

ADASS Response to the Government Consultation on Employment Rights for Unpaid Carers

About Us

ADASS is a charity. Our objectives include:

- Furthering comprehensive, equitable, social policies and plans which reflect and shape the economic and social environment of the time
- Furthering the interests of those who need social care services regardless of their backgrounds and status; and
- Promoting high standards of social care services.

Our members are current and former directors of adult care or social services and their senior staff.

If you have any questions regarding this submission, please do not hesitate to contact Ian Hall, Director of Policy, Association of Directors of Adult Social Services ian.hall@adass.org.uk.

We thank the unpaid carers whose views and input have informed this response and have their quotes throughout this submission.

Introduction

The Association of Directors of Adult Social Services (ADASS) welcomes the opportunity to respond to the Government's consultation on employment rights for unpaid carers.

ADASS represents Directors of Adult Social Services in local authorities across England. Directors have statutory responsibilities under the Care Act 2014 to promote wellbeing, prevent, reduce and delay the need for care and support, and to identify and support unpaid carers in their own right.

Directors of Adult Social Services also lead and commission services that employ many thousands of staff across local authorities and the wider care sector. Many of these employees have caring responsibilities of their own and experience first-hand the challenges of balancing work and care. As both leaders of local care systems and employers, ADASS members have direct experience of the benefits that carer-friendly employment practices can bring in supporting staff wellbeing, improving retention and enabling skilled employees to remain in the workforce.

Unpaid carers make a vital contribution to the lives of those they support, to local communities, and to the sustainability of the wider health and care system. ADASS has consistently highlighted the importance of recognising carers as equal partners in care and ensuring that they are able to maintain their own health, wellbeing, employment and financial security alongside their caring responsibilities.

We welcome the Government's review of employment rights for unpaid carers and the opportunity to consider how employment policy can better support carers to balance work and caring responsibilities. Employment rights form an important part of the wider support available to carers and should sit alongside action to improve access to social care, respite, information and advice.

General observations

ADASS supports measures that help carers remain in employment where they wish to do so and which recognise the significant contribution that carers make to society.

The ability to balance employment and caring responsibilities is increasingly important given demographic change, rising demand for care and support, and the growing number of people combining paid work with caring responsibilities. Maintaining employment can provide important benefits for carers, including financial stability, social connection, independence and improved wellbeing.

ADASS welcomes proposals that strengthen support for working carers. However, it is important to recognise that the pressures experienced by carers do not arise solely from employment arrangements. The experiences of carers are closely linked to the wider health and care system and the availability of timely support for the people they care for. As demand for care and support continues to grow, many carers are providing increasingly complex and intensive levels of care, often over extended periods of time. Employment rights can play an important role in helping carers balance these responsibilities, but they should be considered alongside broader efforts to ensure that adult social care is able to meet growing levels of need.

Caring responsibilities are also often unpredictable. They may arise suddenly, increase rapidly or change significantly over time. A carer may need to respond to an emergency, a deterioration in someone's health, a change in care arrangements or an unexpected hospital admission, as well as planned appointments and other regular caring commitments. Employment rights therefore need to provide sufficient flexibility to respond to both planned and unplanned caring situations.

"Eventually, I found part-time paid work at a local warehouse. This role marked my first successful experience of sustained paid employment, and its success was directly linked to flexibility. The job was part-time, offered optional overtime, and operated on a zero-hours basis, meaning there were no penalties for needing time off at short notice. Importantly, the workplace was only a ten-minute walk from home, allowing me to respond quickly in the event of an emergency. This role demonstrates how flexible working arrangements can enable carers to participate in the workforce effectively."

Alongside paid and unpaid leave, ADASS believes that flexible working arrangements are an important part of supporting carers to remain in employment. Flexibility around working hours, hybrid working, predictable rotas and other appropriate working arrangements can be just as valuable to some carers as the ability to take periods of leave. Government should therefore consider how employment rights and wider flexible working arrangements can work together to give carers meaningful choice and flexibility.

ADASS would also encourage Government to continue to strengthen the focus on the early identification of carers. Many people do not recognise themselves as carers, or do not seek support, until their caring responsibilities have reached a point of significant pressure or crisis. Earlier identification by employers, health services, local authorities and other public services can provide opportunities to offer information, advice and support before caring responsibilities begin to have a serious impact on employment, health and wellbeing. This would also align with the Care Act's wider emphasis on prevention and early intervention.

