



Members' guide

# Home and remote working



# Contents

<b>Introduction</b>	<b>1</b>	<b>6 Equalities</b>	<b>19</b>
<b>1 Terms and conditions</b>	<b>2</b>	Disability discrimination	19
Contractual or occasional?	2	Reasonable adjustments	19
Flexible working request	2	Sex discrimination	20
Homeworking designated by your employer	3	What employers must do to protect new and expectant mothers	21
Financial	3	Race discrimination	22
Office equipment	4	<b>7 Caring</b>	<b>23</b>
Career development	4	Whose flexibility?	23
Maintaining contact	4	Establishing a care plan	23
Duration of homeworking	5	Dealing with an emergency	24
Data protection	5	What does the law say?	24
<b>2 Health and safety</b>	<b>7</b>	What other support might be available	25
Legal position	7	<b>8 Work-life balance and the Right to Disconnect</b>	<b>27</b>
First aid	7	Monitoring and algorithmic management	28
Safety representatives	8	<b>9 Domestic abuse and home-working</b>	<b>30</b>
Personal security	9	Disclosure can be difficult	30
Work-life balance	9	Home is not a safe space for every worker	30
<b>3 Risk assessment</b>	<b>10</b>	Work-related stressors can be an aggravating factor	31
Workstation set-up and use of equipment	10	Workplace relationships	31
Manual handling of equipment	11	Know the limits of your expertise	31
New and expectant mothers	11	Sources of help	32
<b>4 Insurance and tax considerations</b>	<b>12</b>	<b>10 Well-being and mental health</b>	<b>33</b>
Household contents	12	Stress, mental health and well being	33
Building insurance	12	What is mental health, and what is stress?	33
Council tax rates	12	Employer obligations	33
Mortgages, rental agreements and leaseholds	13	How have things changed at home?	34
HMRC allowance	13	What workplace can cause stress and mental health problems?	35
<b>5 Performance management</b>	<b>14</b>	Keep in touch	38
Why performance management matters	14	Stick to a routine	38
Common problems with performance management	14	Set up a workstation as well as you can	39
Establish good communications with your line manager	15	Find out how to contact your EAP, if your employer has one	39
Setting clear work objectives	15	Speak to Prospect	39
Getting the best from remote teams	16	<b>11 Contact Prospect</b>	<b>41</b>
Guarding against bias	17		
What to do if you have been unfairly treated?	17		
Checklist	18		

# Introduction

Remote or homeworking is a flexible arrangement by which workers use their home as their main or subsidiary place of work for an employer, either as an office or as a base from which visits are made.

Not all jobs are suitable for homeworking all of the time and not all people are suitable homeworkers. But employers and staff are increasingly embracing homeworking. By necessity, the 2020 global coronavirus pandemic has exposed many workers and employers for the first time.

Homeworking allows staff to avoid a daily commute, to improve work-life balance and to concentrate on work without office distractions. It allows businesses to cut costs and can help staff manage their workloads more effectively. It may also contribute to tackling the climate emergency by reducing the number of journeys made by car and easing the load on public transport systems at peak times. Reducing the number of office journeys is also likely to help employees with disabilities.

But remote working can also come with significant challenges if not managed well. Among other issues workers can become isolated from their teams and they may lose some of the small day-to-day interactions which help collaboration. Finding a healthy

work-life balance can be difficult, with some workers feeling they are living at work rather than working from home.

This guide explains a number of issues that need to be considered if you are thinking about working from home or are already doing so. Your employer may require you to work from home, either as a result of obtaining new employment or after a workplace reorganisation, or as a result of crisis management – as we have seen in the global pandemic.

Ideally, homeworking should be a voluntary arrangement but that is not always the case in practice.

If homeworking is presented to you as a compulsory arrangement you should seek advice from Prospect, especially if such an arrangement is proposed by your present employer.

# 1. Terms and conditions

**1.1** Homeworking is a flexible working arrangement that has been agreed with your employer. If you are an office-based employee, your pay, annual leave, sick leave, pension, hours of work, staff appraisal and all other contractual arrangements should remain unchanged when moving to home-based working.

**1.2** If you are coming into a new workplace in which homeworking is the norm for the role that you will be doing, or are moving straight to homeworking in a new role, your terms and conditions should be the same as those your colleagues enjoy, regardless of whether they are also homeworkers or are office-based.

## **Contractual or occasional?**

**1.3** Organisations tend to differentiate between contractual and occasional homeworking. Designated homeworkers are issued with specific homeworke contracts, whereas employers tend not to change the contracts of employment of occasional homeworkers. If you are a designated homeworke, a contractual variation specifying your position as a homeworke is likely to give you additional protections and should be sought. It is also likely that the nature of your homeworking arrangement needs to be spelled out, particularly where large parts of your working time are spent

away from the home office, ie in visits to customer/client premises. Organisations may not regard occasional homeworkers or those who work from home, rather than at home, as being entitled to the same benefits as contractual homeworkers.

**1.4** Whether you are a contractual or occasional homeworke, Prospect believes that all the terms and conditions that apply to your period of homeworking should be set out clearly and formally in a homeworking agreement. Employers should produce clear homeworking policies and regularly monitor their effectiveness, in consultation with Prospect representatives. Some of the issues to be considered in a homeworking agreement are set out below.

## **Flexible working request**

**1.5** If you are currently working from home because of the Covid 19 pandemic and you wish to continue to work from home you will need to agree a flexible working arrangement with your employer. There is a statutory process which guides flexible working requests, you should check your employer's process for flexible working requests.

**1.6** All employees have a legal right to request flexible working, but there are some conditions attached. The entitlement is

only open to employees. To be eligible an employee must have worked for the same employer for at least 26 weeks. The request needs to be made in writing; it should consider how the change might affect the business; and how the new work pattern could be accommodated.

**1.7** When considering a request, an employer will look at how the change will affect the business. If it does not meet this business test then an application can be refused. All requests need a written response from the employer saying whether they agree with the request and if not their reason.

**1.8** The employee must receive a written response within three months of receiving a request. If the request is turned down an employee will not be permitted to make a new request for 12 months. As with other changes of this type, if a request is refused the decision can be appealed.

**1.9** Any new arrangement agreed by the employer would be a change in the employment contract, so if the flexible working arrangement is no longer needed the employer would need to agree a change back to the previous work pattern.

## **Homeworking designated by your employer**

**1.10** An employer may decide to designate some roles as home based for business reasons, such as an office closure to reduce costs. If there is a mobility clause in your contract of employment it is likely that this will allow an employer to ask you to work at home. Even where there is no mobility clause, there is an implied term in every contract of employment, that an employee will follow reasonable and lawful orders. If working from home is impractical and no alternative working arrangement is available this may be redundancy situation. If your employer proposes home working and you are unable to reach a satisfactory working arrangement you should seek advice from the union, as your rights will depend on your contract of employment and personal circumstances.

## **Financial**

**1.11** Leading employers with experience of homeworking estimate that every full-time homemaker saves them at least £6,000 to £7,000 each year. These savings provide the basis for negotiating financial arrangements which are also beneficial to the homemaker, for example, paying/retaining metropolitan city weighting allowances when working from home.

**1.12** The employer should help to reimburse homeworkers for providing office space, energy costs (for example cleaning, heating and lighting) and wear and tear. HMRC allows employers to pay homeworkers £6 a week (or £26 a month for employees paid monthly) towards the extra utility costs associated with working from home without the need to produce or maintain documentary evidence (see *Section 4 – HMRC Allowance*).

