

Employment rights for unpaid carers and parents of seriously ill children

**Trades Union Congress consultation
submission. September 2026**

Executive summary

The TUC welcomes this consultation and supports action to strengthen employment rights for unpaid carers and parents of seriously ill children.

While existing rights, including carers, leave and time off for dependants, provide important protections, they do not go far enough. Unpaid entitlements remain inaccessible for many workers who cannot afford to lose earnings.

A modern employment framework should ensure carers can remain in work, progress in their careers and provide care without fear of financial hardship or disadvantage.

From their first day in a job, a worker should have the right to 10 days' paid carers' leave and have the right to work flexibly.

The TUC supports:

- the introduction of a statutory day-one right to paid carers' leave entitlement of 10 days a year
- a statutory right to return following longer periods away from work because of caring responsibilities
- paid leave for parents of seriously ill children
- clear guidance and improved awareness for employers and workers
- effective implementation, monitoring and enforcement of carers' rights
- the right to work flexibly from their first day in the job.

These measures would support workers, benefit employers through improved retention, and contribute to a fairer and more inclusive labour market.

Introduction

The Trades Union Congress (TUC) welcomes the opportunity to respond to the government consultation on employment rights for unpaid carers and parents of seriously ill children. The TUC is the voice of Britain at work. We represent more than 5.3 million working people in 47 unions across the economy. We support unions to grow and thrive, and work to ensure that everyone can access decent work, fair treatment and security at work.

Unpaid carers make an essential contribution to society and the economy. Many workers combine paid employment with caring responsibilities for family members, friends and loved ones. However, the current framework does not adequately reflect the realities of modern working lives. The TUC shares the government's ambition of providing greater support to unpaid carers who want to work alongside their caring responsibilities as part of its plans to modernise the world of work.

Unpaid carers in England and Wales contribute £162 billion to the economy annually, equivalent in size for the NHS budget in those two nations. Yet carers often lack adequate workplace support.¹ The dual burden of demanding work and unpaid caring responsibilities contributes to stress, burnout and workforce attrition.

Despite the critical role carers play in sustaining health and social care systems, structured workplace support remains inconsistent and inadequate. Meaningful action is required to ensure that caring responsibilities do not become a barrier to career progression or job security.

Workers with caring responsibilities are more likely to experience unfair treatment in the workplace. Carers UK found that 22 per cent of carers said they had experienced unfair/unfavourable treatment in the workplace.²

Limited or no access to paid dependants' leave has a huge impact on affected workers, especially as the cost of living has increased sharply in recent years. Carers UK estimates that an average of 600 people per day quit work because of a lack of support to juggle work and care.³

Carers UK estimates one in eight people provides unpaid care to a family member, friend or neighbour who is disabled, has an illness or long-term condition, or who needs extra help as they grow older. Unpaid caring responsibilities disproportionately affects women workers. The Census 2021 found that in England and Wales, women are

¹ Carers UK (3 May 2023). "Unpaid care in England and Wales valued at £445 million per day" www.carersuk.org/press-releases/unpaid-care-in-england-and-wales-valued-at-445-million-per-day/

² Carers UK (7 August 2024). *Making caring the 10th protected characteristic report* www.carersuk.org/reports/making-caring-the-10th-protected-characteristic-report/

³ Carers UK (May 2026). *The 'tipping point'* www.carersuk.org/reports/the-tipping-point-when-unpaid-carers-can-no-longer-combine-work-and-care/

more likely to provide care than men.⁴ Some 59 per cent of unpaid carers are female. Carers UK's research also shows carers from Black and minoritised communities were more likely to state services in their area didn't meet their needs due to institutional racism and lack of knowledge.⁵

A higher proportion of workers in the public sector have caring responsibilities. The 2021 Civil Service People Survey showed that one in five civil servants are carers. This responsibility doesn't fall equally: when the FDA trade union surveyed carers in the civil service in 2025, 72 per cent of respondents were female.⁶

Many carers face significant challenges balancing work and care, including financial pressure, stress, reduced working hours, missed career opportunities and leaving work altogether.

The TUC is clear that caring responsibilities should be recognised as a normal part of working life. Workers should not have to choose between providing essential care and maintaining their income, employment and career prospects.

The TUC's response to this consultation first considers the central role that trade unions can play in helping the government achieve its aims in ensuring that carers can combine good quality employment with meeting their caring responsibilities. It also looks at the problems caused for carers by the rise of insecure work.

It then goes on to assess the ability of carers to access current employment rights and the need for carers' leave to be paid at the worker's normal level of wages for it to be an effective measure.

Finally, it sets out the strong case for statutory paid leave entitlement for parents of seriously ill children at workers' normal rate of pay.

⁴ Office for National Statistics (2023). *Unpaid care by age, sex and deprivation, England and Wales: Census 2021*

www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/socialcare/articles/unpaidcarebyagesexanddeprivationenglandandwales/census2021

⁵ Carers UK (August 2022). *The experiences of Black, Asian and minority ethnic carers during and beyond the COVID-19 pandemic* <https://www.carersuk.org/reports/the-experiences-of-black-asian-and-minority-ethnic-carers-during-and-beyond-the-covid-19-pandemic/>

⁶ FDA (December 2025). *Caring support: findings from the FDA's 2025 carers' survey* <https://www.fda.org.uk/news/caring-support-findings-from-the-fdas-2025-carers-survey/>

The role of trade unions in protecting carers' rights

Caring is a normal part of working life. Millions of people provide unpaid care alongside paid employment, often while managing significant emotional, practical and financial pressures.

Employment rights should reflect the reality that caring responsibilities can affect anyone at any stage of their working life.

Current arrangements over rely on:

- employer discretion
- informal workplace agreements
- workers being able to afford unpaid time away from work.

