

United Kingdom¹

Margaret O'Brien (University College London) and **Alison Koslowski** (University of Edinburgh)

April 2018

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, Innovation and Skills)²

Length of leave (before and after birth)

- Fifty-two (52) weeks. A woman can start to take her leave from 11 weeks before the beginning of the week the baby is due. It is obligatory to take leave during the two weeks after childbirth.

Payment and funding

- Ninety (90) per cent of woman's average earnings for six weeks with no ceiling and a flat-rate payment of either GBP145.18 [€164.80]³ or 90 per cent of average gross weekly earnings (whichever is lower) for the next 33 weeks. The remaining 13 weeks are unpaid.
- This payment is administered by employers. Medium and large employers can claim back 92 per cent from the Exchequer and small employers can claim back 103 per cent. This is done through reductions to the amount of National Insurance Contributions paid by employers to HM Revenue & Customs.

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 two weeks after childbirth (or four, if they work in a factory).

¹ Please cite as: O'Brien, M., and Koslowski, A. (2018) 'United Kingdom country note', in Blum, S., Koslowski, A., Macht, A. and Moss, P. (eds.) *International Review of Leave Policies and Research 2018*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

² See <https://www.gov.uk/maternity-pay-leave>

³ Conversion of currency undertaken on 13 June 2018, using: <http://finance.yahoo.com/currency-converter>

- Up to ten '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)

- Women must have an 'employee' employment status not a 'worker', self-employed or contractor employment status⁴. Under UK employment law women who have a 'worker', 'exclusively self-employed' or 'contractor' employment status are not eligible to receive Maternity leave or pay. Family rights to leave are contingent on employment status.
- All women employees are eligible for 26 weeks 'Ordinary Maternity Leave' plus a further 26 weeks of 'Additional Maternity Leave' (AML).
- Women 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, 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 still born baby before the 24th week of pregnancy (DWP, 2015).
- Women who are not eligible for SMP may be eligible for a Maternity Allowance (MA) of 39 weeks at the flat rate of GBP145.18 [€164.80] 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 GBP30 [€34.05] per week on 13 of these weeks. Self-employed women must complete a national insurance claim Class2 NICs through Tax Self-Assessment (DWP, 2015).

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone 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 two weeks of obligatory leave, i.e. up to 50 weeks. This period of leave is termed Shared Parental Leave (SPL)⁵ and replaces a similarly designed instrument, which was called Additional Paternity Leave (APL), under which mothers could only transfer leave to partners after 20 weeks. Unlike APL, there is no requirement for a woman to return to employment before the father can begin taking SPL. Instead, the mother must commit to a return to employment date in the future, when she will end her Maternity leave⁶.
- 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, although parents can take alternating weeks and there is provision for parents to take leave together.
- Each parent can alter leave arrangements up to three times (in continuous or discontinuous blocks) before the end of week 52 (unpaid from week 40).
- Employers are only legally obliged to agree to continuous block arrangements.

⁴ See <https://www.gov.uk/employment-status>

⁵ See <https://www.gov.uk/shared-parental-leave-and-pay>

⁶ 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.

- 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 and does not include the period of 90 per cent of earnings as with Statutory Maternity Pay, i.e. partners taking statutory Shared Parental Leave will be paid at the lesser of 90 per cent of earnings, or the flat rate of GBP145.18 [€164.80] during the first 37 weeks. The remaining 13 weeks of the first year are unpaid.
- In order to qualify for SPL, an individual will need to meet a length of service qualifying criterion (current 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 (have worked for 26 weeks out of the 66 weeks before the expected week of childbirth and have earned at least GBP£396 [€449.52] 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. If an employee meets the continuous employment test and the other parent or partner meets an economic activity test, the employee is entitled to SPL.
- Entitlements for adopters and intended parents in surrogacy cases are more 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 six weeks; and time off to attend introductory appointments. Intended parents in surrogacy and ‘foster to adopt’ arrangements will also qualify for adoption leave and pay.
- 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 Shared Parental Leave.

