

WORKING

- UK

contact a family

for families with disabled children

incorporating

The Lady Hoare Trust



www.cafamily.org.uk

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Lãnguagê Liñè

Introduction

Contact a Family recognises that for many parents it is very difficult to think about paid employment, particularly if your child needs a lot of care. However with support, some parents do manage to return to work.

Research by the Joseph Rowntree Foundation¹ illustrated that one of the problems for parents/carers was the lack of information about locally based services, benefits and employment policies.

This factsheet is aimed at parents of disabled children who are thinking about returning to work or are currently in employment. It includes information about the support available to make that transition back into employment and your rights when in work.

¹ Combining work and care: working parents of disabled children Joseph Rowntree Foundation.



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Returning to work

The first steps

You have learned a lot of valuable skills as a parent and many of these can be transferred to work. However, if you have been out of paid employment for some time, it can be daunting to think about returning to work.

You may need to think about updating your skills and there are many ways to do this. Some parents start by trying voluntary work, or by going to college part-time. Your local Council for Voluntary Services (CVS) or volunteer centre will be able to tell you about volunteering opportunities in your area. Alternatively, visit <http://www.volunteering.org.uk>

For information about courses, you can call the Learn Direct Helpline **0800 100 900** (for Textphone users please prefix 0800 100 900 with 18001 to talk to an adviser via Typetalk) or visit Web: <http://www.learndirect.co.uk>

Alternatively contact your local college.

A parent's perspective

'Being a mum to three children, who had taken the option to stay at home whilst they were young, meant that the path back into paid employment was going to be a little rocky. The addition of being a mum with one child having complex needs, epilepsy and learning difficulties meant it was an uphill rocky road. Still, it was one I was determined to pursue with vigour once my youngest was settled in fulltime education. Why should my chances be limited and why should I not have the same opportunities as others? Also, why should childcare be an issue for one of our daughters when it isn't for the other two?

'I therefore started off with a part-time job of 15 hours a week with our local CVS. I nervously went to my first day convinced we could manage, childcare in place for all three for the necessary times. After about 10 minutes of being there, I was told, "Oh, by the way good

“ Trying to present a calm exterior I smiled and gracefully accepted. Inside I was in blind panic. ”






news – we have had some extra funding so we will be increasing your hours to 25 per week”.

'Trying to present a calm exterior I smiled and gracefully accepted. Inside I was in blind panic. I rushed home at the close of play and blurted it out to my husband. Three weeks before the start of the summer holidays and my part-time job wasn't too far removed from full-time. After much brow beating, telephone calls and discussion we decided it would be fine, a clever combination of summer playschemes, annual leave of my husband's and flexible working would see us through. If I could get through this August there should be no stopping me. It worked.'

Schemes to help the move back to work

New Deal

This is a scheme set up across the UK by the Government as part of their 'welfare to work' strategy. Its aim is to narrow the gap between the skills those wanting to return to work have, and the skills that employers demand. Participants in the New Deal may also be able to access help with work related expenses such as childcare and travel costs. There are schemes designed to help different groups, including:

-  Lone Parents;
-  Over 50s;
-  People with Disabilities;
-  Partners of people claiming Job Seekers Allowance;
-  Young people.

More information about the scheme can be found by contacting your local Jobcentre Plus:

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Web: <http://www.newdeal.gov.uk>
Tel: **0845 606 2626** (helpline)
Textphone: **0845 606 0680**

ACE National (Action for Carers and Employment led by Carers UK)

If parents of disabled children are going to gain or remain in paid work the alternative care services such as childcare need to be fit for purpose, responsive to need and affordable. The ACE national partnership which consists of voluntary, private and statutory organisations is focused on improving these alternative care services which will help those juggling work and care.

The aim of the partnership is also to raise awareness about the Carers (Equal Opportunities) Act 2004 which seeks to give those with caring responsibilities such as parents with disabled children the same opportunities that others take for granted. When conducting a carers assessment parents should be asked whether they work or wish to work,

study or participate in leisure activities and this be taken into account when planning the care package.

If you would like to know more about ACE National please see

Web: <http://www.acecarers.org.uk>
or ring **020 76088742**

For information on carers assessment please visit

<http://tinyurl.com/q9ph2>
or <http://tinyurl.com/q2fq>

A family's perspective

Flexible working can be a win-win situation

'We are the standard family of four: husband, wife and two children aged 11 and 9, but that's where the similarity ends. Our 9-year old has a disability.

