

Right to Disconnect' policy developed for whole of Civil Service

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**A new 'Right to Disconnect Policy' across the Civil Service, published by DPER, has been broadly welcomed by unions and sets out obligations on both management and staff.**

The new policy effectively implements the WRC Code of Practice on the Right to Disconnect, introduced in March 2021. While many Government departments and agencies already have a 'right to disconnect (RTD) policy, the civil service-wide policy updates and provides a blueprint for all remaining departments.

The policy says that a joint approach should be taken by employer and employee to create a culture that allows them to disconnect from work and work related activities outside of normal working hours.

“While placing the onus of management of working time on the employer is appropriate, individual responsibility on the part of the employees is also required in the context of the relevant legislation”, says the policy.

The employer's obligations are listed as: ensuring employees are informed of their normal working hours; ensuring employees take rest periods; ensuring a safe workplace and being mindful of employees, customers and all other people's right to disconnect by not routinely emailing or calling outside of normal working hours.

The employee's obligations include: managing their own working time; cooperating with methods used to record working time; being mindful of their colleagues', customers and others' right to disconnect; notifying the relevant office in writing of any statutory rest period or break to which they are entitled and were not able to avail of on a particular occasion and the reason; and, to inform their employer if they are unable to complete the task of their role within normal working hours.

### **GUIDANCE ON EMERGENCIES**

The policy also acknowledges that emails and calls will be made outside of normal working hours “in the case of occasional legitimate situations or emergencies.”

The policy defines 'emergencies' as when there is a sudden and urgent situation that requires immediate attention or action, such as a workplace incident, or natural disaster. It could also include “unexpected” staffing issues or when there is “information that is crucial to an employee's role and its immediate communication is necessary”.

The policy advises that where written communications are necessary outside of normal working hours, one could use email footers and pop-up messages to remind employees and customers that there is no requirement to reply to email outside of working hours.

This can include putting an 'Out of Office' message when finishing work and adding a footer to an email signature indicating the sender's normal working hours. Alternatively, the policy suggests using the 'delay send' option.

Emergency communications “should only be sent during emergency situations and such communications should be the exception, not the norm”, it says.

The policy says that all departments should appoint a designated HR representative who should be the point of contact to resolve any concerns or matters raised under this policy. It says that if an informal resolution is unsuccessful, the formal grievance procedure should be used.

## **UNION RESPONSE**

Ciaran Rohan, General Secretary of the AHCPs, which represents senior civil servants, welcomed the publication of the policy document as putting the right to disconnect policy on an even civil service-wide basis.

An AHCPs survey in 2024 found that over 60% of their members had been contacted about work while on leave and 83% said they received work-related communication outside of normal working hours.

Mr Rohan said that while there are occasional issues with his members being contacted outside of normal working hours, it is not widespread and it has improved in the last few years.

However, he added that generally the grievance procedure in the civil service is not working as well as it should.

He said that that DPER has already proposed a reform of the Conciliation and Arbitration scheme and that the grievance procedure needs to be part of that reform. While civil servants do not have access to the WRC, he suggested that WRC adjudicators could have a mediating role in the C&A scheme and that the union is discussing this with DPER.

Éamonn Donnelly, Deputy General Secretary of Fórsa, which represents clerical and middle management staff in the civil service, welcomed the publication of the policy document “as a good starting point”.