## **Office equipment**

**1.13** Your employer should provide you with all the equipment necessary to do your job from home – a printer, office chair, PC, desk, lockable filing cabinet and dedicated telephone/broadband line whose costs are paid for centrally. If you are an occasional homeworker, you might need to reclaim some payments – for example, the cost of phone calls – via the usual expenses route. It is also a good idea to set out in advance how the regular replacement of old equipment or furniture will be arranged.

**1.14** Some groups of Prospect members working from home also have specific requirements for clothes, drying space, safe storage and disposal of hazardous substances etc which, as far as possible, need to be dealt with beforehand. Essentially, what is provided at work should also be provided at

home, where this can be done reasonably, acceptably and safely.

## **Career development**

**1.15** Staff appraisal, promotion, training and personal development opportunities should be the same for all staff. Managers should meet home-based staff during the year for appraisal and development purposes. Staff should ensure that:

- objectives are clear
- performance measures are realistic
- quality and volume of output is discussed and agreed
- mechanisms for feedback and monitoring performance are adequate
- a system of review at appropriate intervals is in place.

**1.16** There may be a requirement for line managers to receive specific training on managing homeworkers.

## **Maintaining contact**

**1.17** It is essential that homeworkers do not feel isolated from the rest of the organisation. Homeworkers often cite fear of isolation from events in the workplace as the aspect of homeworking they least enjoy.

**1.18** Prospect believes home-based staff should attend regular team meetings and receive office circulars, information notices and notification of promotion and transfer opportunities as if they were in the office. Members should establish protocols with their line manager for how this contact is to be maintained before moving to homebased working; and outcomes should be monitored and reviewed regularly. Contact with colleagues and building networks with other home-based staff in your organisation will be vital, as will contact with Prospect.

**1.19** In addition, your manager should:

- establish arrangements that enable homeworking staff to spend some time in the office when desired
- ensure all lines of communication are fully open, including matters that are narrowly work-related. This might extend to opportunities for social events, both with non-homeworking members of the team or between homeworkers.
- ensure homeworkers feel confident that the employer has made a commitment to their long-term future within the organisation
- ensure that homeworkers are integrated into the normal procedures and culture of the organisation and are not thought of differently

- remember that formal team meetings, and travel to them, should always take place in work time.

**1.20** The homeworking agreement should be clear on how travel and subsistence costs for attending team meetings are to be dealt with. Expenses paid in respect of business travel are free of tax, but payments made in respect of the ordinary commute between the employee's home and place of work are not.

## **Duration of homeworking**

**1.21** In the event that the homeworking arrangement is entered into on a voluntary basis, it is important to set out how and when it will be reviewed; and to understand at the outset on what basis the arrangement may be terminated, and what would result if that happened. Additionally, your own personal circumstances may change over time, so that homeworking is no longer suitable or possible.

## **Data protection**

**1.22** The employer is responsible for the protection of data used and processed by a homeworker for professional purposes. The employer must inform the employee of the organisation's privacy policy and any other guidance concerning data protection.

**1.23** It is advisable for an employer to give a homeworker adequate facilities so they can follow the same rules for storing and transmitting information at home as they would in the office.

**1.24** The employer should set out how staff can work from home securely. Measures are likely to include:

- access to a secure network system to save work
- an IT infrastructure that will support staff working from home including encryption of information transmitted over the internet (for example by providing a secure VPN)
- providing safe storage of information or data in a lockable cabinet at the end of the working period with clear instructions on disposing of sensitive material.



# 2. Health and safety

## Legal position

**2.1** Under the Health and Safety at Work etc Act 1974 (HSWA), employers have a duty to protect the health, safety and welfare of their employees, including homeworkers. With very few exceptions most of the regulations made under the HSWA apply to homeworkers as well as to employees at an employer's workplace.

**2.2** An employer's duties in relation to homeworking are:

- to provide and maintain equipment and systems of work which are safe and without risks to health
- to ensure the safety of and absence of risks connected with the use, handling, storage and transport of articles and substances, taking into account the more detailed requirements of the Control of Substances Hazardous to Health (COSHH) Regulations
- to provide information, instruction, training, supervision and the development of sensible systems of work to ensure the health and safety at work of staff
- to provide and maintain a working environment that is safe, without risks to health, and adequate facilities and arrangements for staff welfare.

**2.3** A homeworker's place of work is not under the control of the employer, so there is no specific duty to maintain the place of work or access to it. But if employees are required to work from home, the employer is responsible for ensuring that facilities are adequate, eg lighting, space, furniture and comfort.

**2.4** Before members start a homeworking arrangement they should make sure they have been informed and trained on the health and safety requirements that need to be met. Not only is the law relevant here, but equipment specifications and industry standards should also be met. If in doubt, contact your Prospect rep.

## First aid

**2.5** Employers must make adequate first aid provision for homeworkers in case they are injured or become ill at work. Exact provisions will depend on the nature of the work activity and the risks involved. For further information please access the HSE first aid homepage at [www.hse.gov.uk/firstaid/index.htm](http://www.hse.gov.uk/firstaid/index.htm). Do note the HSE's list of items an employer's first aid box should contain and its recommendation on what not to include. Homeworkers need to determine for themselves what they need to keep at home on a regular basis and, of course, seek professional help for significant

illnesses and injuries. Reporting accidents and incidents

**2.6** Homeworkers should ensure that all accidents and incidents are reported to line managers or supervisors. Such reports should always be followed up formally as soon as possible in writing and copied to your safety representative. Prospect suggests that homeworkers keep their own details of such incidents as a way of monitoring their own safety record. In effect, accidents and incidents should be reported and dealt with as if they had occurred on the employer's premises.

**2.7** All employees, including homeworkers, have a duty to report any potential health and safety problems which may represent a hazard to their own health and safety or to that of others.

## **Safety representatives**

**2.8** Under regulation 4A of the Safety Representatives and Safety Committee Regulations 1977 (SRSC), employers are obliged to consult safety representatives over the introduction of any measure at the workplace that will affect the health and safety of employees they represent. Prospect considers that any proposal to introduce homeworking is covered by this regulation.

**2.9** It is sometimes not evident to homeworkers who is their safety rep, since safety reps usually have defined areas of responsibility within or for a building. It is therefore a good idea to ascertain the contact details for your safety rep from the employer so that accidents or injuries can be appropriately reported. Working away from the office

**2.10** Many members based at home are required to spend time visiting clients, sites etc. This raises a number of issues. Any doubts or concerns should be raised with line managers as soon as possible, either before a situation arises or after an incident.

**2.11** Essentially, members should not put themselves at risk. A mobile phone (and hands-free facility if relevant) may improve safety on trips away from the office and such provision should be discussed and negotiated with the employer. The use of a safe return buddy system, where the homeworker uses a colleague (or, as a last resort, a family friend) to report in during the day and/or at the end of the day when they return safely home, might also be appropriate. The Suzy Lamplugh Trust (<https://www.suzylamplugh.org>) has a great deal of useful information regarding personal security. Prospect's *Members' Guide to Lone Working* is also useful.

## **Personal security**

**2.12** Homeworkers should take care over passing their home address to third parties for the delivery of correspondence. It may be appropriate to provide details to some trusted third parties, but ideally correspondence should be routed via the office base. Additionally, meetings with third parties should be held at the office base or at the client's or third party premises. Having a dedicated business line will assist personal security but homeworkers should not give away their personal contact details.

