

Issue details	
Title:	Carers and Special Care Leave Policy
Version number	Version 1.0
Officer responsible:	Corporate Lead HR
Authorisation by:	ELT/Personnel Committee
Authorisation date:	2025

History of most recent Policy Changes – Must be completed			
Date	Section	Change	Origin of change (eg change in legislation)
01/04/25	Whole Document	New policy to reflect the statutory right to Carer's leave and also incorporates Special Care Leave.	Legislation

Carer's Leave

East Devon District Council

1 Why has the council introduced this policy?

- 1.1 East Devon District Council recognises the challenges that carers face while trying to balance the demands of caring, work and their own wellbeing. This policy sets out the statutory right of employees to carer's leave to provide or arrange care for a dependant with a long term care need.
- 1.2 The Carer's Leave Act grants employees to take up to 1 week of unpaid leave per year, however we are committed to ensuring that employees are supported and employees are not financially disadvantaged by taking time off work to balance their caring responsibilities, therefore we have committed to pay full pay for statutory carer's leave.
- 1.3 This policy applies to employees employed by East Devon District Council. It does not apply to agency workers, contractors, consultants or any self employed individuals working for the Council.
- 1.4 This policy does not form part of your contract of employment and we reserve the right to amend it any time.

2 What is the council's policy?

2.1 Definition of a carer

- 2.1.1 East Devon District Council defines carers as any employee who cares, unpaid, for a friend or family member who due to illness, disability, a mental health problem or an addiction, needs their help to live independently.
- 2.1.2 Carers might find it difficult to distinguish their caring role from the personal relationship they have with the individual they are caring for, be it a relationship with a spouse, civil partner, child, parent or friend. Therefore, some employees may not immediately identify themselves as a carer.
- 2.1.3 The activities that carers undertake are wide ranging, including but not limited to:
 - help with personal care,
 - help with mobility,
 - managing medication,
 - practical household tasks,
 - emotional support; and
 - help with financial matters or administration

3. Requesting support

- 3.1 The council recognise that caring can be unpredictable and emotionally upsetting. An employee may acquire caring responsibilities overnight or caring responsibilities may develop over time.
- 3.2 Caring is a subject that not everyone finds it easy to talk about. However, employees should be as open as possible about any particular issues they are experiencing to ensure they are provided with the right level of support.
- 3.3, Employees are encouraged to speak to their line manager about their caring responsibilities to explore how their manager can help them with any challenges they are facing. If for any reason they are unable to approach their line manager, they can speak to another appropriate manager or their Trade Union representative.
- 3.4 Any information disclosed by the employee during discussions with their line manager will be treated sensitively and in strict confidence.

4. Entitlement to carer's leave

- 4.1 Whatever the employee's length of service, they have a statutory right to take carer's leave to provide or arrange care for a dependant if they have a long-term care need.
- 4.2 In the context of the legislation and definition of statutory carer's leave, a person is a dependant of an employee if they:
- are a spouse, civil partner, child or parent of the employee,
 - live in the same household as the employee, otherwise than by reason of being the employee's boarder, employee, lodger or tenant or,
 - any other person who would reasonably rely on the employee to provide or arrange care.
- 4.3 A dependant has a long-term care need if they:
- have an illness or injury (whether physical or mental) that requires, or is likely to require, care for more than three months,
 - have a condition that amounts to a disability under the Equality Act 2010, or
 - require care for a reason connected to their old age.
- 4.4 This statutory right to carer's leave applies to a wide range of caring situations, but excludes general childcare, except where the child meets the definition of a dependant with a long-term care need.

5. Amount of carer's leave that can be taken

- 5.1 The amount of carer's leave that an employee can take is up to one week in any 12-month rolling period.
- 5.2 A week of carer's leave is the same duration as the employee's normal working week, meaning that a full-time employee is entitled to five days' carer's leave in any 12-month rolling period. If the employee is contracted to work four days per week, they will be entitled to four days of carer's leave in any 12-month rolling period, and so on.

5.3 Employees can take the leave in one continuous block, as individual days, or as half days.

5.4 If an employee is caring for more than one dependant, they do not have a separate entitlement to carer's leave for each dependant.

6. Employees with irregular working patterns

6.1 Where employees have irregular working patterns, they can work out how much carer's leave they are eligible for by calculating the leave as follows:

- Add up the total number of hours worked in the previous 12 months.
- 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).

If an employee wants to take carers leave in their first week of employment, they should use the amount they are expected to work in a week, as the amount of leave they can take.

7. Pay during carer's leave

7.1 You will continue to be paid your normal rate of pay while taking carer's leave under this policy.

7.2 All other benefits will remain in place. For example, holiday entitlement continues to accrue. Pension contributions will continue to be paid and continuity of service will remain unaffected.

