the following grounds only:

    a. If it conflicts with the collective agreement in place
    b. If there are recognised business reasons
        i. Inability to reorganise work among existing staff
        ii. Inability to recruit additional staff
        iii. Detrimental impact on quality or performance
        iv. Planned structural changes
        v. Burden of additional costs
        vi. Detrimental effect on ability to meet customer demand

4. Both parties need to act in good faith.

Flexible working can be a formal or an informal arrangement:
- **Formal Arrangements:** will require a request and response in writing and will require a change to an employee's employment agreement e.g change to pay or a permanent change to working days (e.g. 9 day fortnight).

- **Informal Arrangements:** Generally appropriate for flexibility that doesn't involve changes to pay or employment agreements. This may include ad hoc or temporary arrangements and can be agreed verbally between managers and employees. Where a regular arrangement is agreed and does not require a change to the employee's employment agreement a record in writing will be required e.g. exchange of emails including regular review periods to provide more certainty and clarity for both parties.

It is the responsibility of the employee to initiate an application for flexible work. It is the responsibility of the manager to provide a process for the employee to follow in applying for a

flexible work arrangement. Refer to the Ministry's Flexible-work-by-default step-by-step guide for mangers and employees.

Monitoring

The Senior Leadership team will receive reports about flexible working arrangements to enable them to review, comment and provide strategic advice and direction on the Ministry's risks, if any. Access to confidential/personal information will be restricted as per Privacy laws and Ministry of Transport policies. Any data provided will be at a level that cannot identify any individual employee and the data will only be used for the intention of monitoring strategy actions. HR will provide guidance on what can and cannot be shared to ensure any shared data is not in breach of individual privacy rights.

Associated Guidance and Policies

The following Ministry policies and guidelines should be read in association with this policy

a) Ministry's flexible-work-by-default step-by-step guide for mangers and employees (under development).

Relevant legislation:

b) Employment Relations Act 2000
c) The Human Rights Act 1993

Other information:

d) Public Service Commission – Flexible-Work-by-Default Guidance and Resources
e) Eliminating the Public Service Gender Pay Gap 2018-2020 Action Plan

Ownership and Review

Owner	Approved by	Date Approved	Next Review Date
Human Resources	Robyn Smith, Deputy Chief Executive Te Kāhui Tangata | Corporate Services	2 October 2020	October 2022

From:	Suzanne Williams
To:	Managers & Directors
Cc:	Senior Leadership Team; Te Rōpū Pūmanawa Tangata
Subject:	PSC Guidance: Flexible Working (Work from Home)
Date:	Thursday, 12 December 2024 3:17:41 pm
Attachments:	image001.png

Kia ora

As mentioned very briefly just before at the Leadership meeting the new final guidance has now been published on the PSC website -

https://www.publicservice.govt.nz/guidance/guidance-flexible-working-work-from-home

What we need to do now

The Government expectations do not mean public servants cannot work from home or that public servants must work in the office on a set number of days each week. Nor do they change existing arrangements that have been explicitly agreed with employees or which are rights and obligations prescribed by law.

Alignment with this Guidance will look different for each agency, and this is expected and supported.

At a minimum though, agencies should:

- Review existing flexible work and work from home policies to ensure they align with the Government's expectations and the agency's legal obligations [1].
- Ensure all individual work from home arrangements:
    - Align with the agency's policies,
    - Are expressly agreed with the employer, and
    - Are recorded in accordance with the agency's policy.
- Ensure managers regularly review all work from home arrangements and assess their ongoing suitability and impact on the team's and organisation's performance in its widest sense (including impacts on learning and development, productivity, team culture and engagement).
- Give effect to the expectation of monitoring and oversight - both at an individual level (by managing clear performance expectations as part of a high-performance culture) and at the agency level (by having visibility of all work from home arrangements).
- Be able to report on the number of employees regularly working from home and on what days of the week.
- Regularly report their work from home data to the Public Service Commission from time to time.

We will look to share some comms with staff ASAP and will be in contact with the PSA to advise we will be looking to engage with them on this matter in the New Year.

Thks
Suzanne

Suzanne Williams (she / her)
Manager Human Resources I Kaiwhakahaere

Ministry of Transport I Te Manatū Waka

s 9(2)(a) | E: s.williams@transport.govt.nz   www.transport.govt.nz

Updated PSC flexible working (work from home) guidance and next steps

s 9(2)(a)

Suzanne Williams
Manager   Human Resource

Updated PSC flexible working (work from home) guidance and next steps for the Ministry

The Public Service Commission has issued and published new flexible working (work from home) guidance which is available on their website https://www.publicservice.govt.nz/guidance/guidance-flexible-working-work-from-home

The commission expects agencies:
At a minimum to:

- Review existing flexible work and work from home policies to ensure they align with the Government's expectations and the agency's legal obligations [1].
- Ensure all individual work from home arrangements:
  - Align with the agency's policies,
  - Are expressly agreed with the employer, and
  - Are recorded in accordance with the agency's policy.

