WHEN THE OFFICE WENT HOME: RESPONDING TO EMERGING RISKS AND OPPORTUNITIES

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Abstract: **COVID-19 is a pandemic that is currently ravaging the world, with unprecedented disruptions being witnessed. Many governments have imposed restrictions on movement and several measures to contain its spread, including social and physical distancing, hence directive to work from home. This has disrupted the office, as it used to be, with little time to prepare for the sudden change. Working from home poses new risks and opportunities for organisation and it is imperative that the board effectively manage this to sustain organisation's operations. Using exploratory research design, this paper reviews these risks and opportunities and hence the practicable options in managing them amidst the pandemic. Key to this is the ability to learn, in line with absorptive capacity theory. It finds that the board can no longer rely on traditional risk management techniques, given the speed of digital transformation, but it underscores the critical importance of strategic risk management. This paper concludes that developing adoptive capacity to exploit emerging mechanisms in teleworking is inevitable and combining risk and compliance management in corporate government is key to corporate resilience and competitive advantage.**

Keywords: **COVID-19 Pandemic, Working from Home (WFH), Risk Management.**

1. INTRODUCTION

The Governance Code requires the board to establish procedures to manage risk, oversee internal control framework, and determine the nature and extent of the principal risks it is willing to take in order to achieve its long-term strategic objectives[1] Appropriate culture to support elaborate structure, policies, procedures and reporting is also a prerequisite.[2] Some organisations have also adopted quality management systems, which help them "improve overall performance and provide a sound basis for sustainable development initiatives".[3] Key to this is their capacity to consistently provide products and services that meeting customer and statutory requirements.[4] It will also enable them to address risks and opportunities associated with its context and objectives.

Covid-19 pandemic has resulted in drastic changes to organisations' operating environment. Any changes to the system need to be planned and consider inputs, interaction of processes, criteria for effective operation and control processes, determine resources needed assign responsibilities and resources, address risks and opportunities, evaluate the processes

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[1] Principle O of UK Corporate Governance Code, 2018, supported by provisions 28 and 29.

[2] FRC Guidance on Risk Management, Internal Control and Related Financial and Business Reporting, 2014.

[3] ISO 9001:2015 Quality Management System Standard, Clause 0.1 General.

[4] *Ibid.*

and implement changes to achieve intended results and improve processes.[5] This paper assesses the implications of working from home and how organisations can respond to emerging risks and opportunities from this phenomenon.

2. COVID-19 PANDEMIC

2.1 COVID-19 origin and present status

The World Health Organisation (WHO) declared the novel coronavirus disease (COVID-19) a pandemic on 11th March 2020, after China reported of its outbreak on 31st December 2019 in Wuhan.[6] WHO also announced that the pandemic is becoming endemic during the press briefing on 15th May 2020. The COVID-19 virus primarily spreads through droplets of saliva or discharge from the nose when an infected person coughs or sneezes.[7] As on 28th November 2021, WHO dashboard indicated that the caseload had surpassed 260 million globally, with 5.18 million reported deaths and over 7.7 billion doses of vaccine had been administered.[8] The caseload in Kenya as on 28th November 2021 was 254,951 and the cumulative fatalities were 5,333[9]. Tests carried out were 2.83 million and vaccinations against COVID-19 were over 6.94 million out of a target of 27.2 million, with mass vaccinations now from the earlier priority being given to those over 58 years of age, health workers, teachers, and security officers.[10]

Ayoade Alakija[11] pointed out that whereas Africa appears to have had less impact of Covid-19, some reports indicated that it is about the ability to test and report the cases, rather than the reality and the countries reporting high numbers are those with capacity to test and monitor the spread.[12] Africa had been touted as favoured because of youthful population, warm weather conditions, repeated exposure to endemic diseases, but experience from India, the pharmacy of the world, and with similar factors, yet being ravaged by Covid-19, demonstrates that Covid-19 in Africa is just beginning.[13]

2.2 Covid-19 containment measures

COVID-19 is no longer a health crisis, but a socio-economic disruption of epic proportions. It is a global humanitarian emergency and UN Security Council should be discussing it as a threat to global peace and security.[14] A raft of measures to contain the contagion were instituted by governments across the globe as the pandemic spread rapidly globally.[15] WHO advised the public on various measures to protect themselves against the contagion.[16] Key amongst the advice given is social distancing by maintaining at least three feet from any person, avoiding crowded places, restricting travel and staying home. Various governments have imposed additional measures, including declaring states of emergency, lockdowns, curfews and cessation of movements in certain locations considered epicentre of the contagion. The Government of Kenya has issued several series of guidelines, with similar measures to contain COVID-19 spread.[17] Specific guidelines were issued by the ministry of trade on the conduct of business amidst the pandemic.

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[5] *Ibid* Clause 6.3.

[6] New York Times, COVID-19 Timeline, available on https://www.nytimes.com/article/coronavirus-timeline.html, accessed on May 15, 2020.

[7] *Ibid.*

[8] WHO COVID-19 Dashboard, available on https://covid19.who.int/ accessed on November 28, 2021.

[9] Covid-19 Statistics released daily by the Ministry of Health. Also avoid on twitter handle @MOH_Kenya

[10] Statistics available on https://www.health.go.ke/ accessed on November 28, 2021.

[11] Co-chair of the Africa Union Vaccine Delivery Alliance for Covid-19 and Nigeria's former Chief Humanitarian Coordinator.

[12] Ayoade Alakija, 'Covid is a global humanitarian emergency – time to act like it', *The Citizen* (Dar es Salaam, May 18, 2021.