This creates inequality where some workers are better able to access support than others. A worker's ability to balance employment and care should not depend on their employer, occupation, income level or personal circumstances.

Employment rights must provide clear statutory rights that workers can rely on.

Employers need clear, practical and accessible guidance. However, to be meaningful this must be accompanied by enforceable statutory rights so that support does not depend on employer awareness or goodwill.

While the TUC strongly supports improving the statutory baseline of carers' rights, it is only one part of the picture. Trade unions play a crucial role in enforcing workers' statutory rights, but also encourage employers to put in place and strengthen policies on areas such as flexible working, parental and carers' rights.

In our 2024 Equality Audit, the TUC found that 44 per cent of unions reported wins for working parents, parents-to-be and carers. Similarly, a survey of workplace reps, undertaken as part of the audit, found that 60 per cent had local or national agreements on flexible working.⁷

In a 2019 report on collective bargaining, the TUC found that unionised workplaces have more work-life balance measures in place than comparable non-unionised workplaces.⁸ Carers' leave is commonly included in collective bargaining agreements, with a direct correlation between the strength of the union presence at a workplace and the number of work-life balance practices that it is likely to have. Further, in workplaces with union recognition, employers are more likely to recognise their

⁷ TUC. (2025). *TUC Equality Audit 2024* www.tuc.org.uk/research-analysis/reports/tuc-equality-audit-2024.

⁸ Williamson, J. (2019). *A Stronger Voice for Workers: how collective bargaining can deliver a better deal at work*. TUC, p. 8 www.tuc.org.uk/sites/default/files/2019-09/Astrongervoiceforworkers.pdf.

responsibility for addressing the work-life balance of their staff, and are less likely to say it is the responsibility of the individual staff member.⁹

One such example of the benefits of trade unions to carers' rights is UNISON's negotiations with Veolia at a recycling plant in Southwark, London. Proposed changes to shift patterns would have undermined the precarious work-life balance of its workers. In this negotiation, workers successfully negotiated predictability on non-rotating nights, to fit with their caring responsibilities.¹⁰

Despite the introduction of unpaid carers' leave in April 2024, 56 per cent of working carers cannot afford to take their entitlement.¹¹ In this context, unions' success in improving pay is particularly important. Higher wages and better terms and conditions make it more feasible for workers to balance paid employment with caring responsibilities and to make use of leave entitlements when they need them.

Through collective bargaining, unions have consistently secured pay improvements that exceed those available to comparable non-union workers, helping to reduce financial insecurity and increase workers' ability to manage periods when caring demands intensify. The trade union wage premium (the percentage difference between the average gross hourly earnings of employees who are union members and non-members) rose to 5.3 per cent in 2025, marking its third consecutive year of growth. Nevertheless, a strong statutory baseline is essential. Union coverage remains uneven across the labour market, and many workers with caring responsibilities are employed in workplaces without collective bargaining arrangements. Statutory rights must provide a universal floor of protection for all workers, with collective bargaining playing a complementary role in negotiating arrangements that are more generous and responsive to workers' needs.

Trade unions play a vital role through workplace representation and casework. Individual carers can face significant obstacles in asserting their rights, particularly where they are concerned about negative treatment or lack familiarity with workplace procedures. Union representatives can provide advice, accompaniment and representation, helping workers to secure the support they need and ensuring that statutory rights are effectively enforced. Importantly, casework also provides an early warning system for emerging workplace issues, enabling unions to identify patterns of disadvantage affecting carers and address them collectively through bargaining, campaigning and policy development. This collective approach reduces the burden on

⁹ *Id.*

¹⁰ Moore, S. & Mendes De Brito Antunes, B. (2018). *Great Jobs are Union Jobs: how unions and collective bargaining create great jobs* TUC. pp. 8-9.
www.tuc.org.uk/sites/default/files/GreatJobsareUnionJobs%20.pdf.

¹¹ Carers' UK. (2024). *More than half of carers juggling work and care can't afford to take unpaid Carer's Leave*. www.carersuk.org/press-releases/more-than-half-of-carers-juggling-work-and-care-can-t-afford-to-take-unpaid-carer-s-leave/.

individual workers to resolve problems alone and helps drive lasting improvements in workplace practice.

Trade union access and equality representatives

A trade union presence in a workplace avoids rather than placing a disproportionate onus on individual workers to identify and raise an issue themselves.

As Carers UK has identified, over half (55 per cent) of unpaid carers looking after a family member or friend take a year or more to realise they are a carer, and over a third (38 per cent) take over three years or more.¹² Trade unions can therefore play a vital role in ensuring carers can overcome the systemic barriers they face in the workplace, and raise concerns collectively, such as via collective bargaining mechanisms. This is far more effective than relying on individual workers to recognise their formal entitlements as a carer and advocate for change alone in an employment relationship where the power lies with the employer.

Improved trade union rights, including measures to provide unions with rights of access and removal of some of the barriers to union recognition included in the Employment Rights Act 2025, would therefore complement reforms to carers' leave. A greater union presence in workplaces would improve carers' awareness of their rights, increase take-up of rights and support effective enforcement while encouraging employers to adopt more ambitious policies that enable workers to combine paid work and caring responsibilities.

The TUC believes that although information about how to support carers exists, access to and awareness of that information is inconsistent. Unions play an invaluable role in informing members on their rights at work. Unions also provide guidance, briefing materials and training to negotiators on a huge range of topics, with the development of guidance on flexible working and work-life balance being at the forefront. The TUC's 2024 Equality Audit found that proportion of unions with guidance on working parents, parents-to-be and carers have increased. However, in 2024, Carers UK reported that 34 per cent of carers were not aware of the Carer's Leave Act 2023.¹³ Against a backdrop of low knowledge of carers' rights among workers, unions can help to share information. The TUC strongly believes that funding for projects such as the TUC learning and skills service, Unionlearn, would help to raise awareness of carers' rights so that working carers can enforce their rights, and improve both workplace policies and practice across the economy.

