

Carer's Leave Act Implementation Guide



What does the Act mean
for your workplace?

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Introduction

A new right to carer's leave



The Carer's Leave Act 2023 creates a new and flexible statutory entitlement to carer's leave. It amends The Employment Rights Act 1996 to allocate up to one week's unpaid leave per year for employees in England, Scotland and Wales who are providing or arranging care for a dependant with a long-term care need.

The Carer's Leave Regulations 2024 (and explanatory note)

set out further details on how this new right works in practice, including the extent of an employee's entitlement to leave and how leave is to be taken. The Regulations also confirm that this legislation comes into force from 6 April 2024 and Government guidance has been [published on gov.uk](https://www.gov.uk).

The Act gives new rights to over 2 million employees in England, Scotland and Wales who have unpaid caring responsibilities. Previously, any time off to provide care has been up to the employer's discretion, with employees in many cases struggling to juggle employment with stressful caring situations.

The new law will therefore help employees who might otherwise use holiday and non-working hours to care for someone who depends upon them for support. It also means that employers will now need to think about any of their employees who have caring responsibilities and introduce support for them.

This guide covers:

- **Why** the Act has been introduced and its context and purpose
- **What** the Act covers and what employers need to do, including Frequently Asked Questions
- **How** employers can implement the new law including some practical tips and recommendations on next steps.

Section 1

Why has the Act been introduced?



Juggling paid work and unpaid care is a huge and growing issue in the UK, impacting both employers and employees.

More than one in seven people in any workplace are juggling work with caring

Millions of people across the UK are facing the daily pressures of juggling work with unpaid caring for loved ones who are older, ill or disabled. The strain of doing so has meant hundreds of thousands of carers have had to leave the labour market – around 600 people per day¹. If unsupported, many working carers also face being tired, stressed and struggling to manage their own health

More and more people will be combining work and care

Carers UK research estimates the number of unpaid carers across the UK could be as high as 10.6 million, with the average person having a 50:50 chance of caring by age 50 - long before they reach retirement². On average, women can expect to take on caring responsibilities over a decade earlier than men, with half of women caring by age 46, and half of men at 57. The recent ONS Census 2021 in England and Wales found that there are just under 2.5 million carers in employment (excluding full-time students) – 9% of the total number of people in employment.

1 Carers UK (2019) [Juggling work and care; a growing issue](#)
2 Universities of Sheffield and Birmingham, published by Carers UK (2019) [Will I care? The likelihood of becoming a carer in adult life](#) (Carer's Rights Day 2019)

These will include many of our most experienced employees

People are most likely to be caring when aged 45-64, when many will have gained valuable skills and experience in the workplace. As our population ages and lives longer with illness and disability, more and more of our employees will be affected by caring.

Yet caring is often still invisible in many workplaces, with 'carers hidden in plain sight'

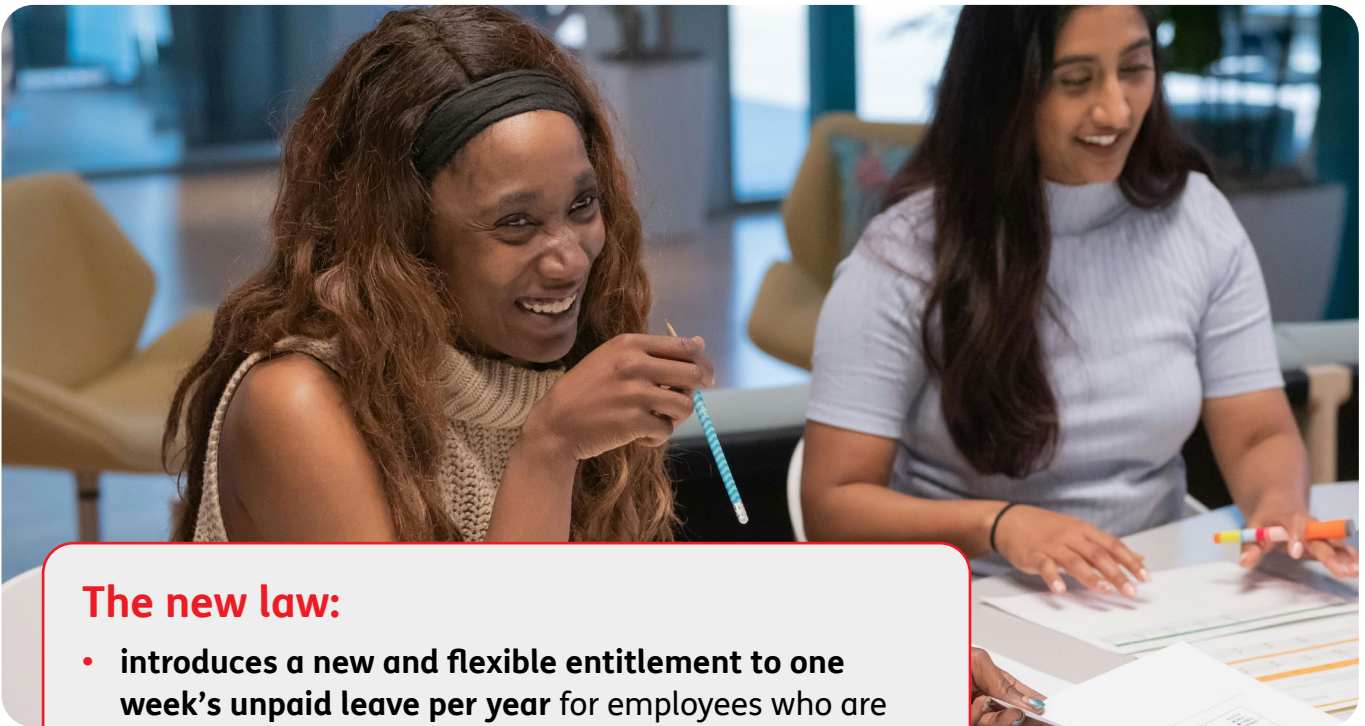
Many workers don't see themselves as carers and may therefore not come forward for support. Others may not think workplace support applies to them or feel uncomfortable about raising personal, sometimes emotionally difficult, issues at work. And this can have negative impacts both on employees and employers.

