

# A manager's guide to managing employees with caring responsibilities

**As a line manager, you will have a critical role to play in ensuring that any members of your team are well supported and managed if they need to take time out in order to manage their caring responsibilities for an adult or a child with a disability. Many carers find themselves forced out of the workplace because their caring responsibilities seem to be incompatible with working, but a supportive and sensitive approach, and appropriate use of leave provisions and flexible working, can be very helpful in retaining an employee in your workforce.**

This guide is intended to provide practical guidance to support you in this, particularly in terms of managing the situation when you are advised that an employee has become a carer. It should be read in conjunction with any internal policies or guidelines in existence in your organisation, and/or guidance from your HR/Personnel team if you have one.

The final section of the guide is a quick checklist of the actions you need to take.



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## Challenges

Managing employees who have caring responsibilities can have particular challenges because:

- there are relatively few legal provisions to provide a framework for carers in employment and your organisation may well lack formal policies and processes in this respect
- in contrast to maternity and paternity leave, when you and the employee will normally have a reasonably long time to prepare, employees will often find themselves unexpectedly taking on caring responsibilities at short notice. You may well have had no prior indication of the possibility that this might happen.
- because of the nature of circumstances that lead to an individual taking on caring responsibilities i.e. often a serious or even terminal illness in someone they are close to, you may be dealing with an employee who is both distressed and confused, and you will need to handle the situation with sensitivity.

## Initial discussion

- there is no specific process for advising employers of an employee taking on caring responsibilities, and such notification will normally happen informally.

You will need to have an informal discussion with the employee about what they might need. Bear in mind:

- they may not initially be clear about exactly what care will be needed and/or what role they may play in this
- it is important to take account of their state of mind (confused, distressed etc.) whilst having the conversation. If necessary, you may need to put in place a very short-term solution (e.g. a week off) and then discuss a longer-term plan
- you should stress that your aim is to understand how your organisation can support the employee, and ensure that they are aware of the support and options available
- you may need to have some additional practical discussions in respect of work that will need to be handed over if the employee is taking leave at short notice.
- You will probably find that further discussions will need to take place and you may need to

arrange a second meeting. You will need to be flexible about the timing of this and also bear in mind that the employee may need to change their mind at a later stage about what will work for them in terms of leave and flexible working, so you should stress that this is fine.

Issues to consider include:

- does the employee need to take some leave?
- might the employee need to work flexibly either immediately or following leave?
- is there any other support available from your organisation? For example, a Carers' Network, an employee assistance programme or another internal or external resource
- can you help by pointing them in the direction of other external sources of help e.g. a Working Families' Guide?

## Leave options

You should check whether you have any internal policies to cover time off for carers, these may be specific or more general. Otherwise you may be able to use the relevant statutory provisions and/or your discretion. Relevant options might include:

- carers' leave – some organisations may have in place a specific policy to provide some time off for those with caring responsibilities, e.g. a set number of days paid leave per year followed by longer term unpaid leave
- time off for dependants - all employees have a legal right to unpaid time off under the provisions for 'Time off for Dependants'. Many employers choose to pay for this leave (sometimes as part of another policy such as special or compassionate leave, or as part of a specific carers' policy)
- any employee may use this right to take a 'reasonable' amount of leave to deal with unexpected or sudden emergencies. The right applies where the emergency concerns a husband, wife, child or parent, or anyone living in the employee's household as a member of the family. It may also be anyone who reasonably relies on the employee for assistance