¹² Carers UK. (2024). Less than half of us know how to identify an unpaid carer as millions miss out on support www.carersuk.org/press-releases/less-than-half-of-us-know-how-to-identify-an-unpaid-carer-as-millions-miss-out-on-support/

¹³ Carers UK. (2024). More than half of carers juggling work and care can't afford to take unpaid Carer's Leave www.carersuk.org/press-releases/more-than-half-of-carers-juggling-work-and-care-can-t-afford-to-take-unpaid-carer-s-leave/.

Equality reps play a crucial role by raising awareness of equality issues such as flexible working, parental and carers' rights. Moreover, equality reps can ensure that equality is properly recognised as an industrial issue. They help to develop collective policies and practices that will support workers with care responsibilities.

In the TUC's 2024 Equality Audit 52 per cent of reps said there were workplace equality reps in their workplaces.¹⁴ Where equality reps are in place, equal opportunities policies are far more likely to be put into practice, monitored and produce better results.¹⁵ Reps also play a preventative role by identifying problems early on and ensuring they are dealt with effectively rather than through costly and time-consuming legal cases.¹⁶ The TUC strongly welcomes the introduction of a statutory right to reasonable paid time off and training for equality reps in October 2026 which should allow them to play an even more effective role. We urge the government to monitor implementation to ensure that reps are receiving their entitlement.

By raising pay and improving access to occupational benefits such as enhanced carers', parental and family-related leave, trade unions help ensure that workplace rights are not merely available in theory but are genuinely accessible in practice. As such, the government should take an ambitious approach to implementing the trade union rights set out within the Employment Rights Act 2025 to complement their efforts to support carers.

Insecure work and carers in employment

The growth of insecure work¹⁷ creates particular challenges for carers. Variability and uncertainty over hours make it hard for many workers to organise their caring responsibilities or balance their work and private life.

TUC analysis shows women, particularly Black and Minority Ethnic women, are disproportionately represented in zero-hours, agency, casual and seasonal jobs.¹⁸ Women also make up the majority of unpaid carers and are also bearing the brunt of the increase in insecurity experienced in recent years.

Lack of access to decent flexible work is also a reason that some workers turn to insecure employment as conventional employment does not allow them to manage

¹⁴ TUC. (2025). *TUC Equality Audit 2024* www.tuc.org.uk/research-analysis/reports/tuc-equality-audit-2024.

¹⁵ TUC. (2021). *TUC Workplace Manual: Equality* www.tuc.org.uk/resource/equality.

¹⁶ *Id.*

¹⁷ TUC (2025). *The scale of insecure work*, www.tuc.org.uk/research-analysis/reports/scale-insecure-work-uk

¹⁸ TUC (2025). *The scale of insecure work*, www.tuc.org.uk/research-analysis/reports/scale-insecure-work-uk

their work hours alongside their family other commitments.¹⁹ For example, teaching and healthcare unions report that a lack of flexibility is pushing many members out of the profession into supply or agency work with worse terms and conditions.

But such work often does not provide the predictability and security that carers require and leaves them subjected to unfair practices. For example, the Work Foundation's recent report *In Limbo* describes the experiences of "Sue", a carer for an adult, who is on a zero hours contract. She reported the pressure to constantly check for shift availability and the huge power of supervisors to allocate or deny shifts. Workers report being unable to turn down shifts without fear that they will be denied future work.²⁰

Workers should not have to rely on insecure jobs to manage family responsibilities. Decent, secure jobs can provide flexible working arrangements that benefit both workers and employers, rather than the one-sided flexibility associated with insecure employment. Good jobs should support people to care for children, older relatives, partners and others, while offering decent terms and conditions and guaranteed hours. Two-thirds (66 per cent) of zero-hours workers would prefer a contract with guaranteed hours.²¹

This is why it is crucial that measures to tackle one-sided flexibility contained in the Employment Rights Act 2025 are implemented effectively.

The TUC urges ministers to move swiftly to:

- implement a robust set of measures on one-sided flexibility that ensures all variable-hours workers (VHWs) have the right to a contract that reflects their normal hours of work, receive decent notice of shifts and are paid full compensation when a shift is cancelled or cut
- set clear ambitions for increasing collective bargaining in the labour market, where workers and employers negotiate pay and conditions, including by cementing strong rights of access and rights to union recognition
- reform rules on employment status so that all workers, including those currently bogusly deemed self-employed, have a strong basic set of rights

¹⁹ TUC polling. Representative online survey of working Britain: adults 16+ who are in full- or part-time employment, weighted to national statistics on gender, age, region, social grade, ethnicity, work status, sector, and experience of furlough:

- Total sample n=2523, including oversamples of BAME workers and people on Zero-Hours Contracts (ZHCs)

- 20-minute questionnaire

- Fieldwork: 29th January – 16th February 2021

²⁰ Work Foundation (2026). *In Limbo* [www.lancaster.ac.uk/media/lancaster-university/content-assets/documents/lums/work-foundation/WF_Inlimbo\(August2026\).pdf](http://www.lancaster.ac.uk/media/lancaster-university/content-assets/documents/lums/work-foundation/WF_Inlimbo(August2026).pdf)

²¹ TUC (30 August 2024). "Over 8 in 10 zero-hours contract workers want regular hours – TUC poll reveals"

". www.tuc.org.uk/news/over-8-10-zero-hours-contract-workers-want-regular-hours-tuc-poll-reveals

- ensure that the Fair Work Agency is resourced and empowered to clamp down on employers who seek to exploit loopholes in the law to keep workers on insecure arrangements.

