

Additional Guidance for Managers Returning Staff to Campus

(21 July 2021)

This guidance – in the form of Frequently Asked Questions - is for managers who are preparing to return their staff to on-campus working. It should be read alongside the [Guiding Principles and advice for controlling Covid-19 on campus](#), local school/department plans and the University's [Hybrid Working Framework](#). Information and guidance for supporting staff who are working from home can be found on the [Staff COVID19 Pages](#).

Managers are strongly advised to keep-up to date with the information published on the existing [Staff COVID19 Pages](#), as this will reflect the latest Scottish Government Covid-19 [protection levels](#) (i.e. measures, locally or nationally applied, to suppress the spread of the virus) and which inform the University's [approach](#).

Key Changes 21 July 2021

Questions 4 and 5 – what you need to cover in 121 conversation – updated to refer to Hybrid Working Framework

Addition of question (14) relating to staff who have been working from home, and that 'home' is outside the UK.

Key Changes 28 June 2021

Addition of question relating to pregnant staff.

Key changes 14 June 2021

The amendments reflect the further easing of Covid-19 restrictions from 17th May, details of which can be found here, and the changes made to prioritised on-campus activities from this date.

Key Changes 28th April 2021 (retained for reference)

The amendments reflect the move out of Level 4 into Level 3 protection level from 26th April. Combined with the full re-opening of nurseries and schools, it is now expected that staff who were working under 'best endeavours' or were furloughed for caring reasons can resume their normal pattern of work, if work is available. Those who were following additional shielding measures can now follow the same guidance as the rest of the population and, following an individual risk assessment, can be asked to return to campus, if there is work for them to do and this work cannot be done from home.

1. Can I require a member of staff to work on campus?

(Updated 14 June)

This will depend on the latest Scottish Government (SG) guidance and action to suppress the spread of the virus.

Please keep up to date on what work – in line with SG guidance – the University has classified as essential and can be done on campus. You can access this information on [SharePoint](#).

In line with SG and public health guidance, our buildings/workplaces will have robust health and safety measures in place to ensure a safe and secure working environment.

Having established that it is essential and safe for them to work on site, you need to bear in mind that many staff will be anxious about returning to or being on campus, particularly after many months of working at home, or on furlough. It's vital that you speak to them to glean what needs and worries they have and agree what can be put in place to support them.

A [risk assessment tool](#) is available to help you and your staff member understand their personal risk factors and what additional measures, if any, need to be put in place to ensure their health and well-being. You can also seek advice from your HR Advisor and Occupational Health.

Some staff will be worried about balancing their work and family commitments, particularly if they have dependants to care for. Although nurseries and schools have fully re-opened, informal childcare has been able to resume and additional shielding measures have been removed, some staff may continue to experience difficulties due to their caring responsibilities.

Some may live with others/dependants whose health puts them at greater risk were they to contract the virus. Some will be worried about travelling by public transport and/or travelling to/from an area where the virus is more prevalent and higher level restrictions are in place. While restrictions have eased, some staff may still be limiting their own activities until they feel more protected/less at risk by having been vaccinated.

Please don't forget that some staff might not be able to articulate their concerns – but will feel genuinely anxious. And some, unbeknownst to you, could be struggling for other reasons, related or unrelated to the pandemic.

So while it is perfectly within your right to ask staff to come back to campus and fulfil their contractual obligations, we ask that you do so with sensitivity. This guidance is intended to provide some details on how this might be achieved.

2. What can I do to reassure and to help staff back to campus?

(Updated 14 June)

First of all – be prepared. We suggest you:

- ensure you are up-to-date with the information available to all staff on the [Staff COVID19 Pages](#)
- ensure you are aware of and up-to-date with your School/Department's preparations for the re-opening/continued operation of their workplace