[13] *Ibid.*

[14] *Ibid.*

[15] WHO COVID-19 Timeline, available on https://www.who.int/emergencies/diseases/novel-coronavirus-2019/interactive-timeline#!, accessed on May 15, 2021.

[16] Advice available on https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public, retrieved on May 25, 2020 19h23.

[17] The Public Health (COVID-19 Restriction of Movement of Persons and Related Measures) Rules 2020.

The President of the Republic of Kenya has been issuing orders and the latest one was issued during Labour Day 2021 celebrations, that eased the restrictions a bit.[18] Tougher measures had been issued on 26th March 2021 and it contained a directive to all employers of private and government bodies to have employees working from home until further notice, except those where services cannot be provided remotely.[19] There is need to balance public health concerns and the protection of people's livelihood in strategies adopted to contain Covid-19, especially in the most affected sectors of hospitality, tourism, public transport, sports and entertainment.[20]

3. WORKING FROM HOME (WFH)

Working from home (WFH) is also known as remote working, teleworking, and telecommuting and it refers to a flexible work arrangement that enables employees to work from their residence or remote location.[21] Prior to COVID-19 pandemic, the concept of WFH was becoming a trend, with many modern organisations using it to entice potential recruits to work for them after survey showing four out of ten members of Generation Z would reject a job offer if it has no WFH option.[22] Driven by various push and pull factors, a survey by Masuda *et al* showed that thirty four per cent of business leaders had predicted that more than half of their full time employees will be telecommuting by 2020.[23] Even though, some organisations still preferred face to face interaction with their employees to boost positive attitude and quicken decision-making. Surprisingly, this included Yahoo!, whose CEO, Marissa Mayer, got rid of WFH policy entirely.[24] Studies conducted in China in 2013, however, showed that WFH actually increased productivity overall and employees working from home took fewer breaks and sick days.[25] It is also evident that telecommuting engagement is now higher than in pre-pandemic periods.[26]

COVID-19 pandemic pushed a mass social experiment in WFH. A survey of more than 30,000 Americans was done over multiple waves to investigate whether WFH will stick, and why.[27] The results show that 20 percent of full workdays will be supplied from home after the pandemic ends, compared with only 5 percent before. It developed evidence on five reasons for this large shift: better-than-expected WFH experiences, new investments in physical and human capital that enable WFH, greatly diminished stigma associated with WFH, lingering concerns about crowds and contagion risks, and a pandemic-driven surge in technological innovations that support WFH.

Researchers also used the survey data to project three consequences: First, employees will enjoy large benefits from greater remote work, especially those with higher earnings. Second, the shift to WFH will directly reduce spending in major city centres by at least 5-10 percent relative to the pre-pandemic situation. Third, the data on employer plans and the relative productivity of WFH imply a 5 percent productivity boost in the post-pandemic economy due to re-optimized working

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[18] See Public Order No.3 of 2021.

[19] The Fifteenth (15th) Presidential Address on the Coronavirus Pandemic, issued on March 26, 2021.

[20] Kalebi, A., Lessons from Mecca on Covid-19, in *The Citizen* (Dar es Salaam) May 17, 2021, p6.

[21] Rahman, Kazi Turin, Arif, Md. Zahir Uddin, "Working from Home during the COVID-19Pandemic: Satisfaction, Challenges, and Productivity of Employees", Int. J. of Trade and Commerce-IIARTC, Vol. 9, No. 2, pp:282-294, 2020.

[22] Prof Dr. Sven Laumer, 'Recruiting Trends 2015', Center for the Human Resources Information Systems (CHRIS). Available on https://www.digitalization.rw.fau.eu/research/digital-collaboration/telework-home-office/ accessed on November 27, 2021.

[23] Masuda, A. D., Holtschlag, C. and Nicklin, J. M., "Why the Availability of Telecommuting Matters," Career Development International, 22(2): 200–219, 2017.

[24] Miller, C., & Rampell, C. (2013, February 25). Yahoo Orders Home Workers Back to the Office. The New York Times, from http://www.nytimes.com/2013/02/26/technology/yahoo-orders-home-workers-back-to-the-office.html. Accessed on October 15, 2021.

[25] Bloom, N., Liang, J., Roberts, J., & Ying, Z. J. (2013). Does Working From Home Work? Evidence From a Chinese Experiment. National Bureau of Economic Research, M1 available on http://www.nber.org/papers/w18871. Accessed on October 15, 2021.

[26] Nielson (2020), The Nielson Total Audience Report: August 2020, available at https://www.nielsen.com/us/en/insights/report/2020/the-nielsen-total-audience-report-august-2020/, accessed on September 22, 2021.

[27] Barrero, Jose Maria, Bloom, Nicholas, Davis, Steven J., "Why Working from Home Will Stick", National Bureau of Economic Research Working Paper Series, No. 28731, 2021, DOI: 10.3386/w28731, available on http://www.nber.org/papers/w2873, accessed on May 15, 2021.

arrangements. Only one-fifth of this productivity gain will show up in conventional productivity measures, because they do not capture the time savings from less commuting.

