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# Submission to the Public Consultation on Flexible Working Department of Justice and Equality

Submitted to: [flexibleworkingconsultation@justice.ie](mailto:flexibleworkingconsultation@justice.ie)

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## 1. Introduction

As part of Future Jobs Ireland, Minister for Business, Enterprise and Innovation, Heather Humphreys TD, and Minister of State David Stanton TD, launched a public consultation on flexible working to inform the development of a national flexible working policy. The consultation is seeking the views of employees, employers, trade unions and the general public to help inform the future employment policy. In the face of changing demographics and an aging population, the provision of flexible work arrangements is becoming an increasingly pertinent issue for family carers who balance paid work with caregiving responsibilities for a person with a disability, chronic illness or frailty. This submission, by the CAREWELL team, aims to highlight the importance of flexible working options for these family carers.

## 2. About the CAREWELL Project

The CAREWELL project is a four-year research project funded by the Irish Health Research Board (HRB) to examine how family carers can be best supported to balance care responsibilities with paid employment. This project is being carried out by an interdisciplinary group of researchers from UCD School of Nursing, Midwifery & Health Systems and UCD College of Business, in partnership with Family Carers Ireland. In addition, the project also draws on the expertise of over ten multidisciplinary collaborators, including CIPD, Fusion HR, Care Alliance Ireland, UCD HR, UCD School of Social Policy, Social Work and Social Justice. The overarching aim of the CAREWELL project is to promote health and self-care behaviours among working family carers through the development of an evidence-informed workplace programme in public and private work settings. The project is also examining strategies, such as flexible work arrangements, that enable family carers to combine caregiving with employment, and has just completed a small qualitative project with family carers who have had to alter their work arrangements to accommodate their caregiving responsibilities.

## 3. Background

### 3.1 Family carers in Ireland

According to the Central Statistics Office (CSO), a ‘carer’ is considered a person who:

*‘Provides regular unpaid personal help for a friend or family member with a long-term illness, health problem or disability (including problems due to old age). Personal help includes help with basic tasks such as feeding and dressing’*

(CSO Census, 2010; 2016a; 24)

It has been estimated that between 4.1% and 10% of the Irish population are family carers (CSO, 2016b; 2016c). A recent report released by Care Alliance Ireland (2019) suggests that as many as 391,260 people in Ireland are providing care to a dependent relative. Estimates vary due to differences in carer definitions, wording of survey questions, and people not recognising or not choosing to disclose themselves as carers. According to Census 2016 figures, the majority of carers (54.6%) are in the labour force. It has been estimated that as many as one in nine employees are currently juggling employment with family care responsibilities (Family Carers Ireland, 2019). The value of informal care in Ireland has been

estimated between 2.1 and 5.5 billion euro (Hanly & Sheeran, 2017), indicating the significant contribution this invisible workforce makes to the Irish economy and society as a whole.

### **3.2 Imminent care gap**

An increasing number of employees are juggling work with family care responsibilities. This can be attributed a number of demographic shifts such as an ageing population, more women participating in the workforce, smaller family sizes and delayed retirement. In addition to these changing demographic factors, Irish health policies such as Ireland's Primary Care Strategy (2001) and Sláintecare (Houses of the Oireachtas, 2017) have marked a shift from hospital and institutional-based care towards community and home-based care. Increasing pressure is being put on family carers in Ireland to facilitate care at home and in the local community. As life expectancy increases, the need for care is soon expected to exceed supply (Pickard, 2015), and consequently, it is likely that employees in Ireland will have increased family care demands while also participating in the labour market.

### **3.3 Changing caregiving roles**

As people are living longer, family care situations are also becoming increasingly complex and employees may find themselves taking on multiple care roles or engaging in multiple care episodes across their working lives (Keating, Funk, Fast, & Min, 2019). Many employed carers of people who require care due to old age, disability or chronic illness are also parents with childcare responsibilities at home. Individuals caring for their own children while also caring for elderly parents are referred to as the 'sandwich generation' and are an example of one group of carers that may be increasingly susceptible to reduced productivity at work and increased absenteeism and employment exit (Dixley, Boughey & Herrington, 2019; Duxbury & Higgins, 2012). As family caring becomes increasingly complex, government and employment policy needs to reflect this changing family-care landscape to ensure solutions are sustainable and financially viable for those who are providing the care.

