

## Factsheet

For single parents in England and Wales December 2015

Freephone

0808 802 0925

Gingerbread Single Parent Helpline

## Working life – a guide to your rights in the workplace

Balancing working life with your home life as a single parent can be a challenge. It involves making calculations and decisions about how to manage your hours around your children's needs, and what you to do if you need to take time off, change your work patterns, or give up work for a time.

As a single parent, there are rules and procedures in place to help you manage your job alongside your caring responsibilities. We've put together this simple guide about your rights at work – from changing your working hours to maternity and paternity leave.

For detailed step-by-step advice on everything from benefits and tax credits to childcare and your wellbeing see our online guide to starting work at [www.gingerbread.org.uk/content/2037/Starting-work](http://www.gingerbread.org.uk/content/2037/Starting-work)

### Taking time off

There are lots of different reasons why you may need to spend more time at home, and there are specific times when you can ask your employer for time off. Knowing what you are entitled to can make it easier to plan when, and how, to ask for time off from your job.

#### Time off to deal with an emergency, or if your child is ill

You have the right to take a reasonable amount of time off work to deal with an emergency involving someone who depends on you. An emergency can include your child or relative falling ill or being injured, a problem with your childcare arrangements or your child being involved in an incident at school.

You should not be penalised by your employer for taking time off, as long as your reasons are genuine. You will need to tell your employer as soon as is reasonably practical for you to do so. Your employer does not have to pay you while you are off work but some employers choose to pay their staff for some or all of this time off.

This is often known as dependant leave, or time off for dependants. Check your employment contract or speak to your employer to find out whether your employer provides paid dependant leave.

You can only take as much time as is needed to deal with the emergency.

What is reasonable will depend on the circumstances of the emergency, but one or two days is typical. If you need to take more time off you should discuss this with your employer. You may wish to consider taking annual leave if your employer does not offer enough paid dependant leave to cover the time you need to take off.

#### Taking time off after a bereavement

If your spouse or partner dies, you have a legal right to take reasonable time off work to make funeral arrangements, as well as to attend the funeral. You also have the right to reasonable time off to deal with other practical issues such as registering the death and applying for probate. You should not be penalised by your employer for taking this time off. What is reasonable will depend on individual circumstances, but is usually a few days. Your employer does not have to pay you for the time you are off work.

Additional time off is often called compassionate leave and may be paid. Being with your children after the death of their other parent is likely to be your top priority. Talk to your employer to see if they offer extra time off as part of your employment contract.

However, there is no legal right to compassionate leave, and if your employer doesn't offer it you could ask for paid annual leave or consider taking sick leave if you are not fit to return to work.

If you have experienced bereavement and would like to know more about your employment rights, support for you and your family, and your benefit and tax credit entitlement, our online bereavement guide available at [www.gingerbread.org.uk/content/2045/Bereavement](http://www.gingerbread.org.uk/content/2045/Bereavement) can help you.

If you have become a single dad due to bereavement and your child is under one you may be entitled to shared parental leave. For more information visit our 'single dads' area at [www.gingerbread.org.uk/content/728/Single-dads](http://www.gingerbread.org.uk/content/728/Single-dads)

### Taking time off during pregnancy and after your child is born

All pregnant employees are entitled to maternity leave. It doesn't matter how many hours you work or how long you have worked for your employer.

There are two types of maternity leave; ordinary maternity leave and additional maternity leave.

#### Ordinary maternity Leave

This is the first 26 weeks of maternity leave. The earliest you can start this leave is 11 weeks before your expected week of childbirth. If you have not started this leave before the baby is born it will start on the day of the birth. If you return to work after this leave you have the right to return to exactly the same job.

#### Additional maternity Leave

Additional maternity leave lasts for 26 weeks and starts on the day after the end of ordinary maternity leave. If you return to work after this leave you have the right to return to the same job if it is reasonably practicable. If it is not reasonably practicable for your employer to offer you the same job back, they must offer you an alternative job that is substantially the same, for example, a job with the same status and salary and/or bonus. If your employer does not meet this criteria on your return to work, get advice from a professional.

Maternity Action has useful advice on [Discrimination during maternity and on return to work](#), which you can download via their website, [www.maternityaction.org.uk](http://www.maternityaction.org.uk), as well as other useful factsheets about pregnancy and maternity rights at work. Maternity action's helpline number is 0845 600 8533.

