

Further written evidence from the Trades Union Congress [RCW0069]

The TUC has been asked to submit responses to the below questions following our oral evidence session on the 31st January 2024.

- ***What more could employers and/or the Government do to facilitate a flexible working culture? – You were answering this point at Q150 before the division bell went, so please do feel free to add to your answer, especially on the tax point that the Chair raised.***
- ***To what extent will the extension of 30 hours free childcare improve women's participation in and return to the labour market?***
- ***What options are available to female employees who rely on wraparound care for school aged children?***
- ***What more could employers and/or the Government do to facilitate a flexible working culture? – You were answering this point at Q150 before the division bell went, so please do feel free to add to your answer, especially on the tax point that the Chair raised.***
- While the right to request flexible working introduced through the Employment Relations (Flexible Working) bill is a step in the right direction, TUC research has found that [one in three flexible working requests](#) are turned down.
- Our research into working mums experiences of flexible working '[Denied and discriminated](#)' found that two in five would not feel comfortable asking for the flexible work they needed at interview stage because they worried they would be discriminated against and rejected.
- Only 36 per cent had asked for all the flexibility they needed in their current job of how their employer might respond and 31 per cent had not asked for any flexibility because of worries that it would be turned down and might lead to discrimination.
- Over half had all or some of their flexible working request turned down. This is similar to recent TUC polling which found that [half of new dads and partners](#) entitled to paternity leave had all or some of their flexible working request turned down, increasing to 64 per cent for those on lower incomes.

- Of the working mums who did work flexibly 86 per cent had experienced discrimination and disadvantage as a direct result of working flexibly.
- This is why the TUC has campaigned not just for a right to request, but a right to flexible working from day one in the job, supported by an advertising duty on employers that would mean employers have to look at what flexibility they can offer and advertise it upfront in the recruitment process. This means that people are aware if a job works for them and their caring responsibilities before they apply.
- [Zurich](#) have conducted research that shows that advertising jobs as flexible and making flexible working the default have positive impacts for employers and on gender equality in the workplace, including seeing applications from women increase by 16 per cent.
- [Independent research](#) carried for the GEO by Indeed also found positive impacts on applications of advertising flexibility upfront.
- [TUC polling of HR managers](#) found that six in 10 said it would be easy to include specific information about the pattern of home or remote working or house-based flexibility available in each role in each job advert, or they already do this.
- Employers should focus on creating cultures where flexible working is normalised and seen as the default way of working. Central to this is considering possible flexible working options in every job, not just for those who can work from home, and to every worker including managers and leadership. Employers also do not need to wait for an advertising duty and can include possible flexible working options in job adverts. Employers should work with unions to introduce collective agreements on flexible working where possible, for example homeworking, flexi-time, team rostering and a positive policy on flexible working requests. We [outline here](#) what a good flexible working policy should look like.
- The TUC does not have any evidence around tax and flexible working.
- ***To what extent will the extension of 30 hours free childcare improve women's participation in and return to the labour market?***
 - The TUC set out its vision for a universal, flexible, high quality childcare system that is available to all from the point at which paid maternity or parental leave ends in our 2022 briefing '[A new deal for the childcare sector](#)'. This was followed with our 2023 '[Strategy for the care workforce](#)', which sets out the building blocks required to address the recruitment and retention crisis in childcare (and social care) to deliver high quality provision.
 - We are concerned the current plans for extending the 30 funded hours entitlement do not have the adequate funding or workforce strategy to support provision for a successful roll out.

- As has been reported there have been problems accessing the systems, the information to allow councils and nurseries to plan is late, and many places are reporting that they won't have enough staff to deliver what is needed. And many parents are reporting that their existing settings won't be running the scheme – or are raising other fees to compensate (see [itv.com/news/2024-01-22/pm-admits-issues-with-childcare-expansion-but-insists-it-will-rollout-as-planned](https://www.itv.com/news/2024-01-22/pm-admits-issues-with-childcare-expansion-but-insists-it-will-rollout-as-planned) and [UK government's free childcare scheme in disarray, charities say | Childcare | The Guardian](#)).
- Early research from the [Coram Family and Childcare annual survey](#) indicates that local authorities are concerned about the deliverability of the expansion. Around 60 per cent of local authorities are confident there will be enough places for the April expansion – though this means 40 per cent are less certain.
- However, just 27% of local authorities are confident that there will be enough places to meet demand for the September 2024 expansion, and only 12% of local authorities are confident that there will be enough places for the September 2025 expansion.
- Previous iterations of Coram's annual survey have already highlighted the lack of adequate provision for children with Special Educational Needs (SEND) with less than 1 in 5 local authorities having sufficient provision. With the expansion 64% of local authorities identified 'sufficiency of childcare places for children with SEND' and 55% 'funding to support children with SEND' as barriers to successful delivery.
- According to [analysis by the IFS](#) the poorest third of families in England will see no direct benefit from the expansion of the 30 hours. This group is disproportionately made up of women, single parents, BAME families and families with a disabled family member.
- Parents in training are currently excluded from this offer. Single parents in particular often need to retrain in order to find the flexibility they need for caring for their own children, yet they are excluded from the 30 hours. Currently the childcare grant available to these parents in training isn't enough to provide any considerable help and how much people get varies significantly.
- Research from the [Early Education and Childcare](#) coalition suggests that the government expansion of funded hours will require 50,000 new workers in 2024 and again in 2025 to deliver the policy. However, there is a significant recruitment and retention crisis in the sector, with over half of nursery staff considering leaving the sector altogether, often citing poor pay and conditions and a lack of progression opportunities. This reflects what childcare and early years workers told us in our workforce strategy research.
- Of workers who have left the sector, the majority would consider returning, over half (55 per cent) still work in education adjacent sectors/ roles.

