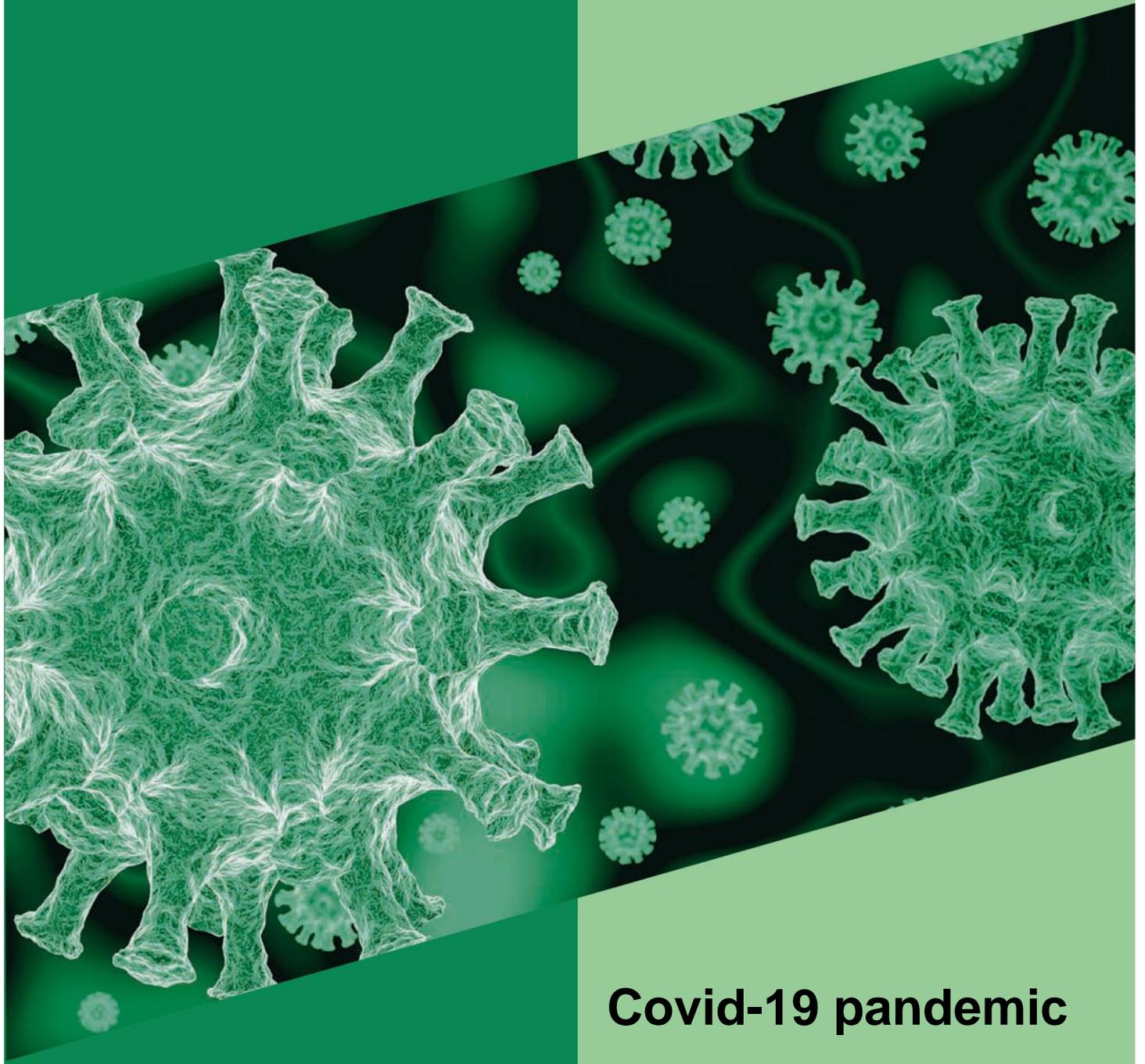


Bargaining Support Group



**Covid-19 pandemic
Bargaining over
working from home
with model policy**

UNISON
the public service union

UNISON will seek to update this guidance as developments unfold and applies across the UK. If negotiators have any comments on this guidance or any experience of the scheme that could be usefully incorporated in the guidance, please contact Bargaining Support at bsg@unison.co.uk



Working from home for the duration of the COVID-19 pandemic with model policy

Although lockdown restrictions in England are gradually being lifted, [the UK government's emphasis remains on working at home](#) if possible:

"You should continue to work from home where you can... Employers and employees should discuss their working arrangements, and employers should take every possible step to facilitate their employees working from home, including providing suitable IT and equipment to enable remote working."

A review of social distancing is not expected before 17 May 2021. The government states that "[this will also inform guidance on working from home – which should continue wherever possible until this review is complete.](#)"

The [Scottish government's](#) restrictions at Level 4 (that is hoped to gradually be lifted) includes the statement that "[you should only travel to go to work if you cannot do your job from home.](#)" (Some islands have remained at [Level 3.](#))

The [Welsh government states](#) that "we strongly encourage people to work from home where possible" during their gradual easing of Level 4 to Level 3 restrictions. Their guidance to employers is that "[employees should not be required or placed under pressure to return to a workplace setting if there is not a clearly demonstrated business need for them to do so.](#)"

The [Northern Ireland executive's current restrictions](#) state that "anyone who can work from home **must** work from home." Their next review of restrictions is due in mid-April.

Working from home therefore continues to be regarded as one clear way of keeping

staff safe from the virus and must continue to be the starting point in discussions with employers.

Yet survey figures from the TUC in February 2021¹ have revealed that around one in five workers was attending their workplace despite being able to do their job from home. The main reason cited by respondents was pressure from managers in spite of the additional risks involved.

If working from home is genuinely not feasible, such as for those who work in childcare or education and essential public services, decisions about working in the normal workplace should be based on a thorough COVID secure risk assessment for all roles and all vulnerable groups.

For sector-specific advice see:

- [Education workers](#)
- [Healthcare workers](#)
- [Social care workers](#)
- [Local government workers](#)
- [Police staff](#)
- [Energy workers](#)
- [Water Environment and Transport workers](#)

Bargaining guidance for branches and reps including continually updated guidance on issues during the COVID-19 pandemic www.unison.org.uk/bargaining-guidance

Bargaining guidance specific to service groups can be accessed through the 'Coronavirus Rights at Work' page www.unison.org.uk/coronavirus-rights-work

¹ www.personneltoday.com/hr/managers-pushing-employees-into-workplaces-says-tuc/

➤ **What evidence is there showing the benefits and challenges of working from home during the pandemic?**

Less than 3% of UK employees worked exclusively from home prior to the pandemic, rising to over 30% in March and April 2020².

Research undertaken by the CIPD (Chartered Institute of Personnel and Development) called '[Embedding new ways of working](#)' found that two thirds of the employers they surveyed, reported that home workers were more or as productive as when in the workplace. In addition, it had improved the work-life balance of staff (cited by 61% of employers), enhanced employee collaboration (43%) and improved focus (38%).

However, the CIPD also found that it could reduce staff mental wellbeing (reported by 47% of employers), and cause problems with staff interaction/co-operation (36%).

Similarly [The House of Commons Women and Equalities Committee](#) recently highlighted the pros and cons of working from home. They found that it does bring opportunities for gender equality in the labour market, making it easier for women with children to balance family and work.

However, they also found that working from home could create challenges for career progression, with a risk that permanent home workers become 'invisible' and left off the career ladder. A number of witnesses also pointed out to the Committee that working from home does not cause care responsibilities suddenly to vanish.

