

Flexible working – tips to achieve best practice now

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Charlotte Wiseman: People find that if they can format their work and work in a way that works for them, they are more productive. They're more focused, they're more engaged, they're more motivated.

Robert Shore: Hello, and welcome to the Brightmine podcast, formerly known as the XpertHR podcast. Brightmine is a leading provider of people data, analytics and insight, offering employment law expertise, comprehensive HR resources and reward data to meet every HR and organisational challenge and opportunity. You can find us any time of the day or night at <https://www.brightmine.com>.

Hello everyone. My name is Robert Shore, and today we're going to be talking about flexible working. There have been many significant legal shifts in this area in recent years, of course, and under the Employment Rights Act 2025 we are promised further changes. For instance then, in 2024 there was the introduction of a day one right to request flexible working arrangements, and in 2027 we are due to see the creation in effect of a new reasonableness test so that in future employment tribunals will be able to consider the reasonableness of an employer's decision to accept or reject a request for flexible working arrangements.

But we're not going to be talking principally about the legislative detail of the changes today, rather we're going to be looking at the way flexible working is transforming employee expectations and workplace culture, and putting forward some ideas about the ways that HR and line managers need to be thinking about what best practice looks like in this new era.

To do this, I am joined by Charlotte Wiseman, CEO and founder of Step Inside Group, an organisational development consultancy that applies neuroscience, psychology and behavioural science to help people think, feel and perform at their best. Welcome to the podcast, Charlotte.

Charlotte Wiseman: Thank you.

Robert Shore: Can I begin by asking you then about that description of what Step Inside Group does, in terms of applying neuroscience, psychology

and behavioural science? How in essence do you work with organisations?

Charlotte Wiseman:

What we're all about really is about looking at the science of how people are thinking, how their brain is functioning, and therefore about the choices they're making, their behavioural and their communication skills. So that's everything that helps people to think, feel and perform at their best. We're looking at the science behind that, what's underpinning it. And looking at, from that understanding, we work with clients to say, 'What are the factors and the conditions that need to be in place to help people at work be at their best?' So that's about helping people to maximise engagement, performance, helping people to navigate change and transition with the right mindset and the skillsets to do so. It's about increasing innovation and problem-solving, and building resilience within organisations.

So it's about creating those conditions so that people can be performing at their best so that they have their best working experience but also so that the organisation can be as successful as possible.

So when we're doing that in organisations, what we would do is we would be understanding their objectives, their organisational strategy, and then helping leaders and decision-makers at the top level to understand what that requires, what that needs. We go through a process which we call the 'Step Inside Approach', which is about building that awareness. What are the mindsets, the conditions, the factors that need to be in place to achieve that vision of success?

Then it's looking at growth, which is the second stage of our process. How do you help people to build the skills, build the knowledge, integrate the different interventions and activations within an organisation into the systems, the policies, the processes? How do you integrate that to achieve that strategy?

And then how do you accelerate that and cascade the benefit of that across the organisation? So we go through this three-stage process with whatever that goal is in mind.

Robert Shore:

That's great. And so obviously this has given you particular insights into the ways that organisations are adapting their approaches in all sorts of ways, and also in relation to flexible working, our subject today. You've written a piece for the Brightmine website (to which I will share a link in the show notes), which contains the phrase, *'The question for HR is no longer, "How do we process requests?" but, "How do we design a fair, psychologically safe and operationally sustainable approach to flexibility?"'* What do you mean by that?

Charlotte Wiseman:

So increases in legislations and changing expectations of employees mean that companies are under increasing scrutiny to create equitable, values-led, safe environments for people to work. And what that means is that every decision around flexibility is more than just practically, 'Can that person do the job from home?' or, 'Is that going to be easier for them to do from home?' and, 'Is that going to enable them to perform better or to support their wellbeing?' It's much more loaded than that.

