

Women and Equalities Committee

Oral evidence: [Fathers in the Workplace](#), HC 943

Wednesday 19 April 2017

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[Watch the meeting](#)

Members present: Mrs Maria Miller (Chair); Tracy Brabin; Philip Davies; Mrs Flick Drummond; Holly Lynch; and Mr Gavin Shuker.

Questions 46–102

Witnesses

I: Neil Carberry, Director, People and Skills, CBI; Paul Deemer, Head of Diversity and Inclusion, NHS Employers; Matthew Creagh, TUC; Jo Swinson, CIPD.

Written evidence from witnesses:

- [Chartered Institute of Personnel and Development](#)
- [Trades Union Congress](#)

Examination of Witnesses

Witnesses: Neil Carberry, Paul Deemer, Matthew Creagh and Jo Swinson.

Q46 Chair: Good morning. Thank you all for coming in today. I know how much time it takes to prepare to give evidence at these sessions, so thank you from the Committee.

This is our second oral evidence session on the topic of fathers in the workplace. As you are aware, the House of Commons will be asked to agree later today to a general election on 8 June and, should that be agreed, Parliament would be dissolved before the Committee has an opportunity to conclude the evidence gathering on this particular inquiry.

However, we do feel that your evidence, along with the incredibly valuable written evidence that we have also received, will remain on the parliamentary record. Whilst we cannot bind a successor Committee in the new Parliament to continue this report, we hope that the quality of the information that we have received will enable any successor Committee to be able to potentially take that forward and use it as a useful base of evidence on which to conclude an inquiry. Your evidence today is incredibly helpful but events, as always in politics, sometimes get in the way.

We have got a lot to cover today. We have got four of you in front of us. We have got a number of sections to go through. We might be brutally quick to make sure that we cover everything in the time allowed, and I apologise for starting a few minutes late.

Q47 Philip Davies: Do you think it is important to have better policies in the workplace for fathers in particular and, if so, why?

Neil Carberry: We have made a transition over the last five to 10 years from thinking about parental policies in the workplace as being primarily just about mothers, which is clearly very important. However, thinking more broadly, there are two reasons why some change is important. Companies are starting to make these changes.

The first thing is we should have care for all of our workers who have caring responsibilities. Clearly those caring responsibilities fall most heavily, often, on the parents of young children. Making it clear that companies support both mothers and fathers in the workplace is important.

The second point is that it is beneficial for companies to make sure that things like leave policies and flexible working policies are equally applied across the workforce, because it both enables fathers to feel more able to ask—and the Working Families research is pretty clear that many fathers currently feel unable to ask—and means mothers taking leave or taking flexible working options are not doing a thing that mothers do but a thing that all workers do. It starts to pick away at that pernicious idea of the mummy track inside businesses—that you choose flexible working and



that therefore you are not going to progress in your career, which is clearly something we need to move away from.

Jo Swinson: I would certainly say it is important to look at how the role of fathers in the workplace can be supported. We know that fathers being able to be involved parents has significant advantages for the child, for the men themselves and indeed for their partners. That is a good thing. Therefore, being able to combine those responsibilities with work is important.

As Neil said, a lot of the focus has been on the challenges for women in the workplace, and indeed this Committee produced an excellent report on the issue of pregnancy discrimination not so long ago. There are some specific issues that predominantly affect women, but there are also some issues that predominantly affect men in their role as fathers and carers. In particular, it is often not assumed that they will have those responsibilities. Culturally it can be much more challenging for them to ask for flexible working and they can feel there is less permission either from line management or from co-workers, which is why this is a very topical and useful issue for this Committee to be looking at and the Government to be addressing.

Q48 **Philip Davies:** You say that it is harder for men to ask for things like that culturally, but is there evidence to suggest that, when they do ask, they are treated differently from how a woman would be treated if she were to ask?

Jo Swinson: I have seen some evidence that men's requests for flexible working are less likely to be approved than women's, not necessarily broken down by whether or not they were a parent. We also know that there are many more women who are working part-time and in other flexible ways, as some of those figures were in the CIPD written evidence to the Committee. We also know from the evidence from the Department for Business, in advance of the shared parental leave policy coming in, that many men say they would like to be able to play more of a role in family life, which suggests there is a perceived barrier. Indeed, many men also felt the perceived impact on their career was one of the barriers holding them back.

Matthew Creagh: We also believe that there should be improved rights for fathers in the workplace. One of the TUC's key concerns is that fathers who find themselves in precarious employment, such as agency work, zero-hours contracts or casual hours contracts, will have no access to the employment rights that would enable them to spend more time with their families.

For example, if you look at the range of rights—parental leave, paternity leave, paternity pay, right to request flexible working and shared parental leave—you will find that a lot of them are dependent on your employment status and being an employee.



HOUSE OF COMMONS

Philip Davies: That is not about rights for fathers; it is just rights for employees across the board. You are masquerading for more rights for people across the board as a fathers' campaign. That is not a fathers' campaign. That is just a "more employment rights for everybody" campaign.

Chair: We are going to come on to that a little bit later.

Philip Davies: I am concerned about rights specifically for fathers rather than just for all and sundry, where people want more employment rights for everybody.

Paul Deemer: I am here to speak, obviously, in respect to the NHS, which is a significant employer, of course, in the UK, with 1.1 million staff in England. In terms of your question about whether there is evidence to suggest that men's or women's requests are received more favourably or not, we do not have specific evidence around that.

What we do do in the NHS is have a staff survey every year that gives us a lot of very good evidence. It is completed by over 400,000 people, and there is a specific question within that survey that relates to how satisfied people are in terms of their flexible working opportunities. Over 50% are satisfied or very satisfied with flexible working opportunities within the NHS. There is a group of about 30% who are fairly ambivalent in terms of not having a particular view on it. There is about 20% of staff who say that they are not satisfied with flexible working arrangements.

Q49 **Philip Davies:** Is that broken down by gender?

Paul Deemer: It is broken down by gender, and I had a quick look at that just before coming today. Actually, it is women who are less satisfied than men in that particular category broken down. However, it is roughly the same. There is not a great discrepancy between the two.

Q50 **Philip Davies:** Either from the public sector or the private sector, can you give us a company or an organisation that is perceived as being the shining beacon of providing best practice for looking after the interests of their fathers in the workplace?

Neil Carberry: We published a series of case studies in November on that. I will give you an example: the law firm Simmons & Simmons appears in that. I am happy to share that piece of work with the Committee after the session.

Q51 **Philip Davies:** What is it they do that makes them such a beacon?

Neil Carberry: It is particularly around being very open with the fact that working flexibly when you are returning to work after a period of leave is something that the firm regards as completely normal for fathers and mothers, that both fathers and mothers might be expected to make a request if they want that, and that that request would not have any long-term detrimental effect on their careers.