## **Work-life balance**

**2.13** A good work-life balance is vitally important for every member and you should make sure that, as a homeworker, you are comfortable with it. Homeworkers are prone to working longer hours and are subject to greater levels of isolation – particularly if your homeworking arrangement involves you in extensive periods of working away from the office. If you are not comfortable with your work-life balance, you should consider how to address it: do note Prospect's advice and tips on securing a work-life balance that works for you (see *Section 8: Work-life balance and the Right to Disconnect*).

# 3. Risk assessment

**3.1** The risk assessment is a specific requirement of the Management of Health and Safety at Work Regulations 1999. Before a homeworker is appointed, employers must define the activities to be carried out and assess any risks to the homeworker. You should insist that a risk assessment is carried out if you are already working from home and, as far as you are aware, a risk assessment has yet to be completed.

**3.2** Employers need to take five steps to make sure that a proper risk assessment is done:

- identify any hazards
- decide who might be harmed and how
- assess the risks and take appropriate action to remove them or reduce them as far as possible
- record the findings – check the risks from time to time and take further steps if required.

**3.3** Risk assessments must cover all work activities, including work activities taking place outside the home/office such as driving and visiting clients or other premises.

**3.4** Possible hazards include:

- the workstation set-up and use of work equipment
- manual handling

- hazardous substances and materials.

## Workstation set-up and use of equipment

**3.5** The major points to consider when setting up the homework area are:

- equipment must meet basic standards and be properly installed
- workstations must be adjusted to a comfortable position, with the keyboard/laptop in the correct position
- computer/laptop screens should be free from glare and reflections
- chairs should be adjustable to suit the user
- lighting should be adequate
- the workspace should not be cramped
- storage for reference material, files and paperwork should be adequate.

Please see *Prospect's factcard on Display Screen Equipment* for further information.

**3.6** Employers have a duty to ensure that the right equipment for the job is used and that proper information and training in its use has been provided, including the correct use of any personal protective equipment supplied. The equipment must be regularly checked as regards its overall condition and replaced where no longer fit for purpose.

**3.7** If homeworkers use electrical equipment provided by the employer, the employer is responsible for its maintenance, but employers are only responsible for the equipment they supply. Electrical sockets and other parts of the homeworke’s domestic electric system are their own responsibility.

**3.8** The HSE’s guidance on maintaining portable electrical equipment in offices highlights that, while the law requires such equipment to be maintained, it does not require an elaborate and frequent system of electrical testing. Homeworkers should, in line with the Institution of Engineering and Technology’s code on the inspection and testing of electrical equipment (‘PAT testing’), visually check and report faults with equipment but should be able to expect formal and combined inspections and testing to be carried out in line with company policy and health and safety legislation.

## **Manual handling of equipment**

**3.9** Handling loads can cause serious injury, particularly to the spine. Employers must provide suitable equipment, which can be easily moved by one person. When this is not possible, the employer should provide assistance, training and equipment as appropriate in order to facilitate the

movement of equipment. Hazardous substances and materials

**3.10** Any substance that places homeworkers or other people’s health at risk must be handled according to the instructions provided by the employer, manufacturer or supplier of the substance.

**3.11** Employers are only responsible for substances and materials they provide. Under the Control of Substances Hazardous to Health Regulations (COSHH), the employer has a number of specific duties in the area of preventing or adequately controlling exposure to hazardous substances.

## **New and expectant mothers**

**3.12** The Management of Health and Safety at Work Regulations 1999 require employers to pay particular attention to the possible risks faced by homeworkers who are new or expectant mothers. Risks include those to the unborn child or to the child of a woman who is still breast-feeding – as well as risks to the mother herself. A new or expectant mother means a worker who is pregnant, who has given birth within the previous six months or who is breast-feeding.

# 4. Insurance and tax considerations

**4.1** Anyone considering working from home – either on a short-term occasional basis or a more permanent arrangement – should check their insurance policy. It is not sensible to assume that, because working from home only involves a modest computer and basic office furniture, everything will be covered by existing policies. Any excess should be reimbursed by the employer.

## Household contents

**4.2** Traditional household contents insurance often excludes equipment used for commercial purposes. You must therefore ensure that your employer's own insurance covers the equipment they have provided. Claims arising out of the loss of ordinary household possessions may be disallowed if the insurer was not informed that business equipment was being used from the home.

## Building insurance

**4.3** It is wise to ensure that building insurance will continue to be valid. Insurers may believe there is a greater fire risk because more electrical equipment is installed and/or that these items make the home a more attractive target for burglars.

## Council tax rates

**4.4** If you work from home, the part of the property used for work may be liable to business rates whilst the remainder of the property will continue to be liable to council tax (although an alteration may be made to its banding).

**4.5** Key to the decision of the Valuation Office Agency on this question will be:

- the extent and frequency that the room is used for work
- if any modifications have been made to the building to accommodate work use.

**4.6** Each case is considered on its merits, but from examples published on the VOA website, it seems that the question of business rates is not likely to arise when the character of the room remains as domestic living accommodation; and when the furniture and equipment used – even when supplied by the employer – is of a type commonly found in domestic property. However, people who are carrying on a business from their home address may find differently. If any increased charges are made as a result of the VOA believing that business rates do apply, they should be met by the employer.

## **Mortgages, rental agreements and leaseholds**

**4.7** You should check your mortgage, rental agreement or leasehold details to ensure that homeworking does not in any way affect your security of tenure or any other related matter. Some mortgages, rental agreements and leases have covenants that may be affected by homeworking. In most cases there may just be a notification requirement.

## **HMRC allowance**

**4.8** If you are working from home while remaining in paid full-time employment, your employer may pay you a tax-free allowance towards your additional household expenses. Currently, HMRC allows employers to make a payment of £6 a week towards such costs without keeping records. Employers may pay more than this where you can provide proof of payment (for example, via a comparison of bills before and after your homeworking started).

**4.9** However, if your employer does not pay this amount, you cannot claim it directly from HMRC, however you may be able to claim tax relief: <https://www.gov.uk/tax-relief-for-employees/working-at-home>

**4.10** More information on making claims for expenses can be found here <https://www.gov.uk/expenses-and-benefits-homeworking/what-to-report-and-pay>

**4.11** If you are working from home but are not in regular paid employment (for example, if you are self-employed), you may, however, be able to claim these expenses directly from HMRC (see the link reference in the previous paragraph – and other links from that same URL).

# 5. Performance management

**5.1** The switch towards remote working has raised some questions about how performance is managed remotely. Many managers will already have some experience of dealing with home and remote workers, but the typical tools used to assess performance will often not work as well when access to offices is limited.

## **Why performance management matters**

**5.2** Most organisations, in both the public and private sectors, operate a system of performance management. When these schemes are properly administered, they can have potential benefits, for example providing opportunities for staff to discuss work content, workloads and to agree on appropriate training and development with their line managers. But when an appraisal goes wrong, it can cause distress and affect future career plans.

**5.3** Homeworking introduces new elements of risk in management systems. Even when these systems have worked well in the past it should not be assumed, they will be suitable for organisations that have become reliant on remote working.

**5.4** These problems are compounded by the crisis situation many find themselves in as a

result of the coronavirus pandemic. Not all job roles are suitable for homeworking. This makes it more challenging to set appropriate and fair performance objectives.

