A Practical Guide to Working from Home: Covid-19 and beyond

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About this Guide:

Since mid-March 2020 the way most of us live our lives and do our work has changed beyond all recognition. The outbreak of Covid-19/Coronavirus has affected everyone regardless of role, industry or location and some more than others. The word 'furlough' has become part of our daily vocabulary. Some businesses frantically await news of indicative dates for further easing of restrictions to help facilitate preparations for a safe restart and reopening, while others struggle financially to survive and redundancies ensue.

For many people working from home has become the 'new normal' and this looks set to continue for the foreseeable future. This has created a host of problems including employees having to setup their home offices that didn't have the technology or space to do so and employees having to work alongside their children, spouses and even their pets.

More seriously, risk factors for mental health, feelings of isolation, stress and uncertainty are recognised as issues that need to be addressed quickly and effectively. Assumptions should not be made about employees being happy to work from home and there are always going to be situations where the employee needs the routine of coming into work or that lack of childcare makes such arrangements more stressful or impractical.

This guide sets out the key considerations and practicalities of working from home with useful tips about how to tackle some of the challenges associated with this type of working from internet connections through to risk assessments.

It is recognised that many organisations have been effectively required to make this type of flexible work arrangement "work" and as such it has presented both problems and solutions in equal measure.

Not everyone will have an occupation that lends itself to working from home but in many cases necessity has required employers and employees to think collaboratively about what "can" work for both of them.

Much of what is discussed in this guide is underpinned by the culture in the organisation in which people work and will be impacted upon by things such as – level of trust, necessary resources, employee needs, measurement of productivity, vision, future business models and commitment to get through the pandemic and beyond together.

The guidance can be adapted to suit specific business needs, where appropriate whilst ensuring business continuity and protecting the workforce during the coronavirus pandemic. It does not replace existing legislation, or Government advice.

Key Considerations and Practicalities of Working from Home

Working from home whether on an occasional, a temporary or a permanent basis, enables more agility and flexibility in working arrangements. It could be a one-off day, a new pattern of working partly from home or working from home for a fixed period or indefinitely. There are lots of options. It can bring benefits for the business including reduced overheads, wider choice when recruiting, attracting a more diverse workforce, growing reputation as a flexible employer. For an employee, reduced commuting times and costs, some more independence/self-management, improved work-life balance are amongst the main advantages.

As an employer, if you did not have a Working from Home Policy in place before the Coronavirus took hold the chances are now you have or you soon will have and this is the best place to start when thinking through and deciding how working from home will benefit the business and employee needs, so it's favourable for both the employer and employee. Context informs everything and in some cases employers will look at this option only whilst Covid-19 is a threat to employees whilst others will change their entire future approach based on lessons learned from the pandemic and now working from home becomes the default position.

So what are the key considerations and practical issues that need to be addressed?

The business case - In light of Coronavirus outbreak, determining whether or not working from home can be facilitated, it is important for an employer to assess both the suitability for the business and for the individual employee. Consider if the employee's job can feasibly be done from home and the ease in which they would be able to do this. In these exceptional circumstances, employers and employees should be practical, flexible and sensitive to each other's situation. Any transition to working from home needs to be as easy as possible.

There needs to be a healthy relationship of <u>trust and confidence</u> between an employer and employee that they will be able to do their job from home and not use working from home as an excuse to, essentially, not do it.

The following type of personal attributes and skills are helpful - good communication skills; self-motivation and self-discipline; ability to work effectively being managed from a distance; good time management and the ability to complete work to deadlines; ability to manage others (if a line manager) from a distance e.g. with the use of effective and functioning technology; ability to work with reduced face-to-face contact from colleagues. While some of these may be untested if an employee hasn't worked from home before, in normal circumstances it would be deemed reasonable that an experienced employee who has consistently demonstrated good performance through for example, the performance management and day-to-day management processes should be able to meet requirements. The employer will also need to assess the employee's home environment - see below.

Define working from home – Where will the normal place of work be? There may be some flexibility in the contract of employment already that allows for the employee to work from somewhere other than the office or a particular base but if home is to become the permanent place of work for the foreseeable future it is wise to build in some flexibility, particularly if and when it comes to requiring the employee to travel to the office or other locations from time to time. This is likely to be an issue going forward as we will need to work alongside Covid-19 restrictions for some time to come, such as social distancing in an office environment, mandatory face coverings within buildings and so on.