It's about, 'What will that decision to allow that person to work from home...what will the ripple effect of that...? So will that impact the psychological safety and the cohesion of the team and sense of collaboration? Will that decision impact that person's future career prospects and opportunities to learn and develop? Will that decision actually be seen as fair for them but also fair for their colleagues?' So there's a lot more layers to every decision that need to be considered, and that makes it very much more complex and time-consuming, and there's never a one-size-fits-all answer, and that's what's really causing this difficulty.

Robert Shore:

Let's go into then some of those challenges that you've begun to outline there. You've picked out five key ones, I think. And we begin, in a manner of the times really, with AI. And there's been a lot of discussion of the pressure created by the rise of AI-enabled grievances, but I think you've also discovered there's been a growth in AI-enabled requests to work flexibly too. What issues does that raise?

Charlotte Wiseman:

Well, the real key here is that the challenge for HR teams is that they have a lot more applications to process. And you know, that's really on a basic level it's much easier for people to put in an application because AI enables us to do that more quickly. So there's simply more to process.

Now, if those are really reasonable then actually it doesn't cause much of a problem. They're usually quite well formulated and they're quite simple. What becomes more complex is that actually if they are ones where there is really a reasonable request, it's how do you process back to show that you have given it the time and the opportunity to be considered, but actually to say that you have gone through the process and that application has been rejected? It's much more of this challenge of making sure that every single application is treated fairly, it's just adding working, and that those requests, there's lots of elements, lots of nuances that are having to be pulled out and addressed. So very, very difficult.

What we are seeing is that really, if a company is seeing that there's lots of requests they're having to reject, there is probably something

deeper underneath that, a cultural consideration to say, 'Well actually, why are so many people not wanting to come into the workplace or not wanting to work in our normal ways? What are those hidden factors going on?' Because actually, if you're creating a workplace where people are engaged, motivated, want to be a part of the journey of the success of that business, then those aren't going to come up.

So I would say that actually if you're getting an unreasonable number that you are looking at and saying, 'This is not reasonable,' there's something more to look at.

Robert Shore:

Then there's a new challenge in relation to duty of care because there's less visibility obviously when people work away from the office more, for instance, or they're not all there at the same time.

Charlotte Wiseman:

Yes, absolutely. And it's about flexible working locations, it's about flexibility of hours. It comes down to simply if the manager is not seeing staff on a regular basis then it's harder to see how someone is really doing. So you know, only so much can be read online. And often when people are working from home they'll have their cameras off. It's really hard to get a sense of how someone is feeling.

So that's really the complexity here, is that how managers can say, 'Well actually, I need you to come in 'cause I want to check you're okay,' it gets very difficult. And very often actually what we see is that, you know, you might wake up in the morning and you might not feel like going into the workplace but actually that process of getting you into a new environment can often help people feel better and actually more energised and more optimistic. It has a real benefit for their wellbeing. But that's not something that you can tell people; it's something someone has to experience for themselves.

Robert Shore:

Yeah. I mean, and so all of this points to the way that possibly line managers need to develop a new skillset from the one that they may have had, and that may have served them very well, in a pre-kind of remote or flexible working environment. And again, we'll be touching on those new skills as we go further through.

So then another area there pointed to is to do with the different roles and the difficulties then in organisations being able to offer the same kinds of flexibility to staff depending on whether they're shift workers, those with public-facing roles. There may be more of a challenge there than in relation to office workers, for instance, or people who work on computers most of the time.

Charlotte Wiseman:

Yeah, absolutely. We do a lot of work in hospitality and also in manufacturing and construction, so kind of the three areas, I'd say, that we see that the most in are those three. Because there are very

different roles with very different needs. What's interesting from this is that when we talk to HR teams they're really worried about that fairness and, 'Are people going to complain?' When we talk to employees, they understand. But there's this sort of mismatch between HR or people teams being nervous that there is going to be a sense of unfairness, but reality is very often employees are very understanding. They appreciate that.