- Ensure managers regularly review all work from home arrangements and assess their ongoing suitability and impact on the team's and organisation's performance in its widest sense (including impacts on learning and development, productivity, team culture and engagement).
- Give effect to the expectation of monitoring and oversight - both at an individual level (by managing clear performance expectations as part of a high-performance culture) and at the agency level (by having visibility of all work from home arrangements).

- Be able to report on the number of employees regularly working from home and on what days of the week.
- Regularly report their work from home data to the Public Service Commission from time to time.

Noting - alignment with this Guidance will look different for each agency, and this is expected and supported by the Commission.

What this means for you now:
The Government expectations do not mean public servants cannot work from home or that public servants must work in the office on a set number of days each week. Nor do they change existing arrangements that have been explicitly agreed with employees or which are rights and obligations prescribed by law.

At this stage there are no actions that staff need to take.

Next steps:
The Ministry will be reviewing our existing policies against the new guidance over the next few months. As we work through this process we will engage with all staff. For PSA members – we have contacted the PSA to advise we will be engaging with them on this matter over the next few months.

When more information is available, we will share this with you.

If you have any questions, please get in touch with your manager in the first instance.

Te Kawa Mataaho
Public Service Commission

Guidance: Flexible Working (Work from Home)

12 December 2024

The purpose of this Guidance is to support agencies to align their flexible working (work from home) policies to Government's expectations to ensure performance.

This Guidance is issued under Section 95(a) of the Public Service Act 2020 by the Public Service Commissioner. It should be read in conjunction with the 2024 Government Workforce Policy Statement.

This Guidance replaces the Hybrid Working Guidance 2022 and the Flexible-By-Default Guidance 2020. Workplaces now have a better understanding of the benefits and risks of flexible working arrangements and have foundational policies and approaches in place. This Guidance clarifies that all flexible work arrangements must be agreed and managed to support a high-performance culture.

Existing policies and approaches should be updated where necessary, to align with this Guidance. However, where any agency has agreed to any express terms in its employment agreements, these will apply to the extent of any inconsistency. Further, this Guidance should be read together with any legislative requirements, including the Flexible Working provisions set out in the Part 6AA Employment Relations Act.

This Guidance focuses on working from home, but agencies may consider and agree other forms of flexible working, such as part-time hours and flexible start and finish times.

This Guidance applies to Departments and Departmental Agencies, Interdepartmental Executive Boards and Interdepartmental Ventures. Crown Entities and non-Public Service departments are encouraged to consider this Guidance.

Aligning to Government Expectations

Government expectations

On 23 September 2024, the Government set out its expectations for the Public Service on working from home. The Government's expectations are:

1   **Working from home arrangements in the Public Service are not an entitlement and should be by explicit agreement between an employee and their employer.**
Chief Executives and managers should ensure that where any arrangements are made, they are subject to consistent monitoring and oversight.

2   **Working from home arrangements should only be agreed to where they will not compromise the performance of employees, their teams or their agencies.**
This requires agencies to adequately weigh the benefits of employees being physically present for work, the cumulative impact of widespread working from home arrangements, and to consider performance in its widest sense: including potential impacts on learning and development, productivity, team culture and engagement.

3   **Agencies should actively monitor the prevalence and impact of working from home arrangements and be able to regularly report to the Public Service Commission about the number and nature of the agreements they have in place, including having a clear understanding of the impact these agreements will have on particular days of the week.**

What agencies need to do now

The Government expectations do not mean public servants cannot work from home or that public servants must work in the office on a set number of days each week. Nor do they change existing arrangements that have been explicitly agreed with employees or which are rights and obligations prescribed by law.

Alignment with this Guidance will look different for each agency, and this is expected and supported. At a minimum though, agencies should:

•   Review existing flexible work and work from home policies to ensure they align with the Government's expectations and the agency's legal obligations [1].

•   Ensure all individual work from home arrangements:

—   Align with the agency's policies,

—   Are expressly agreed with the employer, and

—   Are recorded in accordance with the agency's policy.

- Ensure managers regularly review all work from home arrangements and assess their ongoing suitability and impact on the team's and organisation's performance in its widest sense (including impacts on learning and development, productivity, team culture and engagement).

