



Carer's Leave Policy

This procedural document supersedes:

**CORP/EMP 47 - Special Leave (Incorporating Carer's and Emergency Leave) - Section 4.2.6
 Carer's Leave and Support for Carers**



Did you print this document yourself?

The Trust discourages the retention of hard copies of policies and can only guarantee that the policy on the Trust website is the most up-to-date version. **If, for exceptional reasons, you need to print a policy off, it is only valid for 24 hours.**

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Approved by:	Policy Formulation Group and Staffside
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Target audience:	Trust-wide

Amendment Form

Please record brief details of the changes made alongside the next version number. If the procedural document has been reviewed **without change**, this information will still need to be recorded although the version number will remain the same.

Version	Date Issued	Brief Summary of Changes	Author
Version 1	February 2023	This is a new procedural document, please read in full	Sophie Strong

Contents

	Page No.
1 Introduction	11
2 SCOPE	11
3 PURPOSE	11
4 Duties and Responsibilities	11
4.1 All Colleagues	12
4.2 Managers	12
4.3 Human Resources	12
4.4 Chief Executive & the Trust Board	13
5 PROCEDURE.....	13
5.1 Overview	13
5.2 Changing roles of Carers	14
6 SIGNPOSTING TO SUPPORT.....	15
6.1 Trust-based support at DBTH.....	15
6.2 NHS-based support	15
6.3 Local and regional support.....	15
6.4 Government Support	16
7 Monitoring compliance with the procedural document.....	17
8 definitions	17
9 Equality impact assessment	18
10 Associated Trust procedural documents	18
APPENDIX 1 – CARERS CONVERSATION (DRAFT TEMPLATE)	20
APPENDIX 2 - EQUALITY IMPACT ASSESSMENT PART 1 INITIAL SCREENING	22

Type of Leave	Purpose(s) of Time Off	Entitlements and Conditions	Paid or Unpaid?
Carer/ Dependent's Leave (see Special Leave Policy CORP/EMP 47)	<p>Provision of a compassionate response to immediate needs of a member of colleague with a sudden or unexpected emergency involving someone for whom they have a caring responsibility i.e., a dependent</p> <p>Dependants include: spouse, partner, child, parent, someone living with them as part of their family, a person who relies solely upon the employee for help in an emergency</p> <p>Situations that may be regarded as an emergency may include:</p> <ul style="list-style-type: none"> • Dependant is ill and need the employee's help • Dependant has been involved in an accident or assaulted • Dependant needs the employee to arrange their longer-term care, including: 	<p>A maximum of five days unpaid leave can be granted (this will be pro rata for part time colleague). Only in exceptional circumstances should this be extended. Such circumstances shall be assessed on a case-by-case basis and should be done only after seeking advice from Human Resources.</p> <p>Additional unpaid leave may be granted at the discretion of the manager, who may seek further advice from the appropriate Operations Director, or their deputy. The nature of the emergency and the impact on the service may be considered when making this decision.</p> <p>Where more than one employee wishes to take time off for the same dependant e.g., both parents of a child, the employees concerned must inform their managers. The manager will need to adopt a common sense approach.</p> <p>Paid time off should be granted for genuine emergencies only. If an employee knows in advance that they are going to need time off, they should request annual leave in the normal way. Where usual practice is to grant annual leave</p>	Unpaid