'Working and childcare has always been a joint responsibility. When the boys were babies, Phil worked full-time and I stayed at home. When the boys started school, I started working in the evenings and Phil looked after the boys. When the number of appointments and meetings (with health, then education and then social services) started to increase Phil started working part-time so that he could attend the endless stream of appointments and meetings that always take place during working hours. When I started working during the day, work had to fit in with our needs as a family, so employers became a partner in meeting our family's needs.'



Childcare while you're at work

Finding Childcare

Childcare is often a major obstacle for parents considering returning to work. Hopefully the section on your employment rights will help you in planning the care of your child. The section on Benefits and Work includes some information about help to meet any childcare costs you may have. Also, at the end of this factsheet there are details of organisations providing information and support. Contact a Family also produce a free factsheet on 'Finding and Paying for Childcare' available free from the Helpline or downloadable from our website at:

<http://www.cafamily.org.uk/findchildcare.html>

This factsheet contains information on different forms of childcare; help that may be available to pay for childcare and where to go to find out more information about childcare in your area.




The ChildcareLink national website <http://www.childcarelink.gov.uk> helps you find useful information about

// Better childcare services for families with children with disabilities and special needs are better for everyone.//
'Ambitious for All' Daycare Trust²

the different types of childcare and early education in your local area. The details are updated on a regular basis and all providers are registered with, and inspected by Ofsted in England, the Care Standards Inspectorate in Wales and the Care Commission in Scotland. The information is collected from over 170 English, Welsh and Scottish local authorities. The service is currently not operational in Northern Ireland but information and assistance is available from the Northern Ireland Childcare Advice and Information Helpline on 0800 028 3008. The website also contains details of your local Children's

Information Service, who can provide additional help and advice with all aspects of childcare and early years.

This is backed up by research from the Centre for Policy Research and Development.³ This research found that employers can be supportive to parents/carers by:

-  Developing flexible working practices sensitive to the needs of parent carers;
-  Being approachable and providing the opportunity for employees to discuss their caring responsibilities;
-  Being understanding when a crisis arises.

²Contact details in "Useful Organisations" section.

³'Supporting parent carers in paid employment' Centre for Social Policy Research and Development.



Employment rights





As a working parent you may have a legal right to take time off in certain circumstances. You may also be able to request a change in your working week in order to help you juggle your work and your caring responsibilities. Details of these specific employment rights are outlined below. For the purposes of the information below a disabled child is one for whom a parent is receiving Disability Living Allowance. More detailed information on this benefit can be found in the Contact a Family factsheet '*Benefits, tax credits and other financial help*'.


Flexible Working

Parents with children under 6 or disabled children under 18 have the right to apply to their employer for flexible working arrangements. Employers have a statutory duty to consider such requests seriously, and will only be able to refuse when there is a clear business reason. However, it is not an automatic right since there will be circumstances where a business cannot accommodate the request. From April 2007 the right

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to flexible working will be extended to relatives looking after disabled adults aged 18 and over. To be eligible to make a request for flexible working under these provisions you must:

-  Have a child under six, or eighteen in the case of a disabled child;
-  Make the application no later than two weeks before their sixth or eighteenth birthday, as applicable;
-  Have worked for the employer for 26 weeks on the date the application is made;
-  Not be an agency worker or member of the armed forces;

 Not have made an application for flexible working in the past twelve months.

In order to exercise this right the employee needs to make the initial written application to the employer. An employee can request a change to the hours they work, a change to the times they work, or to work from home. Since any changes will be permanent it is important to consider the future implications carefully. This may include any drop in salary, and the impact that any reduction in hours may have on state benefits such as Working Tax Credit.

Once the employer has received the application they have 28 days to organise a meeting. This is an opportunity for both parties to discuss the desired work pattern and its impact and to consider any alternatives should the requested pattern of work prove difficult to implement.

Within fourteen days of this meeting the

employer must write to the employee either confirming the new work pattern and start date or providing an explanation as to why the request cannot be accommodated. If the employer feels more time is needed to take further action then the employee must be notified of this in writing within fourteen days of the meeting.

If the employee is unhappy with the decision they then have fourteen days to appeal. During this time they may wish to consult an organisation such as ACAS for further advice, something which they can do at any point in the process. Contact details for ACAS and other organisations are at the end of this factsheet.



Parental leave

Parental Leave allows parents of young or disabled children the right to take time off work to look after their children. This leave is normally unpaid. This section explains what parental leave an employer must allow as a statutory minimum. Some employers may have more generous provisions and may allow other parents time off.

