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**Report to: Clackmannanshire Council**

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**Date of Meeting: 29 January 2026**

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**Subject: HR Policies**

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**Report by: Senior Manager (HR and Workforce Development)**

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### **1.0 Purpose**

This paper invites Council to approve the revised Work / Life balance and Flexible Working Policy and Procedure, and the revised Carers Policy and Procedure.

### **2.0 Recommendations**

Council is asked to:

- 2.1. Challenge and comment as appropriate.
- 2.2. Agree the policies and procedures.
- 2.3. Note the attached Equality Impact Assessments.

### **3.0 Considerations**

- 3.1. HR and Workforce Development continues, as part of its rolling programme, to review and update the Council's policies and procedures related to HR, H&S, OD and Payroll.
- 3.2. In order to ensure collaborative and partnership, working the Council's policy group (which comprises TU colleagues, Management and HR) meet regularly to review and agree new/revised policies and procedures.

#### *Work Life Balance and Flexible Working Policy / Procedure*

- 3.3. Clackmannanshire Council has always encouraged flexible working and fully supports the provisions set out in legislation. This policy sets out the Council's approach to flexible working arrangements, balancing statutory requirements and ACAS best practice guidelines with the need for the working pattern to maintain or improve service delivery.

- 3.4. As a Council, we continue to transform the way in which we provide services and, as part of this transformation, recognise the need to move to more modern ways of working, which includes both the hours that are worked and the locations in which work takes place. Increased flexibility also has the potential to provide greater opportunities to support those members of staff seeking to have a greater degree of work/life balance.
- 3.5. Full agreement was reached on all aspects of the policy and procedure at both Policy Group, and at Tripartite.
- 3.6. No comments were received on the EQIA.

#### *Carers Policy / Procedure*

- 3.7. In addition to the Flexible Working procedure for all employees, the Council is committed to encouraging a positive culture of support for carers, recognising the demands of balancing work and caring responsibilities.
- 3.8. The Carers Policy provides extra support provisions for those who meet specific criteria as outlined in the procedure, and the procedure also provides advice and guidance to employees and managers.
- 3.9. Full agreement was reached on all aspects of the policy and procedure at both Policy group, and at Tripartite.
- 3.10. No comments were received on the EQIA.

### **4.0 Sustainability Implications**

- 4.1. None.

### **5.0 Resource Implications**

- 5.1. None.

### **6.0 Staffing Implications**

- 6.1. TUs have been consulted in the development of the policies and procedures.

### **7.0 Exempt reports**

- 7.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

## 8.0 Declarations

- 8.1. The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☒)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all	<input checked="" type="checkbox"/>
Our families; children and young people will have the best possible start in life	<input checked="" type="checkbox"/>
Women and girls will be confident and aspirational, and achieve their full potential	<input checked="" type="checkbox"/>
Our communities will be resilient and empowered so that they can thrive and flourish	<input type="checkbox"/>

(2) **Council Policies** (Please detail)

Complies with relevant Council Policies

## 9.0 Impact Assessments

- 9.1 Have you attached the combined equalities impact assessment to ensure compliance with the public sector equality duty and fairer Scotland duty? (All EFSIAs also require to be published on the Council's website)

Relevant EQIAs are included as appendices to each policy and procedure, and received no comments when considered by both Policy Group, and Tripartite.

- 9.2 If an impact assessment has not been undertaken you should explain why:

## 10.0 Legality

- 10.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

## 11.0 Appendices

- 11.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Flexible Working and Work/ Life Balance Policy  
Flexible Working and Work/ Life Balance Procedure  
Flexible Working and Work/ Life Balance EQIA  
Carers Policy  
Carers Procedure  
Carers EQIA

## 12.0 Background Papers


12.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☒

### Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Alastair Hair	Senior Manager HR and WFD	2045

### Approved by

NAME	DESIGNATION	SIGNATURE
Chris Alliston	Strategic Director – Partnership and Performance	



# Work Life Balance and Flexible Working Policy

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**2025**



**Key Information:**

<b>Title:</b>	Work Life Balance and Flexible Working Policy
<b>Date Issued:</b>	January 2026
<b>Date Effective From:</b>	April 2024
<b>Version Number:</b>	0.2
<b>Document Type:</b>	Policy
<b>Document Status:</b>	Awaiting Approval
<b>Author:</b>	Human Resources
<b>Owner:</b>	Human Resources
<b>Approver:</b>	Council
<b>Approved by and Date:</b>	TBC
<b>Contact:</b>	Human Resources

**Revision History:**

<b>Version:</b>	<b>Date:</b>	<b>Summary of Changes</b>	<b>Name:</b>	<b>Changes Marked:</b>
0.1	January 2019	Draft	SF	N/A
0.2	February 2024	Changes to policy in line with the <u>Flexible Working (Amendment) Regulations 2023</u>	DK	N/A
0.3	September 2025	Policy Review 2025	SW	N/A

## **1. POLICY STATEMENT**

- 1.1 Clackmannanshire Council has always encouraged flexible working and fully supports the provisions set out in legislation, which allow all employees the statutory right to request a change to their contractual terms and conditions.
- 1.2 This policy sets out the Council's approach to flexible working arrangements, which is in accordance with the ACAS code of practice "The right to request flexible working: an ACAS Guide".
- 1.3 As a Council we continue to transform the way in which we provide services and, as part of this transformation, recognise the need to move to more modern ways of working, which includes both the hours that are worked and the locations in which work takes place.
- 1.4 Increased flexibility has the potential to provide greater opportunities to support those members of staff seeking to have a greater degree of work/life balance, by integrating home and work life more successfully.
- 1.5 The over arching principle of the flexible working policy is that the working pattern must maintain or improve service delivery and be cost effective. No changes to existing working patterns will be authorised if it can be evidenced that it will be detrimental to service delivery.
- 1.6 It is envisaged that increased flexibility and the introduction of flexible ways of working will contribute to the following:
  - For the Council
    - a) Productivity improvements.
    - b) Reduction in absenteeism.
    - c) Reduction in recruitment and retention costs.
    - d) Reduction in required office space.
  - For staff
    - e) Increased motivation.
    - f) Improved work satisfaction.
    - g) Improved work life balance.
    - h) Reduced levels of stress.
- 1.7 This policy and procedure aims to support all staff working in this environment and foster meaningful and sustainable ways of working smarter and more effectively.

## **2. SCOPE**

- 2.1 This policy applies to all staff of Clackmannanshire Council from day one of employment. All employees have the right to request flexible working, regardless of personal circumstance from day one of employment.

Separate arrangements also exist for those employed under SNCT conditions of service.

- 2.2 Under the Children and Families Act 2014, all employees now have a statutory right to request a change to their contractual terms and conditions of employment to work flexibly, subject to the eligibility criteria set out above.
- 2.3 Requests for flexible working may be for any reason and are not restricted to employees with family care commitments.
- 2.5 Separate retirement options to allow staff to reduce their working hours and receive pension benefits are also available. Information on these options is available from LGPS (Falkirk) or STSS (Teachers).
- 2.6 Requests for flexible working are separate and distinct from the Council's special leave arrangements.

## **3. MONITORING AND REVIEW**

- 3.1 Both Senior Management and Trade Union Representatives shall monitor the effectiveness of these procedures on a ongoing basis. Amendments will be made as and when deemed necessary and after consultation with recognised trade unions.

#### 4. EQUALITY IMPACT ASSESSMENT

Policy Name	Worklife Balance and Flexible Working Policy
Department	HR
Policy Lead	HR
Equality Impact Assessment	
Stage 1 EQIA completed	Yes
Stage 2 EQIA completed	Yes
* In no please provide rationale	
Date Approved	TBC