Employment rights for unpaid carers

The Carer's Leave Act 2023 entitles anyone who is classed as an employee to take up to five days of unpaid leave a year to care for a dependant. Many carers do not identify themselves as carers and therefore may not understand their rights or access their entitlement. Others are aware of their responsibilities but unaware of their legal rights. The introduction of carers' leave was an important development, but unpaid leave does not provide a realistic solution for many workers.

Employees have the same employment protection to take this leave as other forms of family-related leave. This means carers are protected from any discrimination for taking time off. But it has significant limitations. Carers UK's *State of Caring Survey 2024* report reveals that more than half (56 per cent) of working carers cannot afford to take their entitlement to unpaid carer's leave, and that 78 per cent say they need a statutory right to paid carers' leave to better help them to juggle work and care.²²

Research by the FDA trade union found that the statutory right to unpaid carer's leave was not made clear in all workplace policies despite changes in legislation, and there remains low awareness of this right.²³

Employees have a legal right to take time off work to look after a dependant in an emergency.²⁴ To qualify, this must be something you didn't know was going to happen. You have the right to a 'reasonable' amount of time off to deal with the emergency. What is counted as 'reasonable' is at the employer's discretion. Some employers will pay for this time off, but they do not have a legal obligation to do so. Many will therefore only allow unpaid leave or may deduct it from the worker's holiday allowance.

Parents can have a total of 18 weeks of unpaid leave per child throughout their childhood. This leave must be taken in week-long blocks, unless the child has a disability, when it can be in blocks of a day. In either case, parents can usually have no more than four weeks per year, must give their employer at least 21 days' notice and have worked there for at least one year continuously.

Research by the Equal Parenting Project found that over 75 per cent of UK managers believe flexible working increases productivity, and 62.8 per cent believe it boosts motivation.²⁵

²² Carers UK (2024). *State of Caring 2024* www.carersuk.org/media/umaifzpq/cuk-state-of-caring-2024-finances-web.pdf

²³ FDA (June 2026). *86% of carers are not aware of their civil service employer complying with new regulations, FDA report finds* <https://www.fda.org.uk/news/changing-perceptions/>

²⁴ Carers First (2021). *Working when you are caring* www.carersfirst.org.uk/help-and-advice/topics/working-when-you-are-caring/

²⁵ Hall, R. (9 January 2023). "Most managers believe flexible working helps productivity, UK study shows", *The Guardian* www.theguardian.com/money/2023/jan/09/most-managers-believe-flexible-working-helps-productivity-uk-study-shows

The TUC welcomes these enhanced rights, but the government must go further. This is why we are seeking a statutory right to paid carers' leave, ensuring carers are not forced to choose between income and essential care.

Trade unions have told us about the challenges members face accessing the following employment rights and the negative impact this has on their work life balance. Employers should be required to publish any carers' leave or support policies covering all carers including those caring for disabled or ill adults.

Annual leave

The current entitlement to unpaid carers' leave is an important recognition of carers' needs, but it does not provide a practical solution for many workers. For those on low incomes, insecure work or with significant financial commitments, taking unpaid leave may simply not be possible. Without paid leave, many carers are forced to use annual leave to manage their caring responsibilities.

Many workers also face a lack of flexibility when taking their annual leave. For example, the National Education Union (NEU) reports that, generally, education staff are required to take their entitlement to annual leave during school and college closure periods. Consequently, they have reduced flexibility if they need time off to care for someone during term time. This means that when they need time off for dependants in emergencies, they will seek parental leave if they have sufficient time to give notice.

Only in exceptional cases, where NEU officers have negotiated beneficial local contractual arrangements or policy, will they access to special leave or compassionate leave. Since requests for flexible working are very often refused or not granted in full in the education sector, the NEU reports that teachers and support staff are resigning where their employer cannot or will not accommodate their needs as carers. The majority of those resigning in these circumstances are women. A number of these are then seeking employment as agency staff, which costs schools more and means women miss out on the rights and protections securely employed teachers get.

Flexible working

Employees have the right to request a flexible working arrangements from their first day in a job. According to Timewise's 2023 Flexible Jobs Index, while nearly nine in 10 employees want to work flexibly, only six in 10 currently do.²⁶

The Employment Rights Act 2025 amends existing legislation so that:

- employers can only reject a flexible working request where it is reasonable to do so on the grounds of one (or more) of the eight business reasons already set out in primary legislation

²⁶ Timewise (2023). *Timewise 2023 Flexible Jobs Index* <https://timewise.co.uk/article/flexible-jobs-index/>

- if an employer wants to reject a request, they will need to consult with the employee (as they currently do), but in doing so follow a specified process, to be set out in secondary legislation
- if an employer rejects a request, they must explain to the employee why their decision is reasonable.

Taken together, these measures will mean that employers should accept a flexible working request, except where it is not reasonably feasible. Employers will still be able to refuse requests that aren't feasible or reasonable in line with the existing eight business reasons for rejection.

Women's pay and career progression opportunities are often held back by the tensions between caring responsibilities and current ways of organising work and caring responsibilities. Women are often forced to withdraw from full-time employment after having children and enter low paid, part-time work or leave the workforce altogether in order to balance work and care.

With life expectancy increasing and women having their first child at an older age, around 3 per cent of the UK population has caring responsibilities for both adults and children at the same time. This is equivalent to more than 1.3 million people. It is therefore important to consider the challenges for those caring for children alongside those providing care for relatives. That is why alongside improved carer's leave rights to parental leave should be strengthened and more affordable, accessible childcare made available.