Discuss with the employee how they might improve working from home arrangements bearing in mind there may be scope to do things differently. If possible, agree with the employee times or occasions when they need to come into work. If specific dates or frequencies can't be set out in advance, probably best to keep it flexible, agree about how you will notify the employee when they are needed in the office. It is also worth bearing in mind that the employee may want some freedom to be able to work from somewhere else, from time to time, for example, a library or coffee shop. All is up for discussion, although an employer must ensure that there are sufficient rules and protections in place particularly when it comes to data security and confidentiality – refer to section on Security, confidentiality and data protection.

Care for dependants - The employer should be aware of the fact that the employee has caring responsibilities and there may well be difficulties in putting care arrangements in place. Ideally interim arrangements should be put in place so that working hours aren't affected for example, a parent to a 3 year old would need to have arranged childcare provision. Employer flexibility is essential to allow time for caring and time for working until childcare (in the form of a provider becoming available or perhaps grandparents becoming able to assist) arrangements become more stable and predictable.

The same would apply for an employee who cares for an elderly and vulnerable relative. Caring responsibilities are a focal issue and need to be established, monitored and maintained because if the child provision falls through it is likely to significantly alter and affect the working from home arrangement. The onus is primarily on the employee to make sure proper arrangements are in place for the duration but employers need to demonstrate flexibility and recognise things that are beyond the employee's control and help accordingly.

During the pandemic the employer and employee may be able to agree a more flexible arrangement for example, working different hours, reducing work targets, being flexible about deadlines where possible.

Suitable work environment - Under the Health and Safety at Work (Northern Ireland) Order 1978 all employers have a duty of care to ensure the health, safety and welfare at work of employees, including those who are working from home, so far as is reasonably practicable. Employees also have a duty under the Order to take reasonable care for their own health and safety, including working from home.

Suitable home environment - The employee must ensure that they can provide a suitable and safe working environment when working from home. They should keep in regular contact with the employer and report any health and safety risks and any modifications required. The employer should conduct a risk assessment before working from home is approved. It should set out what will happen if the risk assessment identifies concerns including who will make and pay for changes to bring the home up to standard, and what timescale will be allowed. It should detail what will happen if concerns are not addressed and reserve the right to refuse working from home.

During the pandemic, it's unlikely that the employer will have been able to carry out the usual health and safety risk assessments at the employee's home. However, the employer should ensure that:

- The employee feels the work they're being asked to do at home can be done safely;
- The employee has the right equipment to work safely;
- The line manager maintains regular contact with the employee, including making sure they don't feel isolated;
- Reasonable adjustments are made for an employee who has a disability.

The employee should also keep in regular contact with their line manager about:

- Health and safety risks;
- Homeworking arrangements that need to change

The Health and Safety Executive NI have a wealth of information on practical matters for example - risk assessments, seating/posture, display screens, https://www.hseni.gov.uk/articles/advice-employers-protecting-home-workers-advice-hse-gb

To find out more see link to Health & Safety Executive NI at the end of guide

Terms and conditions of employment - Terms and conditions of employment will continue to apply, unless there are exceptional circumstances for example, an agreed change to their official place of work. The working from home arrangements during Covid-19 are not normally considered to be permanent variations to the contract but post-pandemic it may be mutually beneficial for it to become the new normal working arrangement and so it may suit both employer and employee for it to remain in place. See LRA guide on flexible working https://www.lra.org.uk/workplace-policies/flexible-working#section-11

Remember a trial period - What the Covid-19 pandemic has provided is a trial period by necessity underpinned by a Government direction "if you can work from home you should do so". An employee may have a vision of what working from home will look like but the reality may be very different and the trial period demonstrates that the employer is prepared to facilitate it with a view to it hopefully working out. In many cases the Covid-19 pandemic has forced employers and employees alike to see

working from home in a new light and what may have been inconceivable months ago is now a reality with a few tweaks and adjustments needed along the way. Neither the employer nor employee should discount the prospect of home working without a trial period and both parties should realise that without a very significant obstacle it can be facilitated.

Flexibility of hours - This is important to agree from the outset. Working from home can give the employee a certain amount of flexibility for example, to pop out to pick up a parcel or to hang out washing and small things can be a welcome change from the rigidity of the office environment.