A new right to carer's leave

The Government's response³ to its Carer's Leave Consultation (held in 2020) stated that it expected that, for employers, *'carer's leave would support productivity by preventing burnout among working carers and by supporting retention of valued expertise and reducing recruitment and induction costs.'* Organisations responding to the Consultation also considered that carer's leave would help improve the wellbeing of carers, reduce stress and *'improve concentration and productivity while at work, as well as reducing the likelihood of carers taking sick leave themselves due to burnout or stress.'*

Section 2

What does the Act cover and what do employers need to do?



The new law:

- **introduces a new and flexible entitlement to one week's unpaid leave per year** for employees who are providing or arranging care for a relative or dependant
- **is a 'day one' right**, ie available from the first day of employment
- **allows employees to take the leave flexibly**, eg half days, up to a block of one week, for planned and foreseen caring commitments
- **offers the same employment protections** to employees taking this leave that are associated with other forms of family related leave, meaning they will be protected from dismissal or any detriment because of having taken time off, or seeking to take time off.



This section of the guide outlines key points – in the form of Frequently Asked Questions – on what the Act covers and what employers need to do.

2.1 Who is entitled to carer's leave?

Any employee can take carer's leave *'to provide or arrange care for a dependant with a long-term care need'* once the Act comes into force. The right to take carer's leave is not restricted by the length of service or the employment sector so is a 'day one' right.

Currently the new law applies to England, Wales and Scotland (as employment law is devolved to Northern Ireland) and only employees are eligible (not workers who don't have a contract of employment).

2.2 Who can be a dependant?

A dependant is defined in the law as someone who:

- is a spouse, civil partner, child or parent of the employee
- lives in the same household as the employee (otherwise than by reason of being a boarder, employee, lodger or tenant) or
- reasonably relies on the employee to provide or arrange care.

This mirrors the definition of a dependant in the statutory right to time off for dependants in emergencies. The dependant does not have to be a family member but can be anyone who relies on the employee for care.

2.3 What is a long-term care need?

A dependant of an employee has a long-term care need if:

- they have a physical or mental illness or injury that requires, or is likely to require, care for more than three months
- they have a disability (as defined in the Equality Act 2010), or
- they require care for a reason connected with their old age.

It is up to the employee to identify whether their dependant has a long-term care need, and an employer cannot require the employee to supply evidence in relation to a request for carer's leave before granting that leave.

2.4 What is meant by providing or arranging care for a dependant?

The new leave entitlement is designed to support employees who need to *'provide or arrange care'* for a dependant. The law doesn't specify what type of care this includes and is designed to cover a wide range of caring situations. It therefore appears to be left open to employees to make an assessment as to whether they are providing or arranging care for a dependant (provided they are eligible to take the leave in the first place). Our work with members of our Employers for Carers business forum, and evidence from working carers, shows that providing or arranging care can involve any of a range of things, eg personal care or support like arranging visits with health professionals, accompanying someone to an appointment, or organising care for the future.

2.5 Do employees have to be the primary or sole carer of a dependant to be eligible for carer's leave?

The law doesn't specify this and only defines what is meant by a *'dependant'* with a *'long-term care need'*. While some organisations' workplace policies do mention a *'primary'* carer (ie, carer with lead responsibility) many employers who offer carer's leave don't stipulate this as they recognise that, in practice, family circumstances can change. For example, an employee may not have the sole/primary caring responsibility within the family but may need to step in to help if the relative who usually provides the care isn't available. So, in practice, there needs to be some flexibility and trust between the employer and employee in view of this.

2.6 Do employees have to provide evidence that they are a carer to apply for carer's leave?

The law clearly states that *'an employer cannot require an employee to supply evidence in relation to a request for leave before granting the leave'*. So, an employee will need to self-certify that they are caring for a *'dependant with a long-term care need'* but are not required by law to provide evidence of this.

2.7 Is there a minimum service requirement for employees to have worked for their employer before they are entitled to carer's leave?