While part-time working is often positioned as an active choice, in truth it is often a necessity driven by the lack of quality flexible jobs and affordable, flexible childcare. TUC polling has found that as many as one in three requests for flexible work are rejected by employers.²⁷

Flexibility at work can take lots of different forms, including the right to predictable hours, working from home, job-sharing, compressed hours and term time working.

Previous studies by King's College London showed that bias against employees who work remotely or flexibly persists, and the study shows how employers' discretion to reject requests may still limit true access.²⁸

As part of its efforts to assist unpaid carers, TUC calls on the government to introduce a duty on employers to publish flexible working options in job adverts and give workers the right to take up the advertised flexibility from day one. If employers feel that a role cannot accommodate any form of flexibility, they should be required to transparently set out the exceptional circumstances that justify this. The criteria which employers can

²⁷ TUC (2 September 2019) *One in three flexible working requests turned down, TUC poll reveals* www.tuc.org.uk/news/one-three-flexible-working-requests-turned-down-tuc-poll-reveals

²⁸ Kings College London (2025). *Flexible working policies not enough to change workplace practices* www.kcl.ac.uk/news/flexible-working-policies-not-enough-to-change-workplace-practices

use to justify refusing requests should also be more tightly drawn and an appeal process should be introduced that allows individuals to scrutinise and challenge the reasons given for rejecting a request.

Greater use of flexible working arrangements without career penalties, such as job-sharing, remote work options, and predictable scheduling, as well as employer-funded carer support scheme, such as emergency backup care and access to advice services, would reduce the impact of both routine and unexpected caring demands.

Extending unpaid carers' leave

The TUC supports the extension of statutory carers' leave from five to 10 days. But unpaid leave alone will not address all barriers faced by carers. For many workers, particularly those on lower incomes, unpaid leave remains inaccessible. Unpaid leave should be viewed as an additional protection and not a replacement for day-one statutory right to paid Carer's Leave.

Research by Carers UK shows that providing just five hours of care per week can have an impact on carers' employment. Caring can be unpredictable, and responsibilities can change daily.²⁹ The Institute for Employment Studies found that the unpredictability of caring was a key barrier to employment, with carers often unsure when they would be available for work.³⁰

While unpaid carers' leave is an important recognition of carers' needs, it does not provide a practical solution for those on low incomes, insecure work or with significant financial commitments. Many of these workers simply cannot afford to take the time off. TUC's preferred model would be a statutory entitlement to at least 10 days of paid carers' leave in each year.

Any extension to this leave entitlement should include a provision for extended carers' leave (unpaid or paid) to be taken in hours (pro rata) where appropriate rather than whole or half days (or periods like whole weeks).

We also believe that the list of those able to take carers leave should be widely drawn and include the following:

- spouse, partner or civil partner
- child/stepchild/foster child
- parent
- parents in law
- grandparent
- relative

²⁹ Carers UK (2026). *Tipping Point*

³⁰ Dave, A. et al (2025). *Working Carers: helping carers get into work, and stay in work*
www.employment-studies.co.uk/resource/working-carers-helping-carers-get-into-work-and-stay-in-work/

- friend or neighbour
- person who lives in their household (not tenants, lodgers or employees)
- a person who would rely on them for help in the event of an accident, illness or injury, such as an elderly neighbour
- a person who relies on them to make care arrangements.

It is important that the definition of a dependant is not limited as this could risk excluding large numbers of people who have significant caring responsibilities for those who are not direct family members. In the absence of the right to paid parental leave to manage caring commitments for children it is also important that those caring for children are included within the scope of carers leave. The dilemmas and pressures which require workers to take leave are experienced by those caring for children as well as those caring for adults.

Modern caring relationships do not always fit traditional family structures. Employment rights should reflect the reality of people's lives.

The TUC also believes that the guidance should be drafted to allow for a broad definition of applicable care need.

Guidance should cover:

- parents caring for seriously ill children
- end-of-life and palliative care
- sudden diagnoses and medical emergencies
- long-term conditions requiring ongoing support
- caring for someone with a disability
- mental health-related caring responsibilities
- situations where employees are balancing multiple caring responsibilities.

The guidance should recognise that caring situations are diverse and can change over time.

Extending carers' leave would provide greater flexibility and help workers manage caring responsibilities.

Potential benefits include:

- reduced pressure on carers
- greater ability to remain in employment
- improved wellbeing
- more time to deal with unexpected caring demands
- reduced risk of carers leaving work.

However, if unpaid, the benefit would be limited for workers who cannot afford unpaid time away from work.

Extending carers' leave would provide benefits for employers by:

- improving retention

- reducing unplanned absence
- supporting employee wellbeing
- creating clearer workplace arrangements.

Employers, particularly smaller employers, would benefit from clear government guidance and support on implementation of any new entitlement.

Right to return

The TUC supports the introduction of a statutory right to return to work for all unpaid carers. This could provide important job security for employees in periods when sustained caring responsibilities make remaining in work temporarily impossible.

The definition for eligibility should be as broad as possible to prevent the risk of excluding people with genuine and significant caring responsibilities. The TUC supports self-certification as the primary approach. Carers should not face unnecessary administrative barriers when requesting support. Where additional evidence is needed, it should be proportionate and only requested where genuinely necessary.

The TUC believes a period of four to six months would provide meaningful protection for carers facing significant caring responsibilities. However, flexibility may be needed depending on individual circumstances, particularly for end-of-life care, serious childhood illness and complex or changing care needs.

The right to return has precedent in existing legislation.

Employees have the right to return to their job if they take:

- Paternity leave.
- 26 weeks of maternity or adoption leave, Shared Parental Leave (between both parents) or Bereaved Partner's Paternity Leave.
- Four weeks or less of unpaid parental leave.
- Parental Bereavement Leave.
- Neonatal Care Leave.