	<ul style="list-style-type: none"> • Employing a temporary carer • Placing a sick child with relatives • Organising care with health and/or social services, voluntary organisations or the private sector • Liaising with friends and family • Dependant relies on the employee to deal with an unexpected disruption or breakdown in care, such as a childminder or nurse failing to turn up <p>Note: An employee should be encouraged to ask for special leave if a child is ill and not book a sick day.</p>	<p>in half or full days, managers may consider a more flexible approach (e.g., granting 1 or 2 hours annual leave, depending on the circumstances and the operational needs of the service. If the reason relates to their child, they may be granted Parental Leave.</p> <p>This type of special leave is intended to provide a response to immediate needs, which cannot be controlled. However, the number of episodes per person will be monitored closely with the view to offering support to the employee, and consideration to the needs of the service.</p>	
<p>Parental Leave (see CORP/EMP 15)</p>	<p>Parental leave gives parents the right to take time off work (unpaid) to look after a child or make arrangements for the child's welfare. Parents can use it to spend more time with children and strike a better balance between their work and family commitments.</p> <p>NB Parental leave should not be confused with Shared Parental Leave which is an</p>	<p>Parental leave should be applicable to any employee in the NHS, who has nominated caring responsibility for a child under age 18. The entitlement is up to 18 weeks of unpaid leave for each child under the age of 18 years.</p> <p>Leave arrangements need to be as flexible as possible so that leave may be taken in a variety of ways at the</p>	<p>Unpaid</p>

	<p>entitlement for eligible parents of children born or adopted on or after 5 April 2015</p>	<p>discretion of management with consideration for the needs of the service.</p> <p>Notice periods should not be unnecessarily lengthy and may reflect the period of leave required.– Where the notice period is not long enough to ensure service needs can be covered, the manager may refuse the leave, stating the length of notice as the reason.</p> <p>Parental leave can be added to period of maternity (paternity) leave, maternity leave, adoption leave and shared parental leave.</p> <p>Periods of parental leave are regarded as continuous service. During a period of parental leave the employee retains all of his/her contractual rights, except remuneration and should return to the same job after it. Pension rights and contributions shall be dealt with in accordance with NHS Superannuation Regulations.</p> <p>Managers can ask to see evidence to confirm the employee is the parent or the person who is legally responsible for the child.</p>	
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		<p>Employers should only postpone leave in exceptional circumstances and give written reasons. Employees may also postpone or cancel leave that has been booked with local agreement.</p> <p>It is good practice for employers to maintain contact (within agreed protocols) with employees while they are on parental leave.</p>	
<p>Compassionate / Bereavement Leave (see Special Leave Policy CORP/EMP 47)</p>	<p>To provide an appropriate and sympathetic response to an employee who has suffered bereavement, usually of a close family member.</p> <p>Can be extended to include close friends and colleagues depending on the particular individual circumstances.</p> <p>Where an employee is bereaved of a dependant (see above for definition) they have a statutory right to time off.</p>	<p>Up to 6 working days paid leave may be granted for each bereavement depending on the circumstances (this will be pro rata for part time colleagues). 6 days paid leave will be granted for immediate family members. 2 days unpaid leave will be granted for close relatives. The amount of time given will be assessed on a case-by-case basis by the line manager. Additional unpaid leave may be granted at the discretion of the manager.</p> <p>Managers must decide how much leave is reasonable to grant in the circumstances. This should include consideration of: -</p> <ul style="list-style-type: none"> • the relation of the deceased to the employee • what the employee requires time off for • the geographical location of the deceased 	Paid

	<p>Time off is intended to cover some or all of the following depending on the circumstances:</p> <ul style="list-style-type: none"> • to deal with the emotional consequences of the bereavement, particularly where it occurs suddenly or unexpectedly • to comfort and /or support surviving relatives or dependants • to organise funeral arrangements • to attend the funeral 	<ul style="list-style-type: none"> • where and when the funeral will be held <p>In cases where compassionate leave would normally not be granted but an employee wishes to take this type of special leave they may request annual leave in the normal way, or, if reasonably practicable in the circumstances, a manager may allow the employee to:</p> <ul style="list-style-type: none"> • take any lieu time owing • work the time back on that, or another day • flex their working day to accommodate a longer lunch break if the funeral is being held at that time <p>Where this is the case, the alternative solution should be recorded on the application for special leave and recorded on the quarterly monitoring form.</p>	
Child Bereavement (See CORP/EMP 47)	To provide an appropriate and sympathetic response to an employee who has suffered bereavement of a child	A total of 10 days (2 weeks) paid leave will be granted	Paid
Emergency Leave (See CORP/EMP 47)	<p>Leave to provide a reasonable response as a consequence of urgent domestic distress e.g.</p> <ul style="list-style-type: none"> • fire, flood, burglary, car breakdown, plumbing problems etc. • where an employee has been the victim of a crime 	Not normally exceeding 1 day paid leave and at the discretion of the employee's line manager. Only in exceptional circumstances should more than 1 day's paid leave be granted. A total of 6 days maximum will be granted in a 12 month period.	Paid