The law is a 'day one' right, meaning that there is no minimum service required from an employee before they can take advantage of it.

2.8 What is the extent of the leave entitlement and how can it be taken?

Employees who satisfy the conditions for carer's leave are entitled to '*one week of carer's leave*' within a 12 month rolling period. Employees also have the option to take the leave as half or full days, up to and including taking a block of a whole week of leave at once.

The week of carer's leave is defined as '*a period of absence from work equal in duration to the period the employee is normally expected or required to work in a week at the time of making a request.*' It can therefore be pro-rated for employees who work **part-time**.

For example, if someone usually works three days a week, they can take three days of carer's leave.

If employees have **irregular working patterns**, with working hours which change each week, the Regulations set out how to calculate a week's leave in such circumstances. This is by adding up the total number of hours worked in the previous 12 months and dividing that total by 52 (or by however many weeks since they started the job, if they've been in the job less than a year). This is the amount of leave they can take as carer's leave.

If an employee wants to take carer's leave **in their first week**, the Regulations also set out how to calculate a week's leave. This is by using the amount the employee is expected to work in a week as the amount of leave they can take.

2.9 Are employees entitled to additional carer's leave if they are caring for more than one dependant?

The Regulations explain that the right to one week's leave is the maximum any employee could be entitled to, irrespective of how many dependants the employee may have.

For example, if an employee needs to care for more than one person, they cannot take a week of carer's leave for each dependant. They can only take one week every 12 months. However, they can use the week of leave on more than one dependant.

2.10 What notice do employees need to give their employer to request carer's leave?

An employee may take all or part of the carer's leave to which they are entitled and must give notice of this to their employer. The notice does not need to be in writing but must specify that:

- they are entitled to take carer's leave in accordance with the law (ie **to provide or arrange care for a dependant with a long-term care need**)
- the days (or part days) on which the leave is to be taken.

The notice must be given to the employer before the date(s) specified in the notice, and by whichever is the earlier of: 'twice as many days in advance of the earliest day (or part day) of leave; or three days in advance of the earliest day (or part day) of leave'. So:

- if the request is for half a day or a day, the notice period must be at least **three days**
- if the request is for more than one day, the notice period must be at least **twice as long** as the requested leave. For example, if the request is for two days, the notice period must be at least four days.

The notice period needs to be in full days, even if the request includes half day amounts.

2.11 Does an employer have to agree to a request for carer's leave?

Employers are **not able to refuse** an employee's request for carer's leave (if this is for a 'dependant with a long-term care need').

However, employers can **postpone** the requested period of leave if they '*reasonably consider that the operation of their business would be unduly disrupted*' if the leave was approved.

In this case, employers must:

- agree to permit the employee to take a period of carer's leave of the same duration
- following consultation with the employee, confirm a new date(s) on which the leave can be taken within one month of the original date(s) requested
- give the employee a notice in writing of the postponement which states the reason for this and sets out the agreed date(s) the employee can take the leave.

This notice must be given to the employee 'as soon as reasonably practicable', and within seven days of the original request, and before the requested start date of the leave.

2.12 Do employees' terms and conditions of employment apply during carer's leave?

As with other forms of family leave, employees' **employment rights** (like holidays and returning to their job) are protected during carer's leave. The law states that, while on carer's leave, employees will be entitled to the benefit of all the terms and conditions of employment which would have applied had they not been absent. This is apart from the right to '*remuneration*', which is excluded (and is defined as '*sums payable to an employee by way of wages or salary*').

2.13 Do employees have the right to return to the same job after carer's leave?

Again, as with other forms of family leave, an employee is entitled to return to the job in which they were employed immediately before taking carer's leave. This is a right to return with the employee's seniority, pension and similar rights as they would have been before taking carer's leave, and on terms and conditions 'not less favourable' than those which would have applied if they had not been absent.

2.14 Do employees have any other employment protections while on carer's leave?

Employees are entitled not to be subjected to any detriment by any act (or any deliberate failure to act) by an employer because they took, sought to take, carer's leave. (Or if the employer believed that they were likely to take carer's leave.)

This includes protection from **unfair dismissal** (and redundancy) if their dismissal is related to them taking, or seeking to take, or making use of the benefits of, carer's leave, or if the employer believed that they were likely to take carer's leave.

2.15 What remedies do employees have if their rights to carer's leave are not upheld?

An employee will be able to bring an employment tribunal claim if their employer has unreasonably postponed, prevented or attempted to prevent, them from taking carer's leave. A tribunal can make a declaration and award compensation. Compensation is subject to what the tribunal considers "just and equitable", taking into account the employer's behaviour and any consequential loss sustained by the employee.

2.16 How does the new right to carer's leave interact with the statutory right to time off in emergencies and parental leave?

The purpose of the new law is to provide for planned or foreseen caring situations, complementing the existing statutory right to time off for dependants in emergencies. As carer's leave under the new Act is therefore a form of planned absence, an employee should give notice (as explained above). In the case of an emergency (where, for practical reasons notice can't be given in advance), these circumstances would be covered by the right to time off in emergencies and would not count towards their annual entitlement to carer's leave.

