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Carers Leave Policy

This policy sets out what you need to know and do when:

- You or one of your employees have caring responsibilities
- You or one of your employees need to request time off to care for the person concerned

This policy covers employees in the Republic of Ireland (ROI) only. If you're in Great Britain, Channel Islands, Isle of Man, Gibraltar and Northern Ireland, you should refer to the Carers Leave policy (UK).

This policy is not contractual and is subject to change at the Group's discretion. This policy will be reviewed from time to time to ensure that it reflects the Group's legal obligations and its business needs.

Content of this policy:

1. Roles and responsibilities
2. How to request Carers Leave
3. Line Managers
4. How Carers Leave affects pay and benefits
5. Related useful information

1. Your role and responsibilities

Employees:

Carers Leave is the period of unpaid leave available to eligible employees as a result of the Carer's Leave Act 2001. This is the right to take time off work to personally provide full-time care and attention for a person who is in need of such care. If you need to take Carers Leave, we'll support you and treat you fairly.

- If you're considering applying for Carers Leave it's your responsibility to read and follow the guidance in this Carers Leave policy.

Who is eligible?

- The policy applies to all permanent and temporary (e.g. fixed-term) employees based in ROI who:
- Have at least 1 year's continuous service at the point where leave is intended to commence
- Intend to provide full-time care and attention to a 'relevant person' (see below)

- For temporary employees any entitlement to leave or other benefits will only last for the duration of the contract of employment

What are you entitled to?

- If you are a carer you are entitled to a minimum of 13 weeks and a maximum of 104 weeks in respect of any one care recipient. Leave can be taken as a continuous block of up to 104 weeks or, by agreement within the Group, in shorter periods adding up to 104 weeks for each care recipient.
- If the leave is segmented there must be a gap of at least six weeks between the leave periods.
- You will generally not be entitled to Carers Leave if another employee is on Carers Leave for the purpose of providing full-time care and attention for the same relevant person.

Second care recipient

- If you receive approval for leave for a second care recipient who lives with the first care recipient, the second period of leave will begin on the date that the Department of Social Protection's deciding officer's final decision is made and must finish at the latest 104 weeks from its commencement. The total amount of leave when taken for both 'relevant persons' cannot exceed 208 weeks.
- If Carers Leave in respect to one care recipient has finished, you may not commence leave to care for a second care recipient until six months after the end of the previous period of Carers Leave (except as outlined above in leave for a second care recipient living with the first care recipient).

What is the definition of a 'relevant' person in need of care?

- The person must need continual supervision and dedicated support throughout the day, in connection with normal physical or mental functions or continual supervision in order to avoid danger to themselves.

Who is a 'carer'?

- In general, the carer must live with the 'relevant' person. However, if the carer is not living with the 'relevant person', the following conditions must be met:
- The carer must be providing full-time care and attention to a relevant person
- There must be a direct system of communication between the carer's residence and that of the care recipient, this could be in the form of a telephone or alarm system
- The care recipient must not already be receiving full-time care and attention within their own residence from another person

When is it not Carers Leave?

- If the employee is requesting Dependants Leave
- If an employee is requesting Parental Leave
- If an employee is requesting Compassionate Leave
- If an employee wished to take a Short Term Employment Break
- If the employee wishes to take a Long Term Employment Break

Please see HR > Absence which provides more details.

2. How to request Carers Leave

- Make sure you're eligible before completing the request (see above criteria)
- Go to Workday and submit your request with at least 6 weeks notice of your intention to take Carers Leave. You must also register your CARB1 form. **Note** – Final approval won't be given until the CARB1 is successful.
- Before taking Carers Leave, the Department of Social Protection must decide that the person you are proposing to care for is in need of full-time care and attention (i.e. they are a 'relevant person')
- An application form (CARB1) and information leaflet (SW 49) may be obtained from the Department of Social Protection. The SW 49 leaflet should be read before completing and submitting the CARB1 form. As part of this process a registered medical practitioner will be asked to fill in a form which will enable the deciding officer to judge the level of need of the care recipient.
- If your application for Carers Leave is successful you should agree with your manager how you will manage the leave and agree any amendments needed during this time. Even if the period of Carers Leave has started, Carers Leave or part of it may be postponed or varied as to how it is taken, subject to agreement by both parties. In this case, you and your line manager should amend and update Workday of any changes
- You should also agree the level of contact that will be maintained throughout the period of Carers Leave with your line manager

Terms and conditions if you successfully apply for Carers Leave

- You will still be regarded as an employee of the Group whilst on Carers Leave. Your continuous services will remain unchanged and you will continue to accrue service with the Group during the period of Carers Leave
- At the end of Carers Leave you are entitled to return to the same job on the same terms and conditions, unless there is some reason why it is not reasonably practicable for the Group to take you back in the original job. In these circumstances, you would be entitled to be offered a similar job on terms and condition no less favourable than the original job
- You must provide the Group with at least 4 week's notice of your intention to return to work following Carers Leave
- You will not take part in any form of employment during the period with the exception of:
 - Attending an educational or training course or to take up voluntary or community work up to a maximum of fifteen hours per week;
 - Engaging in limited self-employment in your home;
 - Engaging in employment outside your home up to a maximum of fifteen hours per week. This must be approved by the Department of Social Protection

Termination of Carers Leave

It is your responsibility to notify the Group immediately of any circumstances which may impact your entitlement to Carers Leave.