## **Common problems with performance management**

**5.5** Performance management relies on an assessment of someone's work by an appraiser, usually a line manager. Often this exercise is both written and verbal, with a staff member presenting evidence of their work against a set of previously agreed work objectives. This may be followed by an interview to review the work and set new objectives for the next period. In some cases, there will be a formal mark which might affect the way someone is paid.

**5.6** Although there is usually a process of interaction between staff members and their manager the process itself can often feel subjective. Team members may feel that they have been assessed differently from others in their immediate team which can lead to a feeling that the system is unfair.

**5.7** This feeling of unfairness can be compounded by other factors which are beyond an individual's control, for example if an organisation's goals change suddenly. This is particularly relevant during the pandemic



when many roles which are currently been delivered remotely were never designed with this in mind.

**5.8** There is also a risk that people are treated differently because of a line manager's perceptions of an individual team member which may be guided by a bias that a manager holds.

**5.9** Even if all these problems can be navigated there can still be a feeling that the system is rigged if performance targets are set within a limited pay budget. A ranking system will always make some feel less valued than others.

## **Establish good communications with your line manager**

**5.10** It is very easy to lose contact with your manager when working remotely. Opportunities for informal catch ups are lost and so it is important to establish a routine for keeping in touch. The frequency of contacts and the nature of discussions will vary considerably. As a minimum a regular one-to-one catchup, either by phone or video call, is essential. This will provide opportunities to flag up concerns and ensure that your manager is kept up to date with your current work activities.

**5.11** Communication with your line manager will probably be mostly by email. This form of exchange can lead to misunderstandings; messages may inadvertently set the wrong tone or not clearly explain what actions are required. Speaking directly to your line manager is the best way of setting your mind at ease.

**5.12** Keeping in touch can be difficult to arrange. To get the best from these conversations, establish an agreed timeslot. Make sure that you discuss all relevant work. Meetings can also be a way of informing your manager about any problems that may have hindered your performance, such as local restrictions, difficulties contacting service users or problems with your broadband.

**5.13** Ensure you keep a note of meetings. It is good practice to share a short summary recording any actions that have been agreed. This can be a useful reference for future appraisal meetings or as an aide-memoire.

## **Setting clear work objectives**

**5.14** The shift to remote working could affect the work you do. If previous tasks were team based or relied on outputs from others, you may have to adjust what you do. It is important to have clarity about what you are required to do.

**5.15** Finding suitable goals can be difficult. Poorly devised objectives can be demotivating especially if there is no clear end goal. This can make it difficult to show how work is being progressed.

**5.16** These problems can be addressed in different ways:

- Keep a regular log of your work. This will inform you of your normal work activities and help you to set future goals.
- Reporting to internal or external stakeholder committees will give visibility to your work and can help establish deadlines. Demonstrating your measurable outcomes will help the evaluation of your work contribution.
- If there is a team dashboard which records work progress, make sure your activities are up to date.
- It is also important to note any variations and the reasons for any changes if your plans do not work out in practice. If problems have not been raised and recorded it could affect your rating score when reviewing your performance later.

## **Getting the best from remote teams**

**5.17** Informal conversations between team members are an important aspect of team dynamics, but physical distance can make this much harder to achieve. These type of interactions need to be built into remote working relationships.

**5.18** Regular online team meetings are an important way of keeping everyone in touch. There are several platforms that have been successfully used during the pandemic. It is important that you actively participate in team discussions. It is a way of finding out what others are working on and how their work might relate to your own.

**5.19** Team-based platforms for work-sharing can help to overcome isolation. Although these tools can never replace physical meetings, they can reduce some of the distance between team members caused by remote working.

**5.20** If you are not being offered an opportunity to participate in remote meetings or shared work, it is important that this is raised with your line manager.

## Guarding against bias

**5.21** All performance management systems are vulnerable to bias. There is a risk that homeworking may reinforce existing prejudices. Evaluations rely on an individual manager's assessment, which can be influenced by several different factors, some of which may be based on outdated stereotypes. If left unchallenged a manager's view may become entrenched which can affect a work rating.

**5.22** A particular area of concern is the difficulties many have found balancing caring commitments with work responsibilities during lockdown. Before the pandemic ONS research showed that women are more likely to provide informal care than men, further research by the Institute for Fiscal Studies has shown that the lockdown has increased this burden on women. There is a risk that if these pressures are not considered performance systems will unfairly judge those who have had little choice in taking on additional caring responsibilities.

**5.23** The Equality Act 2010 legally protects people from discrimination in the workplace for a number of protected characteristics. These are age, gender reassignment, being married or in a civil partnership, being pregnant or on maternity leave, disability,

race including colour, nationality, ethnic or national origin, religion or belief, sex and sexual orientation.

**5.24** Regular conversations with your line manager may give you an early warning sign that you are being treated unfairly. If you feel you are being treated less favourably on one of these grounds you should contact Prospect.

## What to do if you have been unfairly treated?

**5.25** Working from home should not affect the way your performance is accessed. If you feel that you have been unfairly graded for your work, then you should challenge the result.

**5.26** Most performance management systems will have a procedure for dealing with disputes. If you are not sure how to challenge your rating, or need other support in doing this, you should contact Prospect.

## Checklist

- Have regular conversations with your line manager
- Agree work objectives that are measurable
- Don't become isolated, take an active part in team meetings
- Guard against unconscious bias
- Record your achievements
- Keep a record of any changes
- Use the recording systems supplied by your employer
- If your objectives have changed make sure this is recorded
- Raise any concerns that may be affecting your performance and agree a solution
- Don't rely on emails, have conversations and where possible face-to-face meetings
- If you have been unfairly rated, raise it with your line manager

# 6. Equalities

**6.1** Employers need to take account of the Equality Act 2010 when assessing their plans for the Covid-19 pandemic. Employers continue to be liable for eliminating discrimination, promoting equality and providing reasonable adjustments.

**6.2** Those with protected characteristics under the Equality Act are often unfairly targeted for redundancies, or other unfavourable treatment. Particularly susceptible to discrimination and unfair treatment are pregnant workers and new mothers.

**6.3** It is good practice for employers to carry out an equality impact assessment in all their plans and practices during periods of homeworking. Public sector employers are, of course, under a duty to carry out impact assessments as part of their public sector equality duties.

## Disability discrimination

**6.4** Evidence from the Office for National Statistics shows that the impact of the pandemic has disproportionately affected disabled people. Three quarters of disabled people report that they were either very or somewhat worried about the effect that the coronavirus was having on their lives, compared to 66% for non-disabled people

and disabled people are four times more likely to feel lonely than non-disabled people.

**6.5** The government has extended the Access to Work scheme to provide more financial support to disabled people working from home during the pandemic:

- People who are clinically extremely vulnerable can get new applications for grant funding fast tracked.
- Funding can now cover taxi fares and public transport costs, if a health condition prevents someone from travelling on public transport during the pandemic.
- Extension to the scheme also includes a tailored package of mental health support for up to nine months (more information at <https://www.gov.uk/access-to-work>).

## Reasonable adjustments

**6.6** The employer may have additional duties to make reasonable adjustments under the Equality Act – for example, by ensuring the employee has the ability to continue working from home, adjusting hours, or changing duties. It would be unlawful discrimination if employers were to try and avoid their responsibilities to provide reasonable adjustments by targeting disabled workers for furlough or redundancy.