### **3.4 Existing policies relevant to family carers in Ireland**

Published in 2012, *The National Carers' Strategy* states that family carers are recognised as 'key care partners' (Department of Health, 2012). An objective of the strategy was 'to enable carers to remain in touch with the labour market to the greatest extent possible' (Department of Health, 2012; 11) and a goal of the Strategy (4.2.3) was to 'encourage work-life balance provisions that are needed to ensure that working arrangements are carer friendly' (Department of Health, 2012; 25). According to the National Carers' Strategy Scorecard, little progress has been made with this goal due to constraints around funding (Family Carers Ireland, 2017a).

The Carers Leave Act (2001) enables an employee who wishes to take time from work to provide care to a dependent relative and who is guaranteed job protected leave of up a maximum of 104 weeks. Up-take of this leave however is low which may indicate a lack of awareness of the Act or suggest that current legislation does not meet the needs of family carers who are in employment (Oireachtas Library & Research Service, 2019). Carers must take this unpaid leave in blocks of a minimum of 13 weeks and there is currently a lack of government mandated policy that enables short term or paid leave. A policy that would

facilitate the provision of flexible working arrangements for family carers may begin to help to address some of these current policy gaps.

#### 4. Potential Impact of Flexible Working Options on Family Carers

The importance of facilitating family carers to remain in employment cannot be underestimated. The high demands associated with being a family carer and an employee can lead to caregiving-work balance challenges. Workplace flexibility, which can be defined as ‘a formal or informal agreement between an employer and employee to provide individual job control over flexibility in timing, location, amount, or continuity in concert with non-work needs’ (Kossek & Thompson, 2015; 1) can help to overcome some of these challenges. Flexible work options such as having flexible work schedules, job sharing, remote working, and compressed working weeks may help to alleviate some of the pressures associated with having multiple roles. It allows for changes in working arrangements to meet the needs of the individual family carer. The current research evidence supports the provision of a flexible working policy to ensure a work-life balance for family carers. The benefits of flexible working for the family carer are well documented throughout the literature, some of which are outlined below:

**4.1 Alleviate work-caregiving pressures:** Flexible working has been identified as one of the most effective strategies for assisting family carers in reconciling their caregiving and working responsibilities (Eurocarers, 2017). Optimal flexible working arrangements for family carers include flexible daily working hours, changing from full time to part-time work for a defined period of time, choice in location of work (e.g. home or teleworking), accumulation of overtime hours for use when required and arrangements to accommodate hospital visits for the care-recipient (Eurocarers, 2017; Nazroo, 2015).

**4.2 Employment retention:** Flexible working can help to retain family carers in their jobs and careers (Yeandle, Wilson, & Starr, 2017; Russell, O’Connell, & McGinnity, 2009). A recent systematic review of employment retention of those who provide care found that access to flexible work arrangements was the most cited workplace need identified by family carers and that lack of flexibility was a key trigger to employment exit (Dixley et al., 2019). The demand for flexibility was so great among the carers in the studies reviewed, that they became self-employed or chose their current job based on the availability of flexible work arrangements (Dixley et al., 2019). This same review reported that family carers also choose to reduce their working hours or take a less senior role in their organisations to help to reconcile their family and work roles when more flexible options were not available (Dixley et al., 2019). This is particularly true for women who provide the majority of carework and who frequently have to reduce their hours or give up work entirely to fulfil caregiving responsibilities (Jungblut, 2015).

**4.3 Economic benefit:** The economic benefit of working is considered to be one of the most important factors in a family carer’s decision to remain in the workforce (Family Carers Ireland, 2017b). Remaining in employment also ensures that carers can continue with their pension and social welfare contributions (Eurocarers, 2017). Protecting pension contributions can ensure improved quality of life for both carer and care-recipient later in life (Larkin, Henwood & Milne, 2019).