In a similar survey by Buffer, from data collected between 14th October 2020 and 4th January 2021, 46 per cent of respondents were working from home and expected to continue working from home after the pandemic.[28] Despite the shift to WFH being sudden, 82 per cent of the respondent reported the transition to be smooth. 41 percent reported that WFH altered the way they collaborate and communicate. 99 per cent of those working remotely would like to continue working remotely after the pandemic and would recommend WFH for others. 45 per cent indicated that they were working more at home, 42 per cent indicated that they were working the same amount and 13 per cent indicated that they were working less.[29] Key benefits WFH were to include ability to have flexible schedules (36 per cent), flexibility to work from any location (27 per cent), not having to commute (17.5 per cent) and ability to spend time with family (9 per cent).[30]

However, the biggest struggle for WFH is not being able to unplug (26 per cent), loneliness (17 per cent), distractions at home (16 per cent), difficulties with collaborations and communication (13 per cent), staying motivated (11 per cent) and being in different time zones (10 per cent).[31] The survey concluded that whereas 2020 changed the course of remote working, the effects are seen in 2021 and beyond. These findings are in line with pre-COVID-19 study findings that employees working from home created new challenges of collaborating with the company.[32] Employees also reported blurring boundaries between work and family, fewer social contacts and even declining career opportunities. This led to stress for both those working at home and those remaining in conventional office, due to envy.[33] If these emerging challenges are not address, the concept of WFH will be counterproductive and hence there is need to adopt a structured manner to devise solutions that will last.

WFH will be altered, with new tools, working practices and work cultures across the globe. Some companies will never go back to in-person working and WFH will continue to evolve over the next few years.[34] Gottlieb *et al*[35] studied how the share of employment that can done remotely changes with country income levels. It concluded that in urban areas, this share is only about 20% in poor countries, compared to close to 40% in rich ones. This result is driven by the self-employed workers: in poor countries their share of employment is large and their occupational composition not conducive to WFH.

4. THEORETICAL FRAMEWORK

It is imperative that organisations continue learning to be able to adopt the rapid changes in the environment. According to absorptive capacity theory, organisations need to examine external information, assimilate it, and apply towards achieving organisational goals (Cohen & Levinthal, 1989, 1990). The theory assumes that absorbing new knowledge can help an organisation in innovation, flexibility, adaptability and hence boost performance, and therefore ability to absorb new knowledge creates competitive advantage over firms with lower abilities (Miles, …..). New knowledge may come from research and design (R&D), current operations, borrowed from other organisations and sources or through purchase of either equipment, expertise, consultant or training. Therefore, organisations need to create absorptive capacity first, then use the new knowledge to motivate acquisition of more knowledge. They can however be affected by the quantity of knowledge to absorb and exploit and the related costs (Miles, ….:18). To address these constraints, Zahra and George (2002) reconceptualized the theory by creating four capabilities: acquisition and assimilation of capacity to acquire knowledge, then transformation and exploitation of the acquired knowledge. Todorova and Dorisin (2007) criticized this

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[28] Buffer 2021 State of Work Research report available on https://buffer.com/2021-state-of-remote-work. Accessed on May 19, 2021. The survey covered five countries in three continents and fourteen industries.

[29] *Ibid.*

[30] *Ibid.*

[31] *Ibid.*

[32] Weinert C., Maier C., Laumer S. (2015), Why are teleworkers stressed? An empirical analysis of the causes of telework-enabled stress Proceedings of the 12th International Conference on Wirtschaftsinformatik 2015. (Osnabrück, Germany).

[33] *Ibid.*

[34] *Ibid.*

[35] Gottlieb, Charles; Grobovsek, Jan & Poschke, Markus (2020) Working From Home across Countries. Covid Economics. Available on https://www.alexandria.unisg.ch/publications/262456, accessed on May 15, 2021.

reconceptualization that it skipped the critical step of recognising value of knowledge. They also argued that the four steps do not appear linearly but can influence each other, and therefore they suggested feedback loops in each step, back and forth. Despite these, there is concurrence that absorptive capacity theory remains relevant, with Miles (2012) suggesting that the faster the pace of technological change, the greater the impact of absorptive capacity on a firm's profitability and even competitive advantage.

From the above, organisations can prepare to acquire capacity to get new knowledge to handle the transformation to WFH and still have smooth operations, improve its organisational culture, improve performance and adapt to the new ways, including the effects of disruptive technologies, to gain competitive advantage. Managing emerging risks in a rapidly changing environment requires quick turnaround strategies that can only be gained with new knowledge and hence organisation's absorptive capacity is critical.

5.   ADDRESSING DILEMMAS POSED BY WFH

5.1 Reimbursement of working from home expenses

Conventionally, it is the responsibility of employers to provide employees with working tools such as computer, internet connection and stationery. WFH poses risk of misuse and over expenditure, especially that it is hard to gauge what portion pertains official cost and private. There is also a risk of cost being disallowed for tax purposes. Policies on the cut-off may help on this, though usage needs to be justified. In USA, several states have enacted laws that require employers to reimburse employees reasonable and 'necessary' expenses incurred as a direct consequence of discharging their job duties[36]. Case law has supported this approach.[37]

While in the office, some subsidies apply such as coffee, team, drinking water, electricity, telephone. This however is not applicable while employee is working from home and employers are not legally obliged to cover home expenses. Employees are also saving on fuel, wear and tear and risks associated with commuting to the office.[38] Employers have also given flexible work times and schedules of deliverables. Some employers have adjusted policies and paid 'WFH Allowance' to cover some additional expenses employee incurs, though not obliged to[39]. There is a feeling that it is unreasonable to expect employer to pay part of the rent, mortgage or electricity in an arrangement that may be temporary.[40] The organisation therefore will have to design policies to facilitate the decision to be made based on this scenario, and address the consequences.

5.2 Tax deduction of WFH expenses

Revenue authorities in many jurisdictions now allow deduction of him expenses strictly used in generation of the taxable income. This appears in the personal income tax return form section on 'other expenses'[41]. Some conditions given for WFH expenses to qualify include requirement to work at least 50% of the time from home, for at least six months in a year of income and employee must have a designated area at home exclusively set and used for this purpose.[42] If the criteria is met, then rent, interest on mortgage, repairs to the premises, rates, cleaning, wear and tear, internet may qualify for deduction. Allocation may be based on the proportion of space designated as office at home.