Carers Leave will terminate in the following circumstances:

- The period covered by the Carers Leave as specified in the confirmation document elapses
- By agreement between the employer and the employee
- Assumption by another person or institution of full-time care of the care recipient

- Death of care recipient (following which the carer may take a further six weeks of Carers Leave, or return to employment on the date of termination of the period specified in the confirmation document, whichever is the earliest)
- If the employee is on a fixed-term contract or specified- purpose contract, any leave (or any other benefit) will end when the contract ends

In addition, Carers Leave may terminate following the decision of a deciding officer or appeals officer that:

- The care recipient is no longer a 'relevant' person;
- Full-time care and attention is not being provided, or;
- The person providing the full-time care and attention has worked in excess of 15 hours allowable per week

What if the DFSA decide you are not eligible to take Carer's Leave?

If you wish to take leave in order to care for someone, you may wish to consider a Short or Long Term Employment Break. Please see the Leave Support pack (ROI) for more information.

3. Line managers

To manage a Carers Leave application, it's your responsibility to read and follow the guidance in this Carers Leave policy.

How to manage a request for Carers Leave

- Talk to your employee about their request to understand their need
- Ensure that all requests for Carers Leave less than 13 weeks are given consideration
- Ensure that they have submitted their request on Workday and uploaded the CARB1 form from the Department of Social Protection
- Consider other annual leave requests from your team and how this impacts the period requested
- Consider whether your team are able to cover essential work for the period of absence and any impact on the customer

If you're able to approve the leave:

- Review and approve the request on Workday
- The employee will receive confirmation that their request has been approved
- Complete the 'Stop pay' online form
- Complete a performance review and appropriate documentation with the employee prior to Carers Leave commencing
- Agree the level of contact that will be maintained throughout the period of Carers Leave with the employee ensuring they are aware of any important changes within the team
- Ensure your employee is protected against dismissal or detrimental treatment as a result of exercising of proposing to exercise their right to Carers Leave
- Notify the Department of Social Protection, should you become aware of any circumstances which impact the employee's entitlement to Carers Leave (e.g. that the care recipient is no longer a 'relevant person') Please see **Termination of Carers Leave** in the employee section of this policy

- Notify the Department of Social Protection in writing when your employee returns to work from Carers Leave

Can we decline a request for Carers Leave?

We should accept all valid requests for Carers Leave

However, if you need to legitimately decline a request for leave of less than 13 weeks ensure you contact HR People Services (0044 208 535 1842) first:

- You should discuss the reasons for declining a request for less than 13 weeks Carers Leave with the employee and then confirm the postponement arrangements in writing within 7 working days. Ensure you explore possible alternatives with the employee wherever possible

4. How Carers Leave affects pay and benefits

What pay, pension, benefits and holidays will the employees receive?

- Annual Leave and Public Holidays will accrue for the period of the first 13 weeks' leave for each care recipient
- Under RBS ShareSave (HR > Pension and Benefits > Benefits > Shares > ShareSave) schemes your monthly contribution will continue to be deducted from your account. However, you can stop saving at any time and get all your money back. Please refer to the ShareSave pages for further information

Pensions

- Employees who take Carers leave will remain active members of the defined benefit scheme, but their entitlements while on leave will be restricted to death in service benefit cover only. Employee contributions (if applicable) will cease for the duration of the leave. Upon return to work, the pensionable service before and after the period of leave will be added together for the purposes of calculating your final pension.
- If you are a member of a Defined Contribution scheme (e.g. The RBS Group Ireland Retirement Savings Plan), both employee (if applicable) and employer pension contributions will cease for the duration of the leave. You will continue to be covered for death in service and disability benefits. Upon return to work, employer and employee pension contribution will recommence.
- Due to ceasing of pension funding, for employees not on one of the Group's final salary pension schemes, a nominal monthly charge will be made to the employee's cost centre to provide death in service benefit cover and disability cover for the duration of Carers Leave.

5. Further information and support is available

Further support is available through our Employee Assistance Programme (HR>Wellbeing).