

Time off for dependants

By law, anyone [legally classed as an employee](#) can take time off to help a dependant with an emergency. The law is the Employment Rights Act 1996.

A dependant is a close family member or someone who depends on you.

Who counts as a dependant

An employee's dependants can include:

- their husband, wife, civil partner or partner
- their child
- their parent
- a person who lives in their household (not tenants, lodgers or employees)
- a person who relies on them, such as an elderly neighbour

How much time someone can take

The law does not say how much time an employee can take off, or how many occasions. It just says the amount should be 'reasonable'.

The employer should be as flexible as they can be, depending on the employee's circumstances. How much time they need will depend on what has happened.

When to use this type of leave

An employee can take time off if they need to help a dependant when there's an unexpected problem or emergency.

For example:

- helping a dependant who is ill, injured or assaulted
- taking a dependant to hospital when they go into labour unexpectedly
- a child's school unexpectedly closes
- a dependant dies

When to tell the employer

The employee should let their employer know as soon as possible that they need time off. They should explain the reason for the time off and how long they expect it to be.

Where possible, the employee should tell their employer before they are due to start work. However, in an emergency this might not be possible. If this happens, the employee should contact their employer as soon as they can to describe the situation.

They should also let the employer know that the absence is covered by their statutory right to time off for dependants.

Pay

An employer might choose to pay their employees for this type of leave but they do not have to.

To find out what they're entitled to, employees should:

- check their organisation's policy, if there is one
- check their employment contract
- talk to their employer

Alternative types of leave

An employer might offer other types of leave that employees could use instead of time off for dependants.

For example they might be able to take:

- compassionate leave
- unpaid special leave

These types of leave might be alternatives if:

- an employee has an emergency but the right to time off for dependants does not apply – for example, if the person they need to help is not a dependant
- they are a better option for the employee – for example, if the organisation offers pay for compassionate leave, but not for time off for dependants

To find out if they can take these types of leave, employees should check:

- with their employer
- what's written in their contract
- what their organisation's policy says, if there is one

Depending on an employee's individual circumstances, there might be other ways to take time off. For example they might:

- use [holiday entitlement](#), if they want to
- take [sick leave](#), if they're not well enough to work
- take [carer's leave](#), if they can give their employer notice

There are different types of leave employees can take when someone dies.

[Find out about taking time off for bereavement](#)

If there's a problem with taking time off for dependants

If an employee has a problem asking or taking time off for dependants, it's a good idea to raise this informally first. They can do this by [talking with the employer](#). The employer should take the employee seriously, and take steps to [deal with the problem](#).

If raising it informally does not resolve the problem, the employee can [raise a grievance](#). This is where they make a formal complaint to their employer.

If the problem is not resolved

If the employee cannot resolve the problem with their employer by trying informal or formal steps, they could make a claim to an employment tribunal. They can do this if the employer:

- unreasonably refused them time off
- dismissed or selected them for redundancy for asking about or taking time off
- caused them 'detriment' for taking time off

Detriment means someone experiences one or both of the following:

- being treated worse than before
- having their situation made worse

Examples of detriment could be:

- they experience [bullying](#)
- they experience [harassment](#)
- their employer turns down their training requests without good reason
- they are overlooked for promotions or development opportunities
- their employer reduces their hours without good reason

It is automatically unfair to be dismissed or selected for redundancy for taking or asking to take time off for dependants. You do not need to have a minimum length of service to make a claim.

[Find out more about unfair dismissal](#)

Contact the Acas helpline

If you have a question about time off for dependants or other types of leave, you can [contact the Acas helpline](#).