Key findings from UNISON's own survey covered in the report '[Covid 19 and disabled workers – time for a homeworking revolution?](#)' included:

- 50% of disabled workers worked from home all of the time during the Covid-19 pandemic
- 73% of disabled workers were more or as productive working from home
- Reasons for increased productivity included reduced impact on pain and fatigue due to less commuting and ability to work more flexibly with additional breaks or later start times
- A number of disabled workers reported taking less sickness absence as they were able to manage their condition better when working from home.

² University of Essex, Institute for Social and Economic Research. (2020). Understanding Society: COVID-19 Study, 2020. <http://doi.org/10.5255/UKDA-SN-8644-6>

However, for those who were less productive, reasons included lack of reasonable adjustments (53% had not been given any reasonable adjustments to support them to work from home), IT equipment and the mental health impact of homeworking.

The recent report from the Institute for Employment Studies '[Working from Home under COVID-19 lockdown: Transitions and Tensions – January 2021](#)' similarly highlighted some of the positives and negatives about working from home. Nine in ten (88.4%) employees asked felt they had got at least as much, if not more, work done at home as in the office. But they also found that maintaining this during the pandemic takes its toll, with employees' responses on mental health and well-being ranking low.

In particular, parents, carers and managers put in more hours, struggled with collapsed home/work boundaries, and felt under pressure. Many workers also missed the workplace as a source of social interaction. Informal interactions were hard to replicate using digital tools. Only 33% of employees said they had engaged in extra training or learning during lockdown to enhance their skills, less than the national figure of 43%.

The unusual circumstances of lockdown meant people were often working at home for the first time, and having to adapt without warning, having to share workspaces, lacking suitable desks, chairs and computers, struggling with poor WiFi. Workspace could be more of an issue for young people living in shared accommodation and bedsits, often working in their bedrooms or in communal rooms. Only 40% of respondents said that their employer had conducted a health and safety assessment while they had been working from home.

Many respondents reported experiencing worse symptoms of musculoskeletal pain, higher levels of fatigue, poor sleep, and higher levels of eye strain. However, working from home offered positives in terms of enabling some people with long-term health conditions to remain in work which would have been impossible in an office.

Similar findings were reported in a survey undertaken by an events organisation, Wildgoose: '[The 2021 Working From Home survey - Fatigue, the future of working, and how have employee 'wants' changed?](#)'. They found that 74% of the UK workers asked said they had been affected in some way by fatigue, stress and burnout. Nearly 2 in 5 (36%) say that it has affected their mental health.

Working from home may have been first considered as a temporary measure during the COVID-19 pandemic. But, as the months have gone by, it is essential that employers properly consider the health and safety risks and take account of individual needs whilst homeworking, particularly if it is to become part of the 'new normal' for many workers whether out of choice or necessity.

Bargaining checklist

➤ Can staff work from home?

Whilst the pandemic continues, UNISON believes that employers should not expect any worker to travel to work and operate at their normal workplace unless it is not possible to work from home.

The simplest way of preventing transmission of COVID-19 is to completely eliminate any work-related travel and social contact, and this can best be achieved by employers instructing and facilitating workers to work from home.

For some people, [self-isolating at home](#) is essential under government guidance (such as those who live in a household where another member has displayed symptoms of COVID-19 and those who are [quarantining after returning from some countries abroad](#)).

For the '[clinically extremely vulnerable](#)', the UK government had previously advised them to 'shield' and not return to the workplace. However, shielding has now been paused. Nonetheless the emphasis remains for all workers that they should work from home if they can.

If those identified as clinically extremely vulnerable or if any other disabled workers need support to work at home or in the workplace they can apply for [Access to Work](#). Access to Work will provide support for the disability-related extra costs of working that are beyond standard reasonable adjustments an employer must provide.

After this group, the more widely defined government classification of '[clinically vulnerable](#)' people at risk from the virus, takes in those who are aged 70 or over, pregnant women and those aged under 70 with an underlying health condition that demands a flu jab each year on medical grounds.

It has also become clear that Black, Asian or Minority Ethnic (described by UNISON as 'Black') people are more vulnerable to COVID-19 than white people.

All these people are identified as more vulnerable to the virus. The [UK government states](#) that employers should give "extra consideration should be given to those people at higher risk."

UNISON's position is that employers should continue to allow workers who had been previously shielding to stay at home on special leave on full pay until at least 21 June, if working from home is not possible.

UNISON also maintains that any worker who is either clinically vulnerable or clinically extremely vulnerable should be offered an individual risk assessment, and that this should be extended to Black workers as well.

The employer should take steps to minimise their risk in the workplace, and also consider if they travel by public transport. However, the emphasis should be on **trying to find ways of working from home wherever possible** in order to comply with the government's continuing advice "work from home if you can".

➤ **How much will staff be paid when working from home?**

As long as staff are well and working, they should get their **normal salary**.

➤ **What should be considered when working from home?**

Employers are still responsible for the health and safety of their workers whilst they are working from home.

Check that the [Health and Safety Executive \(HSE\) guidance for employers on health and safety for home workers](#) is being followed.

The employer should update the health and safety policy to cover working from home due to social distancing measures including setting out:

- preventative steps taken to protect workers
- how working from home risks are to be assessed, such as by providing a checklist and guidance to help workers assess their own work environment and identify problems
- steps taken to protect groups who may be at particular risk — e.g. pregnant, older, Black or disabled workers
- how risks may impact family members and housemates.

This should then be made widely available to staff so that they are aware of the details.

Have employers made sure staff have the **correct equipment** to do their job, that their **workload is at a safe level** and they are **not put under unreasonable stress**?

At the end of the first two weeks of lockdown, more than half of the 500 people who responded to an Institute of Employment Studies homeworking wellbeing survey reported experiencing new aches and pains: 58% complained of neck pain, 56% experienced shoulder pain and 55% had experienced back pain.

The main concern for an employer should be whether there is **a suitable workspace at home** for the employee to work. An employer has a duty of care for all their employees and it is the employer's responsibility to check where the employee proposes to work from – desk, chair, computer, etc, or if any other workstation is needed. A **risk assessment** should take place, although the process may need to be adapted under COVID-19 restrictions (such as by providing a checklist to workers).

[Acas](#) recommends the [Preparing for homeworking during coronavirus questionnaire from the Chartered Institute of Personnel and Development \(CIPD\)](#).

They also state that “employers should review risk assessments regularly to make sure employees’ working environments at home remain safe and healthy.”

The employer is also responsible for the equipment it supplies including where there will be extensive **use of computers** and visual display units (VDUs) as these will be covered by Display Screen Regulations. It will be the employees’ responsibility to make sure they highlight any issues they know when the risk assessment takes place (for example, faulty electric plug points).

From data collected during the lockdown period in the UK as part of an ongoing, longitudinal study of home-based working under COVID19 measures funded by the UKRI/ESRC, the [Working at Home project](#) found that the homeworking environment clearly plays a significant role in work-life balance. Survey respondents who were afforded a dedicated room for work (53% of respondents), reporting statistically significant better work-life balance.

Similarly, those who share their homeworking space with family members or co-residents (33% of respondents) report statistically significant poorer work-life balance than those who do not share their space.

The survey findings, however, suggest that organisations can support the work life balance of their employees by:

- supporting *the homeworking environment* (e.g. providing essential devices, an ergonomically appropriate chair, proper desk, second monitor);
- providing *IT support* (file sharing, video conferencing, remote collaboration tools, professional software, etc.).