	<ul style="list-style-type: none">• urgent/severe personal or domestic problems	<p>Additional unpaid leave may be granted at the discretion of the line manager (see section 5.6)</p> <p>Managers must decide how much leave is reasonable to grant in the circumstances. This should include consideration of:</p> <ul style="list-style-type: none">• The amount of distress/inconvenience caused to the employee• what the employee requires time off for <p>In cases where domestic leave would normally not be granted but an employee wishes to have time off, they may request annual leave in the normal way, or, if reasonably practicable in the circumstances, a manager may allow the employee to:</p> <ul style="list-style-type: none">- take any lieu time owing work the time back on that, or another day- flex their working day to accommodate a longer lunch break if the situation can be dealt with during that period	
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		Where this is the case, the alternative solution should be recorded on the application for special leave and recorded on the quarterly monitoring form.	
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1 INTRODUCTION

1.1 Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust recognises the important role that carers play in society and acknowledges that many employees need to balance their work whilst carrying out their caring responsibilities.

2 SCOPE

2.1 This policy covers child and dependent care and young carers.

2.2 Childcare covers children from birth up to the age of 14 years and a child with a Disability up to the age of 25 years.

2.3 Dependent care covers a range of options to meet the needs of dependant adults including the needs of dependant young people over the age of 14, where an employee is involved in substantial and regular care sufficient for them to seek a change in their permanent contract of employment.

2.4 Dependent care should also cover (but not be restricted to) care of older relatives, a civil partner, spouse, or a partner, those with a disability who may require hospital or care appointments/assessments and such related matters.

2.5 Young Carers are under 18 years of age and help to look after a relative, a parent or sibling who has a disability, illness, mental health condition, or drug or alcohol problem.

3 PURPOSE

3.1 This Carers Leave policy has been designed to address the needs of people with caring responsibilities; and aims to meet and exceed the requirements of the 'right to request' flexible working legislation for carers of children and dependants.

3.2 This policy applies to all Trust employees, full or part-time. This Policy is not applicable to Bank workers, student nurses and doctors in training.

4 DUTIES AND RESPONSIBILITIES

The Trust recognises the importance that carers are protected against discrimination and harassment by the Equality Act 2010. It is against the act to discriminate against a Carer because of their association with a person who has a disability and the support they offer them.

It is however important to note that when referring to 'Reasonable Adjustments' these only apply directly to the person with the disability, condition or additional need and do not apply by association to the carer. As an employer, DBTH will try to accommodate flexibilities where possible, where requests are both reasonable and if the business can support them.

The Trust as a whole is committed to providing and maintaining:

- A fair approach to supporting employees in balancing their personal and work responsibilities regarding dependants.
- Awareness of statutory obligations under the relevant employment legislation.

4.1 All Colleagues

4.1.1 Colleagues should make their line managers aware of any caring responsibilities so that they can receive relevant support and/or guidance where necessary

4.2 Managers

4.2.1 Are responsible for the dissemination and implementation of this policy within their teams and signposting to relevant sources of advice or support.

4.2.2 Are responsible for liaising with the relevant HR Advisor to seek professional advice and guidance on the implementation of the Policy.

4.2.3 Are responsible for ensuring that employees are aware of their rights and responsibilities in relation to the Policy and understand what is expected of them.

4.2.4 Be supportive towards employees who are carers so they can continue to work alongside their caring responsibilities and consider the employee's health and wellbeing.

4.3.5 Encourage the use of Trust Wellbeing Passport or the Carers Conversation (see Appendix 1) to support colleagues who undertake a carers role and seek to understand their needs.