Carer's leave is also separate to (so will come on top of) parental leave rights for a parent of a disabled child.

2.17 How does the new right interact with any existing carer's leave that may be offered by employers in a contract of employment?

The new right may be enhanced by the employer, for example some employers already offer paid leave and/or additional days (ie beyond a week) of unpaid leave.

Where an employer does offer a contractual right to carer's leave, employees cannot take advantage of both their contractual and statutory rights separately. Employees may, however, choose to take advantage of whichever right is more favourable, and the overall protection given by the statutory right will always apply.

2.18 What other specific support might you as an employer be asked for?

Alongside carer's leave, you could consider offering flexibility with working hours or patterns, or, where appropriate and feasible, opportunities to work from home or closer to the location of the dependants your employees are caring for. More information and tips about implementing carer's leave and other support for carers are included below.

Section 3

How can you implement the new law?



Some practical tips

This section of the guide includes some good practice tips on how employers can implement the new law. These are based on practical examples from organisations, including Employers for Carers member organisations, who already offer carer's leave in their workplace.

Below we outline some key steps that you can take to implement the Act and support and retain carers in your workforce by:

- Making caring, and carers, visible in your workplace
- Reviewing and updating your leave provisions
- Helping carers to identify themselves.



3.1 Make caring, and carers, visible in your workplace

Whether or not you already offer carer's leave or other support to carers in your workplace, the Carer's Leave Act presents a good opportunity to **review your understanding of what it means to be a 'carer' and communicate** this clearly to employees in your workplace.

Research⁴ shows that there is a relatively low awareness amongst employees of carers' current rights and the new law on carer's leave. 40% of carers surveyed who are employees said they didn't know if unpaid carer's leave was offered by their employer, and a similar proportion said they didn't know if paid leave was available to them. This demonstrates a real need for employers to publicise relevant policies to their employees to make sure carers can take advantage of them, and to train and support managers to put this into practice.

- Experience from organisations who have already introduced carer's leave in their workplace suggests that using a **simple and broad definition** of 'carers' and 'caring' can help employers (and managers) to implement this, and employees to take advantage of the policy. From our work with organisations through our Employers for Carers (EfC) business forum, the definitions used have usually been quite simple and inclusive to cover a range of different caring situations that may arise.

For example, here is a short definition that has been developed by Employers for Carers and used or adapted by several EfC member organisations:

Carers are employees with caring responsibilities that have an impact on their working lives. These employees are responsible for the care and support of ill, older or disabled family members, partners or friends who are unable to care for themselves.

⁴ Carers UK (2023), Carers' employment rights today, tomorrow and in the future (Carer's Rights Day 2023)

- Employers who already provide support for carers in their workplace have found that broad definitions work best as **employees are caring in a range of different circumstances**. For some employees, caring may happen suddenly: a family member or friend is taken ill or has an accident, or their child is born with a disability. For others caring creeps up unnoticed: their parents can't manage on their own any longer or their partner's health is getting gradually worse. Caring is also often something that employees may have been doing for some time without seeing themselves as a carer. So, using a clear and inclusive definition of 'carers' in the workplace is crucial to help employees recognise they were caring
- The definitions in the Carer's Leave Act 2023 are also quite broad and further information about these, and reviewing your provisions to ensure that the new right is offered to all eligible employees in your workplace, are included in the next section below.

Tip

Be **clear** about what you mean by 'carers' and 'caring' by using a **simple and inclusive definition** in your workplace (for example like the one used above by Employers for Carers).



3.2 Review and update your leave provisions

Whether or not you already offer leave to carers in your workplace, you will need to **review** your workplace policies or provisions to ensure you implement the new law. You may need to **update or create** new policies or provisions to ensure your employees are able to take up the new right and know how to do this.

In this section we include some more practical information on:

- Purpose of leave (to cover planned/foreseen caring situations)
- Extent of leave (minimum of one week in a 12 month period)
- Eligibility for leave (including broad definitions of dependant and care)
- Notice requirements and responses to requests
- Leave and wider support for carers.

3.2.1 Purpose of leave (planned or foreseen caring situations)

Employers are already required by law to offer time off for employees for emergencies relating to a dependant. The purpose of the Carer's Leave Act, however, is to provide for planned (or foreseen) caring situations. You will therefore need to review your current leave policies to ensure that they include (or introduce) a **minimum entitlement of a week of unpaid leave allowance** for employees to support dependants with a **long-term care need**. Further information about what this means is below.