### **6.7** Here are some tips for Prospect reps:

- Remind your employers to factor into their plans the additional support that their disabled staff will need during this time.
- Ensure that disabled members are provided with the appropriate equipment, including IT, and software to meet their needs whilst working at home. Disabled staff should not be expected to pay for their own equipment.
- Remind employers that they are still required to ensure that where staff work from home it is safe for them to do so.
- Disabled workers may need additional training on using IT and software remotely. They may also need additional coaching on planning their working time, and on time management.
- Ensure that guidance is provided in different formats on how to access work systems remotely, and on general work guidance or instructions.
- Remind employers, particularly line managers, to keep in regular contact with remote workers and to bear in mind that disabled staff may need more frequent and different forms of communication, eg via the phone, skype, email etc.
- If disabled staff are in the higher risk category of contracting the virus, ensure

that they receive full pay if they are unable to work.

- It may take some time for employers to provide physical equipment such as chairs etc that would be provided in the office environment. It may be appropriate for employers to reallocate work to others whilst reasonable adjustments are being arranged.
- Ensure that there is a written record of any new or additional adjustments - remember our advice on Disability Passports.

## **Sex discrimination**

**6.8** The Covid-19 pandemic and the inevitable rise of homeworking may, in some circumstances, exacerbate gender inequalities both at work and at home.

**6.9** For many women homeworking has been welcomed as a means of having more control over their working environment and hours. It has enabled women to build their careers whilst also managing their caring responsibilities.

**6.10** Women were already taking on the majority of domestic care, whether for children or elderly dependants but now there are additional pressures to do so. This is particularly the case where there have been

lockdowns and parents are expected to home-school their children and the burden of this has mainly fallen upon women. According to the TUC, 90% of working mothers have said that they have taken on more childcare responsibilities since the pandemic began and almost half said that they don't have their usual help from friends and family. As children are returning to school, parents are still reporting that there is still not enough childcare, e.g. after-school clubs, nurseries or childminders, to cover their working hours.

**6.11** Some women may feel unable to cope with working at home as well as being a full-time carer. Encourage women members in this position to seek help from the union - it may be possible to negotiate a period of part-time working or leave (preferably paid) until appropriate childcare becomes available again.

**6.12** Prospect will aim to build into homeworking agreements/arrangements with employers maximum flexibility regarding hours worked. Line managers also need to ensure that they understand the needs of parents and carers in relation to working hours, worklife balance, stress and the potential for burnout.

**6.13** See our *tips for working at home with children*. Line managers should be flexible

in regard to deadlines and also perhaps reorganise targets.

## **What employers must do to protect new and expectant mothers**

**6.14** Generally, pregnant women do not appear to be more likely to be seriously unwell than other healthy adults if they develop the new coronavirus, according to the Royal College of Obstetricians and Gynaecologists.

**6.15** In normal circumstances, employers' routine risk assessments must consider any risks to new and expectant mothers, for example, from working conditions, or the use of physical or chemical agents.

**6.16** If this identifies a significant health and safety, which goes beyond the normal level of risk found outside the workplace, employers must take the following actions:

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

**6.17** If new and expectant mothers are expected to attend work, they may be exposed to risks beyond the normal level of risk found outside the workplace, as the risk of contracting Covid-19 while working from home may be much lower than in the workplace, depending on the task and the workplace. The above three-step process may therefore need to be implemented.

## **Race discrimination**

**6.18** Black, Asian and other minority ethnic people face shocking levels of discrimination at work. There is no reason to expect this to improve during the Covid-19 pandemic and the push towards working remotely. Discriminatory behaviour may increase and become 'hidden' with Black, Asian and minority ethnic (BAME) members more concerned about raising claims of unfair treatment, bullying and harassment.

**6.19** According to a TUC survey, BAME people working from home have reported that they are not receiving the support they need and that they are facing higher levels of surveillance and scrutiny. Others have reported that they've been asked to do more work than would have been expected in the office.

**6.20** It is therefore very important that employers are reminded to continue equalities monitoring across the whole employment process, including home or remote working, and address the inequalities faced by BAME workers.

**6.21** Equality is a core concern for us as a trade union. We want to ensure that work is safe, secure and appropriate for everyone recognising the particular issues faced by BAME people. BAME people are more likely to catch coronavirus – so we need to ensure that this is a factor considered in discussions between employers and the union when planning risk mitigation.



# 7. Caring

**7.1** One of the benefits of remote working is the opportunity to create a more flexible work pattern. However, at the same time and somewhat paradoxically, research suggests that the greater satisfaction with the amount and use of leisure time associated with homeworking is not as evident among women. Women sometimes use homeworking to manage the need for flexibility where they have significant caring and/or domestic responsibilities. This can help manage work and home responsibilities more easily, but it can also be difficult to separate work and family life. In a recent survey of Prospect members around a third of those with caring responsibilities found it difficult to find a balance between work and family commitments.

## Whose flexibility?

**7.2** We will all have responsibilities for others at different stages of our lives. This might involve looking after children or caring for elderly family members. Most of the time these caring responsibilities can be wrapped around our normal work routines, but these have been turned upside down by the pandemic. Lockdown closed schools and meant that other support, like paid childcare, is unavailable; and looking out for relatives who are shielding, either at home or in a care home, has also become much more difficult.

Even when there was a relaxation of the lockdown the separation between work and home is still difficult for many to manage. Flexible working policies designed for permanent variations of contractual relations do not work well in an emergency.

**7.3** Employers are likely to be unaware of which staff may need more flexibility and not have procedures in place to deal with the demand. Although flexible working legislation has been in place for many years access to these new rights have been taken up in a limited way. Without careful management demands for flexibility may become overwhelming in some departments which could impact on performance or place unrealistic demands on those most in need of support.

## Establishing a care plan

**7.4** With the right support it is possible to find a healthy balance between work demands and caring responsibilities.

**7.5** A first step for most employers will be to establish what has changed. As a result of the pandemic some staff may have additional caring demands, so it is important that line managers are made aware of any changes. If your organisation has a formal process for

recording care plans, then this should be kept up to date.

**7.6** If there is no formal process, you should have a conversation with your line manager and follow this up with an email to record any arrangements agreed.

## **Dealing with an emergency**

**7.7** The pandemic has forced many to adapt their working patterns. Care arrangements should be in place to cover the time when an employee is working. But with few options available many have been forced to settle for suboptimal working patterns. A temporary fix may be the best way of dealing with a crisis in the short term, but other solutions will be needed as the pandemic goes on. There needs to be a realistic assessment of caring needs and how these can be balanced with work commitments.

**7.8** You should speak to your line manager about any difficulties you may be experiencing, particularly if this means that you are likely to be unavailable for periods of time during normal working hours. It could also alert the employer to potential problems that they may wish to mitigate in other ways. This may involve a reallocation of work tasks or a reduction of workload. Your employer may seek alternative solutions rather than

accepting your proposed pattern of work. It is worth exploring these alternatives with your line manager before committing to a formal change of your working arrangements.

## **What does the law say?**

**7.9** All employees have a legal right to request flexible working, but there are some conditions attached. The entitlement is only open to employees. To be eligible an employee must have worked for the same employer for at least 26 weeks. The request needs to be made in writing and it should consider how the change might affect the business and how the new work pattern could be accommodated.

**7.10** There are a range of different flexible work arrangements that can be requested. Flexibilities that might help someone struggling with their normal work routines could include a reduction in the working week, compressed hours or breaking up the normal pattern of working hours. But like other flexible working requests these would need to be agreed with the employer.

