



BATH SPA
UNIVERSITY

Carer's Leave policy

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1. Introduction

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, and other support that we offer to combine work with care.

The University recognises the challenges that carers face while trying to balance the demands of caring, work, and looking after their own health. As an organisation, 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.

Carer's leave is intended to be used for planned and foreseen caring commitments. If an employee needs to take time off to manage an unexpected or sudden problem relating to a dependant, they may want to consider requesting another form of leave – [unpaid leave](#), [emergency leave for dependants](#), [annual leave](#).

This policy does not form part of an employee contract of employment and the University reserves the right to amend it at any time.

2. Scope

This policy applies to all employees, across all grades and groups including academic and non-academic, Associate lecturers, part time and full time, permanent and fixed term.

It does not apply to workers, contractors, consultants or any self-employed individuals working for the organisation.

3. Being a carer

A carer is anyone with caring responsibilities who provides care, assistance and support to any other individual who may be seriously ill or unable to care for themselves.

We recognise that caring can be unpredictable and, at times, emotionally upsetting. An employee may acquire caring responsibilities overnight or caring responsibilities may develop over time.

We realise that caring is a subject that not everyone finds it easy to talk about. However, we encourage employees to be as open as possible about any particular issues that they are experiencing to help the University provide them with the right type and level of support. If

for any reason the employee feels unable to approach their line manager, they can speak to their HR Business Partner for advice, guidance and signposting.

4. Entitlement to Carer's Leave

Employees have a statutory right to take Carer's Leave, whatever their length of service, to provide or arrange care for a dependant if they have a long-term care need.

A dependant is defined as:

- a spouse, civil partner, child or parent;
- any person who lives in the same household as the employee (other than as a lodger, tenant, boarder or employee); or
- any other person who would reasonably rely on the employee to provide or arrange care.

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.

The statutory right to Carer's Leave applies to a wide range of caring situations, but excludes general childcare, except where a child meets the definition of a dependant with a long-term care need.

5. Amount of carer's leave

An employee can take up to one week's unpaid leave in any 12-month rolling period.

A week for the purpose of this policy will be for the same duration as an employee's normal working week, meaning that a full-time employee would be entitled to 5 days carer's leave. An employee contracted to work four days per week would be entitled to four days of carer's leave and so on.

Carer's Leave can be taken in one continuous block, as individual days, or as half days.

An employee caring for more than one dependant will not have a separate entitlement to Carer's Leave for each dependant.

To calculate a 'normal working week' for an employee with an irregular working pattern, the University will add up the total number of hours the employee has worked in the previous 12 months and divide that total by 52 (or however many weeks since the employee started the job, if they've been in the job less than a year).

6. Notice to take carer's leave

An employee should give notice before they take any carer's leave. They should notify their line manager, by completing the Carer's Leave Notification Form. An employee must give notice in advance that is either twice the number of working days that they wish to take as carer's leave, or three days, whichever is earlier.

For example, if the request is for one day (or half a day), at least 3 days' notice must be given. If the request is for 2 days, at least 4 days' notice must be given. A request for 4 days, at least 8 days' notice must be given and so on.

All Carer's Leave must be approved in advance by the line manager. A copy of the completed Carer's Leave Notification Form should be forwarded to the HR Department for action and inclusion on the employee's personal file.

Employees do not need to provide any evidence of their dependant's care needs.

While every effort will be made to support Carer's Leave requests, and the University will not refuse any request, we do reserve the right to postpone a period of carer's leave if we consider that the employee's absence will cause significant disruption to core University business/services.

If a decision is taken to postpone leave the line manager, with support and guidance from HR, will consult with the employee to find an alternative leave period within one month of the Carer's Leave period original requested. The line manager will write to the employee within seven days of receiving the Carer's Leave notification, clarifying the reason for the postponement and the revised dates on which the leave can be taken.

An employee can cancel their carer's leave request and take it at a different time. However, the employee should inform their line manager before the scheduled leave was due to commence. Once a period of carer's leave has begun it cannot be cancelled.

7. Pay during carer's leave

Eligible employees will receive statutory unpaid leave for any Carer's Leave requested.

While salary will cease during Carer's Leave, all other benefits will remain in place with the exception of pension benefits and contributions. The period of unpaid leave does not count as pensionable service; therefore no contributions will be paid during this time.

Members of the LGPS can elect to pay Additional Pension Contributions (APCs) to purchase the pension benefit lost during the period of unpaid absence. Further information is available on the [Avon Pension Fund website](#).

Members of the TPS may be able to buy additional pension, for further information on individual circumstances, further information can be found on the [Teachers' Pensions website](#).

8. Rights during Carer's Leave

Employees taking Carer's Leave have the right not to be subjected to any detrimental treatment because they have taken, sought to take, or made use of the benefits of carer's leave.

If an employee believes that their Carer's Leave has been unfairly postponed by their line manager, or that they have been subjected to detrimental treatment because they have taken or requested carer's leave, the employee can informally discuss the matter with their HR Business partner. Alternatively, an employee can raise the concern formally as part of the University's [Grievance procedure](#).

9. Returning to work after carer's leave

Following a period of carer's leave, an 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. Continuity of employment is not affected.

10. Other support available

How the University can provide support to an employee with caring responsibilities will vary depending on their specific needs and individual circumstances.

We realise that flexible working can help navigate the challenges of caring while also working. The University can consider a wide range of flexible working practices within the workplace.

If an employee feels that they would benefit from a temporary change to their working arrangement on an ad hoc basis, this should be discussed and agreed with their line manager. We will try to facilitate temporary flexible working arrangements where possible, balancing the needs of the employee with the service requirements of the Department/University. Any temporary arrangements will be set with a clear timeline for review, to ensure that the arrangement continues to meet short term needs.

If an employee feels that they would benefit from a permanent change to their working arrangements to help balance work and caring responsibilities, they are encouraged to look at the University [Flexible working policy](#). If an employee feels that they would benefit from a permanent change to their working arrangements to help balance work and caring responsibilities, they are encouraged to look at the University Flexible working policy. If an employee feels that they would benefit from a permanent change to their working arrangements to help balance work and caring responsibilities, they are encouraged to look at the University Flexible working policy.

Employees may also consider contacting the University's EAP (Employee Assistance Programme) provider, [TELUS](#), for help, advice and support. Login details - user ID - bathspa, password - wellbeing

Document Details

Responsible Office: Human Resources

Responsible Officer: Arlene Stone, Director of Human Resources

Approving Authority: Senior Leadership Group

Date of latest approval: 6 April 2024

Effective Date: 6 April 2024

Related Policies and Procedures: Flexible working policy, Annual leave, Unpaid leave

Supersedes: Not applicable

Next review due: April 2029