- As a start, identify what leave provisions you currently offer that may be relevant to carers, whether for emergency or planned (or foreseen) caring situations. You may already be offering leave that could be helpful to carers but you may not have been openly describing or promoting it in this way.
- Check what leave you provide for **emergency caring situations**. You should already be implementing the existing statutory right to time off dependants. However, the new Carer's Leave Act is a good opportunity to review what leave, or time off, you are currently offering to carers, how this is covered in your policies or provisions, and whether it is unpaid or paid. For example, you may currently already be offering this within a workplace Special Leave policy. By law, time off for dependants in emergencies doesn't have to be paid, but some employers do offer paid leave for carers in such situations, or it may be paid at line managers' discretion.
- Check whether you also currently provide any leave for **non-emergency (ie planned or foreseen) caring situations**. Some employers already offer this within their special (or discretionary) leave policies. However, from our experience of working with employers, this type of leave is not often openly described as being relevant to carers, nor promoted specifically to support them. Special (or discretionary) leave policies/provisions usually cover a wide range of areas so only mention caring briefly, if at all. As a result, options for carers to take leave under such policies are often not really understood or promoted by managers (because of lack of awareness) or widely taken up by employees

- Having reviewed your existing leave arrangements, you will then have an overall picture of what support you currently do or don't provide for carers in your workplace. The next step is to decide **whether and how** you need to revise your leave provision in view of the new right to carer's leave, and how you can best promote the workplace support you offer
- If you **DON'T** currently provide any leave for planned/foreseen caring situations, either through a specific carers policy or wider special leave provision, you will need to **introduce** this (and make this available for eligible employees from the first day of employment)

For example, you could introduce a new carer's leave policy/provision which brings together both emergency and planned leave provision for carers, OR revise your existing emergency leave/time off for dependants policy to include planned or foreseen caring circumstances (as required by the Act).

However you choose to do this, the key thing is to ensure that your policy/provision clearly covers leave for employees to care for a dependant with a long-term care need, as required by the Act.

- If you **DO** already provide leave for planned/foreseen caring situations, for example within a special leave policy/provision, check whether this **explicitly mentions caring or carers**. Then think about whether – and where – you need to revise this to mention caring/carers more specifically and openly so that you are clearly communicating that you offer carer's leave. This will help both your managers to understand and promote it and your employees to recognise that they are carers and can take this up.

For example: some employers have amended their special leave policies/provisions to include a specific category on support for carers and have included references to the type of caring situations that the leave is designed to help. Other employers have introduced a new carer's leave policy which brings together both emergency and planned leave provision so that leave support for carers is all in one place and potentially easier to find.

- If you also currently offer **paid** carer's leave for planned/foreseen caring situations, it would be good practice to **retain** and **promote** provisions that go beyond the statutory minimum.

For example, a number of Employers for Carers member organisations already offer carer's leave which goes beyond the new right, either by providing this as paid leave, or offering additional days of unpaid leave if required.

3.2.2 Extent of leave (minimum of one week within a 12 month period)

- As mentioned earlier (see [FAQs](#)), under the new Act, employees who satisfy the conditions for statutory carer's leave are entitled to 'one week of carer's leave' within a 12 month rolling period. Employees also have the option to take the leave as half or full days, up to and including taking a block of a whole week of leave at once.
- You will therefore need to ensure that you provide **a minimum of a week's leave for planned (or foreseen) caring situations** (in addition to any time off for emergencies) for eligible employees from the first day of employment.
- The week of carer's leave is defined as '*a period of absence from work equal in duration to the period the employee is normally expected or required to work in a week at the time of making a request.*' (This leave can therefore be pro-rated for employees who work part-time or calculated for employees who have irregular working patterns as explained in our [FAQs](#)).
- If you **DO** already offer carer's leave it would be good practice to **retain** and **promote** provision that goes beyond the statutory minimum.

For example, as mentioned earlier, some employers already offer leave which goes beyond the new right, including additional days if required.

3.2.3 Eligibility for leave (broad definitions of dependant and care)

- The purpose of the new right, as stated in the Act, is to entitle an employee to take leave **‘in order to provide or arrange care for a dependant with a long-term care need.’** The definitions in the law are quite broad and inclusive so the new entitlement could be relevant to a wide range of employees in your workplace, both now and in the future when caring responsibilities arise.
- As mentioned earlier (see [FAQs](#)) the Act defines a **dependant** as someone who: is a *‘spouse, civil partner, child or parent of the employee’*, *‘lives in the same household as the employee’* or *‘reasonably relies on the employee to provide or arrange care’*. This mirrors the definition of a dependant in the statutory right to time off for dependants in emergencies and they do not have to be a family member if they rely on the employee for care.
- The new law also states that *‘an employer cannot require an employee to supply evidence’* in relation to a request for leave, so it is up to the employee to self-certify that an individual they are caring for is a dependant.
- The definition in the Act here is quite wide, so use a **clear and inclusive definition** of ‘carers’ and ‘caring’ in your workplace to help ensure you are offering carer’s leave to all who are eligible in your organisation.

For example, a number of Employers for Carers member organisations who already offer carer’s leave use a broader definition of who are covered as dependants, eg ‘caring for’ or ‘looking after/supporting’ a ‘family member or friend’. (So, if you also already offer carer’s leave, and use a broad definition of caring in your workplace, it would be good practice to retain an inclusive definition in order to make your provision available to all who may need it.)

- The Act also defines a dependant's '**long-term care need**' quite broadly, ie as an '*illness or injury (whether physical or mental) that requires, or is likely to require, care for more than three months*', a '*disability for the purposes of the Equality Act 2010*' or a requirement of '*care for a reason connected with their old age*'. This is a wide definition that could cover a range of different caring situations.

