



Carer's Leave Policy

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V0.1	April 2024	Policy written in line with the Carer's Leave Act 2023 – effective 6 April 2024.
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POL149 – Carer’s Leave Policy

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Recommended at Date	SPF 3 June 2024
Approved at Date	CRG 24 June 2024
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Equality Analysis	Completed 14 May 2024
Linked procedural documents	Special Leave Policy Reasonable Adjustments Policy Flexible Working Policy Annual Leave Policy Employment Break Policy
Dissemination requirements	All Trust employees by intranet
Part of Trust’s publication scheme	Yes

The East of England Ambulance Service NHS Trust (EEAST) has made every effort to ensure this policy does not have the effect of unlawful discrimination on the grounds of the protected characteristics of age, disability, gender reassignment, race, religion/belief, gender, sexual orientation, marriage/civil partnership, pregnancy/maternity. The Trust will not tolerate unfair discrimination on the basis of spent criminal convictions, Trade Union membership or non-membership. In addition, the Trust will have due regard to advancing equality of opportunity between people from different groups and foster good relations between people from different groups.

All Trust policies can be provided in alternative formats.

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1. Introduction

- 1.1 We at EEAST recognise that caring for someone can be a rewarding experience but that it can also be unpredictable. Carers may come across difficult situations, including those arising from combining work and care, and we are committed to doing what we can to help to ensure that the health and wellbeing of employees with caring responsibilities is looked after.

A carer is someone who helps another person, usually a relative or friend, in their day-to-day life. This is not the same as someone who provides care professionally, or through a voluntary organisation.

2. Purpose

- 2.1 The purpose of this policy is to ensure carer's leave is applied consistently and fairly to all employees who are carers.
- 2.2 The policy aims to outline:
- when carer's leave is applicable,
 - how to request carer's leave,
 - how much notice you need to give,
 - how much leave you are entitled to,
 - when we can change your requested leave dates, and
 - alternative options of support available.

3. Scope

- 3.1 This policy applies to all EEAST employees. It does not apply to agency or casual workers.

4. Duties

- 4.1 **Executive Directors and Senior Managers** are responsible for the operation and monitoring of this policy.
- 4.2 **Line Managers** are responsible for:
- actioning requests for carer's leave fairly and equally in accordance with this policy,

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- being supportive to employees who are carers so they can continue to work alongside their caring responsibilities,
- considering the employee's health and wellbeing, and signposting appropriate support when needed,
- encouraging completion of the Health and Wellbeing Passport with employees who undertake a carers role and seek to understand their needs,
- ensuring that GRS is updated correctly for unpaid carer's leave,
- arranging completion of a HR2a form and obtaining the employee's signature when carer's leave is taken.

4.3 **Employees** are responsible for:

- making their line manager aware of any caring responsibilities so that they can receive the relevant support and/or guidance, when necessary,
- requesting carer's leave with as much notice as possible, and within the policy timeframes,
- completing the relevant request form and signing a HR2a form every time you take carer's leave.

4.4 **Managers, HR and trade union representatives** are responsible for providing advice and guidance to employees around the application of this policy, including current legislation.

5. **Requesting support**

5.1 We understand that you may acquire caring responsibilities overnight or they may develop over time, and you may not immediately identify yourself as a carer. You may find it difficult to distinguish your caring role from the personal relationship that you have with the person you are caring for, be it a relationship with a spouse, civil partner, child, parent, or friend.

5.2 We realise that caring is a subject that not everyone finds it easy to talk about, however we encourage you to speak to your line manager about your caring responsibilities to explore how we can help you with any challenges that you are facing.

If for any reason you feel unable to approach your line manager, you can speak to an HR representative, union representative, a Wellbeing Champion, or Occupational Health.

- 5.3 Your line manager will encourage you to complete a Health and Wellbeing Passport with them, explaining what support would help you to be able to combine work with care, and to record any reasonable adjustments that have been agreed, where appropriate (see the Reasonable Adjustments Policy).

6. Entitlement and pay during carer's leave

- 6.1 You have the right to take carer's leave from your first day working for EEAST. You can take this to provide or arrange care for a dependant if they have a long-term care need.
- 6.2 Any carer's leave you take will be unpaid.

