

# **CORONAVIRUS (COVID-19) RELATED HOMEWORKING GUIDANCE**

## Introduction

During this time of unprecedented disruption, the UK Government is asking all business in the United Kingdom to navigate their way through the ever changing and often confusing guidance. Now that Coronavirus (Covid-19) has officially been declared a pandemic and with the situation changing on a daily, if not hourly basis, it's crucial that business owners have immediate access to relevant risk management information and support.

James Hallam Risk Management (JHRM) has produced the following guidance that you can use to ensure your employees safety and well-being whilst working from home.

### HSE Specific Covid-19 Home Working Updates

The HSE recognise the unprecedented threats presented by Covid-19 to industry and business throughout the United Kingdom and will allow all business the opportunity to introduce the necessary control measures to ensure the health and safety of all employees whilst working from home. This will help your business to prioritise the actions required to comply with your legal obligations. The common issues associated with home working are as follows:

- Lone working
- Working with display screen equipment
- Stress and mental health

In order to help prioritise your actions, you can use the Home Assessment- Pre Risk Assessment Checklist Template enclosed at the rear of this guide.

## Legal Requirements

Most of the Regulations made under Health and Safety at Work etc. Act 1974 (HSWA) apply to home-workers as well as to employees working at an employer's workplace. These include:

- Management of Health and Safety at Work Regulations (MHSWR) 1999 (as amended)
- Health and Safety, Display Screen Equipment Regulations 1992 (as amended)
- Manual Handling Operations Regulations 1992 (as amended)
- Provision and Use of Work Equipment Regulations (PUWER) 1998 (as amended)
- Control of Substances Hazardous to Health Regulations (COSHH) 2002 (as amended).

Before allowing employees to work at home, all the hazards and associated risks must be considered. Employers are responsible for an employee's health, safety and welfare so far as is reasonably practicable.

## Employers Duties

Employers need to be mindful that they are reducing the risk of infection from Covid-19, and that they do not expose their employees to other preventable risks. As an employer you must conduct risk assessments at the start of the homeworking arrangement and periodically thereafter:

- ensure hazards and risks are correctly assessed
- ensure professional advice is sought when necessary
- ensure the legal and insurance implications of giving permission to work at home are properly understood
- ensure new contracts are issued to reflect the fact that a move to home-working represents a variation to an employee's contract of employment
- ensure working limits are defined, for example working hours, breaks etc.

## Employees (Home-Workers) Duties

Employees working at home must take all reasonable steps for the safety of themselves and others who may be affected by their work activities e.g. visitors and family members. They must:

- take reasonable care for their own health and safety and that of anyone else who might be affected by their acts or omissions
- work according to any instructions and training received from their employer
- report any hazards not addressed by their procedures or risk assessment
- not deliberately or recklessly interfere with, or misuse, anything provided in the interests of health, safety and welfare.

## HSE and Local Authority Inspectors

HSE Inspectors and Local Authority EHOs, (Environmental Health Officers), have the right to enter domestic premises and visit home-workers, to ensure that risks from work and working at home are properly managed. They may also investigate and help settle complaints about working conditions that could affect the health, safety or welfare of employees, to include home-workers. They may also visit to investigate after an accident that may have been caused by work activities.

Local authority inspectors may also visit as a result of complaints from neighbours, for example in relation to noise, or storage of goods and materials.

## Benefits of Working From Home

Home-working can offer benefits to both the employer and employees, namely:

- employing workers at different locations can give employers increased flexibility as they may benefit from a wider geographic spread as well as world time differences and access to alternative labour markets i.e. overseas
- the opportunity to work flexible hours can enable employees to plan their work to suit their personal circumstances i.e. in the case of those with childcare responsibilities
- a reduction in commuting time leading to reduced congestion, CO2 emissions and the need for parking spaces
- the organisation may reduce its overheads as there is less need for office space; employees can 'hot desk', as opposed to each being allocated a dedicated work station
- improved morale; employees are likely to feel trusted and valued when given the option to work at home

## Pitfalls of Working From Home

There are potential pitfalls in home-working and these include:

- difficulty for the employer in coordinating and managing the work and problems with communication
- social and professional isolation.
- difficulty in separating work from home life
- safety issues of lone working
- overwork as a result of guilt about not being 'at work'
- low reliability, loss of productivity and retention
- security concerns – keeping information secure and backed-up.

