

**ADVANTAGE
GROUP UK™**



Remote Working during COVID-19

Steps to take towards a productive,
happy, and healthy workforce

As the social distancing measures in the UK remain mostly in place and office-based organisations are being told to keep employees working from home, more and more companies are now looking at extending their Working From Home arrangements until the end of 2020. What was initially thought to be a short term stop gap now looks set to continue for many employees for another 6 months.

As a result, employers are now looking at the long-term implications of home working, not only for themselves but also for their employees.

In this deck we will look at:



Data Protection while Working Remotely

- Monitoring the Remote Workforce
- Consent



Expenses and Benefits



Ensuring your Mental Health Remains Healthy and Productive

- Home Workstations
- Mental Health

When it comes to protecting your data, the first thing to examine is how your employees are accessing your information and network.

Are they using company equipment, such as laptops or mobile phones? Are they on their own personal devices with a client and/or cloud access, such as a home PC, tablet, mobile?

Where the equipment is supplied by the business, the risks (in theory) are lower as your IT department will have a number of controls already in place. However, if your employee is accessing their email and your systems from a personal device, this raises a few questions:

- Are they working with the right level of antivirus?
- Have they downloaded and installed the latest system and security updates?
- Are they having to share their PC with family members or housemates?
- Where are they disposing of confidential information?

Since the pandemic began, various industry bodies have reported the increase in phishing scams and other cybercriminal activity. When was the last time your employees were trained on what to look out for when it comes to cyber security?



Things to consider reviewing:

- Passwords
- Multifactor authentication
- Up to date software
- Approved technology only
- Device sharing
- Work/Personal separation
- Confidentiality
- Printouts and disposal
- Phishing incidents
- Human error data breaches*

*Human error caused 90% of cyber data breaches in 2019, according to a CybSafe analysis of data from the UK Information Commissioner's Office (ICO).

Jon Belcher, a commercial lawyer with Blake Morgan, specialising in information governance, data protection compliance, information sharing and freedom of information issues, published an article in June 2020 which looked at the pitfalls of monitoring a remote workforce.

The full article can be found here: <https://www.bmmagazine.co.uk/legal/whos-watching-us-while-we-wfh-the-pitfalls-of-monitoring-a-remote-workforce/>

Data protection law contains obligations on employers and rights for individuals in relation to information collected about members of staff. This includes data obtained via automated monitoring systems. Employers need to consider carefully any systems that automatically monitor their staff and to ensure that they collect only the information needed.

New tools such as ‘Sneek’, which can be set to automatically take photos of employees using their webcam every five minutes have been in the news with concerns raised about the potential for spying on employees.

Barclays faced a backlash when it was revealed that the bank was using software known as ‘Sapience’ to monitor activity and send alerts when employees were inactive for a period of time.

Monitoring a Remote Workforce



Notify of
Measures

Advise on the
Extent of
Monitoring

Justify

Review of Less
Intrusive
Methods of
Monitoring?

Consider the
Impact on
Employees

Advice on
Safeguards

A detailed and thorough review of all possible options should be carried out when considering monitoring of remote workers. Full transparency around the extent of the monitoring must be available to employees.

As responsible employers, when it comes to monitoring your employees remotely, it will be important for you to gain their consent and consider the following when it comes to your employment contracts.

Consent terms within your current contracts:

- Express
- Implied

Other options:

- Termination and Re-engagement*

Next Steps?

- Records & Policies
- Collective Agreement 'Consideration'
- Written Record
- Letter of Variation
- New Contract



*Independent legal advice is recommended

As COVID-19 forced the closure of nearly all office space, a cost which is generally on the rise, more and more businesses are now beginning to look at remote (agile) working for the longer term.

While there may be a saving for the businesses, the employees may well start to ask about the cost impact for the increased time spent at home.

Not all employees have access to a company mobile, so what might compensation look like for expenses in the longer term?

What about utilities, electricity, water, gas etc.?

What about the cost of setting up their home office for the longer term?

Have you considered whether the employees could benefit from tax relief if they are working from home and let them know where they could find out more information?

Finally, how do you ensure that your remote workers are healthy and productive?

Consider the financial and tax implications of homeworking.

The general position provided by reason of employment is that Taxable Exemptions include the following (in applicable circumstances):

- **Employer** provides equipment:
 - Employer retains ownership
 - Is there significant private use by the employee?
 - Do you have a documented policy?
- **Employee** provides equipment:
 - New temporary exemption where the employer reimburses the cost of home equipment prior to 6th April 2021
 - Have all the conditions been met?

