

Caregivers at work: Navigating new carer's leave regulations

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New regulations establishing a statutory entitlement to one week of unpaid carer's leave in each rolling 12-month period for employees in England, Wales, and Scotland come into force on 6 April 2024.

The Carer's Leave Regulations 2024 (Regulations) apply to employees with a dependant with a long-term care need (namely a spouse, civil partner, child or parent of the employee who they live with and who rely on the employee to provide or arrange care).

Employers should note that:

- employees entitled to this new right must provide notice, which can be verbal or written, of three days or equivalent to twice the duration of the leave requested, whichever is greater;
- once a leave request has been submitted by an employee, it cannot be refused. It can, however, be postponed if operations would be unduly disrupted; and
- they are not permitted to request evidence before approving the leave.

What does this mean for employers?

Employers have a small window before the Regulations come into force on 6 April 2024. Before then, employers should review existing leave policies and update them accordingly to set out clearly that employees are entitled to one week's unpaid carer's leave, how to request it, and the grounds on which the employer may postpone the leave.

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