- be ready to assure your staff that the campus will have re-opened/be operating with robust health and safety measures in place, in line with Scottish Government and public health guidance, to ensure a safe working environment; make sure you can describe these measures to them
- familiarise yourself with this document, including the decision flow charts in Appendix 1, and ensure you understand the current guidelines for [people who are at higher risk from coronavirus](#). Please note that from 26th April, staff with shielded status i.e. those who are higher risk of complications from Covid-19, can follow the same advice as the rest of the Scottish population, in line with the protection level in place for the area in which they live.
- take time yourself to do the [Covid-19 Occupational Risk Assessment](#) so you understand why a staff member may be saying they for example, have a high Covid-age /are at very high risk were they to contract the virus
- remind yourself of the individual staff member's profile (e.g. their age, gender) and contract (working hours and pattern) and what if anything you know about their home circumstances (e.g. if they have dependants) and their health (and if they might fall into a higher risk category); what, if any, adjustments were in place before they started to work from home/went on furlough and might these need to be reassessed?
- think through what flexibility you can offer:
 - if needed, what will you be able to do to help them limit the need to travel on public transport at peak times
 - what can you do to limit the time they need to be on campus, e.g. through the use of rotas.

Please be mindful of what is and isn't appropriate to ask. Do not ask a staff member if they have been vaccinated/are going to be vaccinated. If they volunteer the information, then it is fine to discuss this with them - but we do not need to know this personal information. Please see below on how to respond if a member of staff is reluctant to return to campus until they have been twice vaccinated.

3. ***What do I need to take into account if I need to amend working patterns?***

In order to maintain safe working practices on campus it may be necessary for you to consider temporary amendments to working patterns (e.g. working in different time blocks). If this is the case you should engage and involve your staff in developing the best solutions if possible. Consider the following:

- Aim to secure effective working patterns to optimise capacity voluntarily wherever possible.
- If asking employees to work out of normal working hours you must have their safety at the forefront of your planning. Further advice and guidance on lone and out of hours working is available [here](#).
- Consider any potential Equality, Diversity and Inclusion impacts of any potential changes. For example it may be necessary to balance the phasing of work across a team to take into account caring responsibilities and personal needs. Make sure, as far as possible, that individual working patterns are consistent to minimise the risk of cross infection between cohorts of working groups.

Our current staff conditions of employment include 'Premium Band Payments' if staff are contracted to work hours between 10pm and 6am, or to work hours that vary from week to week. Consideration should be given to this when planning new staff working arrangements. These working patterns should only be used when absolutely necessary.

4. When and how should I approach the staff I need to come back to campus?

Staff who have been working from home for many months, or who have been on furlough/paid leave will need notice of the need to come back to work. Some will need to re-arrange childcare and transport to/from work.

You should therefore ensure that they are given at least two working weeks' notice of the date they need to be back on campus. This gives you both time to prepare and for any further discussion to take place. Be mindful also that some staff might be willing and able (and some may be keen) to get back to campus and that you may have to manage their expectations on a return date.

You'll already have agreed how best to keep in touch – by email or by phone – so use this to set up time to talk through their return to work.

As above, be prepared for the 121 conversation and remember that no two staff members will be alike. Have to hand a checklist of what you need to cover, and to take notes. (Remember to take care if making a note of sensitive information and that staff members have the right to receive such notes if they were to make a subject access request.)

Approach the matter sensitively and assure staff that anything they share with you will remain confidential and will only be shared with others, e.g. a senior manager, HR and/or Occupational Health on a “need to know” basis.

If you are bringing people back from Furlough please ensure you follow the correct process which can be found in the existing [Staff COVID19 Pages](#).

Please also take time to familiarise yourself with both the guidance for managers and staff which you can find on the [Hybrid Working Framework](#) dedicated SharePoint site. Be mindful of any guidance/principles developed by your School/Department which will further support discussions with your staff on the feasibility of on and off campus working over the coming months.

5. What do I need to cover?

(Updated 21 July)

You need to explain why and when you need them to come back to work on campus. The ‘why’ will be informed by the nature of the work they do, whether this can only be done/is best done on campus, the re-opening of their place of work and of course by any protection levels/restrictions which remain in place.

If you're proposing different work patterns or rotas of staff being on/off campus, explain why (e.g. to ensure physical distancing; accommodate team approach to hybrid working).