For example, under the Equality Act a person is disabled if they have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities and they automatically meet the disability definition under the Equality Act 2010 from the day they're diagnosed with cancer, multiple sclerosis or HIV infection.

- Finally, the law doesn't specify what type of '**care**' is included in any activities 'to provide or arrange care'. It therefore appears to be left open to employees to make an assessment as to whether they are providing or arranging care for a dependant. From our experience and research, providing or arranging care could involve any of a range of relevant activities such as personal care or other support like arranging visits with health professionals, accompanying someone to an appointment, or arranging care for the future.
- So, here again, use a **clear and inclusive definition** of 'caring' in your workplace to help ensure you are offering carer's leave to all who are eligible in your organisation.
- The new Act applies to **all** employees who are eligible to take leave (ie '*to provide or arrange care for a dependant with a long-term care need*') **regardless of how long they have worked for their employer**, ie from day one of employment. The Regulations therefore set out how to calculate a week's leave in the case of an employee who has worked for their employer for less than a week (as explained in our [FAQs](#)).
- If you **DO** currently provide leave for non-emergency (ie planned or foreseen) caring situations that includes a **length of service requirement**, you will therefore need to review this and ensure that, at the minimum, you offer one week's unpaid leave for all eligible employees, regardless of how long they have worked for you.

- Finally, under the new law, **an employer cannot require an employee to supply evidence** in relation to a request for carer's leave before granting that leave. So, an employee will need to self-certify that they are caring for a 'dependant with a long-term care need' but will not be required by law to provide evidence of this.
- From our experience of working with employers, most organisations who already offer carer's leave haven't required their employees to supply such evidence. Employees have **self-certified** that they are caring, and employers have provided a simple self-certification form (or option on an online self-service HR system if this exists) for them to do this. Employers have generally found this to be the most practical and fair way of supporting employees as caring situations can fluctuate. Evidence also suggests that the vast majority of employees only request leave if they really need it.
- If you **DON'T** already offer carer's leave, or have a way for employees to self-certify that they are caring, consider creating a **simple 'self-certification' form** for employees to complete, declaring that they meet the required definition of a carer (in the Act) and will be using the leave in that capacity.

3.2.4 Notice requirements and responding to requests for leave

- The Act states that an employee may take all or part of the carer's leave to which they are entitled and must give appropriate **notice** of this to their employer. As described in our **FAQs**, when giving notice the employee must specify that they are entitled to take leave in accordance with the law (ie '*to provide or arrange care for a dependant with a long-term care need*') and the days (or part days) on which the leave is to be taken.
- The required notice period is twice as many days as the period of leave required, in advance of the earliest day of the leave and does not need to be in writing. You will therefore need to ensure that your carer's leave policy **states clearly** what your employees need to do to give notice of carer's leave (and that requests do not need to be made in writing) and when they need to do this by.
- As mentioned earlier (see **FAQs**), employers are **not able to refuse** an employee's request for carer's leave (if this is for 'a dependant with a long-term care need').

- However, employers can **postpone** the requested period of leave if they '*reasonably consider that the operation of their business would be unduly disrupted*' if the leave was approved. In this case, they must:
 - agree to permit the employee to take a period of carer's leave of the same duration
 - following consultation with the employee, confirm a new date(s) on which the leave can be taken within one month of the original date(s) requested
 - give the employee a notice in writing of the postponement which states the reason for this and sets out the agreed dates the employee can take the leave.

This notice must be given to the employee '*as soon as reasonably practicable*', and within seven days of the original request, and before the requested start date of the leave.

- Other than in the case of postponement, as above, the law doesn't specify how an employer needs to **respond** to a request for carer's leave. However, employers should consider what approaches may be needed to deal such requests, and it is good practice to acknowledge these as soon as is reasonably practicable.
- If you **DON'T** already offer carer's leave you should also consider introducing (or enhancing) a system of **record-keeping** to track the number of days taken, and ensure that you communicate information about this clearly to managers and employees.

For example, experience from employers who already offer carer's leave suggests that it can be helpful to introduce a system of record-keeping to track the number of days taken. You could also use this data to consider what further support you could provide for employees (for example, allowing additional unpaid time off if staff are using high levels of annual leave to provide intermittent care or help to dependants).

“It's vital that we have those systems in place for tracking Leave. We can track absence, the demand, what's working or not, and obviously see the impact of the awareness raising” Public sector employer

- If for practical reasons the employer has been **unable to respond** to a request for leave in time, case law (and experience of similar situations) suggests that the leave would be viewed as emergency leave and covered by the statutory right to time off for dependants in emergencies.

3.2.5 Leave and wider support for carers

When reviewing your leave policies, it is also useful to identify any other (existing or future) workplace support that may be helpful for carers. Many employers who already offer carer's leave report that it complements – and is an important part of – wider support and flexibilities in the workplace.

