



# Employment Rights Act 1996

## 1996 CHAPTER 18

### PART V

#### PROTECTION FROM SUFFERING DETRIMENT IN EMPLOYMENT

##### *Rights not to suffer detriment*

#### [<sup>F1</sup>47C Leave for family and domestic reasons.

- (1) An employee has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by his employer done for a prescribed reason.
- (2) A prescribed reason is one which is prescribed by regulations made by the Secretary of State and which relates to—
  - (a) pregnancy, childbirth or maternity,
    - [ time off under section 57ZE,]  
<sup>F2</sup>(aa)
    - [ time off under section 57ZJ or 57ZL,]  
<sup>F3</sup>(ab)
  - (b) ordinary, compulsory or additional maternity leave,
    - [ ordinary or additional adoption leave,]  
<sup>F4</sup>(ba)
    - [ shared parental leave,]  
<sup>F5</sup>(bb)
    - [ carer's leave,]  
<sup>F6</sup>(bc)
  - (c) parental leave,
    - [ <sup>F8</sup> ... paternity leave,]  
<sup>F7</sup>(ca)
    - [ parental bereavement leave,] or  
<sup>F9</sup>(cb)
  - (d) time off under section 57A.

---

*Changes to legislation: Employment Rights Act 1996, Section 47C is up to date with all changes known to be in force on or before 14 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (3) A reason prescribed under this section in relation to parental leave may relate to action which an employee takes, agrees to take or refuses to take under or in respect of a collective or workforce agreement.
- (4) Regulations under this section may make different provision for different cases or circumstances.
- [ An agency worker has the right not to be subjected to any detriment by any act, or
- <sup>F10</sup>(5) any deliberate failure to act, by the temporary work agency or the hirer done on the ground that—
- (a) being a person entitled to—
- (i) time off under section 57ZA, and
- (ii) remuneration under section 57ZB in respect of that time off, the agency worker exercised (or proposed to exercise) that right or received (or sought to receive) that remuneration,
- (b) being a person entitled to time off under section 57ZG, the agency worker exercised (or proposed to exercise) that right,
- (c) being a person entitled to—
- (i) time off under section 57ZN, and
- (ii) remuneration under section 57ZO in respect of that time off, the agency worker exercised (or proposed to exercise) that right or received (or sought to receive) that remuneration, or
- (d) being a person entitled to time off under section 57ZP, the agency worker exercised (or proposed to exercise) that right.
- (6) Subsection (5) does not apply where the agency worker is an employee.
- (7) In this section the following have the same meaning as in the Agency Workers Regulations 2010 ( S.I. 2010/93)—
- “agency worker”;
- “hirer”;
- “temporary work agency”.]]

#### Textual Amendments

- F1** S. 47C inserted (15.12.1999) by 1999 c. 26, s. 9, **Sch. 4 Pt. III para. 8**; S.I. 1999/2830, art. 2(2), **Sch. 1 Pt. II** (with **Sch. 3 paras. 10, 11**)
- F2** S. 47C(2)(aa) inserted (30.6.2014) by Children and Families Act 2014 (c. 6), **ss. 127(2)(a)**, 139(6); S.I. 2014/1640, art. 3(1)(i)
- F3** S. 47C(2)(ab) inserted (30.6.2014) by Children and Families Act 2014 (c. 6), **ss. 128(2)(a)**, 139(6); S.I. 2014/1640, art. 3(1)(j)
- F4** S. 47C(2)(ba) inserted (8.12.2002) by Employment Act 2002 (c. 22), s. 53, **Sch. 7 para. 26(2)**; S.I. 2002/2866, **art. 2(2)**, **Sch. 1 Pt. 2**
- F5** S. 47C(2)(bb) inserted (30.6.2014) by Children and Families Act 2014 (c. 6), s. 139(6), **Sch. 7 para. 31(a)**; S.I. 2014/1640, art. 3(2)(g)
- F6** S. 47C(2)(bc) inserted (4.12.2023) by Carer’s Leave Act 2023 (c. 18), s. 3(3), **Sch. para. 5**; S.I. 2023/1283, reg. 2
- F7** S. 47C(2)(ca) substituted (3.3.2010) by Work and Families Act 2006 (c. 18), ss. 11, 19, **Sch. 1 para. 30**; S.I. 2010/495, **art. 3(c)**
- F8** Words in s. 47C(2)(ca) repealed (5.4.2015) by Children and Families Act 2014 (c. 6), s. 139(6), **Sch. 7 para. 31(b)**; S.I. 2014/1640, art. 7(n) (with art. 16)

