



Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

# **Polisi Gofalwyr**

# **Carers Policy**

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**Carer's Policy**

<b>Version</b>	<b>Date</b>	<b>Action</b>
1	23 <sup>rd</sup> February 2020	New Policy
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## **1. Policy Statement**

Neath Port Talbot Council recognizes and understands that some employees may find it difficult to combine work and caring and this policy sets out what support the Council offers to enable employees to do this.

## **2. Definition of a Carer**

Neath Port Talbot Council defines a carer as employees with significant caring responsibilities that have a substantial impact on their working lives. These employees are responsible for the care and support of disabled, elderly or sick partners, relatives or friends who are unable to care for themselves. The activities that carers undertake are wide ranging, including help with personal care; help with mobility; managing medication; practical household tasks; emotional support; and help with financial matters or paperwork.

For the purpose of this policy the needs of carers are different to those employees with mainstream childcare issues. Caring can be unpredictable and emotionally upsetting; it can happen overnight, for example if an employee's parent has a stroke, or it can creep up on someone, for example if their partner develops a debilitating long term health condition. It is not like mainstream childcare as its circumstances and milestones are different and often more uncertain.

For example, with mainstream childcare, the child's journey is more predictable as he or she grows older, goes through schooling and becomes more independent. With caring, the milestones can be very different and go in the opposite direction; for example, an elderly parent becoming more frail and dependant or a disabled child continuing to have high support needs as they become an adult. It is also much easier (and often more acceptable) to talk about childcare in the workplace than it is to discuss caring for a parent with dementia or a partner with a disability, for example.

## **3. Commitment to supporting carers**

The Council recognises that some people have caring responsibilities and that carers will constitute a part of its workforce. It also recognises that some employees may find it difficult to combine work and caring. We have, therefore, adopted the following code of good practice in order to support employees who are, or who are likely to become carers.

We believe that carers should have the same opportunity to obtain a job within the organisation and keep their job as everyone else and is committed to providing as much support as is reasonably practicable.

#### **4. Identification and disclosure**

Over two million people in the UK become carers every year and around the same number of people cease caring; carers are therefore not a static group and the same will be true within any workplace. The Council therefore acknowledges that it needs to strike a balance between recognising the special circumstances of caring and not classifying carers as a rigid or separate group as it will be a group whose members, and needs, will be constantly changing.

Employees may not recognise themselves as carers, for example employees who are caring at a distance - ie supporting someone such as an elderly parent who does not live with them – may be less likely to consider themselves as a carer.

Employees are not obliged to disclose to their line manager that they are caring for someone but are actively encouraged to do so. All line managers should ask whether staff they are supervising have caring responsibilities, and should have due regard to issues of confidentiality concerning this information.

Employees who don't feel able to disclose this information to their line manager can approach their trade union representative or HR Officer.

Once the carer has been identified the line manager should ensure that they are aware of and feel able to access the range of support the Council offers.

#### **5. Flexible Working**

All employees with caring responsibilities are entitled to request to work flexibly in order to attend to the needs of the individual whom they care for.

The Council offers various types of flexible working:

- **Flexi-time.** Employees are required to work within set times but outside of these 'core hours' have some flexibility in how they work their hours.
- **Home working / mobile working.** Employees spend part of their working week away from the workplace.
- **Job sharing.** Usually two employees share the work normally done by one person.

- **Reduced hours working.** Employees might work shorter days or fewer days in a week.
- **Term-time working.** Employees don't work during school holidays and either take paid or unpaid leave or their salary is calculated pro-rata over the whole year.
- **Compressed hours.** Employees work their total hours over fewer working days e.g. a ten day fortnight is compressed into a nine day fortnight.

Employees who have worked for the Council for at least 26 weeks can make a request for flexible working. If agreed it would result in a permanent change to their terms and conditions. Only one request is allowed in a year. The Council can refuse a request, but will give the employee good business reasons from a specific list which is set out in the Flexible Working Policy. Employees can appeal against this decision. For further information, please refer to the Flexible Working Policy on the HR Intranet.

Line managers should also consider informal arrangements such as use of a telephone, or private time/space to make calls, at work, in connection with their role as a carer.

## 6. Crisis situations

The Council recognises that employees with caring responsibilities are not always able to plan ahead - accidents or illnesses can occur without warning and care arrangements can break down unexpectedly. Emergency leave is therefore important to carers, who can be called home at short notice on such occasions. All carers are entitled to take time off in order to attend to the sudden needs of the individual whom they care for.

