

**In-house Report 131**

**MATERNITY AND PATERNITY RIGHTS IN  
BRITAIN 2002: SURVEY OF PARENTS**

**Maternity and Paternity Rights in Britain 2002:  
Survey of Parents**

**A Report by the Policy Studies Institute for the Department  
for Work and Pensions and the Department of Trade and  
Industry**

**By**

**Maria Hudson, Stephen Lissenburgh and Melahat Sahin-Dikmen**

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# Abbreviations

AML	Additional maternity leave
ERA 1999	Employment Relations Act 1999
BA	Benefits Agency
MA	Maternity allowance
NICs	National Insurance Contributions
OML	Ordinary maternity leave
OMP	Occupational maternity pay
SMP	Statutory maternity pay

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# Glossary

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Additional maternity leave	Women who have completed one years' continuous employment with their employer by the beginning of the 11 <sup>th</sup> week before the expected week of childbirth have the right to take <b>additional maternity leave</b> after their ordinary maternity leave. Additional maternity leave starts immediately after the end of ordinary maternity leave and runs up to 29 weeks after the baby's birth.
Establishment size	In this report, establishments with 1-24 employees are referred to as 'small'; those with 100-499 employees as 'medium'; and those with 500 or more employees as 'large'. Establishments with 25-99 employees are not described in this way.
Fathers	Unless stated otherwise, <b>fathers</b> are defined in the report as the partners of mothers who had worked for at least 26 weeks between 31 August 1999 and the birth of their baby.
Lower level occupations	This phrase is used to refer to occupations outside the managerial, professional and associate professional categories. Examples would include clerical, personal and protective and sales occupations as well as the manual worker grades.
Maternity Allowance	Women who are not entitled to Statutory Maternity Pay may qualify for <b>Maternity Allowance</b> from the Department for Work and Pensions. It was paid for 18 weeks and for women expecting babies on or after 6 April 2003 has been increased to 26 weeks. To qualify women must have been employed or self-employed in at least 26 weeks in the 66 weeks before their baby is due and earn on average a minimum of £30 per week during this period.
Mothers	Unless stated otherwise, <b>mothers</b> are defined in this report as mothers who had worked for at least 26 weeks between 31 August 1999 and the birth of their baby.
Occupational Maternity Pay	<b>Occupational Maternity Pay</b> is paid to women by their employers as part of a woman's employment contract. Women who qualify for Statutory Maternity Pay and receive Occupational Maternity Pay will usually have their Statutory Maternity Pay incorporated into their Occupational Maternity Pay. Women who qualify for Maternity Allowance and receive

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	Occupational Maternity Pay will usually receive Maternity Allowance as well.
Ordinary maternity leave	All employed women are entitled to <b>ordinary maternity leave</b> regardless of their length of service. It lasts for 18 weeks and for women expecting babies on or after 6 April 2003 has been increased to 26 weeks.
Parental leave	<b>Parental leave</b> is a right for parents to take time off work to look after a child or make arrangements for the child's welfare. Statutory parental leave is available to employed parents with one year's continuous service with their employer. Generally, parents have a right to 13 weeks unpaid statutory parental leave which they can take up to the child's fifth birthday. Parents of disabled children can take 18 weeks unpaid parental leave up to the child's 18 <sup>th</sup> birthday.
Part-time working	For the purposes of this report, <b>part-time working</b> is defined as working 30 hours or less per week.
Paternity leave	<b>Paternity leave</b> is time off work for fathers around the time of childbirth, either provided paid or unpaid. Two weeks statutory paid leave was introduced in April 2003.
Private sector	Parents are classified as working in the private sector if they reported working for a private firm or company.
Public sector	Parents are classified as working in the public sector if they reported working for a nationalised industry or public corporation; a Local Authority or Local Education Authority; a Health Authority or Trust Hospital; central government, a government agency or the civil service; or the armed forces.
Statutory maternity leave	<b>Statutory maternity leave</b> is the amount of maternity leave to which a woman is entitled by legislation (see ordinary maternity leave and additional maternity leave).
Statutory Maternity Pay	Women are entitled to receive <b>Statutory Maternity Pay (SMP)</b> from their employer if their average earnings at least equal the lower earnings limit for National Insurance Contributions and they completed 26 weeks continuous employment with their employer by the 15 <sup>th</sup> week before the expected week of birth. SMP was paid for 18 weeks and for women expecting babies on or after 6 April

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2003 has been increased to 26 weeks. Up to 5 April 2003 SMP was paid at 90 per cent of the woman's average weekly earnings for the first six weeks followed by a standard rate (£75 per week from April 2002). From 6 April 2003 women are paid at the rate of 90 per cent of their average weekly earnings for the first six weeks and £100 per week or 90 per cent of their average weekly earnings (whichever is lower) for the remaining weeks of their pay period.