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[36] Kessler D, Henderson J and Medeiros S, 2020, COVID-19: Working from home and employer reimbursement of remote-work expenses in California and beyond, Available on https://www.nortonrosefulbright.com/en-us/knowledge/publications/bae46929/working-from-home-and-employer-reimbursement-of-remote-work-expenses-in-california-and-beyond. Accessed on May 19, 2021.

[37] See decisions in *Gattuso v. Harte- Shoppers, Inc.,* 42 Cal. 4th 554, 562 (2007), *Novak v. Boeing Co.*, 2011 WL 9160940, at *3 (C.D. Cal. July 20, 2011), *Aguilar v. Zep Inc.*, 2014 WL 4245988, at *17 (N.D. Cal. Aug. 27, 2014), *Lawson v. PPG Architectural Finishes, Inc.,* 2019 WL 3308827, at *7 (C.D. Cal. June 21, 2019), *Herrera v. Zumiez*, Inc., _ F.3d _, 2020 WL 1301057, at *11 (9th Cir. Mar. 19, 2020).

[38] Just Money, "Are Employers Responsible for WFH Cost?". Available on https://www.justmoney.co.za/news/2020/08/20/are-employers-responsible-for-work-from-home-costs/ Accessed on May 18, 2021.

[39] The Workplace, Should Employers pay for employees' home office costs?, available on https://www.theworkspace.co.za/blog/should-employers-pay-employees-home-office-costs/. Accessed on May 19, 2021.

[40] *Ibid.*

[41] *Ibid.*

[42] The South African Revenue Service (SARS) permits such an arrangement.

The challenge with the emerging trends is that tax administrations are always reactive, and it might take time for the enabling legislation to be passed to facilitate the new reality. Anticipating that the expenses paid to employees for working from home will be a huge bet, given that rarely do laws given retrospective effect. Organisations will therefore face huge compliance cost without the tax benefit. Using absorptive capacity, organisations can quickly do a trade-off and cede off office space to save on cost and off set what is incurred in WFH concept.

5.3 Workers Compensation Fund

In countries where such fund exists, to gather for employees who get work-related injuries, there are complaints that Covid-19 is not treated as fitting the coverage, hence no claim succeeds.[43] Professionals are rarely compensated. It is true that employees face a huge risk of Covid-19 infections in their place of work. There is also a debate where WFH is involved, especially on the description of place of work, with unclear demarcation of time of work, office duties and private duties.[44] Unemployment Insurance Fund (UIF) exists in some jurisdictions, but after a year of numerous claims, pushed by redundancies caused by Covid-19, the funds are diminishing and not sustainable.[45] The impact of the pandemic therefore makes UIF unsustainable. With quick learning from the environmental realities, organisations can therefore design policies and procedures to align with the new reality and protect itself from exposure to huge claims.

5.4 Governance activities

The ultimate owners of the company will still exercise the right to put those entrusted with governance of the company to account. Despite Covid-19 restrictions, legal requirements needs to be complied with to accord shareholder their rights. The Companies Act, 2015, requires companies to hold Annual General Meetings at least once a year. The Act envisages physical meetings, especially for the public companies. Despite variant AGM forms now possible due to technology, the postmodern world appears to continue to favour face-to-face conversations, or at least combined video-voice links between members and governors[46] The courts allowed the companies to hold the AGMs using alternative means.[47] Companies have now adopted virtual meeting options to hold internal meetings, which has resulted in inclusivity as those charged with managing branches are on board and still comfortably managing the business in respective locations. Board portals and electronic boards papers have made it possible for the board to remain effective in their oversight while in remote locations.[48] Absorptive capacity will enable organisations to acquire knowledge quickly to conduct these statutory meetings and comply seamlessly, with minimal cost. Experience from listed companies who adopted virtual AGMs early shows that the meetings are more effective and efficient than physical meetings.[49]

5.5 Human resources

WFH has affected the employees, and many are struggling to cope. Most of them do not have proper environment to work and presence of other family members at home, all requiring attention to work, or study diverts attention and concentration.[50] Facilities to ensure the job is done may be lacking, including basics like reliable internet access. For those with means, nothing prepared them to work remotely. Digital literacy exposed many and they became redundant. Austerity measures by most companies resulted in drastic pay cuts, unpaid leave, or outright retrenchment. This left employees with no livelihood option, yet still having bills to pay. In my focus discussion with a number of employees, it came out that some had loans

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[43] Bagraim M, Employees can make a case to work from home. Available on https://www.iol.co.za/capeargus/opinion/employees-can-make-a-case-to-work-from-home-bfaac17d-209c-4c56-9188-97a249f95323. Accessed on May 18, 2021.

[44] *Ibid.*

[45] *Ibid.*

[46] Strätling, Rebecca. (2003). General Meetings: A Dispensable Tool for Corporate Governance of Listed Companies? *Corporate Governance: An International Review.* 11. 74-82. 10.1111/1467-8683.00303.

[47] See WPP Scangroup Limited's Miscellaneous Application No.E680 of 2020 for an order allowing the convening of and Extraordinary General Meeting under section 280 of the Kenyan Companies Act, at High Court of Kenya, Nairobi eKLR, and In the Matter of Victoria Commercial Bank Limited (2020).

[48] Kibirige A and Hamer A, Corporate Governance, ICSA Publishing Ltd, 2019, London, p.208.

