

Carers in employment

rights and sources of support

VOCAL - Voice of Carers Across Lothian ● July 2019

Introduction

Over 250,000 carers combine their caring role with paid employment. One in five will give up work to care and for those caring for 50 or more hours a week, more than half have stopped working. Carers now have more statutory rights to help them manage their paid work and caring responsibilities and this factsheet introduces these rights and sources of support.

Work and Families Act 2006

The Work and Families Act 2006 gives carers of adults the right to request flexible working, building on the existing rights which were introduced in April 2003 for parents of a disabled child under 18.

You have the right to request flexible working if you are an employee with 26 weeks continuous employment with that employer at the date you make the application and you are:

- A parent with a child under 6 or a disabled child under 18 or
- A carer - to qualify as a carer under the legislation, you must be, or expect to be, caring for a spouse, partner (who you live with), civil partner or relative, or live at the same address as the adult in need of care.

You have the right to make one application per year and you are not required to prove the caring relationship but it may help your application to provide as much information as possible. 'Caring' in this context can include, for example, help with personal care, emotional support,

● Getting support

VOCAL's Carer Support Team offers specialist support to carers who are juggling work and caring responsibilities. Contact the team on **0131 622 6666** or email: **centre@vocal.org.uk**.

● Flexible working

Flexible working patterns could include:

- Flexible starting and finishing hours
- Compressed working hours
- Annualised working hours (eg. hours are calculated over a year and you work some fixed shifts but have flexibility over some of your hours)
- Term-time working
- Job sharing and part-time working
- Homeworking and teleworking.

helping with financial matters or paperwork and support to attend medical appointments.

The request for flexible working should be made in writing (your employer may have a standard form) and include the date of application, confirmation that you are eligible, an outline of the working pattern you would like, the date you would like to start the proposed change and details of any previous requests. You should also outline any effects the change would have on your job.

The right to time off in emergencies

Also known as time off for dependants, this gives all employees the right to take a 'reasonable' amount of time off work to deal with an emergency involving a dependant. Whether the time off is paid or not is at the discretion of the employer.

A dependant could be mother, father, son, daughter, parent or anyone who lives with you who is solely dependent on you.

An emergency could be:

- A disruption or breakdown in care arrangements
- The death of a dependant
- If a dependant falls ill or has been assaulted
- To make longer term arrangements for a dependant who is ill or injured (but not to provide long term care yourself).

To use this right to time off, employees must inform their employer as soon as possible after the emergency has happened.

Parental leave

If you have one year of service you are entitled to 13 weeks parental leave to care for a child and 18 weeks for a disabled child who receives Disability Living Allowance and is under 18. Leave can be taken in blocks of one week up to a maximum of 4 weeks leave in a year (for each child). It can be taken in single or multiple days if the leave is to care for a disabled child.

Equalities Act

This legislation protects carers from direct discrimination or harassment because of their caring responsibilities. See '*Your rights as a carer*' factsheet for more details.

Seeking support in the workplace

Employers value skilled, experienced members of staff and are keen to keep them. Your employer may be able to help in ways you have not considered. Talk to your manager about your situation, directly or through your HR/ personnel officer or union or staff association representative.

Many Edinburgh employers have a carer policy or carers' network as well as links to VOCAL and support services. If you decide to leave work, make sure you check all your options before you resign. For example can you take a career break, voluntary redundancy or early retirement?