



Scottish Women's Convention response to:

## NHSScotland 'Once for Scotland' Workforce Policies - Homeworking Policy

July 2021

### Premise

The 'Once for Scotland' Workforce Policies Programme is designed to review and transform existing workforce policies in line with NHSScotland's vision as a modern and exemplary employer.

NHSScotland recognises that the working environment has altered in last 18 months as a result of the coronavirus (COVID-19) pandemic, and that agile working, as an approach, is becoming more common place. Consequently, it is prioritising an update of its homeworking policy.

The questions set out in the consultation seek to understand if the refreshed policy reflects NHSScotland's vision for workforce policies to be user-friendly and supportive, and updated to reflect changed working practices. The consultation also includes an equalities section to gather views on the potential impacts of this policy on protected characteristics equalities groups.

### The Scottish Women's Convention (SWC)

The Scottish Women's Convention (SWC) is funded to engage with women throughout Scotland in order that their views might influence public policy. The SWC uses the views of women to respond to a variety of parliamentary, governmental, and organisational consultation papers at both a Scottish and UK level.

The Scottish Women's Convention engages with women using numerous communication channels including roadshow events, thematic conferences, and regional contact groups. This submission provides the views of women and reflects their opinions and experiences in several key areas relevant to women's equality.

The SWC is currently engaging with women through digital roadshows, online surveys, asking women to comment by email and by telephoning those who want to talk. We are also using our wide network to ask women to collate views in their local communities and forward these to us on a regular basis. We are continuing to review innovative ways of engaging with women throughout Scotland using whichever medium is appropriate to them.

## 1. Do you feel there are any gaps in the policy?

- Often it can be more difficult to pick up on mental health and wellbeing concerns when people are working from home. Moreover, the social isolation of homeworking can often induce or exacerbate mental health problems. There need to be sufficient measures in place to ensure that line managers are trained to be vigilant of early signs of mental health problems.
- More generally, there needs to be specific training for anyone line-managing people who work from home because it is a very different skill with a lot more considerations.
- There are some limitations to a self-assessment process for health and safety.
  - Safeguards for abusive relationships need to be an integral part of health and safety assessments for home working. Using a self-assessment only system may mean that women do not feel able to report this.
  - Although it is important to autonomise and trust workers, it is possible that they may omit details from their health and safety assessments for fear that they will be denied the option of homeworking. This could have a negative effect on their wellbeing and work, and workers need to be given the correct support to know that they are trusted and can ask for what they need.
- The policy states that workers should “attend workplaces with reasonable notice as necessary.” There need to be more comprehensive guidelines in place around what is reasonable notice, and what events/situations are deemed as reasonable for a homeworking employee to attend the workplace for.
  - One woman who spoke to us explained that she usually works from home in Glasgow but was asked to attend training in Kirkcaldy. She was informed that the training had been cancelled an hour before the training was due to start, by which time she had already set off and had to pay out for a return train ticket. She was told they would not reimburse her for the travel because she had not attended the training, and similar issues had happened in the past.
- This leads to the broader issue of travel and reimbursement.
  - If a worker’s workplace contractually becomes their home, reimbursements for any work-related travel need to be calculated as such. For instance, in this scenario a worker is on the clock as soon as they leave the door to visit a client, and the minimum wage implications of this need to be considered. Details around this need to be clarified in the policy.
- Hybrid and home working generally encourages more flexible working patterns. Details need to be included in the policy around how compliance with the working time directive will be recorded.

## 2. Do you feel there are any gaps in the proposed list of supporting documents?

- As part of the employee guide, it would be useful to include some practical tips on how to promote and maintain wellbeing when working from home as it can often lead to feelings of isolation.
- As part of the manager guide, it would also be useful to go beyond logistical advice and also provide information and examples on how managers can support workers' wellbeing when working from home. This would be in addition to the training suggested in response to question one, not instead.

## 3. Do you feel that the policy has been updated to reflect changed working practices?

- Yes, the pandemic has seen huge changes to the way both employers and workers think about work. After so many workplaces have had to adapt to new hybrid and homeworking models, it is good to see this reflected in the policy.
- It is important that lessons are learned from people's experiences during the lockdown to improve policy and have best practice prepared for issues that were previously unforeseen, for instance:
  - Homeworking during the pandemic highlighted the importance of ensuring workers are provided with appropriate equipment. We have seen a lot of people struggling with setups that do not actually meet health and safety standards, leading to workplace injuries such as back pain, joint problems, poor circulation, or headaches.
  - Moreover, accessibility and reliability of Wi-Fi connections has been an ongoing problem for people homeworking during the pandemic. Depending on where people live, they may not have a strong enough internet connection to complete their work, and people should not be discriminated against for something that is outwith their control. Moreover, there are many people who cannot afford suitable Wi-Fi, and provision should be made for this in the same way there should be an allowance for equipment. There are also instances when people move house and cannot get set up with an internet provider quickly enough, and accommodations should be made for this. Finally, during the pandemic, many people have noted problems when trying to run too many Wi-Fi-connected devices, for instance when parents are trying to work from home alongside children being homeschooled. These are all eventualities employers and managers should be aware of and prepared for.
  - Unfortunately, homeworking during the lockdown has been used by some employers as an excuse to erode the roles of those working from home or to completely write them out of existence. This may be a concern of workers, so it is best to ensure there is a mutual understanding between managers and workers ahead of it potentially becoming a problem.