[49] *Ibid.*

[50] Maier C., Laumer S., Oehlhorn C., Weitzel T. (2018) A social comparison perspective to study negative effects of telework Proceedings of the Special Interest Group on Adoption and Diffusion of Information Technology (DIGIT 2018) (Pre-ICIS Workshop) (San Francisco, CA, USA).

from various institutions like banks, SACCOs, from employer, microfinance institutions and many mobile apps. They are in dire situation after restructuring in their places of work and either sent on unpaid leave, half pay or made redundant.[51]

Organisations ought to have put in mechanism to assess the new situation and put in programs that all employees are facilitated, with aspects like guidance and counselling, facilities, training, revision of scope of work and flexible delivery patterns.

6.   RESPONDING TO RISKS AND OPPORTUNITIES

Effective corporate governance should ensure that an organisation is directed and controlled in a manner that meets the needs and expectations of its stakeholders.[52] In addition to setting strategic objectives to achieve this goal, governors should implement measures to identify, assess, monitor and control the various risks which could threaten the achievement of these objectives. Effective risk management therefore enables the organisation to achieve its objectives effectively, efficiently and economically.[53] Failure to exploit opportunities can be as destructive as failure to manage risks associated with opportunities that are exploited. A well-documented example is Kodak, a market leader in photography, who invented digital photography, missed opportunity to develop it into a marketable product, and eventually lost the market.[54] This therefore underscores the importance of transformation and exploitation of the acquired knowledge, as expressed in the absorptive capacity theory. Using the new knowledge to manage risks will accord the organisation competitive advantage[55].

Figure 1: the risk management process, as required by ISO 31000 International Standard
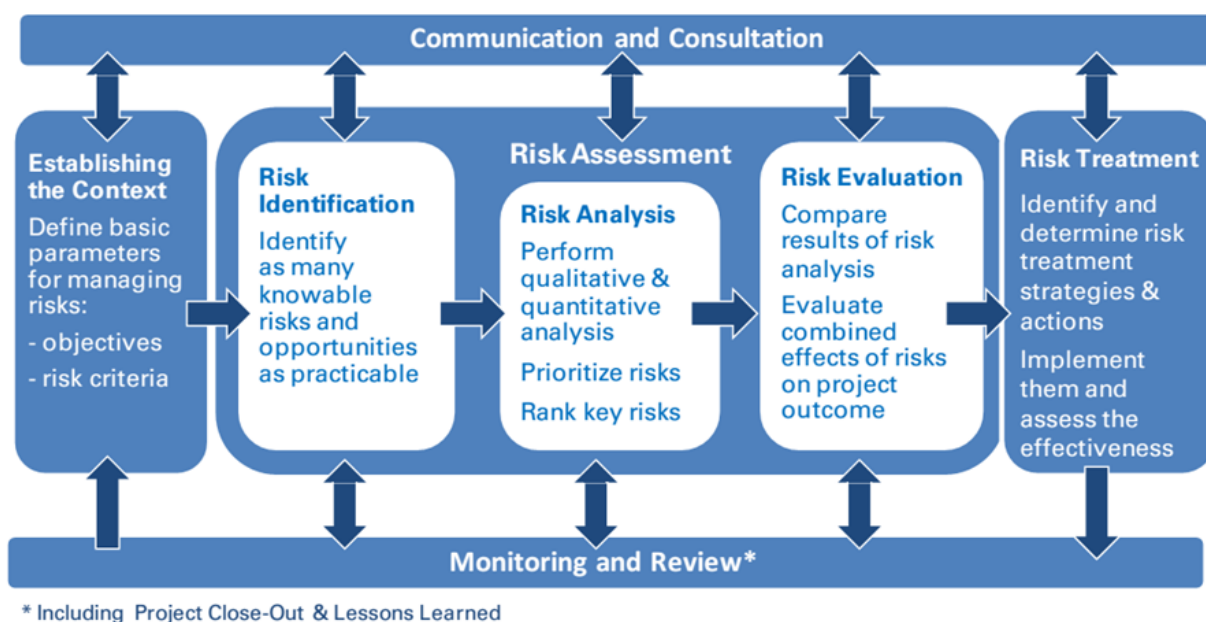
Emerging risks are however hard to assess and control due to high degree of uncertainty and unpredictability. Data available to assess maybe insufficient and may take time to discover. Recommended approaches to address emerging risks include board level strategic risks assessment, scenario planning and reverse stress testing, resilience and reputational risk management and fostering a culture of creating, mindfulness and situation awareness. [56] Such approaches can help address the sudden change to working from home. Other emerging risks related to this move is the networked economy, social media and digital natives, and disruptive technologies. These have effect on personal privacy, security of personal identity,

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[51] Focus discussion on April 28, 2021 with employees of a reputable educational institution on Langata Road, Nairobi.

[52] Ashby S., Risk Management, The Governance Institute, ICSA Publishing Ltd, 2019 London.

[53] *Ibid, p.25.*

[54] *Ibid,* p.27.

[55] Miles (2012), see n.22.

[56] Ashby. see n.41 above, p.296.

fake news, and reputational damage. An organisation needs to update mechanisms to manage such emerging risks effectively.[57]

Risk management also involves managing crisis i.e. the identification of threats to an organisation and its stakeholders, and the methods used by the organisation to deal with these threats.[58] Due to the unpredictability of global events, organisations should be able to cope with the potential for drastic changes in the way they conduct business. An organisation should follow basic steps the ensure that it manages any form of crisis well. These include setting up a professional crisis management team, which will then assess organisation's weaknesses, sets crisis management plan, crisis communication plan, monitor the brand, crisis resolution and crisis communication.[59]

Figure 2: Crisis Management Process

Handling the changes to the workplace by the measures taken to combat Covid-19 pandemic may follow the above steps to handle the crisis created as a result. Some places of work have reported infections which resulted in isolation of many employees. Business must continue operating amidst the crisis. Handling it well may bring an opportunity to gain market share if the competitors fail to handle the same crisis well and their customers are forced to seek alternatives. This systematic way of managing crisis supports the assertion of absorptive capacity theory in exploitation of knowledge acquired to gain competitive advantage.