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, in 2013, 13 per cent of workplaces paid occupational maternity pay, a slight decrease since 2007⁷. Additional contributions are more common in large establishments, public administration and defence, the public sector and those with a union presence.

b. Paternity leave (responsibility of the Department for Business, Innovation and Skills)⁸

Length of leave

- One or two weeks⁹ (a week is the same amount of days that you normally work in a week).

Payment and funding

⁷ Department for Business, Innovation and Skills (2014) *The Fourth Work-Life Balance (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

⁸ See <https://www.gov.uk/paternity-pay-leave>

⁹ Stipulated as such by the government, except if father works normally two or three days per week, he would get four or six days leave, and if father works seven days, he would get 14 days. Available here: <https://www.gov.uk/paternity-pay-leave/leave>

- Flat-rate payment of GBP145.18 [€164.80] a week, or 90 per cent of average weekly earnings, if that is less.
- Funded as for Maternity leave, with employers able to claim back some or all of the payments from the HM Revenue and Customs.

Flexibility in use

- Leave cannot start until the baby is born and must finish within 56 days of the baby's birth or within eight weeks of the due date, if the baby is born prematurely.
- The leave must be taken in one go.

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

- Men must have an 'employee' employment status not a 'worker', 'self-employed' or 'contractor' employment status. Under UK employment law men who have a '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.
- Employees must meet three 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' (the 15th week before the baby is due) and remain employed at the time of the child's birth.
- Men must be earning at least GBP116 [€131.68] a week (before tax) – the 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; lone 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 eight 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 same amount of leave is given for multiple births.

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

- Some employers go beyond the statutory minimum. In 2007, a study found that an increased number of employers with five or more employees (27 per cent up from 18 per cent) offered a longer period of Paternity leave than the statutory minimum. However, an uplift in extra Paternity leave pay did not appear to happen in the same period, reducing slightly to 17 per cent from 19 per cent of employers⁴. Additional contributions are more common in large establishments, the public sector and those with a union presence. Employment sector differences were not significant, except that employers in the hotel and restaurant, and the health and social work industries were least likely to offer Paternity leave pay enhancements.

c. Parental leave (responsibility of the Department for Business, Innovation and Skills)

Length of leave

- Eighteen (18) weeks per parent per child, where each parent can take 18 weeks parental leave, for each child, but not more than four weeks per child in any one calendar year.
- Leave is an individual, non-transferable entitlement.
- Only four weeks of leave may be taken in any one calendar year for each child, unless an employer agrees otherwise (i.e. the 18 weeks cannot be taken in one continuous period of time)¹⁰.

Payment

- None.

Flexibility in use

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

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

- 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; lone 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'¹¹.
- Employers may postpone granting leave for up to six months in situations where leave-taking would cause significant disruption to the business.

d. Childcare leave or career breaks

No statutory entitlement.

¹⁰ See <https://www.gov.uk/parental-leave>

¹¹ BIS 2014 Ibid.

e. Other employment-related measures

Adoption leave and pay

- Providing they meet the eligibility criteria, an adoptive parent (or one of the parents in a joint adoption) is eligible for 52 weeks of adoption leave paid at a flat-rate payment of GBP145.18 [€164.80] a week, or 90 per cent of average weekly earnings if this is less, for the first 39 weeks; the final 13 weeks' are unpaid. There is also a right to paid Paternity leave for an adopter not taking adoption leave (if they meet the eligibility criteria).

Time off for the care of dependants

- Employees may take 'a reasonable amount of time off work to deal with unexpected or sudden emergencies affecting a dependant and to make necessary longer-term arrangements'¹². The legislation does not define what is 'reasonable', 'since this will vary with the differing circumstances of an emergency'¹³. Emergencies are specified as including 'if a dependant falls ill or has been injured or assaulted' or 'to deal with an unexpected disruption or breakdown of care arrangements' or 'to deal with an unexpected incident involving the employee's child during school hours'. There is no entitlement to payment.

Flexible working: the right to request and the duty to consider

- All employees have a legal right to apply to their employers to work flexibly (e.g. to reduce their working hours or work flexitime). Employees need to have worked for their employer continuously for 26 weeks before applying. Employers have a legal duty to consider these requests and may refuse them only 'where there is a clear business ground for doing so ... [and must give] a written explanation explaining why'¹⁴.