During carer's leave you retain all contractual rights, except pay. You will continue to accrue annual leave and should return to the same job.

- 6.3 You do not need to provide evidence or explain how the leave will be used.

7. Who counts as a dependant

- 7.1 Your dependants can include:
- your spouse, civil partner, child, or parent;
 - any person who lives in the same household as you (other than as a lodger, tenant, boarder, or employee); or
 - a person who relies on you to provide or arrange care, such as an elderly neighbour.

8. Who counts as having a long-term care need

- 8.1 A dependant has a long-term care need if they have any of the following:
- a disability as defined under the Equality Act 2010,
 - an illness or injury (whether physical or mental) that is likely to need care for at least 3 months,
 - a care need related to their old age.

9. What carer's leave can be used for

9.1 Your right to carer's leave applies to a wide range of caring situations, for example:

- taking your disabled child to a hospital appointment,
- care of older relatives, such as moving your parent who has dementia into a care home,
- accompanying a housebound dependant on a day trip,
- providing meals and company for an elderly neighbour while their main carer is away from work for the day.

9.2 Carer's leave excludes general childcare if you are a parent, except where your child meets the definition of a dependant with a long-term care need (see Section 8).

You can choose to take up to 18 weeks of parental leave to look after your child (see our Special Leave Policy). This can be in addition (where eligible) or instead of carer's leave.

9.3 You should also refer to Sections 16, 17 and Appendix 1 for alternative leave and additional support available.

10. Amount of carer's leave you can take

10.1 You can take up to one week (37.5 hours / pro rata if you work part-time) of unpaid carer's leave in each personal leave year.

10.2 You can choose to take leave as:

- half days / half shifts (this is the minimum time you can take),
- full days / full shifts,
- a whole week.

10.3 If you are requesting a whole week of carer's leave but your shift pattern results in you needing more than 37.5 hours leave, you can choose to take the additional hours as unpaid annual leave.

If you care for more than one person, you can use your leave for more than one dependant, but you do not have a separate entitlement to carer's leave for each dependant.

11. How to take carer's leave

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- 11.1 If you need to take carer's leave, you should submit your notice using a **Carer's Leave Request Form (POL149-01)** available from the intranet.
- 11.2 We ask that you give as much notice as possible when requesting carer's leave so that we can plan for your absence. The minimum notice you give will depend on how many days leave you work and want to take:

Number of days requested	Minimum notice required (calendar days)
Half a day to 1 day	3 days' notice
1.5 to 2 days	4 days' notice
2.5 to 3 days	6 days' notice
3.5 to 4 days	8 days' notice
4.5 to 5 days	10 days' notice

If you need to request a short period of leave for a dependant in an unforeseen emergency, and cannot give the minimum notice for carer's leave, please refer to the 'Emergency leave' section of our Special Leave Policy.

- 11.3 For any approved carer's leave, your line manager will update GRS that you are taking 'unpaid carer's leave' and arrange completion of an HR2a Form which confirms:
- that you are taking unpaid carer's leave,
 - the date(s) requested and agreed,
 - the number of hours of unpaid leave you are taking for each date.
- 11.4 If you chose to take additional hours of unpaid annual leave (at Section 10.3), these will be added to GRS as 'unpaid carer's leave' but the HR2a Form must detail 37.5 hours of unpaid carer's leave and the additional hours as unpaid annual leave.
- 11.5 Your line manager will arrange for you to sign the completed HR2a form in line with Section 4.2 and submit this to HR Support Services.

12. Postponing your carer's leave

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- 12.1 Your request for carer's leave will not be refused, however, while every effort will be made to meet your request, your line manager may on occasion ask you to take the leave at a different time. This will only happen if they consider that your absence will cause serious disruption to our business requirements.
- 12.2 If a decision is taken to postpone your leave, your line manager (with advice from an HR representative) will:
- meet with you to agree another leave period, which will be within one month of the date(s) you originally requested, and
 - write to you explaining why they need to delay your leave and confirm the agreed dates on which your carer's leave can be taken.
- 12.3 Your line manager will do this within seven days of receiving your request or before your leave starts, whichever is the earlier.