The law says that parents who qualify must be allowed at least 13 weeks unpaid leave for each child. If the child is disabled, it is 18 weeks.

To qualify for leave:

Parents must have worked for an employer continuously for one year and must give at least 21 days notice. Parents must also use the leave time to care for their child.

Parents with a child born on or after 15th December 1999 can take leave up until the child's fifth birthday (if adopted, up to 5 years after the date of placement, or up

to their 18th birthday, whichever is sooner);

Parents of disabled children born on or after 15th December 1994 can take leave up until the child's 18th birthday.

Normally leave must be taken in blocks of one week or more, up to a maximum of four weeks per year. Parents of disabled children can usually take leave in multiples of one day.

“ Parental Leave allows parents of young or disabled children the right to take time off work to look after their children. This leave is normally unpaid. ”

Time off for dependants

An employee can take time off to deal with an emergency relating to a dependant. This could be a parent, partner, child, or someone for whom an individual has sole care.

An emergency is when someone who depends on you:

- ☞ Is ill and needs your help;
- ☞ Is involved in an accident or assaulted;
- ☞ Needs you to arrange their longer term care;
- ☞ Needs you to deal with an unexpected disruption or breakdown in care, such as a childminder or nurse failing to turn up;
- ☞ Goes into labour;
- ☞ Dies, and you need to make funeral arrangements or attend the funeral.

“ An employee can take time off to deal with an emergency relating to a dependant. This could be a parent, partner, child, or someone for whom an individual has sole care.

”

It does not include situations of which you have advance warning. In such situations, you would need to take parental leave, see above, annual leave or other leave available. Time off for dependants only covers the time taken to make alternative arrangements, for anything longer term you will need to use parental, annual or other leave. In addition you must notify your employer of your absence as soon as possible. The time off is usually unpaid although this is dependant on the terms of your contract of employment.



Maternity and adoption rights

All pregnant employees are entitled to at least 26 weeks maternity leave. As long as you have worked for your employer for at least 26 weeks by the 15th week before your baby is due, you will be eligible for **Statutory Maternity Pay** (SMP) during this time. For the first 6 weeks SMP is 90% of average earnings. For the remaining 20 weeks you get either £108.85 per week, or 90 per cent of earnings, whichever is less. Those who have worked long enough to qualify for SMP can also choose to take an additional 26 weeks leave, usually unpaid. From April 2007 the Statutory Maternity Pay and Maternity Allowance will both become payable for 9 months. Some of this leave may also become transferable to the mother's spouse or partner.

Those who adopt children are also entitled to leave, paid for 26 weeks at the rate of £108.85 per week, or 90 per cent of earnings, whichever is less. There is also the option of taking a further 26 weeks leave, usually unpaid. Leave may be taken by either partner if a couple

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adopt. To be eligible you must have worked for your employer for 26 weeks by the date you are matched with a child.

Fathers are also entitled to paternity leave for either one week or two consecutive weeks paid at the rate of £108.85 per week or 90 per cent of earnings, whichever is less. To qualify for paternity leave you must have worked for an employer for 26 weeks by the 15th week before the baby is due, and be the baby's biological father or

the mother's husband or partner. From April 2007, men will become entitled to paternity leave of up to six months, the first three of which will be paid at the statutory rate, provided certain criteria are met.

Please note that if your average earnings are less than the lower earnings limit (£84 per week for April 2006-07) you may not qualify for Statutory Maternity Pay, Statutory Adoption Pay or Statutory Paternity Pay. Seek further advice if this applies to you. Support may be available such as Maternity Allowance or certain state benefits.

More Information

Please note that the above is not an authoritative statement of law. If you have any queries about employment rights please consult one of the organisations at the end of this factsheet. The Department of Trade and Industry (DTI) also publish a range of leaflets on the issues mentioned above, for contact details please see the end of the factsheet.

Forthcoming changes to employment rights

The Work and Families Bill will become law in April 2007 and will make a number of changes to employment law. This includes:

- Extending paid statutory maternity leave from 6 months to 9 months
- Granting fathers the option of taking up to 6 months paternity leave, the first 3 of which can be paid (so long as certain criteria are met, i.e. where the mother returns to work before she has exhausted her statutory maternity pay).
- Extending the right to request flexible working to relatives who are caring for a disabled person over the age of 18.



