



## CARERS POLICY

### WRITTEN BY:

Mrs Sarah Haydon, Chief Officer

### REVIEWED:

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### APPROVAL DATE:

Finance Strategy and Management Committee – 25 March 2025

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### REVIEW DATE:

March 2027

## INTRODUCTION

1.1 There are around 6 million unpaid Carers across the UK, providing care to someone who couldn't cope without their support. 1 in 7 people in any workplace are likely to have a caring role. Having to give up employment to care for someone else is a loss to employers, families, the UK and local economies. It's crucial that we identify, involve and support Carers in the workplace setting to ensure that we provide them with the best support that we are able to provide. 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.
- Recognise and value the contribution Carer's make to the health and wellbeing of the people they care for.

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, or
- ad hoc care, where there is a change in circumstances or health of an individual.

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 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:

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

**Carer's Leave:** an employee can take Carer's Leave to give or arrange care for a dependant who needs long-term care. An employee's dependants can include:

- Their husband, wife, civil partner or partner
- Their child
- Their parent
- 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.

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.

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.

If an employee is a parent, they can take up to 18 weeks’ **Ordinary Parental Leave** to look after their child. This is instead of or in addition to Carer’s Leave.

Employees must give the Council notice before the start of their leave.

The minimum notice depends on how many days leave the employee wishes to take.

#### Minimum Notice Requirements

<b>Number of Days Requested</b>	<b>Minimum Notice Required</b>
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

An employee does not have to:

- Put their request for leave in writing
- Give the Council evidence of their dependant’s care needs.

The Council cannot refuse someone’s request for Carer’s Leave, but can ask for it to be taken at a different time if the employee’s absence would cause serious disruption.

Another date within 1 month of the date the employee originally requested leave must be agreed. The reason for the delayed leave must be explained in

writing, within 7 days of the request or before the leave starts, whichever is the earlier.

Time off for Carer's leave is unpaid.

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. In summary, The Equality Act 2010 brings together anti-discrimination law acts and regulations including The Disability Discrimination Act 1995. It states that employers and employees have a responsibility to create and be part of a fair work environment which complies with the law.

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 The Employment Relations Act 1999 gives employees the right to take 'reasonable' time off to deal with unexpected situations involving a dependant.

4.5 Anyone who is legally classed as an employee can take time off to help a dependant who needs long-term care. The law is the Carer's Leave Act 2023. It came into effect on 6 April 2024.

4.6 This policy is fully supported by and integrated with other relevant policies such as:

- Flexible Working Policy
- Annual Leave or Special Leave Policy