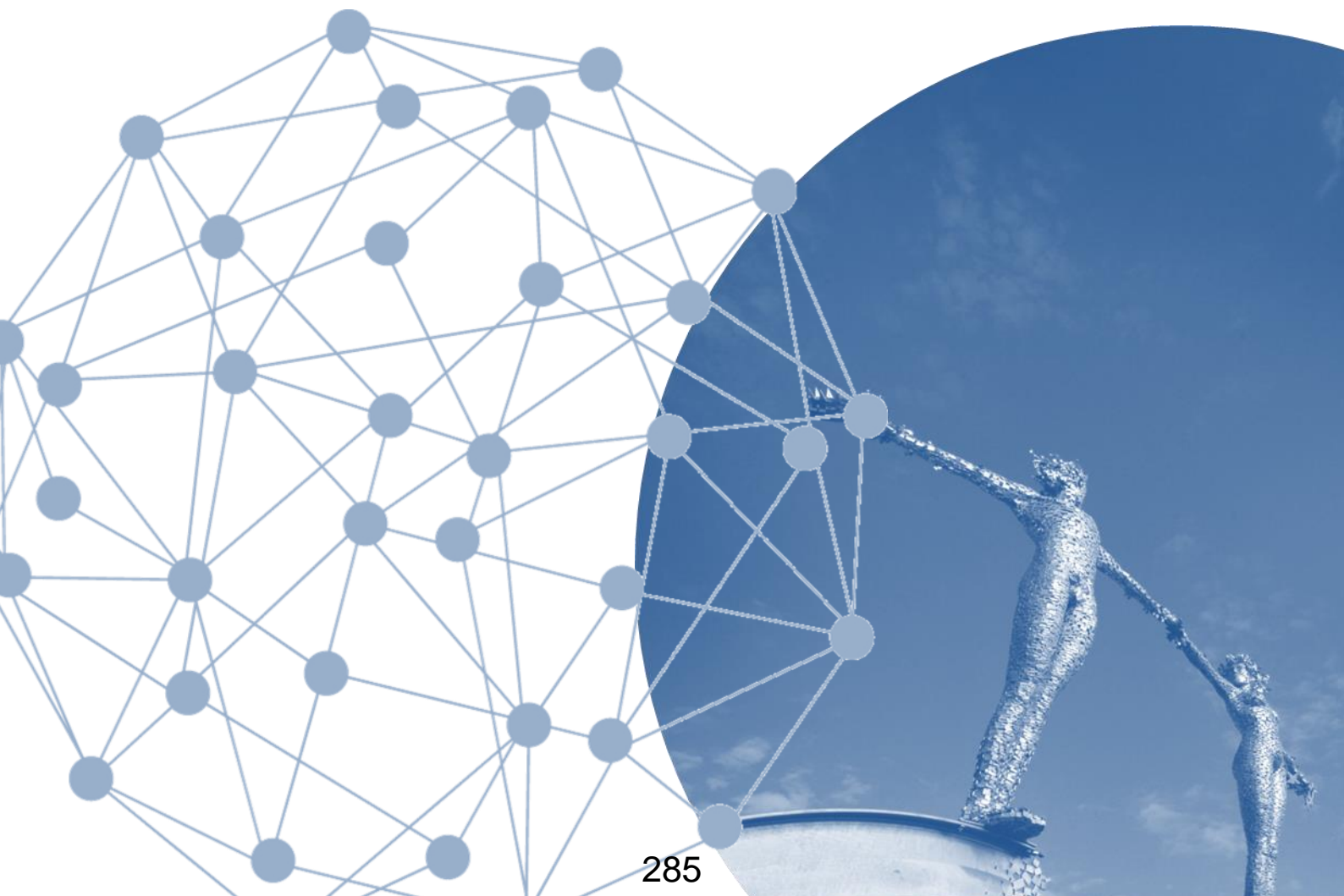




# Work Life Balance and Flexible Working Procedure

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**2025**



## DOCUMENT CONTROL SHEET:

### Key Information:

<b>Title:</b>	Work Life Balance and Flexible Working Procedure
<b>Date Issued:</b>	January 2026
<b>Date Effective From:</b>	January 2020
<b>Version Number:</b>	0.2
<b>Document Type:</b>	Procedure
<b>Document Status:</b>	Awaiting Approval
<b>Author:</b>	Human Resources
<b>Owner:</b>	Human Resources
<b>Approver:</b>	Council
<b>Approved by and Date:</b>	TBC
<b>Contact:</b>	Human Resources

### Revision History:

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0.1	January 2019	Draft	SF	N/A
0.2	February 2024	Changes to procedure in line with the <u>Flexible Working (Amendment) Regulations 2023</u>	DK	N/A
0.3	September 2025	Policy Review	SW	N/A

## **1. INTRODUCTION**

- 1.1 The Council recognises that a better work-life balance can improve employee motivation, performance and productivity and reduce stress. Therefore, the aim is for the Council to support its employees to achieve a better balance between work and their other priorities, such as caring responsibilities, leisure activities, further learning and other interests. The Council is committed to supporting flexible working arrangements, provided that the needs and objectives of both the organisation and the employee can be met.

## **2. PURPOSE**

- 2.1 To provide guidance on the required actions and responsibilities of the Council, line managers and employees in regard to Flexible Working.
- 2.2 To set out the procedural steps necessary for an employee's application to be considered.
- 2.3 This procedure applies to all staff employed with Clackmannanshire Council.

## **3. THE RIGHT TO REQUEST FLEXIBLE WORKING**

- 3.1 All employees from day one of employment have the right to request flexible working, regardless of personal circumstances.

## **4. KEY POINTS**

- 4.1 Requests must be in writing stating the date of the request, whether any previous application has been made and, if so, the date of that application.
- 4.2 Requests must be considered and a decision made within two months. We aim to complete the entire process within this timeframe; however, if this is not

possible, we will provide written confirmation of the delay, including the reason for the delay and the revised timescale for reaching a decision.

- 4.3 Employees may make up to two flexible working requests within any rolling 12-month period.
- 4.4 There is no requirement for the employee to explain what effect their request will have on the employer or how the impact might be dealt with.
- 4.5 Employers must consult with an employee before rejecting a flexible working request.
- 4.6 Employers must have a sound business reason for rejecting a flexible working request.

## **5. MAKING A REQUEST**

- 5.1 To make a request for flexible working employees must complete a pro forma (appendix 1) stating:
  - The date of the application, the change to the working conditions they are seeking and when they would like the change to come into effect. This should generally be for no more than 6 months in advance of the proposed change start date.
  - If they have made a previous application for flexible working, the date of that application.
  - If they are making their request in relation to the Equality Act 2010, for example, as a reasonable adjustment for disabled employee.

An employee may have only one live request for flexible working with their employer at any one time. Once a request has been made, it remains live until any of the following occur:

- a decision about the request is made by the employer
- the request is withdrawn
- an outcome is mutually agreed
- the statutory two-month period for deciding requests ends

5.2 A request continues to be live during any appeal or any extension to the statutory two-month decision period that an employer and employee may have agreed.

## **6. HANDLING REQUESTS FOR FLEXIBLE WORKING**

6.1 Once a request has been received, the line manager should ensure the employee has access to the application form and arrange a meeting to discuss the request, wherever possible within two weeks from the date of the request. Whilst a meeting is considered good practice, it may not always be needed where the Service is happy to accept the request. It is helpful to have this discussion to ensure that the proposal being put forward meets both the needs of the Council and the needs of the member of staff.

6.2 Where a delay arises (for example due to annual leave), the member of staff should be informed as to the reasons for the delay and provided with an expected timescale by which their request will be discussed with them.

6.3 Staff will have the right to be accompanied by their trade union representative or a work colleague of their choice at the discussion meeting.

## 7. CONSIDERING A REQUEST FOR FLEXIBLE WORKING

7.1 It is important that any requests are considered carefully with the benefits and consequences of the requested changes in working conditions for the employee and the Council being considered.

7.2 When considering an application for flexible working managers should consider:

- **Customer Factors** (including other teams/sections and partners) - Can service provision be maintained/improved. Is demand tied to certain times of the day?
- **Job/Location Factors** - Can all of the duties be performed effectively from the location/in the working pattern envisaged? Are there information security issues? Is access to specialist information/equipment/reference materials or significant face to face contact with colleagues or customers required? Is access to premises available at the proposed times, if needed?
- **Cost/Saving Factors** - Including those associated with ICT equipment, travel, time/expenses, workplace priorities.
- **Team Factors** - Including morale; productivity; whether sufficient team members are available for cover if required
- **Employee Factors** - Including satisfaction, motivation, commitment, morale and productivity; initiative; time/workload management; communication and supervision arrangements; social isolation; reduction in travel time/cost; requirement for on-the-job training; health and safety issues that may apply to the employee such as lone working, working pattern, length of work periods/rest breaks and suitability of IT equipment.
- **Environmental Factors** - Reductions in energy consumption, carbon footprint. (e.g. reduced travel).

7.3 Managers should also take into account the following:

- The Council is under no statutory obligation to grant a request to work flexibly and the Council's ability to provide an effective service will be paramount.
- Where agreement is reached with one member of staff this will not set a precedent or create a right for another member of staff to be granted a similar change to his/her working pattern.
- There is no contractual entitlement to have a flexible working request approved.

7.4 There may be occasion when a service needs to consider more than one request. In doing so the following should be considered:

- Requests should be considered in the order they are submitted.
- Having considered and approved requests, managers should remember that the business context has changed and can be taken into account when considering the subsequent request.
- Where more than one request is received there is no requirement to make value judgements about the most deserving request. Managers should consider each application only on its merits looking at the business case and the possible impact of refusing a request.
- Any changes to a staff member's working hours as a result of a request for flexible working is regarded as a permanent variation to contract, unless agreed otherwise. With the exception of trial periods, once a change to a staff member's hours or place or work has been implemented, the employee has no automatic right to revert to their previous pattern of working at a future date.
- Variations may be considered in light of changing operational service needs or where the member of staff wishes to apply for a review. Appropriate

arrangements will be made to discuss the impact of further changes and reasonable notice to end or amend the existing arrangement will be given.