ADASS would encourage Government to consider the equality implications of employment rights for carers. While caring affects people from all backgrounds, evidence consistently demonstrates that caring responsibilities continue to fall disproportionately on women, particularly women in mid-life who may be balancing employment alongside caring for older parents, partners, disabled family members or adult children.

As a result, women are more likely to reduce their working hours, turn down opportunities for career progression, move into lower-paid employment or leave the workforce altogether because of caring responsibilities. This can have a significant and lasting impact on earnings, pension contributions, financial resilience and wellbeing. The cumulative effect contributes to wider gender inequalities in employment and income throughout later life.

Measures that enable carers to remain in employment should therefore also be viewed as an important contribution to advancing equality and supporting women's participation and progression within the workforce.

Paid Carer's Leave

ADASS welcomes the Government's consideration of a statutory entitlement to paid Carer's Leave.

Evidence suggests that while the introduction of unpaid Carer's Leave was a positive development, affordability remains a significant barrier for many carers. As a result, some carers continue to rely on annual leave, reduce their working hours, or leave employment altogether in order to manage their caring responsibilities.

From an adult social care perspective, supporting carers to remain in employment can contribute to improved wellbeing and financial resilience, while also supporting wider workforce participation and economic growth. It can also help carers maintain social connections and reduce some of the longer-term financial disadvantages associated with caring.

ADASS also has a particular interest in the impact of employment rights on the adult social care workforce. Many people working in adult social care are themselves unpaid carers, balancing demanding employment with caring responsibilities for family members or friends. Strengthening employment rights and creating more supportive working environments could therefore have an additional benefit for the care sector itself, helping to improve workforce wellbeing, retention and resilience at a time when adult social care employers are already facing significant workforce pressures.

ADASS recognises that employers across health, social care and local government are themselves increasingly seeking to retain experienced staff who may have caring responsibilities. Supporting employees to balance work and care can contribute to workforce stability, reduce turnover and help retain valuable skills and experience.

ADASS also recognises the potential equality benefits associated with a statutory entitlement to paid Carer's Leave. Women continue to undertake the majority of unpaid care and are disproportionately affected by the need to adjust or leave employment because of caring responsibilities. Supporting carers to remain connected to the labour market could help reduce some of the longer-term financial penalties associated with caring, including lost earnings, reduced pension accumulation and diminished career progression.

In this context, strengthening employment protections for carers has the potential not only to support individual carers, but also to contribute to wider Government ambitions around economic participation, workforce retention and gender equality.

Should Government decide to introduce a paid entitlement, ADASS would support an approach that is flexible and reflects the diverse circumstances in which caring takes place. Caring responsibilities can vary significantly over time and carers need the ability to respond to planned and unplanned events, including appointments, changes in care arrangements, **periods of deteriorating health and emergencies.**

We would also encourage any future arrangements to be straightforward to administer for both carers and employers, minimising unnecessary bureaucracy while ensuring that support is accessible to those who need it.

Government should also consider the impact of introducing paid Carer's Leave on employers, particularly smaller organisations. The additional costs and administrative requirements associated with a new entitlement may be more challenging for smaller employers to absorb. Appropriate guidance, support and consideration of the costs to employers will be important to ensure that any new entitlement is practical, sustainable and consistently available to carers across different sectors and types of employer.

Extended unpaid leave

ADASS welcomes consideration of extending the existing entitlement to unpaid Carer's Leave.

Additional flexibility may assist carers in managing periods of increased caring responsibility and may help some individuals remain in employment.

However, consultation evidence suggests that financial considerations remain a key factor influencing whether carers are able to make use of leave entitlements. As such, any extension to unpaid leave should be considered alongside wider measures designed to support carers' financial wellbeing and employment participation.

Any entitlement should also recognise that caring responsibilities are not always predictable or capable of being planned in advance. The ability to take leave at relatively short notice may be

important where a carer needs to respond to an unexpected change in the circumstances of the person they support.

Extended leave with a right to return

ADASS welcomes proposals to explore a longer period of leave accompanied by a right to return to employment.

There are occasions when carers experience particularly intensive periods of caring, for example following a serious diagnosis, during rehabilitation, following hospital discharge or at the end of life. In such circumstances, additional flexibility may help carers manage temporary increases in caring responsibilities without permanently leaving the labour market.

