

TEN TOP TIPS:

Legal and contractual considerations for homeworking

1 REVIEW YOUR HOMEWORKING POLICIES

Make sure it addresses how employees will be supervised, how the organisation and line managers will communicate with them and how performance and output will be monitored.

2 CONFIRM EMPLOYEE RIGHTS

Homeworkers must be treated the same as office-based staff. Think about stating that any changes are temporary and that the employee will return to office-based working once the current situation ends.

3 CONFIRM CONTACT METHODS AND REGULARITY

Advise homeworkers to establish when and how they will have contact with their manager; reporting in at regular times can also help combat isolation and stress.

4 PROVIDING EQUIPMENT

There is no obligation for employers to provide computer or other equipment necessary for working at home, although, given the latest Government advice, employers should do what they can to enable home working.

5 IT AND BROADBAND

Confirm if the employee is expected to cover the broadband cost (plus heating and lighting) or if the employer will contribute towards these costs and, if so, to what extent. The employer should also confirm any IT support.

6 THINK ABOUT HEALTH AND SAFETY OBLIGATIONS

Employers are responsible for an employee's health, safety and welfare, wherever they are working. Make sure that homeworkers know about health and safety and comply with your health and safety policy. Remind employees that they should continue to report any sickness to their line manager when they are unable to work.

7 CARRY OUT RISK ASSESSMENT

Physical risk assessments of each employee's home will not be feasible at this time and so employers could use electronic risk assessment questions instead. It is the employee's responsibility to address any flaws in the home revealed by the assessment.

8 REVIEW WORKING TIME AND LENGTH OF PERIOD

Will employees need to be available for work during strict office hours or work a specified set number of hours per day? There may be more flexibility over working hours in a working from home arrangement, but the Working Time Regulations 1998 should still be complied with, including the working week and daily rest break.

9 CLARIFY SALARY, BENEFITS, INSURANCE, TAX

Salary and benefits should obviously remain the same during a period of homeworking. Usually employees need to check with their mortgage provider, landlord, local authority, HMRC tax office or their home insurer when homeworking but in this unprecedented situation it is hoped that any issues would be minimal.

10 DATA PROTECTION

Employers should make sure data protection obligations are maintained and employees using their own computer should still process information in compliance with data protection principles.

For more information and resources visit
cipd.co.uk/coronavirus

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