As part of business continuity management, an organisation is expected to adopt best practices designed to protect, reduce the likelihood of occurrence, prepare for, respond to, and recover from disruptive incidents when they arise[60]. If a Business Continuity Management System is implemented, an organization is prepared to detect and prevent threats. It helps to respond effectively and promptly based on the procedures that apply before, during and after the event[61]. Implementing a Business Continuity plan within an organization means that it is prepared for the unexpected as it assures of continuity to operate without any major impacts and losses.[62] The disruption caused by the pandemic calls for adoption of such an approach to withstand the risks associated with the sudden changes. With the advent in technology, ISO 22301 acknowledges the ability to secure data backups, minimize major losses and maximize the recovery time of critical functions.[63] The approach also supports the absorptive capacity theory in recognition of the value of external information, assimilation, and application to attain organisational goals.

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[57] *Ibid* p.297.

[58] See www.investopedia.com/terms/c/crisis-management.asp, accessed on May 23, 2021.

[59] See https://www.reputationmanagement.com/blog/crisis-management/ accessed on May 23, 2021.

[60] See ISO 22301 - an international standard for Business Continuity Management System, preamble.

[61] *Ibid.*

[62] *Ibid.*

[63] *Ibid.*

It is advisable for organisation to combine governance, risk and compliance functions in an organisation and hence have integrated function and reporting. This will avoid position weaknesses being undetected and significant duplication of effort resulting from silo management.[64] In the concept of WFH, there are areas of compliance to check, especially of policies, procedures and legal and statutory compliance.[65] There are also governance issues like the board meetings, the members meetings, sharing of information with stakeholders, strategic planning amongst other functions. In every decision, there are risks that needs to be prioritized. These revolve around health and safety, cybersecurity, and financial crimes. With combination, these functions are coordinated from one point and reporting done jointly, hence minimizing the possible effects of silo management.[66]

6.1 WFH emerging opportunities

Every cloud has a silver lining. Covid-19 pandemic has demonstrated that the office as it is known may not be necessary as the job can be done effectively and efficiently, anywhere.[67] Many employees enjoy the freedom at home and are more productive. There are less hustles of morning commuting to the office. Organisations may then save on office related costs – rent, cleaning, water, electricity, security and a lot of compliance and administrative hustles that come with it.[68] Payroll costs are also reducing as many organisations have found a way to continue their operations with few employees on duty. Given that the business appears to continue, decision makers have taken advantage to shed off excess burden and hence work with fewer employees and supplemented with systems. Necessity is indeed the mother of invention. Some positions have permanently disappeared.

Employees found themselves with much time in their hands. Usually, they spend a lot of time commuting to the office. It is a great opportunity to add some skills, with the advent of virtual learning by many institutions, locally and internationally. Renowned certified courses are now offered online and exams are remotely sat. Organisation also faces an opportunity to acquire reference resources on their intranet to enable employees learn. Senior employees are used to mentor the rest, but the reverse is also true. Jack Welch, the CEO of General Electric, is widely credited with what he referred to as 'reverse mentoring', where junior and tech-savvy employees especially on technology and media trends.[69]

Technology adoption is a clear winner during Covid-19 pandemic. More than half of the world population had internet access by the start of 2020 but as Covid-19 kicked in, the numbers increased by a million per day and hence rose by half by end of the year, way beyond the earlier estimates of 28 per cent increase.[70] In Tanzania, out of the 43.7 million mobile phone subscribers, 23.1 million accessed internet, with 86 per cent locked out in the villages and 44.6 per cent in urban areas and the government intends to reach 80 per cent internet users by 2025.[71] Digitization of documents has been hastened and even key contracts are nowadays signed digitally. This may further reduced the volume of paper in the office, save on printing costs, improve confidentiality, ease of retrieval of documents, audit trail and overall efficiency of the organisation. Online payment systems received a thrust. Payments are approved remotely and supporting documents are shared on platform designed for those authorising payments to approve. Banks have supporting systems to facilitate this and old signatures and now replaced by digital signing and codes to approve transactions. This provides efficiency and effectiveness in payments, with confidentiality given that only authorised persons get access to view or alter transactions.

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[64] Rasmussen M, GRC2020.

[65] ISO 19600:2014 Standard on Compliance Management, now updated to ISO 37301:2021, requires organisations to establish, develop, implement, evaluate, maintain a culture of compliance, considering the needs and expectations of interested parties, as a basis and opportunity for successful and sustainable organisation. It recommends integration of compliance with management processes, operational procedures, shaped by leadership and commitment to core values and business ethics.

[66] Rasmussen, M., GRC2020.

[67] WSP, How Will Covid-19 Change Demand For Office Space? Available on https://www.wsp.com/en-GL/insights/how-will-covid-19-change-demand-for-office-space. Accessed on May 20, 2021.

[68] *Ibid.*

[69] Ashby. See n.41 above, p. 304.

[70] Wambugu, S., How the Covid-19 pandemic fomented Internet Addiction, in *The Citizen* (Dar es Salaam), May 17, 2021. P.7.

[71] Mirondo, R., Government targets 80pc internet access in Tanzania by 2025, in *The Citizen* (Dar es Salaam) May 17, 2021, p.12.