If an employee takes an extended period of leave, they would have the right to return to their job or a similar job (if it's not possible to give them their old job). Similar means the job has the same or better terms and conditions.

This applies when an employee takes:

- more than 26 weeks of maternity or adoption leave, Bereaved Partner's Paternity Leave or Shared Parental Leave
- Paternity Leave, Neonatal Care Leave, Parental Bereavement Leave or Bereaved Partner's Paternity Leave which is more than 26 weeks when combined with other parental leave
- more than four weeks of unpaid parental leave.

In some cases, it can be difficult to predict how much time away from work will be required. Some caring situations require longer periods away from work. Without employment protection, carers may feel forced to resign, creating long-term financial and career consequences.

In recent interviews with Carers UK, several carers reported anxiety, depression or physical health impacts caused by caring, and some had taken extended sick leave from work. 77 per cent of carers who had given up employment said they had sometimes gone to work when feeling unwell. Those who felt unsupported by their employer on return from sick leave were more likely to reach a tipping point and leave employment.³¹

Concerningly, this research found that many carers felt they had no choice but to leave their employment. While some said that it was their own decision and that providing full-time care was something that they personally wanted to do, many carers felt that leaving work felt like their only option. For those carers, the tipping point came when multiple pressures accumulated over time and became too difficult to manage, resulting in burnout.

A right to return would help prevent experienced employees leaving the labour market permanently. It would provide security, help carers stay connected to employment, support workforce retention and recognise that caring responsibilities can be temporary and changeable. Carers UK's recent report, *Tipping Point*, found that carers often want to remain in work, not only due to a financial imperative, but to protect their health and wellbeing.

A right to return could benefit employers by helping retain experienced workers. It would reduce staff turnover, retain skills and knowledge, support workforce planning and improve employee trust. Employers would need appropriate guidance to manage temporary absences effectively.

Paid carers' leave

The TUC strongly supports the introduction of a statutory paid carers' leave entitlement of ten days per year, available on a pro-rata basis for part-time workers. The TUC believes paid carers' leave should be paid at the employee's normal rate of pay.

The current entitlement to unpaid carers' leave is an important recognition of carers' needs, but it does not provide a practical solution for many workers. For those on low incomes, insecure work or with significant financial commitments, taking unpaid leave may simply not be possible.

Without paid leave, many carers are forced to:

- use annual leave to manage caring responsibilities
- reduce their working hours

³¹ Carers UK (2026). *Tipping Point*

- take sickness absence because there is no alternative
- leave employment altogether.

We have set out above why this is problematic.

Paid carers' leave would help workers remain in employment while managing essential caring responsibilities. It would also recognise the wider social and economic contribution made by unpaid carers.

If leave is unpaid or set at a rate below a worker's normal income, many carers – particularly those on lower incomes or already facing financial pressures because of their caring responsibilities – may still be unable to afford to take the leave. In these circumstances, the policy would not achieve its intended objective of enabling carers to balance work and care.

It shouldn't be forgotten that many unpaid carers already experience reduced earnings, increased household costs and financial insecurity due to their caring responsibilities. Introducing a statutory entitlement that results in a loss of income risks creating a situation where the carers most in need of support are the least able to access it.

Therefore, the TUC believes paid carers' leave should be a central part of a modern employment rights framework.

The TUC supports a self-certification approach. Workers should not face unnecessary administrative barriers when accessing a statutory employment right, particularly when they may already be dealing with difficult and stressful caring circumstances.

Caring responsibilities can involve complex and changing situations, often involving liaising with multiple health agencies that cannot always be easily evidenced through formal documentation.

A simple written declaration from the employee should normally be sufficient. Where additional evidence is needed, it should be proportionate and only requested where genuinely necessary.

Clear guidance should be provided to employers to ensure that the system is fair, accessible and trusted.

A minimum of ten days would provide meaningful support for common caring responsibilities, including:

- medical appointments
- hospital visits
- care assessments
- changes in care arrangements
- short periods of increased caring need.

A lower entitlement risks creating a right that exists in law but does not provide sufficient practical assistance

The TUC believes paid carers' leave should be paid at the employee's normal rate of pay. Workers should not experience financial hardship because they are providing essential care.

A reduced rate of payment would undermine the purpose of the entitlement and could exclude the workers who need it most.

Full pay would:

- ensure accessibility
- reduce financial stress
- encourage early conversations between workers and employers
- support carers to remain in employment.

The TUC recognises that employers, particularly small businesses, may need support with costs.

Additional guidance and support

Many employees face difficulties accessing information about their rights.

Many workers do not recognise themselves as carers, particularly where responsibilities develop gradually. FDA research found that employers often make assumptions that carers are women who are middle-aged or older and not likely to be men or younger employees.³² Others may be concerned that disclosing caring responsibilities could affect their career progression or how they are viewed at work, resulting in a lack of confidence in approaching employers.

The FDA survey of carers in the civil service found that many people recognised they were carers and could access statutory and workplace/employer support through their managers. This underlines the importance of good employer training and support for managers to be proactive in recognising and supporting the carers in their teams.

Information should be proactively provided and clearly communicated. Employers should work with trade unions and carers organisations to do this.

Workers need both accessible information and confidence that their rights are protected when they use them.

Impact

Introducing a day-one statutory right to paid carers' leave would have a significant positive impact on workers. While the introduction of a week's unpaid carer's leave in 2024 was an important milestone, evidence from Carers UK and the Department for Business and Trade shows that many carers cannot afford to take unpaid leave. As a

³² FDA (2026). *Changing Perceptions: Helping carers in the civil service reach their potential*

result, many continue to rely on annual leave, sickness absence or reduce their working hours instead.

