

## **Childminders and jury duty**

Everyone aged between 18 and 70 (soon to be raised to 75) in England is eligible for jury service. Many people consider it an honour to be called for jury service and will love the opportunity to see first hand how the court system works.

However, some childminders will be concerned about the impact of taking 2 or more weeks off work - on their own families, on the children for whom they care and their families and on their income.

Everyone who is called for jury service will receive a letter informing them that they can apply for discretionary excusal and, if you have a good enough reason, then you might be excused. If you do not want to take part in jury service, you should fill in the form giving your reasons for why you would like an excusal and send it back to the Jury Central Summoning Bureau as quickly as possible.

Reasons for excusal might include -

- You have a holiday booked (and paid for)
- You have an operation scheduled / you would be recovering from an operation during the weeks when you have been called / your child is scheduled for an operation and there is no one else available to care for them
- You have an academic exam due
- You are pregnant and have severe morning sickness / you are due to give birth at the time of the jury service / you are breastfeeding a small baby
- Your child has a serious medical condition such as diabetes and you would struggle to find a childcarer who could administer medication through the day
- It would severely disrupt the care of your own children because they are very young - you might not have a partner or your partner might not be able to take time off work to care for your children
- You are sole carer for an elderly relative - a job which you combine with your childminding. The relative would have to go into a home, your own children would need to be sent to a childcarer and all this combined with the disruption to your childminded children and families and the loss of income from childminding would leave you in serious financial trouble - for example, you would not be able to pay the mortgage or bills
- You childmind for lots of children every day whose parents will struggle to find alternative care. If possible, ask parents to give you a letter which you can send along with your form explaining the impact you being called for jury service will have on them and their children.
- You childmind for disabled / SEN or other disadvantaged children and it will be a huge upheaval for them if they have to go elsewhere
- You have a stress related medical condition which you manage while childminding but which you are very worried will recur if you have to go through the worry of sending your own children to a childminder and re-organising 5 / 6 / 7 childminded children with other childcarers for an unlimited period of time

- Outcomes for the your own and the childminded children will be severely affected by the children being split up and sent to lots of different childcarers
- You have a medical condition, for example a bad back which means that you are unable to sit all day. You manage this while childminding but you are very concerned about the effect it will have on you if you have to sit in a jury box
- You live in a rural area and alternative childcare options for parents to access are very limited
- You have spoken to childminder colleagues who live nearby and none of them have enough vacancies to take a family of 2 / 3 children. Parents will find it difficult and children will find it traumatic if they have to be split up between different childcarers
- It will be very difficult to re-settle 5 / 6 / 7 (or more) children back into your care if you have to take a lot of weeks off - maybe you only ever have 2 weeks off a year because you value continuity of care for the children very highly
- It is against your religion to judge another person - the bible states, 'Judge not, that ye be not judged' (Matthew 7 verse 1)
- Jury service can continue for many weeks and this will affect you very seriously financially as you are a single parent / your family cannot survive without your childminding income

**Note** - there is some funding available if you have to use a childminder for your own children while you are on jury service so you cannot use lack of funds to pay for a childminder as a reason for excusal.

### **If they refuse to excuse you...**

If you are refused excusal, you have the right to appeal. In some cases childminders are asked when they can attend - and have no alternative but to offer to do jury service on the weeks they have taken as holiday so their partners are at home to look after their own children.

If you are again refused excusal, you will have to attend - you can be fined up to £1000 if you refuse.

### **Claiming back expenses**

If you do have to attend jury service, there is some financial remuneration available, but Government payments are capped. You might be able to claim -

- Reasonable travel expenses (not parking)
- Food costs - either from a canteen or a reasonable amount to eat elsewhere
- Loss of earnings - this payment is capped (currently at £64.95 a day for over 4 hours service). If you have to stay on jury service for longer than 2 weeks the amount increases.

Some childminders have been asked to take proof of earnings to the court service and have been paid based on these - however, available information suggests that this has changed. The court service will help you to claim your full amount. You can find more information about claiming here -

<https://www.gov.uk/jury-service/what-you-can-claim>.

## **Insurance and expenses**

If you are insured by Morton Michel your policy (underwritten by DAS) states, 'We will pay the attendance expenses of an insured person for jury service' (page 20).

Morton Michel childminder insurance schedule -

[http://www.mortonmichel.com/assets/KH2712\\_Childminder\\_Policy\\_Jun12.pdf](http://www.mortonmichel.com/assets/KH2712_Childminder_Policy_Jun12.pdf)<https://www.mortonmichel.com/Childminder/>

Attendance expenses are stated to be, 'The insured person's salary or wages for the time that the insured person is off work to attend any arbitration, court or tribunal hearing at the request of the representative or while attending jury service. DAS will pay for each half or whole day that the court, tribunal or the insured person's employer will not pay for.' (page 32).

As childminders are not employed - but this statement is part of the insurance schedule for childminders - I suggest that you contact them for further information -

<https://www.mortonmichel.com/Childminder/>.

For more advice you can contact the Jury Central Summoning Bureau - 0207 202 6800.

You can also find more information here - <https://www.gov.uk/jury-service/overview>.