You need to be mindful that some of your team may not be able to immediately return to campus. For example, they may:

- have a combination of a Covid-age score and related health factors that place them at higher risk of ill-health were they to contract Covid-19
- have caring responsibilities for a dependant at higher risk, or be impacted by restrictions, e.g. nursery/school closures, in local authority areas where prevalence of the virus is greater

- be self-isolating
- have a disability that needs additional support, for example a phased return to campus or pre-existing reasonable adjustments which need to be reassessed and adjusted.

You need to reassure staff that:

- you and the University take their health, safety and wellbeing extremely seriously
- their workplace has been risk assessed and robust health and safety measures are in place. Make sure you can describe these to them.

You need to:

- discuss and take time to explore their anxieties and concerns
- explore what can be done to alleviate these concerns
- be prepared for a conversation regarding their desire to continue to work from home.
- bear in mind you may need more than one 121 to discuss all of the above and agree a date by which they will be working on campus again.

6. *What do I do if a member of staff says their health places them at greater risk if they contract coronavirus?*
(Updated 28th April)

Covid-19 can make anyone seriously ill. But for some people, the risk is greater. You should familiarise yourself with the [NHS's definition of those most at risk](#).

As a manager you have a responsibility to protect the health of any member of staff who has declared a medical condition which places them at increased risk were they to contract Covid-19.

When planning for campus-based working, you must consider those who are at higher risk, whether the prevailing government [protection levels](#) – and University guidance - permit working on campus and the steps which need to be taken to minimise, as far as reasonably practicable, their exposure to Covid-19.

The Scottish Government has developed a [Covid-19 Occupational Risk Assessment Tool](#) and accompanying guidance. This aims to help an individual assess their vulnerability and help employers put measures in place for their return to the workplace.

The risk assessment is not mandatory but you may suggest it to your staff member as a way of aiding discussion and ensuring the right support is in place to enable them to return to campus.

They may already have used it and voluntarily refer to it when you start to talk to them about their return to campus. However, as this tool is regularly updated as understanding of the virus develops, it's important that you use the current online version. If a staff member does not have easy access to IT to enable them to use the Covid-19 Occupational Risk Assessment Tool, you can suggest they can get help to complete the risk assessment from Occupational Health (OH).

To obtain an appointment for them, you should complete form OHF 61 which is available at [Forms | The University of Edinburgh](#) and send it to occupational.health@ed.ac.uk. You'll be given a telephone appointment date and time to pass on to the staff member. Assuming the staff member gives their verbal consent, you'll receive feedback from OH regarding their Covid risk category only.

7. *My staff member has used the Scottish Government's Covid-19 age assessment tool and advised this says they have a very high Covid-age. What does this mean and can I require them to come back on campus?*

(Updated 28th April)

The Covid-Age assessment tool is based on published evidence of the main identified risk factors. It works by translating the risks according to age, ethnicity, gender, BMI, and health conditions into years which are added to an individual's age. This calculates a person's 'COVID-Age' and which vulnerability risk category they fall into if they catch the virus – low, moderate, high or very high. The risk assessment tool also takes into account the prevalence of the virus.

People in low, moderate or high categories can attend work if required to do so unless Scottish Government and public health guidance indicates otherwise. Those with a very high Covid-age should ideally work from home where possible.

You will need to take on trust the outcome obtained by the staff member – they are not obliged to share their input with you or details about their health.

8. *What do I need to consider if a member of staff is pregnant?*

(Added 28 June 2021)

When you are informed of any pregnancy, you must complete the University's [New and Expectant Mothers Risk Assessment](#). You should repeat this throughout their pregnancy, particularly when proposing a change to their working environment, e.g. returning to work on-campus.

When completing the individual workplace risk assessment, you **must also** take into consideration whether the prevailing government [protection levels](#) – and University guidance - permit working on campus and the steps which need to be taken to minimise, as far as reasonably practicable, a pregnant employee's exposure to Covid-19. You can do this by referring to the [government advice for pregnant employees](#).

When discussing a possible return to campus with any pregnant member of staff, you should do so sensitively. Pregnant women are in the moderate risk group as a precaution and therefore require special consideration. If they are 28 weeks pregnant and beyond, or if they are at any stage of their pregnancy but have an underlying health condition that puts them at greater risk of severe illness from Covid-19, they are advised to take a more precautionary approach.

You need therefore to be mindful that they may be more anxious about the impact on their health, and their unborn child, were they to contract Covid-19.

