

## Caring and working

For many carers, trying to do a paid job whilst managing their caring role can become complicated and stressful and they may consider giving up work is the only solution. This factsheet outlines some of the factors which carers might consider in order to achieve a more comfortable balance between their job and their caring role.

As every situation is different, you may wish to access the specialist employment advice available from our specialist CReate Teams (Carers' Resource Employment Advice and Training Enterprise).

CReate at Carers' Resource contact details are on page 6.

### Carers' rights in employment

You don't have to tell your employer that you are a carer, but carers and other employees have a number of legal rights which may be helpful in enabling them to deal with the demands of caring.

Companies may have their own policies setting out further support they can offer to carers.

To begin with, you could arrange to discuss your situation with your line manager or HR department. Many issues can be resolved through informal discussions.

You may also get support or advice from your union.

If you need to put things in more formal terms you may have the following rights:

#### Right to request flexible employment

'Flexible employment' is a general term covering working arrangements that may be agreed between an employer and an employee. For example:

- part-time working
- term-time hours
- job-sharing
- working from home
- flexi-time – working essential 'core' hours with flexibility outside these times
- annual hours – hours worked are calculated over the year
- compressed hours – working the same hours over fewer days
- phased-retirement

From July 2014, the right to request flexible working has applied to all employees who have worked for an employer for 26 weeks continuously. Your employer has a legal duty to seriously consider a request for flexible working and can only refuse on specific business grounds – relating to financial or staffing implications, for example.



## **Making an application for flexible working**

Applications should be written by letter or email or using an application form/template ([www.gov.uk/government/publications/the-right-to-request-flexible-working-form](http://www.gov.uk/government/publications/the-right-to-request-flexible-working-form)). Your company may have its own application form or you can use a template supplied on the government website – please see details on page 5.

- Explain the reason for your application.
- Set out your current working pattern and your revised working arrangement, including suggestions on how to resolve any negative impact the changes might cause.
- If your application is refused, you can appeal.
- Employees can only make one application for flexible working a year.

If your application is approved, the new working plan should be included in your contract of employment. Do be aware that this change to your contract is legally binding and you cannot simply revert to your former conditions of employment if you do not wish to continue with flexible working.

Your employer may agree to a trial period, giving you both an opportunity, without commitment, to try out the suggested flexible working pattern.

If you feel your caring role may be temporary, it may be better to explore less formal changes to your working hours. Some examples are listed on page 3.

## **Time off for dependants**

- If you care for someone and an emergency happens involving them, you have the right to take time off from work to deal with it.
- Your employer does not have to pay you for this time but they may do so. Alternatively, they could allow you 'compassionate leave', paid or unpaid, or ask you to use annual leave instead.
- The time allowed depends on the situation, but is to enable you to resolve the immediate problem and sort out alternative provision for your dependant. You would not normally use this time to care for a dependant over a longer period or to attend pre-planned meetings or appointments.

## **Parental leave**

Parental leave is unpaid. You're entitled to 18 weeks' leave for each child and adopted child, up to their 18th birthday. The limit on how much parental leave each parent can take in a year is 4 weeks for each child. You must take parental leave as whole weeks rather than individual days unless your employer agrees otherwise or if your child is disabled.

Employees qualify if ALL of these apply:

- they have worked for the company at least 12 months.
- they are named on the child's birth or adoption certificate or they have, or expect to have, parental responsibility.
- they are not self-employed, an agency worker or contractor.
- they are not a foster parent (unless they have secured parental responsibility through the courts).
- the child is under 18 years of age.



## **Equal rights**

Employers are not allowed to discriminate against carers because they consider them less effective employees because of their caring role.

Carers are now protected against direct 'discrimination by association' and harassment under the Equality Act 2010.

## **Other working and caring arrangements**

Depending on your caring and work needs and your employer's requirements, you may be able to negotiate other arrangements that help you to balance your work and care roles (eg. working from home, 'job sharing', flexi-time...).

## **Career breaks**

Some employers offer their employees the option of taking a career break (paid or unpaid) or sabbatical, holding your contract open for an agreed period while you are away from work. Check your company's policy on this.

Further information at: [www.gov.uk/career-breaks](http://www.gov.uk/career-breaks)

## **Temporary reduction of hours or change of role**

Your employer may agree to reduce your hours or reduce your level of responsibility for a set period of time to allow you to establish a new care situation or deal with increased care demands over a temporary period.

## **Zero hours employment contracts**

A zero hours contract allows both an employer and employee the flexibility of offering or accepting work only when they choose. This could allow you to retain your working rights without being obliged to accept work if you can't manage it. It is important to be aware that this system brings the insecurity of having no guaranteed hours or set working pattern.

## **Self-employment**

If you have a skill or product that you could turn into a business, working in a self-employed role could give you more flexibility to organise your caring responsibilities around your work. Some carers have continued working for a previous employer on a freelance basis, choosing when to take on work.

Others have created home-based businesses, marketed through the internet. Becoming self-employed can be complex so it is important to get further advice and support on the process.

## **Leaving work to care**

In some situations, carers may feel they are no longer able to cope with their job and their caring responsibilities.

This may not always be the best solution, as working carers can benefit greatly, not only financially, but also in terms of emotional well-being, through their outside contacts and roles.

It is also in an employer's interest to retain their skilled, experienced and committed staff by supporting those who are carers to be able to continue doing their job.