#### Maternity pay

Whether you are entitled to be paid while on maternity leave, and how much will depend on:

- How long you have worked for your employer
- The amount of your average earnings
- The terms and conditions of your employment.

See our [money during maternity, paternity and adoption](#) factsheet to find out more information about maternity pay and other financial help you may be entitled to. You can download this and other factsheets at [www.gingerbread.org.uk/factsheets](http://www.gingerbread.org.uk/factsheets).

#### Paternity leave and pay

You may qualify for paternity leave and pay if you expect to have responsibility for the care and upbringing of a child under one and you are either:

- The child's father
- Married to, or the civil partner of, the child's mother
- The partner (including same-sex relationships) of the child's mother.

More information about paternity leave and pay is available in the single dads section of our website: [www.gingerbread.org.uk/content/734/Taking-time-off](http://www.gingerbread.org.uk/content/734/Taking-time-off)

#### Adoption leave and pay

You will qualify for 52 weeks adoption leave if you are adopting a child and you have been working for your employer for at least 26 weeks by the date you are matched with a child for adoption. You may qualify for statutory adoption pay for 39 weeks. Our factsheet [Money during maternity, paternity and adoption](#) has more information about statutory adoption pay.

#### Shared parental leave

If both parents are eligible, you may be able to take shared parental leave. This means that you will be able to share the care of your child more flexibly in their first year following birth or adoption. This applies to parents who do not live together as well as couples.

You may decide to take it in turns to have periods of leave to look after your child, or you may decide to be off work at the same time.

You will qualify for shared parental leave if either parent is entitled to a form of maternity or adoption leave, and if the child's other parent meets the employment and earnings test.

If you are looking after your child by yourself because of bereavement during your child's main carer's maternity or adoption leave, there are special rules that allow you to take shared parental leave. This applies even if the other parent didn't request this before he or she died.

For more information about shared parental leave visit [www.gov.uk/shared-parental-leave-and-pay/overview](http://www.gov.uk/shared-parental-leave-and-pay/overview) and check whether you are eligible.

### Parental leave

You are entitled to parental leave if you have a child under the age of 18, and you have at least one year's continuous service with your employer. You must also be named on the child's birth or adoption certificate or have legal parental responsibility. See our factsheet Parental responsibility for more information about parental responsibility.

The purpose of parental leave is to care for your child. Examples of the way parental leave might be used include:

- Straight after your maternity, paternity or adoption leave (providing you give the correct notice)
- Spending more time with your child in their early years
- Time with your child during a stay in hospital
- Looking at new schools
- Settling your child into new childcare arrangements
- Allowing your family to spend more time together, for example, taking your child to stay with grandparents.

Single parents who are self-employed are not entitled to parental leave.

### How much parental leave can I take?

There are rules about how much parental leave you can take in one go and how much notice you need to give, but in total you can take up to 18 weeks for each of your children under 18 years.

Under the default scheme, each parent may not take more than four weeks in any one year for each qualifying child. You have to take parental leave a week at a time, but if your child receives disability living allowance (DLA) or personal independence payment (PIP), you can take parental leave a day at a time.

You will need to give your employer at least 21 days' notice before the intended start date of your parental leave.

Your employer does not have to pay you for this leave but they may choose to, and they can delay this leave in some circumstances.

For more information on parental leave and help if your employer refuses your request see the information provided by the charity Working Families [www.workingfamilies.org.uk](http://www.workingfamilies.org.uk)

### Working hours

There's no set model for how to approach working and being a single parent – the balance between paid work and caring for your family depends on your own unique circumstances. There is support and guidance for how to find the balance that best suits you and your family.

### Changing or reducing your hours at work

You may find after becoming a single parent that the hours you used to work just aren't right for you anymore. Changing or reducing your working hours so that they fit better with your other commitments or lifestyle is sometimes called flexible working. The law allows employees to ask their employer to change their working hours or pattern, or to work from home. This request must be considered.

Flexible working may include:

- Working flexible hours, so that you can choose when to work (although there are usually some set times you have to work)
- Compressing your hours so that you work the same hours in total, but over fewer days
- Working from home
- Reducing your hours
- Changing the time you start and finish work
- Term-time working
- Job sharing.