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- the right does not cover time off that can be pre-planned, such as hospital appointments, or for long-term care arrangements, such as nursing a sick relative, although you/ your organisation may choose to give leave for such purposes as a matter of policy. However, it could be used if the employee's day care arrangements for the cared for person break down unexpectedly
- some organisations may have introduced a different policy in respect of 'Time off for Dependants', e.g. either an element of paid leave and/or a broader interpretation of the circumstances in which the leave can be taken. You should check whether your company has any such policy in place
- compassionate leave (paid and /or unpaid) – there are no specific statutory requirements for this, but most organisations have some kind of policy or informal arrangement in place which allows employees to take time off work for personal reasons such as the serious illness or death of a close relative or other dependant. There may be specific rules (e.g. setting out which relatives are covered) or you may have discretion to make ad-hoc arrangements as appropriate. In many cases at least a proportion of the leave will be on a paid basis
- holiday – in some cases employees may choose to use a portion of their holiday allowance to meet their caring responsibilities, particularly if they have exhausted other paid forms of leave. You should bear in mind, however, that this may well leave them very short of holiday entitlement to use for other purposes, and any additional (preferably paid) leave you can give as an alternative will be valuable
- special leave, sabbatical, career break or unpaid leave – many organisations have policies in place designed to allow employees to take an extended period of leave. Sometimes these may be for specific circumstances (e.g. continuing care of a child following maternity or paternity leave). However, some policies may be designed in such a way that they can be used by employees to fulfil other caring responsibilities. There may be a specific formal process you need to follow (e.g. an application form, standard letters to use). You should also ensure that the employee fully understands all the relevant information, whether they will receive any pay, the impact on their benefits and their rights regarding return to work
- parental leave may apply if your employee

acts as carer for a child e.g. a child with a disability. All employees who have parental responsibilities for a child have a legal right to unpaid parental leave

- to be eligible, employees generally have to have one year's continuous service with their current employer (special rules apply for adoptive parents)
- employees get 18 weeks of parental leave (in total, not each year) for each child up to the age of five (or the fifth anniversary of the adoption of the child). In the case of a disabled child, the leave may be taken up to the child's 18th birthday. For the purposes of parental leave, a 'disabled child' is someone who has been awarded Disability Living Allowance. From 5th April 2015, parental leave may be taken up to the child's 18th birthday, regardless of whether the child is disabled or not
- as a rule, employees can take leave in one-week blocks. However, in the case of a child with a disability, the parent may take time off in days instead of weeks, to allow for hospital visits, etc

**Flexible working**

All employees with 26 weeks of service are entitled to make a statutory request to work flexibly, and employers may only refuse such requests if they can justify their decision on the basis of a negative impact on their business (on specified grounds). Flexible working may be invaluable in enabling carers to remain in employment, and it is therefore important to agree such requests wherever possible. The legal right is to request a permanent change to working arrangements, and the employee can make only one request in every 12 months. However, if the employee is making the request to fulfil caring responsibilities, you should be prepared to take a more flexible attitude if possible – i.e. be prepared to renegotiate the arrangement if and when it is no longer required (e.g. in the event of the dependant's death), or if needs change (e.g. the dependant's condition deteriorates so that they need more care, and the employee needs to reduce their hours further). For guidance on considering a flexible working request, see our [flexible working guide for managers](#).

Alternatively you may wish to think about agreeing a very short-term alteration to working arrangements on a more informal basis, and then follow this up with discussion on a longer term solution as required.



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### Follow up

Bear in mind that if the employee is distressed during your discussions, he/she may well fail to retain all the relevant information, so it may be helpful to provide a follow up note (by email or letter) to confirm what was discussed in terms of options available (leave, flexible working etc.) and anything that has been agreed. You may also wish to include other useful information at this stage if you have not been able to do so before.

### During leave

If employees are expected to be away from work for an extended period of time, you will need to ensure that they remain engaged with, and connected to, the workplace as far as possible. A sensitive approach will be needed, since they will of course have other pressing concerns during this period. As soon as possible, you should aim to have an informal discussion with the employee to talk about how you will keep in touch with them during their absence. For example, do they want to schedule a regular phone call, or would they prefer to receive emails giving them key information?

You might like to consider the following:

- ensuring the employee gets copies of company newsletters
- providing regular updates on matters that affect the team, including ongoing projects
- ensuring your team member is invited to any social events
- providing minutes of important team meetings
- ensuring that they do not miss out on any career progression opportunities, e.g. they are notified of relevant internal vacancies

Keeping in touch with the employee has the added advantage that it will help to give you a better idea of when they are likely to want to return to work, and whether or not this might be on a different working pattern (e.g. part time or partly from home), so that you can plan accordingly.