## Successful Working From Home

In order that home-working may be mutually beneficial, it is recommended that, in addition to satisfying the relevant legal requirements, the employer:

- check with HMRC the tax implications for those with home-worker status
- facilitate a transition period so that employees can get used to the idea of transferring from the office to home
- carry out a risk assessment of the home working environment including any workstation, for example, by asking the employee to complete a self-assessment questionnaire and take photographs then having a trained risk assessor evaluate the results
- clearly detail the support available to the home-worker
- train the supervisor/manager in the techniques appropriate for managing 'at a distance'
- design appropriate mechanisms for keeping in touch with home-workers
- document the equipment that has been provided to home-workers and obtain the signature of both parties to avoid future misunderstandings
- agree what 'at-home' technical support will be provided, (where applicable), in the case of equipment breakdown
- modify the organisation's policy and procedures to reflect home-working (i.e. disciplinary procedures, grievance, sickness, holiday, health and safety, data protection, IT, security etc.)
- extend the organisation's insurance cover to include equipment stored and used remote from the office
- encourage the keeping of regular hours as most people respond well to some form of routine
- provide a business line or make use of phones with a caller ID so that work calls and key domestic calls (i.e. those from the children's school) can be identified
- set limits: there is a necessity for an official end to the working day
- encourage employees to adopt an exercise habit as part of their daily routine
- ask employees to inform friends and family when they are likely to be unavailable during the working day
- accept that home-working is not for everyone and every organisation; consider a trial period and stop such arrangements if they become unsatisfactory for either party.

The employee should:

- consider whether there is enough space at home to facilitate home-working
- determine whether permission is needed to use the home for business (this may involve informing their mortgage company or landlord)
- advise their own household buildings and contents insurers, as home-working activities might be considered a material fact about which the insurers need to be aware
- assess how home-working might affect children or adult dependents
- decide if the concept suits their lifestyle
- be honest about their level of motivation and self-discipline when working remotely.

## Risk Assessment and Home Working

The Management of Health and Safety at Work Regulations 1999 require employers to carry out a risk assessment of work activities for employees working at home. This can be done as a visit to the employee's home or as a self-assessment by the employee.

A risk assessment should:

- identify the hazards relating to the home-worker's work activities
- decide who may be harmed and how, including children or visitors
- assess risks and taking steps to remove or reduce them as far as is reasonably practicable
- record the findings of the assessment. This is a legal requirement if more than five persons are employed, but is good practice
- regularly review the risk assessment.

If the risk assessment identifies any significant risks, steps must be taken to eliminate or, where this is not possible, reduce the risks as far as reasonable practicable. Where there are no significant risks, no action needs to be taken. When assessing risks and developing safe working systems the following should be considered:

- the ability of employees and what is required of them, such as their professional training, qualifications, experience and medical fitness
- the suitability of the equipment, including quality of hand tools, level of personal protective equipment (PPE) required, and insulation and safety devices necessary for electrical equipment
- the suitability of the work environment e.g. access and egress, sufficient space for furniture, separation from home life, availability of power and telephone sockets
- maintenance arrangements for equipment including periodic electrical testing of portable appliances
- whether the equipment introduced to the workplace introduces hazards to the worker or their family e.g. increased fire hazard, security risks, tripping hazards
- rules which need to be introduced considering lone working issues e.g. whether the worker needs to log in and out, how they should inform the office of their planned movements, management of client visits, not receiving clients at home
- provision for the treatment of injuries and ill-health
- emergency and accident procedures, including means of summoning help and fire fighting
- training, including safe use of specialised equipment and new processes
- the need for supervision

## Managing Home Workers

It is essential that the relevant supervisors and managers receive appropriate information, instruction and training on how to manage people who are working remotely. The organisation must be able to manage home-workers just as effectively as it does employees working on site. This means that company policies and procedures should be reviewed to ensure that they adequately cover home-workers. Consideration should also be given to:

- communication methods
- how performance will be measured
- implications for the appraisal process

- the procedures for sickness and holidays
- discipline and grievance procedures
- mechanism for training delivery
- how home-workers will take part in staff consultation mechanisms including those for health and safety.

