

Public Consultation on Flexible Working – Department of Justice and Equality

January 2020

Introduction

Care Alliance Ireland welcomes the Department of Justice and Equality's consultation process on issues regarding flexible work arrangements. This submission will outline some of the key issues concerning Ireland's 391,260 family carers which we believe should be considered in any discussion of flexible working. Underpinning these recommendations is the EU Work Life Balance Directive, which recently came into force, and which requires Member States to provide support for a better work-life balance for parents and carers, and provides the right for family carers to request flexible working arrangements. We would like to see movement towards implementation of the Directive in Ireland as soon as possible.

Our most recent calculations indicate that there are approximately 391,260 people providing care, support and assistance to family members, friends and neighbours with a disability, age-related concern, long-term illness, mental health concern or other health condition¹. The vast majority providing care are of working age², and many are likely to be 'sandwich carers' – that is, people caring for both ageing relatives and their own children. In addition, many are attempting to juggle significant caring responsibilities and effective paid employment³, often with minimal supports.

We acknowledge of course that Ireland is seen internationally to 'lead the way' when it comes to leave entitlements for family carers in light of the provisions of the Carers Leave Act 2001, which allows employees to avail of unpaid leave to undertake caring responsibilities for up to two years, with protection from unfair dismissal⁴.

However, as we will outline in this submission, this is not enough to enable family carers to fully participate in the paid workforce. Research indicates that employment is a

¹ Care Alliance Ireland, "Estimates for Numbers of Family Carers in Ireland" (Care Alliance Ireland, 2019), https://www.carealliance.ie/userfiles/files/Research/Briefing_Position_Papers/Oct_2019/BriefingPaper_Estimates_of_Family_Carers_in_Ireland_Oct2019.pdf.

² Central Statistics Office, "Census 2016" (Ireland: Central Statistics Office, 2017); Central Statistics Office, "Irish Health Survey (IHS) 2015 Results" (Central Statistics Office, 2016), <https://www.cso.ie/en/releasesandpublications/ep/p-ihs/irishhealthsurvey2015/ct/>.

³ Family Carers Ireland, "Briefing Paper: Balancing Work and Care: International Challenges and Irish Perspectives" (Family Carers Ireland, 2017).

⁴ Carers Leave Act 2001.

protective factor in the wellbeing of family carers and those they care for⁵. Other research indicates that family carers, having acquired skills in prioritisation and organisation through their caring role, are more productive at work when employment is available to them in a way that facilitates their caring role. In supporting family carers, employers gain staff loyalty in return⁶. It is therefore in the best interests of both employers and family carers for flexible, supported employment opportunities to be available to carers.

It is important to note that many family carers had successful careers prior to becoming carers – a role into which they often fall suddenly. Family carers generally want to continue to work, and can continue to make a significant positive impact on their employers' success.

We have identified three core issues that should be addressed in policy formation regarding flexible employment for family carers in Ireland:

- 1) Part-time working hours
- 2) Flexibility in planned and emergency caring situations
- 3) Remote working.

1) Part-time working hours

In Budget 2020, the Government announced that family carers can now work up to 18.5 hours per week in paid employment without losing their entitlement to Carers Allowance and allied benefits⁷. The family carer advocacy movement has been campaigning for this change for a number of years, and we believe that this development will allow many more family carers to avail of paid employment while continuing to care.

However, in practical terms this policy change will mean little if employment opportunities remain low at this 18.5-hour-and-under mark.

Employers should be encouraged to indicate on part-time job advertisements what the definition of 'part-time' is, to ensure that family carers who are qualified for those roles do not waste time in applying for positions which are part-time but over the 18.5 hour contract mark.

Part-time work needs to be valued as a core part of the employment landscape and not, as it often is, a bridge to full-time employment. Employees who are offered extended hours should not be penalised for refusing to work those hours – in particular in cases where

⁵ Rob Anderson, "Carers and Employment in the EU," in *Teilhabe Im Alter Gestalten: Aktuelle Themen Der Sozialen Gerontologie*, ed. G. Naegele (Springer International Publishing, 2016).