HOUSE OF COMMONS

We got into a nasty habit a few years ago of regarding flexible working as a benefit that is offered to staff. If staff work four days a week, companies pay them to work four days a week. It is a contractual arrangement. We need to view it as more about how we run our companies. That clear communication from firms, rather than a law specifically, is one way that we can challenge the deeply engrained cultural expectations that society has of mothers and fathers. It is quite difficult to isolate what happens inside companies from any wider societal debate about how we approach parents.

Q52 **Philip Davies:** Is there a public sector beacon?

Matthew Creagh: NHS Scotland is a good example. There they offer four weeks of parental leave on full pay. Swindon Borough Council is another example. Union representatives there have managed to negotiate paternity pay at 90% of earnings rather than the lower statutory level.

Jo Swinson: The Civil Service is very much worth looking at. The Civil Service enhances shared parental pay in line with maternity pay, and some departments in particular are very good at job sharing and part-time working, including at very senior levels, which is often one of the key barriers. Certainly my experience at the Department for Business was that for both men and women at senior levels there would be a higher rate of part-time working, and making that really work without constraining career choices.

Q53 **Philip Davies:** Would fathers or mothers be the main people who would benefit from improving things for fathers in the workplace? There would not be as much pressure on mothers to have to leave their careers to do all these things, because they get a better response when they ask for time off and things like that. Do you think that ultimately these things would benefit fathers more, mothers more or would they benefit both equally?

Neil Carberry: Potentially there is a win-win-win here. If you look at the work of the Agile Future Forum, which was set up under the coalition Government, there is a clear case for companies to think more actively about the forms of contracts they offer. Fathers clearly benefit from a culture where they get a better work-life balance. They are probably more productive, on the basis that people who can balance their different roles tend to be less stressed and therefore more productive.

Clearly, there is also a benefit for mothers too, because you stop thinking about different tracks in the workplace: "You go off to flexibility and maybe we bring you back full-time in five to 10 years' time, and then we think about progression." Companies are moving away from that very rapidly now. I suspect making sure we are supporting fathers goes hand in hand with effectively supporting mothers.



Jo Swinson: I would add an additional win to that list, which is children and, through that, society more generally, because when you make it more possible for parents to fulfil their work responsibilities alongside their parenting responsibilities, the evidence shows that the children benefit in terms of their development, academically and in their social development. That has to be a good thing for society.

Q54 **Chair:** Can I press you, Neil, on the example you gave? I am sure Simmons & Simmons are an excellent law firm, which will be mostly populated by highly qualified lawyers, not people on lower incomes and lower wages. When we look at the evidence we have got, it is firms like Simmons & Simmons and companies like Deloitte, many of whom have government contracts to think about too, that are coming through with this good practice in work. We do not get examples of firms that may have different employment profiles. Does that not worry you?

Neil Carberry: Things are changing throughout companies. The right to request well over a decade ago now started a conversation inside companies that did lead to things beginning to change. Big household name companies, often with a lot of staff in London, are very visible and can make that commitment very easily. However, most of the CBI's members are small businesses. If I talk to those companies, I see exactly the same approach. It is less formal; they do not have a Government affairs team who are communicating about what they are doing. However, there is clearly in our membership a much more open approach to all of this now than there was five, 10 or 15 years ago.

Is there a differential pace of change across the business community in the United Kingdom? Yes, there is. A lot of that will come, but things are moving in the right direction. Companies themselves are facing pressure from a number of sources to make greater progress on this. Political pressure is one thing. Sitting in a room like this, you feel like political pressure on companies is the most powerful tool. There is strong commercial pressure on companies now. There is staffing pressure as well. We are in a country that does not necessarily have all the labour it needs to run the economy that we want. Making sure that we are enabling people to give their best at work really matters as well.

Paul Deemer: From an NHS perspective, we have 1.1 million staff employed across around 500 separate organisations, and those do vary in terms of their size and scale. We are talking about organisations that have fewer than 250 employees up to some that have nearer to 15,000 or 16,000 staff. I would say my view is that it is the larger employers who are able to do some of this flexible working stuff more effectively, just because of those sheer economies of scale. It does get more difficult as you get to smaller employers. I am sure that is true with the SMEs that Neil is referring to. There is something to be said in that regard.

Jo Swinson: As a related point to that, there was an interesting study by the OECD. They conducted longitudinal studies of children who were born around about the turn of the century and found that, in the UK, one



of the challenges was the short length of paternity leave and the low level of pay for it. That basically meant that the people who were more likely to take that were older, richer, homeowners, predominantly well-off and much more likely to be white. That in itself is an interesting socioeconomic and equality aspect.

If the people who are able to get the benefits of more involved fatherhood are the people who are already more privileged in society, there is an interesting policy challenge there for making sure that does not just become the preserve of people in very well-paid jobs in blue chip firms but is much more widely shared across the economy.

Q55 Holly Lynch: That was all really interesting. We have heard more broadly about some of those challenges facing fathers in the workplace and some of the difficulties from employers' barriers to supporting fathers in the workplace. However, in addition to that I am then thinking about where you have fathers with specific needs. Maybe they have had multiple births or have had twins, or are looking after a child with a disability. How realistic is it that we can ask employers to put in tailored packages of support for those fathers in the workplace? Perhaps coming to the CIPD first, is there support that we should be looking at for employers to deliver that flexible working for those fathers with specific requirements at home?

Jo Swinson: There is a lot of benefit to companies from running flexible working and for that to be part of the normal way of doing business. However, managing that can present different challenges. Managing a team of workers who are all in the same hours every single day is a different challenge from managing people who are working at different hours and different times of the working week.

Actually, that support for line management—good human resources but not just the HR function, because we should remember that most businesses are small or medium-sized and many of those will not have a dedicated HR function—and those skills, such as training up people to be good managers of other people, is crucially important for managing flexible working well, which is important particularly for that group of fathers where flexible working itself has to be flexible. It is not just necessarily about agreeing a pattern of flexible work.

Actually, it is about that pattern being able to change over time. If you have twins—and I have huge respect for anyone who manages the two-babies-at-once challenge—that will be a different set of challenges when they are babies and toddlers from when they go to school, and similarly children with disabilities will have fluctuating needs. Therefore, being able to make sure that flexible work is flexible is vital, and making sure the managers have the skills to deal with that situation sensitively and competently is crucial.

The Government, perhaps, could look to invest in that as part of its plan on industrial strategy and productivity. The CIPD has some interesting



HOUSE OF COMMONS

pilots of providing HR support to small businesses that do not otherwise have those. A people skills pilot, which was run in Stoke, in Glasgow and in Hackney, found that that was an effective way of providing support to those businesses.

Q56 Holly Lynch: You talked about that maybe being tougher in smaller SMEs, Paul. Would you agree with what Jo has just said?

