



carers NI

factsheet

Your rights in work



This factsheet applies to Northern Ireland only.

If you are juggling work with looking after someone, you are not alone - 1 in 9 people across the UK are balancing work and caring.

Juggling work and care can be very challenging - without support, carers may suffer from stress, exhaustion and some may give up work. Therefore, it's important to find out about your rights.

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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 employers’ business and how you think this can be dealt with. 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 (which includes 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 long term arrangements for a dependant who is ill or injured (not provide long term care yourself)
- an incident involving a child during school hours

The right to parental leave

If you have worked for the same employer for twelve 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.

Protection from discrimination

In Northern Ireland, carers are protected under the Human Rights Act and Section 75 of the Northern Ireland Act, which

requires public bodies to promote equality of opportunity for carers. In some cases carers may have rights under disability and sex discrimination legislation.

Additional support at work

As well as your statutory rights in work there might be additional support you can get to help you combine work and care. You might have contractual rights which can be more generous than your statutory rights and/or you might find that your workplace has support for carers in place.

For more information on your rights in work visit carersuk.org/work

Telling your employer about your caring role

It is your choice whether to tell your employer about your caring role or not. However you may need to tell your employer so that you can access any support that they provide, and remember that you are protected from discrimination.

To find out whether there is a carer's policy or any extra support for carers in your workplace, you could check your contract of employment, staff handbook, HR policies or letter of appointment.

If there is a carer's policy then the type of support available will depend on your workplace, however some carer's policies offer things such as:

- carers leave (paid or unpaid)
- time off to accompany the person you are looking after to appointments (paid or unpaid)
- a carers support group or carers contact

Other types of support which might be available include:

- Flexible working arrangements
- A Carer Passport scheme
- A carers support network or group
- A Workplace Champion for carers

Telling other staff about your caring role

Colleagues can be very supportive, and it may help simply to discuss your situation with someone you can trust at work.

You may find that other colleagues also have caring responsibilities, and that together you are more able to talk to your employer about how you can be supported, such as setting up a support group or employee network.

Getting support for you and/or the person you are looking after whilst you are in work

If you feel that getting some additional support in place for the person you are looking after would help you to juggle work and care, you could explore the following options.

Assessments from the local Health and Social Care Trust

You and the person you are looking after could get assessments from their local trust. An assessment for the person you are looking after would look at their care and support needs. Some examples of the sort of support that might be an outcome of an assessment for the person you are looking after include a care worker, a place at a day centre, meals delivered to their home, equipment and technology to help around the home and adaptations to the home. An assessment for you as a carer would look at your caring role, and whether you need any support.

For more information on the different types of assessments in Northern Ireland for you and the person you are looking after visit www.carersuk.org/northernireland/policy/factsheets to download our free factsheet.

Arranging care and support privately

If you would rather arrange care and support privately, then you could see if your local trust has a list of approved care providers in the area. You could also search on the Which? Care services directory website or the website for The Regulation and Quality Improvement Authority - the independent health and social care regulator.

If you are thinking of leaving work

If you are thinking of leaving work it is important to consider the full implications it could have on your income, quality of life and future pension entitlements.

Before you make the decision to leave work or reduce your hours, it is important to consider the implications of doing this, and to explore any options which might make juggling work and care more manageable.

If you do leave work or reduce your hours then you may be able to look into claiming Carer's Allowance, and you may also be able to look into claiming other benefits and/or tax credits. However, eligibility for Carer's Allowance and other benefits and tax credits would depend on your circumstances. It is therefore a good idea to get a benefit check before you make any decisions, to see what your financial situation would look like if you were to leave work or reduce your hours. For information on benefits and tax credits you can view the section of the Carers UK website called 'Help with benefits'.

If you would no longer be paying, or treated as paying, National Insurance (NI) through work, then you should consider the impact this will have on your NI record, as this will impact your future pension entitlement. Some benefits, such as Carer's Allowance, can give NI contribution credits, which help to protect your record. If you can't claim Carer's Allowance you may be able to claim Carer's Credit to help protect your record. For further information see the section of the Carers UK website called 'Help with your pension'.

Employers' good practice

Organisations incur substantial costs in employee absence and workplace stress as staff try to combine work and caring.

When they give up work, organisations bear the costs of recruitment and lost productivity, often after having invested in the training and development of their employees.

The peak age for caring is 50-64, which is often when workers are at their most skilled and experienced.

Examples of simple and effective action to enable carers to balance their paid work with their caring responsibilities include:

- Flexible working practices - such as flexi-time, home working, annualised hours, compressed hours, shift swapping, self-rostering, staggered hours, job sharing, term-time working, part time working and flexible holidays.
- Emergency leave - can be critically important to carers, who can be called home at short notice when care arrangements break down or the person they care for falls ill.
- Flexible leave arrangements - compassionate leave, planned leave, paid leave for emergency or planned caring.
- Workplace support - in-house networking/support groups, employee assistance programmes, carer policies.
- Simple adjustments - access to a private telephone or car parking close to the workplace to make access in and out of work quicker and easier.

Evidence shows these flexibilities can reduce staff turnover and absence, thereby cutting employment costs. The evidence from employers themselves shows that it is rarely abused and increases loyalty and commitment.

Carers Policy

This sets out the provisions for supporting employees who are currently carers, or may be in the future.

Carer Passports

A Carer Passport is a record which identifies a carer and sets out an offer of support, services or other benefits in response. If your employer has a Carer Passport, it should be listed among your organisation's caring policies or staff benefits. If you are unsure that your employer is part of the Carer Passport scheme, ask your HR Manager. For more information visit **carerpassport.uk**

Workplace Champions

A Workplace Champion promotes carers in the workplace, spreading the word about caring and raising awareness of carer support. By promoting events and campaigns they are able to signpost those looking for support to the services and expert advice on offer.

Managers and staff training on carer awareness

Employers may wish to support staff who are caring by providing information sessions on what support is available to carers. Similarly, they may wish their line managers/senior managers to undertake training on carer awareness so that they are able to support staff who identify as carers.

Carers Leave

This may include time out to care for a family member, partner or friend in need of help because they are older, ill or have a disability. It can be paid or unpaid.

The types of reasons include (but are not limited to):

- Accompanying the person on appointments to the GP, hospital or clinic
- Attending meetings – such as case conferences – with health and care professionals
- Dealing with emergency care because of sudden illness or deterioration

Carers NI support

If you want to find out more about supporting staff who are caring, including training, policy development and good practice, contact **info@carersni.org**

Check if your employer is a member of Employers for Carers (EfC) or if they have access to the Carers UK Digital Resource for Carers (DRC) package. Find out more here:

carersuk.org/EfCmembers

carersuk.org/DRCmembers



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, but information about benefits and community care is subject to change over time. We would recommend contacting the Carers NI Adviceline or visiting our website for the latest information.

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Carers NI Adviceline

For expert information and advice about caring.

028 9043 9843

(open Monday to Thursday, 10am-4pm)

advice@carersni.org

Carers NI is part of Carers UK, working together to make life better for carers. However caring affects you, we're here.

With your help, we can be there for the 6,000 people who start looking after someone each day.

We're the UK's only national membership charity for carers. We're both a support network and a movement for change.

Visit us at our website to join us, help us or access more resources: **carersni.org**