

WORKING CARERS

Working Carers Guide
Supporting employees
who are unpaid Carers



Who is a Carer?

A Carer is someone who looks after a relative or friend who is ill, in poor mental health, disabled, elderly, affected by substance misuse or in need of emotional support. A Carer may be a parent, husband or wife, son or daughter, friend or neighbour who provides support to someone on a regular basis.

Are you in full or part time employment in addition to an unpaid caring role?

If so, your local Carers Centre can provide tailored support to help you balance the demands of your work and caring roles.

If you require:

- Benefits advice
- Help to obtain a Carer Assessment
- Support liaising with social care services
- A short break from caring or help accessing respite
- Social activities or mutual support from other Carers
- or just want someone to talk to...

Your local Carers Centre can help you. Contact Durham County Carers Support on 0300 005 1213 or Darlington Carers Support on 0300 030 1215.

Confidential Carer support

Working Carers often find it difficult to speak directly to their Carers Centre due to work commitments, time constraints or hectic lifestyles. If you prefer to receive Carer support via email your local Carers Centre is able to offer this service. All correspondence will be dealt with in a confidential manner.

Care for your career

Balancing the demands of caring with the responsibilities of a paid job is a tough call. People often feel pulled in two directions and as many as 1 in 5 people with significant caring responsibilities end up giving up work.

Those who fall out of work pay a heavy price - facing financial hardship and missing out on their own pension. So it pays to think carefully about the support you need to maintain your caring role while continuing to be a valued member of staff for your employer.

Support for you

Over half of all Carers are in some sort of paid work. As a Working Carer, you are likely to need a range of support at different times - from access to a telephone to check on the person you care for, to leave arrangements to deal with someone coming out of hospital.

Talking to your employer about your caring role is not always an easy step, you may feel it depends on whether your employer is likely to be supportive. Find out by asking your colleagues, HR department, personnel officer or union representative. There may be existing support that you are not aware of, or you may find that your employer is open to exploring new ways to support you. Carer Centres can help to support you in discussions with your employer by providing an advocacy service and providing your employer with information, ensuring that they are aware of their rights and responsibilities to you as a Working Carer.

Legislation

The Children and Families Act 2014 gives all employees with at least 26 weeks' continuous employment the right to request flexible working.

The Employment Relations Act 1999 gives employees the right to take “reasonable” time off to deal with unexpected situations involving a dependant.

Carers (Equal Opportunities) Act 2004 placed a duty on the local authorities making a Carer's Assessment to consider whether or not a carer wants to take part in work, education, training or leisure activities.

The Equality Act 2010 brings together anti-discrimination law acts and regulations including The Disability Discrimination Act 1995. States that employers and employees have a responsibility to create and be part of a fair work environment which complies with the law.

The Care Act 2014 repeals most adult social care statutes including The Chronically Sick & Disabled Persons Act 1970, and the Carers & Disabled Children Act 2000. For Carers this means that Local Authorities have a responsibility to provide Carer's Assessments and to “promote the well-being of Carers”. The Care Act 2014 also makes many changes which may affect the cared-for.

Carer rights at work

In practice, legislation to protect Carers at work usually falls into the categories below. Many carers access some or all of these rights, in order to make working life more sustainable.

Flexible working

Employees who have 26 weeks or more service can make one flexible working request per year to their employer. Flexible working can mean reduced hours, flexitime, home working, job shares, compressed, or annualised hours to name a few. Some employers will have a formal procedure, but this is not statutory, and you can also use the standard form found at: www.gov.uk/flexible-working/overview.

Employers are not bound to accept the request but must consider them and if denied must give reasons as to why the request was refused. The Employee can then appeal if they feel it is appropriate. The employer has 3 months in which to respond to the request formally.

Time off

Employees have the right to take a reasonable amount of time off to deal with emergencies involving a dependant. A dependant is defined as someone who depends on an employee for care. There is no limit to the number of times you take time off, however, whether this is unpaid or paid time off is at the employers discretion. Time off for dependants is for emergency use only, and not for pre-planned occurrences.

Parental leave

You will qualify for this if you have worked for your employer for at least one year and you have legal parental responsibility for a child under five, or a disabled child under 18 years of age.

You can take up to 18 weeks' leave for each child, up until their 18th birthday. A maximum of four weeks can be taken in one year for each qualifying child. Parental leave is unpaid unless your contract says otherwise. Always check your employment contract or staff handbook for your employer's own parental leave scheme. They may have extended parental leave to include other workers, for example Foster Carers, grandparents or employees who have worked there less than a year.

Protection from discrimination

Under the Equality Act 2010, people who look after another person who is elderly or disabled are protected against direct discrimination or harassment. Carers are protected by law as they are classed as being 'associated' with someone who has special protection from discrimination. For instance, in the world of work, it would be direct discrimination to refuse a job offer based on the fact you are a Carer, or to deny an employee promotion because the employer feels your caring role could hinder your work.

Carer Assessments from your local authority

The Care Act came into operation in April 2015, and gives Carers additional rights. The Act means that local authorities must provide Carer Assessments to all Carers. Previously Carers with only what the authority deemed 'regular and substantial' care were able to receive support.

Now, it is acknowledged that caring comes in many forms, and each Carer is an individual. Assessments that look into the well-being of Carers, endeavouring to help fulfil their own lives, in addition to their caring roles. This might be to continue working, or studying, or simply to be able to socialise with friends and family. Local authorities can, if they wish, arrange for other organisations to carry out assessments, therefore you may find your local Carers Centre undertaking assessments on behalf of the council. There will be eligibility criteria for support, set nationally, meaning that Carers across the country, are treated the same. Whilst Carers assessments will not be relevant for an employment setting, they may make your caring role easier.

The Carer Passport

The Carer Passport has been developed for Carers and their employers to use together. This may help you when discussing your caring role with your HR department. Ask your line manager or HR department if your organisation uses a Carer Passport.

Employee support & assistance packages

You could also see if there are any employee assistance schemes at work, these can often provide counselling services, and advice lines, which may provide some support. Ask whether your organisation has a membership to www.employersforcarers.org which has training and advice to support Working Carers.

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