**4.4 Health and wellbeing:** Balancing work and care of a relative, without the appropriate supports, can negatively impact the health and wellbeing of an employee. Studies have shown that working full-time and having more difficulty reconciling work and caregiving roles results in role strain, while work inflexibility can result in depressive symptoms (Wang, Shyu, Chen, & Yang, 2011). Other studies have found that employees with caregiving responsibilities are more likely to report poor health, depression, diabetes, hypertension, or pulmonary disease (Albert et al. 2010). Poorer psychological and physical health can interfere with a carer's ability to provide optimal care for their dependent relative. Flexible work options can reduce work pressure and assist somewhat in balancing the family carer's conflicting demands of work and life, thus enhancing their physical and mental health (Russell et al., 2009). Nazroo (2015) supports this view and argues that the physical, social and financial problems experienced by family carers could be somewhat mitigated by flexible working arrangements.

**4.5 Sense of identity and social connectedness:** Enabling employees to balance their work with their caregiving role can help them to maintain a sense of identity (Family Carers Ireland, 2017b). Research evidence suggests that enabling carers to maintain a working identity increases carers' levels of happiness, financial security, and social inclusion (Stiell, Shipton, & Yeandle, 2006; Jungblut, 2015). Time spent at work is often considered as respite from caring and positive interactions with colleagues may help to prevent social isolation (Joseph & Joseph, 2019; Hanse & Slagsvold, 2015).

## 5. Potential Obstacles in Facilitating Flexible Working Options for Family Carers

There are many benefits of offering flexible working for employers, which include retention of experienced and talented employees, reduction in training and education costs (Yeandle et al., 2017) and reduction in absenteeism (Russell et al., 2009). Eurocarers (2017) summarise these under the three 'Rs': *Retention* of skills and experience, increased employee *Resilience* in terms of health, productivity and engagement and better *Results* through improved performance.

However, a number of potential obstacles to the effective provision of flexible working arrangements exist at organisational, manager, team and individual level (CIPD, 2019a). These barriers have the potential to negatively impact on the extent to which flexible working arrangements can be effectively implemented to the benefit of working family carers and employers. Failure to adequately address these barriers is likely to negatively impact on the wellbeing of working family carers, result in significant levels of personal stress and anxiety and, ultimately, lead to their early exit from the labour force.

The CAREWELL team acknowledges the inherent challenges in facilitating flexible working options, five of which are outlined below:

**5.1 Impact on business operations and the administrative burden:** Not all organisational roles lend themselves to flexible working arrangements (this is particularly the case with customer-facing roles or those requiring a physical presence at certain times) (CIPD, 2019a; CIPD, 2019b), and can potentially lead to disruption of the operations of a business. Furthermore, the implementation and ongoing management of such arrangements can create an administrative burden for employers and line managers. These issues often present

challenges that are perceived as insurmountable, particularly by small and medium sized enterprises.

**5.2 Embedding flexible working into the culture of an organisation:** The culture of an organisation can present a barrier to implementing flexible working practices (CIPD, 2019c) and there is much work to be done to embed such practices into the culture of many Irish organisations. Also, a lack of individual role models (particularly at senior business levels) who may serve to champion flexible working arrangements also represents a barrier to progressing this agenda further (Parents at Work, 2019a). CIPD (2019a; 9) suggests that there is a need to build a better ‘understanding of flexible working and create a shared, positive view across the organisation’. The perceptions that an employee availing of flexible working is less committed to their career (Yeandle, 2013) or that it will negatively impact on their career (Parents at Work, 2019a) are obstacles that need to be addressed.

**5.3 Equality of access to flexible working arrangements:** A lack of equality of access to flexible working arrangements also exists (CIPD, 2019b). The take-up of flexible working arrangements is often gendered, for example with women availing of part-time working more often compared to men (CIPD, 2019d). A concerted effort at national, industry and organisational level is needed to address this particular challenge. The need to ensure equality of access to the labour market, flexible working arrangements and career development also warrants attention.