6.2 WFH Emerging Risks

One key risk is the organisation knowledge, a source of competitive advantage that is being endangered by remote working. We are in a knowledge economy and hence an organization's success will still depend on face-to-face interaction, collaboration and serendipity.[72] WFH takes away the opportunity to interact and grow together as a team, and this interaction is key in attracting, retaining, nurturing top talent. Learning opportunities for younger employees is lost. Organisations need to rediscover alternative to boost employees performance in the midst of WFH.[73] Dispersed units adopt different culture, depending on who they interact with, and hence a loss of common organisational culture. Corporate culture is touted as key in long-tern sustainability of an organisation, when embedded in its business practices[74].Board are required to assess and monitor culture and align it to purpose and values.[75] WFH pose a challenge in assessing and monitoring culture.

With remote working, the risk of data breaches and cybersecurity threats needs effective management. It involves assessment of the assets like computer and tech equipment, sensitive company and customer data and important internal documentation. The next step is to identify potential threats to each. Evaluation is therefore required, in an objective way in ability to defend against the threats. If capacity is wanting, measures are required to mitigate and address the gap. The threats are assigned risk scores with focus on likelihood of that event, potential damage it may cause and current ability to handle. For each of the threat, an action plan is required to eliminate the threat, otherwise, mitigate or minimize.[76] This underscores the need for absorptive capacity within the organisations.

Talent management is another key emerging risk. Business requirement has effectively changed, suddenly, and hence there is a sudden skill gap.[77] Many organisations found themselves with redundant employees because they did not identity, assess, evaluate and control the risks they were facing, despite the pandemic being eighteen months old, and clearly identified as endemic. Organisation are required to have competent employees to maintain and improve their products and service provision.[78] The options available talent acquisition and retention, performance management that aligns roles with strategy, learning a part of organisation culture and strategy, review of compensation package to reflect the new focus and effective succession plan to sustain the strategy.[79] Given the dynamic environment, organisations need new knowledge on how to handle these issues and hence absorptive capacity is critical.

Changing knowledge and skillset requirements in the new normal is a source of key business risk. With the market shifting to digital, the required skills include data science, application development, cloud computing, digital marketing and advanced statistical modelling.[80] Organisations need educated, skilled and adaptable talent to handle the disruption. It will require redesigning job specs, making use of social media, forming beneficial partnerships, building databases of potential talent. Serious shortage of affordable talents in business and information technology was noted a serious impediment to Fintech in Tanzania, which is pointed as still at infancy stage.[81]

Employer is expected to ensure a safe working environment for employees while they are working. It is not clear the extend of this responsibility in WFH arrangement. Common sense approach may be expected to prevail by organisations need to assess the associated risks and take mitigation measures. Corporate social responsibility begins with employees and has a link with reputation.[82] Existing insurance covers may need to be adjusted to cover employees while working remotely. Usually, place of work is predetermined but the circumstances brought by the pandemic caused disruption and introduced

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[72] WSP, see n.52 above.

[73] *Ibid.*

[74] Kibirige A and Hamer A, Corporate Governance, ICSA Publishing Ltd, 2019, London, p.97.

[75] UK Corporate Governance Code, 2018.

[76] Dashlane, How to Conduct your own Internal Security Audit, available on https://blog.dashlane.com accessed on May 16, 2021.

[77] Rahman, see n.21 above.

[78] See Clause 7.2 of ISO 9001:2015 Quality Management System Standard.

[79] Ashby. See n.41 aboce, p. 302.

[80] McKinsey, The Workforce of the Future, 2018.

[81] UNCDF, Fintech Start-up Landscape Survey in Tanzania, quoted in Zachariah, A, Why information on Fintech ecosystem critical for investment, in *The Citizen* (Dar es Salaam) May 17, 2021 p.14.

[82] Kibirige A and Hamer A, Corporate Governance, ICSA Publishing Ltd, 2019, London, p.97.

WFH that may not have been conceived when taking the cover. It may be advisable to disclose the new risk to the insurer to be sure.

Supervision of the employees' output and performance management is a challenge during WFH. Element of trust needs to be inculcated to ensure proper delivery of work-related tasks. Places of work facilitate 'visibility' (the possibility for supervisors and others to observe workers) and 'presence' (the ability for workers to participate in relations with co-workers and others). WFH creates problems for both these aspects of managerial control. Managers may generate a range of devices and social disciplines that together comprise loose networks of control. However, these mitigations are only partially successful since they are founded on contradictory assumptions and practices.[83]

Covid-19 containment measures has resulted in less physical activities and yet many people still eat the same amount of food or even more due to proximity to food, and hence resulting in sudden weight gain.[84] WHO estimates that 800 million people globally are living with obesity today. With over 3.3 million deaths from Covid-19, 88 per cent of the deaths have occurred in countries where over half the population is overweight[85]. Ralston attributed the risk of obesity during Covid-19 to comorbidity i.e. the presence of other conditions often co-occuring with primary condition.[86] Overweight Covid-19 patients tend to have high leptin levels, associated with severe Covid-19.[87] Without intervention measures, organisations will have less healthy employees eventually.an organisation is therefore better off assessing this risk and mitigation.

