

SUBMISSION FROM WORKING FAMILIES

Introduction

Working Families is the UK's leading work life balance charity. We provide employment advice to disadvantaged parents and carers through our free legal helpline. We work with employers to create family friendly workplaces and benchmark good practice through our annual "Top Employers for Working Families" awards". We also research the impact of work on family life and the business benefits of flexible working.

The main concerns raised by callers from Scotland to Working Families in 2012 were about benefits and tax credits, maternity rights including maternity discrimination, and flexible working. Working Families also runs a network to support parents of disabled children who work or wish to work, which includes around 70 families in Scotland.

Working Families is pleased to provide evidence on the issue of Women and Work and, in particular, our response focuses on three issues:

- workforce issues and the impact of work organisation on women in the workplace. Our solutions focus on how to increase the quality of part time jobs on offer and to improve the take up of flexible working arrangements.
- childcare - the high cost of childcare affects low income women's ability to enter and remain in employment. We propose that more help with the costs of childcare, requiring employer contributions and filling the gaps in provision are essential; and
- cross cutting issues such as attitudes and maternity discrimination. Evidence from our helpline suggests that maternity discrimination has increased during the recession. We suggest that a detailed report into the incidence of maternity discrimination is required, alongside stronger messages to employers that they will be punished for poor treatment.

Workforce issues

1.1 The changing nature of the labour market has had a significant impact on women with 2012 seeing the lowest level of employment among women in Scotland for a decade. The increase in unemployment among women in the age group 25 -34 has been particularly stark. Evidence from STUC to the Women's Employment Summit revealed that women have accounted for 57% of the increase in unemployment between December 2007 and February 2012. Where new jobs have been created, they are often on a part time basis but, between March 2011 and March 2012, 82% of these part time jobs were filled by men. For the same period 98% of the full time jobs lost were full time women workersⁱ.

1.2 These figures demonstrate a stark problem for women. Not only are those women in full time jobs disproportionately losing out, but those women seeking part time work due to their caring responsibilities are also finding the part time market squeezed. Many men moving into part time work are doing so because they cannot find full time jobs.

1.3 Part of the solution to women's low status and low paid work lies in increasing the availability and quality of part time work, and in ensuring that more women are

able to request flexible working in their full time jobs, so that the downgrading of skills is minimised.

Increasing the availability of quality part time work

1.3 Too often part time employment is concentrated in low pay and low status jobs with few prospects. However, many women will limit their job searches to part time work, because those are the jobs they can fit with their caring responsibilities. Few jobs are advertised as part time or flexible, and yet the right to request flexible working (see below) is only available once an employee has been in work for 26 weeks. Those who cannot work full time, including parents of disabled children, face a very limited choice of jobs, particularly in the current climate of a squeezed part time jobs market. Fifty-three per cent of women consider the availability of flexible working to be important or very important when making a decision about moving into work, compared with only 31% of menⁱⁱ.

1.4 Working Families' survey of over a thousand parents with disabled childrenⁱⁱⁱ found that 27% were not in paid work. Eighty-two per cent of these had given up work to care for their disabled child. Over 50% of those not in work had given up at least six years ago, making it very difficult to get back into the labour market. However over 90% of those parents (most of whom were women) said that they wanted to do paid work. For many parents, school hours or term time only jobs, would enable them to work.

1.5 Working Families believes that encouraging a change in how jobs are designed and advertised would assist women entering work and in progressing in work if they need to change jobs to advance their careers. In 2009 Working Families conducted research on job advertising in the Civil Service^{iv}. The Civil Service has a good record of flexible working policies and offers a variety of different job patterns to those already working there. We used the public sector equality duty to demonstrate the inequalities faced by jobseekers (primarily women) who found that few Civil Service jobs were advertised to external recruits other than on a full time basis. When our researcher phoned to ask, she found many recruiting departments would be willing to consider applicants on a flexible or part time basis. We called for all Civil Service jobs to be advertised on a flexible, job share or part time basis, unless there was a sound business reason why they could not be. We are extremely pleased that, in their response to the consultation on Modern Workplaces^v the Government stated "the current e-recruitment system (CS Jobs) for advertising Civil Service vacancies has a default setting that states 'This job/these jobs are available for full time, part time or flexible working arrangements'. Departments that wish to deviate from this have to complete a robust business case."