### Resourcing

If the employee is only expected to be absent for a short period, ad-hoc cover by means of reallocating work amongst other team members will probably be sufficient, although you should be very careful about over-loading the rest of the team. However, if the carer will be away for an extended period, you will need to ensure more formal cover is in place. Bear in mind the following:

- if you recruit externally, this should be done on an interim basis, and it should be made clear to the recruit that the original employee is expected to return to their role in due course (although the timescale may initially be unclear)
- you may find it preferable to arrange an internal secondment, which may also have the advantage of providing a development opportunity for another individual
- if it is possible to arrange a handover before as well as after the leave period, this will be beneficial but it may not always be practicable
- make sure that you communicate appropriately with the employee going on leave, to ensure that they understand that you are merely covering the workload and not attempting to replace them longer term

### Return to work

Returning to work after a period of extended leave can be a challenging time for employees. Good forward planning and communication during leave should minimise any issues, but there are also a number of different things you can do at this stage to ease the transition.

- ensure that employee is aware of the opportunity to work flexibly, and discuss options well in advance of their return date if you can. See our [Flexible working guide](#) for further information. It is a good idea to begin the formal flexible working request process more than 3 months before the return date if this is possible, and aim to complete the process several weeks before the employee is due to return, since this will give you plenty of time to complete the process properly, and make appropriate care arrangements if these are needed.
- consider a phased return – whether employees are planning to return to work on a full time or part time basis, it can be helpful to put in place some kind of phasing arrangement for the first few weeks or months following their return. For example, if the employee plans to return to work full time, she/he might want to start by working 2 days a week for the first month, then 4 days for the next month, then returning to full time work.
- discuss and agree his/her performance objectives for the rest of the performance year following return, ensuring that these are carefully considered and adjusted appropriately if he/she is working part-time or from home.



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## Support

Many organisations find it helpful to provide employees with some kind of additional support upon their return to work after a period of extended leave. If your company provides any such support, make sure that the appropriate arrangements are made for your employee and he/she is briefed as appropriate. If you have a programme in place to support mothers and/or fathers returning to work after maternity/paternity leave, it may be possible to use these arrangements (adjusted as appropriate) to support carers returning to work. For example, make sure he/she is scheduled to attend any formal induction programme, is provided with a mentor or buddy and introduced to a Carers' network if you have one.

If there is no formal support in place in your company, you should think about what you can do to support him/her following his/her return. Think about any training or briefing he/she might need, and who would be the appropriate person to provide this. For example:


- ensuring the employee is up to date with developments during their absence (e.g. changes to the structure of the company or department, key personnel changes and anything that has impacted on terms and conditions of employment)
- providing any training needed if there have been changes, e.g. technology, legal changes that impact his/her area of expertise, adjustments to internal processes and procedures



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**Appendix – Checklist**

<b>Notification</b>	<b>Done</b>
When employee advises you that they are taking on caring responsibilities (e.g. a dependant has become seriously ill), arrange a discussion meeting with them.	
Ensure employee is aware of his/her entitlements to leave including company specific policies e.g. Time off for Dependants, Carers' Leave, sabbatical etc.	
Ensure employee is aware of flexible working options, and process for making an application.	
Discuss any work that needs to be handed over.	
<b>Following meeting</b>	
If applicable, consider how role will be covered during Leave and discuss as appropriate e.g. contact whoever is responsible for recruitment if it is appropriate to recruit temporary cover.	
Arrange hand-over of outstanding work if possible	
<b>Shortly before start of leave</b>	
Hold further meeting, if time allows, to check the employee's understanding of options and support available.	
Confirm important information and any agreements made (e.g. leave, whether this is paid or unpaid, temporary flexible working agreement) in writing if appropriate.	
Finalise arrangements for cover during leave.	
If period of leave is likely to be extended: <ul style="list-style-type: none"> <li>• discuss keeping in touch during leave</li> <li>• consider whether it is possible and appropriate to sign off performance review to date</li> </ul>	
<b>During leave</b>	
Keep in touch as agreed	
Discuss with individual his/her plans to return to work, at the appropriate point, i.e. expected date and whether a change in working pattern is likely (See flexible working guide)	
<b>Return to work</b>	
Update individual in detail on developments during their absence	
If employee has been absent for an extended period, arrange any training, coaching or other support (e.g. a buddy) required to bring them back up to speed.	
If employee has been absent for an extended period or has reduced their working hours, agree new performance objectives.	



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