Please note, the Covid-19 Occupational Risk Assessment Tool does not take account of pregnancy. So you may have to consider both their Covid-age and outcome of the pregnancy risk assessment.

In summary, pregnant women should only return to campus if this is supported by the risk assessment. If you require further advice or support in determining the risks which may apply to a particular pregnant member of staff, you should complete and submit a [management referral](#) to Occupational Health.

9. What advice might a vulnerable staff member receive from their GP/specialist and what should I do?
(Updated 28th April to reflect end of shielding measures)

The GP may:

- Provide general advice, and confirm they may return to the workplace, as long as physical distancing measures are strictly followed
- Provide specific advice on measures which need to be considered by the University to enable them to return to the workplace, in addition to physical distancing measures being followed
- Advise staff members not to return to the workplace and sign them off work
- Not provide any advice to the individual.

Thereafter, you should discuss with your team member:

- any additional specific measures and/or adjustments, advised by their GP, which need to be implemented to protect their health and enable them to work safely on-campus.
- how to implement these where it is reasonable and appropriate to do so. They may include changes to work activities, practices or working patterns.

You should seek advice from Occupational Health (OH) in the following circumstances:

- the GP is unable to provide advice
- the team member does not want to discuss their health condition and concerns with you
- you and/or the team member require additional advice regarding the team member's vulnerability and health.

Advice should be sought from OH via the [management referral process](#).

10. What do I do if a staff member is caring for someone who is at higher risk?
(Updated 14 June)

If a team member lives with and/or has caring responsibilities for someone who is at higher risk, they should follow the same Scottish Government advice as the general population and they can go to work.

Even though the restrictions on those with shielded status have now been lifted, your team member may continue to have difficulties due to their caring responsibilities. You should discuss this with them and agree what adjustments, if any, you may be able to make to their working hours/pattern and work priorities.

They may still be anxious about travelling, working on campus etc and placing their household/dependants at further risk. If your team member raises these concerns with you, you should consider any adjustments that may help to alleviate their concerns whilst ensuring they understand the need for them to resume their normal pattern of work.

If no adjustments can be made, they should be made aware that they may have to take annual leave, parental leave, emergency time off for dependants leave or unpaid time off until they can resume their normal working pattern.

Note: a reduction in working hours which cannot be covered by annual leave or other paid family leave will necessitate a corresponding reduction in pay.

**11. What do I do if a staff member cannot return because of their general caring responsibilities?
(Updated 14 June)**

As restrictions have eased, nurseries and schools have fully re-opened informal childcare arrangements have resumed and additional shielding measures have been removed, staff are expected to resume their normal pattern of work, if there is work for them to do.

If a team member has been furloughed in full or in part, purely because of their caring responsibilities, you must contact them to discuss coming off furlough and returning to work.

If they cannot return to their normal working pattern – on campus or at home – due to their continued caring responsibilities (or temporarily being impacted by local authority nursery/school closures and/or general restrictions in areas where the prevalence of the virus is greater), you should discuss what adjustments, if any, may be made to their working hours/patterns and work priorities to support them.

If no adjustments can be made, they should be made aware that they will have to take annual leave, parental leave or unpaid leave until they are able to resume their normal working pattern. If any reduction in working hours remains, which cannot be covered by annual leave or other paid family leave, there will need to be a corresponding reduction in pay.

12. What do I do if a member of staff refuses to return?

If you have:

- explained the reason they are needed back on campus
- explained the health and safety measures that have been put in place across the campus and in their work location
- considered and put in place all reasonable adjustments to address their particular concerns (e.g. travel, caring responsibilities)
- suggested/used the Scottish Government's [Covid-19 Occupational Risk Assessment Tool](#) to assess their individual risk and to put in place additional mitigations

and a team member is unwilling or refuses to return to the workplace, you should contact your HR Advisor for support.

It may be reasonable, depending on the circumstances, to ask the team member to cover their absence from campus by taking annual leave, parental leave or unpaid leave.

If all options have been explored with the team member, including any reasonable adjustments and leave options, and agreement can still not be reached, you should clearly advise your team member, both verbally and in writing, that they are required to return to work on campus by a given date. You must ensure they understand that refusal to do so may result in formal disciplinary action.