---

**Changes to legislation:** Employment Rights Act 1996, Section 47C is up to date with all changes known to be in force on or before 14 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

---

- F9** S. 47C(2)(cb) inserted (18.1.2020) by Parental Bereavement (Leave and Pay) Act 2018 (c. 24), s. 2(2), **Sch. para. 22**; S.I. 2020/45, reg. 2
- F10** S. 47C(5)-(7) inserted (1.10.2014 for specified purposes, 5.4.2015 for specified purposes) by Children and Families Act 2014 (c. 6), **ss. 129(1)**, 139(6); S.I. 2014/1640, arts. 4(b), 6(e)

**Changes to legislation:**

Employment Rights Act 1996, Section 47C is up to date with all changes known to be in force on or before 14 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 8 Ch. 5 inserted by [2023 c. 20 Sch. para. 2](#)
- Pt. 8A Ch. 1 heading inserted by [2023 c. 46 s. 1\(3\)](#)
- Pt. 8A Ch. 2 inserted by [2023 c. 46 s. 1\(4\)](#)
- Pt. 8A Ch. 3 inserted by [2023 c. 46 s. 2](#)
- Pt. 8A Ch. 4 inserted by [2023 c. 46 s. 3\(2\)](#)
- s. 43K(1)(ca) and word omitted by [2013 c. 24 s. 20\(5\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 43K(1)(ba) by S.I. 2006/1056, Sch. para. 7 is to come into force on the day on which 2005 asp 13, s. 20 comes into force and that provision has never been brought into force)
- s. 43K(2)(ba) omitted by [2013 c. 24 s. 20\(6\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 43K(1)(ba) by S.I. 2006/1056, Sch. para. 7 is to come into force on the day on which 2005 asp 13, s. 20 comes into force and that provision has never been brought into force)
- s. 47C(2)(cc) inserted by [2023 c. 20 Sch. para. 22](#)
- s. 47H inserted by [2020 c. 7 Sch. 7 para. 9](#)
- s. 47AA inserted by [2008 c. 25 s. 37](#)
- s. 47EA inserted by [2023 c. 46 Sch. para. 4](#)
- s. 47EB inserted by [2023 c. 46 Sch. para. 5](#)
- s. 48(1C) inserted by [2020 c. 7 Sch. 7 para. 10\(a\)](#)
- s. 48(1C) inserted by [2023 c. 46 Sch. para. 6\(2\)](#)
- s. 48(1D) inserted by [2023 c. 46 Sch. para. 6\(3\)](#)
- s. 49(8) inserted by [2020 c. 7 Sch. 7 para. 11\(b\)](#)
- s. 49(8) inserted by [2023 c. 46 Sch. para. 7\(4\)](#)
- s. 49C inserted by [2017 c. 16 s. 32\(4\)](#)
- s. 75I(3)(g) and word inserted by [2023 c. 20 Sch. para. 23\(b\)](#)
- s. 80C(2)(bc) inserted by [2023 c. 20 Sch. para. 24\(2\)](#)
- s. 80C(4)(bc) inserted by [2023 c. 20 Sch. para. 24\(3\)](#)
- s. 80EB(2)(f) and word inserted by [2023 c. 20 Sch. para. 25\(b\)](#)
- s. 99(3)(cc) inserted by [2023 c. 20 Sch. para. 28](#)
- s. 101B inserted by [2008 c. 25 s. 38](#)
- s. 104H inserted by [2020 c. 7 Sch. 7 para. 14](#)
- s. 104CA inserted by [2023 c. 46 Sch. para. 9](#)
- s. 105(4B) inserted by [2008 c. 25 s. 39\(3\)](#)
- s. 105(7BC) inserted by [2020 c. 7 Sch. 7 para. 15](#)
- s. 105(7BAA) inserted by [2023 c. 46 Sch. para. 10](#)
- s. 108(3)(gia) inserted by [2023 c. 46 Sch. para. 11](#)
- s. 108(3)(de) inserted by [2008 c. 25 s. 39\(4\)](#)
- s. 108(3)(gn) inserted by [2020 c. 7 Sch. 7 para. 16](#)
- s. 110(3A) inserted by [2002 c. 22 s. 44](#)
- s. 205A(2)(ba) inserted by [2023 c. 46 Sch. para. 16\(2\)](#)
- s. 205A(8A) inserted by [2023 c. 46 Sch. para. 16\(3\)](#)
- s. 225(7)(8) inserted by [2023 c. 46 Sch. para. 17](#)
- s. 227(1)(zb)(zc) inserted by [2023 c. 46 Sch. para. 18](#)