**5.4 Central role of the line manager:** ‘Often it is individual managers that present the biggest barrier for employees accessing flexible work’ (Parents at Work, 2019a). Line managers, as a working family carer’s central point of contact in an organisation, represent a critical source of support to ensure that working family carers are able to manage the ‘emotional load’ associated with juggling their work and caring responsibilities. Yet, such support is not always forthcoming, and according to CIPD (2019a), managers may resist flexible working due to ‘fears and concerns about managing a flexible worker and lack of control (for example when employees are not present in the office)’ and due to the challenge around evaluating work outputs. It has also been suggested that line managers may lack sufficient understanding or awareness of an employee’s caring responsibilities (Yeandle, 2013). As a result, they may not make a concerted effort to make an employee aware of the flexible working options already available to them. ‘Communication around flexible working was seen as key to improving and promoting take-up of flexible working’ according to CIPD (2019a: 9) and line managers play a crucial role in this regard. Thus, there is an urgent need for the creation of a line manager ‘toolkit’ to ensure they are adequately sensitised to the flexible working needs of family carers and that they also have the appropriate capabilities to offer day-to-day support to employees with family caring responsibilities.

**5.5 Flexible working arrangements and individual needs of working family carers:** From the perspective of working family carers, there is often an over-reliance by organisations on the more formal flexible working options typically made available to employees (e.g. remote working, compressed hours, job sharing etc.). While the CAREWELL team very much welcomes the availability of these options to working family carers, they often do not meet the individual needs of these employees. What working family carers often need is the option to informally, and with the support of their line manager, adjust working hours on an ‘as



needed' basis (e.g. to take an hour out of the working day to collect medicines from the local pharmacy). Research by Parents at Work (2019b) in the U.K. captured some of the difficulties parents and carers encountered with work flexibility: 56% find it difficult to leave work on time; 53% find it difficult to leave work at short notice; and 46% find it difficult to take time off for sick children or family members. Many of the existing flexible working arrangements do not, therefore, adequately meet the sometimes individual needs of working family carers. Additional dilemmas arise for working family carers in the context of their take-up of flexible working options: for some carers, being able to disconnect from work outside of working hours is essential; whereas other carers may be concerned that working flexibly will result in heightened feelings of isolation from work colleagues and the organisation.

## 6. Facilitators of Flexible Working Options for Family Carers

There are a number of facilitators to flexible working options for family carers, some of which are outlined below:

**6.1 Right to flexible working:** The European Directive on Work-Life Balance for Parents and Carers, which was passed by the European Parliament in April 2019 and entered into force on 1 August 2019, confers valuable rights on employees and carers. When the directive is transposed into law, all employees will have the right to request flexible working. This will have significant benefits for working family carers. All employees in the UK have had the right to request flexible working arrangements since 2014. Research conducted by CIPD (2019e) indicates that the full potential of flexible working has yet to be realised. The number of people working flexibly plateaued over the past decade and most jobs (89%) are still not advertised as flexible. Moreover, the range of flexible working practices appears to be limited. Part-time working is the most common form of flexible working which is in place for just over a quarter of the workforce. The findings of the CIPD's (2019b) *UK Working Lives* survey show that 54% of UK workers are working flexibly in some way, with those in higher-level occupations most able to use flexible working to support their work-life balance.

**6.2 Recognising and supporting diverse needs:** The needs of employees attempting to reconcile paid employment with care-giving are complex and vary according to a range of factors including the age, health status and relationship with the person being cared for and also the skill level and experience of the person providing the care. For example, the working arrangements which will meet the needs of a junior employee caring for a child with complex needs may differ from those of an older senior level employee caring for an elderly relative. Access to flexible working arrangements, which allow carers to adjust the amount, timing, and location of work, can enable employees to manage the tensions between work and care-giving, and remain in paid employment. Therefore, if flexible working policies are to be effective in addressing the needs of family carers, they must be inclusive and responsive to the diverse needs of people with caring responsibilities.

**6.3 Fostering a supportive culture:** The importance of creating a positive culture and having supportive senior leaders and HR teams cannot be underestimated. Research conducted by CIPD (2019a) into organisations that had successfully implemented flexible working indicates that committed managers who understood the benefits of flexible working for both the organisation and the individual actively promoted the roll out of flexible working and ensured

good management practices, such as inclusivity and the provision of career development for flexible workers. Amongst the strategies identified are the following: training for line managers; the empowerment of employees to structure their working arrangements to meet their needs, and the establishment of peer support networks.