Specific provision for (breast-)feeding

- None.

Antenatal appointments and care

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

¹² Department of Trade and Industry, *Frequently asked questions about time off for dependents*. Available at:

<http://webarchive.nationalarchives.gov.uk/+http://www.dti.gov.uk/employment/balancing-work-family-responsible/time-off/index.html>

¹³ Ibid

¹⁴ Department of Trade and Industry, *Frequently asked questions about time off for dependents*. Available at:

<http://webarchive.nationalarchives.gov.uk/20070603164510/http://www.dti.gov.uk/employment/workandfamilies/flexible-working/faq/page21615.html>

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

The maximum period of paid post-natal leave available in the UK is 20 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 national government's responsibility for employment policy but early childhood education and care policy is devolved to England, Scotland, Wales and Northern Ireland and so more heterogeneous. Each have distinct education systems, including early childhood education and care.

In September 2017, for England and parts of Wales access to universal free childcare was expanded to 30-hours (1,140 hours per year) for 3 to 4-year-olds from a previous level of 15 hours (ten hours a week during term-time in Wales). A similar expansion will occur in Scotland by 2020, which currently has 600 hours per year. Policy discussions are underway but have stalled for Northern Ireland, which has the lowest UK ECEC levels of two and a half hours of free childcare every day during term-time. Two-year olds whose parents pass a means test or qualify through their benefit or legal status also have a similar entitlement. So, there is a gap of between four and 16 months between the end of leave and a universal ECEC entitlement, and a gap of nearly three years between the end of well-paid leave and the same entitlement. Levels of attendance at formal services for children under three are average and over three years are above the average for the countries included in this review and for OECD countries. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

3. Changes in policy since April 2017 (including proposals currently under discussion)

In February 2018, the UK government launched a campaign, *Share the Joy*, to encourage more parents to take up the offer of Shared Parental Leave in their child's first year¹⁵. However, there continues to be national debate about the effectiveness of this campaign given inherent design problems embedded within SPL.¹⁶

In March 2018, the House of Commons all-party Women and Equalities Committee published a report *Fathers and the Workplace* following the national consultation in 2017.¹⁷ One of its recommendations included consideration of a new 'use-it-or-lose-it' three months benefit, available to fathers and second parents in their baby's first year - if taken forward this measure would represent a paradigm shift in UK leave policy:

We recommend that, as part of its review of shared parental leave in 2018, the Government undertake an analysis of the costs and benefits of an alternative policy of 12 weeks paternal leave and pay to replace shared parental leave (p. 37).

Over the year concerns have grown about inequalities in eligibility to Maternity and Paternity leave in light of the growth of insecure and self-employment in the UK

¹⁵ See <https://sharedparentalleave.campaign.gov.uk/> and <https://www.gov.uk/government/news/new-share-the-joy-campaign-promotes-shared-parental-leave-rights-for-parents>

¹⁶ See for example, <https://www.theguardian.com/commentisfree/2018/feb/15/men-share-parental-leave-entitlement-women-equality-fathers>

¹⁷ <https://publications.parliament.uk/pa/cm201719/cmselect/cmwomeq/358/358.pdf>

following the Taylor Review of Modern Working Practices (2017). Recommendations to increase access are included in the *Fathers and the Workplace* report:

Fathers who are employees should be eligible for two weeks' paternity leave as a day-one right, similar to maternity leave. Fathers who are agency workers should be eligible for paternity pay with the same eligibility requirements as agency worker mothers have for maternity pay. Self-employed fathers should be eligible for a Paternity Allowance, similar to Maternity Allowance (p. 36).

In terms of ECEC, the roll out of 30 hours free childcare September 2017 and other measures to improve ECEC have been problematic. In March 2018, a cross-party Treasury Committee published an unanimously agreed Report on Childcare¹⁸, in which it makes a series of recommendations to the Government. These include: remove age restrictions on childcare support for parents in training to improve productivity; keep childcare voucher scheme open until winners and losers of discontinuing it are known; pay a higher hourly rate to local authorities for 30-hours free childcare scheme; improve awareness of Tax-Free Childcare scheme and quality of website.

