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# Supporting Carers at Work Guidance

## Document Control

<b>Approval Date</b>	TBC
<b>Implementation Date</b>	TBC
<b>Guidance Version</b>	2
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<b>Approval Authority</b>	
<b>Scheduled Review</b>	Every 2 years
<b>Changes</b>	
<b>June 2024 Version 1</b>	<ul style="list-style-type: none"> <li>• New guidance in response to introduction of carer's leave April 2024.</li> </ul>
<b>Feb 2026 Version 2</b>	<ul style="list-style-type: none"> <li>• New one week paid carer's leave for employees registered as an unpaid carer</li> <li>• New Kinship Carer's Leave</li> <li>• New Foster Carer's Leave</li> <li>• New Carer's Passport</li> <li>• Introduction of Peer Support Group</li> <li>• Clarity provided on different types of carer's</li> <li>• Updated Introduction Section to ensure clarity on purpose, application and scope, and responsibilities</li> <li>• Updated Supporting Leave and Information section</li> <li>• Language reviewed to ensure inclusive</li> </ul>

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## SECTION 1: INTRODUCTION

### **Purpose**

This guidance is part of the Council's Family Leave provisions, supporting the diverse needs of families and promoting a compassionate, inclusive workplace.

The Council recognises that employees who feel supported and valued within a compassionate workplace are more likely to openly discuss wellbeing concerns or life events, seek support when needed, and successfully transition back to work. Managers who foster trust and demonstrate effective leadership play a crucial role in creating an environment that is open, respectful, and kind, enabling their teams to thrive.

The purpose of this guidance is to provide employees and managers with relevant information on carer's leave, including details on the available provisions, any eligibility criteria, application requirements and support options.

Undertaking a caring responsibility can be challenging and may result in carers having to give up their employment because they are unable to manage both roles. The Council and its managers can help carers to remain in work, by creating a working environment in which carers feel valued and supported and at the same time ensuring that operational requirements are met. By supporting carers who work for the Council, the organisation retains skilled and experienced individuals.

Core to this guidance is that no employee will be adversely treated in the workplace due to taking carer's leave.

The council is committed to ensuring family leave provisions are inclusive, equitable, and accessible to all employees, regardless of family structure. We respect and value each employee's circumstances and will provide support without discrimination based on age, sex, sexual orientation, pregnancy and maternity, gender reassignment, marriage or civil partnership, race, religion or belief, disability. Our aim is to create a workplace where everyone feels supported in balancing work and family life.

This guidance should be read in conjunction with the Council's Family Leave Policy and Family Leave Planning Toolkit.

### **Application and Scope**

This guidance applies to all employees of the Council except teachers and those other employees under SNCT terms and conditions who have a separate local agreement covering teachers leave of absence.

This guidance incorporates The Carer's Leave Act 2023, effective April 6 2024, which grants employees the right to take up to one week of unpaid leave annually to care for dependents with long-term care needs.

### **Responsibility of Managers**

Managers should ensure that they are familiar with this provision of this guidance and are supportive of any employee seeking to request support in their caring responsibilities.

Managers should ensure that their teams are aware of the support offered to carers.

No two situations will be the same, and managers should ensure that a carer's situation is treated sensitively, fairly and confidentially. It can be daunting discussing elements of our personal life in the workplace, so managers must do all they can to build a trusting and open relationship with their employees.

Where a manager is supporting an employee who is a carer, there should be regular opportunities for the employee to share any changes in their caring responsibilities. All requests from employees for support should be considered based on an understanding of the situation and its impact on the employee.

Managers should also maintain an awareness of the possibility that where an employee is experiencing difficulties at work, this may be linked to a caring responsibility that they have yet to disclose to their manager.

### **Responsibility of Employees**

Employees should familiarise themselves with this guidance and engage with their line manager at the earliest opportunity when planning to take carer's leave. This can help the line manager to provide support accordingly and also plan how they may cover any leave, where this is required.

## SECTION 2: CARERS IN THE WORKPLACE

The Carers (Scotland) Act 2016 defines who is considered as a carer in Scotland with carer meaning an individual who provides or intends to provide care for another individual (the cared for person). One in seven employees are balancing caring responsibilities with work with many giving up work every day when this is no longer possible. Unlike parents, many carers are invisible in the workplace, can be reluctant to discuss their personal situation and are often unaware of the support available to them.