- Give effect to the expectation of monitoring and oversight - both at an individual level (by managing clear performance expectations as part of a high-performance culture) and at the agency level (by having visibility of all work from home arrangements).

- Be able to report on the number of employees regularly working from home and on what days of the week.

- Regularly report their work from home data to the Public Service Commission from time to time.

Additional considerations for Agencies

Consider whether activities are suited to working from home

When considering whether roles or activities can be performed from home, it might be helpful to consider:

- **Frequency**: Activities that are regularly repeated may need less in-person contact than activities that are infrequent.

- **Novelty/ambiguity**: Activities or tasks that are new or ambiguous may need more in person contact than work that is familiar and undertaken often.

- **Individual/team experience**: Where the staff member or team is developing, they may need more face-to-face support than those who are fully proficient. The needs of the team at that time, and ongoing, should be considered.

- **Trust**: Activities that build trust and are important for relationships may need face to face contact.

- **Task interdependence**: The more that tasks require collaboration and the input of more than one staff member, the more face-to-face contact will be needed to complete the work efficiently and effectively.

- **Cumulative impact**: The cumulative impact of the number of people working remotely across a team and the whole agency may negatively impact on team culture, key stakeholder relationships, collaboration and development.

Set clear performance expectations and manage to them

Having a performance culture that supports people leaders to set and manage to expectations is critical. It requires additional consideration when putting in place flexible working arrangements. Managers get the best from teams when they make delivery and quality expectations clear and measure performance against these expectations. Team members, whether they work flexibly or not, do their best work when they manage their time, deliver to expectations and maintain good lines of communication with managers and colleagues. Subject to any special arrangements or accommodations that may have been agreed, managers should address performance issues in the same way for all employees, whatever flexible work arrangement has been agreed.

Be deliberate about ways of working

When working flexibly, it is especially important that managers, employees, and teams talk regularly about flexible arrangements, how they are working and how any challenges can be addressed.

When building good performance management practices, managers should:

- Agree and record agreed norms of behaviour within their team. For example, maintaining oversight of team members' location, how and when they can be reached, how regular and urgent communication will be maintained, and how/when arrangements will be reviewed.

- Ensure all employees, regardless of location, share in unexpected and urgent work, as well as long-term challenging projects.

- Hold regular team check-ins to maintain good team relationships.

- Constantly communicate about work deliverables, quality standards and timelines.

Manage health and safety

Under the Health and Safety at Work Act 2015 employers are primarily responsible for their workers' health and safety, while they are at work. That means that when employees ask to work from home, agencies must consider the risks their employees might be exposed to in that environment, the degree of harm those risks could cause, and how those risks can be mitigated. Examples of common risks of working from home include workstation setup, and isolation/loneliness.

Agencies should specifically consider the risks to the psychological health of hybrid workers and how this can be managed. Working physically alongside team members is an important way to stay connected. It helps social cohesion, inclusion, builds trust and helps create a common culture. Feelings of isolation can be harmful for mental health. Equally, hybrid working can support mental health by providing quiet space for concentrated individual work.

What is most important is that workers and employers are aware of the risks and have plans in place to manage risk and support wellbeing. When work is designed, organised, and managed well, it will reduce the likelihood of harm and will also enhance wellbeing

Agencies can find more information about aspects of flexible working arrangements and mentally healthy work on these websites:

Staying mentally healthy when working from home – WorkSafe.govt.nz

Supporting workers to work from home – HealthandSafety.govt.nz

Resources | Government Health and Safety Lead – HealthandSafety.govt.nz

Manage Protective Security Risks

Agencies must ensure that appropriate measures are in place to manage the protective security risks of workers/staff working from home.

Specific guidance to staff on IT security may be required, as well as on records management. This should include transporting and sorting hard copies of information created in the office, whether hardcopy information may be created at home, and how this information will be stored, incorporated into records management systems, or archived/destroyed as appropriate and any security clearance requirements of employees.

For further information, including handling requirements for classified information, visit:

ProtectiveSecurity.govt.nz

Active monitoring and reporting

Any flexible working arrangements need regular monitoring to ensure they continue to meet the needs of the team and the agency, and that the impact on the team's and organisation's performance in its widest sense is known and managed.

From time to time the Public Service Commission may request flexible working data from departments and departmental agencies. The Commission may also collect information to understand agencies implementation of the guidance.

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[1]Public Service Act 2020 employment legislation (including but not limited to, the Employment Relations Act 2000 (Section 6AA flexible working), Health and Safety at Work Act 2015 and the Human Rights Act 1993 (reasonable accommodations)).

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