To be able to ask for flexible working from your employer you must:

- Be an employee
- Not be an employee shareholder, unless you are returned from parental leave within the last 14 days
- Not be an agency worker, unless returning from parental leave
- Not be a member of the armed forces
- Have worked for your employer for at least 26 weeks in a row
- Have not made an application for flexible working under this rule in the past 12 months.

If you meet all of the above criteria you have a legal right to apply to change your working hours, and there is a procedure you need to follow. Your employer doesn't have to agree to your request, but they should seriously consider it and only reject your application if there are good business reasons for doing so. The organisation **Working Families** provides information and advice about changing your working hours and making a good application at [www.workingfamilies.org.uk](http://www.workingfamilies.org.uk).

If you do not have the legal right to apply then you can still ask your employer if they will agree to change your hours. It will help if you can explain the reasons why you want to change your hours and how you think your employer can accommodate this.

Find out more about the right to request flexible working at [www.gov.uk/flexible-working](http://www.gov.uk/flexible-working).

Changes in your working hours can affect which benefits and tax credits you are eligible to receive and the amount of money you get. Find out how your entitlements might change if your job, working hours or pay change with our [step-by-step interactive guide](http://www.gingerbread.org.uk/content/2144/Work) at [www.gingerbread.org.uk/content/2144/Work](http://www.gingerbread.org.uk/content/2144/Work).

### What to do if your employer wants to change your hours at work

There may be times when your employer may try to change your hours of work to suit the needs of their business. If you are not happy with the suggested change, or if it would make managing your childcare responsibilities more difficult, get advice from ACAS or Citizens Advice. Their details are listed at the end of this factsheet.

The organisation ACAS provides free, impartial advice on employment law issues. A useful leaflet on changing your hours at work can be downloaded free from [www.acas.org.uk](http://www.acas.org.uk). To speak to an employment adviser, call their helpline on 0300 123 1100.

Working Families provides specific advice for working parents and have written a useful article on the law when an employer asks you to change your hours

See the gov.uk website employment pages for general information about changes to employment contracts and conditions of work ([www.gov.uk/your-employment-contract-how-it-can-be-changed](http://www.gov.uk/your-employment-contract-how-it-can-be-changed))

### Check your benefits and tax credits entitlements

If your working hours or income changes you may become entitled to benefits such as tax credits and housing benefit as well as child benefit. Entitlement to these benefits depends on your income. See the [money](#) pages on our website at [www.gingerbread.org.uk](http://www.gingerbread.org.uk) for more information. Our helpline advisers can provide you with a benefits check and calculation – details are at the end of this factsheet.

### Problems at work

The organisation ACAS provides free, independent employment law advice on a range of issues. ACAS advice includes holidays and holiday pay, short-time working, bullying and harassment, flexible working, stress at work and equality issues, as well as a work guide for parents. Call 0300 123 1100 to speak to an ACAS adviser or download publications and factsheets from [www.acas.org.uk](http://www.acas.org.uk).

The organisation Working Families provides advice for working parents, particularly around flexible working and other rights at work for parents and carers. Call 0300 012 0312 for advice or visit the website [www.workingfamilies.org.uk](http://www.workingfamilies.org.uk).

The organisation Maternity Action provides free, independent advice and information to help you understand and take up your rights and entitlements throughout your pregnancy, maternity leave and return to work. Call 0845 600 8533 to talk to an adviser or download information sheets from the website [www.maternityaction.org.uk](http://www.maternityaction.org.uk).

## **Giving up work**

If you make the decision to leave work, whether to care for your family full-time or to return to education, you will need to know what kind of support your family is entitled to.

### **Changes to benefits after leaving work**

If you are thinking of giving up work and claiming benefits, make sure you get advice before resigning. Check whether you will be able to claim benefits straight away and get a full benefits calculation. You will be able to see how your income would change if you leave your job.

If you have a child under five, you can give up work and claim income support at any time, as long as you meet the other conditions of entitlement. There is no penalty for giving up work to claim income support. You can claim income support until your youngest child is five. For more information about claiming income support, see our factsheet [Claiming income support and other benefits](#).

If you are unemployed once you leave your job and your youngest child is aged five or over you may be able to claim jobseeker's allowance if you are fit for work, or employment and support allowance if you have an illness, disability or health condition that means you are not able to work.

