

## **LONG TERM CARERS LEAVE POLICY**

### **Introduction**

The purpose of this policy is to enable an employee to provide substantial or full time care for a spouse, partner, civil partner, parent or any other relative who lives with and depends on them or a \*dependant relative, other than children for a period of up to a maximum of 13 calendar weeks in any period of 12 months.

\*A dependant relative for this purpose is a person over 18 who is an adopter, guardian, special guardian, parent-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law, uncle, aunt or grandparent. Step-relatives and half-blood relatives are also included. Relatives include adoptive relationships and relationships which would have existed but for an adoption i.e. employee's natural relatives.

Employees are eligible to apply for Long Term Carers Leave provided they have a contract of employment with terms and conditions in excess of the statutory requirements.

The University of Nottingham also has a number of other relevant policies, which the employee may wish to refer to. These are: Special Leave for Unplanned and Urgent Domestic, Personal and Family Reasons, Parental Support, Maternity Leave, Adoption Leave, Career Break, Job Share and Flexible Working Arrangements, details can be found at <http://www.nottingham.ac.uk/hr/guidesandsupport>.

Please see the [Parental Support Policy](#) for details of unpaid time-off for staff to provide long term care for their child(ren), as defined.

### **Benefits**

In circumstances requiring complete absence from work, this will be granted for a period of up to a maximum of 13 calendar weeks in any period of 12 months on an unpaid basis. Whenever possible, the employee's manager will consider, on a case by case basis, a temporary/time limited flexible working arrangement after which the employee reverts back to the original working pattern e.g. a reduction of working week or home working for a period of up to a maximum of 13 calendar weeks, whereby the employee is paid for the hours worked on a pro rata basis. Any arrangements made should be agreed in writing and specify clear start and end dates.

### **Return to work**

An employee is eligible to return to work in the same job. In the event that the employee wishes to return to work on a different contractual basis see below.

### **Requests for flexible working arrangements (including part-time working)**

Employees have the right, under certain circumstances, to request flexible working for which there are guidelines and an application form available on the Human Resources web site. If a request is made under this right to change the contractual working hours and /or pattern of work, then the School or Department will always consider such a request carefully. If such a request is turned down, the manager must objectively justify why e.g. explain why a job has to be done on a full time basis by one individual, as opposed to two people doing it on a part time basis. Employees should submit any request as far in advance as possible to allow adequate time for the request to be fully considered and where appropriate for the necessary arrangements to be put in place.

## **Staff Not Returning to Work**

Staff who decide not to return to work during or following a period of long term carers leave must give the University written notice in accordance with their contract of employment.

The contract of employment continues throughout the Long Term Carers Leave, unless either:

- a. the employer expressly ends it, in which case the employee is entitled to receive whatever period of notice the contract provides for if employment is terminated;
- b. the employee expressly ends it, by resigning;
- c. it expires (e.g. ending of a fixed term contract), in which case, the employee is entitled to be given reasonable notice of the ending of the contract in accordance with the University policy on the ending of fixed term contracts. The employee is also entitled to any other relevant contractual pay including statutory redundancy pay where applicable if they are made redundant.

In such cases the right to return to the former job under the University's Long Term Carer's Leave Policy will have been overtaken by the expiry of the contract and will cease to be applicable.

## **Continuity of Employment during Long Term Carers Leave**

Where an employee returns to work, any period of long term carers leave will count towards continuous service with the University of Nottingham. Employment continues during any such period and employees benefit from their statutory rights during this period, however some contractual rights can be suspended. Employees should read the sections on annual leave and pension to ensure any implications are understood particularly with regard to pension benefits and membership.

## **Pension**

During periods of unpaid long term carers leave, the period will not count as pensionable service and membership will be suspended. However on returning to work, the pensionable service would start again. There may be implications for benefits such as Death in Service and Ill Health Retirement during the period of unpaid carers leave that employees should understand prior to taking leave.

It may be possible for employees (subject to scheme rules allowing for this) to continue to make payments to the scheme during the unpaid period. Employees should indicate this on their application for long term carers leave. Human Resources will be responsible for informing the University Pensions Administrator who will liaise directly with the employee regarding any options available. There is a limited time period for this option to be exercised and for the relevant payments to be made which should be discussed with the University Pensions Administrator.

Employees should contact the University Pensions Administrator to discuss the options available during any unpaid period of maternity leave to ensure that any implications for their pension membership and benefits are understood. Staff can also contact the relevant pension scheme helpline direct, details of which can be found on the pensions notice board.

## **Annual Leave**

During any period of unpaid long term carers leave, annual leave entitlement accrues in accordance with the Working Time Regulations i.e. pro rata based on the statutory entitlement of 24 days per full leave year.

## **Application Process**

An employee should initially discuss their request for long term carers leave with their Head of School/Department or designated nominee.

They should then complete the [application form](#) which is also available from their Head of School or Department, sending it to the Human Resources Department.

The Human Resources Department will, on receipt of the application and after discussion with the Head of School or Department, confirm in writing whether or not the application has been granted, and if so will detail the arrangements agreed, and inform payroll accordingly.

For further information

Please contact the [HR Employment Support Services team](#) in the first instance.