



Chiltern Way Academy

Turning Futures Around

Carers' Policy and Procedure

Responsibility for this policy (job title): Business Director

Responsibility for its review: this version FGB, subsequently Principal

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1. INTRODUCTION

- 1.1 This document sets out the School's policy and procedures for their employees who are also Carers. Its purpose is to establish clear guidelines so that employees are aware of the support and information that is available, especially at a time in their lives that can be challenging.
- 1.2 The health and well-being of our employees is of great importance and the School is aware of the associated positive benefits of supporting employees during difficult periods in their working life.
- 1.3 The School also recognises the importance of work-life balance and the aim of this policy is to provide employees with a range of flexible working options, which is their statutory right, provided they meet the relevant criteria.

2. SCOPE

- 2.1 The policy and procedure set out in this document applies to all Teachers on Teachers' Pay and Conditions and Schools' based staff on Bucks Pay Employment Conditions.

3. DEFINITION OF A CARER

A Carer is someone who, without payment, provides help and support to any adult or child who could not manage without their help. This could be due to their age, physical or mental illness, addiction, frailty or disability.

The person being cared for may live at the same address as the employee. However, it may be the case the employee will provide care for a relative, friend or neighbour who does not live with them.

4. PRINCIPLES

- 4.1 The policy and procedures contained within this document is founded on the following principles:

- To encourage Principals to take positive action in supporting individual well-being, as well as taking a sensitive and supportive approach towards employees who have caring responsibilities
- To provide Principals and employees with clear guidelines on alternative working and leave arrangements for Carers and to maintain consistency across the School
- To assist employees in achieving a balance in their work and home life
- To retain the skills and knowledge within the School
- Not to discriminate against any individual in the application of this policy and procedure on prohibited grounds e.g. on grounds of gender, trans-gender, race, caste, trade union activities, disability, age, sexual orientation, part-time work status or religious belief.

5. ROLES AND RESPONSIBILITIES

5.1 Chair of Governors will:

- Review a request from a Principal for any flexible working or leave arrangements

5.2 The Principal will:

- Have the authority to approve a request for flexible working and leave arrangements
- Direct their own request to the Chair of Governors
- Assess the request for an alternative working pattern or leave in a sympathetic, supportive and confidential manner. Refer to the Toolkit for more guidance
- Agree the request or arrange a meeting with the employee to discuss their application within 28 working days of the initial request
- Be required to be consistent in their approach towards employees whilst taking into account the needs of the School
- Consider how the potential new working arrangements will fit into the existing working day

- Contact the HR Service Desk for any complex queries before making the final decision, where applicable
- Advise the employee about the appeals process, where applicable
- Update the relevant system when Carers' Leave is being taken and in accordance with Section 6.2.1. Advise any relevant parties where the change has an impact
- Advise the remaining members of the team accordingly, if appropriate

5.3 **The Employee will:**

- Be encouraged to advise their Principal about their caring responsibilities at the earliest opportunity. This will provide time to consider the different types of flexible working arrangements that are available
- Have a right to be accompanied and/or represented by another employee or a Trade Union Representative, at a meeting with the Head Teacher/line manager, to consider the application. It is the employee's responsibility to arrange for representation. There is no obligation for a colleague to act as a representative but they can choose to if they wish
- Look into the types of flexible working options (Section 6) that are available and think about what option suits their circumstances
- Need to meet the criteria before applying for flexible working or Carers' leave
- Need to be aware that any long term reduction in hours will alter their terms and conditions and some benefits may be affected (for example, pension, redundancy calculation, leave entitlement)
- Complete the Application for Leave of Absence form, in the Model Leave of Absence Policy, for short term requests
- Complete a Flexible Working Application form (refer to Right to Apply for Flexible Working Policy for Schools) for a long term request

6. **ALTERNATIVE WORKING ARRANGEMENTS**

6.1 **Statutory Rights**

Employees with 26 weeks' continuous service or more at the time of applying have a statutory right to request flexible working. An employee can only make a statutory request once in any 12 month period.

Refer to the Right to Apply for Flexible Working Policy for Schools available on Schoolsweb for further details.