13. Cancelling your carer's leave

- 13.1 If you need to cancel your request for carer's leave and take it at a different time, you should speak to your line manager at least 24 hours before your leave is due to start, wherever reasonably practicable. You cannot cancel carer's leave that has already started.
- 13.2 Your line manager will agree to your request wherever possible.

14. Other types of leave

- 14.1 Carer's leave is intended to be for planned and foreseen caring commitments. If you need to take time off to manage an unexpected or sudden problem relating to a dependant, please refer to the Special Leave Policy or Annual Leave Policy.
- 14.2 We also have a separate Employment Break Policy, if you feel that you would benefit from an extended period of time away from work.

15. Requesting flexible working

- 15.1 If you feel that you need additional time and support while you make necessary longer term caring arrangements, or that you would benefit from a temporary or permanent change to your working arrangements to help balance your work and caring responsibilities for a dependant,

we encourage you to consider the options available in our Flexible Working Policy.

16. Your rights and our commitment to you

- 16.1 You have the right to not be subjected to any detrimental treatment because you have taken, sought to take, or made use of the benefits of carer's leave.
- 16.2 If you are told not to take or request carer's leave, or you believe that you have been subjected to detrimental treatment because you have taken or requested carer's leave, you should report the matter to your local HR representative. Alternatively, you can raise it under our Grievance Policy.
- 16.3 Any such behaviour will not be tolerated and will be treated as a disciplinary offence.

17. Pensions

- 17.1 Pension rights and contributions shall be dealt with in accordance with the provisions of the NHS Superannuation Regulations.

18. Policy review

- 18.1 This policy will be reviewed on a two-yearly basis or amended in the light of new employment legislation and/or relevant case law.

Appendix A

Additional Support

- Our occupational health provider Kays Medical offer a 24/7 employee assistance programme offering support and counselling. Kays are also able to signpost you to specialist bereavement services to help you. Contact details are available on EEAST24 or via your line manager and HR Department.
- The Wellbeing Team are always here for you and can also offer a range of support, e.g., Chaplaincy Support. You can email the team at wellbeing@eastamb.nhs.uk or refer to the wellbeing section on east24 for the latest updates.
- The [NHS website](#), which provides a wealth of information and advice for carers.
- Additionally, there are various organisations that provide help and support to carers, including:
 - ❖ [Carers UK](#), which provides help and advice for carers on employment rights, benefits and tax credits, assessments, and other practical matters for carers;
 - ❖ [Grace Care Consulting](#), which provides advice and support on care, special needs, and neurodiversity; al needs and neurodiversity.
 - ❖ [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;
 - ❖ [Contact a Family](#), which provides support, advice, and information to families with disabled children; and
 - ❖ [Carers Trust](#), which works with other organisations to provide access for carers to breaks, information, advice, education, training, and employment opportunities.

Appendix B**Equality Impact Assessment**

EIA Cover Sheet			
Name of process/policy	Carer's Leave Policy		
Is the process new or existing? If existing, state policy reference number	New (POL149)		
Person responsible for process/policy	HR		
Directorate and department/section	People Services		
Name of assessment lead or EIA assessment team members	EIA Panel		
Has consultation taken place? Was consultation internal or external? (please state below):	Internal consultation through HR Policy Subgroup members		
The assessment is being made on:	Guidelines		
	Written policy involving staff and patients	X	
	Strategy		
	Changes in practice		
	Department changes		
	Project plan		
	Action plan		
	Other (please state) Carer's Leave Act 2023		