4. Take-up of leave

The UK Government does not routinely collect data for take-up of leaves. This section relies on the most recent publicly available national data: the Maternity and Paternity Rights and Women Returners Survey 2009/10¹⁹. This joint survey for the Department for Work and Pensions with the Department for Business, Innovation and Skills provides a detailed, statistically representative, updated picture of Maternity and Paternity leave, Statutory Maternity and Paternity Pay (SMP and SPP), Occupational Maternity and Paternity Pay (OMP and OPP) and Maternity Allowance (MA). It assesses the impact of changes brought about as a result of the Work and Families Act 2006, and examines mothers' return to work decisions alongside the availability of family friendly employment practices. Telephone interviews took place with 2,031 mothers and 1,253 fathers who had worked in the 12 months prior to the birth of their child, 12 to 18 months after the birth. A further source is the UK government's Fourth Work-life Balance (WLB4) Employee Survey (2012)²⁰, which was carried out in early 2011, though this survey was not as focused on early parenthood as the Maternity and Paternity Rights and Women Returners Survey. The Millennium Cohort Study and Growing up in Scotland surveys also provide some indication of leave take-up. These studies conduct interviews with parents of representative cohorts of children born in a given time period.

Early government estimates from the Department for Business, Energy and Industrial Strategy using HM Revenue & Customs data reports of employer claims are showing a very low take-up of SPL by fathers and co-parents (of between two and eight per cent of eligible parents). Other sources, using a freedom of information request, suggest a take-up of one per cent of eligible parents²¹. In addition, there is public

¹⁸ From <https://publications.parliament.uk/pa/cm201719/cmselect/cmtreasy/757/75702.htm>

¹⁹ 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: <https://www.gov.uk/government/publications/maternity-and-paternity-rights-and-women-returners-survey-200910-rr777>

²⁰ See http://www.esds.ac.uk/doc/7112/mrdoc/pdf/7112_employee_survey.pdf

²¹ See Sarah Gordon, Financial Times, September 17, 2017 accessed at

discussion about discrimination against fathers, with respect to their lack of access to occupational Maternity leave enhancements.

a. Maternity leave

According to the 2009/2010 survey, the mean length of Maternity leave taken by women increased from 32 weeks in 2006 to 39 weeks in 2008; that is by approximately two months in the space of two years. The Work and Families Act's (2006) policy goal of lengthening utilization of paid Statutory Maternity leave (SMP) and Maternity Allowance (MA) from 26 weeks to 39 weeks was successful. However, results show that the remaining period of unpaid leave (i.e. weeks 40 to 52) was less attractive to mothers: just under half (45 per cent) made use of this leave. Duration of maternity pay and length of Maternity leave taken are positively associated, particularly for economically disadvantaged women. Those taking the shortest 'paid' leaves (up to 39 weeks of Maternity leave) were low-earners, part-time workers and the self-employed; while those taking the longest leave were: high earners and those in full-time employment.

The Maternity and Paternity Rights and Women Returners Survey 2009/2010 did not collect systematic data on the exact timing of women's return to work but by 12-18 months after childbirth, three out of four (77 per cent) mothers had returned to employment. As in previous surveys, mothers' decision to return to work was mainly motivated by economic considerations. The factors with the strongest association with returning to work included: employer size and sector, duration of pre-birth job, type of maternity pay received, family structure and mothers' educational levels.

Most mothers who had worked before childbirth had received some type of maternity pay: 42 per cent of mothers received Statutory Maternity Pay (SMP) only; 32 per cent received SMP and Occupational Maternity Pay (OMP), the most generous pay package; four per cent received OMP only; 11 per cent received Maternity Allowance only; and 11 per cent of mothers received no maternity pay. The last group, who received no maternity pay, had the least advantageous employment conditions²².

b. Paternity leave

The 2009/2010 UK-wide survey showed that 91 per cent of fathers took time off around the time of their baby's birth. Of those taking time off, 49 per cent took statutory Paternity leave only, 25 per cent statutory leave plus other paid leave, 18 per cent other paid leave only and five per cent unpaid leave. Those taking statutory Paternity leave were most likely to take the statutory two weeks (50 per cent); 34 per cent took less than two weeks and 16 per cent more than two weeks. The odds of taking Paternity leave were significantly higher for men working in the public sector and where there were family friendly arrangements available in the workplace. Analysis of Scottish cohort data (Growing up in Scotland) for 2011 found that 78 per cent of fathers took some type of leave soon after the birth of their child and that this

