



**Do you look after someone who couldn't manage without your help?**

## **Caring and work**

If you're juggling work with looking after someone, it can be challenging and hard to manage. It's important to find out about your rights and the support available.

### **Your rights**

Your statutory 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.

### **Talk to your employer**

It is useful, if not always easy, to talk to your employer to see what support they can provide to you as a carer and ask if they have a carer's policy. You can also check your employment contract, staff handbook or HR policies to see if you have any contractual rights on top of your statutory rights. Your statutory rights at work are:

- right to request flexible working
- right to time off in emergencies
- protection from discrimination

All employees have the right to request flexible working from day one of your employment, and to take a 'reasonable' amount of time off work to deal with an emergency or an unforeseen matter involving a dependent. Further information on ACAS' website: [www.acas.org.uk/making-a-flexible-working-request](http://www.acas.org.uk/making-a-flexible-working-request).

## **What can I do if my employer refuses my request?**

Your employer may refuse your request if they have good business reasons for it and this should be explained in writing, including relevant and accurate facts.

Business reasons for refusing a request are:

- burden of additional costs
- inability to reorganise work amongst existing staff
- inability to recruit additional staff
- detrimental impact on quality or performance
- detrimental effect on ability to meet customer demand
- insufficiency of work during the periods the employee proposes to work
- planned structural changes.

## **Challenging decisions and making complaints**

If your employer turns down your request for flexible working, they should give you a good explanation of why they believe the reason applies and why they can't agree to your request. The reason should not be discriminatory.

Your employer should also set out their appeals procedure. You may find your employer's explanation useful if you wish to appeal against their refusal.

Where you and your employer are not be able to agree a flexible working pattern, there are a number of different options to take further action. These include:

- referring your request to ACAS /Labour Relations Agency or using alternative dispute resolution
- raising a grievance
- making a claim to an employment tribunal if certain circumstances apply
- making a discrimination claim
- claiming constructive dismissal.

Details of organisations who may be able to support you to challenge a decision or make a complaint are:

- The Advocacy People - [www.theadvocacypeople.org.uk](http://www.theadvocacypeople.org.uk)
- PoHWER - [www.pohwer.net](http://www.pohwer.net)
- Healthwatch East Sussex - [www.healthwatcheastsussex.co.uk](http://www.healthwatcheastsussex.co.uk)
- Patient Advice and Liaison Service (PALS) on the NHS website - [www.nhs.uk/nhs-services/hospitals/what-is-pals-patient-advice-and-liaison-service](http://www.nhs.uk/nhs-services/hospitals/what-is-pals-patient-advice-and-liaison-service).

## **Additional care support**

If you're working, you may wish to consider extra support for yourself and the person you care for, such as a care worker or personal assistant.

The local council's Support with Confidence Scheme provides a directory of vetted and approved providers who offer a range of care and support services for adults in East Sussex. Further information at: [apps.eastsussex.gov.uk/socialcare/athome/approvedproviders](https://apps.eastsussex.gov.uk/socialcare/athome/approvedproviders).

Find out more information on working and caring: [www.carersuk.org/help-and-advice/work-and-career](https://www.carersuk.org/help-and-advice/work-and-career).

## **Care for the Carers**

Care for the Carers is an independent charity and the Carers Centre for East Sussex. We have been supporting and representing unpaid carers in East Sussex since 1989.

### **What do we do?**

Our team of staff and volunteers can provide free practical and emotional advice and support – face-to-face, by telephone, or online. We can put you in touch with other carers, and help you navigate the range of services available locally. We also run support groups and events for carers in East Sussex and training for health and social care professionals and volunteers working with carers.

Care for the Carers represents carers and raises awareness of caring, working with a variety of local communities, organisations and service providers to build a carer friendly East Sussex.

All our work is developed with carers, and in response to their expressed needs reflecting local and national strategy, legislation, research and best practice. We work with carers so that they are empowered and can have a say in the policies and services that affect them.

During the Coronavirus pandemic, we are here to support all carers and offering our services by phone or online.

### **How to contact us**

Call our Carers Hub on 01323 738390, Monday to Friday, 10am to 5pm to speak with one of our team of dedicated support workers.

Email us: [info@cftc.org.uk](mailto:info@cftc.org.uk)

Text us: 07860 077300

Request a call back using the contact details above.

More information and carer resources at: [www.cftc.org.uk](http://www.cftc.org.uk).

**No one left to care alone**

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