All arrangements will be subject to the business needs of the School and agreed at the discretion of the Principal. There is no automatic right to have alternative working arrangements agreed.

6.2 **Short-Term Arrangements**

Short term requests can be agreed locally and listed below are a few of these options. The list is not exhaustive:

6.2.1 **Carers Leave**

Employees with 26 weeks' continuous service can request up to 5 working days' unpaid leave per annum (pro rated for part-timers). There is a maximum allowance of 13 weeks' unpaid leave which will run for the duration of an individual's employment. This request is to be agreed at the discretion of the Principal and recorded as Carers' Leave accordingly.

6.2.2 **Parental Leave**

Parental leave is available to parents of a child up to the age of 18 to look after their child's welfare. Employees with 1 year's continuous service are entitled to 18 weeks' unpaid parental leave for each child born or adopted. Parental leave is unpaid and must be taken by the 18th birthday of the child. Refer to the Parental Leave section and Section 4 of Bucks Pay Employment Conditions on Schoolsweb for further information.

6.2.3 **Flexible Working Patterns (up to a maximum of 4 weeks)**

For a short period of time, and in line with business needs, an employee can request to work alternative hours until the arrangements for caring have been resolved. Examples could be to alter an individual's start and finish time or re-arrange rotas/timetabled duties, where this is practicable. In this instance, it is recommended that the Principal reviews fortnightly. Please refer to the academy's Flexible Working Policy for more information.

6.2.3 **Compassionate Leave**

The Model Leave of Absence Policy defines the leave that can be taken and whether it is paid or unpaid. It states:

“The Governing Body will normally apply a limit of 5 days discretionary leave with pay per annum, although additional time (either with or without pay) may be granted in exceptional circumstances.”

To use this right to time off, the employee must inform their Principal at the earliest opportunity.

6.3 **Long-Term Arrangements**

There are a range of flexible working arrangements that may be available to support an employee with caring responsibilities. Employees should have a minimum of 26 weeks' continuous service within the School, from the date of the application, before a request for flexible working can be considered. Listed below are a few examples of long term options, the list is not exhaustive:

- Flexible Working Patterns
- Temporary Reduction in Hours
- Part-Time Hours
- Job Sharing
- Term Time Working (applicable to those employees on a 52 week contract)
- Remote Working, where appropriate

Employees must be advised that any long term changes to their working pattern will alter their existing terms and conditions. It may also affect some of their benefits, e.g. pension, leave entitlement, redundancy calculation.

Flexible working requests will be considered by the Principal and in accordance with the Employment Rights Act 1996 and the Flexible Working Regulations 2014. Refusal of such a request will be based on the needs of the School and the business reasons will be put in writing.

For full details, see the Right to Apply for Flexible Working Policy for Schools available on Schoolsweb.

6.3.1 Unpaid Leave

In the case of caring for someone for longer periods of time, e.g. where a programme of treatment is likely to take 6 months, unpaid leave may be granted at the discretion of the Principal.

6.3.2 Annual Leave

Where applicable, employees may be able to use a combination of unpaid leave and annual leave to help with their caring responsibilities. This arrangement will alleviate the financial burden if long periods of unpaid leave are being requested.

7. DECISION MAKING FOR PRINCIPALS

Once a request for flexible working or leave has been received, the Principal should either approve it or arrange a meeting between the employee and the Principal to establish the full circumstances for the request within 28 working days.

Consideration should be given to the length of time an option is sustainable, look at alternative ways of undertaking tasks and responsibilities along with the needs of the School.

The decision will then be communicated to the employee within 14 working days of the meeting. For more details and guidance refer to the Carers' Toolkit.

8. APPEALS

If an employee feels that a request for flexible working or leave has been unreasonably declined and a discussion with the Principal fails to resolve the issue, the employee may raise a grievance in accordance with School's Grievance Policy.

Appendix 1

APPENDIX 1 - HELP AND SUPPORT FOR CARERS

Carers Bucks	Carers Bucks exists entirely to support and promote the wellbeing of family Carers. They support Carers of all ages and in different caring roles, including young Carers, parents of children with a physical or learning disability, older Carers, and those looking after someone with mental health problems, including depression.
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