<https://www.ft.com/content/2c4e539c-9a0d-11e7-a652-cde3f882dd7b>;

<https://www.ons.gov.uk/aboutus/transparencyandgovernance/freedomofinformationfoi/maternityandpaternityleave>

²² These updated findings are in line with the earlier survey by Smeaton, S. and Marsh, A. (2006) *Maternity and Paternity Rights and Benefits: Survey of Parents 2005 (Employment Relations Research Series, No.50)*. London: Department of Trade and Industry. Available at: <http://www.berr.gov.uk/files/file27446.pdf>

was more likely to be Paternity leave than annual leave²³. The information is reported by mothers and so might not be directly comparable with other studies. Some employers 'topped up' statutory Paternity leave payment: 39 per cent of fathers received full pay for less than two weeks, 33 per cent for two weeks and nine per cent for more than two weeks. Large private and public sector organisations were most likely to give full payment for longer periods of Paternity leave. Small and medium size private sector employers were most likely to pay the minimum statutory rate.

c. Parental leave

Provision and take-up of statutory Parental leave data are not systematically reported in the 2009/2010 survey. Instead paid and unpaid informal Parental leave is reported on as a form of family-friendly arrangement. Findings show that in their first post-birth job five per cent of mothers used 'fully paid' Parental leave, one per cent 'partly paid' Parental leave and five per cent unpaid Parental leave. For employed fathers, 17 per cent used 'fully paid' Parental leave, six per cent 'partly paid' Parental leave and seven per cent unpaid Parental leave. Although the data are not comparable with the 2006 survey they do suggest a rise in uptake of Parental leave by mothers and fathers in the post-natal period.

Findings from the Fourth Work-life Balance (WLB4) Employee Survey (2012) show that only 11 per cent of parents with a child under six years had reported taking Parental leave. Employers were asked whether they were aware of the increase in the amount of unpaid Parental leave that parents can take from 13 weeks to 18 weeks, which came into force in March 2013 under the Parental Leave Directive (2010/2018/EU). A third of employers (33 per cent) – covering 57 per cent of the workforce in establishments with five or more employees – were aware of the increase in unpaid Parental leave. It is noted that fieldwork for the survey took place from May to September 2013, clearly quite soon after the changes came into effect.

Across all employers surveyed, around one in seven (14 per cent) had at least one employee that had taken unpaid Parental leave to look after their children in the previous 12 months. This incidence of unpaid Parental leave is unchanged from WLB3 in 2006 (also 14 per cent). Take-up of Parental leave was less common than that of Maternity or Paternity leave and has remained unchanged since WLB3.

d. Other employment-related measures

Information on take-up of other employment-related entitlements, such as use of flexible working, is taken from survey evidence since there is no requirement for employers to report on this. Results from WLB4 show that 79 per cent of employees stated that they were aware of the right to request flexible working, a significant increase from the baseline period in 2006 where only 42 per cent of employees stated that they were aware of its introduction²⁴. At both time periods, the awareness

²³ Scottish Government, (2015) *Fathers in the Early Years: how do they balance their work and family life?*, Scottish Government Publication; Koslowski, A. and Kadar-Satat, G. (2018) 'Fathers at work: explaining the gaps between entitlement to leave policies and uptake', *Community, Work & Family*, DOI: 10.1080/13668803.2018.1428174

²⁴ Hooker, H., Neathy, F., Casebourne, J. and Munro, M. (2006) *The Third Work-Life Balance Employees Survey: Executive Summary*, *Employment Relations Research Series No.58*. London: DTI.

of the right to request flexible working was lower in those employed in routine and manual occupations.

In 2011, 22 per cent of employees reported requesting a change to working arrangements in the last two years (most commonly, women, parents and those with caring responsibilities). From employees' perspectives, requests were not accepted in 13 per cent of cases. For a further eight per cent, the outcome was uncertain. Although the methodology was different, this refusal rate is higher than that reported by employers in an earlier survey (40 per cent of employers report receiving requests in the previous 12 months, with only nine per cent of these requests refused²⁵).

