

## **Factsheet G5 – Carers and Employment**

Carers can face difficult choices about balancing work and caring and finding support services to help stay in work. Today there are increasing numbers of people in the workplace with caring responsibilities. In recognition of this changing and diverse workforce, the government is actively encouraging employers to allow flexible working patterns.

Under the Equality Act 2010 (which came into effect on 1 October 2010), carers are now protected from being treated less favourably, directly discriminated against, or harassed, because they are caring for someone who is disabled.

Useful government information on this employment legislation can be found on the [www.gov.uk](http://www.gov.uk) website. *Carers in Hertfordshire* can print this out for you if you do not have internet access.

### **Telling your employer**

It is important to tell your employer about your caring commitments. Caring can often be unpredictable and care arrangements complex. If you want to work, it is often in your employer's best interests to consider making reasonable changes to your work pattern so that you can continue caring too. Keeping the communication lines open between you and your manager is vital if you are to manage work and give your employer notice in time to make arrangements when you are away. You could also speak to your colleagues, human resources manager or staff association to see if there is existing support available at your workplace.

### **Parental Leave**

There is a statutory right to take unpaid leave for your child if you meet certain conditions. You must have legal parental responsibility for the child, be an employee with a contract of employment (agency workers are not eligible), and have worked for the same employer for a year. This entitles you to:

- 13 weeks off work for each child up to their 5<sup>th</sup> birthday.
- 18 weeks off for each disabled child up to the child's 18<sup>th</sup> birthday.  
(a disabled child is defined as one receiving disability living allowance)

Where possible employers and employees should negotiate parental leave at the workplace. Unless child is disabled, or employer agrees otherwise, leave should be taken in one week blocks, with a maximum of 4 weeks leave for any one child in a year. Statutory parental leave is unpaid, but if you are on a low income you may be entitled to Income Support.

If you don't qualify for parental leave you could still ask your manager whether you can take annual leave, unpaid time off or consider flexible working options.

## **Flexible working for parents and carers**

Parents of children aged under 6 and parents of disabled children under 18, who have worked continuously as an employee for 26 weeks have had the right for some time to apply to work flexibly for a need related to the care of the child. Since April 2007, under the Work and Families Act 2006, the same rights have been extended to carers. For this legislation a carer is defined as someone caring for an adult who:

- Is married to, or the partner or civil partner of, the employee
- Is a near relative of the employee (parent, parent-in-law, adult child, sibling, sibling-in-law, uncle, aunt, grandparent or step relative)
- Falls into neither category, but lives at the same address as the employee

## **How do I apply?**

You must apply in writing, explaining your caring responsibilities and the change you would like to make to your working arrangements. You should also consider the effect this might have on your employer's business and how this might be accommodated. The application must not be a repeat of one made in the previous 12 months and your employer must be given a reasonable time to consider and implement it. Employers have a duty to take requests seriously. Although they can 'no' to your request, they will need to demonstrate clearly why this is so.

More information can be found in the ACAS leaflet 'The Right to apply for Flexible working' which can be downloaded from [www.acas.org.uk](http://www.acas.org.uk)

## **Flexible working arrangements**

You could discuss the following options with your manager:

- Part-time, flexi-time, jobsharing or home working
- Annualised or term-time hours
- Flexible holidays to tie in with alternative care arrangements
- Compressed hours, staggered hours or shift work

## **Time off in Emergencies and special leave arrangements**

You are entitled to a 'reasonable' amount of time off to cover an emergency to do with the person you care for.

You may also be offered:

- Carer's leave
- Compassionate leave
- Borrowing/buying leave
- Career breaks

[www.carersinherts.org.uk](http://www.carersinherts.org.uk)

## Useful contacts and websites giving further information

**ACAS** (Advisory Conciliation and Arbitration Service) [www.acas.org.uk](http://www.acas.org.uk)  
Advisory booklets Changing patterns of work, Flexible working and other booklets  
Tel: 08457 474747

**Carers UK** Latest on legislation or tel: 0808 808 7777 [www.carersuk.org](http://www.carersuk.org)

**Citizens Advice Bureau (CAB)** [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)  
Helps people resolve their money, legal and other problems with a network of offices throughout the country. See free booklet *The Equality Act 2010: What do I need to know as a Carer?* available from [www.adviceguide.org.uk](http://www.adviceguide.org.uk) (type 'carers' into search box)

**Working Families** [www.workingfamilies.org.uk](http://www.workingfamilies.org.uk)  
or tel: 0300 012 312 *Waving not drowning* network also supports families who are combining work and caring for disabled children.

[www.carersinherts.org.uk](http://www.carersinherts.org.uk)

*The information contained on this sheet is correct at the time of issue.  
Carers in Hertfordshire takes no responsibility for any inaccuracy in facts supplied to them.*

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