Note: formal disciplinary action should only ever be instigated as a matter of absolute last resort and only after discussion with your HR Advisor.

If you cannot reach agreement on the staff member's return to campus, the next step would be to progress to formal disciplinary action for refusal to obey a reasonable instruction by a relevant manager or other appropriately authorised employee.

Please see the [Disciplinary Policy](#) or [Interim Guidance for Managing Probation](#) for information and ensure close engagement with your HR Advisor before initiating either of these procedures, even informally.

13. *What do I say/do if a member of staff is refusing to return to campus until they've received their second dose of the vaccine? Or they are refusing to do so until all team members have been vaccinated?*

As in all of your interactions with staff members please do not be dismissive of their fears and anxieties. Be sensitive but emphasise the general measures the University has put in place to ensure their workplace safety and discuss what else can be done to mitigate the risk to their health and wellbeing. If they are insistent they cannot and will not return until they have been vaccinated, you should consider if they can [continue to] work from home. If this is not feasible, they will need to cover their absence by taking annual leave or unpaid leave, or combination thereof.

As above, if all options have been explored and agreement cannot be reached – or the anticipated second vaccination date is unknown/some time off and is unreasonable to cover with annual/unpaid leave - you should clearly advise your team member of the date they are required to return to campus and that refusal to do so may result in formal disciplinary action. **Again only do so after discussion with your HR Partner.**

If a team member refuses to return until all team members have been vaccinated, please remind them that vaccination is a matter of personal choice, i.e. everyone is free to decide whether or not to be vaccinated. The University can encourage staff to be vaccinated, but cannot compel them to do so. Please reiterate the workplace safety measures that will be in place and focus on what else can be done to protect their health and safety. If pressed, advise that their request/insistence is unreasonable and not one we can accommodate.

14. I have a member of staff who has been working from ‘home’ from outside the UK. What do I do if they refuse to prepare to relocate/return to the UK as has been requested? (Added 21 July 2021)

Please familiarise yourself with the information on the [Working Abroad](#) pages of the HR website. As this states, all staff must have express permission to work outside the UK. This is not a new requirement, as it is also clearly stated in our Conditions of Service.

Explain the following:

- The University has accepted that, for some staff, working from their non-UK home country was a natural extension of ‘working remotely/working from home’. It was also understood that some staff, particularly new recruits, had no option due to international travel restrictions.
- While it may have been feasible for them to carry out their role overseas, this carries a degree of risk and cost – to both them, and the University – which is not sustainable in the longer term. (Ask them if they are aware of these risks; if not refer them to the [Working Abroad](#) webpages.)
- Consequently as restrictions ease and we prepare for the new academic year, and an increased return to on-campus working, we expect staff to be back in the UK by 13th September and to be able to come on to campus as and when required.
- Recognising that staff may need time to make arrangements, we’ve given 8 weeks’ notice of this expectation.
- The expectation is in line with their contract of employment regarding their place of work, i.e. the University’s Edinburgh based campuses and/or offices

If their concerns relate to Health and Safety, please (as for any other member of staff, and outlined in Q12 above)