- The March Budget 2023 announced government will also strengthen job search requirements for claimants that are lead carers of young children who currently have no or limited requirements to search for and prepare for work. These changes are expected to encourage over 700,000 lead carers of children on Universal Credit to look for work or increase their hours.
 - Work Coach support for lead carers of children aged 1 or 2 to prepare for work will be provided. Lead carers with children aged 3 to 12 will be expected to increase their work search and preparation activity and be required to be available for work up to 30 hours.
 - Data released under the Freedom of Information shows of the 700,000 lead carers, 340,000 are in work of which 310,000 are women. And 90,000 of lead carers in work have a declared health condition.
 - Given the challenges with delivery set out above, it is unclear whether the hours promised will be anywhere near sufficient to allow people to undertake the number of hours work the system will now require of them.
 - While we welcome the recognition that more needs to be done to address the affordability and accessibility of childcare, and that addressing this is key to supporting many women to participate or return to the labour market, we are concerned that in its current form, the expansion of the funded hours will at best have limited impact. More concerning is the real risk of exacerbating existing problems with recruitment and retention as well as entrenching further issues related to inequality of access for the most disadvantaged groups. It is unclear to what extent these equality issues have been considered through an equality impact assessment when formulating the policy.
- ***What options are available to female employees who rely on wraparound care for school aged children?***
 - The [wraparound childcare programme](#) also announced in the March 2023 budget again is a welcome acknowledgement that more needs to be done to ensure families have access to high quality flexible provision that fits in with their working lives.
 - However, stakeholders in the sector have raised several concerns about the programme:
 - i) The program is a trial, funding will end in March 2026 when clubs are then expected to be self-sufficient, this will mean charging parents, so in the medium to long term this program is likely to encounter cost barriers for parents.
 - ii) As with the expanded hours, delivery requires adequate funding and staff to deliver it – it is unclear how the sector can deliver extended hours provision while there is a recruitment and retention crisis. Many workers have told us through our affiliates and research that they are already working long hours with high workloads. Again, a lack of workforce strategy to support this program is concerning.

- iii) The guidance encourages local authorities to raise awareness that parents they can use Tax-Free Childcare and the childcare element of universal credit to contribute to covering the costs of wraparound care, as well as encouraging providers to accept both. However, the value of these payments for many families is not sufficient as it is.
 - iv) The program focuses on extending provision to cover 8am to 6pm. While this will suit a significant number of parents, there are still many parents who work evenings/ atypical hours or are in insecure work.
- Summer holiday provision is also a major concern for parents. In 2021 the TUC surveyed over 36,000 working mums with primary aged children. Our report '[No let up for working mums](#)' found that at the time, two thirds of working mums who responded to our survey did not have sufficient childcare over the summer holidays, this rose to three quarters of single parents.
 - One in eight told us they would have to take unpaid leave and one in eight also said they would have to reduce their hours.
 - Again Coram Family and childcare have found repeatedly through their [annual holiday childcare survey](#) that summer holiday provision is a challenge for parents and is often much more expensive than term time. Their 2023 report found that only 24 per cent of local authorities had enough provision for parents working full-time and only 5 per cent had enough provision for children with SEND.
 - They also found that the cost of summer holiday provision had risen by 3 per cent versus 2022, and that on average the cost of holiday provision is 2.3 times more per week than they are during term time (£157 compared to £67).
 - Childminders potentially offer greater flexibility for some parents, however research from the Early Education and Childcare coalition has also found that they are also leaving the sector in significant numbers and 38 per cent of childminders are considering leaving the sector.

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