## Defining Flexible Working

The term 'flexible working time arrangements' is used to describe modified working hours or the performance of work activities outside of the employer's normal place of work. The types of flexible working are:

- job sharing
- working from home
- part-time working
- compressed hours – working full-time but over fewer days
- flexitime
- annualised hours – agreement to work a specified number of hours within a year but flexibility about when they are worked
- staggered hours – the employee has a different start, finish and break times from others
- phased retirement – now the default retirement age has been phased out workers can choose when they want to retire
- term time working.

## Arrangement For Securing Health & Safety at Home

Using equipment at home, employers must ensure that:

- equipment supplied is suitable for the job to be done
- information/training is provided on how to use the equipment, so that the job can be done properly and safely
- the equipment is regularly checked and kept in a condition that does not cause harm to anyone
- persons who test the equipment or train home-workers are competent to do so
- machines must have protective devices, such as machine guards to prevent the home-worker, or others, being injured when it is in use. Home-workers must never remove safety guards
- suitable and sufficient PPE must be provided for using work equipment safely
- work equipment should have the correct controls to allow the work to be done safely; for example, the controls should be clearly marked and properly positioned
- checks on equipment must be carried out safely; for example, it must be switched off.

There are number of points to consider:

- Will the employee require specific equipment to carry out the work and if so who will provide this the employer or the employee?
- Who will have access to the equipment?
- Will the equipment be insured and if so who will pay for it?

## Electrical Work Equipment at Home

If home-workers use electrical equipment which has been provided by the employer, then the employer must ensure that it is correctly maintained. However the employer is only responsible for the equipment that they supply. The employer is not responsible for the home-worker's domestic electrical system, such as electrical sockets and lights, they are the home-worker's own responsibility. Consideration should be given as to whether the existing domestic installation is going to be overloaded as a result of the employer's equipment and whether there are sufficient socket outlets in the designated work space.

## The Provision and Use of Work Equipment Regulations (PUWER)

Also covers work equipment used in the home. If the employer provides equipment to employees for use at work, they must ensure that:

- the equipment is correct for the job
- proper information and training is given on how to use it
- the equipment is regularly checked (i.e. electrical inspection and test) and kept in a safe condition
- the equipment is provided with any necessary safety devices, such as guards
- all necessary personal protective equipment is provided
- checks on equipment are carried out in a safe manner
- anyone who checks/tests the equipment or trains employees is competent to do so.

## PPE (Personal Protective Equipment)

If PPE is required for home working then the employer must ensure that the PPE is suitable and sufficient, and is provided free of charge. PPE must be replaced and/or repaired as necessary.

## Using Work Substances and Materials at Home

When using substances, materials or chemicals that may be hazardous to health and safety, consideration should be given as to whether they are flammable, irritant, harmful, toxic, or corrosive or give off fumes. This is easily checked by examining the product label for one or other of the standard hazard symbols, or by checking the product's safety data sheet.

Any substance that could place the home-worker's (or their family's) health at risk, must be handled according to the instructions provided by the employer as a result of their COSHH/DSEAR risk assessment. Particular attention will need to be paid to safe storage of any substances.

It should also be noted that there are stringent legal requirements related to the transport of hazardous materials by road. Where employees need to use such materials in a home working situation, the methods of supplying them and disposal also need to be addressed.

The employer is only responsible for substances and materials they provide to their home-workers. Home workers should be made aware of the actions to take in the event of an emergency or spillage

## Working with Display-Screen Equipment (DSE) at Home

The use of DSE at home is covered by the Health and Safety (Display Screen Equipment) Regulations 1992. The general requirements apply as they do at the workplace. The risks of working at home with DSE is the same as using DSE in the workplace. However, the risks are increased if the home based equipment cannot be adjusted to achieve good posture.

## What Employers Should Do

- Provide training and information about the risks of using laptop computers if applicable
- carry out a DSE assessment and provide ancillary equipment (mouse and keyboard) appropriate for the user and their work
- through risk assessment, ensure that the user has a workstation and chair appropriate for their needs
- establish guidelines on use of laptop computers, including advice on neck, arm, wrist and back posture, changing the posture frequently and taking periodic breaks
- encourage staff to inform line managers of any problems arising from use of the equipment; including pain or discomfort
- provide support for managers and their staff when problems are reported.

## What Employees Must Do

Follow advice and guidance provided about the work station layout and correct posture when working from home with DSE.