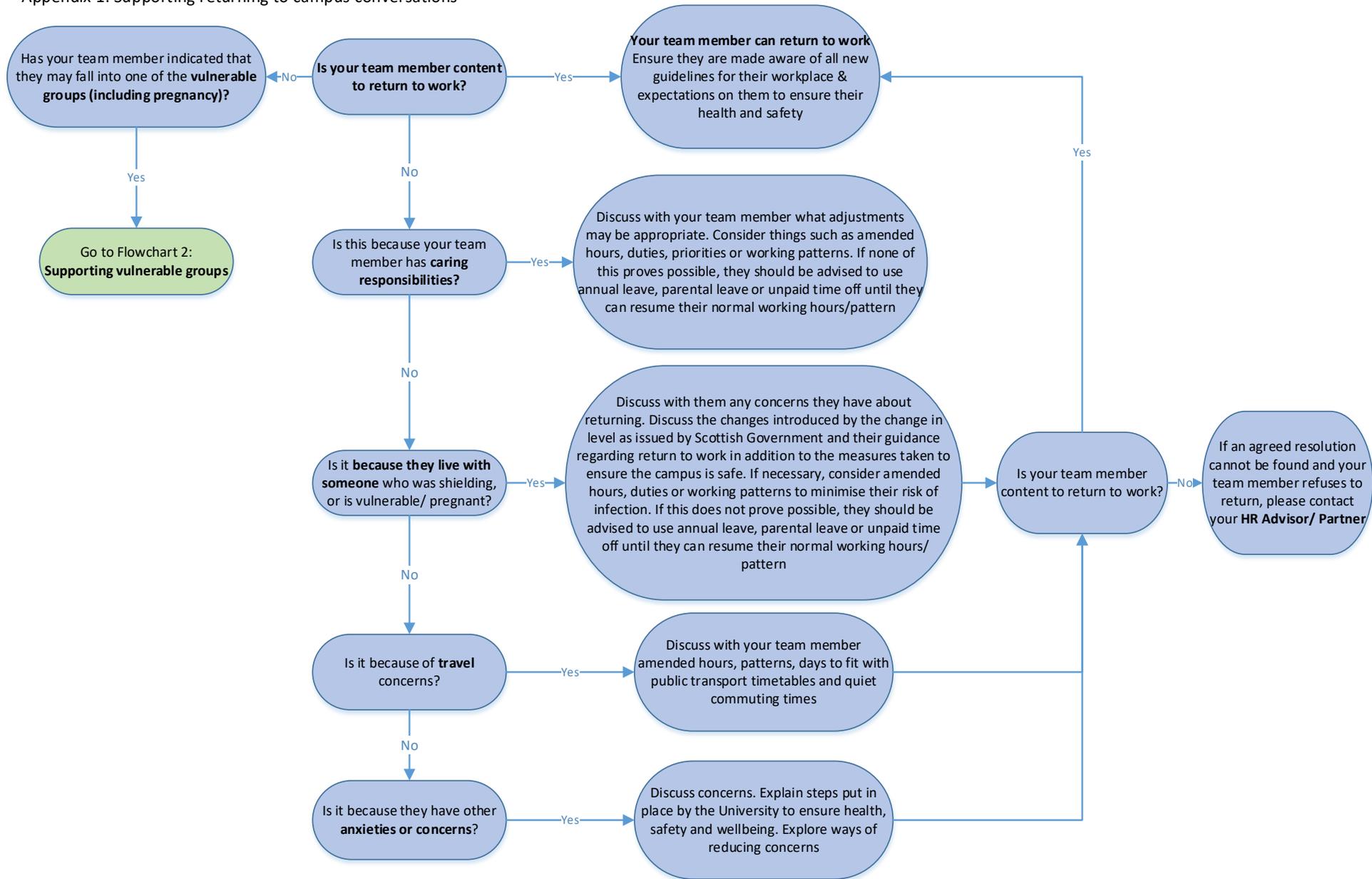
- explain the health and safety measures that have been put in place across the campus and in their work location
- discuss their particular concerns (e.g. travel, caring responsibilities)
- suggest/use the Scottish Government’s [Covid-19 Occupational Risk Assessment Tool](#) to assess their individual risk
- discuss what additional mitigations/reasonable adjustments can be put in place to mitigate their risk/address their concerns.

It may be reasonable, depending on the circumstances, to ask the team member to cover their absence from the UK beyond 13th September by taking annual leave, parental leave or unpaid leave.

If all options have been explored with the team member, including any reasonable adjustments and leave options, and agreement can still not be reached, you should clearly advise your team member, both verbally and in writing, that they are required to return to work on campus by 13th September 2021. **If your team member continues to refuse to return, please seek early advice from your HR Partner.**

15 A member of my team has been working outside the UK for some time now and wishes to carry on doing so. Can I agree to this? No. You will have to obtain the express permission of your Head of College/Professional Services Group. They will only grant this in limited circumstances and when supported by a full assessment of the associated risks and costs. You can find out more on our [Working Abroad](#) webpages.

Appendix 1: Supporting returning to campus conversations



Flowchart 2: Supporting vulnerable groups