**7.11** When considering a request, an employer will look at how the change will affect the organisation. If it does not meet this business test then an application can be refused. All requests need a written response

from the employer saying whether they agree with the request and if not their reason. The employee must receive a written response within three months of receiving a request.

**7.12** If the request is turned down an employee will not be permitted to make a new request for 12 months. As with other changes of this type, if a request is refused the decision can be appealed. Any new arrangement agreed by the employer would be a change in the employment contract, so if the flexible working arrangement was no longer needed the employer would need to agree a change back to the previous work pattern. More information about flexible working requests can be found on [gov.uk](http://gov.uk)

**7.13** A permanent change to the contract of employment might not be the preferred route to follow. But if the current working pattern is not working, and a temporary change is not agreed by your employer, a formal request could be considered.

## **What other support might be available**

**7.14** Many employers will offer additional flexibilities that could help deal with caring responsibilities. There is a legal entitlement to take time off work to deal with an emergency family situation. This will only be paid time

off if it is specifically covered by your contract of employment and can only be used for unforeseen events. This provision could be especially useful if your child becomes unwell and is unable to go school or you need to help an elderly relative urgently. There is no set time limit for this type of leave, but it is most likely to provide cover for short periods of time.

**7.15** For a longer break from work you may need to use a combination of annual leave and other special leave provisions. Most of these options are only available to employees.

**7.16** The statutory right to parental leave is less generous than other family leave provisions. A parent can take up to 18 weeks of unpaid leave before a child is 18, with a maximum of four weeks per year. Some employers have incorporated paid parental leave into employment contracts, which may cover part of this time. Although less generous this can be a way of managing periods when children are not at school or if other forms of childcare are not available. As with requests for flexible working the period of leave will need to be agreed by the employer and be subject to business needs.

**7.17** Currently there is no statutory right to Carer's leave, but this may change in the near future. A government consultation on

the introduction of Carer's leave per year closed in August 2020. Some employers have anticipated this change by introducing a new entitlement for this type of leave.

**7.18** If these leave arrangements are exhausted, or depending on the circumstances, the option of applying for a period of special leave, either paid or unpaid, may help manage a short period of absence from work.

**7.19** Finally, some employers will offer a career break. Usually a break of this type will be time limited and is likely to be unpaid.

**7.20** As with other forms of flexible working arrangements the employer will consider requests alongside the needs of the business, so some arrangements will be easier to accommodate than others. But if remote working is too difficult to manage, a combination of leave arrangements may help to bridge difficult periods of work without having to make a formal change to your contractual terms and conditions.

# 8. Work-life balance and the Right to Disconnect

**8.1** Home working raises new issues around the increasing use by employers of new technology and software to communicate with and manage their workforce, and the implications of this for work-life balance, privacy, accountability, and fairness.

**8.2** There is increasing evidence that some workers struggle to maintain a fair and healthy work-life balance in the face of new communications technologies.

**8.3** Always on working cultures of checking emails and taking calls away from work have become widespread in many companies and industries. Some people may be happy to work like this, but if expectations are not managed fairly it can pose serious issues for equalities and diversity, work-related stress, morale and productivity.

**8.4** These issues can be made more acute by a shift towards increased home working. There can be important benefits for many workers from increased flexibility about where they work; but for some it can make it even harder for workers to maintain boundaries between work and the rest of their lives.

**8.5** Prospect is encouraging employers to learn from best practice in the UK and overseas, which can mean agreeing fair ground rules with their employees about

when they can be expected to take calls, read emails, join online meetings or engage with work in other ways outside their normal contracted hours. This might include:

- an explicit statement that employees are not expected to read or respond to emails or other communications outside their normal working hours, and must not be put at a disadvantage for not doing so
- a strict rule that managers may not contact employees outside their normal working hours or stipulated “on call” periods, barring exceptional situations or issues that cannot be addressed at the next working period
- configuring communication systems so that emails or other messages cannot be sent or received outside employees’ normal working hours, and are instead parked on servers or even automatically deleted
- rules setting when work-related conference calls or online meetings can normally be held – so that time saved on commuting isn’t automatically converted into a longer working day at home
- setting up automatic reminders in email systems or work calendars that keep people aware of what fair and reasonable expectations of availability or responsiveness would be.

**8.6** There is no one-size-fits-all solution – the important thing is for employers to be engaging with workers and their representatives to find ways of working that strike the right balance for everyone.

**8.7** Prospect has published guidance for members and branches on establishing or defending a “Right to Disconnect” here: <https://library.prospect.org.uk/download/2020/01157>

**8.8** If you have concerns about how your employer is approaching this issue and the impact it is having on you, talk to Prospect.

## Monitoring and algorithmic management

**8.9** Employers are increasingly turning to new technologies and data analysis techniques in how they manage and reward their employees. This can include:

- Surveillance technologies from keystroke monitoring to CCTV, sensors, and voice recorders
- Using data obtained through such technologies along with other personal data and performance metrics to inform decisions around pay, promotion, work allocation etc

- Relying on algorithms or AI programmes to analyse this and other data to profile employees and shape decisions around their work, management, pay or promotion.

**8.10** The issues these technologies and practices raise around privacy, accountability and fairness can be even starker for home workers because:

- employers may be more inclined to turn to such techniques where they cannot rely on traditional forms of workplace supervision, assessment and performance management
- employees’ ability to talk frankly and privately with colleagues may be compromised if it can only happen through technologies that give employers the option to listen in or see what’s been said
- some forms of surveillance and monitoring may have even more serious implications for privacy and dignity where boundaries between home and work are blurred.

**8.11** Employees have rights under the GDPR to know what data employers are gathering or storing on them and how it is being used.

**8.12** Prospect has published guidance for branches and members on how to use these rights to check and challenge unacceptably

invasive practices, *Data Protection Impact Assessments – Guide for union representatives*  
– [https://library.prospect.org.uk/  
download/2020/01216](https://library.prospect.org.uk/download/2020/01216)

**8.13** If you have concerns about how your employer might be using technology to monitor you at home, get in touch with Prospect.

# 9. Domestic abuse and home-working

**9.1** There has been a widely publicised increase in domestic abuse during the coronavirus pandemic, with specialist charities reporting surges in calls for help. Some campaigners and politicians have linked this escalation to the shift to home-working, but while we can expect that to be a significant factor, it is far from the only one.

**9.2** Both abusers and their targets are likely to be spending more time at home: during working hours if they are working from home, laid off, or furloughed; and outside working hours as a result of social restrictions.

**9.3** Many social and personal antecedents of domestic abuse have also been exacerbated during the crisis, including alcohol consumption, social isolation, mental ill-health, and relationship conflict arising from factors such as financial insecurity and additional burdens of childcare.

**9.4** Domestic abuse is a complex and delicate issue. Oversimplification and one-size-fits-all policy can do more harm than good. Our approach to supporting members in domestic abuse situations must be sensitive and responsive to individual experiences and needs.

**9.5** We offer information and support for members to decide on the best approach for

their own situation – we do not push them towards any course of action that may make them feel more vulnerable.

## **Disclosure can be difficult**

**9.6** The targets of domestic abuse face many barriers to telling somebody at work. The retelling itself may be traumatic, they may be afraid of it getting back to their abuser, or they may worry about colleagues' assumptions about them. Workplaces and trade unions can help by offering multiple points of contact, for those experiencing domestic abuse to choose the one they feel most comfortable talking to.

