

United Kingdom⁵⁶²

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For comparisons with other countries in this review on leave provision and early childhood education and care services, please see the [cross-country tables](#) at the front of the review (also available individually on the Leave Network website). To contact authors of country notes, see the [members page](#) on the Leave Network website.

1. Current leave and other employment-related policies to support parents

a. Maternity leave (responsibility of the Department for Business, Energy and Industrial Strategy)⁵⁶³

Length of leave (before and after birth)

- Fifty-two weeks: leave can be started from 11 weeks before the beginning of the week the baby is due.
- It is obligatory to take leave during the 2 weeks after childbirth.

Payment, funding and taxation

- Ninety per cent of a woman's average earnings for 6 weeks with no upper limit followed by a flat-rate payment of either GBP£184.03 [€218.93⁵⁶⁴ or

⁵⁶² Please cite as: O'Brien, M., Atkinson J. and Koslowski, A. (2024) 'United Kingdom country note', in Blum, S., Dobrotić, I., Kaufman, G., Koslowski, A. and Moss, P. (eds.) *International Review of Leave Policies and Research 2024*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

⁵⁶³ See <https://www.gov.uk/maternity-pay-leave>. The 6.7 per cent yearly increase in Statutory Maternity, Paternity, Adoption, Shared Parental leave pay and the Maternity allowance is calculated in line with the national Consumer Price Index inflation measure as of September 2023.

⁵⁶⁴ Conversion of currency undertaken for 16 July 2024, using: <https://data.ecb.europa.eu/currency-converter>.

90 per cent of average gross weekly earnings (whichever is lower) for the next 33 weeks. The remaining 13 weeks are unpaid.

- Payments are made to the parent by employers; medium and large businesses can claim back 92 per cent from the Exchequer (central government) and small businesses 103 per cent. This is done through reductions to the amount of National Insurance contributions paid by employers to HM Revenue & Customs.
- Payments (statutory and any employer top up) are taxed if earnings above the personal allowance threshold (currently GBP£12,570 (not changed since 2021/22) [€14,953.96]).

Flexibility in use

- The mother can opt to start her leave at any point from 11 weeks before the beginning of the week the baby is due until the baby is born.
- Mothers can choose to return to employment from 2 weeks after childbirth (or 4 weeks, if they work in a factory).
- Up to 10 'keep in touch with work' days can be spent working for the employer during the period of statutory Maternity leave, without it affecting Maternity leave or pay.

Eligibility (e.g., related to employment or family circumstances)

- Access to employment benefits for all UK citizens and EU citizens who were resident in the UK before 31 December 2020 and with leave to remain in the UK, is based only on employment status, length of service, and an earnings threshold. For non-UK residents, access to employment benefits requires a visa first.⁵⁶⁵ There are a range of visas including general work visas, short-term work visas, and study visas. Different employment benefit rules apply for each visa type.
- Asylum seekers are not normally allowed to work whilst their claim is being considered.⁵⁶⁶ They may apply for permission to work, and so be eligible for employment benefits, if they have not received an initial decision on their claim within 12 months, but this will only be considered if that delay was through no fault of the claimant.
- Women must have 'employee' employment status – not 'worker,' self-employed, or contractor employment status.⁵⁶⁷ Under UK employment law, women who have 'worker,' 'exclusively self-employed,' or 'contractor' employment status are not eligible to receive Maternity leave or pay (they may be eligible for Maternity Allowance, see below). Family rights to leave are contingent on employment status e.g., for a UK father to qualify for Shared Parental leave, he must be an employee with 26 weeks continuous employment and his partner must be employed or self-employed.

⁵⁶⁵ <https://www.gov.uk/browse/visas-immigration/work-visas>

⁵⁶⁶ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/583192/Permission-to-work-v7.pdf

⁵⁶⁷ See: <https://www.gov.uk/employment-status>

- All female employees are eligible for 26 weeks' ordinary Maternity leave, plus a further 26 weeks of additional Maternity leave (AML).
- Female employees who have worked for their employer continuously for 26 weeks, up to the 15th week before the week the baby is due, and who meet a minimum earnings threshold (currently GBP£123 [€146.33] per week), are eligible for Statutory Maternity Pay (SMP), as described above.
- Reasons for ineligibility for SMP include: being exclusively self-employed, not satisfying the continuous employment rule, or having a stillborn baby before the 24th week of pregnancy.
- Women who are not eligible for SMP may be eligible for a Maternity Allowance (MA) of 39 weeks at the flat-rate of GBP£184.03 [€218.93] or 90 per cent of average gross weekly earnings (whichever is the lowest). Women who have recently left work, changed jobs, or are self-employed may be eligible for this payment. To qualify, they must have worked for 26 weeks out of the 66 preceding the expected week of childbirth, and have earned at least GBP£30 [€35.69] per week on 13 of these weeks. Self-employed women must complete a National Insurance claim for Class 2 NICs through self-assessment. Women not eligible for the Maternity Allowance may be eligible for the UK social assistance scheme (Universal Credit).

Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; single parent) or delegation of leave to person other than the mother

- Employed mothers have the right to transfer all Maternity leave to the father, except for the 2 weeks of obligatory leave, i.e., up to 50 weeks are transferable. This period of leave is termed 'Shared Parental leave' (SPL).⁵⁶⁸ There is no requirement for a woman to return to employment before the father can begin taking SPL. Instead, the mother must commit to an employment return date in the future, when she will end her Maternity leave⁵⁶⁹.
- SPL can only be taken in one-week (seven-day) blocks of time. It cannot be taken in a day mode or on a flexible part-time basis. However, legislation does provide for 20 optional 'keep in touch' days for employees taking SPL. This provides the opportunity for employees to complete paid work during the leave period, with the possibility of receiving their full salary for that time (up to a maximum of 20 days) provided their employer agrees. Subject to their employers' approval, parents can take alternating weeks and there is provision for parents to take leave together.
- Each parent can alter leave arrangements up to 3 times (in continuous or discontinuous periods) before the end of week 52 (unpaid from week 40).
- Employers are only legally obliged to agree to continuous block arrangements.

⁵⁶⁸ See: <https://www.gov.uk/shared-parental-leave-and-pay>

⁵⁶⁹ The total period that both parents can be on the shared leave together would be 6 months, although the policy does not stipulate that parents can both be on leave at the same time. Only one payment is given to the SPL couple to share whether on leave together or separately.

- Statutory shared parental pay is available for eligible employees meeting prescribed qualifying requirements, although income replacement levels will not be any greater than the current Maternity leave provision. Notably statutory shared Parental pay does not include eligibility for fathers/partners or mothers to the higher statutory Maternity pay even if SPL is taken during weeks 3-6, after the compulsory first 2 weeks of statutory Maternity leave. That is, partners taking statutory Shared Parental leave will be paid at the lesser of 90 per cent of earnings, or the flat-rate of GBP£184.03 [€218.93] during the 37 weeks of paid leave. The remaining 13 weeks of the first year are unpaid. Shared parental pay is treated as earnings for tax purposes. Any earnings above the personal allowance threshold (currently GBP£12,570 [€14,953.96]) will be subject to deductions for income tax and National Insurance.
- In order to qualify for SPL, an individual needs to meet a length of service qualifying criterion (currently 26 weeks' service with the same employer by the 15th week before the expected week of childbirth); have a partner who meets an economic activity test (i.e., have worked for 26 weeks out of the 66 weeks before the expected week of childbirth and have earned at least GBP£30 [€35.69] in total in 13 of the 66 weeks); and be working for the same employer when they want to take leave. Permission is not required from employers provided leave is taken in a continuous block. If an employee passes the continuous employment test and the other parent or partner passes an economic activity test, the employee is entitled to SPL.
- Entitlements for adopters and intended parents in surrogacy cases are closely aligned with the rights available to birth parents, e.g., no qualifying period for leave; enhanced pay to 90 per cent of earnings for the first 6 weeks (for one parent); and time off to attend introductory appointments. Intended parents in surrogacy and 'foster to adopt' arrangements will also qualify for adoption leave and pay (see below).
- Married couples (including same-sex couples), civil partners, joint adopters, the child's other parent, and partners living with the parent and the child – who share responsibility for the child – are all eligible for SPL.

Additional note (e.g., if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Some employers make additional provisions that go beyond the statutory minimum. For example, research conducted in 2019 found that just over two-thirds of employers in all sectors offered some enhancement on statutory maternity pay.⁵⁷⁰ In relation to contractual pay for SPL offered by individual employers, it is not discriminatory on grounds of sex for employers to enhance maternity pay whilst not enhancing pay for parents on SPL.⁵⁷¹

⁵⁷⁰<https://www.aon.com/unitedkingdom/insights/benefits-and-trends-survey-2019.jsp>

⁵⁷¹ This was confirmed by the UK Court of Appeal in the joined cases of *Ali v Capita Customer Management Ltd* and *Hextall v Chief Constable of Leicestershire Police: Judgment*. Available at: <https://www.judiciary.uk/publications/hextall-v-leicestershire-police-and-capita-v-ali-and-another/>

