



Dear Colleague

WORKING FROM HOME AS A CONSEQUENCE OF COVID-19 TERMS AND CONDITIONS OF SERVICE

1. [DL\(2021\)05](#) provided an overview of the principles to be applied when staff are required to work from home as a result of the COVID-19 pandemic. This guidance provides further advice around the terms and conditions of service that should be applied. These terms and condition apply to all Agenda for Change, Medical and Dental and Executive and Senior Management Staff who are required to work from home as a consequence of COVID-19.
3. A number of staff may also be working from home in accordance with their Board's flexible/family friendly policies and procedures. For those staff who normally work from home on either a full or part time basis, their current arrangements will continue to apply.
4. If any future workforce strategic plans require an increase in home working, this needs to be taken forward in partnership, either through SWAG or local Area Partnership Forums as appropriate. Any change to an employee's terms and conditions of service needs to be managed in accordance with NHS Scotland's Organisational Change Policy.
5. The terms and conditions of service associated with COVID-19 home working specifically are:
 - I. If staff are required to work from home they will continue to be employed as per their existing terms and conditions of service.
 - II. Boards need to ensure that employees can safely work from home and if this is not possible consider suitable alternatives which are compliant with COVID-19 health and safety guidance. Boards need to ensure that they adhere to current COVID-19 health and safety guidance in regard to home working.

DL (2021) 07

19 February 2021

Addresses

For action

Chief Executives, NHS
Boards and Special Health
Boards and NHS National
Services Scotland (Common
Services Agency)
Directors of Human
Resources, NHS Boards and
Special Health Boards and
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For information

Members, Scottish
Partnership Forum
Members, Scottish Terms
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Members, Scottish
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- III. Employers are responsible for the equipment and technology they give employees to enable them to work remotely. This also includes providing support to set up any new equipment or technology.
- IV. Managers should establish appropriate systems to keep in regular contact with their staff to facilitate effective communication, support and performance. The manager will also need to establish how they maintain an effective team and prevent individual employees from feeling isolated.
- V. Employees also have a responsibility to take reasonable care of their own health and safety. They need to keep in contact with their manager and team and stay up to date on issues such as health and safety risks and any changes to their home working arrangements. Employees need to ensure they take regular breaks.
- VI. The homeworking arrangement should be agreed in writing and be subject to regular review. The letter needs to include the following:
 - When the employee will be available to work;
 - How work life balance will be managed (i.e. breaks, working patterns etc.);
 - How they will keep in touch;
 - Rules in regard to data protection, management and storage;
 - How performance will be managed and measured;
 - Who employees should contact if they have any problems;
 - Arrangements for taking leave.
- VII. Employees who are required to work from home can claim tax relief of £6 per week from 6th April 2020. No evidence of receipts, bills or contracts are required. The employee can access further information on the [HMRC website](#).
- VIII. Employees who have a leased car and are working from home may find that this has a detrimental impact on their liabilities. If this is the case, they should discuss this with their employer to agree a possible solution, which may involve redefinition of the employee's base on a temporary basis.

Action

6. NHS Boards are asked to ensure this guidance is disseminated widely to staff and managers.

Yours sincerely



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Workforce Pay, Practice and Partnership Division