This guidance covers leave provisions and support for the following types of carers:

### **Working Carer**

A working carer is someone who is managing both paid work and unpaid caring responsibilities. These employees are responsible for the care and support of a relative or friend who is older, disabled, seriously ill (physically or mentally) and unable to care for themselves. This does not include individuals who are employed as a paid professional carer or whose caring role relates solely to a child or children who do not have a long-term illness or disability.

The activities these 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 etc. Carers may also need to attend meetings or appointments with, or on behalf of, the dependant, some of which may be planned and others at short notice. Accidents and illnesses can occur without warning, and care arrangements can break down unexpectedly. The ability to take leave in an emergency is important for carers, who may be called upon at short notice.

Employees have a statutory right to take unpaid, reasonable time off work to deal with unforeseen and emergency matters regarding a dependant.

Carer's Leave is detailed in section 3.

### **Kinship Carer**

Kinship carers are family or friends who step in, often during an unexpected crisis, to care for a child when their birth parents are unable to. This may be because the parent has died, is unwell, has gone to prison, is experiencing problems with drugs and alcohol, or are neglectful or abusive. Kinship carers are usually grandparents, aunts or uncles, brothers or sisters, a step parent, step sibling, or someone who isn't related but know the child(ren) well.

Kinship Carers may be eligible for an allowance; details of which can be found on the government website. [Kinship care – \(Looked after children - gov.scot\)](https://www.gov.scot/topics/children/kinship-care)

A kinship carer can also be a carer, under The Carers (Scotland) Act 2016, even where they have a kinship carer agreement with the local authority. This is only for kinship carers who meet the other requirements of the meaning of carer, as above, so not where the care is simply because of the child's age.

Kinship Carer's Leave is detailed in section 4.

## **Foster Carer**

Fostering in Scotland involves becoming a foster carer to provide a home for children who cannot live with their birth families. To become a foster carer, an individual must be over 21, have a legal right to work in the UK, have a spare bedroom, and be able to provide a stable, loving home.

A foster carer takes care of a 'looked after' child when they cannot stay in their own home or with a [kinship carer](#). A child is 'looked after' when the local council has a legal responsibility for their wellbeing. The process includes a rigorous assessment and training, and while there is no upper age limit, they will need patience and resilience. An individual can apply through their local authority or an independent fostering agency.

As foster carers receive payment, they are not eligible for any leave associated with unpaid carers detailed in this guidance.

Foster Carer's Leave is detailed in section 5.

## **Carer Passport**

A carer passport is a record which helps carer's to be identified, recognised and supported in employment. This passport can be used by employees to support them and their manager to have a supportive conversation and document the flexibilities needed to support the employee in managing their personal and work responsibilities, including recording any actions or adjustments agreed. The information is confidential and treated accordingly.

The passport can be reviewed and amended throughout the employee's employment with the Council.

In considering the carer leave options available, employees and managers are also encouraged to consider using the carer passport as an additional support. Please refer to the carer passport for full details.

## **SECTION 3: CARER'S LEAVE**

The Council offers two types of carer's leave – Statutory Carer's Leave and Registered Carer's Leave. An employee is entitled to one or the other based on meeting eligibility criteria.

### **Statutory Carer's Leave**

Employees who are caring for a dependant with a long-term care need (i.e. a disability defined under the Equality Act 2010, illness or injury likely to need care for at least 3 months or a care need related to old age) are legally entitled to one week of unpaid flexible leave per year.

This right to carer's leave applies from the first day of employment, and can be used to give or to arrange care for a dependant who needs long-term care.

There is no requirement for the employee to evidence their caring responsibilities to be able to apply for statutory carer's leave.

### **Registered Carer's Leave**

Where the employee is registered as a carer and able to evidence this, the Council will grant one week paid leave per year. This is instead of the statutory unpaid carer's leave.

To be eligible, evidence of being a registered carer must be provided from one of the following; a GP, other Health Care professional, your local carers centre or social work department.

### **Taking Carer's Leave**

Where the employee cares for more than one dependant, the leave entitlement is capped at the provisions above, however this leave can be used for more than one dependant, for example 3 days for one dependant and 2 days for another.

Employees can take up to one week of carer's leave a year, and can choose to take leave as:

- hourly – (the minimum block of time the employee can take)
- half days
- full days
- a whole week

An employee is entitled to a period of leave that is equal to their usual working week. For example, if an employee works 3 days a week, they can take 3 days of Carer's Leave per year.

