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# Carer's Leave Policy

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**South Oxfordshire and Vale of White Horse District Councils**





## Change Record

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Change Record	
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## 1 Vision and Values

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### Our Vision

We are customer focused and approachable. We are honest and open and are committed to providing high quality cost-effective public services.

### Our Values



#### Working Together

We are a committed professional team, who embrace change and help one another improve



#### People and Planet

We care about each other and the environment we share



#### Respect

We act with integrity, and champion diversity and inclusivity



#### Accountability

We take ownership, do what we say, strive for clarity and welcome feedback



#### Approachability

We are open, honest and accessible



## 2 Introduction

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### 2.1 Purpose

This document details the councils Carer's Leave Policy & Procedure. This policy sets out the statutory right of employees to carer's leave to provide or arrange care for a dependent with a long-term care need, and other support that we offer to help employees manage their caring responsibilities.

The councils recognise the challenges that carers face while trying to balance the demands of caring, work, looking after their own health and managing this alongside their working life. As councils, we are committed to doing what we can to help to ensure that the health and wellbeing of employees with caring responsibilities are looked after.

### 2.2 Scope

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

This document supersedes any previously existing or alternative policies, agreements or arrangements relating to the Carer's Leave Policy & Procedure.

### 2.3 Contractual Status

This policy does not form part of your contract of employment. The councils reserve the right to revise, withdraw or replace the content of this policy at any time and to introduce new policies from time to time to reflect the changing needs of the councils.

The Carer's Leave Policy & Procedure will be regularly reviewed to ensure legislative compliance and best practice and may therefore be subject to adjustment from time to time.

All changes to the councils' People and Culture policies and procedures will be updated on the People and Culture page of Jarvis, advised through general email notification and, where necessary, team briefings or other face to face communications to assist understanding and application.



## 2.4 Definition of a Carer

A carer is any employee who provides assistance or support to a dependent who has a long-term care need. A dependent includes:

- A 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
- Any other person who would reasonably rely on the employee for care or support

A dependent with a long-term care need may include those who have a physical or mental illness, a disability under the Equality Act 2010, or require care due to old age

Caring responsibilities may include, but are not limited to:

- assistance with personal care, mobility, and medication
- managing household tasks, emotional support, and financial administration
- supporting with attending medical appointments

## 2.5 Short-term care leave

This policy also includes time off for carers who need to provide immediate short-term care, regardless of whether the dependent has a long-term health condition.

This may include circumstances such as temporary illness, injury, or unforeseen disruptions to childcare arrangements as examples.

## 2.6 Relevant legislation

This Carer's Leave Policy is designed to comply with current UK employment law and relevant legislation, ensuring that employees' rights and responsibilities are upheld. The following legislation underpins this policy:

- **Carer's Leave Act 2023:** Establishes the statutory right for employees to take unpaid carer's leave to care for dependants with long-term care needs. The Act defines the scope of who qualifies as a dependant and outlines the entitlements for carer's leave.
- **Equality Act 2010:** Prohibits discrimination based on protected characteristics, including disability. This Act is relevant where employees are caring for a dependant with a disability, ensuring they are not subjected to unfair treatment or detriment because of their caring responsibilities.



- **Employment Rights Act 1996:** Protects employees from unfair dismissal and provides the legal framework for time off work to care for dependants in emergency situations. This Act ensures that employees taking carer's leave are protected from unfair treatment or dismissal.
- **Maternity and Parental Leave etc. Regulations 1999:** Grants parents the right to take parental leave to care for their children, defining a child as anyone under the age of 18. This ensures that parents can take time off for children's immediate care needs, whether or not they have a long-term condition.
- **Flexible Working Regulations 2014:** Provides the right for employees to request flexible working arrangements to support work-life balance. Employees with caring responsibilities may benefit from flexible working to accommodate their care commitments.
- **Data Protection Act 2018 & UK GDPR:** Regulates how personal information is handled and processed. The Data Protection Act and UK GDPR ensure that any personal data disclosed during carer's leave requests is managed securely, confidentially, and in compliance with data protection laws.
- **Health and Safety at Work Act 1974:** Imposes a duty on employers to ensure the health, safety, and welfare of employees. This includes considering the impact of caring responsibilities on an employee's health and providing appropriate support where necessary.

