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Talk, Adapt and Clarity – Tips on Returning to the Workplace



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In this week's blog from LA's expert [Employment Team](#), [Emma Starmer](#) discusses tips on returning to the workplace.

T Tell your employees your approach post lockdown, share the work you have done so that everyone knows how you plan to look after their health, both physical and mental. Communicate what additional measures you have put in place where applicable.

A Appreciate that not everyone will be feeling ready to return to the workplace. There are many reasons why an employee may be reluctant, e.g. health concerns, pregnancy, anxiety around vulnerable family members. It is important to treat concerns on an individual basis, and ensure that where reasonable adjustments are identified, you give them proper consideration.

L Listen to any concerns from your supervisors and managers – Are they ready to set the right example? Are they able to lead in times of change and support your business plans? Are they equipped with the skills to manage effectively, whether remotely or in the workplace? You may feel that it is time to introduce a buddy or coaching system for managers. Remember, you are expecting senior employees to be able to positively support staff at a potentially difficult time, and they need the tools to be able to do that.

K Keep the communication going, and keep things under review. If your workforce has handled things well, and shown you how adaptable they can be, keep the positivity going. Where things have been difficult, and there is reluctance from individuals, communication will be key in assisting in a smooth transition to the workplace. Ensure your workforce know who to contact with queries and concerns.

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A Assess and evaluate your policies. Do you need to introduce new policies to deal with changes in the process, or perhaps adapt your existing ones? You may have already introduced new policies such as home working and flexible working, but do you need to review your health and safety or data protection policies? If you intend to store vaccination or test data for your employees think carefully about the effect on data protection and data privacy impact statements.

D Don't forget about the staff that have been in the workplace throughout if that applies to your workforce. They will have got used to new ways of working and may experience concern at being surrounded by a lot more people. Also, staff that have been on long term leave due to shielding or furlough will need to be reintroduced to work with sensitivity. Training and mentoring should be considered.

A Access to support. If you have employee assistance programmes, Mental Health First Aiders or trained and experienced HR staff, let your employees know where they can seek additional support. Some individuals may have experienced real difficulty over the last year and may wish to seek support other than from their direct line manager.

P Protected characteristics exist under the Equality Act 2010. Discrimination based on any of these protected characteristics is likely to be against the law. Consider the wording of new policies or processes you wish to introduce to ensure they are not discriminatory. For example, if you have people working at home and want to ensure their home working station is appropriately free from distractions, ask all staff to confirm this, not just those who care for young children.

T Team working may be impacted by changes in work locations. Consider what you can do to encourage effective teamwork. It is particularly important for new members of staff to be inducted into their teams appropriately. Where individuals no longer get to meet people face to face, is there a way to ensure they still get to know their team? Would a team structure chart and regular meetings to include those who are working remotely help and is it practical?

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C Clarify what you expect from your employees. Those working at home and those in the workplace will still need to consider their own health and safety. So if you have expectations around regular breaks, sensible working hours or the use of annual leave, let all your workforce know. Be clear with those working remotely about your expectations.

L Location may need to be written into agreements. If you need individuals to attend the workplace for training or regular meetings set that out clearly. Likewise, any customer or supplier visits that will be needed on a regular basis at other locations should be discussed to ensure your expectations are clear.

A Allow for trial periods where homeworking has been requested. Include wording in your agreements that covers trial periods, and factor in reasons where the arrangements may need to end, for example, change in circumstances, or where remote working is not working out as you hoped.

R Risk assessments should be appropriate to the individual. For example, if your employee has told you they are pregnant, you should assess risks on that basis. Using a single risk assessment for all employees regardless of their situation is not always appropriate. Seek medical advice if risks are identified and it is not

clear what approach you need to take.

I IT policies may need review. If employees are working remotely allow for this in your processes. Consider issues such as confidentiality, handling and storing client records at home, passwords and use of external devices. How will you maintain computer equipment when an employee is home-based and how will you retrieve it if they leave? Who is responsible for the insurance of equipment?

T Testing – what is your policy on Covid-19 testing? If you would like your staff to be tested, think carefully about how you would handle a positive result. If individuals are required to self-isolate, will you be paying them if they are unable to work from home? Consider any negative impact of deductions from pay if you do not have an appropriate policy that covers this.

Y Yearly reviews alone are unlikely to be sufficient during times of change. You are likely to need more regular one-to-ones and may prefer to include more flexible reviews in your performance management systems so that individuals can identify and request training more regularly. Give your homeworking staff equal opportunity to progress and develop their skills as those present in the workplace.

If you are an employer or employee and have concerns about returning to the workplace, contact our specialist [employment law](mailto:online.enquiries@la-law.com) team on 01202 786332 or email online.enquiries@la-law.com