

Carers Charter in Merton (All employees)

1 Purpose of the Charter

1.1 The purpose of this Charter is to support the Council in ensuring that all employees who are carers are given the necessary support to enable them to carry out their work commitments, while also caring for a dependant. (Please refer to Section 3 for definition of a carer)

1.2 This Charter fully supports the principles of the Carers and Disabled Children's Act 2000, the Carers (Equal Opportunities) Act 2004 and the Work and Families Act 2006, particularly as it was introduced to support carers in their caring roles and to help them maintain their own health and well-being.

2 Who the Charter applies to

2.1 The Charter applies to all council employees who have caring responsibilities. There is discretion to apply the Charter during the first 26 weeks of employment (i.e. probationary period). However, this is at management discretion should the need arise.

3 Definition of a carer

3.1 Carers are employees with caring responsibilities that have an impact on their working lives. These employees are responsible for the care and support of disabled*, elderly or sick partners, relatives or friends who are unable to care for themselves.

A dependant, as defined by The Work and Families Act 2006, is:

- married to, or a partner of ('partner' means the other member of a couple consisting of a man and woman who are not married to each other but are living together as if they were husband or wife, or two people of the same-sex couple who are not civil partners of each other but are living together as if they were civil partners)
- a relative (means mother, father, adopter, guardian, special guardian,** parent-in-law, step parent, son, step-son, daughter, step-daughter, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, daughter-in-law, uncle, aunt or grandparent)
- someone living at the same address as the employee.

4 The council's vision for carers

4.1 London Borough of Merton recognises that carers also need support to maintain a balance between their quality of life and the need to remain at work. The council is therefore committed to enhance the range of support it provides to assist carers to care, while also taking into account the requirement to meet the needs of the service.

4.2 The council also recognises that a number of its employees have caring responsibilities, and would therefore wish to support them to continue to care in a way that ensures a high quality of life for both themselves and their dependants.***

5. Carers employment and financial security

5.1 Many carers combine caring with paid employment. Some carers choose to give up part or all of their employment and take up caring full time. Parent carers also experience difficulties in the workplace while trying to combine work with caring duties. Promotion of flexible working practices, benefit entitlements and assistance to stay in paid employment are essential to preserve the quality of life for carers.

6 Work–life balance/family support provisions

6.1 The council supports work–life balance and has a family support provision which covers the following:

- time off for emergencies
- time off to care for dependants
- special leave
- parental leave.

6.2 In addition, other options may be available to carers, and include:

- job sharing
- part-time working
- home-working
- temporary reduction of hours
- term-time working
- career break
- unpaid leave
- management discretion to allow carers to carry forward annual leave, over and above the five days stipulated in the leave procedure, to a maximum of 10 days.

These are subject to agreement with the line manager, or more senior manager in line with the provisions set out within the council's leave policy. However, managers need to take into consideration that they:

- allow carers to make reasonable telephone calls to person they are caring for
- provide individual tailored solutions to meet special circumstances.

6.3 Flexible working provisions (see also section 7.5)

- You may apply for a change in your terms and conditions of employment to enable you to care for a child under 6 years of age (18 if the child is disabled), if you fulfil the conditions under Section 2 and 3.

- You may also apply to change your terms and conditions of employment to enable you to care for an adult who is married to, or the partner or civil partner of, the employee or is a relative of the employee (see Section 3).
- Employees are not obliged to produce evidence of their caring relationship/responsibilities. However, it may assist the consideration of your case if you are able to do so. The application should be submitted to your departmental HR and line manager.

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- allow carers to make reasonable telephone calls to person they are caring for
- provide individual tailored solutions to meet special circumstances.

7 Legal framework

7.1 The Employment Relations Act 1999 provides employees (including carers) with a right to time-off without pay to deal with certain urgent domestic incidents/family emergencies. The right was included in the UK law from the European Commission's Parental Leave Directive which provided time-off to deal with family emergencies.

7.2 The Council's Delegation of Executive Powers authorise chief officers to grant special paid leave at their discretion up to and including five days, and paid or unpaid leave in excess of five days in consultation with the head of human resources.

7.3 In March 2000 the Prime Minister launched the government's Work-life Balance Campaign. It aimed to encourage employers to recognise the benefits to their organisation of flexible working arrangements, which enable employees to strike a better balance between work and their responsibilities outside of work.

7.4 In addition the Employment Act 2002 gives working parents of children up to 6 (or 18 if disabled) the right to request flexible working. Any request will be positively considered, taking into account the needs of the service.

7.5 Under the Flexible Working (Eligibility, Complaints and (Remedies) (Amendment) Regulations 2006, employees can apply for a change in their terms and conditions of employment.

8 Equity/equal opportunities

8.1 All carers in the workforce should be treated fairly, and offered the level of support dependant on their caring situation and work commitments. They should be well informed of the policies in operation for supporting carers. These policies should be accessible to all carers regardless of the post held or their age, disability, gender, race, religion and faith, and sexual orientation.

9 Information

9.1 Line managers and departmental human resources must provide information on request regarding carer support in a consistent manner throughout the organisation.

10 Carers forum

10.1 Merton Council has now established a carers forum for employees who are carers. (See below for contact details.)

11 Monitoring

11.1 It is proposed that this Charter is reviewed annually to take into account any changes in legislation, equal opportunities and diversity issues arising, and emerging trends and patterns across the organisation.

For further information on this Charter please contact Gil Goncalves (HR Advisor, Diversity), extn 4591, or via e-mail.
Gil.goncalves@merton.gov.uk

For information on the carers forum, please contact Geoff Patmore, extn 3625 or via e-mail, geoff.patmore@merton.gov.uk

*'disabled' means entitled to a disability living allowance within the meaning of Section 71 of the Social Security Contributions and Benefits Act 1992

**'special guardian' means a person adopted as a special guardian under Section 14A of the Children Act 1989

***based on UN Charter of Human Rights 1991