

Carers leave

Anyone who is [legally classed as an employee](#) can take time off to help a dependant who needs long-term care. The law is the Carer's Leave Act 2023. It comes into effect on 6 April 2024.

When someone can take carer's leave

The right to take carer's leave applies from the first day of work.

An employee can take carer's leave to give or arrange care for a dependant who needs long-term care.

Who counts as a dependant

An employee's dependants can include:

- their husband, wife, civil partner or partner
- their child
- their parent
- a person who lives in their household (not tenants, lodgers or employees)
- a person who relies on them for care, such as an elderly neighbour

What counts as a long-term care need

A dependant has a long-term care need if they have any of the following:

- a [disability as defined under the Equality Act 2010](#)
- an illness or injury that is likely to need care for at least 3 months
- a care need related to old age

What carer's leave can be used for

Examples of when an employee could use carer's leave include:

- taking their disabled child to a hospital appointment
- moving their parent who has dementia into a care home
- accompanying a housebound dependant on a day trip
- providing meals and company for an elderly neighbour while their main carer is away with work for the day

How much time someone can take

Employees can take up to 1 week of carer's leave every 12 months.

They can choose to take leave as:

- half days – this is the minimum they can take
- full days
- a whole week

An employee is entitled to a period of leave that is equal to their usual working week. For example, if someone works 3 days a week, they can take 3 days of carer's leave.

An employee might have been working for their employer for less than a week. If that's the case, a week is the number of days or hours they would normally work in that week.

Employees working part of the year or variable hours

An employee might work:

- a different number of hours each week
- part of the year, for example during term time

To work out how much carer's leave they can take:

- add up the total hours they worked in the previous 12 months – including any holiday or family-related leave
- divide that total by 52 weeks – or by the number of weeks they've worked if they've worked there for less than a year

Example of carer's leave if someone works variable hours over 12 months

Sam works variable hours. In the previous 12 months, working back from the date the leave would start, they worked 780 hours in total. 780 divided by 52 is 15 hours. Sam can take up to 15 hours of carer's leave.

Example of carer's leave if someone works variable hours for 6 weeks

Charlie works variable hours. In the previous 6 weeks, working back from the date the leave would start, they worked 180 hours in total. 180 divided by 6 is 30 hours. Charlie can take up to 30 hours of carer's leave.

If an employee cares for more than one dependant

An employee might need to care for more than one dependant. In these circumstances, they can still only take one week of carer's leave. But they can use the week of leave for more than one dependant.

If an employee is a parent

If an employee is a parent, they can take up to 18 weeks' [ordinary parental leave](#) to look after their child. This is instead of or in addition to carer's leave.

Pay

An employer might choose to pay their employees for this type of leave but they do not have to.

To find out what they're entitled to, employees should:

- check their organisation's policy, if there is one
- check their employment contract

- talk to their employer

Giving notice to take carer's leave

Employees must give their employer notice before the start of their leave.

The minimum notice they must give will depend on how many days of leave they want to take.

Minimum notice requirements

Number of days requested	Minimum notice required
Half a day to 1 day	3 days' notice
1.5 to 2 days	4 days' notice
2.5 to 3 days	6 days' notice
3.5 to 4 days	8 days' notice
4.5 to 5 days	10 days' notice
6 days (if an employee works 6 days a week)	12 days' notice

An employee does not have to:

- put their request for leave in writing
- give their employer evidence of their dependant's care needs

An employee might need to take time off at short notice to care for a dependant. Employers should be flexible about time off where they can be. If an employee cannot give the minimum notice for carer's leave, they could take [time off for dependants](#).

When an employer can change carer's leave dates

Employers cannot refuse someone's request for carer's leave. But they can ask them to take it at a different time.

They can only do this if the employee's absence would cause serious disruption to the organisation.

If the employer needs to delay the leave, they must:

- agree another date within 1 month of the date the employee originally requested leave for
- explain in writing why they need to delay the leave – they must do this within 7 days of the request or before the leave starts, whichever is the earlier

If the employee needs to cancel their request for carer's leave, they should do this as soon as possible. It's good practice for the employer to consider this but they do not have to agree to it.

Alternative types of leave

There are other types of leave that employees could use instead of carer's leave.

For example they might be able to take:

- [time off for dependants](#)
- [ordinary parental leave](#)
- [holiday entitlement](#) – but only if they want to
- special or compassionate leave

To find out if they can take these types of leave, employees should check:

- with their employer
- what's written in their contract
- what their organisation's policy says, if there is one

Employees' rights when taking carer's leave

Employees taking carer's leave have the right to:

- return to the same job
- all the same terms and conditions – for example, they would still accrue holiday and get any benefits like staff discounts

It's against the law for an employer to dismiss someone or cause them detriment because of something related to carer's leave.

Detriment means someone experiences one or both of the following:

- being treated worse than before
- having their situation made worse

Examples of detriment could be:

- their employer reduces their hours
- they experience [bullying](#)
- they experience [harassment](#)
- their employer turns down their training requests without good reason
- they are overlooked for promotions or development opportunities

If an employer dismisses someone because of something related to carer's leave, it could be [automatically unfair dismissal](#).

Get more advice and support

If you have any questions about carer's leave, [contact the Acas helpline](#).

If you need specialist help, you can:

- [contact Carers UK](#)
- [find support and benefits for carers on the NHS](#)
- [get help for carers looking after a loved one from Age UK](#)
- [get advice about helping someone from Mind](#)