So it's very rare. I mean, we have had one occasion where a waiter asked if they could work from home. It's not possible. But they're very isolated cases when you get those sorts of requests and actually, on the whole, if companies are doing a good job of communicating the decisions and there's visibility on that, that honesty means that really it's not so much of a concern in the minds of employees.

Robert Shore:

Yeah. No, good idea working from home for a waiter. That does sound like a big ask really, doesn't it? Yeah.

You mentioned at the outset psychological safety. What are the implications there?

Charlotte Wiseman:

Well, a really challenging one and we work with so many companies who are multinationals, you know, global organisations where you are asking teams to build connection across interfaces like Teams or Zoom. So it's not impossible to build psychological safety online but it is harder. And all the research shows that once you're actually beyond about 25, 30 metres it becomes really hard. So if you're not physically in the office space it becomes hard.

Now, there's many components to why that happens, and actually some of the research in this we don't even know why. We just know that the brain functions slightly differently when you're in-person with someone having a conversation compared to when you're having those conversations online. So it's quite early stage of research of exploring this, but we know that psychological safety in the sense of trust is more easily built when you're physically in a room or in an office space.

Robert Shore:

So to go to a concrete example, it's that people find it harder then to, as you say, trust or build up that trust with other people. Or actually also when they're not in the same space that people talk in a different way that actually erodes trust as well?

Charlotte Wiseman:

It's more that it's harder to build it. Now, naturally if people are not around...again if you've got the cultural factors of something going on, then perhaps it might lead to mistrust, but that's more about the culture of the organisation and less about that physical proximity. Because we've got so many companies that we work with where,

because there is a really strong culture, people do build psychological safety online and remotely. And actually it's quite joyous when we have teams and we've been working with someone and maybe they've never got the opportunity to meet in person, and they meet for the first time but they've got these relationships. It's quite magical to see that actually they have built that safety online. But there are just processes and ways that that needs to be facilitated or can be accelerated if you're trying to build teams remotely.

And in terms of the way it happens naturally, it's easier for that natural evolution if you're physically in the office or physically in one space.

Robert Shore:

Yes. Another thing about being physically in the same space is obviously sort of what I think is often called 'over your shoulder learning', when people begin jobs in particular. Outline the challenge for us there.

Charlotte Wiseman:

I think a lot of those of us who have grown up in workplaces or lived in workplaces where we are surrounded by people, we don't realise how much we've learnt from the people around us. It's really easy to dismiss that learning, as an employee to not realise that you will gain a lot from just overhearing that conversation, but also from a manager to understand that a lot of the education you're giving through to other people is through your role-modelling of what you're doing and showing on a day-to-day basis. So it goes both ways of actually understanding the value of that type of learning through *ad hoc* moments, as I say, just overhearing a conversation or, you know, being able to be standing in a lift with someone and just have a quick conversation. There's so much there that can be learnt.

And what we're seeing again in terms of the pressure points we're seeing in organisations is that there's a real bank of people at the moment where they're managers who we need to be stepping into more of a leader role rather than just a basic, 'I'm managing a project,' to be a people leader, and they've not been in environments to give them that skillset. They're technical experts but they need to step up. Accelerating that process of development is a huge piece of the work we're doing at the moment of, 'How do you help them to understand and take on that role for that progression?'

And again, you know, the early signs are that the development of AI is going to mean actually that there's more people need to be accelerated to those higher levels of the organisation and there'll be less space for some of the administrative tasks, which means we need to start moving people along that journey quicker. And that is

without formal training; a lot of that happens in the day-to-day moment.

We're also seeing, again we're seeing that a lot of companies are struggling to make time for the formal learning. So there's an increased pressure on on-the-job learning and the in-the-moment learning, and if that's not happening and you've got no time for the formal learning, you've just got a team who are under-skilled for the roles and the tasks at hand.

