

A woman with short dark hair and glasses is looking at a tablet device. She is wearing a light-colored, textured sweater. The background is a blurred indoor setting with green plants and a window.

FAQs COVID-19

Guidance on Homeworking

This guide will answer some of the most common questions we are being asked about homeworking.

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1.

What is homeworking?

Homeworking is a type of flexible working arrangement agreed between the employee and employer, and usually involves the employee performing some or all work duties from home.

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2.

Do I need a homeworking policy?

Employers who operate homeworking should have a clear and well defined policy in place – this will help manage rules on employee communication, work obligations and to ensure health and safety obligations are met.

You can download a copy of a template homeworking policy in our library.

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3.

I need to close the business due to coronavirus – can I force an employee work from home?

Homeworking arrangements must be agreed between both the employee and employer.

An employer cannot usually force an employee to work from home if they do not have the contractual right to do so – they would need to seek agreement to do so.

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4.

What are the legal implications of homeworking?

Employers have a legal duty to protect the health, safety and welfare of homeworkers – this includes carrying out a risk assessment of the tasks carried out by an employee whilst at home.

This means identifying potential hazards and taking sufficient steps to prevent harm to them or people who may be affected by their work. This should include making sure equipment is safe and that the employee's work space is suitable and does not cause discomfort.

Employees who use display screen equipment and computers regularly - including homeworkers - are entitled to an eye test paid for by their employer.

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5.

What equipment do I need to provide for homeworking?

Homeworkers will need a desk and chair, reliable, fast broadband connection and a laptop or desktop computer with the necessary software installed. They may also need a smartphone or other mobile device.

Most employees are likely to have these devices already, which will raise the question about whether or not you allow them to use their own equipment. If you do, you will need to ensure that data accessed from home is secure and safe. Providing remote access to your network, or cloud based services, could help facilitate homeworking.

Check with your network supplier to confirm what's possible.

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6.

My employee is refusing to work from home – what can I do?

Unless you have the right under the employment contract to force an employee to work from home, consider alternative solutions. This could include –

- Try to reach agreement to put in place a temporary period of homeworking
- Check the employment contract to see if you have the right to impose short time working or lay-off (please ensure the contract is signed by the employee).
- Consider taking disciplinary action if the employee continues to refuse. It could be argued that requesting an employee to work from home is a reasonable management instruction, especially given the very difficult circumstances.

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7.

What can I do if my employee doesn't have access to a computer or internet connection at home?

You will need to provide the employee with the necessary equipment to enable that person to work from home. If this is not possible, alternative working arrangements would have to be made (such as working from a different location, or carrying out non computer related work).

Where there is no alternative arrangements that would enable the employee to work from home, and where the business premises are closed, the employee would still be entitled to be paid.

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8.

If an employee has to self-isolate, should they still be working from home?

An employee self-isolating with mild symptoms, or shielding due to a health condition that makes them extremely vulnerable, may be well enough to work from home. The employer will need to have a discussion with the employee to determine if they are safe and fit to continue to carry out duties.

If there is any doubt or uncertainty about the employee's fitness to work from home, they should revert to sick leave and may be entitled to receive SSP (Statutory Sick Pay) immediately.

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9.

What should I do if my employee is working from home when the schools are closed and they have to care for children?

If the employee working from home feels that they can still carry out their work duties despite having childcare responsibilities, it is up to the employer to decide if working from home under these arrangements would still be suitable. Under the current exceptional circumstances, it is best to be understanding and tolerant.

It may be worthwhile considering alternative working arrangements, such as changing work patterns to enable an employee to look after dependants and complete work duties at an alternative time in the day.

If an employee is unable to work because of caring responsibilities, the government confirmed on 4th April that such an employee can be furloughed.

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