1.6 We recommend that this principle - that all jobs are advertised as available on a part time or flexible basis unless there is a strong business reason why they cannot be - is extended to all jobs in the public sector. Women workers are more likely to work in the public sector, and opening up the recruitment market this way would enable women (and others with caring responsibilities) to apply for many more roles. Employers would also gain from a wider recruitment pool. Working Families Chief Executive, Sarah Jackson, is chairing a DWP working group to promote flexible working to private sector employers. The group is developing a strapline for advertisements to encourage private sector employers also to offer jobs flexibly.

Increasing take up of flexible working

1.7 The right to request flexible working has been available to parents of young or disabled children since 2003, to carers since 2006 and to parents of children up to 17 since 2009. Flexible working includes changing hours in a full time job, and home working as well as a variety of part time working patterns. Not all women want to work part time, particularly in families where they have higher earning potential than their partner. Our research with law firms^{vi} demonstrates that allowing women to change their working patterns (for example through home working or job sharing opportunities) can help retain women in senior roles.

1.8 Working Families recent survey^{vii} of how working parents combine work and family life found that less than half (46%) of parents work flexibly. This suggests a reality gap between the perceived availability and the actual take up of flexible working. Evidence suggests that women who can get flexible working in their current roles fare better in terms of pay and prospects than if they have to leave their jobs to seek part time work elsewhere. Almost half of women professionals who take up part time employment move into low skill jobs^{viii}.

1.9 At present, however, it remains the case that the take up of flexible working is more common among women^{ix}. Attitudes towards flexible working - particularly where employers equate a flexible working request with a request to move into part time work - can limit the opportunities for women to progress in work. Our legal advisers make it clear to women callers who want a different pattern of work on return from maternity leave that they should request flexible working in that same job. However, too often women are offered alternative part time jobs that do not match their skills and experience instead of their own jobs back on a different pattern. One third of female corporate managers move down the career ladder after having a child.^x

1.9 Working Families supports the proposed extension of the right to request flexible working to all employees. We believe that this will encourage culture change in the workplace and that parents will benefit when flexible working is seen as part of “the way we work” rather than as a concession to particular groups (usually mothers of young children). The extension of the right needs to be accompanied with clear messages from both the UK and Scottish Governments of the demonstrable benefits for employers of offering flexible working (for example, reduced recruitment and retention costs, reduced absenteeism and sickness, and increased productivity and engagement). The extension also needs to be accompanied by an education exercise that flexible working is not just part time work for mothers, but a smarter way of working that can help all employees optimise their performance. Government has a clear role in being an exemplar employer and leading the way in increasing flexible working.

2 Childcare

2.1 The affordability of childcare is a significant barrier to women entering and remaining in work. A quarter of Scottish households who use childcare stated that affording the childcare they use is a key concern^{xi}. Parents of disabled children are particularly disadvantaged by inadequate provision and the higher costs of care for a disabled child. Finding and paying for childcare largely remains the woman’s responsibility in a couple household, and it is the woman’s wage which is weighed against the cost of care and a decision made that it is not “worth” working.

2.2 Working Families would like to see the state's contribution to childcare costs through the childcare element of Working Tax Credit restored to 80% (from 70%) now. We also propose that childcare vouchers be increased in value (as they have been frozen at £55 per week for many years) and made more widely available. Vouchers are only available to parents whose employers have opted into the scheme and are not available to self-employed workers. More support with "up front" fees and deposits for childcare places would be welcomed by those women who cannot afford to pay for childcare places until they are in work, but cannot work without childcare.

2.3 Although these are difficult economic times, childcare costs should not remain the private responsibility of families; Working Families believes that childcare should be seen as a public investment in the infrastructure of a country. Just as roads and railways are seen as worthy of billions of pounds of investment to bring economic benefits over decades, so investment in childcare needs to be seen as a much longer term investment. Good quality, affordable childcare could increase women's employment considerably and GDP would increase as women's skills and potential were maximised.

