



DL (2021)05

2 February 2021

Addresses

For action

NHS Board: Chairs; Chief Executives; Human Resources Directors; Employee Directors.

For information

Scottish Partnership Forum; Scottish Workforce and Governance Group; Joint Secretariat Group; Digital Health and Care.

Enquiries to:

Victoria Bowman
Scottish Government
Health Directorates
Health Workforce
Ground Floor Rear
St Andrew's House
Regent Road
Edinburgh EH1 3DG

Tel: 07770703752

E-mail:
Victoria.Bowman@gov.scot

Dear Colleagues,

STAY AT HOME REGULATIONS: WORKING FROM HOME

1. In response to the current emergency situation, the First Minister's statement on 4 January 2021 introduced the [stay at home regulations](#) which took effect from 5 January 2021. These regulations place a duty on employers to take all reasonable steps to minimise the spread of coronavirus. This includes supporting employees to work from home where their role can be safely undertaken remotely.
2. The Cabinet Secretary for Health and Sport has therefore confirmed that for NHSScotland staff, anyone who is able to work from home, must do so.
3. These regulations will remain in place until further notice.
4. As this is a statutory requirement, Boards must follow the Scottish Government Regulations on home working. Guidance on working from home can be found here: [Coronavirus \(COVID-19\): guidance on working from home - gov.scot \(www.gov.scot\)](#).
5. The guidance has been added to national guidance for staff and managers ([Guidance — NHS Scotland Staff Governance](#)) which directs staff to relevant information.

Considerations

6. Whilst the guidance asks that Boards make every reasonable effort to facilitate staff working from home where possible, we understand that in NHSScotland there are roles that cannot be performed at home. In addition, we recognise that local arrangements for responding service requirements may involve temporary changes to location or the movement of staff to other teams/services.

-
7. The guidance advocates a flexible approach to enable home working where possible. This involves consideration of individual circumstances and the provision of relevant and necessary equipment, IT services, and infrastructure.
 8. Enabling staff to work from home can also make space available that can be utilised to facilitate physical distancing in the workplace or create additional rest areas.
 9. Where working from home cannot be achieved, the reason should be shared with the employee and, if applicable, their union or professional body representative. Where appropriate, alternative arrangements including temporary redeployment should be fully explored.
 10. Local risk assessments are in place to ensure that workplaces adhere to workplace guidance. Guidance to provide individuals and employers with an individualised and evidence-based approach to understanding risks of COVID-19 in the workplace is provided in [The Scottish Government risk assessment guidance](#). Identified actions that may include physical distancing and provisions for staff to get to and from work safely, should be in discussion and with the agreement of the affected staff.
 11. Car-sharing should be avoided but where this isn't possible [The Scottish Government car sharing guidance](#) must be followed to lower the risk of transmission. Further detailed guidance is also available in the Occupational Safety section 5.12 of the [National Infection Prevention and Control Manual: Scottish COVID-19 Infection Prevention and Control Addendum for Acute Settings](#).
 12. Whilst we recognise that there may be individuals who prefer to work on site rather than at home, the [stay at home regulations](#) clearly set out that the personal responsibility for individuals to work from home where possible. However, some individuals may not be able to work at home for personal reasons and these should be fully considered and wherever possible supported on a case by case basis.

Review

13. Work is underway to develop further guidance and good practice for home working. This is intended to support the already published guidance and going forward will feed into future Once for Scotland Workforce Policy review work.

Action

14. NHSScotland Boards must ensure that this position is widely publicised to all staff and managers.

Yours sincerely

A rectangular box containing a handwritten signature in blue ink that reads "Victoria Bowman".

Victoria Bowman

Deputy Director Health and Social Care Pay, Practice and Partnership