

Carers Rights in Work

If you are juggling work with looking after someone, you are not alone – there are three million working carers in the UK. Juggling work and care can be very challenging, so it's important to find out about your rights.

This factsheet provides a simple summary.

It applies to people living in England, Wales, Scotland and Northern Ireland.

Your rights in work

Your rights in work come from two sources:

- The law gives you '**Statutory rights**' which everyone has
- Your contract of employment gives you '**Contractual rights**' which can be more generous than statutory rights.

This information is about Statutory rights. However, it is always worth checking your contract of employment, staff handbook, HR policies or letter of appointment to see if you have any contractual rights on top of your statutory rights.

The right to request flexible working

All employees have a right to request flexible working after they have worked for the same employer for 26 weeks (six months), as long as they haven't already made a flexible working request within the last 12 months.

Flexible working requests should be made in writing and should include details of the revised working pattern you are seeking, how you think this may affect your employer's business and how you think this can be dealt with. Only one request is allowed in a year.

Employers must have a sound business reason for rejecting any request.

Examples of flexible working:

- Home working
- Part-time working
- Term-time working
- Working compressed hours
- Working staggered hours
- Working annualised hours
- Flexi-time
- Shift working
- Job sharing



The right to time off in emergencies

All employees have the right to take a 'reasonable' amount of time off work to deal with an emergency or an unforeseen matter involving a dependant. This may be your partner, child or parent, or someone living with you as part of your family – others who rely on you for help in an emergency may also qualify.

The time off is unpaid unless your employer is willing to give paid time off as a contractual right.

Examples of emergency situations

- A disruption or breakdown in care arrangements
- The death of a dependant
- If a dependant falls ill or is in an accident
- To make longer-term arrangements for a dependant who is ill or injured (but not to provide long-term care yourself)
- An incident involving a child during school hours

Protection from discrimination

In England, Wales and Scotland, if you are looking after someone who is elderly or disabled, the law – under the Equality Act 2010 – will protect you against direct discrimination or harassment because of your caring responsibilities. In some cases, carers may have rights under disability and sex discrimination legislation.

The right to parental leave

If you have worked for the same employer for 12 months and you are responsible for a child aged under 18, you are entitled to 18 weeks' leave per child, which must be taken by the child's 18th birthday.

This time off is unpaid unless your employer is willing to give paid time off as a contractual right.

For more information on your rights in work visit [Swanseacarerscentre.org.uk](https://www.swanseacarerscentre.org.uk)

This factsheet is designed to provide helpful information and advice. It is not an authoritative statement of the law. We work to ensure that our factsheets are accurate and up to date.

National policy change

In September 2021, the Government announced that working carers will have the right to a week's unpaid leave and the ability to request flexible working from the moment they start their employment. This is in response to the Government's consultation on carers' leave, launched in March 2020, in recognition of the need to better support working carers. It is a good step forward. The Government has said that legislation to introduce the new leave rights will be brought in "when parliamentary time allows", so as yet, we do not know when these changes will be implemented.