- Reports from a national government consultation found that parents experienced the Shared Parental Leave and Pay scheme confusing and would welcome reform to make it less complex, including around eligibility rules.⁵⁷² After consideration no fundamental changes were proposed by government but it offered to work with interested partners to raise more awareness of an SPL on-line tool launched in 2021.

b. Paternity leave (responsibility of the Department for Business, Energy and Industrial Strategy)⁵⁷³

Length of leave

- One or 2 weeks, a week being equivalent to the number of days that the individual normally works in a week.⁵⁷⁴

Payment, funding and taxation

- Flat-rate payment of GBP£184.03 [€218.93] per week, or 90 per cent of average weekly earnings, if that is less.
- Paid, taxed and funded as for Maternity leave.

Flexibility in use

- Fathers and partners can take Paternity leave in non-consecutive periods.
- Leave is no longer restricted to the first 8 weeks after birth or placement for adoption. Fathers and partners can take leave at any time in the 1st year.
- The required notice period is reduced to 4 weeks' notice prior to each period of leave (this does not apply to adoption cases).
- If fathers want to change their dates for Paternity leave, they can do so by providing 4 weeks' notice.

Eligibility (e.g., related to employment or family circumstances)

- For eligibility of UK citizens and EU citizens resident in the UK, as well as asylum seekers, please see Maternity leave/eligibility. Men must have 'employee' employment status not 'worker,' 'self-employed' or 'contractor' employment status. Under UK employment law, men who have 'worker,' 'exclusively self-employed,' or 'contractor' employment status are not eligible to receive Paternity leave or pay. Family rights to leave are contingent on employment status.

⁵⁷²Department for Business and Trade (2023) *Parental Leave and Pay Good Work Plan: Proposals to Support Families Government Response*. Available at: <https://assets.publishing.service.gov.uk/media/649c41fcbb13dc0012b2e29b/good-work-plan-consultation-government-response.pdf>

⁵⁷³ See: <https://www.gov.uk/paternity-pay-leave>

⁵⁷⁴ Stipulated as such by the government, except if the father normally works two or three days per week, he would receive 4 or 6 days leave, and if the father works seven days, he would receive 14 days. Available at: <https://www.gov.uk/paternity-pay-leave/leave>.

- Employees must meet four conditions: they are the biological father of the child or also the child's adopter or the mother's husband, partner or civil partner; they expect to have responsibility for the child's upbringing; they have worked continuously for their employer for at least 26 weeks by the end of the qualifying week (i.e., the 15th week before the baby is due) and remain employed at the time of the child's birth; and they provide their employer with at least 15 weeks' notice of their intention to take Paternity leave. Unlike for Maternity leave, there is no distinction between eligibility for leave and pay.
- To qualify for Statutory Paternity Pay (SPP), men must be earning at least GBP£123 [€146.33] per week (before tax), i.e., the minimum earnings threshold.
- Reasons for ineligibility for SPP are the same as for employees claiming SMP, but there is no paternity allowance (equivalent to maternity allowance, MA), for those men who are not eligible for SPP.

Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; single parent); or delegation of leave to person other than the father

- In the case of premature births, the period in which leave can be taken is extended until 8 weeks after the child was due (that is, the requirement to finish Paternity leave within 56 days of the baby's birth is not applicable).
- The individual receives the same amount of leave for multiple births.

Additional note (e.g., if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Additional contributions are more common in large establishments. Employment sector differences were not significant, except that employers in the hospitality, health, and social work industries were the least likely to offer Paternity leave pay enhancements.

c. Parental leave (responsibility of the Department for Business, Energy and Industrial Strategy)

Length of leave

- Eighteen weeks per parent per child.
- Leave is an individual, non-transferable entitlement.
- Only four weeks of leave may be taken in any one calendar year for each child per parent, unless an employer agrees otherwise (i.e., the 18 weeks cannot be taken in one continuous period of time)⁵⁷⁵.

⁵⁷⁵ www.gov.uk/parental-leave

Payment and funding

- None.

Flexibility in use

- Leave may be taken in blocks or in multiples of 1 week, up to, and for no more than, 4 weeks per year unless the employer agrees otherwise.
- Leave may be taken up until the child's 18th birthday.

Eligibility (e.g., related to employment or family circumstances)

- For eligibility of UK citizens, as well as asylum seekers, please see Maternity leave/eligibility. All employees who have completed one year's continuous employment with their present employer and who have, or expect to have, parental responsibility for a child.

Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; single parent); or delegation of leave to person other than the parent

- As the leave is per child, each parent of twins is entitled to 36 weeks.

