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**Governance Code for Sport**

**Remote Working / Working from Home**

Guidance Notes

Disclaimer

Sport Ireland is making available a range of resources including guidance notes, policy documents and templates for selected areas aligned to the Governance Code for Sport which will support sport organisations, boards, management and staff in the development of relevant governance processes and procedures particular to their own organisation.

For the avoidance of doubt, the final decision on the nature, type, extent and format of approved governance policies, procedures and processes for each organisation is a matter for the board / highest governing structure of the organisation and the resources and material provided may assist the approval process.

This document is not, nor is it intended to be, a definitive statement of the law and it does not constitute legal advice.

This document is not a substitute for professional advice from an appropriately qualified source and it is recommended that sport organisations consult their governing document or obtain their own independent legal advice where necessary. Sport Ireland does not accept any responsibility or liability for any errors, inaccuracies or omissions in this document.

**Why an organisation needs Remote Working / Working from Home Guidelines?**

Remote Working has moved from being an option for many organisations to become the only option during the global pandemic. It has made organisations aware of the benefits, as well as the challenges with remote working. Having a remote working policy in place will help both organisations and its people adapt to a new way of working, which is likely to stay as a permanent feature of how people work. Offering staff the possibility to work remotely expands the range of talent that may be available to work with an organisation and in turn offers flexibility to the workforce, and shows that the organisation cares about the welfare of its people. Good welfare policies within an organisation will seek to understand and support employees, and allow them to develop in their roles, whilst allowing them some flexibility in their lives.

‘Remote Work’ is work performed by an employee at a location outside of the defined office locations which involves the electronic access to, processing and/or storage of, company software, systems and information/data. E.g., use of email via mobile phone or laptop whilst offsite. Enforced remote working, such as during a pandemic, may also involve the employee looking after other family members whilst working, and employers must be cognisant and supportive of that fact. Having a remote working policy in place helps signpost the organisation and employee around obligations and expectations when remote working.

Having a remote working policy speaks to a number of the principles of the Code, especially:

* Principle 1: Leading our organisation
* Principle 2. Exercising Control Over Our Organisation
* Principle 4. Working Effectively

Type B and Type C organisations, which employ staff, should have a remote working policy in place. From 2021 a legally admissible code of practice on the right to disconnect from work – covering phone calls, emails and switch-off time – will be introduced into legislation, and Type B and C organisations will be bound by this legislation.

Having a remote working policy is important because:

* It protects the welfare of staff
* It is a legal requirement from 2021
* It makes blended working (part from home and part from office) a viable option
* It can open up the availability of greater talent to the organisation
* It has implications for other policies and some financial implications e.g., overhead and daily costs for working from home

Whose responsibility is it to develop a remote working policy?

It is the responsibility of the Board to ensure that all the principles of the Code are being upheld and delivered. The executive lead / Chief Executive Officer (CEO) is tasked with ensuring that the principles of the Code are being implemented in the organisation and thus will be responsible for ensuring there are welfare and employment policies, including a remote working policy in use in the organisation. In larger Type C organisations there may be a Head of Human Resources whose role will include producing employment and welfare policies, including those around remote working.

What should a remote working policy include?

A Remote Work Arrangement could specify some of the following details:

* Date of commencement of employment / remote work
* Conditions applicable to remote work
* Responsibilities of the employee, their manager and the organisation
* Identified risks & controls
* Measure required to facilitate remote work e.g., internet access provision
* Insurance – generally the employee must ensure that their building and contents insurers have been advised in writing of working from home arrangements as employer’s insurance will not cover it. Employers should check their own policies also.
* Regular & annual review: employees working remotely will still be subject to normal annual reviews. This period should be treated as similarly to normal office working.
* Modification of a remote work arrangement – whether the organisation reserves the right to modify the remote work arrangement for any reason

Checklist for remote working policy:

* Each organisation is advised to have individual employee records to document any one-to-one arrangement in place
* Details of Position/Nature of work
* Hours of work (Office based days/hours, home based days/hours - include details where applicable on core hours, flexible hours; recording, of working time, overtime arrangements etc.)
* Communications structures (core contact times, team meetings, feedback, mentoring, etc.)
* Reporting in procedures
* Home office arrangements
* Technical requirement
* Data Protection/IT requirements
* Provision of equipment/furniture
* Maintenance / Prevention of misuse
* Personal use of equipment
* Health and Safety
* Right to disconnect
* Insurance
* Training
* Security/confidentiality arrangements
* Terms and conditions
* Signature

The future of remote work should also be considered in a remote working policy, e.g., how to work in a blended way, expectations on days everyone is in office, if people in office having meetings and some remote, that everyone should join from a computer and not have any sense of those in office are in ‘inner circle’, etc.

Implementing a remote working policy: how and when to use it

Staff members should be given detail of the remote working policy on their induction, and it should be included in the employee handbook. The Board must ensure that they are aware of what is contained in the remote working policy and it should be regularly refreshed and updated, especially with a view to ongoing updates around remote working and employment legislation.

Further links and resources

[Citizens Information](https://www.citizensinformation.ie/)

[Revenue](https://www.revenue.ie/en/jobs-and-pensions/eworking/index.aspx)

[Department of Justice website](https://www.justice.ie/) - see here for latest detail on Right to Disconnect Legislation