Paul Deemer: I absolutely agree. Yes. It is quite difficult to talk about specific provisions for particular situations along the lines that you described. Obviously in the NHS we work to national terms and conditions of service, so they inevitably are quite generic and quite broad. To have some specific provisions along the lines that you are suggesting might be quite difficult. I agree with Jo, in the sense that the real key to all of this is good management. For all the policies in the world—and, believe me, we have lots of them in the NHS—they do rely on good management and they rely on that manager being given the flexibility and the autonomy to be able to make choices within the scope of a broad policy sphere.

Q57 Holly Lynch: Matthew, can I come back to some of the points that you made earlier? There was a survey in 2016 that found that fewer than 10% of fathers with a child with a disability had revealed that to their employers or to their boss. Just thinking about some of the points you made about increased vulnerabilities in the workplace, it makes it harder when you are facing some of those vulnerabilities, whether it is low pay, unstable hours or things like that, to declare some of those extra requirements in the home. Is that accurate?

Matthew Creagh: Yes. We have recently run some focus groups with fathers who earn between £14,000 and £28,000. They flagged up the insecure work as a key issue that was causing problems. For example, they talked about job insecurity: where they wanted to raise an issue with their employer about potentially taking some family-friendly policies, some of them found that they were not invited back to work the next week because they had been sacked. Of course, you can do that with an agency worker or a zero-hours contract worker.

There is also an issue around income insecurity as well: not knowing what you are going to be earning one week to the next. That is a big problem when you are trying to plan childcare or liaise with your partner about how you are going to look after children.

There is also hours insecurity as well: not knowing your shifts until the last minute. We have recently done a survey of insecure workers at the TUC, and 90% of them have come back pretty much saying, "What we really need is certainty around our shifts so at least we know what hours we are going to be working the next week." There are three key issues there that precarious workers face.

Q58 Chair: Could I just come back to Paul? You were talking about the NHS



and, as an employer, the importance of managers incentivising good management when it comes to retaining these staff who face these sorts of challenges. Given the number of vacancies in the NHS in terms of professional staff, how do you incentivise your managers to be good managers so that they can help people with particular childcare needs or caring responsibilities to come back effectively into the workplace? Do you have a particular management incentive scheme?

Paul Deemer: We do not, I don't think. It is a very good point. We have just done a survey of HR directors across the NHS, and there are two key issues with them at the moment: workforce supply and skills shortage. Those are the things that are keeping HR directors awake at night at the moment. It is quite difficult to incentivise along the lines that you described.

Q59 **Chair:** We incentivise lots of things. Can we not just incentivise our managers to be more accommodating if we have such an acute skills shortage and we see languishing in our constituencies people who could be in the NHS but are not because they cannot get the flexibility they need around their caring responsibilities?

Paul Deemer: I suppose "incentivise" is a word that does not resonate with me properly. What we have done within the NHS, which has been done over a number of years—probably a 15-year period—is create a culture where flexible working is almost the norm, and it is along the lines that Neil was describing, where it becomes part of everyday business. I would like to think that our managers do not need to be incentivised, in the sense that they understand the business benefits of having a flexible workforce and they understand the advantages that brings.

Neil Carberry: There is something internally in terms of how companies run themselves. There was something the CBI said back in November about making this about walking the walk and not just talking the talk on some of this stuff. Managers can get very task-focused. They have a job to do. They have a business to run. They have patients for whom to ensure good quality of treatment.

How we train managers, how we hold them to account and how we say that this stuff is important to their job is a longer term issue. It is a really important tool, and it comes to one of the questions that the Committee probably wants to weigh up, which is: how far is what we are talking about here legislative rights for workers, whether they are fathers, mothers or anyone else, and how far is it about practice by managers in the workplace with permission from the leadership of companies? It is perfectly reasonable for people to challenge businesses and say, "If you measure a manager only on the tasks that you ask them to do, and if they do the tasks well then they progress, how are you measuring them on staff development and building a good team, whether they are fathers, mothers or people with caring responsibilities?" That is a critical point.



Q60 **Chair:** There is also a cost to it, isn't there? Staff turnover has a cost.

Neil Carberry: Yes.

Q61 **Chair:** Therefore, it is relevant to either the private sector or the public sector.

Neil Carberry: Indeed.

Q62 **Mr Shuker:** What is the cost to employers of this win-win-win situation you are talking about?

Neil Carberry: It is a difficult change to make. If we think about our conception of work, it has traditionally been that people turn up to work sometime between 8 am and 9 am and they stay until sometime between 5 pm and 6 pm, and they are in the office or on the factory floor and you can see them and visual management works. It is quite difficult to manage people in a world where you might not see them every day, where their hours are not the same as your hours, and conceptually there can be some resistance to making that change.

However, if we go back to the question that Paul made some comments on, a lot of the win has to be delivered in companies by good employee relations and working with staff individually to meet their needs. It requires moving on from some long-established practices in some cases. That is where a lot of the cost lies.

Q63 **Mr Shuker:** Are you saying that there is not a financial cost to the implementation of these kinds of policies?

Neil Carberry: There is a financial cost if we are talking about substantive changes to the law. However, I am talking about the practice within companies to become more flexible and more supportive of fathers and mothers.

Q64 **Mr Shuker:** Is there a way that we can quantify that financial cost in your mind? Have you done any work on that? Is that something that business look at when they look to implement changes?

Neil Carberry: I am hesitant to stick a finger in the air because we have not done the work on that. I do not know if CIPD have.

Jo Swinson: There are some elements that individual companies can make an assessment of. For example, if a company decides, as many but not enough have, that they will enhance shared parental pay, that will have a cost to those companies, and they can make an assumption of how many men are going to use it and work out what that cost is going to be.

What is harder to quantify is what that means for retention rates. We know that both men and women will seek new employment—and that may be partly as a result of the pregnancy discrimination and those particularly negative effects—partly as a result of a massive life change and wanting something different from their work and perhaps finding that



HOUSE OF COMMONS

their existing employer cannot provide the flexibility they want. If those companies can keep and retain that talent, there is a benefit to them because they do not have the additional recruitment cost and training cost of new employees, but it is harder to quantify that particular cost.

Similarly, on flexible working you get more motivated employees, more productive employees, and it can be hard to exactly quantify that and it can be hard to exactly quantify the additional challenge of managing more complex shift arrangements. Just over a quarter of employers told us in our survey in 2016 that one of the biggest barriers to flexible working was the nature of work employees do at their organisation. In some cases it might be very difficult where you have fixed hours of opening or need to provide cover on shifts. It is not always impossible to accommodate flexible working but it can be more difficult.

Other obstacles that were mentioned included negative attitudes among senior managers, which was 15%, or among line managers and supervisors, which was 14%. That still has a cost, because you have that friction within the workforce of some people thinking this is a great idea and other people perhaps having a different view, and you need to manage those employee relations to take people with you through strong leadership.

Neil Carberry: In many ways, the change a company would make if it is making a decision to move up of its own accord is a classic hockey stick. There will be some upfront costs. There is a lot of change to manage. As Jo said, the challenge is selling the case as to why things will be better in the long-term. If you go back to the work of the Agile Future Forum that I mentioned earlier, they are very clear that there are big business benefits to a more agile way of running businesses generally, albeit that it does have the kind of scheduling issues that Jo has mentioned.