Where possible if the employee requires Carer's Leave, they should notify their line manager before the start of their leave in accordance with the following notice periods:



<b>Number of days requested</b>	<b>Minimum notice period</b>
1 hour 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
6 days (if an employee works 6 days a week)	12 days' notice

An employee may need to take time off at short notice to care for a dependant and where possible managers should be flexible with agreeing time off.

Managers cannot refuse the employee's request for Carer's Leave however they can request the leave is taken at a different time if it would cause serious disruption to service delivery. If a manager is required to delay the leave, they must agree another date within one month of the date the employee originally requested leave for and explain in writing the reason they need to delay the leave. This must be within 7 days of receiving the request or before the leave starts, whichever is earlier. See Appendix 1 for template letter.

If the employee needs to cancel their carer's leave request, they should do this as soon as possible.

Carer's Leave (paid and unpaid) should be requested by the employee via the HR/Payroll system.

## SECTION 4: KINSHIP CARER'S LEAVE

The Council recognises the important role played by kinship carers in providing secure, stable and nurturing homes for children who cannot be cared for by their birth parents.

Kinship carers **may** be eligible for the carer's leave provisions outlined in section 3, but only where they meet the definition of a carer as outlined in section 2, and can provide the required documentation.

The following provides clarity and detail pertaining specifically to kinship carers.

### Types of Kinship Care

- **Formal** – relates to looked after children who have been placed with kinship carers by the local authority. These arrangements will have input from the social work team of the relevant local authority.
- **Informal** – relates to non-looked after children who live in an informal kinship care arrangement (these children may be subject to an order under Section 11 of the Children (Scotland) Act 1995 or may be living in a completely private arrangement with extended family with no local authority involvement).

While many kinship arrangements are expected to be permanent, or long-term, kinship can also apply to shorter periods. Usually kinship comes about when parents can no longer care for their child(ren). This is different from circumstances where relatives agree to temporarily look after children to allow parents to go on holiday or similar; as in these situations the parents remain "responsible" for their children.

### Kinship Carer's Leave (Formal and Informal)

Kinship arrangements often happen unexpectedly, with the majority of kinship carers stepping in, in a time of crisis. This can mean that the kinship carer has little, if any time, to prepare and plan for this change. Additionally, the children they will care for will need to be supported through the change in their living arrangements.

An employee will be eligible for up to 2 weeks paid Kinship Carer's Leave if they are entering into a new (informal or formal) kinship carer arrangement, and they have the child/ren living with them or are preparing for them to live with them.

Kinship Carer's Leave can:

- start on the day the child/ren is/are placed with the employee (whether this is earlier or later than expected)
- on a date that is up to 14 days before the expected date of placement
- taken on or around the date that the kinship arrangement is entered into, or
- up to 3 months after, if there are reasons for doing so such as a child beginning primary school
- be taken as one block or in two separate weekly blocks, whichever is most supportive to the kinship carer and the child(ren)

Only one period of Kinship Carer's leave is available for a new kinship carer at time of the arrangement being entered into, irrespective of whether more than one child comes

to live with the employee as part of the same arrangement.

There is no qualifying service requirement to be eligible for Kinship Carer's Leave.

To request Kinship Carer's Leave, the employee must speak to their line manager as soon as possible and clarify how and when they intend to take the leave. Due to the nature of kinship, it is recognised that a request may be at very short notice, and the line manager should accommodate these accordingly. The employee should request the leave via the HR/Payroll system.

Where the employee seeks to take the leave at a date after the kinship arrangement has been entered into, and within the first 3 months, they should give at least 7 days' notice.

For kinship carer's leave to be approved the employee must provide evidence of the kinship arrangement. This will often be a letter from a social worker, but equally a letter from the headteacher of the school the children attend or their medical practice confirming the arrangement would be appropriate. Those undertaking informal kinship can also contact [Contact Us: Kinship, Adoption and Fostering | Aberdeen City Council](#) who will be able to support them in evidencing their kinship caring responsibilities.

### **Formal Kinship – Leave during the Assessment Process**

If entering into a formal kinship carer arrangement, the employee will, in addition to the above leave, be entitled to attend up to 5 appointments during the assessment approval process, up to a maximum of 7 hours for each appointment. These appointments might be for meetings, home visits or training required by the local authority. This leave is not available to an employee if they are entering into an informal kinship carer arrangement as there will be no assessment process.

Evidence of formal kinship will be required to request any leave. Documentation that would be accepted includes:

- A copy of a legal order (though even if the kinship carer is applying for an order, court orders can take many months to obtain).
- A letter from a local authority social worker.
- Invitations to the specific meeting or appointment which the employee is required to attend.

