

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

PERSONNEL COMMITTEE

11TH MARCH 2024

REPORT OF THE HEAD OF PEOPLE AND ORGANISATIONAL DEVELOPMENT – SHEENAGH REES

Wards Affected: All wards

Matter: For Decision

Carer's Policy Review

Purpose of Report

The purpose of this report is to seek Members approval to revisions to the Carer's Policy in line with employment legislation and best practice.

Executive Summary

Our Carer's Policy aims to support employees who have caring responsibilities outside of the workplace.

As legislation and best practice is ever-changing, particularly post pandemic, it's imperative that we review this policy on a regular basis. This will ensure that we are complying with employment law and doing the best we can to promote the Council as an 'employer of choice' whilst providing our staff with as much support as possible inside and outside of the workplace.

Background

Our current Carer's Policy was approved by Personnel Committee in February 2020. It was introduced by the joint trade unions at the Local Government Services Forum. The trade unions put forward a sample policy drafted by the Employers for Carers Organisation. Using that sample policy, we jointly developed it further to reflect the position at Neath Port Talbot. Due to changes in legislation, the policy now needs to be reviewed.

Review of the Policy

Provided below is a summary of the revisions to the policy to comply with changes in legislation and to make the policy more accessible to our employees.

1. Carer's Leave Act 2023

Employers have certain obligations with regards to carers.

The Carer's Leave Act 2023 comes into force on 6 April 2024 and makes provisions for employees with caring responsibilities. Any employee who balances work with unpaid care is now entitled to at least one week's leave within any 12-month period (pro-rata), to care for, or arrange care for, a dependant with long-term care needs. The leave is unpaid, and is a day one right, so there is no minimum service requirement to be eligible.

The act defines dependants with long-term care needs as follows:

- 'A person is a dependant of an employee if they: are a spouse, civil partner, child or parent of the employee; live in the same household as the employee, otherwise than by reason of being the employee's boarder, employee, lodger or tenant; or reasonably rely on the employee to provide or arrange care.'
- 'A dependant of an employee has a long-term care need if: they have an illness or injury (whether physical or mental) that requires, or is likely to require, care for more than three months; they have a disability for the purposes of the Equality Act 2010; or they require care for a reason connected with their old age.'

2. Flexible Working

Section 5 of the Carer's Policy has been reviewed in line with the upcoming changes to the Flexible Working Regulations. As of 06 April 2024 employees will be able to make a flexible working request from day one of employment (previously 26 weeks), and make two requests within a twelve month period (previously one).

3. Carer's Toolkit

We have now developed a Carers Toolkit as an appendix to our Carers Policy, aimed at providing comprehensive guidance for both employees and managers in navigating and supporting their caring responsibilities outside of work. This toolkit serves as a practical resource, offering valuable insights and support networks tailored to address the unique challenges faced by caregivers.

Financial Impacts:

There are no financial impacts associated with this report.

Integrated impact assessment:

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016). The first stage assessment, attached at appendix 1 has indicated that a more in-depth assessment is not required. A summary is included below:

“A full impact is not required as there is no impact on any protected group. It also has no negative impact on bio-diversity or the Welsh Language”.

Valleys Communities Impacts:

No implications

Workforce Impacts:

It is anticipated that the revisions to the Policy will have a positive impact on our workforce. By providing employees with leave assigned to carrying out their caring responsibilities outside of work we are creating a carer-friendly workplace.

Legal Impacts:

No implications.

Risk Management Impacts:

No impact.

Consultation:

There is no requirement under the Constitution for external consultation on this item. The proposed strategy has been fully endorsed by the Trade Unions as they have been involved in revision of this policy.

Recommendations:

It is RECOMMENDED that Members APPROVE the proposed revisions to the to the Carer's Policy.

Appendices:

Appendix 1 – Revised Carer's Policy

Appendix 2 – Integrated Impact Assessment Screening Form

Officer contact

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