As the control that can be exercised over a member of staff working from home is limited, particularly during this period of social distancing, the main responsibility will be with the home worker under Section 3 (2) of the Health and Safety at Work etc. Act. This places the **obligations on home workers themselves** to ensure that they and other persons, including members of the household (as well as the public) are not endangered by work activities undertaken at home.

Workplace reps and branches should highlight the importance of staff to **raise any health and safety concerns whilst working from home with their line managers** promptly. They should make sure any risk assessment checklists provided by the employer are thorough and cover all potential areas for consideration including the workstation and equipment.

As well as considering adaptations for the worker’s physical environment, it is important that employers also take account of [HSE’s statement](#) that “home working

can cause work-related stress and affect people's **mental health**." Having to change to a very different way of working can in itself be very stressful, particularly where the lines between personal and work can become so blurred, not least through the use of virtual meetings that intrude into home space.

The notion of core working hours can also seem to disappear whilst working from home. There may be an expectation of always being available for work and **working much longer hours**.

Enforced isolation can also lead to feelings of **loneliness and lack of connection** with work colleagues.

A different way of working may also open up the potential for **bullying and harassment**, particularly as such behaviour need not be carried out face-to-face but can occur in writing, by telephone, text messaging, email or use of social media, and this needs to be recognised by employers.

Other dangers of home working have also been reported³. [Research from Gartner](#) highlights how that at least three broadly drawn groups of workers are experiencing '**unfair**' **career consequences** whatever their productivity when working from home. They are:

- Digital introverts – employees who are less vocal in virtual meetings. They are more likely to be ignored by managers because of bias in favour of those who are more visible.
- Women – remote working is proving damaging to the progression of female workers and gender equality in the workplace. A big part of this is due to the increased childcare responsibilities that many women are taking on, but also many important gender equality initiatives are being deprioritised during the pandemic.
- Newer staff – inadequate remote training opportunities and not feeling valued as part of a team means new employees are struggling to progress and are less likely to be engaged during the remote working era.

Working in a very different way will also require a different level of trust between managers and workers, and it is important that employers remind managers of this. As the [Chartered Institute of Personnel and Development \(CIPD\)](#) suggest: "Ensure managers understand that visibility is not the key to performance and that they

³ www.personneltoday.com/hr/businesses-need-awareness-of-remote-working-dangers/

explore new ways of communicating, delegating and working with their teams to meet targets and deadlines.”

Research from the Wales Institute of Social and Economic Research on [‘Homeworking in the UK: before and during the 2020 lockdown’](#), discovered that “a common fear among employers is that without physical oversight, employees will shirk and productivity will fall”. However, the research also found that two-thirds of homeworkers said they were able to get as much done in June 2020 as they were 6 months earlier and a quarter said they got more work done.

Clear and regular communication from managers is particularly important during these difficult times using different formats where appropriate. Relying solely on email for example can often lead to a misinterpretation of the message.

[Acas](#) suggests that “where possible, employers should provide different ways for people to stay in touch to prevent feelings of loneliness and isolation. For example, instant messenger tools, video meetings, as well as emails.”

However, they also warn that “using too many different methods to communicate can also be confusing and stressful. Employers should talk to their employees and any representatives about which communication methods work best and when.”

Also, Acas warns that “too many [online] meetings can reduce productivity and cause stress, anxiety and fatigue.” However, regular “one-to-one meetings are good opportunities to talk about how work is going, as well as how people are feeling.”

It is also important that managers have **up-to-date contact details** for staff and let workers know who they should contact if they have any concerns, such as health and safety issues, IT problems or data protection worries.

However, it has been reported that there has been an increase in monitoring and surveillance of staff whilst working from home, using the latest technology. Recent research highlighted by the TUC in their report [‘Technology managing people’](#) found that the increase in homeworking during the Covid-19 pandemic has almost certainly already increased the use of artificial intelligence (AI) powered technologies to manage people. A recent survey conducted by the LSE’s Centre for Economic Performance found that more than 60% of firms have adopted new technologies or management practices since the start of the pandemic and more than 90% said they expected to keep the changes in place.

The TUC’s own research “suggests worker interests may often be marginalised or overlooked when new technology is introduced at work.

The use of AI in people management can also impact on the employment rights of workers. For example, the deployed technology might result in discriminatory and unfair outcomes for workers, their human right to privacy might be infringed, and their data might not be handled in accordance with data protection law.

In addition, there are significant implications in terms of workers' physical and mental wellbeing, for example when workers experience the extreme stress and pressure of constant, AI-driven 'real-time' performance assessment and monitoring."

Acas warns "if monitoring is too much or does not respect the employee's privacy, it can damage employees' trust in the employer, cause stress and reduce productivity.

Employers should also remember that employees are entitled to some privacy at work, including when they are working from home... Any monitoring arrangements must follow data protection law."

For any monitoring arrangements to be successful, employers should first consult with workers and give clear reasons for the monitoring. And these reasons should be legitimate and in proportion with the need. Employees need to be clear what information is likely to be obtained, why it is being obtained and how the employer wishes to use that information.

Further information:

For workplace reps from TUC Education

<https://learning.elucidat.com/course/5ea8201298996-5eac468ab5b70>

From Acas www.acas.org.uk/working-from-home

From the TUC 'Technology managing people' report

[www.tuc.org.uk/sites/default/files/2020-](http://www.tuc.org.uk/sites/default/files/2020-11/Technology_Managing_People_Report_2020_AW_Optimised.pdf)

[11/Technology_Managing_People_Report_2020_AW_Optimised.pdf](http://www.tuc.org.uk/sites/default/files/2020-11/Technology_Managing_People_Report_2020_AW_Optimised.pdf)

➤ **Is the employer providing sufficient advice and support on working from home and reasonable adjustments for disabled workers?**

Do disabled workers know about Access to Work? The **Access to Work programme** is administered through Jobcentre Plus and may provide grants towards the cost of various adjustments including adapting or purchasing equipment. Many employers are unaware of the existence of Access to Work. Workers are eligible if they have a disability or health condition. The employer or worker then purchases the equipment, etc and reclaims the grant from Access to Work. The employer may have to make contributions.

For latest details on levels and eligibility for grants, it is important to check directly with an Access to Work Adviser. Contact details are at www.gov.uk/access-to-work (www.nidirect.gov.uk/articles/access-work-practical-help-work for workers in Northern Ireland).

➤ **Are employers taking steps to support victims / survivors of domestic abuse whilst working from home?**

The government has acknowledged the particular anxiety caused by lockdown or other restrictions for those who are experiencing or feel at risk of domestic abuse. They stress the need for people who are at risk of abuse to remember that there is help and support available to them, and these should be highlighted by employers, union reps and branches.

The CIPD (Chartered Institute of Personnel and Development) has emphasised that, with more people working from home, “escape routes or time apart from an abuser may be dramatically curtailed.” They add that “employers need to think about how support can be maintained as we all work in different ways. An empathetic, non-judgmental approach and flexibility (for example in working hours or concerning work tasks) are two key areas employers should focus on.”

The CIPD have produced guidance with the Equality and Human Rights Commission on **Managing and supporting employees experiencing domestic abuse** www.cipd.co.uk/knowledge/culture/well-being/supporting-employees-experiencing-domestic-abuse

UNISON recognises that controlling and abusive behaviour can occur in mixed and same sex relationships, within extended families, and can affect men as well as women. However, the vast majority of the victims/survivors of domestic abuse are women and children, and women are also considerably more likely to experience repeated and severe forms of violence, and sexual abuse.

