



CARER'S LEAVE POLICY

1. Introduction

This document sets out the Council's policy on carer's leave. The Council implements the carer's leave rights set out in legislation.

This policy applies to all employees. It does not apply to agency workers, consultants or self-employed contractors.

1. Entitlement to carer's leave

To qualify for the right to take carer's leave, you must want to be absent from work for the purpose of providing or arranging care for a dependant with a long-term care need.

A person is your dependant if they are one of the following:

- your spouse or civil partner
- your child
- your parent
- someone who lives in the same household as you, otherwise than by reason of being your boarder, employee, lodger or tenant, or
- someone who reasonably relies on you to provide or arrange care.

Your dependant has a long-term care need if they:

- have an illness or injury (whether physical or mental) that requires, or is likely to require, care for more than three months
- have a disability for the purposes of the Equality Act 2010, or
- require care for a reason connected with their old age.

2. Carer's leave

Assuming you are eligible, you are entitled to take up to one week of carer's leave in any rolling twelve-month period, and you can take carer's leave in individual days or half-days, up to a maximum block of one week. Carer's leave does not need to be taken on consecutive days and it can be taken on any working day (or days) of the week.

If you provide or arrange care for more than one dependant with a long-term care need, you are still only entitled to take up to one week of carer's leave in any rolling twelve-month period.

3. Notice of intention to take carer's leave

You are required to give notice of your intention to take carer's leave to the Council, specifying:

- that you are entitled to take carer's leave
- the days on which you intend to take carer's leave, and if your leave relates to a half-day, you must clearly specify this.

Your notice can relate to all or just part of the carer's leave to which you are entitled in any rolling twelve-month period.

You must give this notice of your intention to take carer's leave to the Council by whichever is the earlier of:

- twice as many days in advance of the earliest date specified in your notice as the number of days or half-days to which your notice relates, or
- three days in advance of the earliest date specified in your notice.

Your carer's leave will then be on the date, or dates, specified in your notice, unless the Council elects to postpone it.

Requests for Carer's Leave should be made in writing and submitted to your Line Manager. This will ensure you fulfil your obligation to provide notice of your intention to take carer's leave to the Council, and it will also enable you to self-certify your eligibility.

4. Postponement of carer's leave

The Council may postpone your intended carer's leave where it reasonably considers that the operation of its business would be unduly disrupted if you took carer's leave during the period identified in your notice.

In order to postpone carer's leave, the Council must alternatively agree to permit you to take a period of carer's leave which is of the same duration as the period originally identified in your notice, and which begins on a date determined by the Council after consulting with you, which is no later than one month after the earliest date of your original request for carer's leave.

The Council will also give you a notice in writing which states the reason for the postponement and sets out the agreed dates that you can now take carer's leave. This notice will be given to you as soon as reasonably practicable but not later than the earlier of:

- seven days after your notice was given to the Council, or
- before the earliest date requested in your notice.

5. Terms and conditions during carer's leave

You have no contractual or statutory right to be paid for absences relating to carer's leave and therefore it is unpaid. Any payment of salary during such time off is made at the absolute discretion of the Council.

During carer's leave, your contract of employment continues in force and you are entitled to receive all your contractual benefits, except for salary. In particular, any benefits-in-kind will continue, contractual annual leave entitlement will continue to accrue and pension contributions will continue to be made.

During carer's leave, you also remain bound by any obligations arising under your contract of employment.

6. Your rights on return to work

On resuming work after carer's leave, you are entitled to return to the same job. Your seniority, pension and similar rights will be the same as they would have been if you had not been absent, and your terms and conditions will not be less favourable than those which would have applied if you had not been absent.

7. Interaction with other statutory rights and policies

If you are entitled to carer's leave under the terms of this policy and you also have the statutory right to take a reasonable amount of unpaid time off to deal with a family emergency (see the Council's time off for dependents policy), any time off taken as carer's leave is in addition to time off available under that statutory right.

If you are entitled to carer's leave under the terms of this policy and the Council also grants you an equivalent or corresponding right to compassionate leave, you cannot exercise the two rights separately, but you may, in taking the leave for which the two rights provide, take advantage of whichever right is, in any particular respect, the more favourable.