To request leave the employee must speak to their line manager as soon as possible and clarify how and when they intend to take the leave. There must be at least 7 days' notice given before the leave can be approved. The employee should request the leave via the HR/Payroll system.

## SECTION 5 – FOSTER CARER'S LEAVE

### Foster Training Leave

The Council recognises that becoming a foster carer can be a long process, including attending training sessions, such as “skills to foster care”. “Skills to foster care” is delivered by/ on behalf of Aberdeen local authority; and other local authorities and fostering agencies will have similar stages.

Employees who have completed step 2 of [Aberdeen City Councils fostering process](#), or the equivalent stage at another organisation are eligible to up to 4 days paid leave to attend training

There is no qualifying service requirement to be eligible for Foster Training Leave.

An employee should inform their line manager at the earliest opportunity, providing at least a minimum of 7 days' notice that they would like to take leave. They will need to provide evidence such as a letter of invite to training. They should request the leave via the HR/Payroll system.

Unlike other types of carers leave covered in this guidance, foster carers receive a payment specific to the skills they provide in looking after the children under their care. Foster carers are not eligible for carer's leave covered by this guidance, which is applicable only to unpaid carers.

Foster carers are able to access (unpaid) parental leave and further details can be found in the Family Leave Policy.

### Leave during the Assessment Process

An employee will be entitled to attend up to 5 appointments during the assessment approval process, up to a maximum of 7 hours for each appointment. These appointments might be for assessment, meetings and/or home visits required by the local authority.

Evidence will be required to request any leave. Documentation that would be accepted includes:

- A letter from a local authority social worker, or agency who they are fostering from.
- Invitations to the specific meeting or appointment which the employee is required to attend.

To request leave, the employee must speak to their line manager as soon as possible and clarify how and when they intend to take the leave. There must be at least 7 days' notice given before the leave can be approved. The employee should request the leave via the HR/Payroll system.

## SECTION 6: FURTHER INFORMATION AND SUPPORT

Various support provisions are available for carers in the workplace. These include:

### **Carer Passport**

A carer passport is a record which helps carer's to be identified, recognised and supported in employment. The passport will be accessible to the employee and their line manager and it is advisable that the manager maintains regular contact with the employee to discuss their caring situation and the employee is encouraged to inform their manager of any changes or new challenges. Please refer to the carer passport for full details.

### **Carer's Peer Support Network**

Working and caring for someone can be physically demanding and emotionally stressful. Many carers may feel unsupported, isolated and alone, sometimes talking to someone in a similar situation can help. The Carer's Peer Support Network is for employees who manage both work and caring responsibilities or support a family member or work colleague who has caring responsibilities. Through the network, working carers can share their experiences and find out more about the support available. Employees can join the Carer's - Employee Peer Support Network on Viva Engage.

### **Flexible Working**

It may be beneficial for an employee with caring responsibilities to explore the use of a flexible working option. This could include hybrid working or adopting a different work pattern. Line managers should also be aware that the employee's working times may need to be amended at short notice if they are required to respond to an emergency in relation to their caring responsibilities. Further information on a range of flexible working options can be found in the [Flexible Working Policy](#) and [Flexible Working Guidance](#). Further to this, an employee who is a carer may also feel that reducing their contracted hours may benefit them and their dependant. This could be either on a permanent or temporary basis and line managers should consider any request for this from the employee, while taking into account the requirements of the service.

### **Converting Annual Leave into Hours**

Where an employee's annual leave entitlement is currently calculated in days, consideration can be given to allowing the employee to convert annual leave into hours. This may be appropriate where an employee needs flexibility but due to the restraints of their caring responsibilities it is difficult for them to make up any lost time. This would allow them to use one or more hours of leave at a time, rather than full or half days.

### **Purchase of Additional Annual Leave**

An employee with a caring responsibility may wish to consider the purchase of additional annual leave to assist them to achieve a better work-life balance. Under the annual leave salary sacrifice scheme, employees can apply to purchase additional annual leave, subject to service delivery.

There is a specific window at the end of the year, when additional annual leave can be purchased to be taken the following calendar year. Full details of the salary sacrifice scheme can be found on the intranet.

## **Other Leave Options**

In addition to the specific carer's leave provisions, an employee may be eligible for other leave and wish to consider these, examples include time off for dependents/family emergencies, career break, compassionate leave, authorised unpaid leave. Please refer to the Family Leave Policy and Special Leave Policy for full details.