All employees have a statutory right to take "reasonable time off" to deal with unexpected situations involving a dependant. Employees must inform their line manager as soon as possible after the emergency has happened.

A dependant includes an employees' husband, wife or partner, child or parent, or someone living with them as part of their family. Others who rely on them for help in an emergency may also qualify.

The situations where emergency leave might be taken are:

- a disruption or breakdown in care arrangements
- when a dependant falls ill, has been assaulted or in an accident (including when the person is hurt or upset rather than physically injured)

- to make longer term arrangements for a dependant who is ill or injured (but not to provide long term care themselves)
- to deal with an incident involving a child during school hours
- to deal with the death of a dependant.

## 7. Carers Leave

The Council acknowledges that employees with caring commitments may need time off to deal with medical appointments/discharge from hospital etc.

Employees should discuss with line managers, in advance, any leave which they can reasonably expect to need for their caring commitments so that managers and the other members of the team can plan work, meetings and other leave around those dates.

Some types of medical appointments can be booked in advance and carers are expected to book these at the start or end of the working day, to minimise disruption at work. With prior approval, time off for planned appointments can normally be made up later, taken as flexi or annual leave.

The Council acknowledges that employees with caring responsibilities may need flexible leave arrangements as well as flexible working arrangements in order to manage all aspects of their caring role. It therefore provides the following options which should be discussed with the line manager:-:

- Parental Leave
- Time off for dependants
- Additional Annual Leave Purchase Scheme
- Career breaks

## 8. Other support for carers

All employees with caring responsibilities are entitled to use their telephone at work, in private, in connection with their role as a carer.

Information about external sources of support is also available, please see below:-

Carers UK - <https://www.carersuk.org/wales>

Dewis Cymru - <https://www.dewis.wales/support-for-carers>

NHS Direct Wales - <https://www.nhsdirect.wales.nhs.uk/livewell/carers/>

Carers Trust Wales - <https://carers.org/country/carers-trust-wales-cymru>

## **9. Role of line managers**

Managers, especially line managers, are the gatekeepers to this policy and play a key role in its implementation. The Council recognises that each carer's situation is different and may require a different response from the manager, taking into account the whole range of organisational support available.

Employees need to feel able to take up these policies without feeling that they might be treated less favourably. Managers can help by creating an open workplace culture that is supportive to carers.

Creating a workplace culture that is supportive to carers also requires the endorsement of top-level management. This Policy has been approved by the Council's Personnel Committee.

## **10. Review**

This policy will be reviewed in two years, following changes in legislation or as a result of operational issues.

Neath Port Talbot Council understands the difficulty that some carers face and is committed to providing as much support as is reasonably practicable. The Council welcomes comments and suggestions from all staff on how the organisation may further improve the working environment so that it is better equipped to deal with the varying needs of carers in the workforce.



## **Law relating to this document**

### *Leading statutory authority*

Work and Families Act 2006

Equality Act 2010

The Employment Rights Act 1996

Employment Relations Act 1999

Since April 2007 the Work and Families Act 2006 (The Work and Families (Northern Ireland) Order 2006 in Northern Ireland) has given carers, as well as parents, the right to request flexible working such as changing hours or working from home.

The Act currently defines a carer as someone who cares for, or expects to care for, a spouse or partner, a relative such as a child, uncle, sister, parent-in-law, son-in-law or grandparent, or an adult who is not a relative but lives at the same address as the carer. Under the National Carers Strategy, published in June 2008, there was a government commitment to review the definition of 'carer' in the Flexible Working Regulations to consider extending it to the 20% of carers who currently miss out. These are carers who are not a close relation of the person they care for or who do not live with them. Evidence shows that most employers are open to requests from people not currently eligible under the new law, such as those that care for, say, an elderly neighbour.

This policy goes beyond what the law requires in offering the right to request flexible working to all employees with caring responsibilities.

## **Protection from discrimination**

If an employee is looking after someone who is elderly or disabled, the law – under the Equality Act 2010 – will protect them against direct discrimination or harassment because of their caring responsibilities. This is because they are counted as being 'associated' with someone who is protected by the law because of their age or disability. Employers need to ensure that they do not discriminate against employees with caring responsibilities. Direct discrimination is where an employee is treated less favourably than someone else because they are caring for an elderly or disabled person. Examples of this could include someone being refused a job because of their caring responsibilities or an employee not being offered a promotion because of their caring responsibilities.