4.3 Human Resources

4.3.1 Are responsible for overseeing the introduction, operation and monitoring of this Policy and any reporting to the Trust Board or sub committees thereof.

4.3.2 Are responsible for ensuring the provision of training, guidance and support to Line Managers on the implementation of the Policy.

4.3.4 Are responsible for promoting the adoption of consistent and fair application of the Policy throughout the Trust.

4.4 Chief Executive & the Trust Board

4.4.1 Has responsibility to ensure that appropriate Policies and Procedures are in place to manage the provision of special and carer's leave for employees

4.4.2 Ensure a consistent framework is in place for managers.

4.4.3 Has principal responsibility for ensuring the content of this Policy is applied consistently and fairly across the Trust.

5 PROCEDURE

5.1 Overview

5.1.1 If you are the carer of a dependent, or a dependent who has a long-term care need, for example, a physical or mental health condition, disability or issues related to old age you can request unpaid carer's leave of up to one working week (5 working days) per year, pro rata for part time employees. A dependent is described as a spouse, civil partner, child, parent, someone who lies in the same household (excluding employee, tenant, lodger, boarder) or someone who reasonably relies on the employee for care.

5.1.2 Carer leave for domestic, personal and family reasons is intended to enable employees to cope with disruption of, or changes to, normal caring responsibilities.

5.1.3 Employees have a statutory right to take a reasonable amount (usually up to one day) of time off work to deal with emergencies involving dependants.

5.1.4 Carer's Leave may be granted to assist the employee in coping with urgent, immediate and unforeseen domestic situations. The aim of such leave is to provide a compassionate response to immediate needs.

5.1.5 This leave can be taken flexibly, either as individual or half days, up to a block of one week. This leave entitlement is available to all eligible colleagues regardless of length of employment.

5.1.6 It is impossible to be completely prescriptive about all the circumstances in which carer leave may be granted, however, examples of situations in which carer leave may be appropriate include:

- To deal with the unexpected breakdown of arrangements for care of a dependant
- To provide assistance if a dependant unexpectedly falls ill, is injured or assaulted

- To provide assistance if a dependant gives birth
- To deal with an incident involving the employee's child during school hours.

5.1.7 Examples of situations in which carer leave is not appropriate include:

- To accompany a relative to a planned hospital appointment
- To deal with a situation the employee could reasonably have planned for in advance

5.1.8 The granting of paid carer leave will be at management's discretion. Each request will be considered separately, taking into account the needs of the service. Alternatives to carer leave might include, asking the employee to take annual leave, or if the employee's annual leave entitlement has been exhausted, using flexitime or granting authorised unpaid leave.

5.1.9 It is important to remember that carer leave is intended to support the individual in dealing with immediate, unforeseen needs, therefore, in most cases, one days' paid leave will be sufficient. Managers may use their discretion to extend this period in particularly difficult situations. The Trust, with discretion, will grant an employee a maximum of 5 days' (pro-rata for part-time employees) paid carer leave in any rolling 12-month period.

5.1.10 You should give as much notice as possible of your intention to take carer's leave but as a minimum you must give notice that is twice the length of time being requested as leave, plus one day. A request for carer's leave cannot be refused, however, managers do have the discretion to postpone a request where the operation of the business will be unduly disrupted.

5.1.14 Situations may occur where your normal caring arrangements fall through or you need to undertake further caring duties that impact on your usual working hours. This might include covering school drop off/pick up, checking on an ill relative, attending hospital appointments that cannot be arranged outside of working hours. In these cases, you can request short term flexibility to deal with the situation. Agreement is subject to the manager's discretion and dependent on service requirements. If the agreed flexibility is for less than 1 month and the hours worked are staying the same, the arrangement will be classed as informal. For longer periods of time and where hours will change, please refer to the Flexible Working Policy and Procedure to apply for a change of hours.

5.1.15 If longer term carers leave is required options such as Parental Leave, Flexible working including Flexitime (see Flexible Working Policy) and/or Employment Break (5.9 below) and/or purchase of additional leave/authorised unpaid leave may be considered.