One in every four Kenyans is diagnosed with mental illness in their lifetime, with 40 per cent admitted in in-patient facilities[88]. Situation is still grave despite existence of good national policy, that outlines that mental health is a key determinant of overall health and socio-economic development.[89] One of the noted challenges is low awareness of mental disorders and particularly the symptoms of this condition among the persons suffering from the condition and the community at large.[90] While guidelines for the management of mental health conditions during the COVID-19 pandemic have been prepared, implementation remains a major challenge due to a poorly resourced mental health system, strained further by Covid-19 pandemic.[91] Limited mental health surveillance system is also limiting ability to design evidence-based interventions.[92]

While Covid-19 is a health crisis, it can be a mental health crisis if action is not taken[93]. It is noted that when people have been less physically active, they experience more harm to their mental health.[94] Isolation from the usual office affects mental health. Physical isolation and lockdowns caused a lot of psychological turbulence and excessive use of internet caused dysfunctional behaviour.[95] Unprecedented increase in online pornography, pushed by overindulgence on internet and many got hooked. Internet is an enabler. Parents are losing control, given that learners are utilising internet and they are often smarter on technology than their parents.[96] Pandemic provided salient environment for many to relapse into addiction,

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[83] Alan Felstead Nick Jewson Sally Walters, Managerial Control of Employees Working at Home, 2003, https://doi.org/10.1111/1467-8543.00271.

[84] Gangji, I. Key takeaways from covering obesity during Covid-19, International Journalist Network, ICFJ, 2021.

[85] Ralston, J., Speech at ICFJ Global Health Crisis Reporting Webinar, World Obesity Federation, 2021.

[86] *Ibid.*

[87] The Conversation, 2021, Poor Nutrition changes the way body fights infections, might protect against severe Covid-19. Daily News, May 17, 2021. P. 7.

[88] Media address by Kenyan Health CAS Dr. Rashid Aman on the state of COVID-19 on May 5, 2021.

[89] See Kenya Mental Health Policy 2015-2030.

[90] Kathia, D., Mental health of every Kenyan is a fundamental human right, *The Citizen Digital* (Nairobi) May 20, 2021, available on https://citizentv.co.ke/blogs/opinion-mental-health-of-every-kenyan-is-a-fundamental-human-right-115139 72/. Accessed on May 20, 2021.

[91] *Ibid.*

[92] *Ibid.*

[93] Remarks by Mandisa Mashologu, The UNDP Country Deputy Resident representative, available in https://citizentv. co.ke/news/one-in-4-kenyans-diagnosed-with-mental-health-disorders-says-cas-aman-11464240/ accessed on May 18, 2021.

[94] *Ibid.*

[95] Wambugu, see n.55 above.

[96] *Ibid.*

included for internet given that lack of outdoor activities left internet for recreation.[97] Organisations will be faced with longer term effects of the pandemic and they need to plan on mitigating these risks in line with the framework given by ISO standards and guided by the absorptive capacity theory.

Whereas employees got quality time with family, this turned out to be bad for some. Driven by stress related to being holed up in one place for long, financial distress, responsibility with online learning for their children and other issues, gender-based violence escalated during Covid-19 period.[98] Organisations will experience low productivity from employees working from home as a result and they need tailored intervention to boost performance. The impact will continue even after Covid-19 containment measures are lifted. Counselling sessions will help employees reintegrate. A positive work environment is imperative in performance of an employee and organisations need to get new ways to motivating employees while they are working remotely.

7. CONCLUSION

In digital transformation, the future is already here, and the rate of change will continue rapidly. Working from home is real and it will stick. Whereas the rapid adoption of WFH has been forced by the COVID-19 pandemic, organisations must quickly adapt to survive, and as absorptive capacity theory posits, the value of external knowledge is key, hence the need to acquire, assimilate, transform, and exploit. WFH brings new risks and opportunities, that every organisation must identify, assess, evaluate, and control and new knowledge is imperative to handle this.

Employers should determine which of their employees are required to WFH, the expenses employees may incur, and if and how much of their WFH expenses must be reimbursed. Where an employer opts to pay a fixed amount in the form of a allowance, employees may be allowed to submit expenses for reimbursement if they believe the allowance was insufficient to cover their work-related expenses. The employer may then reimburse or decline the employee's additional claim. Such considerations may have long-lasting effects beyond the pandemic as companies increasingly encourage WFH arrangements which may trigger policy and legal changes. Organisations may be ill-prepared with the legal implications of switching to an all-remote WFH model. Challenge includes developing WFH policies that address employee use of personal gadgets that access company data. This is compounded by cybersecurity and data breach threats that arise when employees, for instance, use unsecure home networks to access company infrastructure.

The board will no longer rely on the traditional risk management techniques in the digital age, where a teenager can shut down operational system of a large corporation from the comfort of their home, and where an iconic consumer brand can disappear in seconds. But it is also true that a start-up can secure substantial market share, within weeks, for minimal investment. The board responsiveness has never been so important and the secret is acquiring absorptive capacity. Transforming organisational agility and culture, and putting risk management at the heart of decision making must also be a top priority for any organisation and its board.

The board and senior management should be able to assess the risks by identifying the risk, measuring them, establishing worse-case scenarios for each risk, likelihood of bad outcome from each risk, organisation's risk appetite, risk tolerance and strategies to mitigate each risk. Treatment includes avoidance, reduction, transfer, and acceptance. WFH pose risks and the above approach will help organisations manage the risks well. This will address the impediment cited in the absorptive capacity theory on sources and cost of the knowledge base.

This paper highlighted the importance of risk management from the concept of working from home, assessed some of the risks and opportunities resulting from this concept and possible measures to align strategy and risk management, more so in dynamic environment organisations find themselves in. The absorptive capacity theory remains relevant in explaining how organisations can use acquired knowledge to manage the risks and take advantage of related opportunities. This calls for re-evaluation of risk culture and the absorptive capacity theory application in WFH, given the technological transformation and COVID-19 pandemic push, will enable organisations effectively manage risks and opportunities and hence stimulate business growth, enhance corporate resilience and recovery in case of unexpected shocks.

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[97] *Ibid.*

[98] Results of Twitter and LinkedIn survey conducted between 23rd April and 10th May 2021.

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