Consideration should be given to ensuring that any entitlement is sufficiently flexible to reflect the changing nature of caring responsibilities and the differing circumstances faced by carers. **A right to return can provide important reassurance to carers who may otherwise feel that they have no option but to resign when caring responsibilities become temporarily unmanageable alongside employment.**

“While unpaid caring is demanding and socially valuable, it often results in extended gaps in paid employment. These gaps can be difficult to explain on CVs and job applications, particularly in modern recruitment systems that prioritise continuous employment histories...The longer the gap in paid employment, the more daunting the prospect of returning to work becomes. Confidence can diminish, professional identity may fade, and skills can feel outdated. This experience is shared by many long-term carers, especially those who step away from employment without knowing when, or if, they will be able to return. An absence of structured pathways back into work can mean that carers are often left to navigate this transition alone, despite the valuable experience they have gained.”

Wider considerations

ADASS would encourage Government to consider employment rights for carers as part of a broader package of support and reform.

Evidence consistently demonstrates the interconnected nature of carers’ experiences. The ability of carers to remain in employment is often influenced by the availability of social care services, access to respite and replacement care, support from employers, financial pressures, and the wider availability of community support.

While strengthening employment rights is an important step forward, it cannot by itself address the underlying pressures that many carers face. Across the country, carers are increasingly stepping in to provide higher levels of support as demand for care grows and services face significant financial, workforce and demographic pressures. Where people are unable to access the right care and support at the right time, family members and friends often absorb that pressure, frequently at the expense of their own wellbeing, employment and financial security.

This is a particularly important consideration for Government. Improved employment rights can help carers remain in work, but they cannot compensate for a lack of appropriate care and support. Some carers leave employment not because their employer is unwilling to accommodate their caring responsibilities, but because the right care and support is simply not available, is not sufficiently reliable, or does not meet the needs of the person they care for.

ADASS therefore believes that improvements to employment rights should sit alongside long-term reform and sustainable investment in adult social care. A well-functioning social care system is fundamental to enabling carers to balance caring responsibilities with other aspects of their lives, including paid employment. Reform of employment rights and reform of adult social care should be viewed as complementary and mutually reinforcing objectives.

Sustainable investment and reform in adult social care is therefore not simply a social care policy issue; it is also an important part of the wider employment and economic policy response to supporting unpaid carers. If Government wants more carers to remain in employment, it needs to ensure that carers can access timely, appropriate and reliable care and support for the people they care for.

ADASS continues to advocate for a comprehensive approach to supporting unpaid carers that recognises their contribution, promotes their wellbeing, and ensures they are able to access timely support in their own right. This includes improved identification of carers, better access to assessments and support, greater availability of respite and replacement care, and stronger integration between health, care and employment policy.

We would welcome continued alignment between employment policy, social care policy and health policy to ensure that carers receive coherent and coordinated support across systems.

Monitoring and evaluation

If Government introduces new employment rights for carers, ADASS believes that it will be important to monitor their implementation and impact.

Government should consider monitoring the extent to which new rights are reaching carers and whether they are achieving their intended outcomes. This should include consideration of the impact on carers' wellbeing, employment participation and retention, equality outcomes and employers' experience of implementing the rights.

Monitoring should also consider whether there are differences in access or impact between different groups of carers, sectors and types of employer. This will help Government understand whether the policy is working effectively in practice and identify any barriers or unintended consequences that may need to be addressed.

Conclusion

ADASS welcomes the Government's commitment to reviewing employment rights for unpaid carers and recognises the important contribution that strengthened employment protections could make to supporting carers.

We are broadly supportive of measures that help carers remain in employment and balance work alongside caring responsibilities. In particular, we recognise the potential benefits that greater flexibility, **flexible working arrangements** and improved access to leave could bring for carers, employers and the wider economy.

We also encourage Government to recognise the wider equality benefits that can arise from supporting carers to remain in employment, particularly for women who continue to undertake the majority of unpaid caring responsibilities and who are disproportionately affected by the financial and employment consequences of caring.

Whilst ADASS welcomes the focus on strengthening employment rights, **we would emphasise that lasting improvements for carers will require both enhanced workplace protections and a renewed commitment to long-term reform and sustainable investment in adult social care.** Employment rights are an important part of the solution, but they cannot be considered in isolation. Many carers leave work because the right care and support is not available to the person they care for.

Together, these measures can help ensure that carers are able to maintain their own wellbeing, financial security and employment whilst continuing to play their vital role in supporting others. A sustainable adult social care system, combined with supportive and flexible employment rights, is essential if Government is to enable more people to combine paid employment with caring responsibilities.

ADASS would welcome continued engagement with Government on the development and implementation of these measures and on the wider reforms needed to ensure that unpaid carers are properly recognised, supported and enabled to live fulfilling lives alongside their caring responsibilities.