- Complete a DSE self-assessment if requested.

## Manual Handling Tasks at Home

Handling loads that are heavy, bulky or unstable, repetitive handling, twisting or stooping may increase the risk of injury. Some domestic premises have restricted access, steep stairs etc. which may increase the risk of manual handling injuries. The employer should avoid, as far as is reasonably practicable, the need for home-workers to carry out manual-handling operations which present a risk of injury. If they must handle goods as part of their work, managers must conduct a manual handling risk assessment.

## New and Expectant Mothers Working at Home

It is important that any risk assessment takes account of specific risks related to female members of staff of child bearing age who could become pregnant and any risks to new and expectant mothers. As soon as an employer becomes aware that a member of staff is pregnant then they must carry out a specific risk assessment which is fully documented. Risks include those to the unborn child or to the child of a woman who is still breast-feeding and not just to the mother herself. New and expectant mothers should inform their doctor, midwife and/or health visitor about the work they do.

## Children and Working at Home

Home-workers should not allow children near the work or allow them to help. They should be kept away from work areas, and work materials should be stored safely.

## First Aid and Working at Home

Under the Health and Safety (First-Aid) Regulations 1981, employers must ensure that home-workers are supplied with adequate first-aid provision. This means:

- providing employees with a suitable first aid kit
- discussing with employees what to do if a work-related accident or emergency occurs
- providing first aid training in some circumstances e.g. if there is a risk of injury from the work undertaken
- informing employees how to report accidents and incidents.

The exact provision depends on the nature of the work activity and the risks involved and should be determined by carrying out risk assessment of the home-based work activity.

## Fire Precautions at Home

The provisions of the Regulatory Reform (Fire Safety) Order 2005, Fire (Scotland) Act 2005 or the Fire and Rescue Services (Northern Ireland) Order 2006 do not apply to domestic premises. However, the requirements of general health and safety legislation and the common law duty of care still apply. Fire safety should be part of the home working routine. Fire precautions should include the fitment of a smoke detector which is close to the work area which should be regularly maintained.

The employer should therefore consider the risk of fire within the home working risk assessment and take such appropriate action for example:

- material should be correctly stored
- vents to electrical equipment should not be blocked
- lighting should be used safely, i.e. nothing that could burn placed close to an electrical light
- know what to do and where to go if a fire should break out
- flammable substances are kept away from ignition sources, such as heat, matches and fires and are appropriately stored
- substances are kept in their original containers, complete with hazard warning labels
- ensuring that electrical appliances introduced have been tested
- if significant fire hazards are introduced, then a suitable fire extinguisher should be provided and training in its use.

## Personal and information safety Training

Training is as important for home workers as it is to another employee. Training should cover all the areas that other people carrying similar roles would undergo, for instance use of computers, manual handling and accident prevention.

## Lone working

A lone worker is someone who works by themselves without close or direct supervision – this includes homeworkers. It may be necessary to include a lone worker risk assessment especially if people work away from their home base to ensure that they return to their home base once a task is completed.

## Insurance

The employer should ensure that the Liability insurance covers people working from home. The employee should also check with their contents insurance and mortgage lender if appropriate that working from home does not invalidate the policy.

## Accident and incident reporting

Home workers should be made aware of the employer's incident reporting system and which form should be completed either on-line or as a paper version for any work related incident.

## Consultation with Home-workers

Home-workers must be included in the employer's health and safety consultation arrangements. Safety representatives appointed by a recognised trade union and elected representatives of employee safety can represent home-workers in consultations with employees about health-and-safety matters. Home-workers can stop work in the event of serious or imminent danger arising from the work that they are doing, without it affecting their employment rights. However, home-workers must report all faults that may be a hazard to their own or others health or safety.