⁶ Family Carers Ireland, "Briefing Paper: Balancing Work and Care: International Challenges and Irish Perspectives".

⁷ Government of Ireland, "Budget 2020" (Government of Ireland, 2019).

doing so would jeopardise their entitlement to carer supports. Employers in all sectors need to be made aware of this when offering part-time work, so that refusal to work above the 18.5-hour threshold is not seen as unwillingness to work or lack of commitment.

2) Flexibility in planned and emergency caring situations

An issue often raised by working carers who are caring for adults is that the understanding and flexibility that many employers and colleagues naturally display when an employee needs to work from home because, for example, a child is sick, is not always displayed for them. Some family carers we have spoken to have experienced a lack of empathy or understanding regarding the need to schedule work around bringing ageing parents to medical appointments and other activities – some have reported being asked why they needed to bring an adult to the doctor, etc. The flexibility offered to working parents can be lacking for people with similarly intense caring responsibilities – but where those responsibilities relate to a spouse, parent or sibling rather than a child. The carer, of course, has a responsibility to inform their employer about such responsibilities; however, family carers are not always confident that caring responsibilities will be understood by employers.

Some family carers use up annual leave to attend appointments and care for their family members, which obviously is not ideal in terms of their own welfare. Many feel uncomfortable exploring instead the idea of flexible working.

Likewise, due to the stigma still attached to certain conditions (such as dementia or mental health conditions)⁸, some carers feel uncomfortable divulging details of the health of the person they care for, yet feel pressured to do so to 'explain' absences or changes in working patterns.

We recommend that employers be encouraged to create an openness about caring within the workplace, viewing childcare and other caring responsibilities on an equal footing. Government also has a part to play in this. New parents are allowed significant paid and unpaid leave to attend to their roles as parents, yet carers leave is restricted to employees with more than 12 months' service; is unpaid (although carers on carers leave may be entitled to a modest payment of Carers Benefit or Carers Allowance, generally only a fraction of their full-time wage); and is solely for those providing full-time care. While this leave can be taken in smaller blocks of up to 13 weeks at a time, 6 weeks' notice must be given in the application and there must be a gap of 6 weeks between blocks of carers leave, often an impossibility given the emergency nature of caring. These issues may explain why less than 1% of family carers (c. 2,500) in Ireland take up carers leave. We recommend that primary research be undertaken with people who have taken carers leave

⁸ Care Alliance Ireland, "'We Need to Talk About It' – Stigma and Family Care", 2016.

and carers who have decided against it, in an attempt to ascertain the reasons behind this low take up.

3) Remote working

While it is clear that remote working is not possible in all roles, it is an option which should be explored along with greater flexibility. While many people receiving care need significant assistance in daily tasks, there are often periods during the day when carers have time to work, although they may need to remain in the home to provide supervision or companionship. The opportunity to work from home may address the problem of carers needing to be present in the home even during periods when their direct assistance is not required.

Facilitating remote working for employees who provide care would significantly address the problem of loss of skilled workers from technical and specialist roles. This solution is particularly apt for employment that does not necessarily require 'core hours' or employment with a minimal 'customer-facing' element.

About Care Alliance Ireland

Care Alliance Ireland is the National Network of Voluntary Organisations supporting family carers. Our vision is that the role of family carers is fully recognised and valued by society in Ireland.

We exist to enhance the quality of life for family carers. We achieve this by supporting our member organisations in their direct work with family carers through the provision of information, developing research and policy, sharing resources and instigating opportunities for collaboration.

There are in the region of 391,000 family carers in the Republic of Ireland. Family carer support is provided by a number of organisations, including those dedicated solely to carer support and others who support carers as part of their response to individuals with specific conditions. We work with our 87 member organisations and other agencies to support them in their work with family carers.

Our legitimacy derives in part from our membership base, which includes a wide range of organisations currently providing services to Ireland's family carers. Our membership is comprised of both large and small, regional and national organisations.