Benefits and work

Returning to work is likely to alter your financial position. It is important that you get advice as soon as possible. Contact a Family employ a welfare rights specialist who can offer advice on whether your financial situation will improve if you return to work, and if so, by how much. To access this service either call the Contact a Family helpline or e-mail: helpline@cafamily.org.uk

Here is a quick summary of the main benefits which are available to families caring for a disabled child and how they may be affected if you go back to work.

Benefits which are not affected by going back to work

Disability Living Allowance (DLA)

DLA is the main benefit for disabled children. This is not affected by work or earnings and you should continue to receive this in full.

Child Benefit

Child Benefit is not affected by work or earnings and you should continue to receive this in full.

Benefits which are affected by work or earnings

Carer's Allowance

You can receive Carer's Allowance so long as your wages do not exceed an earnings limit. This figure is £84 per week for the year April 2006-07. In calculating earnings deductions are made for tax and NI contributions. Childcare costs of up to half of your earnings can also be deducted, so long as you are paying someone other than a close relative to provide this care.

Income support (IS) and income-based Jobseekers Allowance (ibJSA)

You cannot usually qualify for IS or ibJSA if you work 16 hours or more a week, or if your partner works more than 24 hours a week. However some carers can claim regardless of the number of hours worked. Even if you are still eligible for IS or ibJSA, your earnings are likely to reduce your entitlement and may take you off benefit altogether.

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Council Tax and Housing Benefit

If you receive IS or ibJSA, you should also get Housing Benefit towards rent and Council Tax Benefit to help with your council tax. In Northern Ireland you may get help with your rates through Housing Benefit. If you stop getting IS or ibJSA because you start working, you may still qualify for some Housing Benefit and Council Tax Benefit. The amount you receive will depend on your income (including earnings) and savings. In calculating these two benefits it is

sometimes possible for certain childcare costs to be deducted from earnings.

Child Tax Credit

The Child Tax Credit is paid to people who look after a child under 16 or under 20 if they remain in certain types of education or training. The amount paid depends on your income and personal circumstances and you may get extra if you have a disabled child. While Child Tax Credit can be paid both in and out of work, your earnings can affect the amount you receive. If you qualify for Child Tax Credit but not Working Tax Credit, the amount of tax credit will be reduced if your annual income for tax credit purposes is more than £14,155. If you do qualify for Working Tax Credit (see 'In Work Benefits' section) the amount of tax credit will be reduced if your annual income is more than £5,220.

Extra financial help returning to work

Extended payments of Housing Benefit and Council Tax Benefit.

If you were getting IS, ibJSA, Incapacity Benefit or Severe Disablement Allowance (SDA) for at least 26 weeks and this stops because you are now working more than 16 hours a week, you can receive an extra four weeks Housing Benefit and Council Tax Benefit at the existing rate. To qualify for extended payments you must expect to be working for at least five weeks. To access this help you must inform your local authority within 4 weeks of starting a new job/increasing your working hours. Once the extended payments stop you may still be able to get some housing benefit or council tax benefit based on your new circumstances, but you will need to make a new claim.

Mortgage Interest help

IS and ibJSA can include help towards mortgage interest payments. If you have been claiming one of these benefits for at least 26 weeks and this stops because you are working more than 16 hours a week, any payments towards mortgage

interest can continue for an extra four weeks. To access this help, simply inform your local Jobcentre Plus office that you are starting work.

Job Grant

If you take up work of 16 hours or more you may be entitled to a one-off Job Grant. To access this lump sum you must have previously spent at least 26 weeks on income support, ibJSA, Incapacity Benefit or SDA and your job must be expected to last for at least 5 weeks. If you were claiming ibJSA then you must normally be aged over 25 to qualify. However this age restriction does not apply to lone parents or to people who were in receipt of Income Support, Incapacity Benefit or SDA. Lone parents and couples with children will receive a Job Grant of £250, those without children will get £100. To access a job grant contact your local Jobcentre Plus office.

Child Maintenance Bonus

If you have been on IS/ibJSA since before 3rd March 2003 and have also been

receiving child maintenance payments, you may be able to apply for a one-off payment when you return to work. Contact the helpline for further details.

New Deal Childcare Assist

Lone parents who are participating in the New Deal for Lone Parents and partners who are participating in the New Deal for Partners may get a one-off payment to pay for approved childcare during the week immediately before they start a job. To qualify the job must involve at least eight hours a week and you must have children who will need care when you are at work. This payment is intended to allow you time to prepare for your new job and to help your child settle into a childcare place. See the New Deal section on page three.

