
DRAFT STATUTORY INSTRUMENTS

2024 No.

The Carer's Leave Regulations 2024

Part 3

Taking Carer's Leave

Protection from detriment

11.—(1) An employee is entitled under section 47C(2)(bc) of the 1996 Act⁽¹⁾ not to be subjected to any detriment by any act or any deliberate failure to act by an employer because—

- (a) the employee took, sought to take, or made use of the benefits of, carer's leave, or
- (b) the employer believed the employee was likely to take carer's leave.

(2) For the purposes of paragraph (1)(a), an employee makes use of the benefits of carer's leave if, during the period of carer's leave the employee benefits from any of the terms and conditions of employment preserved by regulation 9 during that period.

(3) Paragraph (1) does not apply when the detriment in question amounts to a dismissal within the meaning of Part 10 of the 1996 Act.

(1) Section 47C was inserted by the Employment Relations Act 1999, Schedule 4, Part 3, paragraphs 5 and 8 and was amended by the 2023 Act, Schedule, Part 2, paragraph 5.