



Carers' rights in work

Juggling work and care can be very challenging for employees. This factsheet provides a simple summary of the statutory rights of all carers.

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



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 they are seeking, how they think this may affect the business and how they 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
- working compressed hours
- working staggered hours
- working annualised hours
- term-time working
- 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 a partner, child or parent, or someone living with the employee as part of their family – others who rely on a carer for help in an emergency may also qualify. The time off is unpaid unless the employer is willing to give paid time off as a contractual right.

Examples of emergency situations

- a disruption or breakdown in care arrangements
- if a dependant falls ill or is in an accident
- an incident involving a child during school hours
- the death of a dependant
- to make longer-term arrangements for a dependant who is ill or injured (but not for the employee to provide long-term care themselves)

Protection from discrimination

In Wales, Scotland and England, if somebody is looking after someone who is elderly or disabled, the law – under the Equality Act 2010 – they are protected against direct discrimination or harassment because of their caring responsibilities.

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.

The right to parental leave

If an employee has worked for the same employer for 12 months and is responsible for a child aged under 18, they are entitled to 18 weeks' leave per child, which must be taken by the child's 18th birthday. This time off is unpaid unless the employer is willing to give paid time off as a contractual right.



For more information on the rights of carers in work visit carersuk.org/work.