New Deal Childcare Subsidy

This provides help with approved childcare costs if you start part-time work of less than 16 hours a week and are still entitled to income support. To qualify you must have found your job via the New Deal for Lone Parents or the

In work benefits




New Deal for Partners. Contact your New Deal advisor for more information on this scheme.

Extra help in pilot areas

In some parts of the UK, the government are running pilot schemes offering extra support to help lone parents move into employment. This includes an In-Work Credit of £40 per week paid during the first year of starting a new job. Some areas offer a Work Search premium of £20 to lone parents who have been on IS or ibJSA for over a year and who are taking steps to look for work. In some parts of London the 'In-Work Credit' is not only open to lone parents but to other parents as well. If you would like to find out if your area is covered by one of these pilot schemes contact your local Citizens Advice Bureau or local Jobcentre Plus office.

Working Tax Credit

Working Tax Credit is a means-tested credit for working people on a low income. To qualify you must be:

-  Aged 16 years or over;
-  Living in the UK and not subject to immigration control (with some exceptions);
-  Working for at least 16 hours per week and be responsible for one or more children.

You should note that some other workers without children (e.g. disabled workers) are also able to claim Working Tax Credit. If you do not care for a child you should seek advice from a local Citizens Advice Bureau (CAB) or welfare rights service.

If you qualify for Working Tax Credit the amount you will receive depends on your income and personal circumstances. For

example, extra amounts will be added if you have a partner or if you are a single parent. There are also extra amounts for disabled workers, people who work more than 30 hours a week, and to help meet certain childcare costs. For detailed information on eligible forms of childcare and on how average childcare costs are calculated contact our free helpline.

You can contact the Inland Revenue Tax Credit Helpline on Tel: **0845 300 3900** (Text: 0845 300 3909). Lines are open 7 days a week from 8am - 8pm.

If you are working you may still get help with healthcare costs such as prescriptions and dental treatment. Whether you qualify for help with these costs will depend on your income and personal circumstances. For more information see our free factsheet on '*Benefits, tax credits and other financial help*'.

Useful organisations

4 Children

City Reach, 5 Greenwich View Place,
London E14 9NN

Tel: **020 7512 2100** Information line

Web: **<http://www.4children.org.uk>**

4 Children (formerly Kids Clubs Network) is a national membership organisation representing out-of-school childcare.

Action for Carers and Employment (ACE National)

Carers UK, 20 - 25 Glasshouse Yard,
London EC1V 4JT

Tel: **020 7566 7843**

Web: **<http://www.acecarers.org.uk>**

ACAS (Advisory, Conciliation and Arbitration Service)

Brandon House, 180 Borough High
Street, London SE1 1LW

Tel: **08457 474747** Helpline

Web: **<http://www.acas.org.uk>**

Offers a free confidential advice service to anyone seeking information on employment matters.

Childcare Approval Service

2nd Floor, 23 - 25 Westbury House,
Bridge Street, Pinner HA5 3HR

Tel: **0845 767 8111**

A voluntary scheme for approving childcare providers and enabling parents and employers to check if a carer is approved.

Daycare Trust

21 St. George's Road, London SE1 6ES

Tel: **020 7840 3350**

Web: **<http://www.daycaretrust.org.uk>**

Daycare Trust is the national childcare campaign. They promote quality, affordable childcare for all and advise parents, providers, employers and policy makers on key childcare issues.

DfES Publications

PO Box 5050, Annesley, Nottingham
NG15 0DL

Tel: **0845 60 222 60**

Web: **www.dfespublications.gov.uk**

All Departmental publications are available to order from this website.

Department for Trade and Industry

1 Victoria Street, London SW1H 0ET

Tel: **0870 1502 500** DTI Publications
Orderline

Web: **<http://www.tiger.gov.uk>**

Supplies leaflets on a range of employment issues including flexible working and parental leave for both employers and employees. Provides detailed information on employment rights.

Employers for Carers

Web: **www.employersforcarers.org.uk**

Jobcentre Plus

Web: **www.jobcentreplus.gov.uk**

Part of the Department for Work and Pensions. In some areas they offer a fully integrated work and benefits service. Will be introduced everywhere by 2006.

Labour Relations Agency

2-8 Gordon Street, Belfast BT1 2LG

Tel: **028 9032 1442**

Web: **<http://www.lra.org.uk>**

Offers an impartial and confidential advice service to employers and employees in Northern Ireland.

National Childminding Association

8 Masons Hill, Bromley BR2 9EY

Tel: **0800 169 4486**

Web: <http://www.ncma.org.uk>

Offers help and support with all areas of childminding, including pay and conditions, contracts, benefits and more.