It is important that reps and branches raise awareness of the issues and highlight any [domestic abuse policy](#) that may be agreed at work, as well as external support services available, such as the [National Domestic Abuse Helpline](#) or [Galop](#) for LGBT+ people.

Best practice would be for employers to develop guidelines on domestic abuse including when staff work at home, including providing job flexibility at this time, and ideally special paid leave in order for a victim/survivor of domestic abuse to find a new home, get a place at a refuge, receive legal advice, open a new bank account, seek medical help etc.

[Acas](#) outlines the sort of support employers should make clearly available if an employee is experiencing domestic abuse, such as:

- finding a way to communicate safely, for example by text message if calls are not possible, or a different email address if their email is being monitored by the perpetrator

- agreeing on a code word or hand signal for someone to use to alert others that they're experiencing domestic abuse
- arranging another place they can do their work instead of at home
- being flexible around working hours
- time off, for example to attend support appointments
- helping the person get other appropriate support.

Further information from Acas on domestic violence and abuse and the employer's duty of care whilst staff are working from home: www.acas.org.uk/working-from-home/health-safety-and-wellbeing

More information:

From bargaining support www.unison.org.uk/bargaining-guides

Domestic violence and abuse: a trade union issue

<https://www.unison.org.uk/content/uploads/2017/02/24192.pdf>

The TUC has a 5-minute guide for reps on domestic abuse and coronavirus

<https://learning.elucidat.com/course/5e875ae4d0715-5e8c6417dfc28>

Support for individuals:

National Domestic Violence helpline

Run in partnership between Women's Aid and Refuge, open 24 hours

Call freephone 0808 2000 247

Men's Advice Line

For men experiencing domestic abuse Call freephone 0808 801 0327

www.mensadvice.org.uk

Women's Aid

Women's Aid is the national charity working to end domestic abuse against women and children. They are a federation of over 220 organisations providing more than 300 lifesaving services to women and children across England.

www.womensaid.org.uk

Welsh Women's Aid/Cymorth i Ferched Cymru

Call freephone 0808 80 10800

www.welshwomensaid.org.uk

Scottish Women's Aid

Call freephone 0800 027 1234

www.scottishwomensaid.org.uk

Women's Aid Federation Northern Ireland

Call freephone 0808 802 1414 (for women and men)

www.womensaidni.org

Galop

Galop provide a national lesbian, gay, bisexual and transgender domestic abuse helpline giving emotional and practical support for LGBT+ people experiencing domestic abuse.

Call 0800 999 5428 Monday to Wednesday 10am to 5pm, Thursday 10am to 8pm, Friday 1pm to 5pm and Sunday 12pm to 4pm.

Tuesday 1pm to 5pm is a trans specific service.

Email: help@galop.org.uk

Online chat: 3pm to 7pm Saturday, 3pm to 7pm Sunday

www.galop.org.uk

➤ **What expenses can staff claim whilst working from home?**

Workers should be able to **claim any additional expenses incurred whilst working from home** from their employer, including for stationery and additional utility costs.

Staff may need to check with their home insurers, mortgage providers or landlords if there are any issues with them working from home. If there any additional costs involved (such as higher insurance premiums) try to negotiate with the employer to cover them.

[N.B. The [MoneySavingExpert website](#) confirmed in December 2020 that “The Association of British Insurers has said there's no need to change or update your cover if you're now working from home and, crucially, you don't need to call and tell your insurer.”]

This applies if you're doing clerical work – generally defined as working on a computer and making phone calls. It won't cover any claims arising from visitors to your home who are there as part of your work. It also won't cover any stock you might have brought home – for example, if you've a mail order business that you're now operating from home. If that's the case, call and tell your insurer as you may need to pay a premium to have the stock covered, or you may need to get an extension to your usual business insurance.”]

However, workers will not be able to claim for things that are used for both private and work use, for example, rent or broadband access (unless the employee did not previously have broadband and it has been solely set up for work use).

Apportioning additional heating, electricity and water costs can be very difficult to work out fairly. However, Her Majesty's Revenue and Customs (HMRC) states that from 6 April 2020 employers can agree to **a flat-rate payment of £6 per week or £26 per month for monthly paid employees to an employee working regularly at home** without the employer having to justify the amount paid. If the £6 guideline

rate is paid the employee does not have to keep any records to demonstrate the additional expenditure. HMRC expects that £6 per week would be sufficient for most cases, particularly where the additional costs are only for heating and lighting the work area.

This has now also been confirmed as being extended for the tax year 2021/2022 for all those who have to work from home, even if it is not for the whole year.

(For tax years 2012 to 2020 the guideline rate was £4 per week or £18 per month for monthly paid employees.)

Further details from the government at www.gov.uk/expenses-and-benefits-homeworking

If the employer will not agree to pay this tax-free allowance for homeworking, individuals may be able to **claim tax relief on this expense** – in other words the amount will be deducted from the individual's taxable income.

Employees can check if they can make a claim by completing details requested via www.gov.uk/tax-relief-for-employees/working-at-home.

[There is a useful guide on how to claim from Moneysavingexpert website <https://blog.moneysavingexpert.com/2020/04/martin-lewis--working-from-home-due-to-coronavirus--claim-p6-wk-/>]

However, **if the worker does not earn more than the tax-free personal allowance** (currently £240 per week, £1,042 per month or £12,500 per year in 2020-21) and therefore does not pay any tax, they cannot benefit from this tax relief. In this situation, it would be fairer to press the employer to reimburse the costs to employees directly (either actual costs with evidence provided or at the HMRC flat rate) so that those on low incomes are not disadvantaged with the additional costs to them of working from home.

As mentioned, **claiming actual additional costs** can be complicated to work out and difficult to provide evidence to show the employer who will need it to show HMRC. If no evidence is provided or the expense claimed is deemed tax-free according to HMRC, if the employer does reimburse it or pay it directly for the employee, it will be regarded as a taxable benefit and income tax will be deducted from the amount.

Many employers are unlikely to provide taxable benefits to employees, even during these unprecedented times. And even where taxable benefits are a possibility, negotiators should consider whether the employer is offering them as an alternative to increasing pay, which will offer more long-standing benefits to staff beyond the pandemic.

Details on [what expenses are taxable whilst working from home during the COVID-19 pandemic](https://www.gov.uk/guidance/check-which-expenses-are-taxable-if-your-employee-works-from-home-due-to-coronavirus-covid-19) can be found at www.gov.uk/guidance/check-which-expenses-are-taxable-if-your-employee-works-from-home-due-to-coronavirus-covid-19

If claims are above HMRC's £6 per week guideline amount, such as for heating and lighting costs, then the employee will need to:

- check with the employer beforehand to see if they will make these payments
- keep receipts.

Employees will only be able to claim for things that are solely used for work purposes. Employees can either claim through PAYE, where the rebate will be paid via their tax code over the following tax year, or via a self-assessment tax return.

If the employee does not complete a self-assessment tax return (which is unlikely for most employees on low or middle incomes) employees can use an [HMRC form, p87](#) that allows employees to claim back expenses up to a maximum of £2,500. The employee will need their employer's name and PAYE reference (which they should be able to find on their payslip or P60), and their job title.

➤ **What about staff who cannot work at home?**

Staff who are **self-isolating** (because of possible or confirmed coronavirus infection) but cannot do their work at home, should, by law at least receive [statutory sick pay](#). Employers may also provide contractual sick pay.