8. Request to take carer's leave

8.1 If an employee wishes to request a period of carer's leave, they should submit their request to their line manager using the Carer's leave authorisation form.

8.2 Employee's must submit their request to their line manager giving as much notice as possible so that their manager can plan for their absence. In any event, the employee should give notice in advance that is either twice the number of working days they wish to take as carer's leave, or three days, whichever is earlier.

8.3 Employees do not need to give evidence of their dependant's care needs. However, all carer's leave must be approved in advance by the employee's line manager.

8.4 Once approved, the line manager should submit the authorisation form to payroll so that iTrent records can be updated.

9. Postponing carer's leave

9.1 Manager's cannot refuse a carer's leave request but can ask the employee to take it at a different time. They can only do this if the employee's absence would cause serious disruption to the service/organisation.

9.2 If a decision is taken to postpone the employee's leave, the line manager will consult with the employee to find an alternative leave period, within one month of the carer's leave period originally requested.

- 9.3 The line manager will write to the employee via email or letter within seven days of receiving their request, clarifying the reason for the postponement and the revised dates on which the carer's leave can be taken.

10. Cancelling carer's leave

- 10.1 Employees can cancel their carer's leave and take it at a different time as long as they let their line manager know before their leave has started and advise payroll.
- 10.2 Employees cannot cancel any carer's leave that has already begun.

11. Returning to work after carer's leave

- 11.1 Following a period of carer's leave, the employee has the right to resume working in the same job as before, on terms and conditions that are no less favourable than the terms that would have applied had they not been absent. Their continuity of employment is not affected.

12. Special Care Leave

- 12.1 In addition to care leavers, employees will be eligible to up to 3 day's unpaid leave in one year (January to December) where a dependant requires special care due to very serious or terminal illness. This leave may also be taken where a dependant requires significant post-operative care and is unable to be left alone.
- 12.2 Special Care Leave is planned and pre-arranged and is therefore distinct from time off to deal with an emergency for the care of a dependant which is outlined in the Time Off for Dependants Policy.
- 12.3 Further leave without pay may be granted at the discretion of the Line manager.
- 12.5 Special Care Leave should be requested and authorised using the Authorised Absence Form.

13. Other types of support

- 13.1 The statutory right to carer's leave is intended to be for planned and foreseen caring commitments. However, if an employee needs to take time off to manage an unexpected or sudden problem relating to a dependant or, make any necessary longer-term caring arrangements, other policies as shown below, may better support employees to manage their caring responsibilities alongside their work commitments:
- Annual Leave, Other leave and Unpaid Leave Policy
 - Paternity Leave Policy
 - Time off for dependants Policy
 - Compassionate, Parental Bereavement & Special Care Leave
 - Sabbatical Leave
 - Worksmart 22+ Policy
 - Flexible Working Request policy
- 13.2 East Devon District Council's Employee Assistance Programme offers confidential, impartial advice and support online and over the phone, 24 hours a day, 365 days a year. They are staffed by a team of qualified Counsellors and Information Specialists, who are experienced in helping people deal with all kinds of practical and emotional issues

for example, work life balance and life events, relationships and family issues, childcare information, elder care information. Please visit the intranet for further information.

14. External sources of help

- 14.1 There are various organisations that provide help and support to carers, including:
- 14.2 [Carers UK](#), which provides help and advice for carers on employment rights, benefits and tax credits, assessments, and other practical matters for carers;
- 14.3 the [NHS website](#), which provides a wealth of information and advice for carers;
- 14.4 [Grace Care Consulting](#), which provides advice and support on care, special needs and neurodiversity; all needs and neurodiversity.
- 14.5 [Age UK](#) and [Independent Age](#), which offer information and support to anyone providing informal unpaid care to an older person through a range of local services;
- 14.6 [Contact a Family](#), which provides support, advice and information to families with disabled children; and
- 14.7 [Carers Trust](#), which works with other organisations to provide access for carers to breaks, information, advice, education, training and employment opportunities

15. Policy compliance and Misuse

- 15.1 Any abuse of this policy may result in disciplinary action under the Disciplinary Policy and Procedure

16 Policy Administration

16.1 Appendices and other relevant information

Appendix 1 - Carer's leave authorisation form.

16.2 Links related Policies/Strategies, Procedures and Legislation

Legislation which links to this policy is [Carer's leave Act 2023](#)

17. Data Protection

- 17.1 We will process any personal data collected in accordance with our [Council's Data Protection Policy](#). Data collected from the point at which we become aware of the issue is held securely and accessed by, and disclosed to, individuals only for the purposes of providing the necessary support.

18. Policy consultation

- 18.1 This policy has been reviewed and approved by ELT, Personnel Committee and UNISON.

19 Policy review

- 19.1 Corporate Lead – Human Resources is responsible for the policy and will be reviewed April 2028 or in line with legislation changes.