Q65 **Mr Shuker:** Is it possible to quantify in the NHS what these kinds of policies cost?

Paul Deemer: It is interesting that what Jo and Neil are both describing is what we would term "staff engagement" effectively. That, for us, is the big benefit. All of these things around flexible working and good human resource practices hopefully lead to improved staff engagement. We do measure that within the NHS, as I am sure lots of organisations do. Again, there is growing research to show that more-engaged staff are more productive and are more happy staff and you have reduced turnover etc. There are benefits that are being described here.

Q66 **Mr Shuker:** This is really helpful for us, because in the real world, in any business organisation, if you want to make a major change to your practices, you prepare a business case and you have to make that case. Are you, collectively or individually, saying that there is a net financial cost to this kind of move towards more flexible employment practices and policies, or are you saying, "Actually, in the long run, this is likely to help and aid the business and organisation in its profitability, its turnover and



its efficiency”?

Matthew Creagh: On the flip side of what you are saying, there is a positive financial impact to the wider economy and to businesses as well. For example, there was a CEBR report that flagged up that a flexible working environment could contribute £11.5 billion to the wider economy, and that would have a knock-on effect on the commuting time for UK workers of £7.5 billion. That is also looking at the unemployed people who would be attracted back into the workplace through flexible working. That had a staggering benefit of £78.5 billion. There are, therefore, a lot of positive financial impacts as well. There is also what Jo said about the recruitment and retention; it is quite hard to quantify the financial benefits that an employer will have there, but there definitely are financial benefits there as well.

Neil Carberry: For middle manager roles, for instance, companies would typically quantify the cost of recruitment in the thousands, not in the hundreds. Therefore, each instance of that is quite significant. We are seeing that, to the extent companies can navigate a way through this in a way that makes sense to them and their business, there are long-term gains.

Q67 **Mr Shuker:** Are there any areas of the economy where you think that normative model that you have just described, that upwards hockey stick, just would not apply in the same way? We often talk about more professional roles where it is much easier to institute more flexible ways of working because people are used to looking at their smartphones rather than operating a bit of machinery. Are there any sectors where you think there would just be a cost to implementing more flexible working arrangements and someone somewhere has to pick up the cost because it is the right thing to do?

Jo Swinson: We can be very narrow in our definitions of flexible working. In fact most employers really consider it mainly to be about part-time or maybe some flexibility with hours at either end of the day, but there are many more ways of working flexibly: different shift patterns, term-time working and job sharing, which would be another good example. Perhaps first of all we could be more open-minded and promoting a wider range of flexible working options, because it will not be one size fits all and there will be some workplaces for which working from home is not possible. For example, if you are staffing a till in a retail environment that is open at a particular time, you cannot do that job from home. However, there might still be ways of introducing flexibility.

Ford would be a good example of this. Ford have prided themselves on having a very generous maternity package, because they recognise that one of their big problems was having small numbers of women coming in to work in their factories. They have got a largely male workforce and a very generous maternity pay policy. While I would generally want companies to match their shared parental pay policies to their maternity policies, you also would not want to create perverse incentives for



HOUSE OF COMMONS

companies to level down. There might be an example there where a company might say, "Actually, for our specific circumstances, which are quite unique, we judge in the short term that the cost of equalising those is prohibitive, and we might do it in stages or we might do it in a different way." However, those examples are quite rare.

Neil Carberry: That is where there might be a cost, and manufacturing is a classic example of where it is not that it is impossible; it is just that it is a bit more difficult. It requires a bit more effort to think through how you are going to do it, but also it is where the law and practice intersect. Ford is a great example to use. They faced a legal case. Most medium-sized companies are not going to make a decision that places them in legal jeopardy, so some of these decisions are difficult and involve weighing up some really fundamental points. The Ford case was essentially, "Can you have that policy to encourage more women into what is traditionally a male workplace?" That is where employers would be looking to this place and the Government more broadly to give them some security to make the right decisions.

Q68 **Mr Shuker:** Obviously it is good to have you, Neil, from the CBI. I do not want you to speak for the FSB, but do you think they would have a difference of opinion about the costs and benefits of this? In other words, is it harder to do as a small business and is there any substantial evidence that small businesses are less likely to institute these kinds of things voluntarily?

Neil Carberry: Thank you for the opportunity to remind the Committee that the majority of the CBI's members are small businesses. It is a terrible thing that is often put round by some other organisations that we represent large businesses. In our experience the smallest businesses do this best, because people have a personal relationship with the business owner. It may be in the medium-sized businesses where people do not really have an HR team yet but they are still big enough that that personal connection is not quite there. There are some growing pains there with this, but certainly at the smallest end this tends to be done well and done informally.

Q69 **Chair:** Before we move on to Holly's questions, could I just pick up on one piece of evidence that we got from the NASUWT, which I found particularly shocking? They looked at 3,000 cases of requests for flexible working, and a third of them had been declined and they were almost entirely declined for teachers in leadership positions. Given we are very good at patting ourselves on the back for how good the public sector are in this area and given how difficult it is to recruit good teachers, why on earth are we not getting it better in the education sector? Matthew, have you got any thoughts on that? Why is it such a block? When I go into schools and ask them, "Are you employing people flexibly?" the answer is often, "No; very few." Why is there inflexibility particularly in the teaching sector? This is something we brought up in one of our reports with the then Education Secretary when she was looking at employment



practices.

Matthew Creagh: I have two points on that. It goes back to the original problem that fathers face in the workplace around cultural assumptions. Perhaps there is a bit of a culture in traditional working environments where people have not been working flexibly and it is difficult to change that. Perhaps we need to have a think about how those sorts of institutions could be persuaded and incentivised to make change.

The second thing I would like to flag up is about the right to request. It is quite easy for an organisation to turn that request down for any sort of business reason. Perhaps strengthening the legislation to make it more effective would be a way of stopping that as well.

Q70 Holly Lynch: Those two points lead on quite nicely to the next question. Thinking about some of the barriers, do you think that the greatest challenge is changing social norms and expectations about the role of the man in the workplace and at home, or is it about changing the role of the employer?

Matthew Creagh: It is a mixture of both. You want to try to change the culture in the workplace, but for me it is about how you find the levers to try to change the culture, and that should be done through modifying and expanding the scope of employment rights to people who need them. For example, I have already mentioned that an agency worker would not receive any paternity pay. We have had agency workers contact us who have to take a week off unpaid and then go back to work straight away. It seems there should be a right for them to have paternity pay as a day-one right so they can spend time with the mother and their child as well.

Q71 Holly Lynch: You would argue that, in order to change social attitudes, there is a route back to legislative change, perhaps, and expectations on the employer.