Before making a final decision to leave your job, always discuss alternative solutions with your employer. You will need to research the financial implications, too. In addition to the change in your household income, check the effect on your pension and National Insurance (NI) contributions.

The benefits you may be entitled to as a non-working carer will depend on your household situation, income and your caring role. You can get an idea of what you may be entitled to by using a benefits calculator (details on page 5).

## Financial considerations

### Working and Child Tax Credits – benefits calculators

If you are on a low income you may be eligible to have your income topped up with tax credits. The amount will depend on your situation, your income and the hours you work, so it is important to ensure that you are receiving what you are entitled to.

As a carer, you can ask for a calculation to be carried out by Jobcentre Plus (details p. 5) in which your entitlement to tax credits can be calculated under different working scenarios. This could help you decide on the number of hours you want to work or how you would be affected if you increased or decreased your salary.

### Carer's Assessment

As a carer you have a legal right to a carer's assessment by your local Adult and Community services to assess the support you need in your caring role. This includes looking at support you may need to work or study. If you are caring for your child, your assessment will form part of a 'whole family assessment' (also called 'holistic' assessment).

### Carer's Allowance

You may be able to claim Carer's Allowance if you regularly care for someone for at least 35 hours a week.

The person you care for must already receive one of the following benefits:

- Personal Independence Payment daily living component
- Disability Living Allowance care component at the middle or higher rate
- Attendance Allowance or Constant Attendance Allowance
- Armed Forces Independence Payment

While receiving Carer's Allowance you can work and earn up to £120 a week after deductions.

### Carer's Credit

This is a National Insurance credit which helps build up your entitlement to State Pension, ensuring there are no gaps in your NI record if you give up work. You could get Carer's Credit if:

- you are caring for someone for at least 20 hours a week.
- the person you are caring for receives certain benefits - eligibility will depend on benefits received by the person (as for **Carer's Allowance** above).

You will automatically receive Carer's Credit if you receive Carer's Allowance.

The Carers' Resource factsheet *Finding out about financial help* gives further information about benefits.



## Returning to work after time spent caring

Returning to work after spending time out of the workplace can be daunting. You may worry about finding a role in a changing job market or how to explain any gaps in your work history. However, through being a carer people can often develop skills that would be very useful in the workplace and attractive to employers – time management, keeping calm under pressure, multi-tasking, negotiating.....

The CReate team at Carers' Resource can advise on a number of areas including returning to work, updating skills, creating CVs, job applications, and interview techniques.

## Further sources of information, advice and support:

You can find additional information relating to topics covered in this factsheet on the government website and from the organisations listed below.

If you do not have access to the internet and would like us to supply information on paper, please contact the Information Team at Carers' Resource.

### Government website links:

<b>Flexible working</b>	<a href="http://www.gov.uk/flexible-working">www.gov.uk/flexible-working</a>
<b>Time off for dependants</b>	<a href="http://www.gov.uk/time-off-for-dependants">www.gov.uk/time-off-for-dependants</a>
<b>Parental leave</b>	<a href="http://www.gov.uk/parental-leave">www.gov.uk/parental-leave</a>
<b>Career breaks</b>	<a href="http://www.gov.uk/career-breaks">www.gov.uk/career-breaks</a>
<b>Starting up a business</b>	<a href="http://www.gov.uk/starting-up-a-business">www.gov.uk/starting-up-a-business</a>
<b>Benefits calculator</b>	<a href="http://www.gov.uk/benefits-calculators">www.gov.uk/benefits-calculators</a>

### ACAS

ACAS provide advice on employment and conciliation services for employers and employees to prevent or resolve workplace problems. You can speak to their helpline advisers and use their online helpline.

Tel: 0300 123 1100 for free support and advice; [www.acas.org.uk](http://www.acas.org.uk)

### Citizens Advice

For all queries, including details of your local office, contact: 03444 111 444; [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

### National Careers Service

National Careers Service provides free advice and support to adults on any aspect of working or learning. They offer free face to face appointments, telephone and online support to help with guidance on your career and work choices, courses and learning and CVs, job applications and finding work.

Tel: 0800 100 900; [nationalcareersservice.direct.gov.uk](http://nationalcareersservice.direct.gov.uk)

### Jobcentre Plus

If you want to find a job while you are caring, Jobcentre Plus may be able to help with some of your care, training or travel costs to allow you to attend courses or interviews. Ask your local Jobcentre Plus about Work Preparation Support for Carers.

Tel: 0800 169 0190; [www.gov.uk/contact-jobcentre-plus](http://www.gov.uk/contact-jobcentre-plus)



If you need further information on a work-related topic, please contact a member of our **CReate Team** whose details are available from your local Carers' Resource office.

If you would like copies of factsheets, or would like to discuss any aspect of your caring role, please contact Carers' Resource:

**Harrogate 01423 500555**

11 North Park Road, Harrogate, HG1 5PD

**Bradford 01274 449660**

15 Park View Court, St Paul's Road, Shipley, BD18 3DZ

**Ripon 01765 690222**

Community House, Sharow View, Allhallowgate, Ripon, HG4 1LE

**Skipton 01756 700888**

Ronaldsway House, 36 Brook Street, Skipton, BD23 1PP

**[info@carersresource.org](mailto:info@carersresource.org)**

**[www.carersresource.org](http://www.carersresource.org)**

We can provide this information in another format. Please contact us to discuss your requirements.

Date of information: January 2019; revise by January 2020