- So, alongside leave, you could consider offering carers enhanced **flexibility** with working hours or patterns where appropriate, or opportunities to work from home or a location closer to where their dependant lives, if/when feasible. Employers and employees can either agree such arrangements informally (without using the statutory procedure) or employees can make a formal (statutory) request for flexible working.
- From 6 April 2024 employees in England, Scotland and Wales will have a new (enhanced) statutory right to request flexible working from the first day of employment under the **Employment Relations (Flexible Working) Act 2023**. Employers will also therefore need to review their current flexible working provisions in the light of this. Information about this new right, including the revised ACAS statutory Code of Practice on requests for flexible working (2024) can be viewed on [Acas.org.uk](https://www.acas.org.uk).
- As both the new entitlement to carer's leave and enhanced right to request flexible working are available to eligible employees from the first day of employment, this is also an opportunity to review your **recruitment and induction** arrangements. Communicating clearly about your leave and flexible working provision from the start will both help to ensure that your employees are aware of their rights, and potentially give you the opportunity to attract staff from a wider talent pool.
- Other things that can make a difference for carers include offering **workplace adjustments** and practical help such as **health and wellbeing** schemes, signposting to external sources of support for caring, and enabling carers to connect with each other, eg through a staff **network** or **support group**.

- Some employers also provide **workplace passports** to help employees have a conversation about, and keep a record of, their support needs. Further information about this, and how they can help carers, is covered in the next section of this guide.
- As mentioned earlier, some employers already offer carer's leave or are taking the opportunity of the Carer's Leave Act to review and enhance their provisions for carers. So, when reviewing your current workplace provisions, you may also wish to consider **enhancing** this new right by offering pay for some or all of an employee's leave entitlement, or just an increased amount of unpaid time off. This might also be part of a package of measures designed to attract and retain employees from a wider talent pool, including, for example, older workers.
- Carers UK's business forum Employers for Carers provides practical resources and support to help organisations create carer friendly workplaces. If your organisation is not already a member visit employersforcarers.org to find out more about how we can help.

3.3 Help carers to identify themselves

Most people don't see themselves as carers. From our experience of working with employers, many employees who are caring won't therefore recognise themselves in this way or come forward for support. Others may not think that workplace support, including entitlement to leave, applies to them or they may feel uncomfortable about raising personal, and sometimes emotionally difficult, issues at work.

So, helping carers to identify themselves is vital to ensure they get the practical support they need to continue to work and care.

3.3.1 Talk about the support you provide for carers

- Firstly, be clear what you mean by caring and carers and use a simple and inclusive **definition** as highlighted in **Section 1** of this guide.
- Make a visible statement that your organisation recognises the importance of supporting employees who are carers, and that support is available for them. Having a clear **commitment** to help carers in this way will help communicate the message that it is 'OK to be a carer' and to come forward for support.

- Consider identifying senior sponsors and carer champions who can help spread awareness to employees about the Carer's Leave Act and what support is available in your workplace.
“ Having someone senior to talk about their personal experiences has really helped raise awareness with our line managers.” Public sector employer
“ Carers champions as employees who have a little bit more education about the specific topic of carer's leave and can be signposted to.” Private sector employer
- Talk about your **leave provision** and any other **wider support** available for carers (eg flexible working arrangements, health and wellbeing scheme etc), and how this may be relevant for anyone who may be caring. This will help to prompt individuals to think about their own personal circumstances or those of colleagues in their team.
- Include caring, and carers, when talking about supporting staff with **family responsibilities** – as well as mentioning parents. This will help make the point that family responsibilities can include supporting older or disabled relatives or friends as well as covering childcare.
- Use specific **awareness raising opportunities** such as **Carers Week** and **Carers Rights Day** to highlight caring and support available. You could also use opportunities provided by other relevant awareness raising events such as National Inclusion Week, Mental Health Awareness Week etc to highlight caring issues.
- Raise awareness and visibility of caring through including a question(s) about this in a **workplace survey**.

For example, if you don't already do this, include a question(s) about caring in an annual/regular workplace survey, eg alongside questions on equality, diversity and inclusion characteristics like disability or age. You could also include caring questions in a staff satisfaction or health and wellbeing survey.

- Talk to your **managers** about caring issues, and the support that is available for carers in your workplace. Ensure this information is included within your manager training and resources and within workplace inductions.

“ Consider an accessible toolkit for managers and line managers which draws upon all of the support an organisation provides.” Private sector employer

“ We have done workshops with carers and managers, and we will use this as a stepping stone to build on to make everyone more aware of the policies and network and what is available.” Public sector employer

3.3.2 Encourage carers to self-identify through a range of routes

Carers are a changing population – each year millions of people take on caring responsibilities whilst caring comes to an end for millions of others⁵. So, be aware that within your workplace, employees will be coming in and out of caring situations all the time – and that a one-off awareness campaign, though important, may not be enough.

- Think about **different ways** of getting the right information to employees at the right time; people will often only take information about caring on board when it becomes relevant to them.

For example, identify – and try using – a range of different channels in your workplace to raise awareness and communicate support. These could include staff intranets, payslips, handbooks, all-staff bulletins and internal social media platforms.