Matthew Creagh: If you rights accessible to people, they are going to pick up and take those rights. That is what we found with shared parental leave, for example; Working Families did really good video case studies on shared parental leave. What all those participants said is once they were aware of that right, they started to take shared parental leave. Once they had access to a right, they took it. That would be the same if you installed day-one rights for paternity pay, for example; people would begin to take it and spend the time at home.

Q72 Holly Lynch: Have you found that there any particular groups, whether it is by age, by background or by ethnicity, where some of those social norms, expectations and cultural backgrounds are a greater barrier to embracing what rights there are in the workplace?

Matthew Creagh: Yes, but not so much with ethnicity. It is more that younger workers, for example, are stuck on insecure contracts.

Q73 Holly Lynch: Would you say the Government's decision to deny the



living wage to under-25s is part of those barriers?

Matthew Creagh: Low pay is an issue, but it would be better to raise the statutory pay rates for paternity pay and shared parental pay so that fathers could afford to take the time away from work and support their families that way.

Q74 **Holly Lynch:** I think it was Paul with whom I discussed the role of Government in supporting and incentivising good line managers and good leaders. Is that a role where Government might need to be involved to look at best practice, or is it something organisations like yours, Jo, might deliver in terms of pressure around best practice?

Paul Deemer: We have put a lot of store by good leadership and good management skills, and the NHS puts a lot of resources into making sure that we have good, well-trained managers who are aware of the type of culture that we are trying to create here. It works for us. Equally, we like to share across other sectors as well. There are always things to learn both from other parts of the public sector and from the private sector as well. There is no doubt that it is an important part of this whole area.

Going back to your previous question to Matthew, this area is more about changing cultural and social norms. Workplaces are microcosms of society, essentially. There is a really important role for leaders to play in this regard. I do not know enough about the education sector, but we know from what we have seen that where you have got leadership who display particular good behaviours—because organisational culture is made up of a million behaviours, essentially—and leaders who take paternity leave and who job share etc., that sends a good message to the rest of the workforce. It is a really important role for them to play.

Neil Carberry: I would like to build on that and that point about job sharing. I speak as a governor of a primary school. Parents do not often like job-share teaching arrangements, and we as a school have had to be quite forthright that we do that now. It is more difficult in leadership positions. Certainly one of the areas that CBI members would like to make more progress on is job sharing in more senior roles, because visibility is really important to beginning to change that culture.

I just wanted to pick up on something Matthew said. There is a real challenge when we think about the right legislative framework for this. It is important that we disaggregate rights to leave and rights to pay. There are reasons why employers have a 26-week qualifying period on pay whereas statutory maternity leave is a day-one right. The average agency placement, for instance, is six weeks long. Whether it is appropriate to have a paternity pay policy as opposed to a paternity allowance, which is what we would do for a mother in that situation, is an open question.



We just need to be very clear and careful that we treat the pay element and the leave element as separate issues, because they are separate issues, albeit that the CBI has long held the view that we do need to move to matching the length of available pay to the length of available leave. Moving to 12 months from 9 months is important, and particularly important to improving the uptake of shared parental leave, because in lots of our members' experience so far, typically one of the most common arrangements is that the mother takes six months and then the father takes six months. Only half of that is currently paid.

Q75 Mr Shuker: We have looked at employment rights for people who are employed. However, a huge amount of work now is done in more informal areas such as self-employment. First of all, is that right? Is that a good balance to strike: people switching flexibility in their employment practices for the kinds of rights that we would often want for, perhaps fathers in the workplace?

Jo Swinson: There has been some change in employment models, but it can be easy to overstate how much that has happened. CIPD recently produced a report on the gig economy, and we defined that as people who were undertaking work on online platforms, such as Uber and TaskRabbit. First of all, 79% of people are in traditional employment. This is therefore still a small part of the economy, although it has obviously grown. Interestingly, two-thirds of people in that research said that it was not their main job. Therefore, quite a lot of that is people having a particular job but then they might be driving some shifts with Uber to supplement their income as well. Therefore, you have quite a myriad of different employment patterns and it is a mixed picture, basically.

For some people it works very well, and our earlier research on zero-hours contracts found that job satisfaction is higher for people on zero-hours contracts than for regular employees, but that headline finding portrays quite a change. There are some people who do very well—who have a lot of control over their working hours, who are well-paid and feel like they have a degree of security and flexibility. However, 47% of people in this gig economy study said they did not feel like their own boss. There is also the suggestion that there is a chunk of people who are perhaps not getting the employment rights they ought to be entitled to and there have obviously been some interesting cases in the courts.

It is an interesting area. Flexibility in the labour market is a positive thing. However, we should not be in the scenario that the only way people can get flexibility is through self-employment or the gig economy. There is also some evidence and suggestion that some of the people who have been moving into that pattern of employment have done so because of inflexibility in existing companies or parts of the public sector and third sector. That is a problem that needs to be addressed.



Matthew Creagh: The problem with some of these flexible jobs is you have access to no rights whatsoever. I have already flagged up some of the key problems. Perhaps we could also look at flexible jobs in a slightly different way. For example, why could there not be better part-time jobs or good quality apprenticeships that have employment rights and a learning programme attached to them? Could we start seeing jobs advertised flexibly as a way of making sure that jobs are flexible but workers still have some sort of security? The reality, from what our members tell us, is that you have a lot of people who are on zero-hours contracts and agency workers' contracts who are basically on non-ending contracts, and that is their permanent job. We need to address sorting those people out with some rights that are going to help them spend time with their families.

Neil Carberry: I will pick up on that. The challenge here is that there is a large discussion about the gig economy, whether or not you call it flexibilisation. The mass casualisation of the British labour market is not around the corner. In 10 or 15 years' time, the majority of people will still be where Jo said they were. They will be employees on open-ended contracts, because that is what business want. There is a mutuality of obligation. With our employees, we know they turn up at 9 am and we expect them to be there. In return for that, there are corollary benefits. It is right that we offer a range of rights to our employees that is better than the range of rights companies are expected to offer someone who has come in for a week from an agency to cover someone being away on holiday.

There are clearly transition points between that, but the other thing that is important is that we do not demonise flexible forms of work. Some of the highest employee engagement scores among CBI members are in companies that primarily use zero-hours contracts to engage with staff, because that is the way their staff want to work. They are often young. They are looking for flexibility to tailor around study. We have to give people the ability to look for the contracts that they want. What is important is that we do not get to a position where we are trading off—where we are undercutting employment by self-employment. We are certainly very engaged with the review that Matthew Taylor is running to make sure that is not the case.

As to the idea that some forms of work are inherently vulnerable, whether that is agency or flexible hours contracts, practice shows that is not the case. Certainly some of the CIPD surveys have shown a large number of these flexible workers, even if they are looking for full-time work or fixed-hours work in the long term, have nothing against the way they are working now. A lot of it comes back to how they are treated in the workplace rather than necessarily the legal rights they have.