#### Work-life balance policies

These are policies introduced by employers to help workers balance their work and non-work commitments. These include the provision of financial help for the cost of childcare/childcare vouchers; a workplace nursery or crèche; other nurseries supported by the employer; help in finding childcare facilities away from the workplace; care for school children after school hours or during school holidays; career breaks for family reasons; a telephone at work to use for family reasons; paternity leave; the provision of extra-statutory time off for family emergencies and the provision of extra-statutory parental leave. In this report, work-life balance policies refer to either formal written policies or informal practices.

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## **Executive summary**

This report presents the findings of research on the provision, awareness, take-up, experiences and views of maternity and paternity rights and benefits in Britain. It serves as a baseline against which to evaluate changes in the statutory provision of maternity and paternity rights and benefits that will be introduced from April 2003 onwards. In addition, it assesses the impact of legislative changes in this area that were introduced in 1999. The research was carried out by the Policy Studies Institute on behalf of the Department for Work and Pensions and the Department of Trade and Industry. The main aims of the research were to:

- explore women's engagement with and experience in the labour market during and following their pregnancy
- explore mothers' and fathers' awareness of the maternity and paternity rights legislation
- assess the provision, take-up and views of work-life balance policies, including maternity and parental leave amongst mothers and fathers
- examine the impact of the 1999 changes on mothers' and fathers' awareness of the legislation, through tracking changes from a comparable earlier survey, carried out in 1996
- examine the impact of the 1999 changes on mothers' and fathers' labour market behaviour, through tracking changes from the 1996 survey

The report is based upon two specially-commissioned large-scale surveys, one of recent mothers and the other of their partners, conducted in Spring 2002, some 13-17 months after the birth of their recent baby.

The survey of mothers consisted of a postal survey of a random sample of all mothers who gave birth in January 2001. The 6,495 completed questionnaires reflect a response of 35 per cent. A weighting exercise was carried out to correct for any non-response bias associated with this relatively low response rate and comparisons with the Labour Force Survey suggest that the achieved sample of mothers was broadly representative of the population of women

who gave birth in January 2001. Only women who had worked for at least 26 weeks between 31 August 1999 and the birth of their baby were included in the analysis and report. This is because these women would qualify for at least the most basic statutory maternity leave and pay provision. A total of 3,920 women fell within scope – 60 per cent of the total number of mothers' questionnaires returned. As they were similarly focussed on the women who qualified for at least the most basic statutory maternity leave and pay provision, the survey of mothers is comparable with surveys conducted by PSI in 1979, 1988 and 1996.

A survey of fathers had been included for the first time in the maternity rights study of 1996 and a fathers survey was also included in 2002. This was of particular importance given the introduction of a statutory right to parental leave for fathers as well as mothers in 1999. The 18,468 questionnaires mailed out to mothers were each accompanied by one for their partner. Of these questionnaires, 4,298 were returned. It is not possible to report a response rate for fathers because it is not known how many fathers were present to receive the partner's questionnaire. However, 2,260 fathers' questionnaires were returned for the 3,410 women who had worked for at least 26 weeks between 31 August 1999 and the birth of their baby and who reported having a partner at the time of the survey, a relatively high proportion of 66 per cent. The analyses of fathers in this report are based on these 2,260 partners of women who had worked for at least 26 weeks between 31 August 1999 and the birth of their baby.

## **Mothers' and fathers' awareness of the legislation (Chapter Two)**

Among women who worked as employees during pregnancy, reported levels of awareness of their statutory maternity rights were generally high, especially of employment rights and general aspects of maternity leave and pay, in relation to which between 74 and 87 per cent of such women were fully aware of their rights, depending upon the specific aspect of maternity rights under consideration. Levels of awareness were not so high on specific details of the legislation, such as the notification rules for commencement of maternity leave and the earnings thresholds for entitlement to Statutory Maternity Pay (SMP) and Maternity Allowance (MA), where women who worked as employees during pregnancy reported being fully aware of their rights in 18 to 71 per cent of cases, again depending upon the specific aspect under consideration. Levels of awareness were particularly low in relation to the two new elements of statutory provision introduced in 1999: the right to 13 weeks unpaid parental leave and the right to unpaid time off for dependants in an emergency. Only about a quarter of women who worked as employees during pregnancy (24 per cent) were fully aware of the right to unpaid parental leave and fewer than half (42 per cent) were fully aware of the entitlement to emergency time off. Fathers who were working as employees at the time of the birth of their child were also asked about their awareness of the new rights, since they have equal entitlement to mothers. Their levels of awareness were similarly low, with 25 per cent of such fathers being fully aware of the right to unpaid parental leave and 37 per cent fully aware of the entitlement to emergency time off.