- Flexible working offers staff benefits but it is not intended to give the opportunity to increase salary. For example, where an employee has a request granted under this policy to change to working in a period or pattern for which an enhancement that they do not currently receive (e.g. unsocial hours, night work, weekend work, shift allowance).
- Only where a requirement to work shifts etc is set by management will any time-based enhancements be paid.
- Where a request is refused the member of staff should also be informed of their right of appeal.

## **8. WHY REQUESTS MAY BE REFUSED**

8.1 Line managers must consider all requests in a reasonable manner and can only legally refuse them if there are evidenced business reasons for doing so, this reason must be from the following list:

- The burden of any additional cost is unacceptable to the Council.
- There is an inability to reorganise work among existing staff.
- Inability to recruit additional staff.
- The Council considers the change will have a detrimental impact on quality.
- The Council considers the change would have a detrimental effect on the Council's ability to meet customer demand.
- There will be a detrimental impact on performance.

- There is insufficient work during the periods the member of staff proposes to work.
- Planned structural changes pending in the next 6 months e.g. where the Council intends to reorganise and considers the flexible working changes may not fit with these plans.

8.2 If an employee has indicated that the request is being made as a reasonable adjustment for a disability under the Equality Act 2010, you must discuss this with your Service HR Business Partner if you are unable to accommodate this request.

8.3 Line managers must ensure that they are careful not to directly or indirectly discriminate against employees, for example when dealing with requests from employees with childcare responsibilities. It may be helpful to discuss any request they are not intending to approve with their Senior Manager or Service HR Business Partner.

8.4 Within a team or Service area, a previous flexible working arrangement which has been agreed will not automatically be approved for a subsequent employee. For example, if a team has already accommodated a number of part time workers, it may not be possible to support future requests, or a compromise may have to be reached around days/ hours worked to ensure adequate operational cover.

## **9. FOLLOWING THE MEETING**

9.1 Once a decision is reached and has been approved, the employee should be advised in writing within two weeks of the meeting. The decision may be:

- That the Council agrees to the new work pattern and confirm the start date.

- That the Council agrees to a compromised flexible working arrangement.
- That the Council does not agree to the request and provides clear business reasons as to why the application cannot be accepted.

9.2 A start date for any arrangements should be mutually agreed.

9.3 It is the line manager's responsibility to ensure all the relevant paperwork is completed and sent to Human Resources, for example a work pattern change form or change form, to ensure i-Trent is updated correctly for leave and pay purposes. Once these changes have been processed this be confirmed in writing to the employee as an amendment to their current Statement of Particulars.

9.4 Any request that is accepted will make a permanent change to the employment contract. However, a trial period for a minimum period of 12 weeks and maximum period of 6 months can be utilised to see if the request works for both the Service and the employee. This should be mutually agreed and confirmed in writing. If mutual agreement cannot be reached, the service will aim to implement an arrangement that aligns with operational requirements. At the end of the trial period a review meeting should be held and again the employee can choose to be accompanied by a work colleague or trade union representative. It should then be confirmed in writing that the arrangement is either now a permanent contractual change, or the employee reverts to their previous working arrangements.

## **10. APPEALS PROCESS**

10.1 Wherever possible it is better to reach agreement on flexible working within the workplace. However, if the application is refused the following appeal process should be followed. Firstly, hold an informal discussion wherever possible - there may be some simple misunderstanding which can be resolved in an informal way.

- 10.2 If the member of staff still wishes to appeal against a manager's decision they must do so within 10 working days of being notified of the outcome of their request.
- 10.3 The appeal should be in writing and outline the grounds for making the appeal and submitted to the HR Senior Manager.
- 10.4 An appeal meeting will be organised with the relevant Senior Manager within 10 working days of receipt of the appeal. Normal working practices will continue until the appeal is concluded. If the meeting is delayed for any reason (for example annual leave) this will be clearly communicated to the employee and a date set.
- 10.5 If the Senior Manager has been previously involved in the decision made, an independent Strategic Director should hold the meeting to review the business rationale provided to ensure fairness and transparency
- 10.6 If the appeal is upheld, the Senior Manager will liaise with the original decision maker who will communicate the new working pattern and start date of the new arrangements to the individual and their line manager.
- 10.7 There is no further right of appeal.

## **11. OTHER FORMS OF WORKING FLEXIBLY**

- 11.1 Working from home, mobile or peripatetic working and other forms of flexible working such as Flexitime are covered under the Alternative Ways of Working section of this procedure.

## 12. EXAMPLES OF FLEXIBLE WORKING

- 12.1 All forms of flexible working can be requested and considered, on the basis that this is suitable for operational needs. Some common examples are outlined below.
- 12.2 **Part Time Working** - This is an agreed regular pattern where a member of staff works fewer hours per week than a full-time employee.
- 12.3 **Job Sharing** – When two members of staff share the duties and responsibilities of one post. As with part time working, job sharing can allow you to work fewer hours in a day or fewer days in a week, which may suit your domestic circumstances. The Council can benefit from retaining experienced staff who may otherwise leave. Job sharing can provide the Council with the skills, knowledge and expertise of two people for the costs of just one post. The job share arrangement can be established from the creation of a new post or can be requested by the current post holder. The Council does reserve the right to refuse a request for job sharing where it may be/ proves to be difficult to recruit a job share partner to the other part of the role or where the nature of the role means it cannot be undertaken effectively on a job share basis. In addition, if a job share partner resigns or moves to another post etc the Council reserves the right to end the arrangement where appropriate if a new job share partner cannot be found.
- 12.4 **If job sharing is agreed** - See Job Sharing guidance.
- 12.5 **Temporary Change of Hours** -This is where there is an agreed temporary change to a staff members work pattern. In most cases, changes to hours will be on a permanent basis. However, it may be possible to agree this on a temporary basis (for a maximum period of 12 calendar months) if this suits service needs.

- 12.6 **Term Time Working** – This is where an employee reduces the total number of days, they work overall in the year by not working during predefined school holidays. Term time working must commence at the start of a Clackmannanshire Council School term. To agree this pattern there must be a significant reduction in workload during the school holiday periods or sufficient resources in the team to accommodate the extended periods of nonworking.
- 12.7 **Annualised Hours Working** - Annualised hours are where the period of time an employee works is defined over a whole year. Staff should agree with their line manager and commit to a number of hours and pattern of working over a 12-month period as determined by the needs of the service. Salary is paid in equal monthly instalments regardless of the number of hours worked in a specified period.
- 12.8 **Seasonal Hours Working** – Similar to the above arrangement, employees may work seasonal work patterns. This may include a period of zero hours working and the salary will be pro-rated and paid annually for all hours worked over a 12-month period.
- 12.9 **Compressed Hours** – Working compressed hours allows a member of staff to work fewer days overall by working longer hours on the days that they do attend. This can mean for example that they work a 9-day fortnight or a 4.5/4-day week. This pattern can be agreed between employee and manager to ensure the work pattern meets service delivery needs and that the agreed working day is not excessive for the employee to manage.
- 12.10 **Employment/Career Breaks** - Subject to the needs of the service a member of staff may take a break in employment (without pay and benefits) to look after family, to travel, do voluntary work or undertake training. The Employment/Career break will not affect continuous service calculations or entitlement. This is covered under the Council's Career Break procedures.

12.11 **Buying Annual Leave** - Members of staff may, subject to the needs of the service, buy additional annual leave with a reduction in monthly salary. Further details are available in the Scheme of Enhanced Leave procedures.

### **13. Responsibilities**

13.1 Managers are expected to:

- Foster a culture of trust in working relationships.
- Consider current and foreseeable operational needs of the service and how different working arrangements could affect these.
- Consider the potential impact on other employees, internal and external customers and clients.
- Continue to measure the performance and output of all employees to maintain service standards.
- Decide whether flexible working arrangements can be supported, considering such factors as the staff members role and operational needs of the service.
- Determine whether the flexible working arrangement can be agreed on a temporary or permanent basis.
- Confirm any changes to the service HR Business Partner
- Deal with all requests on a consistent and fair basis.
- Explain and evidence the reasons for refusal.

13.2 Employees are expected to:

- Co-operate with management to facilitate a culture of trust.
- Outline, in their request, how they see their role and duties being fulfilled under the proposed flexible working arrangements.
- Collaborate with their line manager during the request process.
- Ensure the timing of their request allows sufficient opportunity for the line manager to fully consider the request.

**15. ALTERNATIVE WAYS OF WORKING**

When considering alternative ways of working for employees, this includes both looking at where work is carried out and also considering how work is carried out.

**15.1 HOMEWORKING**

Homeworking is one alternative way of working which may be suitable for some job roles within the Council. Please refer to the Council's Homeworking Policy and Procedure for more information and guidance on home working.

**15.2 MOBILE/PERIPATETIC WORKERS – WORKERS WITH NO FIXED WORK BASE**

**15.3** There are a number of employee/employer relationships which are now different from the traditional 9-5 job. A person's employment status will determine their rights and their employer's responsibilities.