Q76 **Mr Shuker:** On that, do you think employers do enough to enable that transition for workers who do want to move from more inflexible models of working into employment and being employees? Do you think that



HOUSE OF COMMONS

business are incentivised to do that, or do you accept there is an issue around people becoming stuck in those kinds of contracts?

Neil Carberry: Look at our employment rates. Go into logistics or retail, where agency workers come into places like distribution centres. If they are around for a couple of months and they do well, companies move to get them on to their staff, because we are in a position where companies are looking for that high-quality staffing.

Q77 **Mr Shuker:** Just to keep it on fathers in the workplace, and just lastly from me, do you think that for people that are not employees, the Government have or should have an additional responsibility to guarantee additional rights or additional benefits that are not presently in place, given it is a growing sector of the economy?

Jo Swinson: Our gig economy report found that there is certainly a category of people who may be entitled to rights that they are not effectively having enforced. That does suggest that is a problem the Government need to tackle. You do not want to lose the benefits of flexibility, but there is a suggestion from the research that we have done that there are some people who are vulnerable and the existing system is not working as it should. That is why the Matthew Taylor review is really helpful and CIPD is engaging with Matthew Taylor as he works on his review to really look in depth at these issues, because there might not be straightforward solutions. I am obviously not going to sit here and say, "These are the three things to do." It is the kind of issue that warrants a more in-depth, serious look at it. I welcome the fact that is happening.

Q78 **Mr Shuker:** It sounds like your starting point, if I am paraphrasing your argument correctly, is that the benefits of those more flexible forms of working should be retained, but where there are cases where people should really be classed as employees, that is a better way of tackling it rather than trying to extend those rights across all the different classes of employment, self-employment and so on.

Jo Swinson: Yes. There are people who, if you look at the facts of the case, arguably are employed, and that grey area is where there is a real issue at the moment.

Matthew Creagh: It is a very tricky area for people to self-define as employees or workers, because you have to go to an employment tribunal to do that. How is a low-paid worker going to be able to afford to do that, with the introduction of employment tribunal fees, for example? Perhaps a step in the right direction might be the introduction of a paternity allowance. I think Neil mentioned that as well. For example, the father could have the same sorts of rights equivalent to the maternity allowance. That might be a step in the right direction.

Neil Carberry: I have just a couple of thoughts. It does seem odd or at least in question to me why a statutory maternity leave is a day-one right but a statutory paternity leave and access to shared parental leave is not. For instance, if I am the father of a child, I have to have been employed



by my employer six months before the due date of the baby in order to have access to shared parental leave six months after the baby is born—a full year. That seems to be a little loophole in the law.

- Q79 **Chair:** Jo, you talked in an ungendered way about the results of the work that you have done around the gig economy. We are particularly talking about dads here. Are there particular impacts on dads versus mums, because it could be very different, couldn't it?

Jo Swinson: It is true, and unfortunately the research did not go into that sort of level. That was not one of the issues that particular research explored. I am obviously very happy to send that research report on to the Committee, but it is not possible to extrapolate about mothers and fathers specifically from the work that we did on that report.

- Q80 **Holly Lynch:** The CIPD has argued that it is administratively quite complex to encourage employers to promote shared parental leave. How do you think it needs to change to encourage more employers to be promoting that option?

Jo Swinson: There are two things. One is an issue of leadership, and there is an important role for Government on issues like flexible working and also shared parental leave to be encouraging employers, to be communicating it clearly and to have a programme where that information is taken out to employers.

If you think about when auto-enrolment for pensions came in, for example, there was a very significant campaign to make sure that employers understood what change was happening, and I do not think that a similar level of communication has been in place about shared parental leave. Inevitably year by year there will be an increase in how many employers feel well aware of it. We know, from our research last year, more than seven in 10 employers thought shared parental leave was complicated or very complicated. That is an issue. Part of that is about communication and leadership.

I know, with my non-CIPD hat on, from my former ministerial experience how it is difficult as a policy to legislate for every single type of relationship or circumstance. Just like for maternity leave, the details of a policy needs to account for all of those, but in many cases the ways in which people use it will be more straightforward. The Working Families videos that Matthew mentioned were a good example of how, by using some different case studies, you could explain very simply what looks like a complex policy and how it works in real life.

The other thing I noticed is there are four different forms for notifying employers about shared parental leave, and a little grid about which forms you need to fill in if both parents are taking it or just the mother or just the father. You could have one form, possibly with different sections. It was certainly my request when I was in Government that there be one form that both parents would sign, and then that would



HOUSE OF COMMONS

mean it could go to both employers. They would know the score and you would not need to have employers having to talk to each other. Anecdotally, I have heard that many employers feel they do have to have that communication, and it was always the intention that that would not need to happen.

Therefore, the Government do need to look at all of those ways that it could be made simpler, and there is a review that is planned that could pick up these issues as well as some of the issues about paternity allowance or when it kicks in in terms of day-one right. That would be a sensible thing for the Government to do to tweak and improve the policy.

Q81 Holly Lynch: Would you agree with that, Neil, in terms of supporting your members at CBI?

Neil Carberry: Yes. I am always hesitant to blithely complain about red tape, because often you need a reason for a process not to have some strength in it. Some of the communication that is taking place between employers has been quite helpful. You end up with a company that has got its head around this talking to a company that maybe has not. But simplicity really matters. It is really important that companies can know where they stand quite quickly, so asking parents to set out a plan and making sure that that is sustainable within the business that companies run. The right for request has been successful because there is a backstop of employers being able to say, "No. I cannot actually do this."

It is quite important that we retain that default option for how shared parental leave is taken rather than constantly moving towards ever-greater levels of flexibility, because that then pushes into having more and more and more conversations between the two employers. Keeping the default simple and simplifying the forms, as Jo has suggested, would be the two things that would help, along with genuinely just getting more of us out there talking positively about it. Understanding is still a challenge.

Matthew Creagh: On the reforms to shared parental leave, the statutory levels of shared parental leave pay are too low and make it unaffordable for some fathers to take the time off. It is about half of what someone would earn if they were on a full-time national minimum wage rate. You can see that when you look, again, at the Working Families video case studies. I know I have referred to them before but, if you click underneath it, it says how they were able to afford it, and a lot of those participants were on enhanced rates of pay from work, which made it a financially viable thing to do. If we keep those low pays, we are going to exclude a lot of people who just cannot afford to take the leave.

Q82 Chair: We are talking about leadership here so, in your individual organisations, what is the uptake of shared parental leave and flexible working?



HOUSE OF COMMONS

Neil Carberry: One member of my team is in the office right now working because her husband is on shared parental leave. That was our first case. We are a small organisation at the CBI, so we do not have that many maternity leave periods per year, but certainly we have got quite a high uptake among mothers and fathers working for us.

Paul Deemer: I do not have that information. Sorry.

Jo Swinson: I do not have percentage figures. I know CIPD endeavours to be an exemplar in all of these different areas, given that we advise our members on it, and I am very happy to come back to the Committee with any specific data or numbers of percentage take-up of shared parental leave and flexible working.