2.4 The provision of childcare does not meet the needs of all parents in work. For example, very little formal childcare is available for those who work at evenings or weekends and there are significant gaps in childcare for school-aged children during school holidays. Parents of disabled children report a significant gap in specialist childcare services that they need. We recommend that the government works with local authorities to address these gaps in provision. We suggest that planning of large developments in housing or business/retail parks should give consideration to the likely childcare needs of local residents and employees. It is not uncommon for a planning agreement to identify the need for schools or health centres to support a new population, yet scant regard is given to childcare needs. We further recommend that employers and developers are involved through the planning system in identifying such needs and planning agreements should ensure they provide or contribute to childcare, particularly where they expect their workforce to work atypical hours.

3 Attitudes and discrimination

3.1 Working Families is aware, from callers to our helpline, of considerable ongoing discrimination against women in the workplace which has worsened in the current economic climate. Callers report being demoted on their return to work after maternity leave, being overlooked for promotions while on leave, being made redundant or even dismissed because of their pregnancy.

For example:

A caller to Working Families' helpline from Falkirk said she had had a job offer withdrawn as soon as she stated she was pregnant.

Many women are not well placed to challenge discrimination at work. Our advisers explain that they could bring a claim, but with unemployment levels high, women are understandably reluctant to take action if it may result in the breakdown of the employment relationship and the loss of their job.

3.2 Employers appear more ready to flout the law during the recession and we recommend that government provides a strong message that discrimination at work is illegal, and will not be tolerated. At present employers are receiving mixed messages from the UK Government about maternity arrangements and flexible working. For example, the proposals to introduce “flexible parental leave” aim to encourage more fathers to take leave in the first year of their new baby’s life and should challenge employers’ perceptions about who is likely to be away from work caring for a child. However, at the same time the introduction of “employee shareholders” who can trade maternity rights and flexible working rights for shares gives a message that maternity and flexible working rights are a burden and associated with “red tape”.

3.3 Working Families is alarmed by the prevalence of discrimination and the lack of commitment to tackle it. The last major survey on the extent and impact of pregnancy discrimination was carried out by the then Equal Opportunities Commission in 2005 and found that 30,000 women in Great Britain were losing their jobs each year as a result of such discrimination. We believe that it is time to repeat that survey and to build a consensus on how best to tackle attitudinal change.

3.4 We are also concerned by the high number of calls we receive from women whose employers are imposing changes to their contracts. Some employers are withdrawing flexible working opportunities and imposing change at short notice. Women are being asked to work at weekends when they have no childcare, or to revert to full time working.

For example:

A caller from the Highlands worked part time for childcare reasons and had over ten years of service with her employer. Her employer was now insisting that she increased and changed her hours of work. The caller said she could not work the new shift times as her partner lived and worked over 100 miles away.

Many are faced with impossible choices of losing their jobs or leaving their children home alone. Employers seeking to unpick flexible working arrangements need to understand how long it can take to change childcare accordingly, and consider whether requirements for women to work weekends and atypical hours may be indirect sex discrimination.

Elizabeth Gardiner
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Working Families
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ⁱ Commission on Workforce Issues - paper to Women’s Employment Summit 2012, STUC 2012.

ⁱⁱ Fourth Work Life Balance Employee Survey. BIS 2012

ⁱⁱⁱ Finding Flexibility: parents of disabled children and paid work. Working Families 2012.

^{iv} We need to talk about... hours. Job Advertising in the Civil Service. Working Families 2009

^v Modern Workplaces Consultation: Government response on flexible working. BIS 2012

^{vi} Legal Lives Research Report. Working Families 2008

^{vii} Time, Health and the Family. Working Families 2012

^{viii} Economic Journal Vol 118, Issue 526 “The price of reconciliation: part time work, families and women’s satisfaction”.

^{ix} Fourth Work Life Balance Employee Survey BIS 2012

^x Economic Journal as above.

^{xi} Research and Analysis Commission Evidence Paper presented to the Women’s Employment Summit 2012