



Colchester  
City Council

# Carer's Leave Policy

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## Carer's Leave Policy

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# Carer's Leave Policy

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## 1. Introduction

This 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 an organisation, we are committed to doing what we can to help to ensure that the health and wellbeing of employees with caring responsibilities is looked after.

The policy does not form part of the contract of employment and the organisation reserves the right to amend it at any time.

## 2. Scope

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

## 3. Being a carer

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.

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; and
- help with financial matters or administration.

## 4. Requesting support

The organisation recognises that caring can be unpredictable and emotionally upsetting. An employee may acquire caring responsibilities overnight or caring responsibilities may develop over time.

We realise that caring is a subject that not everyone finds it easy to talk about. However, we urge employees to be as open as possible about any particular issues that they are experiencing to ensure that they are provided with the right level of support.

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In particular, employees are encouraged to speak to their line manager about their caring responsibilities to explore how they can help with any challenges they are facing. If for any reason employees are unable to approach their line manager, they can speak to their People Business Partner.

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

### **5. Entitlement to carer's leave**

Whatever the length of service, employees 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 means:

- spouse, civil partner, child or parent;
- any person who lives in the same household as the employee (other than as a lodger, tenant, boarder or employee); or
- any other person who would reasonably rely on the employee to provide or arrange care.

A 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 condition that amounts to a disability under the Equality Act 2010; or
- 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 a child meets the definition of a dependant with a long-term care need.

### **6. Amount of carer's leave available**

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 five days' (37 hours) carer's leave in any 12-month rolling period. If an employee is contracted to work four days per week, they will be entitled to four days of carer's leave in any 12-month rolling period, and so on.

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

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

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### **7. Notice to take carer's leave**

If an employee needs to take carer's leave, they should apply via MySelf>Other Absence.

By requesting this leave they are confirming that they will be absent from work for the purpose of providing or arranging care for a dependant and the dependant meets the criteria as defined in point 5 above.

We ask that employees give as much notice as possible when requesting carer's leave so that the line manager can plan for their absence. In any event, .

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

### **8. Pay during carer's leave**

There is not a statutory right to be paid during carer's leave but as a family friendly organisation it is agreed that employees will continue to be paid their normal rate of pay while taking carer's leave under this policy.

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

### **9. Postponing carer's leave**

While every effort will be made to meet the request, the organisation may postpone a period of carer's leave if they consider that the employees' absence will disrupt the operation of the business.

If a decision is taken to postpone the leave, the 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 seven days of receiving the notice, clarifying the reason for the postponement and the revised dates on which the carer's leave can be taken.

### **10. Cancelling carer's leave**

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

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

### **11. Returning to work after carer's leave**

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Following the carer's leave, employees have 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 they not been absent. Continuity of employment is not affected.

### **12. Our commitment**

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

If employees are told not to take or request carer's leave, or they believe that they have been subjected to detrimental treatment because they have taken or requested carer's leave, they should report the matter to their line manager/People Business Partner. In the alternative, if the matter cannot be resolved informally, they can raise it under our Grievance procedure.

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

### **13. Other types of leave**

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

We recognise that employees may need a longer period of time off work that goes beyond the statutory entitlement to carer's leave under this policy. In such cases, the organisation may agree for employees to take the time off work as annual leave or unpaid special leave.

### **14. Requesting flexible working**

We realise that flexible working can help navigate the challenges of caring while also working. We enable a wide range of flexible working practices within the workplace.

If employees feel that they would benefit from a permanent change to their working arrangements to help balance work and caring responsibilities, we encourage staff to look at the Right to request flexible working policy.

We appreciate that the option to work flexibly on a temporary (rather than permanent) basis may be enough for employees to balance work and their caregiving responsibilities. This could include working from home, hybrid working or changing start and finish times.

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

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The organisation will try to facilitate temporary flexible working arrangements wherever this is possible and will continue to review these to ensure that they meet the employee's needs.

### 15. Other support

How we support an employee with caring responsibilities will vary depending on their specific needs and individual circumstances. Support that we may be able to offer include:

- access to a private space to make/receive calls in connection with any caring responsibilities;
- help and support through the employee assistance programme.
  - EAP can provide you with support when you need it most, which can be **anything from legal, financial and bereavement, to stress and anxiety**. Please use this link to access a huge amount of support and information - [Employee Assistance Programme](#), using the **code 206911**
  - The BHSF helpline is available 24/7, and completely confidential. To **speak in confidence to an accredited counsellor or subject specialist**, you can call 0800 015 7284.
  - Support can also be accessed online through many self-help workbooks by visiting [www.colleaguesupport.co.uk](http://www.colleaguesupport.co.uk) or through the **MyMindPal app** - which is free to use (just add this code: BHEA2SFP).
- access to a carers network and support groups that provide practical peer-to-peer support and information for carers.

### 16. External sources of help

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

- [Essex Carers Support](#) a registered charity dedicating to helping unpaid carers get the best from life;
- [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; and
- [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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### Appendix

The following policies and forms should also be read alongside this document:

<b>Policies</b>	<b>Forms</b>
Grievance Procedure	'Other Absence' via MySelf
Right to request Flexible Working	Flexible Working Request Form
Data Protection Policy	Special Leave Form
Special Leave	

The policies and forms are shown on COLIN:

- [A-Z](#) – this link will take you to the "all in one place" page which has a short summary of the HR subject, what you need to do first, useful documents and links, and related items.
- [Staff Handbook](#).

### Document Information

<b>Title :</b>	Carers Leave Policy
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For more information or advice about this policy please contact the HR Service Centre on 01206 282112 or email [hrrservicecentre@colchester.gov.uk](mailto:hrrservicecentre@colchester.gov.uk).

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