**6.4 Alignment with other policies:** In addition to highlighting the importance of organisational culture, CIPD's research (2019a; 2016) identified that flexible working is more likely to succeed if it is aligned to, and integrated with, other relevant policies such as those pertaining to Health and Well-being, Diversity and Inclusion, and Employee Recruitment and Retention. For example, flexible working practices which permit employees to have more control over how, where and when they work, have been identified as an effective way of alleviating work-related stress and improving employee well-being. In fact, it is only when flexibility is closely integrated with other policy areas, and flexible working practices become the norm, that organisations fully realise the benefits of being able to attract and retain valuable employees.

**6.5 Build an evidence base and showcase what works:** Government and policy makers need to build an evidence base through research and encourage debate and create awareness of the importance of supporting family carers and flexible working in order to keep experienced, skilled and committed employees in the workforce. Government, employer representatives and trade unions need to act as a repository of good practice and promote case studies showcasing how employers can accommodate working carers.

We need to learn from other initiatives that have proven to work. The *Employers for Carers* forum is a good illustration of how the sharing of knowledge and experience can encourage the adoption and take-up of good practice. This forum was established by Carers UK in 2009 and now consists of 100 employers with a reach of 1.5 million employees. It provides practical help to employers looking to support and retain carers in their workforce. The forum established a new benchmarking tool, '*Carer Confident*', which has been developed for employers wishing to benchmark their practice for carers (Carers UK, 2019). A similar initiative was developed by Family Carers Ireland last year with the launch of the '*Caring Employers: Future-Proofing Your Workforce*'.

## 7. Position and Recommendations

### 7.1 The CAREWELL Team's Position

The CAREWELL team very much welcomes the opportunity to make a submission to this public consultation on flexible working. The team is supportive of introducing a policy on flexible working, which would enable family carers to balance work commitments with caregiving responsibilities of a dependent relative at home.

### 7.2 Key Recommendations

A flexible working policy should:

**7.2.1** Ensure that family carers have the right to request flexible work arrangements in line with other countries such as the UK and in line with the EU Directive for Parents and Carers.

**7.2.2** Ensure that employees are entitled to take a minimum of 5 days of leave per year to allow them to attend to their caregiving responsibilities, in line with the EU Directive for Parents and Carers.

**7.2.3** Ensure that equality of access to flexible working arrangements exists for all employees in an organisation, including men and women, and those at all grades. Particular attention should be given to young adult carers (18-24years) who may be engaging in formal employment for the first time whilst caring for a family member.

**7.2.4** Encourage employers to explore how they can best address the barriers to facilitating flexible working options for their employees who have caregiving responsibilities.

**7.2.5** Encourage genuine support from employers to accommodate employees by giving access to the full range of flexible working arrangements and to introduce strategies that empower employees to structure their own working arrangements and to have more control over how, where and when they work.

**7.2.6** Ensure that family carers who avail of flexible working arrangements are not stigmatised or disadvantaged in any way, especially when it comes to career development opportunities.

**7.2.7** Encourage employers to create and promote a positive culture of flexible working within their organisation.

**7.2.8** Encourage employers to offer training to line managers in managing and supporting a flexible worker and their outputs, ensuring that they are aware of the full range of flexible working options that could be offered to an employee with caregiving responsibilities. A manager's 'toolkit' would assist in this regard.

**7.2.9** Encourage employers to support employees who have caregiving responsibilities with informal flexible working arrangements, as and when the need should arise (e.g. an hour off to collect medication).

**7.2.10** Encourage employers to advertise jobs and promote flexible working options, where possible.

**7.2.11** Be inclusive and responsive to the diverse needs of employees with caregiving responsibilities e.g. those caring for elderly parents, a child with an intellectual disability, or a spouse with a chronic illness, etc.

**7.2.12** Align with other policies where appropriate such as the Carers Leave. Greater awareness of this leave should be promoted among employers and employees. The Workplace Relations Commission (WRC) plays an important role in advising, promoting and policing Carers Leave and therefore should help to support working carers to understand any new rights which may emerge as a result of a flexible working policy, and to police any breaches that may occur.

**7.2.13** Be evaluated. A future policy on flexible working should be evaluated in terms of uptake, effectiveness, barriers, facilitators, etc.

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