- 15.4 A peripatetic worker is someone who works in multiple locations. It refers to someone who works away from their normal work base or can also refer to someone who has no fixed work base. For example, a peripatetic teacher will travel from school to school providing a service.

## **16. KEY POINTS FOR CONSIDERATION**

- 16.1 A health and safety risk assessment for these workers should be undertaken, considering the fact that they will be working away from the normal work base, or will have no base, and also what types of work will be carried out.
- 16.2 Time on-call can be classed as working time in certain circumstances.
- 16.3 Time spent travelling from home to the place of work (both at the beginning and end of the workday) would usually count as working time under this type of contract.

## **17. WHEN WE CONSIDER HOW WORK IS CARRIED OUT:**

- 17.1 **Flexitime:** Flexi time is a form of flexible working that allows employees to accumulate additional hours that can be exchanged (with the prior agreement of their line manager) for the equivalent amount of time off.
- 17.2 This can work very well to motivate employees to cover business needs even outwith their fixed work pattern “core hours” and improve flexibility and service delivery. Equally it allows the employee in quieter times to enjoy additional leave for improved work/ life balance.
- 17.3 The band for flexible working allows you **1 hour of flexibility** at the beginning and at the end of your working day.
- 17.4 If you work in an office which operates standard opening times for example 9am to 5pm, the band will be 8am to 6pm. Note: Where the standard hours are 9am

to 5pm an employee would be unable to accrue any hours prior to 8am or after 6pm unless prior agreement reached with their line manager.

- 17.5 Flex days should be requested in the same manner as annual leave through the i-Trent system and can be refused for business reasons/ office cover etc.
- 17.6 However, Flexitime is not suitable for all roles, for example a customer-facing role with fixed hours of cover and therefore must be agreed between line manager and employee. A maximum of 13 flexi days, or combination of full and half days, can be taken in a full year. Flex sheets must be kept up to date and can be checked by line managers at any point. Any abuse of the flex-time scheme may result in this being withdrawn or in a formal Disciplinary process for the employee for a serious abuse of the scheme.
- 17.7 Credit hours are the times worked in excess of contractual hours within the settlement period. Debit hours are the number of hours worked less than the normal contractual hours.
- 17.8 Within the scheme the maximum credit balance which you can normally carry into the next settlement period is 2 working days.
- 17.9 The maximum debit which you may normally carry forward is 1 working day. With prior agreement, your Service Manager may allow a greater deficit to accrue up to 2 working days, for example severe weather or to assist you with urgent childcare problems. Your manager will only consider allowing a carry over debit of more than 2 working days in exceptional circumstances.
- 17.10 The above times are pro-rata for staff who work nonstandard working hours.
- 17.11 Routine GP appointments or dental treatments should normally be arranged at the beginning or end of the working day, whenever possible. No credit will be received for these appointments.

- 17.12 Non-routine appointments should be agreed with your manager, in advance where possible and may count as a credit under the scheme, for more details please refer to the Special Leave procedures.

## **18. TOIL – TIME OFF IN LIEU**

- 18.1 There may be times when it is appropriate for time off in lieu to be granted (for example for an employee working overtime). This must be pre-authorised by the line manager and the compensatory time off requested in the usual manner, in line with service requirements. All TOIL must be calculated on the same equivalent basis as payment would have been made.

## **19. PROCESSING OF PERSONAL DATA**

- 19.1 The Council processes personal data collected as part of this procedure in accordance with its data protection procedure. In particular, data collected as part of this process is held securely and accessed by, and disclosed to, individuals only for the purposes necessary to action and manage this procedure.

## **20. MONITORING AND REVIEW**

- 20.1 Both Senior Management and Trade Union Representatives shall monitor the effectiveness of this procedure on an ongoing basis. Amendments will be made as and when deemed necessary and, where appropriate, after consultation with recognised trade unions.

## 21. EQUALITY IMPACT ASSESSMENT

Policy Name	Worklife Balance and Flexible Working Procedure
Department	HR
Policy Lead	HR
Equality Impact Assessment	
Stage 1 EQIA completed	Yes
Stage 2 EQIA completed	Yes
* In no please provide rationale	
Date Approved	TBC







## **Equality and Fairer Scotland Impact Assessment (EFSIA) Summary of Assessment**

**Title:**

Work Life Balance and Flexible Working Policy and Procedure

**Key findings from this assessment (or reason why an EFSIA is not required):**

Assessment is required

**Summary of actions taken because of this assessment:**

To be confirmed

**Ongoing actions beyond implementation of the proposal include:**

To be confirmed

**Lead person(s) for this assessment:**

Stacey Wright – HR Business Partner

**Senior officer approval of assessment:**

**DATE:**

## **Equality and Fairer Scotland Impact Assessment (EFSIA)**

An Equality and Fairer Scotland Impact Assessment (EFSIA) must be completed in relation to any decisions, activities, policies, strategies or proposals of the Council (referred to as 'proposal' in this document). The first stage of the assessment process will determine the level of impact assessment required.

This form should be completed using the guidance contained in the document: ['NAME']. Please read the guidance before completing this form.

The aim of this assessment is to allow you to critically assess:

- the impact of the proposal on those with protected characteristics and, where relevant, affected by socio-economic disadvantage (referred to as 'equality groups' in this document);
- whether the Council is meeting its legal requirements in terms of Public Sector Equality Duty and the Fairer Scotland Duty;
- whether any measures need to be put in place to ensure any negative impacts are eliminated or minimised.

The Fairer Scotland Duty requires public authorities to pay 'due regard' to how they can reduce inequalities of outcome caused by socio-economic disadvantage, when making **strategic decisions**. Strategic decisions are key, high-level decisions such as decisions about setting priorities, allocating resources, delivery or implementation and commissioning services and all decisions that go to Council or committee for approval.

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### **Step A – Confirm the details of your proposal**

#### **1. Describe the aims, objectives and purpose of the proposal.**

To set out clear procedures and entitlements for flexible working and work-life balance requests, ensuring fairness, consistency, and compliance with statutory legislation.

#### **2. Why is the proposal required?**

HR Policies and Procedure are reviewed on a regular basis, usually every 2-3 years to ensure they remain appropriate, up to date and in line with any legislative or other relevant changes.

#### **3. Who is affected by the proposal?**

All employees - Ensures equal access to flexible working for all employees. For example it enables carers, disabled staff, and parents to remain in employment.

#### **4. What other Council policies or activities may be related to this proposal? The EFSIAs for related policies might help you understand potential impacts.**

special leave, maximising attendance, employee wellbeing and mental health initiatives, equality diversity and inclusion strategy, recruitment and retention policies.

#### **5. Is the proposal a strategic decision? If so, please complete the steps below in relation to socio-economic disadvantage. If not, please state why it is not a strategic decision:**

This proposal relates to individual flexible working requests, which are dealt with case by case and are therefore operational rather than strategic.

If the Council were to introduce a wider change to how flexible working operates across the organisation, that would be a strategic decision and would require assessment under the Fairer Scotland Duty.

## Step B – Consider the level of EFSIA required

You should consider the available evidence and data relevant to your proposal. You should gather information in order to:

- help you to understand the importance of your proposal for those from equality groups,
- inform the depth of EFSIA you need to do (this should be proportionate to the potential impact), and
- provide justification for the outcome, including where it is agreed an EFSIA is not required.

### 6. What information is available about the experience of those with protected characteristics in relation to this proposal? Does the proposal relate to an area where there are already known inequalities? Refer to the guidance for sources of evidence and complete the table below.

Equality Group	Evidence source (e.g. online resources, report, survey, consultation exercise already carried out)	What does the evidence tell you about the experiences of this group in relation to the proposal? NB Lack of evidence may suggest a gap in knowledge/ need for consultation (Step C).
Age	Carers UK, CIPD, Scottish Government, and Government Equalities Office	Younger workers may have childcare responsibilities; older workers more likely to be carers.
Disability	“	Provides flexibility for disabled employees to manage conditions or appointments.
Race	“	Flexibility may support cultural/religious practices and reduce indirect barriers.
Sex	“	Women disproportionately request flexible working due to caring/childcare.
Gender Reassignment	Limited Data	Limited Data
Sexual orientation	Limited Data	Limited Data
Religion or Belief	Limited Data	Limited Data
Pregnancy or maternity	“	Enables phased return or adjustments to balance childcare.
Marriage or civil partnership (only the first aim of the Duty is relevant to this protected characteristic and only in relation to work matters)	“	Carers may be partners/spouses for those they care for.

