

COVID-19 pandemic: coping with unplanned caring responsibilities



Many workers will be struggling during the continuing COVID crisis because of unplanned caring responsibilities for vulnerable or elderly adults, or for children who are unable to go to their normal childcare provider.

Staff with school-age children are having their caring responsibilities constantly disrupted with the re-introduction of national lockdowns or regional restrictions, or staged returns to the education setting.

Even when schools and nurseries are open, self-isolating at home may be necessary should someone within their child's school 'bubble' tests positive for the virus.

Additionally, normal options for out-of-school childcare such as at grandparents or friends may not be possible due to continuing social distancing requirements and concerns about protecting the vulnerable.



Although [childcare bubbles \(www.gov.uk/guidance/making-a-support-bubble-with-another-household#childcare-bubble\)](https://www.gov.uk/guidance/making-a-support-bubble-with-another-household#childcare-bubble) are allowed in England, where one household links with one other household to provide informal, unpaid childcare, additional flexibility in working hours may be required in order to try to co-ordinate this informal arrangement. (Similar informal childcare arrangements are also allowed in Northern Ireland, Scotland and Cymru/Wales).

How can I continue working and cope with these unplanned caring responsibilities?

As of 5 January 2021, [England returned to a national lockdown](#) until at least February 22. Once again, the UK government's emphasis is on staying at home for everyone:

“You must stay at home. The single most important action we can all take is to stay at home to protect the NHS and save lives... You may only leave your home for work if you cannot reasonably work from home.”

The [Scottish government](#) too announced that mainland Scotland will move from Level 4 to a temporary Lockdown, with [new guidance to stay at home](#) except for essential purposes.

The [Welsh government's advice](#) is for everyone to “work from home if you can” and their guidance to employers is that “employees should not be required or placed under pressure to return to a workplace setting if there is not a clearly demonstrated business need for them to do so.”

The [Northern Ireland executive's current restrictions](#) state that “individuals should work from home unless unable to do so.”

Working from home therefore continues to be regarded as one clear way of keeping staff safe from the virus. It may also provide a way for you to manage unexpected caring responsibilities.

Is your employer encouraging all who can work from home, to do so, in line with government restrictions?

Most carers are still women. If an employer insists on all staff returning to their normal workplace without considering their caring responsibilities during the continuing pandemic, it may therefore particularly disadvantage women. It could be a form of indirect sex discrimination if a requirement cannot be objectively justified.

Your employer should seriously consider the support that can be offered to workers with caring responsibilities, including allowing them to work from home if possible.

What if I can't work from home?

If it is not possible for you to work from home, your employer may consider redeploying you to a suitable alternative job that you can undertake from home, as long as you agree to this alternative job.

What if my job cannot be done at home and there are no suitable alternative jobs?

It may not be possible for your job to be done at home and there may not be any suitable alternative jobs that you could do at home. You may also find that you are not able to both work from home and fulfil your caring responsibilities safely.

It would then be important to try to get your employer to consider an option of furloughing you. Employers can now continue to furlough staff under the government's [Job Retention Scheme](#) until the end of April 2021, either on a part-time or full-time basis, as long as you

were on the payroll on 30 October 2020. The employer will have to pay your wages for any hours that you are in work and you will also receive 80% of your wages for hours not worked.

The [UK government](#) has specifically said that employees who are “unable to work because they have caring responsibilities resulting from coronavirus (COVID-19), including employees that need to look after children” can be furloughed.



What if I am expected to continue working at my normal workplace?

If you are continuing to work at your normal workplace, it may help to ask your employer to agree and confirm shifts and rotas well in advance, so that you can plan ahead for childcare and other caring responsibilities.

Your employer may also agree to flexi-hours of working which could allow you to make up time off that you have taken to meet your caring responsibilities by working at another time.

Do I have to use other forms of leave to cover my childcare responsibilities?

Your employer should not force you to use your annual leave or take unpaid leave in order to manage unexpected caring responsibilities.

You may also be entitled to unpaid dependants' or emergency leave as well as parental leave, but it would not really be appropriate to expect you to use these to deal with caring responsibilities during the ongoing COVID-19 pandemic where difficulties have arisen due

to the government restrictions.

Even if such leave is paid by the employer, it should be reserved for its proper purpose.

The government describes parental leave as time for parents to look after their child's welfare, e.g. to:

- spend more time with their children
- look at new schools
- settle children into new childcare arrangements
- spend more time with family, such as visiting grandparents.

This certainly suggests very different circumstances than the unexpected caring responsibilities under the pandemic.

Dependants' leave is for time off to deal with an emergency involving a dependant, whereas the pandemic situation is now ongoing and long-term.

If I can't work from home and safely fulfil my caring responsibilities and I am not being furloughed, what should the employer do?

Good practice would be for employers to provide special leave, ideally at full pay in order to deal with unplanned caring responsibilities.

For example, the NHS, has paid COVID-19 special leave available for staff whose child has a suspected case or confirmed case of COVID-19 and there is a government requirement for the employee to self-isolate.

Further support for individuals

If you feel that your employer is treating you unfairly, speak to your [local representative](#) (www.unison.org.uk/about/contact) for support or advice.

There for You, UNISON's welfare charity, providing a confidential advice and support service for members and their dependants

www.unison.org.uk/get-help/services-support/there-for-you/

Working Families

www.workingfamilies.org.uk

Family Friendly Working Scotland

www.familyfriendlyworkingscotland.org.uk

Gingerbread supports single parent families

www.gingerbread.org.uk

Carers UK

www.carersuk.org

Carers Trust

<https://carers.org/>