

Consultation response

Carer's Leave

Department for Business, Energy & Industrial Strategy

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Introduction

Juggling caring responsibilities while holding down a job can be extremely difficult. Many working carers, and those who would like to work, face such difficulties on a daily basis, which can compromise their ability to maintain a decent standard living. We are pleased that the Government is committed to implementing Carer's Leave, and hope this happens as soon as possible.

Age UK has previously published a policy report, ['Walking the tightrope: the challenges of combining work and care in later life'](#), which examines the difficulties faced by carers aged 50+. Crucially, our analysis found that as little as five hours caring per week affects carer's employment prospects, and from 10 hours of caring upwards there is a very strong impact on employment rates.

As part of this report we ran two focus groups, in Whitley Bay and Camden, London, at which we discussed with older carers the barriers they faced that prevented them working or restricted their hours. As much of this is not the focus of the consultation, we will not go into detail here (please consult the report for more information), but it is

The nature of the debate on Carer's Leave has changed in the four years since we conducted the research. We now believe that

**4. Which conditions on care need do you believe are appropriate for Carer's Leave?
Please select all which apply.**

• *Length of the condition, please comment on what length might be appropriate*

We do not agree that the length of condition is relevant. If someone has care needs of any kind, which for example could be a short-term readjusting to home life following a hospital discharge, then their carer should be eligible for Carer's Leave. Attaching it to certain conditions will create a misunderstanding among the public and employers, while continuing to place carers of older people (in particular) at a disadvantage when compared to childcare.

• *Conditions which automatically qualify as a disability under the Equality Act 2010 (Cancer, HIV and MS), please comment*

It is not necessarily appropriate to link caring responsibilities to the legal definition of disability. Many people suffering from these conditions will of course need care, but to exclude a range of other conditions from automatically qualifying for Carers Leave will, we believe, potentially undermine many of its benefits. It will leave many carers and care recipients frustrated that they are still unable to balance this with their workplace duties.

a fall or a hospital discharge, making the proposed restrictions unhelpful. We are also worried they will create confusion.

We are also concerned about data protection. It is likely to be unfeasible and undesirable for employers to access the medical records of people who are not even their own employees.

6. Which qualifying period do you believe is appropriate for Carer's Leave. Please select one option:

- *6 months of continuous employment with their employer*
- *3 months of continuous employment with their employer*
- *A day one right (no qualifying period, but with appropriate notice period)*
- *Other, please specify*

Please provide reasons for you answer

14. Do you agree that an employer should be able to request further evidence if they are not satisfied with the self-certification?

We strongly agree

While the existing right to time off for dependants could be used here, we are concerned that relying on different types of leave muddies the waters and leads to a lack of understanding about employment rights. Creating a Carer's Leave is an opportunity to make it crystal clear that there is support to help carers and what this means, and bringing everything together in one place will be extremely helpful in boosting employees' understanding.

It should be possible to build an exception to the Carer's Leave procedure to allow for emergencies, which we believe would be the best solution.