



## Carers Leave Policy and Procedure

### Introduction

West Oxfordshire District Council ('the Council') prides itself on being an employer of choice. With an incredibly varied role in delivering the very best for our residents, communities and businesses, our employees are committed and really make a difference. In return we seek to support and empower our employees, to give their best.

The Carers Leave Policy and Procedure ('the Policy') sets out the statutory right of employees to carer's leave to provide or arrange care for a dependant with a long-term care need, and other support that we offer to combine work with care.

We recognise the challenges that carers face while trying to balance the demands of caring, work, and looking after their own health. As a Council, we are committed to doing what we can to help ensure the health and wellbeing of employees with caring responsibilities is looked after.

The Policy does not form part of the employees Contract of Employment, and the Council reserve the right to amend or withdraw it at any time.

### Scope

This Policy applies to employees employed by the Council. It does not apply to workers, contractors, consultants or any self-employed individuals working for the Council.

A carer is anyone with caring responsibilities who provides care, assistance and support to any other individual who may be seriously ill or unable to care for themselves. An employee may acquire caring responsibilities overnight or they may develop over time.

Carers might find it difficult to distinguish their caring role from the personal relationship they have with the individual they are caring for, be it a relationship with a spouse, civil partner, child, parent, or friend. Therefore, some employees may not immediately identify themselves as a carer.

The activities that carers undertake are wide ranging, including but not limited to:

- Help with personal care
- Help with mobility
- Managing medication
- Practical household tasks
- Emotional support
- Help with financial matters or administration

## Requesting support

The Council recognise that caring can be unpredictable, emotionally taxing, and a topic that not everyone finds easy to talk about. However, the Council encourage employees to speak with their line manager about any particular issues that they are experiencing to ensure that employees are provided with the right support.

Although employees are not required to share evidence or the details of who they care for and their needs, being as open as possible about their caring responsibilities helps the Council to explore how we can support employees with any challenges they are facing. If for any reason employees are unable to approach their line manager, they can speak to Human Resources.

Any information disclosed by employees during discussions with their line manager or Human Resources will be treated sensitively and in strict confidence.

## Entitlement to carer's leave

Whatever an employee's length of service, they have a statutory right to take carer's leave to provide or arrange care for a dependant if they have a long-term care need.

In the context of statutory carer's leave, a dependant can include:

- Your husband, wife, civil partner, partner, child or parent
- Any person who lives in the same household as you (other than as a lodger, tenant, boarder or employee)
- Any other person who would reasonably rely on the employee to provide or arrange care, such as an elderly neighbour

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

- An illness or injury (whether physical or mental) that requires, or is likely to require, care for at least 3 months
- A disability as defined under the Equality Act 2010
- Require care for a reason connected to their old age

This statutory right to carer's leave applies to a wide range of caring situations, but excludes general childcare, except where the employee's child meets the definition of a dependant with a long-term care need.

## What carer's leave can be used for

Examples of when carer's leave could be used include, but is not limited to:

- Taking an employees disabled child to a hospital appointment
- Moving an employees 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

## Amount of carer's leave an employee can take

The amount of carer's leave that an employee can take is up to one week in any 12-month rolling period.

A week of carer's leave is the same duration as an employee's normal working week, meaning that a full-time employee is entitled to 5 days' carer's leave in any 12-month rolling period. If an employee is contracted to work 3 days per week, for example, an employee will be entitled to 3 days of carer's leave, and so on.

An employee can take the leave in one continuous block, as individual days, or as half days.

If an employee is caring for more than one dependant, they do not have a separate entitlement to carer's leave for each dependant.

### Notice to take carer's leave

If an employee needs to take carer's leave, they should submit their notice via email to their line manager and Human Resources.

The Council asks that employees give as much notice as possible when requesting carer's leave so that the Council can plan for the employee's absence. In any event, the employee must give notice in advance that is either twice the number of working days that the employee wishes to take as carer's leave, or 3 days, whichever is earlier.

If the employee is unable to give the correct notice, approval will be at the discretion of their manager. Alternatively, the employee may be able to request emergency leave under our Time off for Dependants' Policy.

All carer's leave must be approved in advance by the employee's manager.

### Pay during carer's leave

Any leave taken as carer's leave is unpaid.

All other benefits will remain in place. For example, holiday entitlement continues to accrue and pension contributions will continue to be paid.

### Postponing carer's leave

While every effort will be made to meet an employee's request, we may postpone a period of carer's leave if we consider that the absence will disrupt business operations.

If a decision is taken to postpone an employee's leave, their line manager will consult with the employee to find an alternative leave period within one month of the carer's leave period originally requested.

The line manager will write to the employee within 7 days of receiving the notice, clarifying the reason for the postponement and the revised dates on which the carer's leave can be taken.

### Cancelling carer's leave

An employee can cancel carer's leave and take it at a different time as long as the employee let's their line manager know before their leave has started.

An employee cannot cancel any carer's leave that has already begun.

## Our commitment to employees

Following carer's leave, an employee has the right to resume working in the same job as before on terms and conditions that are no less favourable than the terms that would have applied had the employee not been absent. The employee's continuity of employment is not affected.

The employee has the right not to be subjected to any detrimental treatment (including being unfairly penalised, disciplined or dismissed) because an employee has taken, sought to take, or made use of the benefits of carer's leave.

If an employee is told not to take or request carer's leave, or believes that they have been subjected to detrimental treatment because they have taken or requested carer's leave, they should report the matter to Human Resources. Alternatively, employees can raise this under the Council's Grievance Policy and Procedure.

Any such behaviour will not be tolerated and may be treated as a disciplinary offence.

## Other types of leave

The statutory right to carer's leave is intended to be for planned and foreseen caring commitments. If an employee needs to take time off to manage an unexpected or sudden problem relating to a dependant and make any necessary longer-term caring arrangements, please see our Time off for Dependants' Policy and Procedure.

The Council recognises that employees may need a longer period off work that goes beyond the statutory entitlement to carer's leave under this Policy. In such cases, the Council may agree for employees to take the time off work as annual leave.

The Council realises that flexible working can help navigate the challenges of caring while working. The Council enables a wide range of flexible working practices within the workplace. If an employee feels that they would benefit from a change to their working arrangements to help balance their work and caring responsibilities, the Council encourages them to look at the Flexible Working Policy and Procedure.

If employees feel that they would benefit from a temporary change to their working arrangement on an ad hoc basis, the employee should discuss and agree this with their line manager.

## External sources of help

There are various organisations that provide help and support to carers, including:

- [Carers UK](#), which provides help and advice for carers on employment rights, benefits and tax credits, assessments, and other practical matters for carers
- the [NHS website](#), which provides a wealth of information and advice for carers
- [Grace Care Consulting](#), which provides advice and support on care, special needs and neurodiversity
- [Age UK](#) and [Independent Age](#), which offer information and support to anyone providing informal unpaid care to an older person through a range of local services
- [Contact a Family](#), which provides support, advice and information to families with disabled children
- [Carers Trust](#), which works with other organisations to provide access for carers to breaks, information, advice, education, training and employment opportunities

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