



Carer's Leave Policy

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Contents

- 1. About this policy3
- 2. Who does this policy apply to?.....3
- 3. Who is responsible for this policy?.....3
- 4. Eligibility.....3
- 5. Entitlement3
- 6. Notice and evidence4
- 7. Delaying a request for carer’s leave4

1. About this policy

- 1.1 Dover District Council (“the Council”) is committed to being a socially responsible employer and has developed this Carer’s Leave policy to support employees and managers to understand and implement legislation regarding carer’s leave in terms of the Carer’s Leave Act 2023 which came into force in April 2024.
- 1.2 It is the Council’s policy to encourage open discussion with employees and, therefore, any employees who are considering using carer’s leave are encouraged to contact their manager for guidance.
- 1.3 This policy has been subject to consultation with the Trade Unions, staff and final agreement by the General Purposes Committee.
- 1.4 This policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time subject to agreement with the Unison and GMB Trade Unions and the Councils General Purposes Committee.

2. Who does this policy apply to?

- 2.1 This policy applies to all employees from the start of their employment.

3. Who is responsible for this policy?

- 3.1 The Strategic Director of Environment and Place (Deputy Chief Executive) has overall responsibility for the effective operation of this policy. The Strategic Director has delegated responsibility for overseeing its implementation to the Head of HR.
- 3.2 Any questions you may have about the day-to-day application of this policy should be referred to your line manager or the HR team in the first instance.
- 3.3 This policy is reviewed annually by HR in consultation with Unison and GMB Trade Unions. It may be reviewed earlier than annually to meet changes in legislation or the Council’s business or service needs.

4. Eligibility

- 4.1 Every employee has a statutory right to use carer’s leave from day one of employment. Employment rights are protected (e.g. holidays and returning to their job).
- 4.2 This right applies from the first day of employment.
- 4.3 The employee can only take carer’s leave where they have caring responsibilities.
- 4.4 The leave can be used to provide or arrange care for a dependent with long term care needs.
- 4.5 This includes those with:
 - a. Illnesses or injuries (physical or mental) requiring care for more than three months
 - b. Anyone with a condition that meets the definition of a disability under the equality Act 2010
 - c. Those with care needs because of their old age.

5. Entitlement

- 5.1 Those who qualify can take up to one week of unpaid leave.
- 5.2 The leave can be taken in half days, whole days or a whole week.

- 5.3 Up to one full week can be taken in a 12 month period.
- 5.4 A week refers to your normal working week and will therefore be pro rata'd for part time employees.
- 5.5 Those employees who work variable or irregular working patterns will have their entitlement calculated by
- a. Adding up the total number of hours worked in the previous 12 months
 - b. Divide that total by 52 (or however many weeks since they started the job, if they've been in the job less than a year).
 - c. This is the amount of carer's leave they are entitled to.
 - d. If an employee wants to take carer's leave in their first week, use the amount they're expected to work in a week as the amount of leave they can take
- 5.6 Employees can only take one week of unpaid leave even if you have to care for more than one person.

6. Notice and evidence

- 6.1 Employees are required to give notice before they want their carer's leave to start.
- 6.2 The notice does not need to be in writing.
- 6.3 If the request is for half a day or a whole day, the notice period must be at least 3 days.
- 6.4 If the request is for more than one day the notice period must be twice as long as the period of leave being taken. For example, if the employee requests 2 days of leave, they need to give at least 4 days' notice.
- 6.5 The notice period must be in full days even if the request includes half days.
- 6.6 Employees do not need to provide any evidence of their dependent's care needs.
- 6.7 Time off for emergency situations is covered under the 'Time off for dependents policy'.

7. Delaying a request for carer's leave

- 7.1 Requests for carer's leave cannot be refused but the Council can ask the employee to take it at a different time. This would only be done if taking the carer's leave at that time would cause a serious disruption to the organisation.
- 7.2 If a delay is required, the Council will:
- a. Agree another date within one month of the requested date for the leave
 - b. Write to the employee stating the reason for the delay and the new date. This must be confirmed within 7 days of the original request and before the requested start date of the leave.
- 7.3 There is no right of appeal.