## **Home is not a safe space for every worker**

**9.7** Employers should be conscious that an unasked-for move to homeworking may be a flashpoint for workers suffering domestic abuse. Where possible, employers should seek to facilitate office-based working arrangements for those who need it.

**9.8** Some employers, since the easing of national lockdown, have invited their workers to request office-based working "on grounds of wellbeing" without the need to disclose details of their particular circumstances. This has allowed them to maintain a safe level of



office occupancy, prioritising personal as well as organisational needs, without the need to expose targets of domestic abuse to the trauma and potential risks of disclosure.

## **Work-related stressors can be an aggravating factor**

**9.9** Domestic abuse may escalate in response to abusers' work-related stress. That doesn't make workplaces responsible, or give abusers an excuse for their conduct, but employers should be conscious of the wide social consequences of workplace stress in their efforts to manage and mitigate it. The psychosocial factors that aggravate domestic abuse may also aggravate abusive workplace behaviours. Employers and trade unions should have a common goal in the management of workplace stress, and the factors that contribute to it.

**9.10** The coronavirus crisis has upset the balance between work and domestic pressures for many households. Employers should be aware that recalling workers to their offices without sensitivity to their domestic circumstances may be a source of conflict, notably for those still struggling with additional burdens of childcare, or where it may exacerbate an abuser's sense

of isolation or victimhood. Where possible, workers experiencing domestic abuse should be supported to return to the office at a pace that helps them feel safe.

## **Workplace relationships**

**9.11** In some industries, and some geographical areas, many people share a workplace with their domestic partner or close friends and family. Employers and trade unions should be alert to the possibility of domestic abuse manifesting in workplace behaviour, should help the targets of abuse to understand their protections in the workplace, but must also be respectful of their concerns about the potential risks of reporting.

## **Know the limits of your expertise**

**9.12** As a trade union, we can help members deal with work-related aspects and consequences of domestic abuse, such as helping to negotiate sick leave or adjustments to their working location, or just providing moral support in workplace meetings. We can also signpost them to specialist services that can help with other aspects of their case. Domestic abuse is a delicate issue that calls for expert intervention.

## Sources of help

- **Police** – Domestic abuse is a crime. You can call 999 in an emergency, and press 55 (mobile phones only) if you can't talk.  
[www.police.uk](http://www.police.uk)
- **National Domestic Abuse Helpline (Refuge)** – Confidential support for victims and those worried about loved ones.  
[www.nationaldahelpline.org.uk](http://www.nationaldahelpline.org.uk)
- **National LGBTQ+ Domestic Abuse Helpline (Galop)**  
[galop.org.uk/domesticabuse](http://galop.org.uk/domesticabuse)
- **Gov.uk advice page** – A comprehensive list of services to support people experiencing domestic abuse  
[gov.uk/guidance/domestic-abuse-how-to-get-help](http://gov.uk/guidance/domestic-abuse-how-to-get-help)

# 10. Well-being and mental health

## Stress, mental health and well being

**10.1** It is often said that working from home can help us keep our work-life balance in equilibrium, and support our mental health. While this is true, it can have its downsides, potentially introducing new sources of stress as it reduces or removes others. This is especially the case if home working arrangements are poorly designed and implemented.

**10.2** This guide provides a framework for thinking about how work and other factors affect our mental health while we work from home, and some tips if they are. This guide will also be useful for branches in developing a meaningful bargaining agenda based on the lived experience of members.

## What is mental health, and what is stress?

**10.3** The World Health Organisation (WHO) defines mental health as “a state of wellbeing in which every individual realises his or her own potential, can cope with the normal stresses of life, can work productively and fruitfully, and is able to make a contribution to her or his community”. This is underpinned by the WHO’s definition of health as: “a state of complete physical, mental and social

wellbeing and not merely the absence of disease or infirmity.”

**10.4** However we define mental health, we all have it. It is a spectrum, and we will move from one part of the spectrum to another over time and in response to a complex range of factors. Stress is one such factor, as it can lead to or trigger a range of mental and physical health problems.

**10.5** Stress can be defined as: “the adverse reaction people have to excessive pressures or other types of demand placed on them”. This distinguishes between ‘pressure’ – which in manageable quantities can be beneficial – and ‘stress’, which is always damaging.

**10.6** It also suggests a balance between the pressures we all experience and our ability to cope with them, without having an adverse reaction. Our ability to cope is multi-faceted and depends on our skills, previous experience and the support we receive. It can change from day to day depending on our circumstances.

## Employer obligations

**10.7** Whether you work from home or on site, your employer has the same obligations to ensure that, as far as possible, you aren’t

exposed to issues arising from work that will cause stress and mental health problems.

**10.8** Employers have a duty under health and safety law to ensure that workers are not exposed to risks which may damage their health, safety or welfare, so far as is reasonably practicable. This duty covers stress. This is complimented by regulations which require employers to assess any health and safety risks – including factors that can cause stress – and take steps to control them.

**10.9** In practice, this involves identifying the extent to which recognised stressors – such as excessive workload, bullying, a lack of organisational and peer support – are present in the workplace and work out with staff how these can be addressed. Below we will discuss some recognised sources of stress associated with home working.

**10.10** Employers also have legal obligations under the Equality Act 2010. The Equality Act legally protects people with certain specific characteristics from discrimination in the workplace and in wider society. These protected characteristics include disability. For many people, mental health problems will be classed as a disability under the Equality Act.

**10.11** To ensure equality for people who are disabled, employers may be required to change the way employment is structured, remove physical barriers or provide individuals with extra support. Under the Equality Act, these changes are known as “reasonable adjustments”. If you have a mental health problem, you may be entitled to reasonable adjustments. For more information on about the Equality Act and reasonable adjustments, see Prospect’s disability resource pack for reps and members.

## **How have things changed at home?**

**10.12** Health and safety law only considers risks caused by or arising out of work. Pressure can come from a range of sources, including our personal lives. Some of the pressures we experience when working at home will arise from the conflict between our work commitments and our home commitments. If you have become a home worker in response to pandemic, your home life will have changed too. All this will mean that individuals’ overall ability or capacity to cope with additional work pressures is reduced.

**10.13** Thinking about what is changing can help guide the actions needed to maintain balance. For Prospect reps and branches developing a bargaining agenda, focus will clearly be on work, but it can be useful

to consider the home in a generic sense to underline the context for members.

- Roles have changed. Many members are now expected to take on the role of carer and worker. For some who have not previously worked from home, this is a change of “role in the home”.
- Demands have changed. Members may have more demands put on them from family, both the time those demands take to fulfil and the challenge posed by the demands. At some points, some members may have a huge reduction in the demands on them, leaving them unoccupied and unchallenged. Both extremes increase the pressure on an individual.
- Relationships may change. Being in a confined space with a small number of people for an extended period could strain relationships.
- Control has been taken away. The changes to our home life have been imposed and are deliberately intended to limit individual control.
- Change has been very fast, and workers may not always have had information in a timely way to allow them to understand and explain to their families what the changes will mean.
- Support has been taken away in many cases. Many members will have gained

support from face-to-face social interaction with a wide group of people. They now need to learn how to replace that with virtual interactions. This will take deliberate effort as it has for many it has not been the natural pattern of behaviour.

## **What workplace can cause stress and mental health problems?**

**10.14** Some of the factors that can cause stress for a home worker are well known, such as the support you receive from colleagues and your employer, but there are others that may not be so obvious.

