



Policy – Managing Carer's Needs

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Version control

This document is subject to regular review due to legislative and policy changes. The latest versions of all our publications can be found on our website. Before contacting us about the content of this document, we recommend that you refer to the most recent version on the website and any relevant guidance.

Version	Date approved	Approved by	Notes / changes
v1.0	20/09/11	Full council	New policy
v1.1	15/12/12	HR	Reformatting
v2.0	29/09/17	Andrea Malam	Reformatting
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v2.2			Changes to legislation April 2024 – Carers Leave Act 2023

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Roles and Responsibilities

Managers

- To be aware of and follow the relevant legislation and the council’s policy on flexible working
- To be aware of and understand the range of leave and working hours’ options available
- To be aware of where to get further information and/or guidance
- To be aware of the pressures that balancing caring responsibilities with work can bring
- To be sympathetic to requests for leave or for a change in working patterns
- To be open minded and constructive to new ways of working
- To be approachable
- To be fair and consistent in how they treat all their staff
- To respect the employee’s privacy and be discreet

Employees

- To understand that it is their responsibility to meet their caring obligations and that the employer’s role is to support where possible
- To appreciate that they are working as part of a team and that their actions may well have implications for their colleagues and the work
- To be as open as they feel able to be with their managers about their caring responsibilities to enable them to provide appropriate support
- To communicate with colleagues and involve them where possible in decisions that may have an impact on their work, to avoid building up resentments
- To give their managers (where possible) advance notice of when they would need to take leave

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- To accept that they may have to compromise if their request for leave or a change of working pattern cannot reasonably be accommodated

Definition of a Carer

Carers are employees with significant caring responsibilities that have a substantial impact on their working lives. These employees are responsible for the care and support of disabled, elderly or sick partners, relatives or friends who are unable to care for themselves.

Their responsibilities may be:

- New Care
- Short Term Care
- Long Term Care
- Immediate/emergency care

Support and Advice

Further information and advice can be sought internally from:

- Human Resources
- Occupational Health
- Trade Union Representative
- Social Services
- Welfare Rights Team

Options

Flexible Working

Flexible working is key to ensuring that employees with caring responsibilities can work and continue to be effective in the workplace. Examples of flexible working are:

- Flexible working hours
- Flexible starting and finishing times

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- Compressed working hours
- Annualised working hours
- Job sharing or part-time working
- Homeworking
- Term-time working

Such arrangements can be implemented on a short or long term basis. A combination of approaches may also be required, for example compressed working hours + home working for part of the week.

Converting Time Off to Hours

For full time employees, annual leave is normally taken in ½ or full days. Similar arrangements are in place for Flexi leave and TOIL. Where carers may need short periods of time off, leave can be taken in hours.

Care must be taken to ensure that not all an employee’s annual leave is taken up by caring responsibility and that they are still benefiting from time off.

Other Options

- Access to telephone and/or allowing their mobile phone to be switched on
- Reasonable notice if shift patterns or hours of work are changing
- Reasonable notice if there is a need for the employee to work overtime
- Accommodate request for leave where possible
- Allow employees to be contacted at work about a cared for person
- Where an employee has exhausted their leave entitlement; consider allowing them to borrow leave from the next leave year.
- This should be a reasonable amount and should not exceed 10 days leave.

This section is not exhaustive. If the employee and/or the manager have a different solution they should discuss it with HR providing it is workable and within the general principles of this policy, then it can be implemented.

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Special Leave Arrangements

Purchasing Additional Leave

Employees who have on-going carers responsibilities can purchase up to 40 (pro rata for part time employees) additional days leave every year. These should be used to take time off to meet their responsibilities i.e. hospital/doctors visits. Untaken leave at the end of the leave year can be carried forward to the following year. The cost of purchasing the additional days will be based on the employee’s basic salary and will be deducted monthly over the leave year from the employee’s pay.

Employees wishing to purchase the additional leave should complete the Purchasing Additional Leave form and submit it to their Line Manager.

Emergency Leave

Where the employee needs time off to deal with an emergency at home, they should be granted reasonable time off without pay; annual/flexi/toil; or if they have purchased additional leave, this can be used. The purpose of the emergency leave is to allow the employee time to deal with an immediate problem and make alternative arrangements. It should not be an ongoing solution.

Situations where leave might be taken include:

- A disruption or breakdown in care arrangements
- If a dependant falls ill or has been assaulted or in an accident include when the victim is hurt or upset rather than physically injured.
- To make longer term arrangements for a dependant who is ill or injured.

Carers Leave

Where a dependant is seriously ill, the council can grant up to 5 days paid carers leave per annum. This should only be granted following consultation with the employee to understand fully what their requirements are, and following discussion with the appropriate Head of Services or HR.