There should be an agreed structure to the employee's working day and a clear understanding of what is expected of them. Whether it is to put in a certain number of hours within a set period of time, adhere to the normal 9am-5pm or maybe the employer is content for the employee to work as and when, provided they get the job done.

Talk it through with the employee, be mindful of the Working Time Regulations and that too much fluidity around working hours can lead to a blurring of the work/home boundaries. Also, how the employer keeps track of time worked; think about the maximum average 48 hour working week.

Working from home carries with it the risk of the employee not working as much as they should, but also the risk of over doing it because employees working from home are always susceptible to the 'always on' mentality; just doing another few hours or opening the laptop in the evenings. Productivity requires the employer and employee to be clear on what is reasonably expected in terms of targets, objectives and goals in the circumstances and be monitored and/or adjusted accordingly to avoid uncertainty and risk of overworking from the home office. That's because closing the door to a home office or lifting work papers from a kitchen table is nothing like leaving a building and driving home. So the employer should try to promote a set start/finish time and remind the employee to take their normal breaks and lunch.

Availability and maintaining contact - The employer should have a clear understanding when the employee will work and be contactable. The employee should keep in regular contact with their line manager, team members, colleagues and customers. This will likely involve new ways of working for example, using video or conference calling technology. It is essential the employee communicates when they won't be available via the following methods - computer shared calendars, out-of-office replies and voicemail messages. Clearly there must be effective technology in place and provisions may need to be made for things such as poor rural broadband connections via range extenders and connections to 3G and 4G networks.

Furniture, equipment and technology - The employee will need a range of items in their home to do their job properly and safely and the employer is expected to provide these. The employer should take time to discuss equipment and technology with the employee, agree what's needed and support the employee to set up any new

equipment or technology. It's also important the employee knows who to contact to report technical problems so the appropriate support and assistance is in place to resolve issues quickly. Be clear about who owns the equipment, who should insure the equipment and who is responsible for paying for repairs or replacements.

There should be an obligation on the employee to take good care of the equipment and tell the employer straightaway if any of it becomes faulty or damaged or otherwise not suitable. The equipment that's needed will be dependent on the role and can be anything from a computer, a desk, dedicated phone line, internet connection (broadband), filing cabinet, a shredder. The employee is likely to have some of these things already but in an ideal world the employer should supply what it can because that way there is more control over its use and the employer can make sure it is of the right standard, particularly when it comes to data protection and the security of information. The Information Commissioners Office has useful practical material here https://ico.org.uk/for-organisations/working-from-home/

The employer will know if equipment is compatible with the systems used in the office. The employer should consider putting restrictions on the permitted use of office equipment that is supplied for the employee, not for general family use and make it clear it remains the employer's property. If the employee is going to be using some of their own equipment such as a laptop or desk chair make sure it's suitable and agree who will be responsible for covering the cost of repairs in the event of damage or breakdown.

If the main office has been closed to stall the spread of Coronavirus consider opening the office at set times to permit employees to stock up on, for example, paper, printer cartridges and other stationery. Alternatively, the employer may prefer/need to arrange a delivery to the employee.

Access to employee's home - Would you ever need to gain access to the employee's home? Set out when you might need access for example, to deliver, set-up, repair or replace equipment, carry out health and safety risk assessments, retrieve equipment during or at the end of working from home and it is better to be clear that you will give reasonable notice, that you will access at agreed and reasonable times with a view to minimal disruption and mutual co-operation.

Security, data protection and confidentiality - The employee must familiarise themselves and comply with the requirements of policies and procedures relating to the security of information and keeping data confidential. The employer should also set out clearly how the employee working from home should store and transmit documents and information. To find out more see link at the end of guide to Information Commissioner's Office – Data Protection and Working from Home.

Policies and procedures - Make it clear that policies and procedures continue to apply. So if the employee is ill they should use the normal absence reporting procedures. Similarly, if the employee wanted to take a holiday they will be required to follow the procedure for booking leave.

Pay and benefits - Employees who are working from home must get the same pay, if they are working their usual hours. Be aware there is a risk that an employee working from home can end up in a worse deal than colleagues in the office. For example, if colleagues in the office get subsidised lunches in the staff canteen. This may sound insignificant but for an employee working from home who doesn't have the same similar benefits, is being treated less favourably. Of course they could consider travelling to the office for lunch but it might be worth thinking about whether there should be alternatives in place to make-up for benefits lost. Some employers may wish to consider this.