Matthew Creagh: Flexible working is a widely adopted policy across the TUC, so a lot of people work from home or at different satellite offices for example. I know of two colleagues who have used the shared parental leave legislation, because we have put a policy in place for that. I am not sure about exact numbers or details.

Q83 **Chair:** It is always interesting for the Committee to know what organisations who appear in front of us do in practice. We are all very good at talking about, particular Members of Parliament, and we do not have very good policies at all here. It is something we are working on. Matthew, again, we, as I have said before, have received evidence that employers can be resistant to requests from fathers for flexible working or part-time working. What have you been doing as the TUC to change that? I used the teachers example before: there is a very high level of unionisation within the teaching profession, yet we are seeing some really quite appalling situations there. What are you doing to change that?

Matthew Creagh: The main thing that unions and the TUC are doing around this issue is encouraging collective bargaining with employers to improve workplace policies and procedures. A union would not just negotiate around pay, for example. They would also try to negotiate with an employer for a more effective work-life balance.

Q84 **Chair:** Why has it not been successful to date? The NASUWT are quite a large teaching union, as I understand, and they are saying that a third of the people asking for flexibility are not getting it, which would suggest your approach to this is not working.

Matthew Creagh: Some of the evidence would show that unions have been quite successful where they have tried to negotiate it. I do have some statistics somewhere.

Q85 **Chair:** Are other unions better than the teaching unions at this?

Matthew Creagh: Across the board, yes. I think it was in last March that we commissioned some research from the workplace employment relations studies, and that showed that if you are in a unionised workplace, you are more likely to have access to three work-life balance



policies more than other workplaces. That includes things like paternity pay, maternity pay and flexible working. There is evidence that, if you are in a unionised workplace, they are more likely to have negotiated better policies and procedures for you.

Q86 **Chair:** Why are the teaching unions not achieving what other unions are doing?

Matthew Creagh: I am afraid I am not sure on that one.

Q87 **Chair:** Is there any feedback you can give us on that? That would be really useful, given the shortage of good quality teachers in this country.

Matthew Creagh: I can speak to my colleague who submitted the NASUWT response and get back to you.

Q88 **Chair:** That would be helpful. Jo, do you want to add anything, particularly in terms of why there is this resistance to allowing fathers to work flexibly? In previous reports we did find the sort of almost token flexibility of working four days a week, which can happen within very professionalised environments, in which someone ends up doing five days' work within four days. I am taking those with a bit of a pinch of salt. Why is this resistance there despite the fact this has been in law for quite a while?

Jo Swinson: The point about working four days and being paid for four days and still working five is a really important point. The other thing that happens is that somebody reduces their hours to, say, three days a week but still has a similar responsibility, and the discretionary stuff that gets cut is all of the networking and the things for career advancement. That again is an additional factor that is problematic.

In terms of the reasons for the resistance, part of it is a general culture of presenteeism in the workplace. This varies a lot. You get some companies that have really embraced a technologically based culture where it is about outcomes and getting the job done. You then have others where it is very much about looking over somebody's shoulder and counting their input to something. It varies a lot from workplace to workplace, but those are old attitudes.

Part of this is about trust in employees as well. If your starting point is that you cannot trust that employees or your workers will get on and get the job done, you are less likely to enable them to work from home or to do different hours when you will not be physically present at the same time as them. Indeed, MPs are well experienced in managing people remotely and having to put trust in constituency members of staff, and know that that brings its challenges but that it also delivers a really positive outcome when it is working well.

It is outdated attitudes, a culture of presenteeism and sometimes there is a bit of "we had to suffer" from the people in the leadership roles: "When I was at the stage of having a young family, I did not get the advantage



HOUSE OF COMMONS

of being able to go home and put my kids to bed and I had to work all of the hours.” There can therefore be a resistance to enabling others to have a different experience.

My sister is a doctor and it was similar when changes to doctors’ hours came in: sometimes senior medics would take the view that they had had to do these ridiculous shifts and asked why it should be any different. That is just engrained attitudes and that is why leadership is so important in changing it: for the people who are in senior roles who are really supportive of this to be showing and demonstrating and role-modelling themselves.

Q89 Chair: Neil, we have got the policies. How can we make them more effective?

Neil Carberry: A number of members of the CBI who have made real change have said it is all about what you do when you are presented with something that does not align with the policy: do you sweep it under the carpet or do you go back and challenge it? It comes back to the things I said earlier about making sure you walk the walk and do not just talk the talk. In fact, we are hosting a conference for businesses next week on learning from each other on inclusion and diversity policies, and we continue to do that because there is a real appetite now in business to work out: “If we know what works to move things forward, how do we then roll that out?” The critical challenge is always individual managers feeling that this is important to them.

It is about training. It comes back to what I said earlier about managing the kind of much more technology-enabled and much more diverse and flexible workplaces that we have now, compared with managing a place where everyone turns up at 8.30 am and goes home at 5.30 pm and you can see them all the day. Building confidence in managers to make the right decisions about that is also important, as is making sure that they are clear that HR is not an outsource provider of people management but support to them as managers.

Last of all, and picking up this point about token flexibility, there is something about having a few examples within each organisation of really meaningful flexibility whether that is a senior job share or someone who is working two and a half or three days a week but still quite senior in the organisation. Those are the things that make individual managers who are teetering on the fence about how to handle this, say, “Right, the organisation means what it says, and therefore I am not taking a risk with my career if I turn round to this member of staff to say, ‘Actually, we can do that’.” Risk aversion among managers is a blocker.

Q90 Chair: If the Government adopted this Committee’s recommendation that all jobs are flexible, how would that affect business?

Neil Carberry: What we have always said is that, wherever possible, companies should advertise jobs as open to flexibility.



Q91 **Chair:** What if every job had to be flexible, other than for very specific reasons that that was not possible?

Neil Carberry: It rather depends on what your definition of “flexibility” is, and clearly if you are running a production line or a customer service line, you need to have some capacity to service customers through the day. We know this has been the challenge in call centres: there are some shifts that everybody wants and some shifts that very few people want.

Q92 **Chair:** What if every teaching job had to be flexible? What would the adverse effects be?

Neil Carberry: Again, it comes back to the definition of flexibility. Is it possible that every class teacher’s job could be a job share? Probably. Would parents want their primary school children taught by a different person each day of the week? Probably not. It comes back to the cultural question.

There are some big cultural questions for us to ask ourselves about where we want somebody there with a name and a face doing this service all of the time or half of the time, and where we want full flexibility. It is a more nuanced debate than just saying, “Every job should be flexible.” Certainly we are very clear that, if companies feel jobs can be done flexibly, they should advertise it that way from the start. That is one of the ways you get applicants coming to interviews who are not scared to discuss what that flexibility is.

Q93 **Chair:** In my estimation, parents want good teachers. That is the first and foremost priority they have for their children. Does anybody else want to add to that?