- Throughout the lockdown, there has been a small but noteworthy trend of people moving away from towns and cities in the knowledge that they are working from home so proximity for commuting is not such a priority. However, now things are opening up again and people are being expected to come back to workplaces, or at least hybrid working, we have seen certain employers stipulate restrictions on the distance from the workplace they will accept workers to live. This is causing uncertainty for workers and employers alike, so it is important to address in advance.

#### **4. Do you feel that the title "Flexible Work Location Policy" reflects changed working practices?**

- Yes, however there does need to be some acknowledgement that the shift to hybrid working or homeworking is not only about a change of work location.
- It must come as part of a broader change in the way we think about work, with employers acknowledging the need for more flexible approaches to working more generally, for instance:
  - More flexible hours and working patterns
  - Being more flexible about the potential for job shares
  - More trust in workers, especially mothers, to find balance between work and home responsibilities
  - Thinking more openly about what working productivity and success looks like for different workers
  - Looking at alternative models (e.g. four-day week with no loss of pay) and the increased productivity they may bring

#### **10. Do you have any views on the potential impacts of this policy on equalities groups?**

- On the whole, we welcome the increased openness to more flexible working options such as hybrid and homeworking. For too long mothers and disabled women in particular have been excluded from the workplace due to the unwillingness of many employers to embrace flexible models of working.
- Women are more likely to benefit from the opportunity to work from home because women are considerably more likely to have caring responsibilities for family members and take on the majority of domestic labour.
- However, we need to ensure that this policy is not just a way of regressing by confining women and disabled people to the home and limiting their opportunities for career progression. Special care needs to be taken to ensure that conditions set as grounds for promotion do not exclude those working from home, and that women working

from home are neither systemically nor unintentionally passed by for opportunities compared to their counterparts working on-site.

- Moreover, it is important that this is not just seen as an option that is offered to women. Taking an equalities perspective, it is important that flexible working is normalised across the board to try to encourage the narrative that childcare and domestic labour is the responsibility of both men and women, and it should not solely be up to women to make adjustments to their careers.
- Many women during the lockdown reported that they ended up working longer hours when working from home. Often this was because they felt that they had to be seen to be overcompensating for the perceived benefit of being at home, because they felt they had to prove to their line manager that they were not slacking at home, or because their working day was interrupted by other responsibilities. Support needs to be put in place to ensure that women are not pressured into ways of working that leave them burnt out and overstretched.
- In the guidelines, it states that workers are required to “make sure domestic arrangements such as caring arrangements are in place throughout the hours of work”
  - Insurances need to be put in place that this clause will not be used against women. For instance, there is the potential for a woman to be performance managed out of her job on the grounds that she has got a child or family member she is caring for with her in the house during the day when the policy says that alternative caring arrangements need to be in place.
  - We know that many women are unable to return to work after having children because the costs of childcare would outweigh their wages, so the opportunity to work from home should be used to empower women, not penalise them.
- This policy could end up discriminating against older women. There may be women who would benefit from and welcome the opportunity to work from home for a range of reasons, including health conditions, caring responsibilities, or shielding for themselves or a loved one and therefore being anxious about mixing with people. However, they may lack the digital skills, confidence or equipment to be able to perform at their best from home. Support and training should be put in place to ensure that no one is denied opportunities or feel forced into going into work when they could work from home.
- Despite the aforementioned ways in which this homeworking policy may be very beneficial to women, there does also need to be acknowledgement that there may be drawbacks for some women. For example, in the parts of the NHS such as cleaning and catering where work has to be done on-site and there is a higher proportion of precarious, low-paid contracts, it is women who predominate. It is important minimum standards are put in place to protect all workers so as not to increase disparity in pay and working conditions along the lines of protected characteristics.

## Conclusion

The SWC is grateful for the opportunity to respond to NHSScotland's consultation on homeworking policy. As an organisation, we will continue to work with women from across Scotland to gather voices and experiences relating to such legislation and the effect of this on women's equality.

For further information, please contact

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