Equality Group	Evidence source (e.g. online resources, report, survey, consultation exercise already carried out)	What does the evidence tell you about the experiences of this group in relation to the proposal? NB Lack of evidence may suggest a gap in knowledge/ need for consultation (Step C).
<b>Socio economic disadvantage (if required)</b>	“	<p>Flexible working can help reduce costs associated with childcare, travel, and caring responsibilities, and can also make it easier for people in lower-income households to balance work and personal commitments.</p> <p>It may enable those from lower-income households to remain in or access employment by offering greater work–life balance.</p> <p><b>Potential Risks:</b></p> <ul style="list-style-type: none"> <li>• Not all roles can be delivered flexibly (e.g. front-line, rota-based or shift-dependent services).</li> <li>• This may result in lower-paid staff having less access to flexible working compared with office-based or higher-graded staff.</li> <li>• Could unintentionally widen inequalities if flexibility is perceived as more available to professional role.</li> </ul>

**7. Based on the evidence above, is there relevance to some or all of the equality groups? Y/ N/ unclear**

**If yes or unclear, proceed to further steps and complete full EFSIA**

**If no, explain why below and then proceed to Step E:**

No or Lack of evidence under Gender Reassignment, Sexual orientation, Religion or Belief compared to the other equality groups.

---

## Step C – Stakeholder engagement

This step will help you to address any gaps in evidence identified in Step B. Engagement with people who may be affected by a proposal can help clarify the impact it will have on different equality groups. Sufficient evidence is required for you to show 'due regard' to the likely or actual impact of your proposal on equality groups.

- 8. Based on the outcome of your assessment of the evidence under Step B, please detail the groups you intend to engage with or any further research that is required in order to allow you to fully assess the impact of the proposal on these groups. If you decide not to engage with stakeholders, please state why not:**

The procedure has been developed in consultation with recognised trade unions, along with elected manager representatives, all who will be involved in the review of the draft procedure at policy group. Discussion will take place at policy group on the content of the procedure and suggested amendments/additions will be agreed collectively. The Policy needs to be agreed at Council before it can be implemented.

- 9. Please detail the outcome of any further engagement, consultation and/or research carried out:**

**To be confirmed.**

## Step D - Impact on equality groups and steps to address this

### 10. Consider the impact of the proposal in relation to each protected characteristic under each aim of the general duty:

- Is there potential for discrimination, victimisation, harassment or other unlawful conduct that is prohibited under the Equality Act 2010? How will this be mitigated?
- Is there potential to advance equality of opportunity between people who share a characteristic and those who do not? How can this be achieved?
- Is there potential for developing good relations between people who share a relevant protected characteristic and those who do not? How can this be achieved?

**If relevant, consider socio-economic impact.**

Age	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Disability	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Race	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Sex	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Gender Reassignment	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Sexual Orientation	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Religion or Belief	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Pregnancy/maternity	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Marriage/civil partnership	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination (only the first aim of the Duty is relevant to this protected characteristic and only in relation to work matters)				

Socio-economic disadvantage	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Yes	No	No impact	
(If required) Will the proposal reduce inequalities of outcome caused by socio-economic disadvantage?				

## 11. Describe how the assessment might affect the proposal or project timeline?

Examples of the items you should consider here include, but are not limited to:

- **Communication plan:** do you need to communicate with people affected by proposal in a specific format (e.g. audio, subtitled video, different languages) or do you need help from other organisations to reach certain groups?
- **Cost:** do you propose any actions because of this assessment which will incur additional cost?
- **Resources:** do the actions you propose require additional or specialist resource to deliver them?
- **Timing:** will you need to build more time into the project plan to undertake research, consult or to complete any actions identified in this assessment?

12. **Having considered the potential or actual impacts of your proposal, you should now record the outcome of this assessment.** Choose from one of the following:

Please select (X)	Implications for the proposal
X	<b>No major change</b> Your assessment demonstrates that the proposal shows no risk of unlawful discrimination and that you have taken all opportunities to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.
	<b>Adjust the proposal and/or implement mitigations</b> You have identified ways of modifying the proposal to avoid discrimination or to better advance equality of opportunity or foster good relations. In addition, or alternatively, you will introduce measures to mitigate any negative impacts. Adjustments and mitigations should be recorded in the tables under Step D above and summarised in the summary sheet at the front of the document.
	<b>Continue the proposal with adverse impact</b> The proposal will continue despite the potential for adverse impact. Any proposal which results in direct discrimination is likely to be unlawful and should be stopped and advice taken. Any proposal which results in indirect discrimination should be objectively justified and the basis for this set out in the tables under Step D above and summarised in the summary sheet at the front of the document. If objective justification is not possible, the proposal should be stopped whilst advice is taken.
	<b>Stop the proposal</b> The proposal will not be implemented due to adverse effects that are not justified and cannot be mitigated.

## Step E - Discuss and review the assessment with decision-makers

13. **You must discuss the findings of this assessment at each stage with senior decision makers during the lifetime of the proposal and before you finalise the assessment. Record details of these discussions and decisions taken below:**

To be confirmed.

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## Step F – Post-implementation actions and monitoring impact

It is important to continue to monitor the impact of your proposal on equality groups to ensure that your actual or likely impacts are those you recorded. This will also highlight any unforeseen impacts.

14. **Record any post-implementation actions required.**
15. **Note here how you intend to monitor the impact of this proposal on equality groups.**
16. **Note here when the EFSIA will be reviewed as part of the post-implementation review of the proposal:**

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## Step G – Assessment sign off and approval

Lead person(s) for this assessment:

Signed:

Date:

Senior officer approval of assessment:

Signed:

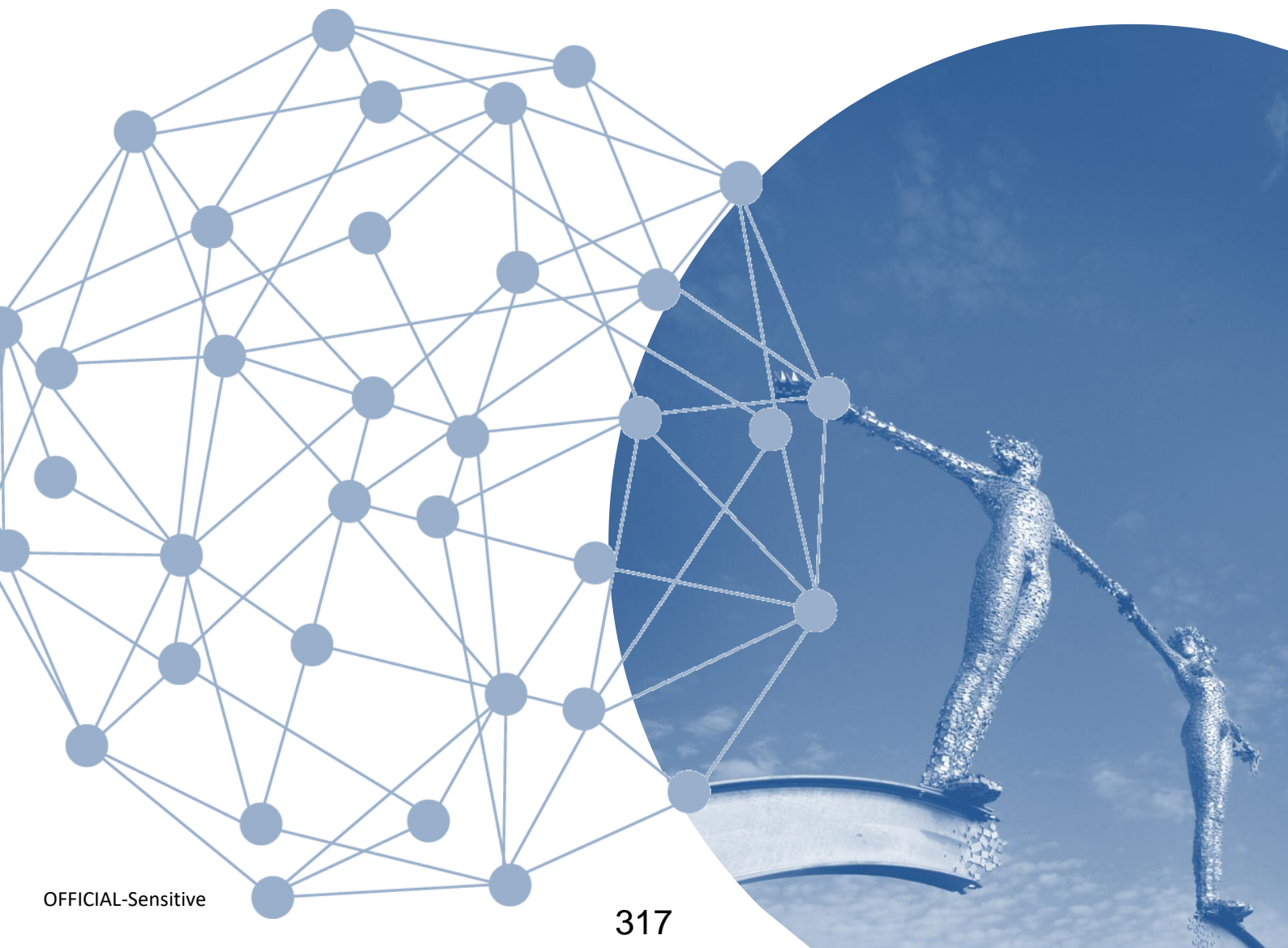
Date:

All full EFSIAs must be published on the Council's website as soon as possible after the decision is made to implement the proposal.



