

Carer's Leave Bill set to become law

📅 13 June 2023 👤 Bridget Prosser

The Carer's Leave Bill received Royal Assent on 24 May 2023 becoming the [Carer's Leave Act 2023](#).

The new law will entitle employees to take one week's unpaid leave in any 12-month period to provide or arrange care for a dependant with a long-term care need. A dependent is defined as either:

- the employee's spouse, civil partner, child or parent,
- lives in the same household as the employee (other than as a boarder, lodger, employee or tenant) or
- someone who reasonably relies on the employee to provide or arrange care.

A long-term care need is defined 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
- require care for a reason connected with their old age.

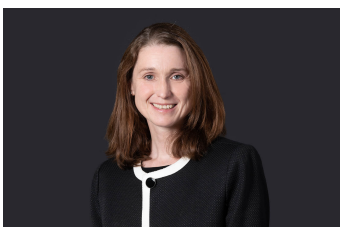
The leave can be taken in either half or whole days of up to one week per year. The right will be available from the first day of employment and employees will not have to provide evidence of their caring responsibilities when requesting the leave. Employees who take carers leave will get the same employment protections available for other family related leave, including protection from dismissal.

The new law will apply in England, Scotland and Wales and is not expected to come into force before April 2024.

According to the 2022 NHS staff survey nearly one in three NHS staff also have an unpaid caring role for a relative or friend. Therefore, the new law could benefit circa 400,000 employees and help to relieve some of the pressures that come with juggling their caring commitments alongside their jobs and assist with staff absence and retention.

In readiness for the new rules, healthcare employers may wish to review their existing policies to see if they need any amendments and think about communications to staff to make them aware of the new leave entitlement. Staff who are struggling to balance work with caring commitments should also be encouraged to speak to their line managers to see if any other assistance, such as flexible working, or permitting unpaid leave in excess of the statutory one week is feasible to support their wellbeing and allow them to remain in work.

Key contact



Bridget Prosser

Partner

bridget.prosser@brownejacobson.com

+44 (0)330 045 2964

Related expertise

Services

| | |
|------------|------------------------------------|
| Employment | Employment services for healthcare |
|------------|------------------------------------|