

Members' Briefing REVENUE & CUSTOMS GROUP

To: **All Members**

cc: **Branch Secretaries, Group Executive Committee, Equality Chairs, VOAC** (for info)

Can this Briefing be circulated via HMRC IT systems: **YES**

Website: **YES**

Action to be taken: **For the attention of all members**

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RETURN TO THE OFFICE: HMRC Gives Four Weeks' Notice

- *HMRC gives notice to return to staff in England and Scotland*
- *Staff to return to PaCR Flexible Working Arrangements*
- *National and local Risk Assessments still being completed*
 - *Updated Toolkit central to protecting members*
 - *Toolkit to be completed before a return is made*

Background

Following the decisions to end Plan 'B' measures, HMRC has today given notice that staff in England and Scotland are to return to the workplace. As staff are expected to return to working as 'normal' HMRC is now moving to implement the mix of office and home working. HMRC has given staff until the 28 February to put the steps in place needed to return to the workplace in line with agreed new working arrangements.

Members in Wales and Northern Ireland are advised that wherever possible, they should continue to work from home.

PCS response

We are not yet 'back to normal'. PCS believes that it is too early to push members to pretend that we are, while infection and death rates are still significant and the potential long-term impacts of Covid infections are still becoming clear. Nationally, PCS has already met with the Cabinet Office, to make the following demands:

- **A commitment that no one will return to the workplace until an individual risk assessment has been undertaken**
- **If that assessment shows, even with mitigation in place, that the balance of risk is against the person coming into the workplace (travel to work must be included in the risk check) then that person will remain working at home**
- **Separately to the above, that the extremely vulnerable and clinically vulnerable will remain home working, as will carers for the extremely and clinically vulnerable and those who have to look after children, who are self-isolating, or who have COVID-19**
- **A general commitment that no one who wants to continue to work from home (whatever their reasons) will be ordered to return to the workplace.**

In line with this, PCS in HMRC has written to the department, seeking precisely those same assurances, and the department has now responded:

Risk assessments

In response to our call for individual risk assessments, the department has reiterated that they won't be asking members to come back to the workplace until the offices are ready for them to return; and for offices to be ready, building risk assessments need to have been completed. Our PCS Health and Safety Team is working with HMRC to look at the specific proposals around changes to workplace safety measures, including implementing a revised COVID-19 risk assessment for each building.

The department has added that although individual risk assessments are not mandatory under the guidance, they can be completed if members are concerned about returning. They are there to explore potential areas of concern and to seek to put as many mitigating controls in place as possible, to reduce any risk to as low as is reasonably practical.

HMRC has also confirmed that where individual risk assessments are conducted, they will help to establish any risks and to identify further mitigating actions, to reduce that risk as far as practically possible. However, HMRC has made clear that this is an individual conversation, and will be based on individual circumstances, perceptions of risk and specific concerns. If a perceived risk due to travel to the workplace is identified, then the additional travel expenses policy currently remains in place and can be used to support colleagues' journeys to the workplace as a short-term mitigation.

Using the Toolkit to ascertain need for additional support

The department has assured PCS that in addition to any individual risk assessments, there may be some colleagues who need some additional flexibility and support where they face barriers to their return. For these individuals, existing policies, including around covid travel support, remain in place until at least the end of March.

Critically, where any barriers become apparent in the Return to Office Toolkit conversations, managers will have the flexibility and discretion to support colleagues with return plans which might run to a slightly longer timeframe.

HMRC will provide managers with an additional support pack to help with these conversations by mid-February 2022. This will help ensure that all members have an appropriate 'Supported Return Plan' and are able to adopt our new ways of working, in line with the HMRC's agreed approach to balancing where and how we work.

Members and managers may need to revisit this additional support, as part of agreeing the plan to return, to make sure the right steps are in place.

Clinically vulnerable and the carers for clinically vulnerable

HMRC has responded that members with clinical vulnerability to COVID-19, or carers of those people, are currently advised to follow the same guidance as everyone else.

The department acknowledges that members who manage clinical vulnerability to COVID-19, or care for those with clinical vulnerability, may have specific concerns about working in the office and they may want to consider precautions they can continue to take. HMRC says that the department will support members to follow the government advice for where they live and/or work, and any specialist medical advice they may have received.

Response to call for 'no compulsion to return'

HMRC has made clear that as part of Pay and Contract Reform (PaCR), they have agreed that upon returning to offices, members would be able to take advantage of new flexible working arrangements; combining working in the office with working from home 2 days a week (more if the business can accommodate it).

The department has gone on to say that given the change in Government guidelines, they have now given four weeks' notice to colleagues in England and Scotland, that they should return to hybrid working arrangements with effect from 28 February.

HMRC has reiterated that the department is committed to supporting colleagues to work from home in line with the PaCR agreement; and stated that they consider that their approach to home working is inclusive and supports as many colleagues as possible to access these arrangements.

However, HMRC do recognise that some colleagues may need to put practical arrangements in place to return to office working, and again the Toolkits can support these discussions. The department has confirmed that they also understand that some colleagues may be worried about returning, and those Toolkits will help staff to discuss and agree the timing and basis of their return with their manager.

The department added that to further support colleagues who may need some additional flexibility, HMRC will be publishing supplementary manager guidance by mid-February, on their 'Supported Return Plans'. This guidance will set out the discretion managers will have to support colleagues with a return plan that might need to run to a longer timeframe than 28 February.

Advice for members

Throughout the pandemic, PCS has been working with HMRC to develop the Toolkits, Policies and Support mechanisms designed to keep members safe. The Return to Office Toolkit is the mechanism that assesses the risks attached to a return to the workplace for you as an individual member of staff.

Members and their managers should use the Toolkit to support their discussions about returning. The completion of the Toolkit is mandatory and, properly applied, the Toolkit gives the greatest opportunity for a sensible and pragmatic approach to be taken, where consideration regarding any possible return to the office is concerned.

PCS particularly welcome the assurance from the department that where members are concerned about returning, individual risk assessments can be completed. Again, the Toolkit conversation is where this should be raised.

We will provide further guidance for members over the coming days and weeks. Your local PCS reps are available to provide advice and support. Please make them aware of any concerns or questions that you have about this process.

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