5.1.16 Carers may need to check on the person they care for on a regular basis. In these circumstances carers may seek permission from their line manager to make a private call.

5.2 Changing roles of Carers

5.2.1 Support provided by carers can be regular, making it easy for planning to take place. There are times when supporting someone becomes less predictable and may require the Carer to give more time to this role, having an impact on both their employment and their health and wellbeing.

5.2.2 Examples of this could be transition of children to adult services, changes to care packages, moving to a residential service or the sudden breakdown of a care package. These may often involve statutory services and could include assessment and planning of care of the person they care for. During times such as these an early conversation between the manager and employee should take place to agree short term flexible support which may include adjustments to working hours for example.

6 SIGNPOSTING TO SUPPORT

6.1 Trust-based support at DBTH

The Trust offers pastoral support for carers from line managers, the Wellbeing Team, the HRBP team and from the Trust Carers Network (information to follow).

6.2 NHS-based support

The NHS website offers an overview of the support available for carers:

<https://www.nhs.uk/conditions/social-care-and-support-guide/support-and-benefits-for-carers/>

6.3 Local and regional support

Doncaster City Council offers pastoral and wellbeing services and also financial support for eligible carers from the following links:

<https://www.doncaster.gov.uk/services/adult-social-care/carersoffer>

<https://makingspace.co.uk/doncaster-carers-wellbeing-service>

<https://www.doncaster.gov.uk/services/council-tax-benefits/financial-assessments>

Nottinghamshire County Council also offers similar forms of support for those in the Bassetlaw area:

<https://www.nottinghamshire.gov.uk/care/adult-social-care/carers/support-for-carers>

6.4 Government Support

The government also offers financial support for carers.

Parents, carers and guardians of children can also apply for Child Benefit and Tax-Free Childcare which gives individuals 20% off their childcare costs.

<https://www.gov.uk/child-benefit>

<https://www.gov.uk/tax-free-childcare>

Eligible parents, carers and guardians may also be able to apply for Child Tax Credits:

<https://www.gov.uk/child-tax-credit>

From April 2024 the Government will also be rolling out additional 30 free hours childcare for all parents of children aged from 9 months (timescales vary). More details of this offer can be found here:

<https://educationhub.blog.gov.uk/2023/03/17/how-we-are-growing-our-30-hours-free-childcare-offer/>

7 MONITORING COMPLIANCE WITH THE PROCEDURAL DOCUMENT

What is being Monitored	Who will carry out the Monitoring	How often	How Reviewed/ Where Reported to
Leave requests for Carer's	HRBP Team, Managers and relevant Directorate	Annually	Reviewed annually with any HRBP Team Members

8 DEFINITIONS

Term	Meaning
Carer	An employee who is a carer that looks after a family member, partner or friend who needs care due to illness, frailty, disability, a mental health problem or an addiction and cannot cope without their support. The care they give is unpaid.
Dependant	A "dependant" is defined as a spouse, civil partner, a child or parent of the employee, a person who lives in the same household (except tenants, lodgers, boarders and employees), or those who solely rely on the employee in an emergency/to make arrangements for the provision of care. This definition does not extend to domestic animals.

Other carers / forms of care	Foster Carers, Adult Placement Carers, Kinship Carers and Stay Put Carers provide care to children and adults who have a disability with an agreement with the Local Authority or an agency with the authorisation to act for that Local Authority. The carer definition for this Policy will also apply when the care of the child is by private fostering arrangement or as the result of a Special Guardianship Order or when there is a Section 20 (Children Act 1989) agreement which is the voluntary placement of a child.
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9 EQUALITY IMPACT ASSESSMENT

The Trust aims to design and implement services, policies and measures that meet the diverse needs of our service, population and workforce, ensuring that none are disadvantaged over others. Our objectives and responsibilities relating to equality and diversity are outlined within our equality schemes. When considering the needs and assessing the impact of a procedural document any discriminatory factors must be identified.

