

# Government consults on new employment rights for unpaid carers and parents of seriously ill children

On 9 June 2026, the Department for Business and Trade launched a consultation on potential new employment rights for unpaid carers and parents of seriously ill children. In this briefing, we consider the proposals and what they mean for employers.

## What are the proposals affecting carers?

The consultation looks at whether the current framework for supporting carers is working effectively and whether additional rights are needed.

Currently, those with caring responsibilities have a right to take up to one week's unpaid carer's leave in a 12-month period – you can read more about this right in our detailed briefings [here](#) and [here](#). Carers may be able to take other relevant forms of leave where they meet the eligibility requirements, such as unpaid time off for dependant emergencies, unpaid parental leave or neonatal care leave. Employees may also request temporary or permanent flexible working arrangements. The consultation asks whether these rights are sufficiently understood and whether further guidance would help both employers and employees navigate them more effectively.

In terms of new rights, the consultation sets out three key proposals:

- **Extending unpaid carer's leave:** one of the simpler proposals under consideration is an increase to the current entitlement of one week's unpaid carer's leave per 12 months to between six and ten days or more. This change would address a concern raised by many carers, namely that one week's leave simply does not go far. Also under consideration is the possibility of widening the purpose of carer's leave to allow carers time off to rest and recuperate or maintain their own health and wellbeing. The Government is seeking evidence on the impact of any increase, particularly on smaller employers and businesses where covering absences at short notice can be more difficult.
  
- **Paid carer's leave:** back in its *Make Work Pay* plan, the Government committed to considering the case for introducing paid carer's leave. The Government's view is that unpaid leave is of limited value to some carers because they simply cannot afford to take unpaid time away from work. It is, therefore, exploring whether a paid entitlement would help carers remain in employment and make greater use of this right. A number of options are under consideration, including the length of any entitlement, the rate of pay and the evidence employees may need to provide.

- **A statutory right to return:** a significant proposal is the introduction of a statutory right to return following an extended period of carer's leave of up to 12 months. The proposal is broadly modelled on the protections that apply following return from maternity leave. An employee would be able to take a longer period away from work to deal with intensive caring responsibilities, while retaining the right to return to their role, or, in some circumstances, a suitable alternative role, on the same terms and conditions. The Government is considering whether the right should apply to all carers, or only in limited situations, such as end-of-life care or where a parent is caring for a seriously ill child. For employers, this proposal is likely to have much greater practical implications than a simple enhancement to the carer's leave entitlement because it would require the employment relationship to be preserved throughout what could be a potentially lengthy absence.

## **What are the proposals affecting parents of seriously ill children?**

The consultation also considers whether new employment protection should be introduced for parents and carers of seriously ill children.

Currently, there is no specific statutory right for employees to take paid leave when a child receives a serious health diagnosis. While parents may be able to rely on existing rights (for example, paid annual leave, unpaid carer's leave,

unpaid time off for dependant emergencies or unpaid parental leave) there is no equivalent to the specific paid leave entitlement that is available to parents of babies receiving neonatal care.

The proposal – often referred to as “Hugh’s Law” in memory of Hugh Menai-Davis who died from cancer aged six – would create a new statutory paid leave entitlement following a child being diagnosed with a serious illness. One of the most important questions will be how “serious illness” is defined. The broader the definition, the more people will potentially qualify, the narrower the definition, the greater the risk that families facing genuine difficulties are excluded. The Government is seeking views on how this should be defined, as well as the length of the leave entitlement.

### **What does this mean for employers?**

At this stage, not very much. The Government is consulting on possible options rather than proposing definite legislative changes, and no decisions have yet been taken. However, the consultation suggests a shift towards treating caring responsibilities as a workplace issue requiring more structured support, rather than relying primarily on flexible working and existing unpaid leave arrangements.

Many employers already provide support through flexible working arrangements, compassionate leave policies or enhanced carer’s leave. This may be a good opportunity to review those arrangements and consider whether they would remain appropriate if statutory rights are expanded in the future.

The consultation closes on **1 September 2026**. Employers, representative bodies, carers and parents are all encouraged to provide evidence and feedback before the deadline. The Government will publish its response in due course and any legislative changes are unlikely to be introduced before 2027.

[Consultation on employment rights for carers and parents of seriously ill children](#)

**BDBF is a leading employment law firm based at Bank in the City of London. If you would like to discuss any issues relating to the content of this article, please contact Amanda Steadman ([AmandaSteadman@bdbf.co.uk](mailto:AmandaSteadman@bdbf.co.uk)), Rose Lim ([RoseLim@bdbf.co.uk](mailto:RoseLim@bdbf.co.uk)) or your usual BDBF contact.**