Carers Policy

2025



## DOCUMENT CONTROL SHEET:

### Key Information:

<b>Title:</b>	Carers policy
<b>Date Issued:</b>	January 2026
<b>Date Effective From:</b>	January 2020
<b>Version Number:</b>	2.0
<b>Document Type:</b>	Policy
<b>Document Status:</b>	Awaiting Approval
<b>Author:</b>	Human Resources
<b>Owner:</b>	Human Resources
<b>Approver:</b>	Council
<b>Approved by and Date:</b>	TBC
<b>Contact:</b>	Human Resources

### Revision History:

Version:	Date:	Summary of Changes	Name:
1.0	08.10.2018	Draft	C McHardy
2.0	30.09.2019	Final	C McHardy
3.0	xx.xx.xxxx	Draft	S Wright

**Approvals:** This document requires the following signed approvals.

Name:	Signature:	Title:	Date:	Version:

**Distribution:** This document has been distributed to

Name:	Date of issue:	Version:
Policy Group	02.09.2019	1.0
Tripartite	18.09.2019	2.0
P&P Committee	31.10.2019	2.0
To be updated		

## **1. Introduction**

1.1 The Council are committed to encouraging a positive culture of support for carers recognising the demands of balancing work and caring responsibilities.

## **2. Policy Statement**

2.1 Clackmannanshire Council are committed to ensuring flexible working arrangements are promoted for all employees and that requests are considered in a fair and objective manner subject to the needs of the service.

2.2 In order to apply for Carer's leave, employee's will only be eligible based on the specific definition regarding Carer's, which is detailed in the procedure.

## **3. Scope and Responsibilities**

3.1 This policy and procedure applies to employees.

3.2 There are separate special leave provisions for Teachers which have been agreed at LNCT.

## **4. Processing of Personal Data**

4.1 The Council processes personal data collected as part of this policy and procedure in accordance with its data protection policy. In particular, data collected as part of this process is held securely and accessed by and disclosed to individuals only for the purposes necessary to action and manage this policy and procedure.

4.2 The processing of personal data will be in line with the Council's privacy statement.

## **5. Monitoring and Review**

5.1 HR will monitor the effectiveness of the policy on an ongoing basis.

5.2 Revisions and updates will be implemented by the Council following, if appropriate, consultation with recognised Trade Unions.

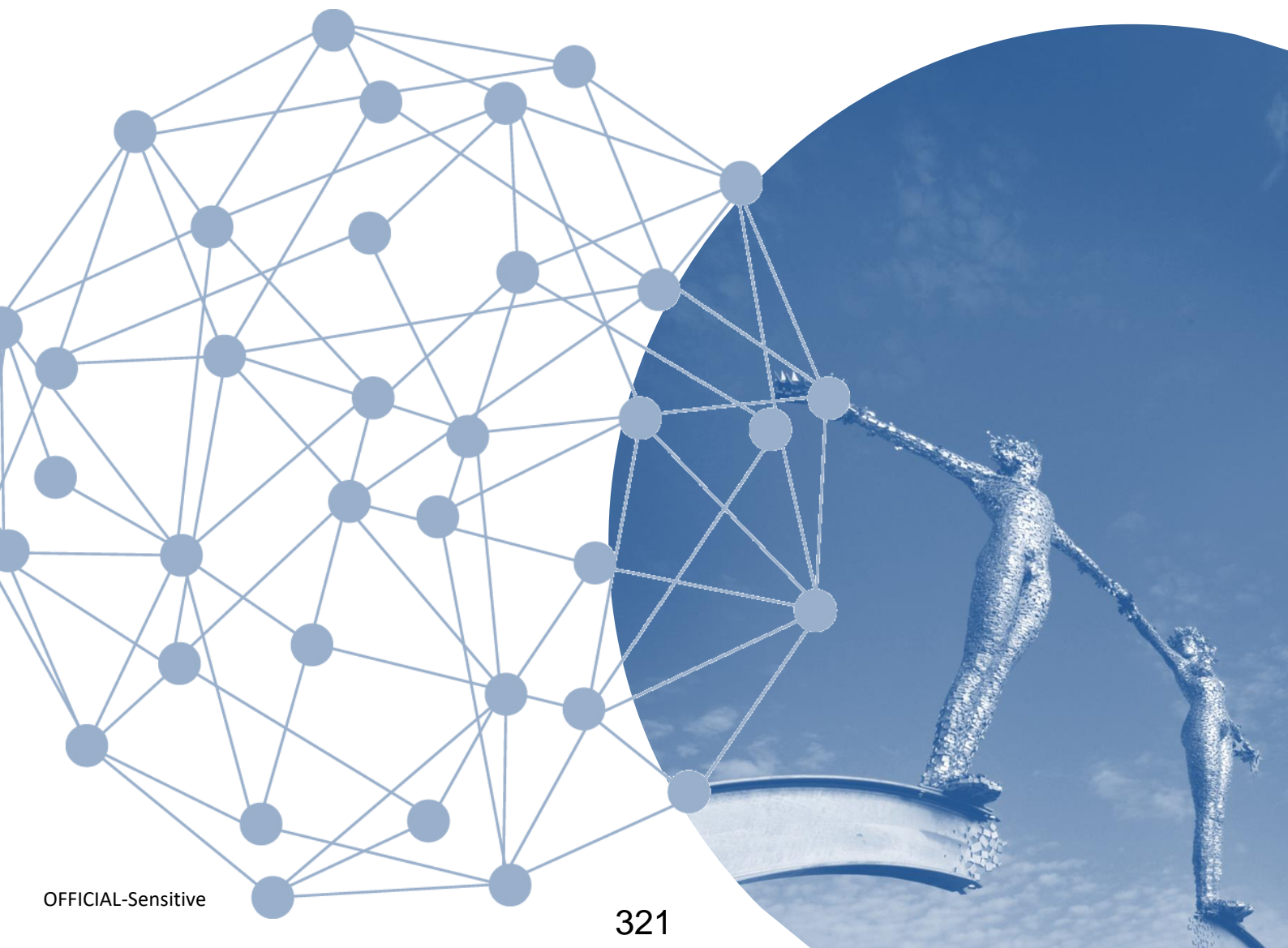
## 6. Equality Impact Assessment

Policy Name	Carers Policy
Department	HR & WFD
Policy Lead	HR & WFD
Equality Impact Assessment	
Full EQIA required	Yes <input checked="" type="checkbox"/> No* <input type="checkbox"/>
* In no please provide rationale	
Date Full EQIA complete	All to be updated
Date Approved	“
Review Date	“



Carers Procedure

2025



## DOCUMENT CONTROL SHEET:

### Key Information:

<b>Title:</b>	Carers Procedure
<b>Date Issued:</b>	29.01.26
<b>Date Effective From:</b>	To be updated
<b>Version Number:</b>	1.0
<b>Document Type:</b>	Procedure
<b>Document Status:</b>	Awaiting Approval
<b>Author:</b>	Human Resources
<b>Owner:</b>	Human Resources
<b>Approver:</b>	Council
<b>Approved by and Date:</b>	A&S Committee
<b>Contact:</b>	HR & WFD

### Revision History:

<b>Version:</b>	<b>Date:</b>	<b>Summary of Changes</b>	<b>Name:</b>
1.0	08.10.2018	Draft	C McHardy
2.0	30.09.2019	Final	C McHardy
3.0	xx.xx.xxxx	Draft	S Wright

**Approvals:** This document requires the following signed approvals.

<b>Name:</b>	<b>Signature:</b>	<b>Title:</b>	<b>Date:</b>	<b>Version:</b>

**Distribution:** This document has been distributed to

<b>Name:</b>	<b>Date of issue:</b>	<b>Version:</b>
Policy Group	02.09.2019	1.0
Tripartite	18.09.2019	2.0
P&P	31.10.2019	2.0
To be updated		

## **1. Purpose**

1.1 The Carers (Scotland) Act 2016 took effect on 1 April 2018. The Act extends and enhances the rights of carers. This legislation will help ensure a better and more consistent support for carers so that they can continue to care, in better health and to have a life alongside caring.

1.2 Clackmannanshire Council are committed to ensuring flexible working arrangements are promoted for all employees and that requests are considered in a fair and objective manner subject to the needs of the service.

1.3 In order to apply for Carer's leave, employee's will only be eligible based on the specific definition regarding Carer's, which is detailed later in this procedure.

## **2. Introduction**

2.1 The Council acknowledges that employees have to deal with the daily demands of caring for dependants as well as providing long term care for a seriously ill dependant.