Paul Deemer: In terms of that flexibility conversation, the advertising is important: how you position a particular role in terms of whether it is flexible or not. Equally the interview is a very important part of the process as well, and there is a strong role there for my profession, human resources, to play in terms of encouraging that conversation at that recruitment process—not just at the point of offer but during the conversation as well during interviews.

There is a generational issue, which Jo was talking about. My generation has been very good in this area in terms of developing work-life balance policies. We have not always practiced what we preach as a generation. The new generation have got different expectations in that regard, and that is a healthy approach and a more challenging approach to some of the aspects of work-life balance. I have mentioned some of the success that we have had in terms of the NHS around flexible working. One of the reasons for that is because of the range of policies that we offer. We have mentioned some things here today, and we have mentioned job share and flexible working in a broad sense. We offer a whole range of policies: part-time working, home-working, compressed hours, annualised hours and term-time working. There are lots of different



HOUSE OF COMMONS

things, and the more that are available, the more take-up you are going to get.

Finally, I was going to say as well—and I am not sure whether this can be addressed within legislation or not—that if you think about it, a lot of the onus around this area is on the women. Women have to notify employers when they are intending to take maternity leave, for appropriate reasons. However, men are not obliged. Unless men want to take leave, there is no obligation on men to notify their employer. Going back to our conversation earlier about the important role of managers, they often might not know that a father is going to be starting a family. The way that we do that is to try to, obviously, encourage that conversation and open culture, but if there is anything in a process that can be done to encourage that notification, that might help as well.

Q94 **Chair:** Why do you not just do that in the NHS?

Paul Deemer: I suppose we could. It is something I will take back.

Q95 **Mr Shuker:** Jo, you are credited as the Minister who, obviously, introduced shared parental leave. I note that you said that your hope was that “the outdated assumption that childcare is only an issue for mums will be firmly put to bed”. How do you think we are doing in regard to that policy and that aim?

Jo Swinson: Rather frustratingly it is hard to get clear figures, partly for the reason that Paul just outlined: for employers to know which men in their workforce have had a child, that data is not necessarily there and particularly the eligibility criteria are different. It looks like the take-up of the policy is roughly in line with what was expected. It is probably in the higher half of the take-up expectation of 2% to 8%, from the various pieces of HMRC and survey data that exist, which, I would say, is a good start but, obviously, my ambition for the policy was that it would really herald a big change over time in the way in which men’s and women’s roles domestically and, indeed, in the economy were perceived. It is a start, but there is a lot more that needs to be done culturally to promote and encourage it through men talking about using it.

Perhaps because of my role in it, lot of guys come up to me if they meet me at an event or whatever and say, “We used shared parental leave. It was absolutely amazing.” I am really struck by how men who have that time bonding with their new baby are the most passionate advocates and often will say how they were surprised at how much they really enjoyed that time. Them talking to other men about it is probably one of the best adverts that you can get. That process really needs to be encouraged and accelerated as much as possible to drive the cultural aspect, and the Government have a role to play in that as well.

Q96 **Mr Shuker:** Just on that, with a bit of distance from your time in Government, do you think without further steps actively taken by Government, it will continue to plateau at 2% to 8%?



Jo Swinson: I will just put my CIPD hat to one side for this. As the policy architect of it, there were certainly things that I wanted to do that were not possible in the political circumstances of the time, such as extending the period of leave that was reserved for fathers, which we know from evidence from Scandinavia is a particular driver of increased uptake.

It would also be very helpful if the pay issue were addressed and ultimately, as was always anticipated with the review, there are categories of men who are not covered in terms of self-employed—that whole idea of having a paternity allowance for different working patterns, which I very much hope will be picked up in the review. I very much saw it as a good starting point and crucial but also something that does need to be built on to maximise its success.

Q97 **Chair:** Neil, this Committee has recommended that there should be a ring-fenced entitlement for second parents of three months. How do you think that would affect employers if the Government were to adopt our policy proposal?

Neil Carberry: The concern in businesses is not the structure of leave but the aggregate amount of time that valued staff are away from work. Clearly, we have talked a lot in this session about what people do when they are at work: flexibility. There is clearly a period where one or other parent is not at work; they are on leave. The general view in the business community is we already have one of the longest periods of available parental leave in the world thanks to the shared parental leave policy.

We also have, thanks to the European directive, an additional unpaid leave right for parents. Businesses, I do not think, would feel that there was a problem with reserving parts of the leave for fathers—or for the second parent, to be more accurate. They would be concerned if we were moving into a period where the shared parental leave period extended. It already extends, thanks to the European Court of Justice ruling on working time and holidays, well into the second year. The answer to this problem is not people being absent from the workplace for even longer. The answer is how we get people back to work in ways that are sustainable for both parents.

Q98 **Chair:** You do not have a problem with the idea of a three-month, ring-fenced entitlement. It is the period over which that three months could be taken.

Neil Carberry: It is additionality. At the moment we have 12 months of absence from the workplace for parents plus whatever the holiday entitlement is. Businesses are concerned about a continually extending period of parental leave for one or either parent, or both parents.

Q99 **Chair:** Do you mean extending it to 18 months or two years?



HOUSE OF COMMONS

Neil Carberry: Yes. Businesses are open to discussion on the actual structure of how parents access that. We are very aware, though, that we must not disadvantage single-parent families in anything that we do.

Q100 **Chair:** You said, when you started to answer that, employers would not want to see the time that valued staff took away from the workplace increased, but if it reduced their turnover of staff, surely that would be an advantage.

Neil Carberry: Our experience is that the longer people are away, potentially the less likely they are to come back.

Q101 **Chair:** Does that go for men and women?

Neil Carberry: Broadly, yes. The whole point of keeping-in-touch days is to make sure that the workplace is not alien to mothers when they come back. A lot of things change. I will give you an example. There are mothers who have taken the full year of maternity leave themselves who left work when David Cameron was Prime Minister and we had not had a referendum on the European Union. A lot can change in a year. Just lengthening the time parents are in aggregate away from the workplace, from a position where we already have long leave, is something businesses would be concerned by.

Q102 **Chair:** My understanding of that research is that more than six months' absence from the workplace can cause the sorts of problems that you talk about. Surely a three-month ring-fenced period would not create those problems.

Neil Carberry: As I say, we are open to discussion about what the right structure is. We entirely understand that there are public policy reasons to want to make sure fathers take more of their leave. We see the evidence from Scandinavia. We restrict ourselves to things that the CBI should comment about. Businesses would be concerned if we were talking about a ever-extended period of leave. The structure of that leave is something that businesses are very happy to work with Government and other authorities on.

Chair: That is really helpful. Thank you. Does anybody else want to comment on that? Are there any other questions from colleagues? Thank you very much indeed for a very comprehensive session. I think there are a couple of things people are going to give us a bit more information about, and the clerks will follow up on that.

Thank you very much for your time this morning. Thank you for the preparation you did; it was an extremely informative session.