



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE

MONDAY, 26 FEBRUARY 2024

Report of the Director of People and Organisational Change

Statutory changes to the Employee Leave Scheme in relation to Carer's Leave

1. Purpose

- 1.1 For the Committee to note statutory changes that are required from 6 April 2024 to the Employee Leave Scheme, namely the introduction of a statutory entitlement to Carer's Leave

2. Information and Analysis

2.1 Carer's Leave

The Carer's Leave Regulations 2023 come into effect on 6 April 2024 and introduce a new statutory right that allows employees to request unpaid leave to provide or arrange care for a dependant who has a long-term care need. Eligible employees are entitled to up to one week's leave in a 12 month period which can be taken in in blocks from half days upwards, subject to providing notice in writing of their intention to take carer's leave and confirming their entitlement to take it and giving at least twice the amount of notice than the period of leave requested.

- 2.2 The employer is not able to refuse a valid request although they are able to postpone a request if the operation of the business would be unduly disrupted. However, the employer must give notice of postponement before the leave was due to begin and should provide explanations as to the postponement.

- 2.3 It is proposed that provision for Carers' Leave be included within the Employee Leave Schemes Policies for Council Employees, including teachers employed by the Council and not attached to Schools. The Working for Us Booklet will also be amended to refer to it. The revised Employee Leave Schemes Policy is attached at Appendix 2 and the Carers' leave provisions are included at section 22.

The revised Employee Leave Scheme for teachers employed directly by the Council and not attached to schools is attached at Appendix 3 and the Carers' leave provisions are included at page 26. The provisions detail eligibility and the process to apply for leave.

3. Consultation

- 3.1 The Council have engaged with the recognised trade unions regarding the statutory changes via the council's Policy Forum and the School's Joint Consultative Committee. Joint Trade Unions noted the changes are in addition to the schemes already in place and are statutory changes.

4. Alternative Options Considered

- 4.1 The committee could decide not to approve the changes, however, these changes are required by statute and not to offer this benefit to employees would be unlawful.

5. Implications

- 5.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

6. Background Papers

- 6.1 None

7. Appendices

- 7.1 Appendix 1 - Implications
7.2 Appendix 2 - Employee Leave Scheme
7.3 Appendix 3 - Employee Leave Scheme for Teachers employed by the Local Authority and not attached to schools

8. Recommendation(s)

That Committee:

a) approves the revised Employee Leave Schemes as attached at Appendices 2 and 3 to include Carers' leave with effect from 6 April 2024, as required by legislation.

9. Reasons for Recommendation(s)

9.1 The introduction of Carers' leave is a statutory requirement.

Report Author: Lee Gregory

Contact details: lee.gregory@derbyshire.gov.uk

Appendix 1

Implications

Financial

1.1 This is unpaid leave so there will not be any additional cost due to this scheme.

Legal

2.1 As described within the report. The introduction of Carers' leave is required to comply with the Carer's Leave Regulations 2023 which come into effect on 6 April 2024

Human Resources

3.1 As described within the report it is necessary to amend the Employee Leave Scheme policy documents to comply with the new legislative requirements.

Information Technology

4.1 None

Equalities Impact

5.1 The introduction of statutory carer's leave will be consistently applied to all employees.

Corporate objectives and priorities for change

6.1 This proposal aligns with the people priorities outlined within the Council's People Strategy and in particular to 'Promote diversity and

inclusion, enable responsive workforce plans and develop credible reward strategies' by applying pay agreements in a fair and consistent manner.

Other (for example, Health and Safety, Environmental, Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 None