



**Somerset
Council**

Carer's Leave Policy

Organisation	Somerset Council
Title	Carer's Leave Policy
Owner	HR Policy Team
Primary Legislation	Carer's Leave Act 2023 Equality Act 2010

1. Policy Statement

- 1.1 Somerset Council acknowledges the difficulties employees face when balancing work commitments alongside caring responsibilities. Carer's leave is offered to enable employees to best manage their work/life balance.
- 1.2 Carer's leave provides employees with the opportunity to take one week (pro rata) of unpaid leave within any twelve-month period to care for a dependant with a long-term care need. Carer's leave may be taken in blocks of half days, whole days, or as one full week. The right to request carers leave is available to all employees from day one of employment.
- 1.3 If an employee with caring responsibilities requires further support than the one week (pro rata) unpaid leave provided in this policy a conversation with their line manager and a HR officer is advised. The [Carer Support Arrangement Form](#) may be a useful tool for this discussion.
- 1.4 This policy applies to all employees of Somerset Council with the exception of employees employed in Local Authority maintained schools where alternative HR policies, which have been subject to consultation and agreement with recognised professional associations and trade unions, are recommended for adoption by the individual school's Governance Board
- 1.5 This policy does not form part of the Somerset Council Terms and Conditions and may be subject to change.

2. Eligibility

- 2.1 An individual is considered a dependant of an employee if they meet one of the following criteria:
- are a spouse, civil partner, child, or parent of the employee,
 - live in the same household as the employee, (excluding boarders, employees, lodgers, and tenants),

- reasonably rely on the employee to provide or arrange care.
- 2.2 Somerset Council is aware that an individual an employee provides care for may not be a family member, and as such applications for carers leave will be considered on a case-by-case basis.
- 2.3 A dependant of an employee has a “long-term care need” if they meet one or more of the following criteria:
- they have an illness or injury that requires, or is likely to require, care for more than three months,
 - they have a disability meeting the criteria of the Equality Act 2010 (which causes a significant and long-term adverse effect on the person’s ability to carry out day-to-day activities),
 - they require care for a reason connected with old age.

3. Process for Requesting Leave

- 3.1 Requests for carer’s leave should be made to the line manager providing advance notice of either twice as many days as the period of leave required, or 3 days, whichever is the greater (wherever this is possible). Requests do not need to be made in writing but should include the start and end dates of the requested leave.
- 3.2 The line manager should then establish, through discussion with the employee, whether they wish to take the time off using annual leave, purchasing leave or flexible working arrangements, as an alternative to unpaid time off under this policy.
- 3.3 The line manager will reply as soon as possible after the employee’s request. Where carer’s leave is approved this must be recorded on SAP so that payroll is notified, and the appropriate pay can be deducted.
- 3.4 Where a line manager believes that the requested leave date(s) will be seriously detrimental to the provision of service, they can request that the employee changes the date(s) of the leave. In this scenario, the manager must provide the reason(s) in writing and provide alternative dates the leave can be taken on, within a week of the original request. The employee must be allowed to take their leave within a month of the original request. It is not possible to decline a request completely. In cases where the manager cannot approve the original request, HR Advisory should be contacted to provide advice.

4. During Carer's Leave

- 4.1 All terms and conditions under the contract of employment will remain, including the right to accrue paid leave and continuity of service. If an employee wishes, they can elect to pay pension contributions for the unpaid period of leave when they return to work in order that this period can be counted for pension purposes. Further information on this can be found in the [Pensions Policy](#) or by contacting [Peninsula Pensions](#).

Version History

Revision Date	Author	Version	Description of Revision
		1	New Somerset Policy