Equality Analysis																					
What is the aim of the policy/procedure/practice/event? This policy is aims to ensure that carer's leave is applied consistently and fairly to all employees who are carers.																					
Who does the policy/procedure/practice/event impact on? <table border="0"> <tr> <td>Race</td> <td><input type="checkbox"/></td> <td>Religion/belief</td> <td><input type="checkbox"/></td> <td>Marriage/Civil Partnership</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Gender</td> <td><input type="checkbox"/></td> <td>Disability</td> <td><input type="checkbox"/></td> <td>Sexual orientation</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Age</td> <td><input type="checkbox"/></td> <td>Gender re-assignment</td> <td><input type="checkbox"/></td> <td>Pregnancy/maternity</td> <td><input type="checkbox"/></td> </tr> </table>				Race	<input type="checkbox"/>	Religion/belief	<input type="checkbox"/>	Marriage/Civil Partnership	<input type="checkbox"/>	Gender	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Sexual orientation	<input type="checkbox"/>	Age	<input type="checkbox"/>	Gender re-assignment	<input type="checkbox"/>	Pregnancy/maternity	<input type="checkbox"/>
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Age	<input type="checkbox"/>	Gender re-assignment	<input type="checkbox"/>	Pregnancy/maternity	<input type="checkbox"/>																
Who is responsible for monitoring the policy/procedure/practice/event? HR																					
What information is currently available on the impact of this policy/procedure/practice/event? This is a new policy implemented following The Carer's Leave Act 2023 was made legislation on 6th April 2024, therefore no information is currently available. Having reviewed and updated the policy during a full consultation process, no negative impact was raised, and with the evidence available there is no negative impact.																					
Do you need more guidance before you can make an assessment about this policy/procedure/ practice/event? No																					
Do you have any examples that show that this policy/procedure/practice/event is having a positive impact on any of the following protected characteristics? Yes/No, if yes please provide evidence/examples: <table border="0"> <tr> <td>Race</td> <td><input checked="" type="checkbox"/></td> <td>Religion/belief</td> <td><input checked="" type="checkbox"/></td> <td>Marriage/Civil Partnership</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Gender</td> <td><input checked="" type="checkbox"/></td> <td>Disability</td> <td><input checked="" type="checkbox"/></td> <td>Sexual orientation</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Age</td> <td><input checked="" type="checkbox"/></td> <td>Gender re-assignment</td> <td><input checked="" type="checkbox"/></td> <td>Pregnancy/maternity</td> <td><input checked="" type="checkbox"/></td> </tr> </table> Please provide evidence: This policy is designed to be inclusive of all employees who are carers.				Race	<input checked="" type="checkbox"/>	Religion/belief	<input checked="" type="checkbox"/>	Marriage/Civil Partnership	<input checked="" type="checkbox"/>	Gender	<input checked="" type="checkbox"/>	Disability	<input checked="" type="checkbox"/>	Sexual orientation	<input checked="" type="checkbox"/>	Age	<input checked="" type="checkbox"/>	Gender re-assignment	<input checked="" type="checkbox"/>	Pregnancy/maternity	<input checked="" type="checkbox"/>
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Are there any concerns that this policy/procedure/practice/event could have a negative impact on any of the following characteristics? Yes/No, if so, please provide evidence/examples: **No**

Race	<input type="checkbox"/>	Religion/belief	<input type="checkbox"/>	Marriage/Civil Partnership	<input type="checkbox"/>
Gender	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Sexual orientation	<input type="checkbox"/>
Age	<input type="checkbox"/>	Gender re-assignment	<input type="checkbox"/>	Pregnancy/maternity	<input type="checkbox"/>

Please provide evidence:

Having reviewed and updated the policy during a full consultation process, no negative impact was raised, and with the evidence available there is no negative impact.

Action Plan/Plans – SMART

Specific

Measurable

Achievable

Relevant

Time Limited

Evaluation Monitoring Plan/how will this be monitored?

Who – see **Monitoring Table**

How

By

Reported to

Appendix C - Monitoring Table

What	Who	How	Frequency	Evidence	Reporting arrangements	Acting on recommendations	Change in practice and lessons to be shared
Audit of employee experience, and that the policy and procedure is being applied consistently, fairly, and accurately for all carer’s leave requested.	Head of HR People Partnering	Requests and outcomes for carers leave should be monitored, including any complaints /grievances received.	Annually	GRS, ESR and ER Tracker data	Reported to and discussed at SPF where required	Head of HR People Partnering will address any actions or changes required.	Any change in practice will be identified and: <ul style="list-style-type: none"> • process updated with HR People, Partnering team, • HRBP / line manager training implemented, • policy updated where required.