

## **FAQs, Carer's Leave Regulations 2024**

Please see the Carer's Leave Policy for the details. The policy will explain how Liverpool Hope university intends to run their Carer's Leave policy.

### **What is carer's leave and when will it come in to force?**

On 11 December 2023, the draft regulations for the Carer's Leave Act 2023 were laid in Parliament, and confirmed that the legislation would come into force from 6 April 2024.

Carer's Leave is when an employee takes off or leaves work to care for a dependant with a long-term illness.

Campaigns for a right to carer's leave has been ongoing for a number of years by carer support groups. Carer's leave is to provide further employment rights for people who juggle their unpaid caring responsibilities with paid employment. Since 2020 it is estimated 7 million<sup>1</sup> people in the UK juggle work and unpaid care support to others. A right to Carer's Leave supports retention and recruitment, as well as the health and wellbeing of employees with caring responsibilities.

Research shows that having a supportive employer and the ability to take time off work to provide care can help to mitigate the pressures carers face.

### **Why is it important?**

Research indicates that giving carers the right to take Carer's Leave would improve finances for those with caring responsibilities; help prevent carers leaving the workforce; particularly support women who are much more likely to be juggling work and care and, and who are much more likely to be in part-time work rather than full-time. For the employer, carer's leave could improve retention rates and reduce recruitment costs in terms of preventing unplanned absences. It is also an important aspect of retaining and supporting a diverse work force which aligns with our Liverpool Hope University values.

### **Who is eligible for Carer's Leave?**

Employees are eligible from their first day of work but they must have a dependant who relies on them for support with their long-term care needs, whether physical or mental. Dependants include spouses, partners, children, parents, siblings. A dependant (not a tenant) living in the same household. A long-term care need is one that lasts for more than three months, a disability for the purposes of the Equality Act 2010 or they require care for a reason connected with their old age (The full definition can be found within the Employment Rights Act 1996, part 8B/80J).

Employees are not required to present evidence of their carer responsibility. Employees are required to self-certify that they qualify for Carer's Leave when they request a period of Carer's Leave (see the Carer's Leave Request Form on the Personnel pages).

### **How much leave do carers get?**

The regulations outline the statutory requirements of Carer's Leave. Eligible employees can take up to one week (five days for full time colleagues or pro-rata for part-time colleagues) every twelve months. If colleagues work a non-standard working week, their 'week' will be the length of time they normally work over seven days. For example, if someone usually

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<sup>1</sup> CarersUK see <https://www.carersuk.org/news-and-campaigns/our-campaigns/right-to-carers-leave/>

works three days a week, they can take three days of Carer's Leave. They can either take a whole week off or take individual days or half days throughout the year.

### **What if someone cares for more than one person?**

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 a total of one week every 12 months (pro rata for part-time staff). They can use the week of leave on more than one dependant.

### **Is this leave paid or unpaid?**

The statutory regulations provide for unpaid leave. However, at Liverpool Hope University, we consider that an element of paid leave is important to support our colleagues with these responsibilities, to acknowledge that not every person can afford to take unpaid leave, to support our values of inclusivity and recognise the important work that colleagues do in the wider community and in their own lives. Therefore, the policy allows for three days out of the five days to be paid (pro-rata for part-time colleagues). This is how the policy will be **run in the first 12 months**. After the initial 12-month period the policy will be reviewed and this paid element might change depending on the findings of the review. The policy does not form contractual terms.

### **Is this the same as parental leave?**

No, this is different. If the employee is a parent, they can take up to 18 weeks' leave to look after their child <https://www.gov.uk/parental-leave>. This is unpaid parental leave. This is separate to Carer's Leave.

In addition to Carer's Leave there are various other types of leave that colleagues can access (for example Time off for Dependants, which is unpaid and designed for putting emergency measures in place, annual leave, and a range of parental leave such as parental leave, paternity leave, adoption/maternity leave, shared parental leave. Details of these different types of leave can be found on the Personnel intranet pages or speak to your Personnel Manager if you are not sure). See <https://www.hope.ac.uk/gateway/staff/personnel/holidayshoursandconditionsofwork/> and <https://www.hope.ac.uk/gateway/staff/personnel/policiesandforms/>

### **How can I take Carer's Leave?**

The policy explains this in more detail. Employees can use the Carer's Leave form to request this type of leave from their line manager. This form asks for information and a declaration about eligibility for the leave. The form also captures information about how much notice is needed to request leave and what happens if the initial request has to be refused.

### **Do employees need to provide evidence of their dependant's care needs?**

No, they do not. The request form asks for a declaration about eligibility but it does not require evidence or proof of the care needs for the dependant. For example, an employee can declare that they have an eligible dependant but they don't have to show appointment letters, verify the health situation which requires care or show any other kind of additional information.

### **What if a colleague needs to look after someone in an emergency?**

If this is the case, colleagues can use Time Off for Dependants leave. This is leave that can be taken without notice but is unpaid. Colleagues can also take annual leave in the normal

way. However, depending on the individual situation and the time that needs to be taken, a line manager and colleague can agree that the time lost can be 'repaid' over a reasonable time period so there is no need to lose pay. This would be at the discretion of the manager depending on the needs of the team and what can be managed. Managers can seek the advice of a Personnel Manager if they are not sure.

If a colleague knows about situation beforehand, Time Off for Dependents is not suitable. For example, time to take a child to hospital for a planned appointment. Parental leave or annual leave would be more suitable in those circumstances.

### **What if my manager doesn't like me to take Carer's Leave?**

If eligible, employees are legally entitled to take the leave. As long as they request the leave in line with the policy and provide the requested details of self-certification and notice, and they still have carer's leave time to take, they can proceed. Managers are allowed to reject the request if they reasonably consider that the operation of the business would be unduly disrupted, but the employee must be allowed to take the requested leave within one month of their original request.

To postpone the leave period, the employer must provide a written counter notice within seven days of the request, explaining the reason for the postponement and the revised dates on which the employee can take the leave.

Carer's Leave protects employees from repercussions for requesting or taking carer's leave. No one will receive any detriment for requesting or taking Carer's Leave.

If your manager is not helpful with respect to the operation and implementation of Carer's Leave, and you have tried to discuss it with them but that has not resolved the issue, you should contact Personnel.