An Equality Impact Assessment (EIA) has been conducted on this procedural document in line with the principles of the Equality Analysis Policy (CORP/EMP 27) and the Fair Treatment For All Policy (CORP/EMP 4).

The purpose of the EIA is to minimise and if possible remove any disproportionate impact on employees on the grounds of race, sex, disability, age, sexual orientation or religious belief. No detriment was identified.

10 ASSOCIATED TRUST PROCEDURAL DOCUMENTS

- **Special Leave Policy (CORP/EMP 47)**
- **Equality Analysis Policy (CORP/EMP 27)**
- **Fair Treatment for All Policy (CORP/EMP 4)**
- **DBHFT Leave Policy (including Annual, Study, Professional and Duty for all colleagues including medical) CORP/EMP 49)**
- **Parenting Leave Policy (CORP/EMP 15)**

- **Grievance and Dispute Procedure (CORP/EMP 3)**
- **Disciplinary Procedure (CORP/EMP 2)**
- **Fraud, Bribery and Corruption Policy and Response Plan – (CORP/FIN1 (D))**

APPENDIX 1 – CARERS CONVERSATION (DRAFT TEMPLATE)

Appendix 1 Carers Conversation Initial Draft

What is a Carers Conversation?

The Carers Conversation is taken from the idea of an NHS Working Carers Passport and is designed to support discussions between carers and line managers/HR on the support needed to balance work with caring. It aims to maximise the potential of each employee and remove any barriers to inclusion and progression at work.

Carers record who was involved in the conversation, when it happened and the agreed outcomes. A review would normally take place every six months but it can be more frequent if the carer's circumstances change. The document should be kept confidential once completed and can be stored by the carer themselves. More Carers Passport resources can be found on the Government sponsored Carers Passports website

CARERS CONVERSATION TEMPLATE

This passport can be completed by any employee who has caring responsibilities which may impact their work at present, or in the future. To get started, have a meeting with your line manager and/or HR representative. Record the conversation, the date and agreed outcomes in this document.

Who owns this document: _____

Who was involved in the conversation: _____

Date of meeting: _____

Notes / outcomes:

Review date: _____

APPENDIX 2 - EQUALITY IMPACT ASSESSMENT PART 1 INITIAL SCREENING

Service/Function/Policy/Project/Strategy	Care Group/Executive Directorate and Department	Assessor (s)	New or Existing Service or Policy?	Date of Assessment
CORP/EMP Carer's Leave Policy	People & Organisational Development	Sophie Strong	New	20 July 2023
1) Who is responsible for this policy? Human Resources / People Business Partnering Teams				
2) Describe the purpose of the service / function / policy / project/ strategy? Intended to be used to benefit colleagues across the Trust with caring responsibilities and provide guidance for managers				
3) Are there any associated objectives? Carers Leave guidance from NHSE				
4) What factors contribute or detract from achieving intended outcomes? – None				
5) Does the policy have an impact in terms of age, race, disability, gender, gender reassignment, sexual orientation, marriage/civil partnership, maternity/pregnancy and religion/belief? No				
• If yes, please describe current or planned activities to address the impact N/A				
6) Is there any scope for new measures which would promote equality? N/A				
7) Are any of the following groups adversely affected by the policy?				
Protected Characteristics	Affected?	Impact		
a) Age	No			
b) Disability	No			
c) Gender	No			
d) Gender Reassignment	No			
e) Marriage/Civil Partnership	No			
f) Maternity/Pregnancy	No			
g) Race	No			
h) Religion/Belief	No			
i) Sexual Orientation	No			
8) Provide the Equality Rating of the service / function /policy / project / strategy – tick (✓) outcome box				
Outcome 1 X	Outcome 2	Outcome 3	Outcome 4	
*If you have rated the policy as having an outcome of 2, 3 or 4, it is necessary to carry out a detailed assessment and complete a Detailed Equality Analysis form – see CORP/EMP 27.				
Date for next review: July 2026				

Checked by:	Ashish Kaushik	Date:	28 th July 2023
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