2.2 The Council are committed to encouraging a positive culture of support for carers recognising the demands of balancing work and caring responsibilities.

2.3 Carer's leave is designed to help employees balance their caring responsibilities with their work commitments.

2.4 Offering a flexible working approach could enable carers to carry on working effectively. A flexible approach can attract and retain staff, reduce stress, increase productivity, reduce time off work due to sickness, improve service delivery and increase staff morale.

## **3. Scope**

3.1 This procedure applies to employees.

3.2 There are separate special leave provisions for Teachers which have been agreed at LNCT.

3.3 The Council has a range of other procedures which support flexible working.

3.4 This procedure should be read in conjunction with the Family Friendly, Work Life Balance/Flexible Working and Special Leave procedures detailing, depending on individual circumstances, rights around time off for dependants, urgent domestic distress etc.

3.5 Parents and other individuals, who combine work with caring for dependents, have some specific rights protected by law. These include various types of leave and the right to be considered for flexible working.

#### **4. Principles and Definitions**

4.1 The Council recognises the implications and responsibilities under the Equality Act 2010.

4.2 This procedure enhances the support and assistance available to employees who have a responsibility of caring for a dependent who is affected by long term illness, disability or addiction.

4.3 The aim of this procedure is to inform employees about the availability of time off if they have caring responsibilities and what process should be followed to request carers leave.

4.4 All carers leave granted will be counted as continuous service for contractual purposes.

#### **5. Rights and Responsibilities**

5.1 Employees do not legally have to notify their employer that they are a carer. However, in a positive working environment, carers are more likely to notify their line manager of their responsibilities to enable a productive working environment and to support a work / life balance.

5.2 Line Managers should generally check on an employee's wellbeing regularly during one to one meetings and annual review meetings which can encourage open

dialogue with employees and provide opportunities for employees to raise anything that may be impacting on their general wellbeing.

5.3 Where a line manager is made aware of an employee with caring responsibilities, simple but effective action can be taken to enable carers to balance their caring and employment responsibilities.

## **6. Definitions**

6.1 For the purpose of this procedure, a carer is defined as someone who provides support to a dependant who is affected by long term illness, disability or addiction who could not manage without this help. Examples may include a dependant who is ill, older and/or frail or disabled; or where there is a change in circumstances or health of a dependant who is ill, older and/or frail or disabled.

6.2 The Council recognise that carers undertake a wide range of duties including but not limited to; help with personal care; help with mobility; managing medication; practical household tasks; emotional support and help with financial matters / paperwork.

6.3 Employees will only be entitled to carer's leave if the person for whom they are taking time off is a 'dependant'.

6.4 A dependant is the employee's spouse or civil partner, child or parent; or a person who lives in the same household as the employee (other than individuals who live there because they are the employee's tenants, lodgers, boarders or employees).

6.5 Parents are also entitled to reasonable time off for dependents and the right to request parental leave and the right to request flexible working.

## **7. Entitlements**

7.1 Employees are responsible for ensuring that they have appropriate care arrangements in place to meet their personal responsibilities.

7.2 There is no statutory right to carer's leave but the Council will allow employees with 26 weeks' service the right to request time off.

## **8. Time off**

8.1 Carers leave may include the following:

### **8.2 *Emergency Carers Leave***

Will be short term, a maximum of 3 *working days* in a 12 month period and will be *paid leave*. This would usually occur in relation to family emergencies, when unforeseen and sudden serious ill health occurs with a dependent or care arrangements are temporarily disrupted or break down completely. The time taken should be enough for the carer to cope with the emergency or make any necessary long term arrangements. The employee may thereafter request annual leave or flexi leave if available. The time off requested for carer's leave must be requested, processed and approved through Itrent.

### **8.3 *Carers Leave***

In the case of a critically ill or injured dependant, the Council may allow carers to take paid leave up to 5 *working days* in a 12 month period, which is in addition to emergency carers leave (detailed above) and can be taken in either full or half days. This must be requested, processed and approved through Itrent.

### **8.4 *Additional Unpaid Carers Leave***

Up to 12 *weeks* leave can be requested in a leave year and will be *unpaid leave*. Time can be requested in individual blocks of no less than one week. A period of 2 weeks notice must be given by completing and submitting the application for carers leave form. This must be requested, processed and approved through Itrent to enable the deduction to be made from salary.

### **8.5 *Terminal Ill Health carers leave***

*Paid leave* may be available when dealing with the terminal ill health of a dependant which supported by appropriate certification from the dependants Doctor/Consultant

and must be provided to the line manager. This must be requested, processed and approved through Itrent.

8.6 The line manager, in discussion with the relevant HR Business Partner, will decide in each case whether carer's leave will be authorised and if so, how much leave will be authorised. This will vary depending on the circumstances for example:

- the relationship between the employee and the dependant
- the amount of time reasonably required to attend to the situation
- the distance to be travelled
- whether anyone else is available to help

8.7 Where employees may require additional time off work, consideration should be given as to whether any of the procedures detailed in section 3 apply.

## **9. Process to request time off**

9.1 Employees must give their line manager as much notice as possible of the potential need to take carer's leave, explaining the reasons for this and how long they expect to be absent from work. In the first instance, this must be detailed on the request for carer's leave form (appendix 1).

9.2 The line manager will consider the request and will inform the employee whether or not the carer's leave is authorised and if so for how many days.

9.3 Requests for time off must then be requested, processed and approved on Itrent.

9.4 It is not unreasonable for the line manager to request evidence, as detailed in section 8.5, in order to confirm that the time off requested is covered by this procedure.

9.5 If an individual is permitted to take time off as carer's leave they will not be required to work extra hours to make up for the time they take off and will not need to use annual leave or flexi leave to cover the time off.

9.6 Carers leave should normally be granted however in exceptional circumstances where there would be a detrimental affect on the service the leave may be refused or postponed, in such cases, managers must discuss with the relevant HR Business Partner.

9.7 If employees do not follow this procedure or if there is any abuse or breach of this procedure, this will be treated as unauthorised absence, and will be dealt with under the Council's Disciplinary Procedure.

## **10. Benefits available to Carers**

10.1 Carers should be given permission to have their personal mobile phone on and accessible at all times during work time, with minimal disruption to colleagues.

10.2 Carers can access the PAM assist counselling service if required, details available from Connect or the line manager.

10.3 Carers could make a self referral to Occupational Health or their line manager may refer the employee to Occupational Health to offer additional support if required.

## **11. What is not covered by carer's leave**

11.1 Carer's leave is not available to deal with the following situations:

11.2 For other situations involving dependants, reference should be made to the Special Leave procedure. Employees cannot have time off if they knew about a situation beforehand. For example employees would not be covered if they wanted to take their child to hospital for an appointment, unless the definition of carer (section 6.1) applies.

11.3 In the event of the death of a dependant, relative or close friend employees may be entitled to time off in line with the Council's special leave procedure.

11.4 For long-term care arrangements requiring a change to terms and conditions of employment requests would be made under the Council's Work life Balance and Flexible Working Procedure.

11.5 Employees who are unwell or have been injured should follow the Council's Maximising Attendance Procedure.

11.6 For domestic emergencies, reference should be made to the Special leave procedure.

11.7 Where employees are unable to get to work due to adverse weather or travel disruption, in these circumstances, reference should be made to the Council's procedure on Adverse Conditions.

## **12. Pension Contributions**

12.1 Employees should note that where they take unpaid leave there will be an impact on their pension.

12.2 For more information on this and how to make up pension contributions then Falkirk Council Pension Fund should be contacted directly on 01324 506329.

## **13. Processing of Personal Data**

13.1 The Council processes personal data collected as part of this procedure in accordance with its data protection policy. In particular, data collected as part of this process is held securely and accessed by and disclosed to individuals only for the purposes necessary to action and manage this procedure.

13.2 The processing of personal data will be in line with the Council's privacy statement.

## **14. Implementation and Review**

14.1 This policy is effective from 1 December 2025.

14.2 Both HR and Trade Union representatives shall monitor the effectiveness of the procedures on an on-going basis. Changes may result from employee, management and union feedback and/or from changes in employment legislation.

14.3 Revisions and updates will be implemented by the Council following consultation with recognised Trade Unions.

## 15. Equality Impact Assessment

Policy Name	Carers Procedure
Department	HR & WFD
Policy Lead	HR & WFD
Equality Impact Assessment	
Full EQIA required	Yes <input checked="" type="checkbox"/> No* <input type="checkbox"/>
* In no please provide rationale	
Date Full EQIA complete	All to be updated
Date Approved	"
Review Date	"





## **Equality and Fairer Scotland Impact Assessment (EFSIA) Summary of Assessment**

**Title:**

Carers Policy and Procedure

**Key findings from this assessment (or reason why an EFSIA is not required):**

Assessment is required

**Summary of actions taken because of this assessment:**

To be confirmed

**Ongoing actions beyond implementation of the proposal include:**

To be confirmed

**Lead person(s) for this assessment:**

Stacey Wright – HR Business Partner

**Senior officer approval of assessment:**

**DATE:**

## **Equality and Fairer Scotland Impact Assessment (EFSIA)**

An Equality and Fairer Scotland Impact Assessment (EFSIA) must be completed in relation to any decisions, activities, policies, strategies or proposals of the Council (referred to as 'proposal' in this document). The first stage of the assessment process will determine the level of impact assessment required.