Between WLB2 and WLB3, the reported levels of take-up had grown as flexible working was becoming more established. In 2013, flexible working was more widely established and mature with at least one form of flexibility available in nearly all organisations. Since WLB3 in 2007, there have not been great increases in employers reporting either take-up or availability of flexible working, except for the take-up of working reduced hours for a limited period. In this survey, flexible working was more likely to be available and taken up in larger organisations, in the public sector, in establishments where there was a higher proportion of female workers, and establishments where there was a union presence. These employers were also more likely to offer more forms of flexibility.

Overall, 40 per cent of employers offering any flexible working practices had received at least one request to work flexibly in the last 12 months, the same proportion as reported in WLB3 (most common in female dominated sectors). Most employers (75 per cent) who had received requests to change working patterns in the last 12 months, reported that the proportion they had been able to accept had stayed the same over the last 12 months, 19 per cent reported an increase and three per cent a decrease. These are similar proportions to those reported by employers in WLB3. As in WLB3, most establishments (91 per cent) had accepted all requests with only nine per cent turning any down and the majority of these only turning down one request. The major reason was that most establishments (65 per cent) had not received any requests for flexible working from men in the last 12 months. It is noted that just over half (56 per cent) of employers who had turned down requests for flexible working in the past 12 months stated that at least three-quarters of the flexible working requests rejected were made by men. As reported in the WLB3 employee survey, male employees are therefore less likely to make a request and more likely to be turned down when they do. According to the Fourth Work-life Balance (WLB4) Employee Survey (2012), 30 per cent of employees with an ill child had worked flexibly – most commonly reported for those employees in the private sector and in professional/managerial occupations.

5. Research and publications on leave and other employment-related policies since April 2017

Please be aware that this is not intended to be a comprehensive list of all publications or research in this area for this country. If you are aware of a publication or research that could be listed in this section, please contact the country note author(s) so that they can include it for the following year.

²⁵ Hayward, B. Fong, B. & Thornton, A. (2007) The Third Work-Life Balance Employer Survey: Main Findings. Department for Business, Enterprise and Regulatory Reform, Employment Relations Research Series, 86. London: BERR.

a. General overview

There is limited research on these statutory entitlements, and also only limited official information on take-up, with none on unpaid leave entitlements. The longest established entitlement is Maternity leave and pay (introduced in 1976) and there have been a number of studies over time looking at the use of this entitlement and showing how this has increased as more women use leave to maintain continuous employment when having children. In the absence of official contemporaneous records, annual surveys and UK cohort studies are providing useful sources of information on patterns of take-up.

b. Selected recent publications

Burgess, A. and Davies, J., (2017) *Cash or carry? Fathers combining work and care in the UK. First report in the Contemporary Fathers in the UK series*. Marlborough: Fatherhood Institute. Available at: <http://www.fatherhoodinstitute.org/2017/contemporary-fathers-in-the-uk/>

A wide-ranging review of research evidence into fathers, work and care in the United Kingdom with recommendations for policy change. It examines how contemporary British fathers manage such reconciliation, and the contexts (cultural, legislative, institutional, social and familial) framing their behaviour. Almost all the findings are drawn from studies of two-parent families. They note that research evidence on fathers who parent their children alone or for part of the time is rare.

Kaufman, G. (2017) 'Barriers to equality: why British fathers do not use parental leave', *Community, Work and Family*. Available at: DOI.10.1080/13668803.2017.1307806

This study investigates reasons for non-use of APL. They find four main reasons: financial costs, gendered expectations, perceived workplace resistance, and policy restrictions. First, most fathers emphasized the role of finances in their leave decisions, sometimes taking annual leave for their second week because statutory pay was not enough. Second, both mothers and fathers largely assumed that mothers would take longer Maternity leave due to gender differences in earnings and a greater emphasis on maternal over paternal bonding. Third, fathers felt that their workplaces would not be fully supportive of longer leave. Fourth, APL provides low pay and little flexibility. Gender plays a prominent role in each of the four themes. Based on their findings, SPL is unlikely to be effective.

