

4. Carers' legal rights – a summary²⁴



²⁴Extract from Supporting carers in employment, a carer's guide, Employers for Carers and Carers UK, 2012.

It is also important to be aware of the legal rights that carers now have in the workplace. There are comprehensive guides to these²⁵ but the following is a summary of the key entitlements and rights of carers who work (correct at time of going to press).²⁶

Protection from discrimination

Although up until recently carers have not been directly (or explicitly) protected from discrimination in the workplace, this situation has now changed. If an employee is looking after someone who is elderly or disabled, the law – under the Equality Act 2010 – will protect them against direct discrimination or harassment because of their caring responsibilities. This is because they are counted as being ‘associated’ with someone who is protected by the law because of their age or disability.

The right to request flexible working

Since April 2007 the Work and Families Act 2006 (The Work and Families (Northern Ireland) Order 2006 in Northern Ireland) has given carers, as well as parents, the right to request flexible working such as changing hours or working from home.

A right to time off in emergencies

All employees have the right to take ‘reasonable time off’ to deal with unexpected situations involving a dependant. At the discretion of you, the employer, this time off can be paid. To use this right to time off, employees must inform you as soon as possible after the emergency has happened.

Parental leave

Employees who have at least one year’s continuous service and are responsible for a child aged under 5, or under 18 if the child receives Disability Living Allowance, are entitled to:

- 13 weeks (unpaid) parental leave per child to look after their child, or
- 18 weeks (unpaid) parental leave per child to look after their disabled child.

²⁵Supporting carers in employment, a carer’s guide, Employers for Carers and Carers UK, 2012

Supporting carers in employment, an employer’s guide, Employers for Carers and Carers UK, 2009.

²⁶May 2012.



Further information is available from Carers UK and Employers for Carers (see 'Further Specialist Sources of Support' Part 10).

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