

Carer Leave for Unpaid Carers - Guidance

The Council acknowledges that many of its employees are juggling paid work with the daily demands of caring for dependents. Although long-term arrangements normally exist to allow caring commitments to be met, on occasion, it is possible situations will arise, which may require a carer to take time off work.

Definition of an Unpaid Carer

An unpaid carer is anyone who looks after a family member, partner or friend who needs help because of their illness, frailty, disability, a mental health problem or an addiction and who cannot cope without their support. The care they give is unpaid.

Carer Leave Legislation

Unpaid carers may require time off work to deal with incidents requiring immediate attention or for planned situations where other forms of leave may not be available.

Under legislation introduced in April 2024, employees are entitled to unpaid leave to give or arrange care for a 'dependant' who has:

- a physical or mental illness or injury that means they're expected to need care for more than 3 months
- a disability (as defined in the Equality Act 2010)
- care needs because of their old age

The dependant does not have to be a family member. It can be anyone who relies on them for care.

Leave Provision

- **Day One Entitlement** - Employees are entitled to carer's leave from their first day of work for their employer. Their employment rights (like holidays and returning to their job) are protected during carer's leave.
- **Up to One Week Unpaid Leave (pro rata)** - Employees can take up to one week of leave every 12 months. A 'week' means the length of time they usually work over 7 days. For example, if someone usually works 3 days a week, they can take 3 days of carer's leave.
- **One week block or separate days** - They can either take a whole week off or take individual days or half days throughout the year.

NB: 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. They can use the week of leave on more than one dependant.

Applying for Unpaid Carer Leave

- Employees require to provide notice to their line manager before they want their leave to start.
- If the request is for half a day or a day, the notice period should be at least 3 days.
- If the request is for more than one day, the notice period should be at least twice as long as the requested leave. For example, if the request is for 2 days, the notice period should be at least 4 days.
- The request should be made via MyView.
- Employees do not need to give evidence of their dependant's care needs.

NB: [In the case of an emergency](#), an employee can take time off for this without giving a notice period however they should inform their line manager as soon as is practicable and apply for emergency leave via MyView.

When employers can delay carer's leave

Employers cannot refuse a carer's leave request however they can ask the employee to take it at a different time. This should only be the case where the employee's absence would cause serious disruption to the organisation.

Where an employee is asked to delay Carer Leave, the employer must:

- agree another date within one month of the requested date for the leave
- put the reason for the delay and new date in writing to the employee within 7 days of the original request, and before the requested start date of the leave

Longer Term Options

Where more time is needed and carer leave is exhausted, or where it is necessary to make a commitment to a dependent situation for a longer time period please see further information in [Emergency/Compassionate Leave](#).