This form should be completed using the guidance contained in the document: ['NAME']. Please read the guidance before completing this form.

The aim of this assessment is to allow you to critically assess:

- the impact of the proposal on those with protected characteristics and, where relevant, affected by socio-economic disadvantage (referred to as 'equality groups' in this document);
- whether the Council is meeting its legal requirements in terms of Public Sector Equality Duty and the Fairer Scotland Duty;
- whether any measures need to be put in place to ensure any negative impacts are eliminated or minimised.

The Fairer Scotland Duty requires public authorities to pay 'due regard' to how they can reduce inequalities of outcome caused by socio-economic disadvantage, when making **strategic decisions**. Strategic decisions are key, high-level decisions such as decisions about setting priorities, allocating resources, delivery or implementation and commissioning services and all decisions that go to Council or committee for approval.

---

### **Step A – Confirm the details of your proposal**

#### **1. Describe the aims, objectives and purpose of the proposal.**

To provide structured support and leave arrangements for employees with caring responsibilities, exceeding statutory entitlements.

#### **2. Why is the proposal required?**

HR Policies and Procedure are reviewed on a regular basis, usually every 2-3 years to ensure they remain appropriate, up to date and in line with any legislative or other relevant changes.

#### **3. Who is affected by the proposal?**

The procedure is available to all employees within Clackmannanshire council, not all employees will be carers in their lives but if they are this policy and procedure has been created to best support them.

#### **4. What other Council policies or activities may be related to this proposal? The EFSIAs for related policies might help you understand potential impacts.**

Potentially flexible working, special leave, maximising attendance, employee wellbeing and mental health initiatives, equality diversity and inclusion strategy, recruitment and retention policies.

#### **5. Is the proposal a strategic decision? If so, please complete the steps below in relation to socio-economic disadvantage. If not, please state why it is not a strategic decision:**

No, policy Is an operational/employee support measure.

## Step B – Consider the level of EFSIA required

You should consider the available evidence and data relevant to your proposal. You should gather information in order to:

- help you to understand the importance of your proposal for those from equality groups,
- inform the depth of EFSIA you need to do (this should be proportionate to the potential impact), and
- provide justification for the outcome, including where it is agreed an EFSIA is not required.

6. What information is available about the experience of those with protected characteristics in relation to this proposal? Does the proposal relate to an area where there are already known inequalities? Refer to the guidance for sources of evidence and complete the table below.

Equality Group	Evidence source (e.g. online resources, report, survey, consultation exercise already carried out)	What does the evidence tell you about the experiences of this group in relation to the proposal? NB Lack of evidence may suggest a gap in knowledge/ need for consultation (Step C).
Age	Scotland's Census & Carers UK	Yes – older workers more likely to be carers; also relevant for younger employees with caring duties.
Disability	“	Yes – both carers and those they care for may have disabilities.
Race	“	Yes - some cultural groups have higher prevalence of unpaid caring responsibilities within extended families.
Sex	“	Yes - women are statistically more likely to be primary carers, however the policy is intended for all genders.
Gender Reassignment	No/Lack of Data	No/lack of specific data available on caring responsibilities among trans employees.
Sexual orientation	No/Lack of Data	No/lack of specific data available on caring responsibilities in relation to sexual orientation e.g. LGBTQIA+ Communities.
Religion or Belief	Scotland's Census & Carers UK	Yes - some faith communities place specific emphasis on family caring roles.
Pregnancy or maternity	“	Yes – overlaps with caring for dependants.
Marriage or civil partnership (only the first aim of the Duty is relevant to this protected characteristic and only in relation to work matters)	“	Yes – Carers may be partners/spouses for those they care for.
Socio economic disadvantage (if required)	“	Yes – data shows carers are more concentrated in deprived areas & unpaid carers are more likely to experience financial hardship, reduced income and limited career progression.

7. **Based on the evidence above, is there relevance to some or all of the equality groups? Y/ N/ unclear**

**If yes or unclear, proceed to further steps and complete full EFSIA**

**If no, explain why below and then proceed to Step E:**

No or Lack of evidence under Gender Reassignment & Sexual orientation compared to the other equality groups.

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## Step C – Stakeholder engagement

This step will help you to address any gaps in evidence identified in Step B. Engagement with people who may be affected by a proposal can help clarify the impact it will have on different equality groups. Sufficient evidence is required for you to show 'due regard' to the likely or actual impact of your proposal on equality groups.

- 8. Based on the outcome of your assessment of the evidence under Step B, please detail the groups you intend to engage with or any further research that is required in order to allow you to fully assess the impact of the proposal on these groups. If you decide not to engage with stakeholders, please state why not:**

The procedure has been developed in consultation with recognised trade unions, along with elected manager representatives, all who will be involved in the review of the draft procedure at policy group. Discussion will take place at policy group on the content of the procedure and suggested amendments/additions will be agreed collectively. The Policy needs to be agreed at Council before it can be implemented.

- 9. Please detail the outcome of any further engagement, consultation and/or research carried out:**

**To be confirmed.**

## Step D - Impact on equality groups and steps to address this

### 10. Consider the impact of the proposal in relation to each protected characteristic under each aim of the general duty:

- Is there potential for discrimination, victimisation, harassment or other unlawful conduct that is prohibited under the Equality Act 2010? How will this be mitigated?
- Is there potential to advance equality of opportunity between people who share a characteristic and those who do not? How can this be achieved?
- Is there potential for developing good relations between people who share a relevant protected characteristic and those who do not? How can this be achieved?

**If relevant, consider socio-economic impact.**

Age	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Disability	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Race	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Sex	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Gender Reassignment	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Sexual Orientation	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Religion or Belief	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Pregnancy/maternity	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Marriage/civil partnership	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination (only the first aim of the Duty is relevant to this protected characteristic and only in relation to work matters)				

Socio-economic disadvantage	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Yes	No	No impact	
(If required) Will the proposal reduce inequalities of outcome caused by socio-economic disadvantage?				

## 11. Describe how the assessment might affect the proposal or project timeline?

Examples of the items you should consider here include, but are not limited to:

- **Communication plan:** do you need to communicate with people affected by proposal in a specific format (e.g. audio, subtitled video, different languages) or do you need help from other organisations to reach certain groups?
- **Cost:** do you propose any actions because of this assessment which will incur additional cost?
- **Resources:** do the actions you propose require additional or specialist resource to deliver them?
- **Timing:** will you need to build more time into the project plan to undertake research, consult or to complete any actions identified in this assessment?

12. **Having considered the potential or actual impacts of your proposal, you should now record the outcome of this assessment.** Choose from one of the following:

Please select (X)	<b>Implications for the proposal</b>
X	<b>No major change</b> Your assessment demonstrates that the proposal shows no risk of unlawful discrimination and that you have taken all opportunities to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.
	<b>Adjust the proposal and/or implement mitigations</b> You have identified ways of modifying the proposal to avoid discrimination or to better advance equality of opportunity or foster good relations. In addition, or alternatively, you will introduce measures to mitigate any negative impacts. Adjustments and mitigations should be recorded in the tables under Step D above and summarised in the summary sheet at the front of the document.
	<b>Continue the proposal with adverse impact</b> The proposal will continue despite the potential for adverse impact. Any proposal which results in direct discrimination is likely to be unlawful and should be stopped and advice taken. Any proposal which results in indirect discrimination should be objectively justified and the basis for this set out in the tables under Step D above and summarised in the summary sheet at the front of the document. If objective justification is not possible, the proposal should be stopped whilst advice is taken.
	<b>Stop the proposal</b> The proposal will not be implemented due to adverse effects that are not justified and cannot be mitigated.

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## Step E - Discuss and review the assessment with decision-makers

13. **You must discuss the findings of this assessment at each stage with senior decision makers during the lifetime of the proposal and before you finalise the assessment. Record details of these discussions and decisions taken below:**

To be confirmed.

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## Step F – Post-implementation actions and monitoring impact

It is important to continue to monitor the impact of your proposal on equality groups to ensure that your actual or likely impacts are those you recorded. This will also highlight any unforeseen impacts.

14. **Record any post-implementation actions required.**
15. **Note here how you intend to monitor the impact of this proposal on equality groups.**
16. **Note here when the EFSIA will be reviewed as part of the post-implementation review of the proposal:**

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## Step G – Assessment sign off and approval

Lead person(s) for this assessment:

Signed:

Date:

Senior officer approval of assessment:

Signed:

Date:

All full EFSIAs must be published on the Council's website as soon as possible after the decision is made to implement the proposal.