An employee might be able to claim tax relief if:

- They use their own money for things that they must buy for their job
- They only use these items for their work





Household Utility Bills



**Home Phone
& Broadband**



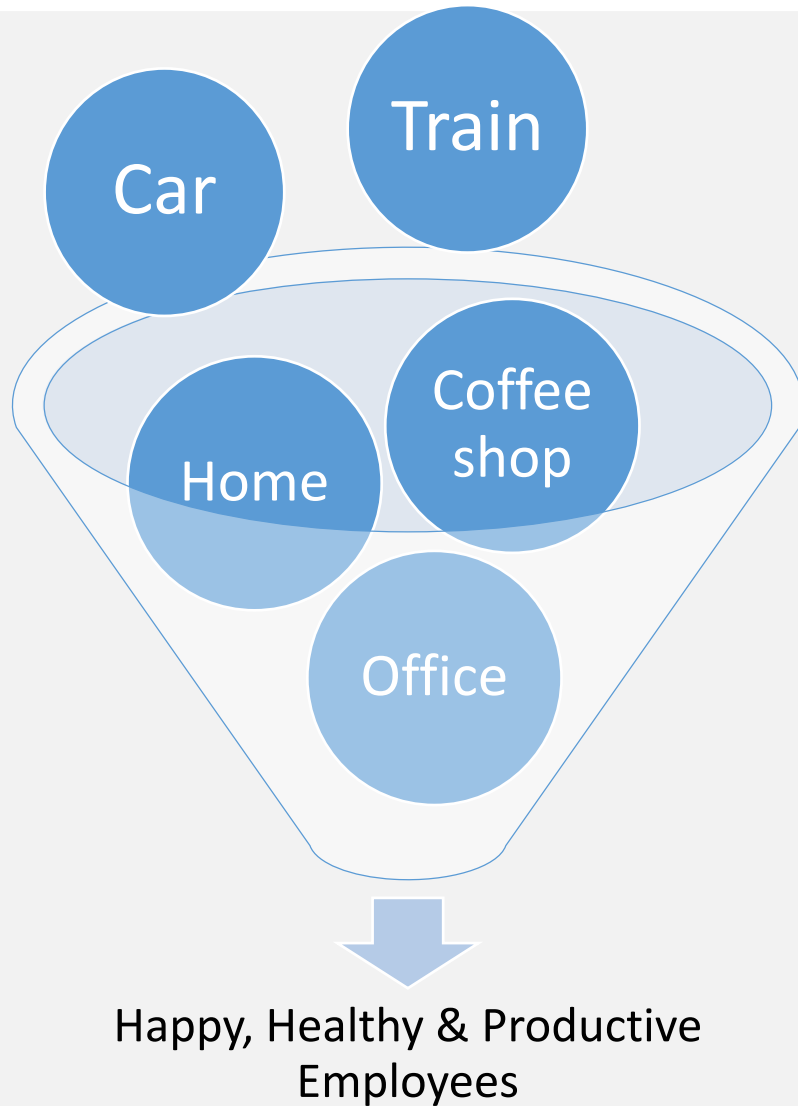
**Travel Expenses when
Working From Home**

Employees may be able to claim tax relief on the money they've spent on fuel and electricity, and for business trips in their company car. They should keep records to show the actual cost of the fuel.

If the employer reimburses some of the money, the employee can claim relief on the difference.

<https://www.gov.uk/tax-relief-for-employees>

How do you keep a remote workforce healthy & productive?



Health & Safety at
Work etc. Act 1974

- Every employer must ensure, as far as practicable, the health and safety of all employees.

Management of
Health & Safety at
Work Regulations
1999

- Every employer must make reasonable and suitable assessment of the risks of the health and safety of their employees while at work.