Running costs and expenses - The employer should state if it is prepared to contribute to the employees utility bills for example, heating and electricity, line rental and/or internet connection. These issues require negotiation and consistent application between an employer and employee and there needs to be clarity on matters such as about what the employee can claim back. It is usually expected that an employer would cover costs such as printing, postage and travel to and from meetings. To find out more see link at the end of guide to Covid-19 Working from Home Allowance.

Taxation - This can be complicated and worth getting specific advice from HMRC in respect of liabilities and set-offs. To find out more see link at end of guide.

Mortgage, lease or insurance issues - Employees working from home on a regular basis should notify their mortgage lenders and insurers about their working arrangement to ensure that they are not breaking any terms of their mortgage or insurance agreements. Those employees living in leasehold property should ensure that their lease does not include a restriction on working from home.

Review - Working from home arrangements should be regularly reviewed by the employer to make sure it continues to meet both business and the employee's personal needs. Be aware that working from home does not work for every business or every employee.

Ending arrangements - In circumstances where:

- An employer and employee have agreed to use a trial period and working from home doesn't work out, it will end on the expiry date, unless otherwise agreed.
- An employee chooses to move home, depending on the impact of the house move on their job role may end the working from home arrangement or
- An employee applies for another job role and is successful, the current arrangement may cease and they may need to reach agreement on a new arrangement that meets the needs of the new job role as well as the employee.

If working from home has resulted in a proposal towards a permanent change to the contract of employment then it must be done in a way that is agreed and lawful. To find out more, view LRA webinar and similar content on Variation of Contract here https://www.lra.org.uk/resources/webinar-variation-contract

The most successful working from home arrangements are those which have been carefully considered, discussed and agreed between the employer and employee and where there are clear policies and procedures in place to support them.

Things to think about and take action on –

- **Disabled employees** - working from home and reasonable adjustments required - see material from Equality Commission NI here - https://www.equalityni.org/Footer-Links/News/Employers-Service-Providers/Ensuring-equality-for-disabled-people-in-work-afte
- **Mental health and wellbeing** - be pro-active in protecting staff – watch our webinar on mental health and the workplace here - https://www.lra.org.uk/resources/mental-health-workplace-webinar
- **Childcare arrangements** – be flexible and work with employees on ad-hoc plans see material from Employers for Childcare here - https://www.employersforchildcare.org/news-item/meeting-the-childcare-needs-of-families-throughout-covid19/
- **Domestic violence** - statistics show that incidences are on the increase and are not simply a "personal" matter but potentially also a matter for an employer.
- **Rural broadband** – look at ways towards improving internet connectivity.
- **Trust** - is a two way concept and must be demonstrated by employer and employee.
- **Productivity** - working from home must make sense from viability perspective and needs to be worth the combined effort.
- **Experiences elsewhere** - In the Republic of Ireland the Department for Business Enterprise and Innovation has produced some useful material on remote working - https://dbei.gov.ie/en/What-We-Do/Workplace-and-Skills/Remote-Working/Guidance-for-working-remotely-during-COVID-19.html

The Labour Relations Agency has produced its own in-house material on working through the pandemic and is available here https://www.lra.org.uk/resources/labour-relations-agency-together-people-programme-may-2020

Top Tips

Working from home, particularly for a prolonged period of time can be challenging. In order to minimise the impact of some of the most common issues associated with this type of arrangement, below are useful tips that can help you to adjust to working from home, feel more productive and take care of your mental and physical health in these difficult times:-

Managers – supporting and managing remote teams

Resourcing your team

- Make sure your team have access to everything they need to do their job.
- If staff require special arrangements for equipment for example, a specific computer keyboard this should where possible, be facilitated.
- Existing adjustments should be accommodated where possible for example, office chair loaned for home use.

Communication

- Good quality communication is key.
- Get good at deliberate, structured communication, making sure the team check-in daily.
- Set aside time for your one on ones with your team.
- Encourage the team to keep in touch with each other, can be invaluable for additional points of communication.

Keep connected

- Be intentional about creating a remote working atmosphere of support, engagement and genuine connection.
- Identify time to simply connect as people in a virtual space like Skype, Zoom or WhatsApp when the focus is not to solely discuss work but to simply chat as people. Actively encourage employees to connect informally with each other - have the time to bond casually as we would in a physical office environment.