Too many carers are reducing their working hours, turning down career opportunities, or leaving employment altogether because they are unable to balance work and care. Carers who give up paid employment face immediate income loss as well as long-term financial insecurity, and a negative impact on their wellbeing. The consequences of carers leaving employment also impacts businesses, through employee turnover and lost productivity, and the Exchequer through higher benefit spending and forgone taxes.

Modelling by Carers UK indicates that:

- by keeping people in employment, the UK economy could gain up to £8.2 billion a year through improved productivity and reduced recruitment burdens
- implementing five days of paid leave would cost £5.5m to £32m per year
- the absence of paid carers' leave costs the state roughly £1.3 billion annually in lost tax revenues and increased welfare benefits.³³

A set of interlocking pressures, including a lack of access to social care services, employer culture, and a lack of flexibility and access to carers' leave, too often leaves people with no choice but to leave paid employment or reduce their hours. Carers UK found that:

- 47 per cent of carers who are employees are considering reducing their working hours or giving up work
- 21 per cent had taken on a lower paid or more junior role
- 71 per cent of carers who had given up work said they felt stressed about caring when they were in employment.

A wealth of evidence finds that giving up work to care has significant repercussions for carers, particularly affecting their financial situation and their health and wellbeing:

- 43 per cent of carers who had given up work to care said they had 'bad' or 'very bad' mental health, compared with 35 per cent of carers in paid employment.
- 1.2 million unpaid carers live in poverty, and being out of work is the single strongest predictor of poverty for unpaid carers.
- 55 per cent of carers who have reduced their working hours to care said they hadn't been able to save as much for retirement.

Research by the Joseph Rowntree Foundation found that unpaid carers experience an average pay penalty of £414 per month, reaching £628 per month after six years of providing unpaid care.³⁴

³³ Carers UK (2024). *Taking the next step for working carers* www.carersuk.org/reports/taking-the-next-step-for-working-carers-a-new-right-to-paid-carers-leave-report/

³⁴ Joseph Rowntree Foundation (2024) *The Caring Penalty* https://wecareyoucare.info/system/files/uploads/documents/2023-08/the_caring_penalty_0.pdf

Employers currently face the cost of losing experienced workers when carers are unable to balance work and care. Providing clear statutory rights would create consistency across workplaces and remove uncertainty.

Carers UK research shows that paid care leave of at least five days per year could save the UK economy around £3.5 billion a year by supporting people to stay at work, retaining their experience and participation in the labour market.³⁵

Effective support for carers has other knock-on benefits for employers, such as minimising recruitment and replacement costs, reducing unplanned absences, improving morale and promoting equality and inclusion.

The TUC recognises that smaller employers may require additional guidance and support to implement new rights effectively.

The TUC supports Carers UK's call for the introduction of a new statutory entitlement to ten days of paid carer's leave per year for employees with unpaid caring responsibilities. Carers UK evidence that, when employers provide paid carers leave, 5 per cent of carers take it up and the average number of days taken per employee are modest (2.5 days per year). In short, employees only take paid carer's leave when they really need it.

Paid carers' leave would also send an important message that caring is a normal part of working life and should be recognised in employment policy. While the UK was the early adopter of many policies to support unpaid carers and was emulated by other countries, it has now fallen behind other nations. Today, comparable economies across Europe, North America, and Asia already offer short- and long-term paid carers' leave options, often exceeding ten days a year.³⁶

When looking at other countries, research shows that paid schemes enable carers to remain in employment, whereas unpaid schemes fall short. Furthermore, paid leave offsets costs elsewhere in the care system. For example, when California introduced paid carer's leave, it led to an 11 per cent drop in the proportion of older citizens moving into nursing homes.

Therefore, the TUC believes paid carers' leave would provide benefits for employers, workers and positively impact economic growth.

³⁵ Carers UK. *Juggling work and unpaid care* www.carersuk.org/policy-and-research/our-areas-of-policy-work/juggling-work-and-unpaid-care/ accessed 5 September 2026

³⁶ Perryman J. and Hamblin, K. (22 July 2026). "The Case for Paid Carer's Leave", *Centre for Care* <https://centreforcure.ac.uk/commentary/2026/07/the-case-for-paid-carers-leave/>

Employment rights for parents of seriously ill children (Hugh's law)

There is a strong case for providing a right to a period paid time off to parents of seriously ill children which ensures that they retain their employment and their skills and experience are not lost to their employer.

The rationale for paid leave for such parents is similar to that for paid carers' leave, including that the rate should be that of the worker's normal pay rate to ensure that it is a right available to all families.

Awareness among affected families of existing workplace protections available to parents of seriously ill children, including flexible working rights, time off for dependants and other family-friendly employment rights is limited, we believe.

Parents facing a child's serious illness are often dealing with sudden and extremely challenging circumstances. At such times, families may not have the capacity to navigate complex employment rights or identify what support is available.

Therefore, the TUC believes that information about available rights must be clearer, more accessible and actively promoted. Families should not have to rely on employer discretion or personal knowledge to access support during a crisis.

The TUC strongly supports the introduction of a statutory paid leave entitlement for parents of seriously ill children.

A child's serious illness can have an immediate and profound impact on family life. Parents may need to attend medical appointments, remain with their child during treatment, support recovery and manage significant changes to daily life.

Existing employment rights do not provide sufficient protection in these circumstances.

Without paid leave, parents may be forced to:

- take unpaid time away from work they cannot afford
- use all available annual leave
- reduce their hours
- leave employment altogether.

A statutory paid entitlement would provide security at a time when families need it most and would help parents maintain their connection to employment.

The TUC believes the definition of serious illness should be broad, practical and focused on the impact on the child and family.