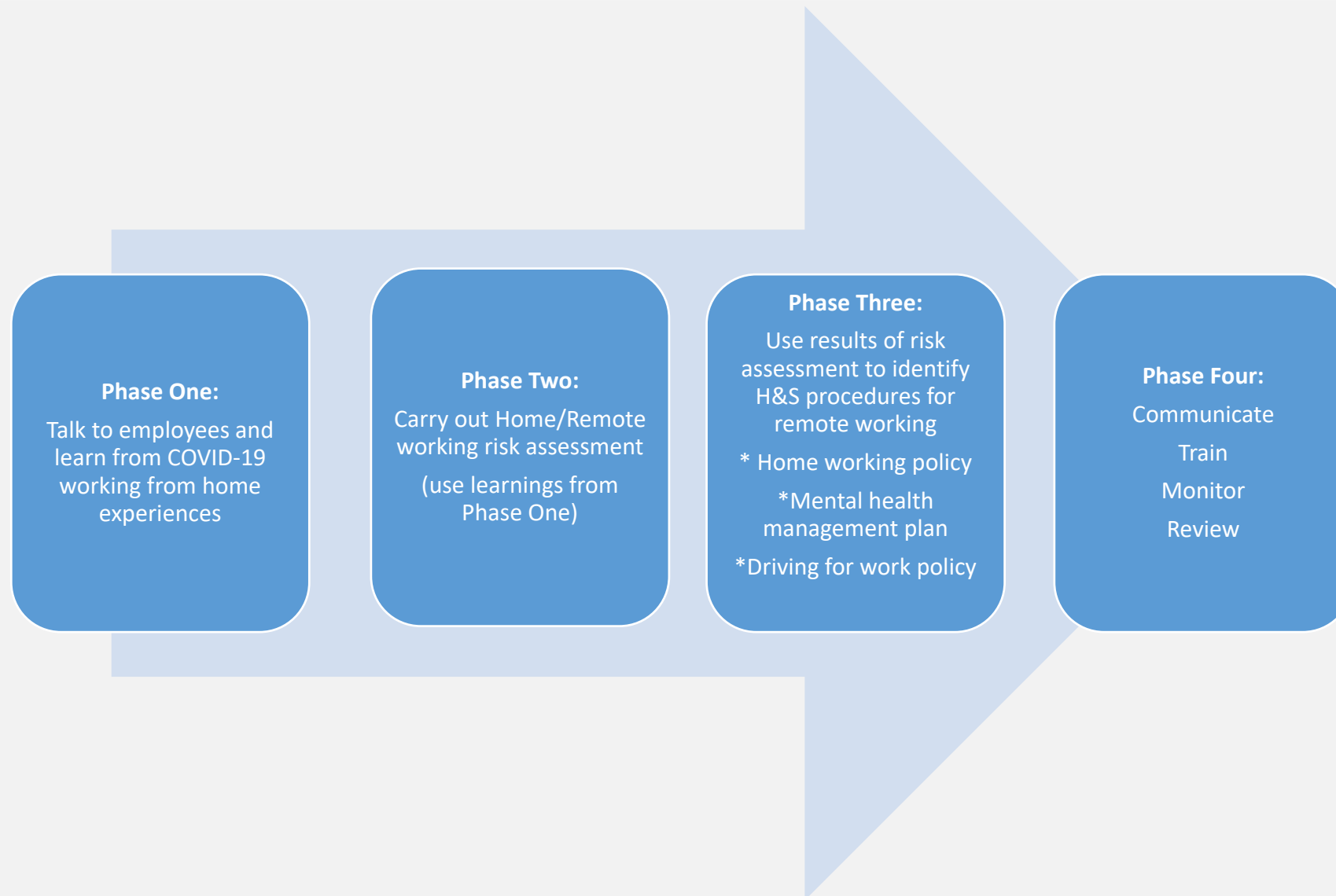
Health & Safety
(Display screen
equipment)
Regulations 1992

- Provides definitions of the “display screen equipment” and “workstation” and provides specific information on what employers must do.

The Provision and
Use of Work
Equipment
Regulations 1998

- Every employer must ensure that work equipment is suitable for the purpose in which it is to be used, and that health & safety has been considered when choosing the equipment.

Home/remote working assessment - Where to start?



WHAT YOU NEED TO KNOW

Health and Safety (Display Screen Equipment) Regulations 1992

These regulations require employers to perform suitable and regular assessment of employees, their daily routines and work stations and reduce risks identified to the lowest extent practicable.

The employer should plan work activities of users to ensure that their daily work is periodically interrupted by breaks or changes of activity, and are provided with adequate health and safety training.

In addition, the employer shall ensure that users are provided with an appropriate eye test (at the users request and not against their will) to be carried out by a competent person, and this should be repeated at regular intervals.

Workstation Minimum Requirements

Display Screen	The display screen should have well defined characters of adequate size, stable image, easily adjustable brightness and contrast. The screen should be easily tilting and swivelling with no reflective glare.
Keyboard	The keyboard should be tiltable and separate from the screen; sufficient space in front of the keyboard; matt surface; easy to use; adequate and contrasting symbols on keys. The mouse (or other non-keyboard device) should be suitable for the task.
Work Surface	The work surface should be sufficiently large and low reflecting, and allow a flexible arrangement of equipment and adequate space.
Work Chair	The work chair should be stable allowing the user easy movement and comfortable position. It should have adjustable height (seat); adjustable height and tilt (seat back). Footrests should be available on request.
Space Requirements	There should be space necessary to allow the operator to change positions.
Lighting	The lighting should be satisfactory with appropriate contrast between screen and background; prevention of glare through positioning of artificial lighting.
Reflectors and Glare	Positioning must prevent sources of light such as windows from causing distracting reflections on the screen.
Noise	Workstation noise must not cause distraction of attention or disturbance of speech.
Heat and Humidity	Heat must not be excessive such to cause discomfort and an adequate level of humidity should be established and maintained.
Software	The software systems must be suitable for the task, easy to use, and adaptable to the level of the user's knowledge. No quantitative or qualitative checking facility may be used without the user's knowledge.