## 2.7 Alternative formats

Alternative formats of this publication can be made available on request. These include large print, braille, audio, email, easy read and other languages. Please contact [equalities@southandvale.gov.uk](mailto:equalities@southandvale.gov.uk)



## 3 Policy

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### 3.1 Entitlement

All eligible employees are entitled to the equivalent of one working week paid days of carer's leave per year, this will mirror the employees' standard working week (if you normally work 3 days you would be entitled to 3 days of carers leave). This leave can be used for caring responsibilities related to dependants with long-term care needs.

Carer's leave can be taken in full days or shorter increments, including hours, depending on the employee's needs.

Carer's leave entitlement is available in a rolling 12-month period and will not accumulate beyond this period.

If additional time off is needed, employees may use other forms of leave, such as **annual leave, parental leave, or annualised hours**.

Employees may take leave for one or multiple dependants, but the total leave entitlement does not increase based on the number of dependants.

Employees will continue to receive their normal pay during carer's leave. All other benefits, such as holiday entitlement and pension contributions, will continue to accrue while on carer's leave.

### 3.2 Requesting Carer's Leave

To request carer's leave, employees should submit their request on MyView and select carers leave as the reason for the request. or Jarvis. The request should be submitted as early as possible to help with work planning, but in emergencies, requests can be made with shorter notice or retrospectively. We ask that where possible employees give at least three days' notice or twice the amount of time needed (whichever is greater). In cases where this is not possible, we will remain flexible and consider the employee's situation.

Carer's leave must be approved by the employee's line manager preferably before it can be taken.

### 3.3 Postponing/Cancelling Carer's Leave

While we will do our best to accommodate requests for carer's leave, there may be situations where leave needs to be postponed to ensure business continuity. If this occurs, the line manager will consult with the employee to agree on alternative dates for leave within one month of the original request.





However, before making such a decision, the following considerations must be taken into account:

- **Urgency of the Care Need:** The immediacy and necessity of the employee's caring responsibilities must be carefully evaluated. For urgent or critical care situations, cancelling or postponing leave should be avoided wherever possible.
- **Impact on the Employee's Wellbeing:** Consider how cancelling or delaying the leave may affect the employee's emotional and physical wellbeing, as well as their ability to balance work and caring responsibilities.
- **Business Continuity:** Explore alternative ways to cover the employee's absence, such as delegating tasks or adjusting team workloads, to reduce the need for cancellation.
- **Reasonable Alternatives:** If postponing leave is unavoidable, managers should work with the employee to find a reasonable alternative date for the carer's leave within a one-month period, ensuring minimal disruption to both the employee and the business.

The line manager will inform the employee in writing within seven days of the postponement, explaining the reason and providing new dates.

You can cancel your carer's leave and take it at a different time as long as you let your line manager know before your leave has started. This would be done via MyView.

### 3.4 Emergency Carer's Leave

In addition to planned carer's leave, employees may need time off to manage unexpected or urgent care situations. Emergency Carer's leave may be granted to allow time for immediate care needs or to arrange longer-term care.

Emergency Carer's leave will be deducted from the carer's leave allowance; however, an employee may use annual leave or annualised hours to cover this time off. Emergency leave should be used for situations such as but not limited to:

- Sudden illness or injury of a dependant.
- Disruption of existing care arrangements.

### 3.5 Our commitment to you

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



## 3.6 Flexible Working Arrangements

We understand that the challenges of caring for a dependent may require longer term adjustments to working hours or location. Employees may request temporary or permanent flexible working arrangements to help with this.

Flexible working arrangements will be considered on a case-by-case basis, considering the needs of both the employee and the councils. Employees should refer to the **Flexible Working Policy** for more detailed guidance on making requests.

## 3.7 Support

In addition to carer's leave, the councils offer an **Employee Assistance Programme (EAP)** to support employees with caring responsibilities. To access advice and support on practical matters such as managing care, financial support, and legal guidance.

Employees who are carers may also benefit from external support organisations, including:

- [Carers UK](#): Provides advice on employment rights, benefits, and other issues related to caring.
- [Age UK](#): Offers support for those caring for older relatives.
- [Carers Trust](#): Provides information and access to resources for carers.
- [Contact a Family](#): Provides support, advice, and information to families with disabled children.