The [Test and Trace self-isolation support payment scheme](#) will also provide a one-off lump sum payment of £500 from their council, to eligible applicants in England who were told to self-isolate on or after 28 September 2020. The payment of £500 will be in addition to statutory sick pay and benefits.

In Scotland, a similar scheme of [a self-isolation support grant](#) of £500 is available from local councils for people who receive certain benefits and have been notified NHS Test and Protect that they must self-isolate. Individuals will need to apply through their [local council in Scotland](#).

In Cymru/Wales, the scheme is called the [self-isolation support scheme](#). A grant of £500 is available from local councils for people on low income and who have been NHS Wales Test, Trace, Protect service that they must self-isolate. Individuals will need to apply through their [local authority in Wales](#).

In Northern Ireland, [discretionary support grants from the Department for Communities](#) are available to assist with short term living expenses where a person, or any member of their immediate family, is diagnosed with COVID-19 or is advised to self-isolate in accordance with guidance.

Individuals will also have to self-isolate when returning to the UK from abroad for 10 days, except when returning from a few specified countries (continually under review by the UK government, more details at www.gov.uk/uk-border-control). However, in this circumstance, staff are not eligible for statutory sick pay if they do not need to self-isolate for any other reason.

Try and negotiate with employers to instead continue to pay normal salaries if feasible and **'medically exclude' all self-isolating staff**, as a way of encouraging workers to do the right thing and follow government guidance on self-isolation and not potentially infect others. Alternatively, employers may at least pay contractual sick pay, rather than workers having to use their annual leave or unpaid leave for this quarantine period.

The list below shows how some other private sector employers have provided the best terms for those self-isolating, and could provide examples for negotiations.

Allianz Engineering Inspection (private sector, providing Engineering activities and related technical consultancy) – full pay for staff who are self-isolating.

Aramark (private sector, covering catering staff working at the Department for Business, Energy & Industrial Strategy) – full pay for staff who are self-isolating; staff who are sick with COVID-19; staff at high risk and so advised to reduce or minimise contact with others, or limit travel; staff in any other group where the advice from government is to reduce or minimise contact with others, or limit travel; staff who live with someone who is in any of the groups above; staff who need to be home to care for children who are unable to go to school; staff who are unable to attend work for a reason related to COVID-19, for example due to closure of public transport, quarantine etc.

Atomic Weapons Establishment (private sector, covering the industrial workforce, firefighters, and craft & manual workers) – employees with medical conditions which put them at greater risk from Covid-19 and those who have vulnerable family members have been able to self-isolate on full pay, initially for 12 weeks.

BP McKeefry (private sector, providing freight transport by road) – for staff required to self-isolate due to coronavirus symptoms, or if someone in their household has symptoms, or someone who is shielding, for the first 14 continuous days of absence a £350 gross payment per week (inclusive of SSP).

Staff may not be able to work at home because of **unplanned caring responsibilities** (perhaps for vulnerable or elderly adults, or for children who are homeschooling or unable to go their normal childcare provider), or because the type of job is not possible to fulfil at home, or employers are not able to ensure a COVID-secure workplace for particularly vulnerable workers who may previously have been shielding. In these types of situations, employers should be encouraged to continue

to furlough staff ([Job Retention Scheme](#) is now extended to the end of September 2021) or consider redeploying staff so that they can work from home, rather than exploring redundancies.

It should also be noted that where the nature of a **pregnant worker's** role means there is no suitable alternative work available that could be done from home, the employer should consider **suspending the pregnant worker on full pay** in line with requirements for the risk assessment of pregnant workers under The Management of Health and Safety at Work Regulations 1999, rather than furloughing.

The [Health and Safety Executive \(HSE\)](#) confirms this requirement in their guidance: "If a significant health and safety risk is identified for a new or expectant mother, which goes beyond the normal level of risk found outside the workplace, you must take the following actions:

- **Action 1:** Temporarily adjust her working conditions and / or working hours; or if that is not possible
- **Action 2:** Offer her suitable alternative work (at the same rate of pay) if available; or if that is not possible
- **Action 3:** Suspend her from work on paid leave for as long as necessary to protect her health and safety, and that of her child."

➤ **What about staff who have to go out to work?**

Employers have a duty of care to workers, so they should carry out COVID-19 risk assessments at the workplace. Any [potential risks should be addressed appropriately](#), such as allowing appropriate [social distancing](#) and providing hand sanitisers and opportunities to frequently wash your hands.

Specific bargaining guidance to support workers who are continuing to work at or are returning to their normal workplace is available from Bargaining Support at www.unison.org.uk/bargaining-guides

➤ Quick checklist

- How is the employer fulfilling their responsibility to carry out a risk assessment to check where the employee's workstation is whilst working from home? For example, are they guiding employees through the risk assessment process?
- Does the employer provide guidance and equipment for homeworkers to reduce or eliminate risks? Is the UNISON health and safety rep involved in providing this guidance?
- Does each employee have all the equipment they need to work from home and are they being compensated for any additional costs they have incurred for using their home for work purposes?
- Is the employer providing specific advice and support on working from home as well as reasonable adjustments for disabled workers?
- Do disabled workers know about Access to Work?
- Does the employer ensure regular contact and communication with the homeworker? Are there regular reviews of the homeworking arrangement conducted between the employee and their line manager?
- Does the employer ensure that the employee's workload is at a safe level and they are not put under unreasonable stress?
- Remind employers that their legal duty of care to their staff includes looking out for signs of domestic abuse and responding appropriately. Do employers treat victims/survivors of domestic abuse within their workforce sympathetically and allow flexible working and paid special leave.
- Are support services for workers experiencing domestic abuse widely publicised amongst staff?
- Are branches also ensuring they keep in touch with members who work at home or are home-based?
- Does homeworking mean that an employee must work and be available during core business hours? Or can they be more flexible?
- How will performance management, development reviews or appraisals and training take place whilst the employee is working from home?
- Do employers make clear the arrangements for dealing with the storage, use and security of confidential data held at home including providing a lockable filing cabinet if necessary?
- Is the employer using technology to monitor workers' activity etc whilst working from home? If so, has the employer carried out a data impact assessment?

- Have all staff been notified that monitoring is taking place? Does the employer have a privacy policy that all employees know about?
- Does the employer have a data retention policy? Are staff told what information is recorded and how long it is kept and for what purpose?
- Are staff who handle the data appropriately trained to ensure they follow data protection procedures?

➤ **More information**

UK government's working from home guidance

www.gov.uk/coronavirus/worker-support

Scottish government's guidance on working from home

www.gov.scot/publications/coronavirus-covid-19-guidance-for-homeworking/

Northern Ireland's executive guidance on working from home

www.finance-ni.gov.uk/publications/covid-19-working-home-guidance

UNISON guidance

Homeworking

www.unison.org.uk/content/uploads/2017/06/Homeworking-GuideJune2017.pdf

Lone working

www.unison.org.uk/content/uploads/2018/02/24830_Working_Alone_Web.pdf

Health and Safety Executive guidance on protecting home workers

www.hse.gov.uk/toolbox/workers/home.htm

Acas guidance on working from home

www.acas.org.uk/working-from-home

Model agreement

The following model policy can be used in the workplace to help support workers during the COVID-19 pandemic.

Please note that the text in square brackets [...] indicates where branches and workplace reps need to complete information specific to your workplace, or else are notes for them to consider in relation to your negotiations.

➤ Policy statement

[It may be reassuring to start with an agreed statement that reflects the need for flexibility, trust and co-operation on all sides during this difficult time.]

