



Carer's Leave

Owner	Employee Relations
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1.0 Introduction

- 1.1. The Governing Body recognises the importance of supporting employees who have caregiving responsibilities. 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.
- 1.2. The Governing Body recognises the challenges that carers face while trying to balance the demands of caring, work, and looking after their own health. The Governing Body are committed to doing what they can do to help to ensure that the health and wellbeing of employees with caring responsibilities is looked after.
- 1.3. This policy and procedure do not form part of any employee's contract of employment and it may be amended at any time. Any changes to this policy and procedure must be meaningfully consulted and will be communicated to trade unions.

2.0 Definitions

- 2.1 The [Employment Rights Act 1996](#) and [Carer's Leave Regulations 2024](#) provide a statutory right for an employee to be absent from work for one week, on unpaid leave, to provide or arrange care for a dependent with a long-term care need.

An employee is entitled to be absent from work to take carer's leave where they:

- (a) have a dependant with a long-term care need
 - (b) want or need to be absent from work to provide or arrange care for that dependant, and
 - (c) have not exceeded their carer's leave entitlement under the Carer's Leave Regulations 2024, I.E., one week per year
- 2.2 A person is a dependant of the employee if they;
 - i. are their spouse, civil partner, child, or parent
 - ii. live in the same household as the employee, but is not the employee's boarder, employee, lodger, or tenant **or**;
 - iii. if they reasonably rely on the employee to provide or arrange care.
 - 2.3 A dependant of an employee has a long-term care need if;
 - i. they have an illness or injury (whether physical or mental) that requires, or is likely to require, care for more than three months,
 - ii. they have a disability for the purposes of the Equality Act 2010 **or**;
 - iii. they require care for a reason connected with their old age
 - 2.4 A week of carer's leave is defined as a period of absence from work equal in duration to the period the employee is normally expected or required to work in a week, at the time of making the request. Calculation of carer's leave entitlement will be made in accordance with the provisions of Paragraph 6 of the [Carer's Leave Regulations 2024](#).
 - 2.5 A week is defined as a seven day period starting at midnight between Sunday and Monday.

3.0 Scope

- 3.1 This policy applies from the first day of employment to all school employees. It does not apply to agency workers, casual workers, and sub-contractors.
- 3.2 The statutory right to carer's leave is intended to be for planned and foreseen caring commitments. If employees need to take time off to manage an unexpected or sudden problem relating to a dependant, please refer to the school's process for requesting leave of absence.
- 3.3 The Governing Body recognises that employees may need a longer period of time off work that goes beyond the one week per year entitlement to carer's leave under this policy. Should this be the case, employees should submit their leave request in writing to the head teacher for consideration. In the case of the head teacher, the leave request should be submitted to the chair of the governing body for consideration.
- 3.4 If employees feel that they would benefit from a permanent change to their working arrangements to help balance their work and caring responsibilities, please refer to the School's Flexible Working policy.
- 3.5 This statutory right to carer's leave applies to a wide range of caring situations, but excludes general childcare, except where your child meets the definition of a dependant with a long-term care need. Where applicable, other policies and procedures may apply such as parental leave.

4.0 Principles

- 4.1 This policy implements the statutory provisions contained within The [Employment Rights Act 1996](#) and [Carer's Leave Regulations 2024](#) in relation to carer's leave.
- 4.2 Employees will not to be subjected to any detrimental treatment (including being unfairly penalised, disciplined or dismissed) because they have taken, sought to take, or made use of the benefits of carer's leave.
- 4.3 In handling a request for carer's leave, and any information that the employee discloses as part of that request, the Governing Body will not discriminate unlawfully against the employee in relation to any of the protected characteristics set out in the Equality Act 2010. The protected characteristics are:
- age
 - disability
 - gender reassignment
 - marriage and civil partnership
 - pregnancy and maternity
 - race
 - religion or belief
 - sex
 - sexual orientation
- 4.4 The Governing Body will not require an employee to supply evidence in relation to a request for carer's leave before granting the leave.

- 4.5 Employees do not have a statutory right to be paid during carer's leave. Therefore, any leave taken as carer's leave is unpaid.
- 4.6 During a period of carer's leave, employees are entitled to the benefit of all the terms and conditions of employment which would have applied if the employee had not been absent.
- 4.7 During any period of carer's leave, continuity of employment is not affected.
- 4.8 On returning from carer's leave, employees have 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.

5.0 Confidentiality

- 5.1 The Governing Body will process any personal data collected in accordance with the School's Employee Data Privacy Statement. Data collected from the point at which the school becomes aware of the issue is held securely and accessed by, and disclosed to, individuals only for the purposes of providing the necessary support.

6.0 Carer's Leave Procedure

6.1 Carer's Leave Entitlement

The amount of carer's leave that employees can take is up to one week in any 12-month rolling period.

There is no minimum length of service required to exercise the statutory right to take carer's leave to provide or arrange care for a dependant if they have a long-term care need.

A week of carer's leave is the same duration as a normal working week, meaning that a full-time employee is entitled to five days' carer's leave in any 12-month rolling period. Where employees are part time and contracted to work four days per week, for example, they will be entitled to four days of carer's leave in any 12-month rolling period.

Employees can take the leave in one continuous block, as individual days, or as half days. The minimum amount of carer's leave that can be requested is one half day.

If employees are caring for more than one dependant, they do not have a separate entitlement to carer's leave for each dependant.

6.2 Notice to take carer's leave

Where employees wish to make use of carer's leave, they should speak with the headteacher.

Employees must specify; the days on which the carer's leave is to be taken, and, if the request relates to a whole day or days, or part of a day or days (IE., mornings or afternoons).

Employees should give as much notice as possible when requesting carer's leave so that the headteacher can plan for their absence. In any event, employees 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. It is at the discretion of the headteacher to waive the notice period requirements depending on the individual circumstances that surround the employee's request.

All carer's leave must be approved in advance by the headteacher.

Headteacher cannot, and will not, require an employee to supply evidence in relation to a request for carer's leave before granting the leave.

6.3 Pay during carer's leave

Employees do not have a statutory right to be paid during carer's leave. Therefore, any leave taken as carer's leave is unpaid.

While employees will not receive pay during a period of carer's leave, all other benefits will remain in place. Pension contributions will continue to be paid, however, as carer's leave is unpaid, it will not count for pensions purposes unless employees elect to pay Additional Pensions Contributions to buy the pension 'lost' during the absence.

Employees should be aware that as carer's leave is unpaid, this may affect eligibility for statutory pay such as statutory sick pay and statutory maternity pay, for example. Employees may wish to seek advice based on their individual circumstances, such as, the Citizen's Advice Bureau.

6.4 Postponing carer's leave

While every effort will be made to meet requests, the headteacher may postpone a period of carer's leave if it is considered that the absence will disrupt service delivery.

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

The headteacher will write to employee within seven days of receiving a request for carer's leave, clarifying the reason for the postponement and the revised dates on which the carer's leave can be taken.

6.5 Cancelling carer's leave

Employees can cancel carer's leave and take it at a different time as long it is agreed by the headteacher before the carer's leave has started.

If an employee needs to cancel their request for carer's leave, they should do this as soon as possible. It's good practice for the headteacher to consider this but they do not have to agree to it.

7.0 Record Keeping and Documentation

- 7.1 Records relating to carer's leave will be held confidentially in line with School's Retention Policy. The Governing Body has a legal obligation to record this information to ensure the school is compliant with the provisions of Carer's Act Regulations 2024.
- 7.2 Written and digital records of any meetings held relating to this policy should be kept. They should be treated as confidential and be kept no longer than necessary in accordance with the School's Retention Policy.