

Department for Communities

Employers and Working Carers

Fact Sheet 20

(September 2024)

Do you know how many of your employees are also looking after disabled, frail or ill relatives, spouses, partners or friends after working hours?

Are you aware that supporting these employees who are 'working carers' will enhance productivity and staff retention?

Do you know that legislation entitles carers that you employ to certain rights?

If you have answered no to any of these questions then help is at hand.

The Legal Framework

As a result of the Carers Leave Act 2023, which came into force on 6th April 2024 if you are caring for a person with a long-term care need you may well be entitled to one weeks unpaid leave per year. This leave can be taken flexibly (in half or full days) for planned and foreseen caring commitments. It is available from the first day of your employment and provides the same employment protections to employees as other forms of family-related leave, including protection from dismissal.

In addition, from 30 June 2014, all employees who have a minimum of 26 weeks' continuous service have the right to request flexible working and to have their request considered seriously by their employer. Particularly, parents of children under the age of six or disabled children under the age of eighteen have a right to apply to their employer to work more flexibly. The request can cover hours of work, times of work and place of work and may include requests for different patterns of work.

The request must be made in writing and the employer has a statutory duty to consider the request seriously and to refuse it only if there are clear business grounds for doing so. Employees making applications for flexible working have the right to be accompanied at the meeting by a fellow employee or a trades union representative.

The Work and Families Act also introduces a new right for carers of adults to request to work flexibly. This became effective from 6 April 2007. The definition of a carer is



For more information on social care services log onto:
www.carmarthenshire.gov.wales/socialcare

an employee who is or expects to be caring for an adult who:

- Is married to, or the partner or civil partner of the employee; or
- Is a near relative of the employee; or
- Falls into neither category but lives at the same address as the employee.

The definition includes parents, parent-in-law, adult child, adopted adult child, siblings (including those who are in-laws), uncles, aunts, or grandparents and step-relatives.

So as an employer what should you do?

Raise Awareness

- Through direct reference to carers in policies, procedures and company handbooks
- By informing/training all managers and staff about carers issues
- By providing information about support mechanisms available to staff who are Carers.

Ask staff for their views

- Use a confidential questionnaire to ask staff if they are carers and what their needs are
- Communicate findings and action them

Consider

- Providing paid/unpaid leave (Carers leave)
- Provide private access to a telephone in an office environment
- Adjusting working hours to accommodate appointments/emergency situations
- Agreeing alternative working arrangements e.g. hours, location, workloads (job share, home working, term time working, annualised hours)
- Ensuring staff can finish on time and are given advance warning of any need to work additional hours
- The provision of an external counseling line for staff
- Carrying out regular employee attitude surveys
- Setting up focus groups or support groups of colleagues who are informal Carers on a voluntary basis
- Ensuring that workers circumstances and commitments are understood and respected

In particular it is vital to formalise and publicise any agreed actions. Whilst it is very helpful to have a clear formal policy, the key to providing the best support is retaining the flexibility to accommodate individuals' needs. Carers are not a homogeneous group of people and a 'one-size fits all' approach will not be the most useful, for example some carers might need sufficient flexibility to respond to an unexpected or episodic increased need of care.

If you are a large organisation there will be need to ensure that managers are applying discretion fairly and consistently.

Monitor, Evaluate and Review

- Organisations should monitor the take up of Carer policies in order to review their effectiveness
- With the Carers consent, anyone who identified themselves as a Carer could be contacted on an individual basis to monitor their needs/views. Induction programmes are an excellent mechanism for raising the awareness of new staff of the organisations commitment to Carers and gaining the confidence of new staff, and to share the fact they are a Carer with the organisation.
- A regular attitude survey is a fairly good 'temperature check' about a **range of issues and this could include any carers policies or issues.**

Essentially an organisation needs to determine whether its policies are working and review and/or adapt them regularly.

Additional Information available from:

www.acas.org
www.carersuk.org
www.direct.gov.uk

Carers UK has a service for employers called "Employers for Carers". Information, advice and good practice examples can be obtained by visiting:

www.employersforcarers.org or by telephoning: 020 7378 4975

**If you would like this leaflet in large print,
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