Robert Shore:

Right. So we've outlined some of the challenges here, and in a moment we're going to turn to some of the tips in order to be able to achieve best practice. Before we do that, I suppose we should sketch in some of the obvious benefits of flexible working. We've been talking about the sort of ways in which it creates challenges and things that need to be re-thought. What are the benefits?

Charlotte Wiseman:

Well there are a huge number of benefits that are...you know, there are statistics that you can look up and it shows that actually if we've got this flexibility we've got more of a sense of autonomy to do the work in a way that works well for us. So we can increase our focus, increase productivity. So there's a huge amount of research that is publicly available on that side.

What we see in our work – if I can add something that's, you know, not just publicly available, from our experience working with organisation – is that absolutely that is true. People find that if they can format their work and work in a way that works for them, they are more productive. They're more focused, they're more engaged, they're more motivated.

What the research often doesn't talk about is the power of really tapping into what we call the 'cognitive scaffold', and that is that our brains take the physical triggers of what's around us as a sign to think in a certain way, to behave in a certain way. So actually, by helping people to use different locations for different tasks, it helps the brain to function in those locations more effectively.

So very often people say, 'Well I'll do this task at the office,' or, 'I'll do this task at home,' and by doing that it makes it easier for the brain to do that task because it's kind of compartmentalised it as, 'That's the space I do it.'

So it's more than just, 'Oh, I prefer to focus 'cause I haven't got someone interrupting me.' There's another level that's going on there that people aren't aware, that really we can use spaces much more wisely to accelerate the performance and the function of the brain.

The other element that we find is when you've got global teams, offering more flexibility around hours, around locations make it easier for people to have early calls or late calls and connect with people globally, and that's a really important point. So for teams where they are working across time zones and across geographies, the flexible working of hours, location, whatever that looks like does enable teams to function more effectively across time zones.

And the third area that we're seeing increasing conversation around, let's say, is the inclusivity. So if we put our carers and in caring position, we're able to retain some of that talent who may be otherwise, if someone was going into a parental role, might have left the workplace because it just wasn't feasible. Flexible working is actually retaining some of that talent. And it's not just for parents; it's for people who maybe are caring for elderly loved ones. So some people who again maybe would have had to retire early to care for an elderly loved one, you can sometimes retain some of that top talent at the top, which is again just another important element of enabling people to work for longer periods of time and to stay in an employment.

Robert Shore:

So we want to offer some tips at this point as to what best practice looks like now. Obviously you work with the organisations that are experimenting with new approaches to flexibility across different sectors. I think we're going to have six, aren't we, six tips? So what have you found to be working, and in what environments are they succeeding?

Charlotte Wiseman:

One of the ones that's been really, really fundamental and quite simple is actually starting expectations and setting expectations with employees very early, at recruitment. And this first came up, we did a hospitality round table on a quarterly basis and this first came up there, where one organisation shared that they had actually started introducing flexibility statements. So into the recruitment process it was adding and talking about, 'The nature of this work means that these are flexibilities we will not be able to offer you. But these are the ones we can offer you,' and actually sort of map it out of, like, pros and cons. And that's worked very effectively for some firms. It's not always welcomed by some applicants but the companies who have implemented it, on the whole they've found that really, really useful. So it's just very transparent from the beginning about what would be or what wouldn't be possible.

Robert Shore:

Okay, so that's tip one. What have we got next?

Charlotte Wiseman:

Next one you've already touched on, and that is about managers' capability to have conversations around flexibility. Really again it's a lot more of the fear managers have of having that conversation that

is the biggest blocker. There are tools, there are resources, there are conversation frameworks, and that's great that managers have those and a lot of companies will give those to managers. Very few look at, 'But do you actually have the confidence to apply that and are you understanding how you apply that?'

So something that we've seen is that, you know, I guess what we do differently about our workshops and our training around having confident conversations is we bring in actors to do role-plays because even a manager can sit there, look at a framework and go, 'Oh yeah, I'd have that conversation,' and then you stick them in front of an actor who's just a little bit awkward to work with, and you realise it's not that easy in practice.