Additional note (e.g., if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- The statutory scheme is referred to as a fall-back scheme, since the intention is that 'wherever possible, employers and employees should make their own agreements about how Parental leave will work in a particular workplace'.⁵⁷⁶
- Employers may postpone granting leave for up to 6 months in situations where leave-taking would cause significant disruption to the business.
- Some employers go beyond the statutory minimum. Indeed, some employers structure additional employer-based leave policies around the individual entitlement basis of Parental leave rather than the gendered statutory Maternity and Paternity leave policies. Additional contributions are more common in large establishments.

d. Childcare leave or career breaks

No statutory entitlement.

⁵⁷⁶ Department for Business, Innovation and Skills (2014) *The Fourth Work-Life Balance Employer Survey (BIS Research Paper No184)*. London: Department for Business, Innovation and Skills). Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398557/bis-14-1027-fourth-work-life-balance-employer-survey-2013.pdf

e. Other types of leave and flexible working

Adoption leave and pay

- Providing they meet the eligibility criteria for Maternity leave, and its derivative SPL, an adoptive parent (or one of the parents in a joint adoption) is eligible for 52 weeks of adoption leave, paid at 90 per cent of the main adopter's average earnings for 6 weeks with no upper limit, then a flat-rate payment of either GBP£184.03 [€218.93] or 90 per cent of average gross weekly earnings (whichever is lower) for the next 33 weeks. The remaining 13 weeks are unpaid. There is also a right to paid Paternity leave for an adopter not taking adoption leave (if they meet the Paternity leave eligibility criteria).

Time off for the care of dependants

- Employees may take time off to deal with an emergency involving a dependent. A dependent could be a spouse, partner, child, grandchild, parent, or someone who depends on the individual for care⁵⁷⁷. The legislation does not define what is 'reasonable,' since this will depend on the situation⁵⁷⁸. There is no entitlement to payment.
- Some employers go beyond the statutory minimum.
- Employees are entitled to take 5 days of unpaid leave per year to provide or arrange care for a dependant with a long-term care need.

Specific provision for (breast)feeding

- None.

Flexible working

- All employees have a legal right to apply to their employers to work flexibly (e.g., to reduce their working hours or work flexi-time). Employers have a legal duty to consider these requests and may refuse them only on one or more business-related grounds that are set out in the legislation.⁵⁷⁹
- Employees are entitled to make a flexible working request from the first day of their employment and can make 2 requests a year.
- Employers are obliged to process requests within two months.
- Employers who turn down a request must provide the reasons behind the decision.

⁵⁷⁷ www.gov.uk/time-off-for-dependants

⁵⁷⁸ Ibid.

⁵⁷⁹ www.acas.org.uk/media/pdf/1/7/The-right-to-request-flexible-working-the-Acas-guide.pdf

Antenatal appointments and care

- Pregnant employees are permitted paid time off for antenatal care. Fathers are permitted time off to attend 2 antenatal appointments, but it does not have to be paid time off. Potential adopters are allowed time off to attend two adoption appointments.

2. Relationship between leave policy and early childhood education and care policy

The maximum period of post-natal leave is 13.9 months, but most of this is unpaid or low paid; leave paid at a high rate is only available for six weeks of Maternity leave. Leave provision is the same across the UK as it is part of the national government's responsibility for employment policy, but Early Childhood Education and Care (ECEC) policy is devolved to England, Scotland, Wales, and Northern Ireland, and so more heterogeneous; each country has a distinct education and health system, including ECEC.

In England, children aged 3 and 4 years are entitled to 15 hours per week of free ECEC for up to 38 weeks per year; to be eligible for 30 hours (1,140 hours per year) a parent must be working (the same eligibility criteria apply as for Wales) or on statutory leave such as Maternity leave. Compulsory education starts at 5 years.

In addition, subsidised childcare for English parents on Universal Credit has been increased, and by summer 2023 parents will be able to claim financial support upfront rather than retrospectively. Welsh, Scottish and Northern Ireland announcements are outstanding.

In Wales, children aged 3 and 4 years are entitled to 30 hours per week of free ECEC for 48 weeks per year provided that parents meet the eligibility criteria. Some 2 year-olds are entitled to 12.5 hours per week of free ECEC.

In Scotland, children aged three and four years are entitled to 30 hours per week during term time (1,140 hours per year). Some 2 year olds are also eligible. Policy discussions are underway, but have stalled for Northern Ireland, which has the lowest UK ECEC levels: there is 12.5 hours per week of free ECEC during term-time for 3 year olds (475 hours per year); school starting age is four years old. In addition, some 2 year-olds across the UK who meet certain conditions can access a period of free ECEC. There is a gap, therefore, of nearly 2 years between the end of leave and a universal ECEC entitlement and a gap of nearly 3 years between the end of well-paid leave and an ECEC entitlement.