## Key Actions

When introducing home-working the following key actions should be managed:

- if the scheme is initiated by the employer, take professional HR advice about the implications for contracts and terms and conditions
- ensure those selected for home-working are motivated
- demonstrate good self-discipline
- can work safely without direct supervision
- are able to function with reduced social contact
- have good communication skills
- can be flexible and use their initiative
- consider introducing home-working for a trial period only, for the benefit of both parties
- appoint one or two people as key organisational- contacts for the home-worker
- establish and communicate a support mechanism that will be available to the home-worker; this should cover technical, supervisory and personnel matters. This may necessitate out of hours cover
- review contract terms and conditions, re-issue / amend contracts to reflect the home working
- amend company policies so that they reflect home- working (i.e. disciplinary procedures, grievance, sickness, holiday, health and safety, data protection, IT, security etc.)
- inform the organisation's public liability and employer's liability insurer
- check with HMRC as to the tax implications for employees
- conduct a risk assessment of the home environment and record the findings; this may be conducted by the employer or the employee may self-assess. In
- accordance with the principles of risk management, the findings of the assessment must be implemented, and the assessment must be regularly reviewed
- ensure those responsible for supervising persons working remotely are properly trained

The HSE recommends that such training should include:

- how to manage high levels of trust and low levels of control
- how to empower staff to work independently
- information to help line managers support home- workers and avoid the potential consequences of lone working such as stress or isolation
- setting clear performance targets

If home-working will require employees to use computer equipment, then consider in particular:

- the requirements imposed by data protection legislation and GDPR, (General Data Protection Regulation)
- the organisation's position on personal use of equipment
- the need for appropriate software licences for business use
- the need for appropriate cyber security to protect both data and corporate IT systems
- supply the home-worker with the essential equipment required to perform the job. You must also consider supplying tables; chairs; desk lamps; circuit breakers; and smoke detectors
- extend the organisation's arrangements for periodic inspection and testing of all electrical equipment, in order to comply with the Electricity at Work Regulations 1989 to home-working equipment
- where possible arrange for the home-worker to make regular visits to the office
- communicate, so as to avoid the risk of home-workers becoming isolated and losing motivation.

## Additional Guidance and Supporting Information

Please refer to the following hyperlinked documents for additional information in relation to home working

- The HSE's website: <https://www.hse.gov.uk/news/coronavirus.htm>  
Contains details regarding Coronavirus latest information and advice
- The HSE's website: <https://www.hse.gov.uk/toolbox/workers/home.htm>  
Contains details of documents as well as other supporting material such as training aids and videos, which are aimed at promoting compliance with the regulations.
- ACAS advice and guidance.  
<https://www.acas.org.uk/coronavirus>  
<https://www.acas.org.uk/working-from-home>

## Speak to your Designated James Hallam Account Executive

This advice provides good risk management guidance for working from home, however it is important that all businesses discuss this subject with your designated James Hallam Account Executive, as your insurance requirements may differ.

## Home Assessment Pre Risk Assessment Checklist

Home Assessment Pre Risk Assessment Checklist			
Name of Worker			
Position		Date Completed	
Assessors Details			
<b>Employee Details</b>			
Job Details			
Department			
Building			
<b>Background</b>			
Length of service			
Hours worked			
Reason for home working			
Age			
Any medical related problems			
Description	Yes	No	Comments
<b>THE WORK</b>			
DSE awareness training completed?			
% of computer work per day?			
% of office related phone, filing, etc?			
<b>WORKSTATION</b>			
Desk size?			
Type?			
Picture provided as evidence?			
<b>WORKSTATION LAYOUT</b>			
Set up of equipment:			
Telephone adequate:			
Mobile phone:			
<b>THE CHAIR</b>			
Own/Company			
Adequate:			
<b>DSE</b>			
Position, glare, etc.			
<b>ENVIRONMENT</b>			
Lighting (any task lighting provided?):			
Temperature:			
Windows (any glare or reflections?):			
Ventilation:			
Noise:			
<b>ADEQUATE HOME OFFICE</b>			
Storage space?			
Electrical sockets?			
Electrical circuitry?			
Smoke alarms?			
Fire extinguishers?			
First aid kits?			
<b>ANY OTHER ISSUES OR CONCERNS?</b>			

## About Us

James Hallam Risk Management remain open during these unprecedented times, we provide advice to business small and large across the length and breadth of the UK. Whilst we are large enough to provide extensive range of risk management related services, we are small enough to provide a friendly and personal service that meets your company specific needs.

Please feel free to contact us to discuss the contents of this guidance document or discuss any other business risk management support or advice you may require.

**James Hallam Risk Management,  
Queen of the South Arena,  
Lochfield Road,  
Dumfries.  
DG2 9BG**

**Telephone 01387 402131**

**Email [info@jhrm.co.uk](mailto:info@jhrm.co.uk)**

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