THE HEALTH & SAFETY (DISPLAY SCREEN EQUIPMENT) REGULATIONS 1992

What you should know!

Under The Health and Safety (Display Screen Equipment) Regulations 1992 employers are required to minimise the risk in VDU work by ensuring workplaces and jobs are well designed. The regulations apply where employees habitually use VDUs as a significant part of their normal work.



EMPLOYERS MUST:

Assess and reduce risks by analysis of :-

- The whole workstation including equipment, furniture and the work environment
- The job being done and any special needs of individual employees

Ensure workstation meets with minimum requirements

Plan work so that there are breaks or changes in activity

Arrange and pay for eye tests and provide spectacles if special ones are needed

Provide Health and Safety training and information about VDU health and safety



TIPS FOR EMPLOYEES

Adjust brightness and contrast on screen to suit lighting conditions

Make sure screen is clean and choose text large enough to read easily. Select colours easy on the eye

Allow enough space for all documents and equipment

Use a foot rest if necessary



Arrange workstation to avoid glare or bright reflections on screen

Adjust chair & VDU to most comfortable position

Sit upright and close to desk

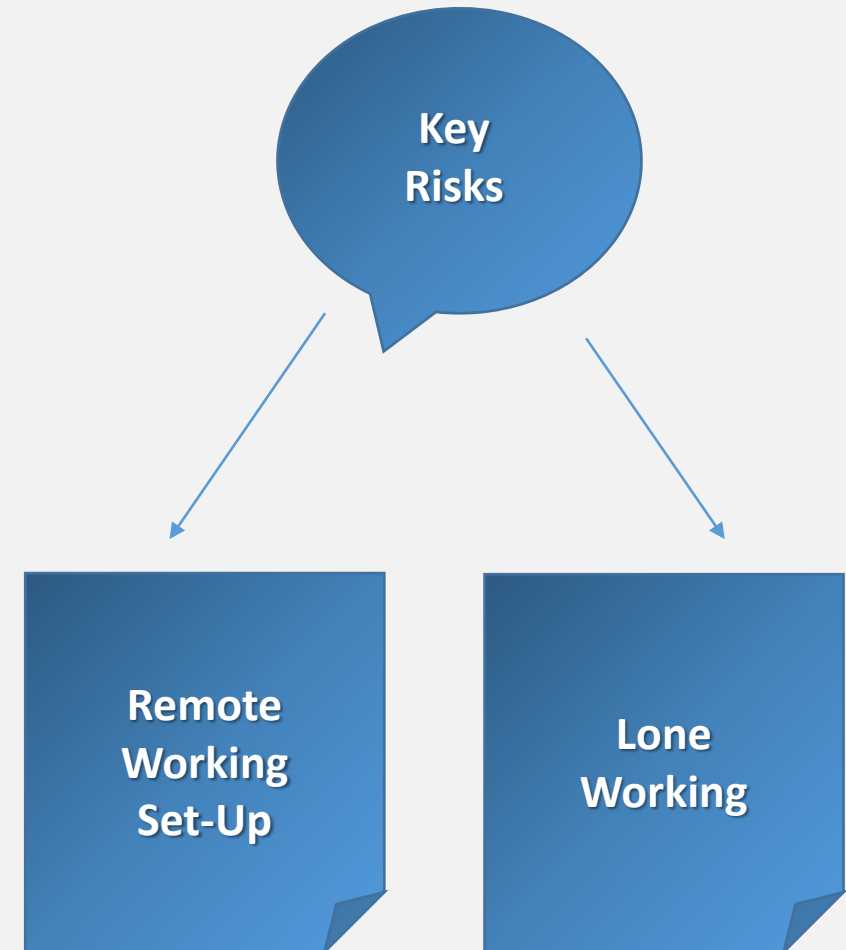
Adjust keyboard to a suitable position and try to keep wrists straight while typing

Make sure there is enough space under your desk to move your legs freely



FOR MORE INFORMATION CONTACT.....

Remote Working Risk Assessment



Home Work Stations & Lone Working

Employee Assistance Programmes

Workplace Health

Cycle to Work Scheme



Remind employees of the importance of taking responsibility of their own health, safety and wellbeing while working from home.

Continue with wellbeing checks and promote your employee assistance programme and remind employees of the importance of keeping active, keep learning and keeping connected.



Wellbeing

For more information on:

Health & Safety in the workplace:

<https://www.hse.gov.uk/>

Remote working or work place ergonomics:

<https://covid19.ergonomics.org.uk>

Mental Health Wellbeing:

<https://www.nhs.uk/oneyou/every-mind-matters/>

<https://www.mind.org.uk/information-support/tips-for-everyday-living/wellbeing/wellbeing/>