For ECEC attendance levels, see 'relationship between leave and ECEC entitlements' in the cross-country tables at the front of the review.

3. Changes in policy since April 2023 (including proposals currently under discussion)

As the UK Government moves into its last year before a general election (which took place on 4 July 2024), there has been a flurry of policy activity including on leave policies.

Statutory Paternity leave

The law on statutory Paternity leave changed on 6 April 2024. The new rules (set out in Section 1 above) provide for greater flexibility in use for fathers of babies born on or after 7 April 2024.

There has been no change in the maximum duration of Paternity leave, remaining at two weeks or in the rate of pay (see 1b), despite a national petition to parliament to increase fathers/partners Paternity leave entitlement to six weeks paid leave in baby's first year which the Government has formally rejected. These new UK Paternity leave flexibility provisions are weaker than the EU 2019 Work-Life Balance Directive 2019 (2019/1158) which prohibit the imposition of work-related conditions in order to qualify for Paternity leave.

Flexible Working

The revised provisions are set out in Section 1 above.

Carer's Leave

A statutory right for employees to take 5 days of unpaid leave per year to provide or arrange care for a dependant with a long-term care need has been introduced. This new entitlement will be through a revision of the Employment Rights Act 1996 that came into force on 15 April 2024. Through this new law UK will be aligned with the EU Directive 2019 (2019/1158) which introduced a five-day period of carer's leave each year across all EU27.

Neonatal Care (Leave and Pay) Act 2023

There has been delay in legislation on Neonatal Leave and Pay to Parliament⁵⁸⁰ despite being a Conservative Manifesto commitment at the 2019 election. Currently, parents of children that require neo-natal care must use their Maternity or Paternity leave if they need to take time off work. The proposals, eventually went through a Private Member's Bill route, from a different political party, rather than a Departmental-led Bill but will not come into force until April 2025.

The length of neonatal leave will be dependent on how long the baby spends in hospital, with parents entitled to up to 12 weeks of neonatal leave and a minimum

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/872097/neonatal-leave-and-pay-government_response.pdf; <https://www.legislation.gov.uk/ukpga/2023/20/enacted>

entitlement of 1 week (7 days). NCL must be taken in the first 68 weeks of the baby's birth.

The right to receive statutory neonatal care pay ('SNCP') requires 26 weeks of service and earnings on average of at least GBP£123 [€146.33] a week. The level of payment will be the flat-rate payment, currently GBP£184.03 [€218.93] per week, or 90 per cent of average weekly earnings, if that is less.

Protection from Redundancy (Pregnancy and Family Leave) Act 2023

Under the current law, employees on Maternity leave, Shared Parental leave or Adoption leave have special protection in a redundancy situation. Fathers and partners on Paternity leave do not have this protection. The new law, which comes into force from 6 April 2024, extends the priority protection status to pregnant employees and those who have recently returned from Maternity/Adoption leave and Shared Parental leave.⁵⁸¹ The protection is for 18 months from the child's date of birth if notified to employer before the end of Maternity leave (or 18 months from the Expected Week of Childbirth if not notified). If on SPL, mothers, fathers and partners need to take a minimum of 6 weeks' consecutive shared Parental leave before becoming eligible for 18 months of protection.

In addition to these leave-related changes, the national government budget in March 2023 included planned changes to extend ECEC eligibility for England. Children with employed parents will become eligible for 15 hours of free childcare from 2 years (from April 2024) and from 9 months (from September 2024).

4. Uptake of leave

The UK government still does not routinely collect data for uptake of leaves. The most recent publicly available national data is from 2009/10.⁵⁸² The *Millennium Cohort Study* and *Growing up in Scotland* surveys also provide some indication of leave uptake. These studies conduct interviews with parents of representative cohorts of children born in a given time period.

a. Maternity leave

No information available.

b. Paternity leave

⁵⁸¹ <https://www.legislation.gov.uk/ukpga/2023/17>

⁵⁸² Chanfreau, J., Gowland, S., Lancaster, Z., Poole, E., Tipping, S. and Toomse, M. (2011) *Maternity and Paternity Rights and Women Returners Survey 2009/2010* (Department of Work and Pensions Research Report No 777). Available at: www.gov.uk/government/publications/maternity-and-paternity-rights-and-women-returners-survey-200910-rr777

No information available.

c. Parental leave

No information available.

d. Other employment-related measures

No information available.