



Let's talk about carers' rights in the workplace.

In recent years, legislation has changed surrounding the unique rights of carers within the workplace. This remains an active area of political and public debate, and further changes are likely to arise in the future. For this reason, it is very important to be aware of your rights in the workplace.

Carers Leave Act 2023

On 6th April 2024, the Carer's Leave Act 2023 came into effect, conferring the statutory entitlement onto all employees in England, Wales and Scotland of five days' unpaid leave per year to arrange or provide care.

Employees:

- Can make a request for leave from day one of employment
- Can take five days' entitlement either consecutively or on an individual basis
- Do not need to provide any details of their caring role or the reason to provide or arrange care
- Cannot have a request rejected, only postponed, by an employer

Employment Relations (Flexible Working) Act 2023

The Employment Relations (Flexible Working) Act 2023 makes amendments to the Employment Rights Act 1996, pertaining to flexible working arrangements. While this does not exclusively apply to working carers, it is relevant to this group.

Employees:

- Can request flexible working arrangements from day one of employment
- Can make up to two requests for flexible working arrangements within a 12-month period, including to a previously agreed-upon arrangement
- Do not need to supply any evidence of their circumstances, caring or otherwise, to justify their request for a flexible working arrangement
- Can expect their employer to respond to their request within two months, as they are legally bound to, unless otherwise agreed between employee and employer
- Can expect, if their application is approved, their employer to inform them of the new arrangement's start date within 28 days of approval
- Can expect, if their application is rejected, a formal consultation with their employer that covers their reasons for rejection

Carer's Assessment (CA)

A Carer's Assessment is a kind of interview, conducted by local authority representatives or charitable organisations, to help carers access any statutory support they're entitled to under the Care Act 2014.

Employees:

- Can consult their local authority's Adult Social Care department to request a CA
- Can disclose openly any details of their caring role and what kind of support would help them, including employment-related support
- Can request a copy of the form used for their CA, to show to employers should they find doing so beneficial