You may not be able to claim jobseeker's allowance immediately after giving up work. If the Jobcentre does not consider you have a good reason for giving up a job, they may refuse to pay you jobseeker's allowance for the first 13 weeks after you stop working. This is called a sanction. So make sure you do check the rules with a benefits adviser or the Gingerbread helpline first.

If you claim jobseeker's allowance you will be expected to be available for and actively seeking work. As a single parent you can limit the hours you are prepared to work to take account of your caring responsibilities. For more information on jobseeker's allowance see our factsheet [Claiming jobseeker's allowance and other benefits](#).

There are special rules which apply to single parents who claim jobseeker's allowance. See our factsheet [Jobseekers allowance: special rules for single parents](#) for more details.

If you are thinking of giving up work because of ill health or disability see our factsheet [Benefits and tax credits for ill health or disability](#) for more information.

All the above factsheets are available to download at [www.gingerbread.org.uk/factsheets](http://www.gingerbread.org.uk/factsheets)

**Note:** universal credit is a new benefit system that is replacing many of the current benefits and tax credits. A small number of families with children who are claiming certain benefits for the first time in selected areas may need to claim universal credit instead of benefits such as jobseekers allowance, income support and employment and support allowance. For more information on universal credit and how it may affect your family you can visit the [universal credit](#) section of our website.

For advice on your individual situation call the Gingerbread Single Parent Helpline on 0808 802 0925 to speak to an expert adviser. Calls are free.

### **Leaving work to return to education**

If you plan to give up work to study full-time or part-time, we have information about the financial support available to you. See our [Money for further education students](#) and [Money for higher education students factsheets](#).

## Further help and information

### **Gingerbread Single Parent Helpline**

Freephone 0808 802 0925

[www.gingerbread.org.uk](http://www.gingerbread.org.uk)

Provides free, confidential advice for single parents. No matter the challenge – around your finances, contact arrangements or help you could receive – our trained advisers are here with tailored advice that works for you.

### **One Parent Families Scotland Lone Parent Helpline**

Freephone 0808 801 0323

[www.opfs.org.uk](http://www.opfs.org.uk)

Run by our partner organisation, One Parent Families Scotland, the Lone Parent Helpline provides free, confidential advice and information for single parents in Scotland.

### **ACAS**

0300 123 1100

[www.acas.org.uk](http://www.acas.org.uk)

Help and advice to employers and employees regarding life in the workplace. ACAS can provide information and guidance on preventing and resolving disputes at work. Visit their website for helpful information, or call their helpline for free support and advice.

### **Citizens Advice**

England: 03444 111 444

Wales: 03444 77 20 20

[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

Information and advice on a wide range of issues including benefits, employment, debt, housing and consumer rights.

### **Directgov**

[www.gov.uk](http://www.gov.uk)

Information on a wide range of subjects including benefits, employment, education and money.

### **Maternity Action**

0845 600 85 33

[www.maternityaction.org.uk](http://www.maternityaction.org.uk)

Advice, information and support to mums and dads, employers and professionals regarding family life. Their website has useful factsheets and guides, and their advice line provides more tailored support.

### **Working Families**

0300 012 0312

[www.workingfamilies.org.uk](http://www.workingfamilies.org.uk)

Advice on benefits and employment law.

### **More from Gingerbread**

The following related Gingerbread factsheets for single parents are also available:

- > [Money for higher education students](#)
- > [Money for further education students](#)
- > [Claiming jobseeker's allowance](#)
- > [Claiming income support and other benefits](#)

Download them from our [website](#) or call 0808 802 0925 to request them from the helpline.

### **Become a Gingerbread member**

Membership is available to single parents in England and Wales. Join a community of thousands of single parents who benefit from mutual support, free advice and information. You can also meet other single parents at one of our local support groups.

Visit our [website](#), call 0800 018 4318 or email [membership@gingerbread.org.uk](mailto:membership@gingerbread.org.uk)

**Gingerbread**  
Single parents, equal families

Gingerbread, the charity for single parent families, is registered in England and Wales as a company limited by guarantee, no. 402748, and a registered charity, no. 230750. The Gingerbread Single Parent Helpline is supported by the Department for Education, HMRC, The Big Lottery and other funders and is accredited by the Helplines Partnership.

[www.gingerbread.org.uk](http://www.gingerbread.org.uk)

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