## **Timing and Location of Work related meetings and events**

Where a line manager is aware of times that may or may not suit the employee due to their caring responsibilities, these should be considered where possible when arranging meetings, training or other work events. Additionally, it may be appropriate to review locations, and/or format of meetings to ensure it is made as easy as possible for those with caring responsibilities to attend. Many carers may find it difficult if they are required to travel out with their normal place of work.

## **Access to Mobile Phones**

Where employees are not normally permitted to carry and use personal mobile phones during working hours, consideration should be given to allow those with caring responsibilities to carry and use (in relation to their caring role) their own mobile phones during working hours. This will enable the employee to be easily contactable in emergency situations relating to their dependant. In certain circumstances, employees who are carers may benefit from access to the Internet (for example to track the location of a dependant with dementia), so consideration should be given to smart phone or computer access for this where appropriate and practicable.

## **Support and advice**

- [Employee Assistance Programme](#) – The Council provides a free, confidential 24-hour counselling service offering a helpline for general advice and guidance, psychological and emotional support and/or individual counselling.
- [Mental Health and Wellbeing Support](#) – These resources provide a variety of information for employees including details about the councils mental health first aiders network.
- [Financial Wellbeing](#) - Sign posting to resources which can help with managing financial wellbeing, including budgeting advice and tools, Money Advice Team and employability support for parents.
- [ABZ Works](#) – Resources to support employees to take care of themselves, physically, emotionally, and mentally. Sometimes, a change in one area can positively impact change in other areas.

## Fostering and kinship support

ACC Children's social work service can be contacted for further information or advice at <https://www.aberdeencity.gov.uk/kinship-adoption-and-fostering-service>.

## External Support

- [Carers Trust](#) Scotland-Carers Trust Scotland provides support and advice for carers and offers help in finding local support groups.
- [Carers UK](#) - Carers UK can provide help, support and guidance to carers whilst also connecting them with each other and providing details of local carer support groups.
- [Carers Support Centres](#) - Care Information Scotland will help identify a Carers Support Centre in your local authority which offers help, advice and guidance to carers.
- [Working Families](#) - Working Families helps parents and carers achieve work-life balance.
- [Shared Care Scotland](#) - Shared Care Scotland support unpaid carers and those they care for to have regular and meaningful breaks from their caring responsibilities, leading to improved health and overall wellbeing.
- [Age Scotland](#) - Age Scotland aim to improve the lives of people over the age of 50 in Scotland.
- [Carers Scotland](#) - Carers Scotland provide information and advice on caring, help carers connect with each other, campaign with carers for lasting change, and use innovation to improve services.
- [Fostering Network Scotland](#) - the essential network for fostering in Scotland offering a range of services, training and projects to support members.
- [Kinship Care](#) – advice and support for all kinship families and the practitioners who support them throughout Scotland

## Related Policy and Guidance

- Family Leave Policy
- Special Leave Policy
- Flexible Working Policy
- Flexible Working Guidance
- Employee Assistance Programme
- Career Break Policy
- Corporate ICT Acceptable Use Policy
- Annual Leave Purchase Scheme
- Support Attendance and Wellbeing Policy

## **Further Advice**

For advice and guidance on the application of this guidance please contact People Services - [askhr@aberdeencity.gov.uk](mailto:askhr@aberdeencity.gov.uk).

## **Gathering and Providing Feedback**

As part of the Council's ongoing commitment to supporting employees, those who have accessed the Family Leave provisions may be contacted to collect feedback on their experiences. These insights are invaluable in helping to understand what works well and where improvements could be made, directly contributing to enhancing the support offered to all employees.

At any time, employees and managers can communicate feedback on this guidance or suggestions for improvement to People Services.



## SECTION 7: APPENDICES

### Appendix 1 – Change of Carers Leave Dates

#### PERSONAL

(Employee Name)

(Address)

Dear (Employee Name)

#### CARER'S LEAVE

I acknowledge receipt of your Carer's Leave request received on (X) date requesting leave from your post of (*job title*) within (*Cluster/Function*).

Unfortunately, the dates selected would cause serious service disruption due to (*include details*) therefore we are unable to approve your Carer's Leave request. You are entitled to the leave and we would request that you look at suitable alternative dates to take your leave within the next 28 days.

You will receive your salary and other conditions of service as normal whilst you are on Carer's Leave.

Yours sincerely

Name

Job Title

cc AskHR