A serious illness should include situations where a child:

- has a life-threatening or potentially life-limiting condition
- requires significant medical treatment

- requires prolonged hospital treatment
- requires ongoing specialist care or intensive medical intervention
- requires palliative care
- has a condition that substantially affects daily life
- requires significant parental support or presence.

It should not be based on diagnosis alone. The system should recognise that serious illness can involve uncertainty, changing medical circumstances and significant emotional and practical demands therefore the definition should avoid overly narrow criteria that exclude families experiencing genuine and substantial caring pressures.

The TUC believes those eligible for leave should include:

- parents
- adoptive parents
- foster carers with primary responsibility
- guardians
- kinship carers
- individuals with parental responsibility
- other primary caregivers with a significant caring role.

Eligibility should reflect modern family structures and the reality that children may rely on people other than biological parents for essential care and support.

The focus should be on the person providing the caring role rather than a narrow legal definition of family, which can often be outdated.

The TUC believes the process should be accessible and not create unnecessary burdens for families. Therefore, eligibility should be down to self-certification with proportionate supporting evidence where necessary.

Parents dealing with serious childhood illness should not have to undertake complicated administrative processes before receiving support.

Self-certification should normally be sufficient, with additional evidence only requested where genuinely necessary and proportionate.

The system should avoid placing additional pressure on parents, healthcare professionals or employers.

The impact of serious illness often extends well beyond the immediate crisis. The TUC supports an entitlement of more than 12 weeks, with flexibility to reflect individual circumstances and the needs of the child. For many families a serious childhood illness is not a short, discrete event but a prolonged period of treatment, hospitalisation, recovery and uncertainty that often extends well beyond three months. For example, 12

weeks may be sufficient for an initial crisis, but not for sustained treatment and recovery. Children may experience deteriorations, relapses or fluctuating needs

The TUC believes parents should receive their normal rate of pay while taking this leave. A reduced payment would risk excluding the families who need support most, particularly those already facing increased costs associated with illness and treatment. Whereas an entitlement to leave on full pay would reduce parents' anxiety about their finances and allow them to focus on their child's care. A statutory entitlement would ensure that support does not depend on employer generosity or a family's ability to absorb lost income.

We note that only a small number of families are likely to be eligible for such payments meaning that the impact on employers would be limited.

However, the entitlement alone may not be sufficient.

Families experiencing serious childhood illness need both immediate financial support and longer-term employment security.

A paid leave entitlement would help at the point of crisis, while a right to return would protect families where caring responsibilities continue over a longer period.

There would also be significant benefits to employers allowing them to retain skilled workers and reduce staff turnover.

Conclusion

The TUC welcomes the opportunity to highlight the wider challenges faced by unpaid carers and parents of seriously ill children.

Caring responsibilities affect millions of workers, yet current employment protections do not fully reflect the realities of people's lives.

Too many workers face impossible choices between providing essential care, maintaining their income, protecting their employment and looking after their own health and wellbeing.

For too many that results in reduced hours or their exit from the labour market, hitting both their own financial circumstances and meaning that their skills and experience are lost to their employer.

The impact is particularly significant for women, who continue to undertake a disproportionate share of unpaid caring responsibilities.

The TUC believes a comprehensive package of reforms is needed.

This should include:

- A statutory right to paid carers' leave.
- Extended carers' leave provisions.
- A statutory right to return following longer periods away from work.
- Paid leave for parents of seriously ill children.
- Stronger protection against discrimination and detriment because of caring responsibilities.
- Clear guidance for employers and workers.
- Effective monitoring and enforcement.

The TUC also believes that carers' rights must be properly implemented. Employment rights are only effective when workers know about them, can access them easily and are protected from negative treatment when exercising them.

Trade unions have a key role in supporting implementation through workplace representation, collective bargaining and advice to workers.

Caring should be recognised as a shared social responsibility. The costs and challenges of caring should not fall solely on individual workers or families.

Improving employment rights for unpaid carers and parents of seriously ill children would create a fairer labour market, support workforce participation and ensure that people can provide essential care without losing their financial security or connection to work.

Furthermore employers should recognise the important contribution made by working carers and ensure that caring responsibilities do not create barriers to recruitment, retention, progression or participation at work.

Employers should consider carers within equality impact assessments and workplace policies, recognising that changes to working arrangements, locations, hours or duties can have a particular impact on employees with caring responsibilities.

Line managers should receive training and guidance so that these arrangements are implemented consistently and sensitively.

Employers should have clear and accessible policies on carers' leave and other forms of family and caring-related leave, setting out employees' statutory rights and any enhanced contractual rights. Employers should seek to provide paid leave for caring responsibilities wherever possible, recognising that unpaid leave may not be financially accessible to all workers.

Flexible working should be provided as a genuine option for carers, including consideration of flexible hours, compressed hours, job sharing, remote or hybrid working and other arrangements that enable employees to balance work and caring responsibilities.

Employers should also support carers when their circumstances change, including through discussions about temporary or permanent changes to working arrangements, redeployment or other appropriate options where these are needed to enable an employee to remain in work.

Support and guidance on managing employees with caring responsibilities should form part of management training, alongside a clear expectation that managers will approach caring responsibilities with fairness, consistency and sensitivity.

Employers should work with trade unions to identify and remove barriers that may prevent carers from fully participating and progressing at work and monitor the impact of workplace policies on carers, including through equality monitoring and engagement with recognised trade unions.

The TUC believes that supporting working carers is not simply about individual workplace adjustments. It is about creating workplaces that recognise that workers have lives and responsibilities outside of work and ensuring that caring responsibilities do not result in workers being forced out of employment, disadvantaged in their careers or excluded from opportunities.

Trade unions have an important role to play in negotiating policies and workplace arrangements that support carers and in ensuring that flexibility and family-friendly rights are available fairly across the workforce.