Building trust and flexibility

- Trust your team, give them the freedom and flexibility to get work done on the schedule that helps them be the most productive.

Work planning

- Spend time with your team and discuss as soon as reasonably practicable, individual and team workload and how this will be managed remotely.

Manage expectations and outcomes

- Be clear on how the team will be managed.

- Establish new ways of working – consider how to deliver work as a team. Be creative.
- Be empathic and accommodate personal circumstances where possible.

Employees

Use the right equipment

Make sure the IT and other equipment that you have at home is suitable for your job role, the work that you do, and your own work style.

Make a dedicated workspace

Choose a suitable workspace within your home, somewhere where you can focus on work and minimise distractions. Set it up so that all necessary equipment is at hand. Maintaining a distinction between work and home life is important, but understand that this may not always be possible. If you are unable to have a separate area, then try to get into a routine at the end of your working day/week to pack everything away to reduce the temptation of logging back on.

Dress appropriately

Get dressed in suitable attire so you feel comfortable and ready to contribute to the working day. It will help you make that mental-shift into work mode and maintain that important distinction between work and home.

Establish your own routine and stick to it

Where possible establish a routine of starting and finishing work at the same times you would if you were in the office, obviously this will not always be possible particularly if you have caring responsibilities and your normal start and finish times will be different, so try and find a new routine that works for you. Avoid any inclination to be 'always on' when your home and office are the same place. Switch off when your workday should be over, otherwise work time could end up eating into your quality/down time.

Make a daily to-do or task list

It's simple and will help you maintain your focus, keep it realistic and achievable.

Be involved

Be involved in team and group discussions. Make sure you and your colleagues are kept up-to-date on what you are working on.

Stay connected

Make time in your working day to speak to colleagues (not just managers). Have a chat, share experiences and use video calling (Skype, Zoom, WhatsApp) to maintain contact.

Set boundaries

Setting boundaries with other members of your household is key to mental wellbeing while working from home. You can be more flexible when working from home,

although it can also be difficult if there are new distractions to deal with like children at home who may think you are on holiday and want to spend time with you. Have a discussion about your needs, especially with family. Remind them that you still have work to do and need quiet time to do it. Similarly set boundaries with work. It's easier to stay logged on when your home is your office, but try to switch off from work when the day is over and enjoy time with family at home.

Think about your communications

Remote conversations with colleagues and customers remove some of the visual or audio cues that normally come with face-to-face contact. Think about making your contributions clear, succinct with all parties being clear on agreed actions.

Stay healthy and minimise stress

Try to exercise and get fresh air every day. Make sure you understand expectations around how and when you will communicate with your manager and colleagues. Remember to take your screen breaks regularly and when your working day is over make sure you switch-off to avoid burnout. If you are feeling unwell you should report this in the normal way and avoid the temptation to think because you are at home you can work through it. If unwell, we all need rest to aid recovery.

Give yourself a break

Schedule in time to take breaks as you would do in the office, so you remain focused. Take a quick break if you feel things getting on top of you. It's important that you take your leave when working from home in the same way that you would when working from the office. The benefits of leave and longer rest periods are widely recognised. You should plan it and book it to spend time on things other than work.

Make it work for you

There are benefits to working from home. Manage it right, keep a distinction between work and home, but remember you have all your home comforts near at hand, and importantly, there's no daily commute.

Know where to get help

Finally, do you know where to get support, training and help if needed, don't be afraid to ask for assistance and make sure you can access contact details if your IT equipment isn't working. Make sure you know how to access the wellbeing support your organisation has available.

Start thinking longer term

You may be continuing to work from home for while so think about ways you could improve how you work at home. If you have a garden, could you work there if the weather's warm?

Be kind to yourself

Remember this is an unusual situation and things will not feel normal. Acknowledge that you may not be as productive as you usually would be. Be realistic about what you can achieve given the circumstances, and relax when your work is done.

Further Help and Information

Health and Safety Executive – Protect Home Workers

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

Information Commissioner's Office – Data Protection and Working from Home

https://ico.org.uk/for-organisations/working-from-home/

Claim Tax Relief for your Job Expenses

https://www.gov.uk/tax-relief-for-employees/working-at-home

Information on employment rights:

See the Labour Relations Agency's website www.lra.org.uk or contact its Workplace Information Service on 03300 555 300.

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