Employers will need to show that they trust their workers whilst working from home. At the same time, they need to appreciate the anxiety the situation is creating and be willing to be flexible to fit round any personal domestic demands such as caring for children, vulnerable adults, elderly or disabled family members or neighbours, as well as for themselves.

As government advice states: “work from home if you can” and the need to follow this advice should underpin any decision-making.]

[Name of employer] recognises the importance of ensuring the health, safety and welfare of all our workers and their families, as well as our wider communities during the COVID-19 pandemic.

[Name of employer] recognises the need for mutual trust between staff and employer, and a flexible, practical and sensitive approach for day-to-day working arrangements.

[Name of employer] will endeavour to comply with and update staff regularly as relevant on government, NHS (National Health Service), HMRC (Her Majesty’s Revenue and Customs), HSE (Health and Safety Executive) and Acas (the Advisory, Conciliation and Arbitration Service) guidance relating to the COVID-19 pandemic, in order to ensure the health, safety and welfare of all our workers and to keep business operations **[amend as appropriate to reflect how your organisation describes its activities, such as ‘providing public services’ etc.]** running fully wherever possible.

[Referring to these respected and authoritative information sources within the policy, could not be disputed by any employer.]

You may also want to specify the formats used for updates to staff and how frequently they will be provided. As government guidance continues to be updated, employers will need some flexibility in order to review and update working practice accordingly and to communicate these changes to all staff.

Branches and workplace reps should endeavour to be involved in any such reviews and communications.]

[Name of employer] will endeavour to regularly communicate developments related to working from home during the COVID-19 pandemic with workers, through a variety of means such as email, telephone etc.

[This is also important for UNISON branches. They will need to look at how to best stay in touch with members whilst working at home and still involve them with any branch campaigns etc]

[Name of employer] is determined to provide flexible working from home arrangements for all staff wherever possible and where implementation will be reasonable and feasible for both the employer and worker.

Definitions and scope

For the purpose of this policy, [name of employer] recognises that home working may take place at another address other than the worker's personal address, such as where a vulnerable member of the worker's family lives for whom they are now caring, or at the home of the worker's partner with whom they are now social distancing.

[This takes account of individual workers' changing domestic arrangements in order to care for someone or because they have chosen to social distance / create a support bubble with a loved one with whom they do not normally live.]

It is the responsibility of individual workers to ensure that their line manager has up-to-date contact details whilst they are working from home, particularly if this is not at their normal personal address.

Line managers will treat this information confidentially and in line with [name of employer]'s Data Protection policy found at [include a link to the policy or include here a statement on the storage, use and security of confidential data held at home].

Working from home means that workers are subject to the same rules, procedures and expected standard of conduct and performance as when they were working in their normal workplace. Contractual obligations, duties and responsibilities remain in place, as do [name of employer]'s workplace policies.

[As well as continuing employer pension contributions, it is important to negotiate the continuation of other benefits related to the workers' usual place of work such as lunches or childcare, or actual cost equivalent.]

Working from home does not mean that you can change your contractual obligations, including your core working hours unless it has been agreed with your line manager.

However, **[name of employer]** does recognise that there may be particular exceptional circumstances that may necessitate a temporary change to contractual obligations, including changes to your core working hours and line managers are expected to deal flexibly and sensitively to any such requests and respond promptly.

Additional guidance for managers on how to respond to requests to temporarily change contractual obligations in specific circumstances can be obtained from the HR team **[or you could specify who they need to contact. Ideally the trade union will be involved in agreeing this guidance.]**

Working from home under this policy during the COVID-19 pandemic and in response to government guidance or direction, will be treated as a temporary variation from existing terms and will not make a permanent contractual change to the worker's contract terms and conditions.

Any existing formalised agreements for working from home currently in place will continue as agreed unless as directed by your line manager during the COVID-19 pandemic, or in response to a request from the worker due to a change in personal circumstances during the COVID-19 pandemic. **[Only include this paragraph if the workplace already has a working from home policy in existence.]**

This policy applies to all staff who are employed at **[name of employer]** including part-time and temporary workers, regardless of hours worked or length of service, as well as contractors, consultants or self-employed staff.

[This is important as the policy should not be regarded as a new workplace benefit or as part of flexible working in normal circumstances but as a response to government requirements during the COVID-19 pandemic. Therefore, all workers of whatever status should be included.]

This policy is supported by and developed with the trade unions representing the employees.

Who will work from home?

Employers have been advised by the government to allow working from home wherever possible.

In most cases, it is anticipated that **[name of employer]** will provide a clear instruction to all staff about which postholders are expected to work from home, in order to comply with the government guidance during the COVID-19 pandemic.

[Name of employer] recognises that, for some members of staff, self-isolating at home will be essential under government guidance (including those who live in a household where another member has displayed symptoms of COVID-19 and those who are quarantining after returning from some countries abroad) and no alternative should be considered.

[Branches and workplace reps should aim to work with the employer to assess what posts are suitable for homeworking and what posts are absolutely not possible. Acas advise that this assessment “might involve doing things differently and not assuming a role cannot be based at home”.

www.acas.org.uk/working-from-home There should also be an appeals procedure for employees to use if they feel their post has been judged incorrectly.]

Managers will treat workers who have caring responsibilities for elderly or vulnerable adults or children sensitively and flexibly and will consider more flexible homeworking arrangements such as:

- working different hours
- reducing the number of hours or days worked
- reducing work targets
- being flexible about deadlines where possible.

[It is important that this working from home policy does not disadvantage workers who now have unplanned caring responsibilities because of the COVID-19 pandemic e.g. because of school closures.

Whilst any employer who agrees to flexibly accommodate workers who are working at home whilst also caring for others is welcomed, other workers who may have to continue to work in their normal workplace should similarly be treated sensitively and flexibly in relation to any unplanned caring responsibilities because of the COVID-19 pandemic.]

Where it is considered not possible for workers to work from home, a clear business reason in writing will be provided to the worker. Any such reason will take into account the government advice during the COVID-19 pandemic to allow working from home wherever possible. The reason must also comply with the Equality Act 2010.

Workers have a right to appeal any decision not to allow them to work from home. This should be made in writing. The appeal will be heard by another manager (independent from the case). The employee has the right to be accompanied by their trade union representative or full time official to the appeal meeting.

The use of virtual appeal meetings such as by telephone, Skype, Zoom etc. **[amend as appropriate to your organisation]** may be considered with the consent of the employee and union representative in order to comply with social distancing requirements. In line with [Acas guidance](#):

- Such meetings will not be recorded
- Everyone involved will have access to the technology needed

- Reasonable adjustments will be considered so that disabled people are not disadvantaged by using video technology
- Any witness statements or other evidence can be seen clearly by everyone involved during the hearing, who will have the opportunity to question evidence given
- It will be possible for the person who appealed against the decision to be accompanied during the hearing.

Alternatives when working from home is not possible

Should it be absolutely not possible to work from home due to the nature of the post, **[name of employer]** will consider the following:

- whether it is possible to redeploy the worker, with appropriate training if necessary, to allow working from home
- whether it is possible for the worker to travel to work safely, in line with government advice on who should be travelling and when they should be travelling
- whether it is possible to work at the normal workplace, in line with government advice on what workplaces should be open at this time, and whether COVID-19 risk assessments have been undertaken at the workplace and any potential risks (including additional individual risks because the employee is disabled, Black, older or pregnant or has long-term health conditions) addressed sufficiently to ensure social distancing etc

If any or all of these alternatives are not possible, then the workers will be treated as 'medically excluded' and continue to receive their full pay.