National Group on Homeworking

Office 26,

30-38 Dock Street, Leeds LS10 1JF

Tel: **0800 174 095** Advice Line (Mon-Fri, 10am-12.30pm and 1pm-3.30pm)

Web: www.homeworking.gn.apc.org

A non-governmental organisation which campaigns for improved employment rights and condition for homeworkers.

The Nigel Clare Network Trust

The Watchhouse,

10 Giltspur Street, London EC1A 9DE

Tel: **020 8769 0941**

Web: <http://www.nigelclare.org>

Offers practical support for families striving to achieve a balance between work and caring responsibilities where a child's life is limited or threatened.

Sure Start

DfES & DWP,

Level 2, Caxton House, Tothill Street

London SW1H 9NA

Tel: **0870 000 2288**

Web: <http://www.surestart.gov.uk>

Government support for children, parents and communities. Details of local Sure Start settings.

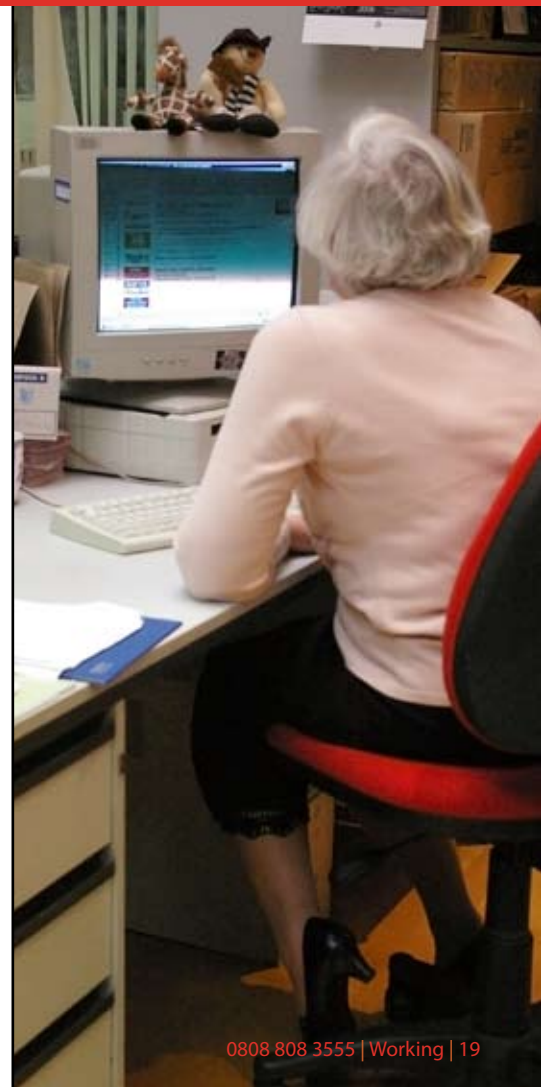
Waving not Drowning Project

Working Families, 1-3 Berry Street,
London EC1V 0AA

Tel: **0800 013 0313** Helpline

or **020 7253 7243** (Weds-Fri, 9.30-1 & 2-4.30)

For parents of disabled children who work, or want to work.



0808 808 3555

Freephone helpline -

Open Mon - Fri 10am - 4pm and Monday 5.30pm - 7.30pm

www.cafamily.org.uk

WWW.makingcontact.org

This factsheet is one of a series produced for parents and groups concerned with the care of disabled children. A selected list can be seen to the right. A full list of Contact a Family publications is available on request.



A Guide to Assessments and Services

Looking at the rights of families to get what they need.



Benefits, Tax Credits and Other Financial Assistance

Benefits families are entitled to.



Dealing with Debt

Provides pointers for families in debt. Factsheets are specific to nations.



Special Educational Needs

Brief introduction to the process of statementing.



The Tax Credits Guide

Includes a 'ready reckoner' to help assess tax credit entitlement.



Tax Credits Overpayments

What to do if you have been paid too much tax credits.



Family Checklist

A handy flier that lists all the benefits families with disabled children may be entitled to.



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Although great care has been taken in the compilation and preparation of this factsheet to ensure accuracy, Contact a Family cannot take any responsibility for any errors or omissions.

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Textphone 0808 808 3556 **e-mail** info@cafamily.org.uk

Web www.cafamily.org.uk Reg. Charity No. 284912

Helpline 0808 808 3555 Freephone for parents and families (10am-4pm, Mon-Fri and Mon 5.30pm - 7.30pm)

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