So it's really about giving managers frameworks, conversations, toolkits, helping them understand that this is what you can do to have a conversation, and also understand that sometimes they won't have the solution to the problem, so making sure that they know how to work with HR and what the process is. You're not going to make them a policymaker overnight but what you're going to be able to do is help them to have confident conversations where they're adhering to company guidelines and to company values, but also making sure that that person feels heard and recognised.

Robert Shore:

Great. What is a third tip then?

Charlotte Wiseman:

The third tip again we've already slightly touched on, is about the communication of fairness. So it's about communication of fairness and not sameness we're looking at here. So this is all about making sure that the decisions, the processes, how you're going about those decisions is really clear and transparent. Again, most companies see that if they can do that there's no concern in employees. But you do need to make sure you're upfront-ing it rather than worrying that people won't think it's fair so hiding stuff, 'cause that really does erode trust quickly.

Robert Shore:

Right. Number four.

Charlotte Wiseman:

Number four I'm going to say is a little bit more difficult. This is about addressing unconscious bias in decision-making. If you've grown up, if you've lived and you've worked in a way that you think people should work because it's worked for you and it's worked for the workplace to date, it's very easy to assume that everybody should always work like that and that's just the way it should be. And I have to say, I found myself falling into this trap very quickly when I started to take on some younger team members, and I had to really, really challenge my own biases around just because I did that or that worked for me, that wasn't going to work for everyone.

So we all have unconscious biases, and helping people to understand that there's nothing wrong with you; you just need to be aware of your biases so you can hold yourself accountable. I think often when we're trying to address unconscious bias in the workplace, the difficulty is it's positioned as, 'You've got a bias; you're a bad person.' The reality is, we've all got biases. You know, we just have to accept that, know them, and hold ourselves accountable to not fall into patterns that make those biases realities.

Robert Shore:

That's a very encouraging way of framing that whole issue as well. So have you now adopted a different attitude towards requests for different modes of working and flexibility?

Charlotte Wiseman:

Absolutely. The way we do it that – and actually it's one of my other tips – is actually introduce flexibility pilots. So say, 'Okay, well we'll try it for a period of time and let's see how that goes, let's see the implications.' Because if you go in with the basis that actually people do want to do their best work, imagine the best intentions, give people the opportunity to show it does work, and people will want to prove you right. So very, very powerful for us that we've allowed that flexibility. We've seen it's not impacted productivity in any way so actually, let's go and we've got a blueprint for what works.

Robert Shore:

Okay. That was a fairly perfect segue there, Charlotte, into what was your fifth tip. And so let's have the sixth and final one.

Charlotte Wiseman:

The final part is really about considering how do you integrate some kind of wellbeing check-ins into the workflow. And again there's no sort of set way of doing this. It can be as simple as just having anchor days when everyone is required to come into the workplace so that everybody's there at one point. And that means that you can start to just build that sense of psychological safety but you've also got that wellbeing check-in from a visibility perspective.

But there's lots of other ways that you can do that through digital technologies. AI is offering even more opportunities for this that I won't go into at this moment, but it's just making sure that there are those touchpoints, and again that managers know how to have those conversations and know what resources are available, and that everyone in the organisation knows what resources are available, knows how to look after their mental health and their wellbeing, and takes ownership for that. It's about everybody understanding that they are responsible for their own wellbeing and supporting them to look after that.

Robert Shore:

Wonderful. Well thank you, Charlotte. That's been a really exhilarating tour of both the challenges presented by the rise of

flexible working, and also the advantages, and then some great tips for people to take away.

As I mentioned earlier, I'm putting a link in the show notes to this to Charlotte's piece that she wrote recently for the Brightmine website and to some other resources that Brightmine has. Beyond that, I will just say until next time.

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