Among women who worked as employees during pregnancy, levels of awareness of their maternity rights and entitlements varied between different aspects of the legislation. Women who worked in large private establishments; those in higher level occupations; women with more than five years' continuous service with their employer and those with higher educational qualifications tended to report higher levels of awareness. In contrast, women working in small private establishments; those working in lower level occupations; women with less than one year of service with their employer and women with lower educational qualifications tended to report lower levels of awareness of their maternity rights and entitlements.

Mothers' levels of awareness were higher in 2002 than they had been in 1996. This higher level of awareness was not stimulated by the new rights introduced in 1999 because, as was described above, awareness of these was relatively low. Similarly, awareness levels of rights to maternity leave and MA that were enhanced in 1999, such as the increase in ordinary

maternity leave (OML) from 14 to 18 weeks and the extension of entitlement to MA to women earning below the National Insurance Contributions lower earnings limit but at least £30 per week, were also lower than for rights established prior to 1999 that were not enhanced in that year, such as the right to SMP for up to 18 weeks for all women who qualify.

### **Mothers' experiences of maternity leave and maternity pay (Chapter Three)**

The great majority of mothers who were employees during pregnancy (85 per cent) were entitled to additional maternity leave (AML). This was because they had worked continuously for the same employer for at least one year by the beginning of the 11<sup>th</sup> week before the expected week of childbirth. As such, they were entitled to take 29 weeks maternity leave after the birth, in addition to a maximum of 11 weeks maternity leave before the birth. In practice, three-quarters (75 per cent) of mothers entitled to 30-40 weeks AML took less than this amount.

Among women who had worked as employees during pregnancy and who were entitled to AML, taking advantage of their full entitlement to AML (or more) was strongly associated with being in a higher paid job during pregnancy. Take-up of full entitlement was also related to higher amounts of work-life balance policies provided by employers, larger establishment size, more years of continuous service, being over the age of 30 and having a partner.

Among women who qualified for AML, the main reason for women returning to work *before* their statutory entitlement expired was financial. A third (34 per cent) of early returners said further leave would have been unpaid, a quarter (27 per cent) said they could not afford to take more leave and a sixth (15 per cent) said maternity leave became unpaid after 18 weeks. Only one in 10 (11 per cent) early returners said they were ready and wanted to go back to work.

Failing to take their full entitlement to statutory maternity leave was less common among the 15 per cent of women who were employees during pregnancy and were entitled only to OML. These women had worked continuously for the same employer for less than one year by the beginning of the 11<sup>th</sup> week before the expected week of childbirth. As such, they were entitled to 18 weeks maternity leave in total. In a fifth (21 per cent) of cases, they took less maternity leave than they were entitled to.

About eight in ten women (78 per cent) who were in work during pregnancy were entitled to SMP. This was because they were employees whose average earnings at least equalled the lower earnings limit for National Insurance Contributions (NICs) and had completed 26 weeks continuous employment with their employer by the 15<sup>th</sup> week before the expected week of birth. Nine in ten (90 per cent) of these women received either SMP for the full 18 weeks to which they were entitled or extra-statutory maternity pay that exceeded SMP levels.

The remaining two in ten women (22 per cent) who were in work during pregnancy qualified for MA. These women did not satisfy the criteria for SMP but had been employed or self-employed for at least 26 weeks in the 66 weeks before their baby was due and earned on average a minimum of £30 per week during this period. Their experience of maternity pay was varied. About two-fifths (39 per cent) of these women reported actually receiving MA. About a fifth (18 per cent) reported receiving SMP<sup>1</sup>; a sixth (16 per cent) said they got extra-statutory maternity pay<sup>2</sup>; one in ten (11 per cent) received other benefits; and a sixth (17 per cent) received no maternity pay that they could recall.

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<sup>1</sup> As MA qualified women are not eligible to receive SMP, reported receipt of SMP is likely to reflect either a lack of awareness of maternity entitlements and payments or recall errors in the information used to classify women as being entitled only to MA.

<sup>2</sup> In the case of women who were qualified for MA but received OMP, it is likely that they received MA in addition to OMP.

About two-fifths of women (39 per cent) reported that they received extra-statutory maternity pay. For women entitled to AML, this pay seemed to play a key role in enabling women to take a greater proportion of their statutory entitlement. This suggests that the enhancements to SMP and leave that were introduced in April 2003 are likely to lead to some improvement in the extent to which mothers take more leave. However, the fact that the entitlement to AML that was introduced in April 2003 will be unpaid suggests that under-utilisation of leave entitlement may still remain an issue.

