



## CARERS POLICY

### WRITTEN BY:

Mrs Sarah Haydon, Chief Officer

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### APPROVAL DATE:

HR Committee - 20 March 2018

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### REVIEW DATE:

March 2020

## INTRODUCTION

1.1 The purpose of this policy is to outline the support that Biddulph Town Council offers to our staff who have a caring responsibility, in order to:

- help them balance their working and caring commitments, and continue to be resilient and effective in their work role, and
- help the Town Council to recruit and retain staff with caring responsibilities.

Biddulph Town Council aspires to be a flexible and accessible work environment and a good employer for individuals that have caring responsibilities.

1.2 For the purpose of this policy, a Carer is a member of staff who provides or intends to provide either:

- a substantial amount of unpaid care on a regular basis for an individual who is ill, older and/or frail or disabled, or
- ad hoc care, where there is a change in circumstances or health of an individual who is ill, older and/or frail or disabled

The individual requiring care must be someone who reasonably relies on the staff member for their assistance in all of the circumstances.

## OBJECTIVES OF THE POLICY

2.1 The Town Council recognises that some of its staff will have responsibility for the care of ill or disabled relatives, children, partners or close friends. Dealing with the demands of these caring responsibilities and work will often be challenging.

2.2 The Town Council is committed to supporting Carers in accordance with the following guidelines:

- **Identification as a Carer:** Members of staff are encouraged to identify themselves as a Carer, where appropriate, to the Chief Officer;
- **Offers of and request for support:** Where a member of staff has identified themselves as a Carer, guidance shall be provided on the support available to them. Carers are also encouraged to request specific support where required, in accordance with this policy;
- **Reasonable consideration of support:** Sympathetic consideration will be given where support is requested by Carers in accordance with this policy, based on a shared understanding of the situation, its impact on the Carer's work and the consistency of treatment with other staff in a similar position.
- **No unfair treatment:** Staff who have identified themselves as a Carer and/or requested support in accordance with this policy will not be treated unfairly as a result; and
- **Confidentiality:** A staff member's identification as a Carer and support requested will be disclosed no wider than is necessary to ensure the effective day-to-day running of Town Council business.

## PROVISIONS

3.1 The Town Council recognises that some small things can make a big difference to Carers, for example:

- People being allowed to keep their personal mobiles switched on during meetings in case they are needed at home.
- Having their care commitments taken into account when setting meeting times.
- Ensuring people have opportunities to talk to the Chief Officer about their caring responsibilities and support available.

To support the discussion with the Chief Officer, a question regarding caring responsibilities is a standing item on the agenda for all 'one to one' review meetings.

3.2 There are a range of potential support options for Carers contained within the Town Council's policies, in particular:

Flexible working: Carers employed by the Town Council for 26 weeks or more can request temporary or permanent changes to their working patterns to suit their individual needs as a Carer. For example, the Carer could request:

- a change to their start or finish times, to allow them to visit a disabled relative at key times during the day and provide assistance;
- an annualised hours contract, to allow them to work full time at certain points in the year and on a reduced basis at others, to allow them to accompany and support their ill partner or relative during intensive medical treatment; or
- part time hours for a temporary period to allow for caring responsibilities until e.g. the person cared for has finished a course of treatment or other care arrangements are in place. This period may be reviewed, amended or extended with the agreement of the Town Council.

Ordinary Parental Leave: Carers employed by the Town Council for one year or more can request up to 18 weeks' unpaid Ordinary Parental Leave, to care for their child (up to the age of 18).

Homeworking: In certain circumstances, Carers can apply to work from home or another remote location on a temporary basis. This could, for example, assist where the Carer's caring responsibilities involves providing lunch for an older parent near to the Carer's home address. Homeworking would allow the Carer to combine work on, for example, one day per week with caring over their lunch break. Whilst homeworking is normally carried out at an employee's private dwelling, consideration will also be given to applications to work from another location (e.g. the home of the individual requiring care, where they live a considerable distance from the employee's home).

Special Leave (Time Off For Dependants; Compassionate Leave): The Town Council's **Annual Leave and Special Leave Policy** provides further details of the types of time off that may be appropriate for Carers. This includes:

- **Dependent's Leave:** In the event of an emergency involving a dependent and to make necessary long-term arrangements for their care, Carers can take a reasonable amount of unpaid dependent's

leave. This can assist e.g. where an older parent falls, is taken to hospital and requires follow-up care to be arranged.

- Time off for healthcare meetings with doctors or professional Carers: Carers can request unpaid time off to attend healthcare meetings with doctors or professional Carers, to support the person they care for. However, subject to agreement by the Chief Officer, it may be acceptable for staff to make up the time off rather than taking unpaid leave or using annual leave. Where unpaid leave is being taken this should be notified to Human Resources, who will in turn advise the Payroll/Pensions section of the Finance Office.
- Compassionate Leave: In the event of the death of the individual cared for by the Carer, compassionate leave may be sought in accordance with the policy.

Applications for leave and amended working patterns noted above will be considered in accordance with the terms of the relevant policies. Whilst every effort will be made to accommodate Carers needs, this will be the subject of discussion and cannot be guaranteed.

## RELEVANT LEGISLATION

4.1 The Care Act 2014 came into force in April 2015, with some elements coming into force in April 2016.

It put in place significant new rights for carers in England including:

- A focus on promoting wellbeing.
- A right to a carer's assessment based on the appearance of need.
- A right for carers' eligible needs to be met.
- A duty on local councils to provide information and advice to carers in relation to their caring role and their own needs.
- A duty on NHS bodies (NHS England, clinical commissioning groups, NHS trusts and NHS foundation trusts) to co-operate with local authorities in delivering the Care Act functions.

Taken together, these new rights should have a significant impact on carers and the support available for carers. However, this is dependent on local councils putting these rights in place.

4.2 Under the Equality Act 2010, no individual should be discriminated against in service provision, employment or education because of the following:

- Age.
- Disability.
- Gender reassignment.
- Marital status.
- Race.
- Religion/belief.
- Sex or sexual orientation.

Further to this, a carer cannot be discriminated against on the basis of their association with a disabled person.

An example of this might be if you were refused entry to a pub because the person with you is disabled. Both the person you care for (with the disability) and you (the carer) would potentially have been discriminated against.

Another example might be if you were verbally abused by a shop assistant about your child's mental health condition.

4.3 The Children and Families Act 2014 gives young carers and young adult carers in England a right to a carer's assessment and to have their needs met (if the assessment shows this is needed).

The Care Act and the Children and Families Act should work together to make sure the needs of the whole family are met and inappropriate or excessive caring by young carers is prevented or reduced.

The rights of parent carers have also been addressed within the Children and Families Act. A local council has a duty to provide an assessment to a carer of a disabled child aged under 18 if it appears that the parent carer has needs, or the parent carer requests an assessment.

4.4 You may be able to apply for flexible working under the Employment Rights Act 1996. This applies to everyone rather than just carers.

From 30 June 2014, anyone has the right to request flexible working for any reason as long as you have worked for the same employer for at least 26 weeks.