Managers should not automatically grant up to the 5 days leave. Careful consideration must be given to the circumstances and future prognosis for the

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dependant. It may be more appropriate to allow unpaid leave or annual/flexi/toil which would leave the 5 days paid carers leave to a later date when the employee’s needs may be greater. Alternatively, the manager could agree a combination of annual/flexi/toil and unpaid/paid leave for example, the employee takes 2 days leave and the council gives 2 days carers leave.

Unpaid Carers leave

Unpaid Carers leave (Carers Leave Act 2023) is a day-one right, available to all employees without any qualifying period.

An employee's dependants can include:

- their husband, wife, civil partner or partner
- their child
- their parent / grandparent
- a person who lives in their household (not tenants, lodgers or employees)
- a person who relies on them for care, such as an elderly neighbour

What counts as a long-term care need?

A dependant has a long-term care need if they have any of the following:

- a [disability as defined under the Equality Act 2010](#)
- an illness or injury that is likely to need care for at least 3 months
- a care need related to old age

What carer's leave can be used for

Examples of when an employee could use carer's leave include:

- taking their disabled child to a hospital appointment
- moving their parent who has dementia into a care home
- accompanying a housebound dependant on a day trip
- providing meals and company for an elderly neighbour while their main carer is away with work for the day

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How much time someone can take

Employees can take up to 1 week of carer's leave every 12 months. They can choose to take leave as:

- half days – this is the minimum they can take
- full days
- a whole week

An employee is entitled to a period of leave that is equal to their usual working week. For example, if someone works 3 days a week, they can take 3 days of carer's leave.

An employee might have been working for their employer for less than a week. If that's the case, a week is the number of days or hours they would normally work in that week.

If an employee cares for more than one dependant

An employee might need to care for more than one dependant. In these circumstances, they can still only take one week of carer's leave. But they can use the week of leave for more than one dependant.

Minimum notice requirements

Number of days requested	Minimum notice required
Half a day to 1 day	3 days' notice
1.5 to 2 days	4 days' notice
2.5 to 3 days	6 days' notice
3.5 to 4 days	8 days' notice
4.5 to 5 days	10 days' notice
6 days (if an employee works 6 days a week)	12 days' notice

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An employee does not have to:

- put their request for leave in writing
- give their employer evidence of their dependant's care needs

When an employer can change carer's leave dates

Employers cannot refuse someone's request for carer's leave. But they can ask them to take it at a different time. They can only do this if the employee's absence would cause serious disruption to the organisation.

If the employer needs to delay the leave, they must:

- agree another date within 1 month of the date the employee originally requested leave for
- explain in writing why they need to delay the leave – they must do this within 7 days of the request or before the leave starts, whichever is the earlier.

If the employee needs to cancel their request for carer's leave, they should do this as soon as possible. It's good practice for the employer to consider this but they do not have to agree to it.

Please see the link here for further information [Unpaid carer's leave - GOV.UK](https://www.gov.uk/unpaid-carers-leave)
(www.gov.uk)

Parental Leave

Please refer the Parental Leave policy.

Working Examples

Example 1

An employee's partner has cancer and has to travel to Bodelwyddan daily for treatment. This means that the employee cannot start work at 9.00 as they should do

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Solutions

- Change the start time to a later time. Where it is not possible to change the start time (e.g. Refuse Operatives), consideration should be given to temporarily moving the employee to different duties where this could be accommodated
- Use some annual leave converted to hours to cover the additional time
- Allow the employee to make up their time through home working in the evenings and/or weekends
- If the employee works on a shift system, speak to colleagues about swapping shifts to a later one
- Offer temporary reduction in hours of work

Example 2

The day center which looks after the employee’s mother has had to close due to problems with the central heating. Solutions:

- Unpaid emergency leave
- Paid annual/flexi/toil or additional purchased leave if appropriate

Example 3

An employee’s newly born child has been diagnosed with a serious illness. Solutions:

- Combination of annual/toil/flexi leave; paid carers leave and unpaid leave
- Parental Leave

Example 4

An employee has long term caring responsibility for a same sex partner with a degenerative disease. Actual needs unclear as there are good and bad weeks.

Solutions:

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- Reduced hours to be worked on a flexible basis
- Annualised Hours
- Flexible arrangement for combining home/work based working
- Redeployment into a more flexible post

Example 5

An employee’s wife has a pre-planned operation and will require care for 2 days after the operation. Solution:

- Annual/Flexi/Toil or unpaid leave

Example 6

A refuse operative who is required to work as part of a team to set hours, requires two hours per week for a period of 4 weeks, to take a family member to the hospital.

Solution

- Opportunity to make up the hours at a later date. In some cases, it may be necessary to look at different duties e.g. duties on the yard; emergency cover duties.
- Converting annual leave to hours to cover the time
- A temporary reduction in hours/pay