“ From day one employees are signposted to the carers hub that we have on the intranet which consolidates all the support that is available to them, both internally and externally, and that’s for line managers and employees.” Public sector employer

5 Petrillo, Bennett and Pryce (2022), Cycles of Caring: transitions in and out of unpaid care carersuk.org/media/bgolg5u2/cuk-carers-rights-day-research-report-2022-web.pdf (Carers Rights Day research report 2022)

- Help individuals to identify as carers via a workplace staff **survey**. As mentioned above, this could be within an annual/regular workplace survey or as part of a staff satisfaction or health and wellbeing survey. This can provide an opportunity to communicate your current (or planned) support for carers and also help demonstrate that you are keen to support your employees.

For example, as a first step, including a question about caring within a wider survey can help raise awareness and capture some initial information about carers in your workforce. This could then be followed by a specific survey on caring issues to ask about support needs.

While workplace surveys can't give the whole picture (as some employees will either not see themselves as carers or respond as such), evidence from employers who have included questions about caring suggests that this can help raise the profile of caring, encourage more carers to self-identify and provide some understanding of potential support needs.

- Think about the **language** you use when communicating support available for carers in your workplace.

For example, in surveys or other communications try not to ask 'Are you a carer?' instead say something like 'Do you look after someone because they are ill, older or have a disability? If so, you are a carer' in order to help carers identify themselves. (See **Section 1** of this guide on Definitions.)

- If appropriate in your organisation, introduce a **system or process for carers to self-identify**. We have mentioned earlier about employees self-certifying that they are providing or arranging care for a dependant with a long-term care need for purposes of carer's leave, but you could also consider a broader process for carers to self-identify within your organisation.

For example, depending on the size and structure of your organisation, this could be via a simple self-declaration using MS Forms, or larger organisations may have a self-service HR system in place, which could include an option for employees to indicate that they are caring. Employers who provide this option include it in the same way as other diversity and inclusion data is captured, as it will also be sensitive data.

- As mentioned earlier, some employers provide **workplace passports** to help employees have a conversation about, and keep a record of, their support needs. Examples of these include workplace adjustment passports or specific passports around health and disability support needs, and a growing number of employers are also offering them to carers. Evidence from employers who provide these suggests that it can help both to encourage employees to identify themselves as carers and come forward for support. Experience also shows they are valued by employees as they can provide both flexibility and consistency in changing and challenging times, and help address their support needs. More information about carer passports can be viewed here: [carerpassport.uk](https://www.carerpassport.uk)

“*Implementing a carer passport to complement carer's leave where employees can document their caring responsibility and the support that they require from the organisation.*” Private sector employer

“*We are going to use the Carer's Leave Act to make our package more holistic, and it will form part of those line manager discussions, alongside the passport, to allow carers to say - I need this leave and support as well as the adjustments that have already been arranged through carer passport discussions.*” Public sector employer

- Encourage your **managers** to be approachable and open to having a conversation about caring with individuals in their team. It is often hard for individuals to talk about their caring responsibilities at work so equipping and supporting managers to be flexible and understanding is important. This should in turn help to encourage employees who are caring to recognise themselves as a carer and to feel more comfortable about coming forward for support.

For example, as mentioned earlier, Carers UK's business forum Employers for Carers (EfC) provides practical resources and support to help create a carer friendly workplace. Informed by practical experience of working with employers for over 15 years, these can complement your own education and tools to help managers recognise and support carers in their team. If your organisation is not already a member visit employersforcarers.org to find out more about how we can help.

3.3.3 Some concluding tips

The experience of employers who already provide carer's leave suggests that, when reviewing current provisions, this works best when done alongside:

- awareness raising activities and communications to make caring, and carers, more visible in the workplace
- helping carers to identify themselves and come forward for support
- consistent and regular communications to employees and line managers
- identifying senior sponsors to raise visibility and awareness of caring and workplace support
- identifying and engaging carers who can act as advocates and points of contact for carers; and
- doing this as part of a holistic approach to carer support.

The business case for supporting carers

By implementing the key steps above, you and your employees could benefit hugely from raising awareness of caring in your workplace.

- Evidence from employers shows that carer's leave supports retention and recruitment, as well as the health and wellbeing of staff with caring responsibilities.
- Employers who offer carer's leave say that they have been better able to retain valued staff.
- Research shows that two-thirds of working carers who have taken unpaid Carer's Leave report that this has made their caring role easier, whereas without access to it 1 in 10 are at risk of reducing their hours or giving up work⁶.

For further information

Visit employersforcarers.org to find out more about how Employers for Carers can help organisations create carer friendly workplaces.

⁶ Carers UK, [State of Caring 2022: A snapshot of unpaid care in the UK](#)



Across the UK today 5.7 million people are carers – supporting a loved one who is older, disabled or seriously ill.

Caring will touch each and every one of us in our lifetime, whether we become a carer or need care ourselves. Whilst caring can be a rewarding experience, it can also impact on a person's health, finances and relationships.

Carers UK is here to listen, to give carers expert information and tailored advice. We champion the rights of carers and support them in finding new ways to manage at home, at work, or in their community. We're here to make life better for carers.

20 Great Dover Street, London SE1 4LX

T 020 7378 4999 E info@carersuk.org carersuk.org

 @carersuk  /carersuk  Carers UK  @carers_uk

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