O'Brien, M., Connolly, S., Cook, R., Aldrich, M. and Speight, S. (2017) *Inequalities in Access to Paid Maternity & Paternity leave & Flexible Working*. Modern Fatherhood Report. London: Modern fatherhood Project. Available at: <http://www.modernfatherhood.org/publications/inequalities-in-parental-leave-full-report/>

This report examines the eligibility of those in employment to take advantage of statutory leave and flexible working support using nationally representative data from the UK Labour Force Survey (2017) and Understanding Society (2016). The analysis found that significant minorities of men and women are not eligible for paid Maternity or Paternity leave most commonly because they are self-employed or had not worked for their current employer for long enough. The report recommends that rules on eligibility for leave and flexible working need to keep up with new forms of employment.

Chung, H. (2018) 'Women's work penalty' in the access to flexible working arrangements across Europe', *European Journal of Industrial Relations* Available at: <https://doi.org/10.1177/0959680117752829>.

This paper examines male and female workers' access to schedule control across 27 European countries using the European Working Conditions Survey of 2010. It finds that men are less likely to have access to schedule control in male-dominated sectors/jobs, but for both men and women, especially for the latter, female-dominated jobs/sectors provided the least access. The author argues that a 'women's work penalty' found in female dominated sectors varies across European countries.

Chung, H. and Van der Horst, M. (2018) 'Women's employment patterns after childbirth and the perceived access to and use of flexitime and teleworking', *Human Relations* 71:47-72. Available at: <http://dx.doi.org/10.1177/0018726717713828>

This paper investigates whether flexitime and teleworking can help UK women stay employed and maintain their working hours after childbirth. Using the dataset Understanding Society (2009–2014), a large household panel survey, mothers using flexitime and with access to teleworking were found to be less likely to reduce their working hours after childbirth.

Koslowski, A and Kadar-Satat, G. (2018) 'Fathers at work: explaining the gaps between entitlement to leave policies and uptake', *Community, Work & Family*. Available at: DOI: 10.1080/13668803.2018.1428174

In a Scottish nationally representative sample, including non-eligible fathers, it was found that around 78 per cent of fathers took some weeks of leave immediately after the birth of their child, in 2011. Through an employer's audit and in-depth qualitative interviews with fathers, the role of extra-statutory benefits was found to be significant both financially and normatively. Authors argue that the risks of perpetuating socio-economic and class differences in families are high if dependence on extra-statutory entitlements continues.

Moran, J. and Koslowski, A. (2018) Making use of work-family balance entitlements: How to support fathers with combining employment and caregiving, *Community, Work and Family*.

This article reflects on men's dual roles as fathers and employees in relation to formal and informal work policies and practices, with the aim of answering the question: How could fathers feel supported by their work environment to take a more active caregiving role in the lives of their children? Focus groups were conducted within a large public sector organisation in the UK to capture the individual and interactional experiences of fathers. Findings suggest that workplace culture, line manager relationships, the 'modelling' behaviour of peers and gendered leave practices all impact on how fathers feel about using work-family balance policies, and whether they are likely to use them.

c. Ongoing research

Choice, gender equality and love in early parenthood. Katherine Twamley, UCL Institute of Education – Social Science Research Unit. Funded by the British Academy, Leverhulme Early Career Fellowship.

This mixed method study examines love, choice and gender equality and their relations with one another through an empirical study of parent couples taking different Maternity and Paternity leave patterns. The first part is a survey on Parental leave decisions conducted with expectant parents recruited in antenatal clinics in England. The second part follows a subsample of the survey participants from pregnancy until 13 months after the birth of the child, using interviews and multi-

modal (multimedia) diary entries. See Katherine's blog: <https://bothsidesnowblogdotcom.wordpress.com/author/twamleyk/>

Making Room for Dad: Shared Parental Leave & Contemporary Fatherhood project (2015-2017). Dr Emma Banister, Manchester University, and Dr Ben Kerrane, Lancaster University. Funded by the British Academy / Leverhulme
The study aims to explore the experiences of a small group of men, as they become fathers for the first time. Available at: <http://www.research.mbs.ac.uk/makingroomfordad>