

Your rights in work



If you are juggling work with looking after someone, you are not alone – there are five 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.

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Knowing your rights

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.

Towards the end of 2021, the UK government committed to several changes such as the right to request a day one entitlement to flexible working and the right to one week's unpaid carer's leave from day one.

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 and employers must have a sound business reason for rejecting any request.

Examples of flexible working

- >> home working
- >> working annualised hours
- >> job sharing
- >> flexi-time
- >> part-time working
- >> working staggered hours
- >> shift working
- >> working compressed hours
- >> term-time working

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 Northern Ireland, there should be protection for carers 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 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 carersuk.org/work.

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 UK Helpline or visiting our website for the latest information.

Give us your feedback on this factsheet by emailing your comments to info@carersuk.org
This factsheet was updated in September 2022. Next review due September 2024.

Carers UK Helpline

For expert information and advice about caring.



0808 808 7777
(Monday – Friday 9am-6pm)



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However caring affects you, we're here.

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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: join us for free at carersuk.org/join

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:

carersuk.org

**This information can be requested
in large print or as a text file.**