[Medical exclusion clauses are sometimes established elements of collective agreements, most commonly in NHS trusts, given the extra dangers of transmitting an illness to patients.]

However, in light of the unprecedented threat of Covid-19 an argument can be made that such exclusions should apply more widely and the general duties under the Health and Safety Act to protect staff should be interpreted in this way.

Local government employers also have already acknowledged that in some cases they will need to allow staff who can't work from home to stay at home on full pay: "The local government employers and trade unions have agreed that ultimately employers will need to accept that some staff will have to be allowed to stay at home on full pay for the duration of the crisis if homeworking is not an option." www.unison.org.uk/at-work/local-government/coronavirus-guidance-local-government-workers

However, if this is not feasible for employers, they may consider furloughing such staff.]

Alternatively **[name of employer]** may consider the ‘furloughing’ of the worker under the government’s Job Retention Scheme with their consent, or encourage and assist where appropriate self-employed workers to apply for the government’s self-employed Income Support Scheme until such time as they can travel to work and return to work at their normal workplace.

Employees who are shielding in line with any public health guidance in place (i.e. those who need to follow shielding measures because they are identified as having a very high risk of severe illness from COVID-19 because of an underlying health condition) can also be placed on furlough with their consent if they are unable to work from home.

Employees who are unable to work because of unexpected caring responsibilities related to the COVID-19 pandemic can also be placed on furlough with their consent.

[Branches and reps should try to negotiate additional financial support, perhaps time-limited at least, to top up the shortfall in salary provided through the Job Retention Scheme. The resulting cut in income whilst furloughed will particularly impact on the low paid, part-time and other atypical workers, where every penny counts and whose full wages at the best of times may only be the national minimum.

The Job Retention Scheme is now extended until the end of September 2021.]

Employees who follow government advice to stay at home and self-isolate (such as those who live in a household where another member has displayed symptoms of COVID-19 or those who are quarantining after returning from some countries abroad) and who cannot work as a result but who are not sick, will be treated as ‘medically excluded’ and continue to receive their full pay.

[If employers will not medically exclude on full pay self-isolating employees, the policy could instead state that they will “receive sick pay under **[name of employer]’s Sickness Absence policy.”**

When self-isolating but remaining well, employees are legally entitled to statutory sick pay, but ideally should get enhanced contractual sick pay at least.

However, staff who are quarantining after returning from abroad are not eligible for statutory sick pay so further negotiation with employers will be needed to ensure they receive contractual sick pay rather than have to take unpaid leave.

The UK government says that “short term illness/self-isolation should not be a consideration in deciding whether to furlough an employee. If, however,

employers want to furlough employees for business reasons and they are currently off sick, they are eligible to do so, as with other employees. In these cases, the employee should no longer receive sick pay and would be classified as a furloughed employee.”

But it would be fairer for self-isolating workers who cannot work through no fault of their own to be ‘medically excluded’ on full pay until either they do become ill or are able to come out of quarantine and can return to work. For most, it will only be a matter of 10 days.]

Pregnant workers who need to self-isolate or who are unable to work at their normal workplace for health and safety reasons and who cannot work from home, but who are not sick, will be suspended on full pay.

[For pregnant workers who are self-isolating and unable to work, employers should suspend them on full pay in line with requirements for the risk assessment of pregnant workers under The Management of Health and Safety at Work Regulations 1999.

They should not be put on sick pay (which ultimately could also affect the amount of maternity they will receive) nor forced to use annual leave or unpaid leave. Pregnant workers should only be paid sick pay if they are actually sick. It may be pregnancy discrimination if the employer insists that they take sick leave, unpaid leave or start their maternity leave early.]

Employees who are sick will continue to receive sick pay under **[name of employer]’s** Sickness Absence policy.

Support for when working from home

[Name of employer] will set up and maintain safe and appropriate systems for homeworking within the unprecedented challenges of the COVID-19 pandemic.

The health and safety policy has been updated to cover working from home due to social distancing measures and is available at **[include a link to where the policy can be viewed.]**

Line managers (with the support of HR where requested) should discuss support options available for workers who request:

- practical assistance in setting up home working arrangements
- the implementation of reasonable adjustments for disabled workers
- temporary changes to their contractual obligations including core working hours in order to balance work with domestic demands such as home schooling or caring for vulnerable adults.

[The employer should outline how they will support employees in maintaining their health and safety whilst working at home.]

[Name of employer] will provide a health and safety checklist and guidance to help workers assess their own home work environment and identify problems.

[The employer may wish to outline some examples of how this support will be provided in practical terms, such as supplying each member of staff working from home with a work mobile phone on a business contract, or giving access to different platforms not normally used in the workplace for communications such as WhatsApp or Zoom, or by loaning additional equipment to staff members, arranging for deliveries of the equipment or documents to the worker's home, as well as being more flexible on working hours.

Disabled workers may also be encouraged and supported in applying for an assessment through the [Access to Work programme](#), which may provide grants towards the cost of various adjustments including adapting or purchasing equipment. Workers are eligible if they have a disability or health condition. The employer or worker then purchases the equipment, etc and reclaims the grant from Access to Work. The employer may have to make contributions. More details are at www.gov.uk/access-to-work (www.nidirect.gov.uk/articles/access-work-practical-help-work for workers in Northern Ireland).

Additionally, the employer may wish to outline some examples of how they will support workers who are experiencing domestic abuse including raising awareness of any existing domestic abuse policy in the workplace as well as highlighting where individuals can get external support.]

[Name of employer] will reimburse workers for any agreed additional expenditure incurred due to working from home, including for any reasonable [complete as appropriate e.g. postage, photocopying, printing, stationery, additional home insurance cover, contribution to utilities such as electricity, water] costs. Proof of purchase (such as a receipt, email confirmation, scanned or photographed copy) should be kept and included with any expenses claim.

[You may want to include further details of how to claim these expenses, what form to use, where to send them, how frequently etc.

Apportioning utility and broadband costs can be very difficult to work out fairly. However, Her Majesty's Revenue and Customs (HMRC) states that from 6 April 2020 and continuing in the tax year from 6 April 2021, employers can agree to a payment of £6 per week or £26 per month for monthly paid employees to an employee working regularly at home without the employer having to justify the amount paid. If the £6 guideline rate is paid the employee does not have to keep any records to demonstrate the additional expenditure.

HMRC expects that £6 per week would be sufficient for most cases, particularly where the additional costs are only for heating and lighting the work area.

For tax years 2012 to 2020 the guideline rate was £4 per week or £18 per month for monthly paid employees.

Further details from the government at www.gov.uk/expenses-and-benefits-homeworking

If the employer will not agree to pay this tax-free allowance for homeworking, individuals may be able to claim tax relief on this flat rate expense. Employees can check if they can make a claim by completing details requested via www.gov.uk/tax-relief-for-employees/working-at-home

Responsibilities of managers

Line managers should ensure that all employees are aware of this policy and understand their own and the employer's responsibilities.

Line managers are instructed to allow working from home wherever possible and should encourage staff to access the support offered.

Line managers will consider all requests for support for working from home practically, flexibly and sensitively and will not discriminate against those employees who have caring responsibilities or are self-isolating. All employees must be treated fairly and consistently.

Line managers should arrange regular contact times with home workers.

Line managers should confirm in writing the following details with workers:

- when the workers are available to work (taking into account any caring responsibilities and agreed flexibility to core hours)
- how they will keep in touch
- how work-life balance will be managed, for example taking regular breaks and switching off from work at the end of the day
- rules around storing information and data protection
- how performance will be managed and measured - taking into account people's domestic circumstances where necessary
- provide the health and safety checklist and guidance to help workers assess their own home work environment and identify problems
- who workers should contact if they have any problems or their circumstances change.