**10.15** Think of your own situation or that of your colleagues and ask yourself how you would answer the following questions. The answers may help you to work out how the pressures of work affect you, and what may help you to cope better. They could help frame a conversation with your line manager. The answers will also provide important information if you tell your Prospect rep about your experiences because they are rooted in working practices, which your branch may be able to change through negotiation.

**10.16** If you are a rep yourself, the answers should help you to develop a bargaining agenda to get your employer to take control of, or mitigate, any negative effects

associated with home working. Think about how each of those changes impacts on individuals and how circumstances for home workers may differ to those working on site or in the office.

**10.17 Demands** – can home workers cope with the demands of their job?

- Are home workers provided with adequate and achievable demands in relation to the agreed hours of work? Are demands higher or lower for home workers compared with site-based workers? Have the demands changed following a move to home working?
- Are home workers' skills and abilities matched to the demands of their job?
- Are home workers' jobs designed to be within their capabilities? Do home workers find their roles more challenging than other staff?
- Are home workers' concerns about their work environment, such as comfort and safety, adequately addressed? Are they provided with suitable equipment?

**10.18 Control** – how much control do home workers have over how they do their work?

- Do home workers have control over their pace of work?

- Are home workers encouraged to use their skills and initiative to do their work?
- Are home workers encouraged to develop new skills to help them undertake new and challenging pieces of work?
- Do home workers have a say over when breaks can be taken?
- Are home workers consulted over their work patterns?
- Is there more autonomy or less autonomy associated with home working? Is the employer trying to impose structures that give less autonomy in response to home working?

**10.19 Support** – do home workers receive adequate information and support from their colleagues and superiors?

- Does the employer have policies and procedures to adequately support home workers?
- Are systems in place to enable and encourage managers to support their homeworking staff?
- Are systems in place to enable and encourage employees to support their homeworking colleagues?
- Do home workers know what support is available and how and when to access it?
- Do home workers know how to access the required resources to do their job?

- Do home workers receive regular and constructive feedback?
- What facilities are being provided to allow remote and virtual gatherings that are aimed at social support rather than being task focused?

**10.20 Relationships** – are home workers subjected to unacceptable behaviours?

- Does the employer promote positive behaviours at work to avoid conflict and ensure fairness?
- Do home workers share information relevant to their work?
- Does the employer have agreed policies and procedures to prevent or resolve unacceptable behaviour? How does the employer ensure there isn't an increase in "unwitnessed" unacceptable behaviour towards staff?
- Are systems in place to enable and encourage managers to deal with unacceptable behaviour?
- Are systems in place to enable and encourage home workers to report unacceptable behaviour?
- What is in place to promote positive online behaviours?

**10.21 Role** – do home workers understand their role and responsibilities?

- Does the organisation ensure that the different requirements it places upon home workers are compatible and clear?
- Does the organisation provide information to enable home workers to understand their role and responsibilities?
- Are systems in place to enable home workers to raise concerns about any uncertainties or conflicts they have in their role and responsibilities?
- Has the worker's role changed since becoming based at home? Are there additional or fewer functions or responsibilities?

**10.22 Change** – does the employer engage home workers and their union frequently when undergoing an organisational change, big or small?

- Does the employer provide home workers with timely information to enable them to understand the reasons for proposed changes?
- Does the employer ensure adequate consultation of home workers and the union on changes and provide opportunities for them to influence proposals?

- Are home workers aware of the probable impact of any changes to their jobs resulting from change? If necessary, are they given training to support any changes in their jobs?
- Are home workers aware of timetables for changes?
- Do homeworkers have access to relevant support during changes?

**10.23 Fairness** – do home workers believe they are treated fairly and equitably?

- Are outcomes such as pay, seniority, time off and workload are distributed across the organisation in a way that is proportionate to the inputs?
- Are practices and procedures implemented consistently and decision-making process are operated fairly?
- Is the interpersonal, day-to-day tone of the workplace and how employees are treated respectful, polite and uphold dignity?
- Is there transparency about what is going on in the workplace?

**10.24** Many of these factors are drawn from the Health and Safety Executive's Management Standards. For more information on these, please see our guide to preventing work-related stress.

## Keep in touch

**10.25** It is always important to nurture the social groups we are part of, especially when we work from home. Social groups provide people with physiological resources, and have been shown to buffer the effects of stress, to protect against depression relapse and to cope with the consequences of injury and trauma.

**10.26** Regular communication, such as weekly calls, can help remote workers to feel more connected. Video meetings enable colleagues to see each other's faces and body language, which is vital for building relationships, as well as making it easier to talk through shared work. Just don't neglect making time for less formal conversations.

## Stick to a routine

**10.27** Working from home can make it more difficult to separate our home and work lives, perpetuating an always on culture.

**10.28** Try to create a routine and stick to it. Aim to wake up around the same time every day, which will help stabilise your internal clock and improve your sleep. This is important, because one study of home workers based in 15 countries found 42% of them had trouble



sleeping, compared with only 29% who always worked in the office.

**10.29** Take your lunchbreak and have short, regular breaks from your workstation. Communicate your availability to your team to help manage expectations. Finally, switch off your mobile phone and your laptop when you're finished at the end of the day.

## **Set up a workstation as well as you can**

**10.30** Badly set up workstations can lead to painful backs, necks and shoulders. These musculoskeletal disorders tend to be associated with mental health problems too – if you have one, the higher the chances that you have the other.

**10.31** Employers should have similar furniture and equipment standards for home and office workstations, because the regulations governing computer use apply to both. You should be shown how to set up your workstation, but for information on how to sit comfortably, see the HSE's workstation checklist.

**10.32** It is also worth creating a boundary between "work" and "home" – if you can, keep one area of your home solely for work. It needn't be a spare room, it could just be a

corner, shielded off with screens or blankets so you're not tempted to start working again.

## **Find out how to contact your EAP, if your employer has one**

**10.33** Employee Assistance Programmes, or EAPs, are independent benefit services intended to help employees with personal problems that might adversely affect their work, health and wellbeing. EAPs tend to offer short-term counselling, and sometimes other advisory services like money, addiction and relationships. You will usually find details on your intranet, from HR or from your union rep.

## **Speak to Prospect**

**10.34** Employers can respond to workplaces changes, such as homeworking, in a variety of ways, some of which you might not be able to deal with on an individual basis. In these circumstances, it's best to get support the support of the union.

**10.35** For example, some employers or line managers may impose rigid structures around working time, or may start monitoring employees. Both of these factors can limit employees' control over their work, which can cause stress.

**10.36** Prospect can provide you with confidential, independent advice; represent you individually; or raise the issue anonymously with management. If you are experiencing these problems, the chances are others will be too. The union may be able to tackle the issue collectively and negotiate improvements for all.

# 11. Contact Prospect

**11.1** In this guide you will see the suggestion of contacting Prospect for further advice and support.

If you are in a workplace where Prospect is recognised, you should have a Prospect workplace representative (rep). If you know who your rep is you should contact them in the first instance.

If you don't know who they are, you are in a workplace where Prospect doesn't yet have a representative or for any other reason please contact Prospect at <https://prospect.org.uk/contact-us> or call 0300 600 1878.



New Prospect House  
8 Leake Street  
London SE1 7NN  
0300 600 1878  
[enquiries@prospect.org.uk](mailto:enquiries@prospect.org.uk)

© 2020 – Prospect  
PRO-20-0020/NOV20/PDF

[prospect.org.uk](https://prospect.org.uk)

  ProspectUnion