



Report to: Policy & Resources Committee, 26th July 2022

Report of: Corporate Director - Planning and Governance

Subject: WORKING CARERS POLICY

1. Recommendation

1.1 That the Committee approves the new Working Carers Policy set out in Appendix 1.

2. Background

- 2.1 Under current law, carers have a legal right to unpaid time off from work for emergencies. They also have, in common with all employees, a legal right to make a flexible working request which the employer must then reasonably consider.
- 2.2 In 2020, the Government consulted on enhancing working carers' rights by introducing a 'carer's leave' as a 'day one right' to help employees with long-term caring responsibilities balance these with their paid work. The Government's response has now been published. Under the new proposed legislation, eligible employees will be able to take up to one week of unpaid leave per year. Carer's leave can either be taken in one block of one week or as individual days or half days.
- 2.3 While it is not yet known when this enhanced carer's leave will come into force, the Government says it will introduce the legislation when 'parliamentary time allows'.
- 2.4 In the meantime, the Council, in common with most local authority employers, already has a range of measures in place to support carers in the workplace. These include flexible working requests, right to paid time off and right to unpaid time off.
- 2.5 The Council was asked at the last Joint Consultative and Safety Committee ("JCSC") meeting to consider whether to introduce a specific Carers policy. This review has taken place and it is considered a good idea to clarify how our existing policies meet the requirements for employees and managers. The JCSC reviewed and supported the Policy, giving feedback on some minor drafting changes which have been incorporated into the version attached to this report.

3. Preferred Option

- 3.1 To approve the new Working Carers Policy, attached at Appendix 1. This Policy draws together and clarifies all of the existing rights that employees have at the Council and aims for consistency in how these will be applied by managers.
- 3.2 The Policy can be reviewed again when the detail of the Government's legislation is available.

4. Alternative Options Considered

- 4.1 To wait and see what the Government's legislation says in detail, before issuing a policy. This is not the preferred option, because the Council already offers the rights that the new legislation is expected to cover, but issuing this Policy now just articulates those rights more clearly so they can be applied more consistently across the organisation.

5. Implications

5.1 Financial and Budgetary Implications

There are no financial implications identified.

5.2 Legal and Governance Implications

The legal implications are set out at the start of the report and in the Equalities section below. This policy helps the Council demonstrate that it is meeting its legal obligations.

5.3 Risk Implications

There are no risks identified from the adoption of this Policy. Requests for time off or adjustments for working arrangements will still need to take account of business needs as well as the needs of the employee.

5.4 Corporate/Policy Implications

This new Policy pulls together existing Council commitments and hence clarifies existing policies.

5.5 Equality Implications

Carers of people with disabilities can be protected by the Equality Act 2010 against "discrimination by association", that is, less favourable treatment amounting to discrimination due directly or indirectly to the fact that they are caring for a disabled person.

Therefore having a policy in place which prompts the Council's managers to think about the issues that carers face when balancing their demands at work and at home, helps reduce the risk that carer implications accidentally or deliberately get omitted from considerations around things like working patterns, work locations, restructuring, changes to terms and conditions and so forth.

5.6 HR Implications

Meets our People Strategy: Enhances our offer to attract new staff; Improves levels of engagement and satisfaction; Improves staff wellbeing

5.7 Health and Safety Implications

The Council's new Corporate Health, Safety and Wellbeing Strategy has placed a renewed focus on wellbeing outcomes for staff, which this policy is intended to support.

5.8 Social, Environmental and Economic Implications

The new Policy is intended to have positive social implications.

Ward(s): All
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Background Papers: None

Appendix 1: draft Working Carers Policy