Line managers have a particular responsibility to ensure that within their area of control, everyone has the right to be treated with dignity and respect.

[Name of employer] will take seriously and investigate any complaints of discrimination, harassment or victimisation, using the agreed procedures and respecting confidentiality.

Responsibilities of workers

All staff are expected to be flexible in accepting alternative working arrangements and adapting to new arrangements wherever reasonable and feasible in individual circumstances.

[Homeworking arrangements should ideally be entered into voluntarily; staff should not be forced into switching to a home working arrangement but under the COVID-19 pandemic circumstances, it would not be unreasonable for the worker to have to provide a very clear reason to refuse such working arrangements.]

Workers should check there are no issues with them working from home, with their home insurer, mortgage provider or landlord. Any issues should be promptly reported to their manager for advice.

[It is important that employers are also reminded to check the details of their insurance to make sure they are covered for an employee working from home if they are using business equipment. It also needs to cover them against a claim by a third party.]

Workers should take proper care of equipment and materials provided by **[name of employer]** and return any item to **[name of employer]** when requested.

Workers have a duty to ensure, where reasonable, that they work in a safe manner and that they follow all health and safety instructions issued by **[name of employer]** from time to time, and report any problems identified to their line manager. These arrangements should be confirmed in writing for each worker.

The employer will cover the cost of periodic repairs and maintenance of any personal equipment that it has been agreed by the line manager can be used for work purposes.

[The employer's legal requirement is that business equipment must be suitable for its purpose, maintained in good working order and inspected regularly. Therefore, they should cover costs of repair and maintenance to help ensure this.]

For smaller organisations, use of personal equipment may be more necessary and employers would also need to compensate staff for any additional costs such as computer anti-viral protection, computer software, additional data for

a mobile etc.]

All employees have a clear role to play in helping to create a work environment in which bullying or harassing behaviour is unacceptable and are reminded that **[name of employer]'s 'Dignity at Work' policy [or refer to the particular anti-harassment and anti-bullying policy at your workplace]** applies to all employees on and off the premises, including those working away from their normal place of work. Workers should report any instances of harassment, victimisation or discrimination experienced.

Data protection, confidentiality and security

[Name of employer] will conduct a data protection impact assessment, monitor and record how the 'processing' (ie 'obtaining, storing, viewing, holding, recording, transmitting or destroying information or data or carrying out any operation or set of operations on the information or data') takes place during this time including any additional safeguards necessary for special categories of data, in order to continue to comply with **[name of employer]'s Data Protection policy found at [include a link to the policy]**.

Workers are reminded to protect confidential information belonging to [name of employer] and to [complete as appropriate to your organisation such as other work colleagues, clients, customers, service users, suppliers, contractors etc.]

Workers must report any actual or potential breach of security, confidentiality or data protection to their line manager immediately.

Workers who are unsure about any aspect of security, confidentiality or data protection, should seek advice from their line manager.

Only equipment that a worker's line manager has authorised may be used for homeworking.

Health and safety

All staff working from home should endeavour to arrange a suitable environment where they can focus on work and keep in regular contact with their manager.

Workers have a responsibility to take reasonable care of their own health and safety. They must ensure that they take adequate rest breaks of at least 20 minutes during each working day, and not work over the 48 hours a week limit.

[It is important that workers are able to continue to work their normal number of hours and not expected to undertake any compulsory overtime, only voluntary overtime and not without appropriate compensation such as overtime payment or time off in lieu.]

Overtime should be monitored to ensure that working time regulations are still followed. There is often a danger of working longer hours and not taking adequate breaks when you work from home.]

If any worker has a health and safety concern, or if an accident or incident takes place whilst working from home, they must immediately report this to **[contact's name]** in line with the Health and Safety policy found at **[include a link to the policy]**.

Additional guidance on how to work safely at home will be provided by **[contact's name]**.

[It's important to clarify with employers how they will support staff to help ensure their home is a safe, secure place of work, taking into account ergonomics and reasonable adjustments necessary for disabled workers. Additionally, the employer has to ensure the workload remains at safe levels and that workers are not put under unreasonable stress.]

Should it not be possible for any individual worker to provide a safe, secure place of work in spite of support and guidance, **[name of employer]** will consider the options under the section headed '**Alternatives when working from home is not possible**' above.

Review and withdrawal of this policy

This homeworking policy during the COVID-19 pandemic and any related agreed homeworking arrangements will be reviewed regularly and can be withdrawn if it is demonstrated that:

- the government advice and directions no longer require workers to work from home wherever possible
- the effectiveness of the team in which the employee works is compromised significantly
- the business needs are not being met.

In such circumstances, **[name of employer]** will consider the options under the section headed '**Alternatives when working from home is not possible**' above.

This homeworking policy during the COVID-19 pandemic and any related agreed homeworking arrangements can also be withdrawn if it is demonstrated that the performance of an employee suffers significantly as a result of homeworking.

This will be dealt with under the **[name of employer]'s** capability procedure.

However **[name of employer]** will treat workers sensitively taking into account the emotional, psychological and practical impact of the COVID-19 pandemic on any worker's performance (such as increased anxiety, unexpected caring responsibilities

or self-isolation concerns.)

The employee has the right to be accompanied by their trade union representative or full time official to any meetings to discuss any changes to homeworking arrangements or performance management. The use of virtual appeal meetings such as by telephone, Skype, Zoom etc. **[amend as appropriate to your organisation]** may be considered with the consent of the employee and union representative in order to comply with social distancing requirements. In line with [Acas guidance](#):

- Such meetings will not be recorded
- Everyone involved will have access to the technology needed
- Reasonable adjustments will be considered so that disabled people are not disadvantaged by using video technology
- Any witness statements or other evidence can be seen clearly by everyone involved during the hearing, who will have the opportunity to question evidence given
- It will be possible for the person who appealed against the decision to be accompanied during the hearing.

Sickness absence

Homeworkers must comply with **[name of employer]'s** sickness absence policy and ensure they report their sickness to their line manager when they are sick and unable to work.

In addition, any specific reporting requirements notified to staff during the COVID-19 pandemic must be followed, including those related to social isolation and 'shielding' in order to protect extremely vulnerable people.

Further information

[Name of employer] recognises that working from home during the COVID-19 pandemic may lead to workers feeling isolated or experiencing anxiety and depression.

If any worker at any point feels isolated, left out, or lacking guidance or support they should discuss this with **[their manager and/or a member of HR]**.

[Here you can also list any other services that can be offered to workers to help support them. Some organisations offer their staff access to free counselling services or a confidential helpline that staff can call to get advice.]

Confidential support is available for individual employees from the **employee assistance programme** and this may include counselling if appropriate, in addition

to practical information and advice. **[Include a link or signpost to further information.]**

The Mental Health Foundation have produced a guide to protecting your mental health during the coronavirus crisis. www.mentalhealth.org.uk/publications/looking-after-your-mental-health-during-coronavirus-outbreak

The mental health charity MIND has produced a helpful guide which will be useful to anyone who has to practice social isolation. www.mind.org.uk/information-support/coronavirus-and-your-wellbeing

➤ **Signatories**

This agreement is made between **[name of the employer]** and UNISON, a registered trade union.

This agreement comes into force on:

Date:.....

This agreement will be reviewed on:

Date:.....

SIGNED for **[name of the employer]**

DATE

SIGNED for UNISON

DATE