### **Returning to work after maternity leave (Chapter Four)**

Four-fifths (80 per cent) of women who had worked during pregnancy had returned to work some 13-17 months after giving birth. This proportion is considerably higher than the two-thirds of mothers (67 per cent) who had returned to work within 10-11 months after having their baby in 1996. After adjusting for the fact that the 2002 survey was administered a longer period after the birth, about three-quarters (73 per cent) of mothers in 2002 had returned to work within the 10-11 month period allowed to the 1996 mothers. Multivariate statistical analysis was carried out to investigate whether the enhancements to maternity provision introduced in 1999 had had an impact on women's propensity to return to work, but there was no evidence that this was the case.

While advantaged women (those, for example, in higher level and better paid occupations prior to childbirth and with longer years of service) were more likely to return to work than disadvantaged women, the gap between the two groups was narrower in 2002 than in 1996. Those women who had not returned to work by the time of the survey were most likely to say this was because they preferred to look after their children themselves (72 per cent). Relatively large proportions, however, also mentioned not being able to earn enough to pay for childcare and not being able to find a job with the right hours.

### **Fathers' labour market behaviour around childbirth (Chapter Five)**

The great majority of fathers who were working as employees at the time of the birth of their child (95 per cent) took time off work around the time their baby was born. This time off was most commonly taken out of the father's annual leave entitlement or as paternity leave provided by the employer, or as a combination of the two. Where fathers were not entitled to paternity leave, they tended to take annual leave rather than not take any time off around the birth. Thus, while about half (47 per cent) of fathers who took fully paid paternity leave also took some annual leave, three-quarters (76 per cent) of fathers who took no paternity leave used their annual leave entitlement.

Where paternity leave was provided by employers, it tended to be fully paid and it tended to be used. About two-thirds of fathers who were working as employees at the time of the birth of their child (67 per cent) said their employer provided paternity leave and of these, three-quarters (77 per cent) said they were personally entitled to use it. Among those personally entitled, nine in 10 (93 per cent) were entitled to fully paid paternity leave and an only slightly smaller proportion (91 per cent) said they took fully paid paternity leave. Thus, where entitlement to fully paid paternity leave existed, take-up was almost universal. The mean amount of fully paid paternity leave taken was five days.

### **Supporting parents in the workplace (Chapter Six)**

Only about a third of mothers (34 per cent) and three in ten fathers (30 per cent) who were considered to be entitled to 13 weeks unpaid parental leave introduced in 1999 reported that their employer provided such leave. These reported levels of provision probably have more to do with the lack of awareness of this aspect of legislative provision, as reported above, rather

than non-compliance by employers. Either way, usage of the provision was low, with only about one in ten entitled mothers and fathers (eight and ten per cent respectively) having done so by the time of the survey.

The picture in relation to unpaid emergency time off for dependants was somewhat more positive, with six in ten (60 per cent) mothers and about half of fathers (52 per cent) reporting that their employer provided this right. Reported usage was again low however, with about one in ten entitled mothers and fathers (12 and ten per cent respectively) reporting that they had used the provision.

Mothers who returned to work after the birth of their child and were employees at the time of the survey and fathers who were working as employees at the time of the birth of their child were asked whether their employer provided a range of flexible working practices and childcare-related arrangements. For mothers, the most commonly provided practices and arrangements were part-time working (provided in 86 per cent of cases), a telephone at work to use for family reasons (59 per cent), job sharing (44 per cent) and flexible working hours (44 per cent). For fathers, the most commonly provided practices and arrangements were a telephone at work to use for family reasons (provided in 40 per cent of cases), part-time working (22 per cent) and flexible working hours (22 per cent).

# Chapter 1

## Introduction

### 1.1 Background

As the trend towards the increasing participation of women in paid employment continues, promotion of work-life balance practices becomes more important. In 1995, 66 per cent of women of working age were in employment and this figure had risen to 69 per cent by 2000 (Labour Force Survey, spring quarter). The proportion of women with dependant children in the labour force has also increased in recent years, rising from 38 per cent in 1995 to 41 per cent in 2000. Providing help to parents to balance work and family life is important for the economy and for the welfare of children. At the same time, it is widely recognised that the opportunity to work is one of the key routes for many poor parents and their children to escape poverty. It is in this context that the government has introduced several measures that aim to help parents to enter or stay in work. For example, relatively high increases in Child Benefit have been brought about partly to facilitate this. Similarly, the introduction of the Working Families Tax Credit<sup>3</sup> was designed to ensure that families were better off in work than on benefit. The National Childcare Strategy and the Work-life Balance campaign, as well as the introduction of four weeks' paid annual leave for workers, all aim to help parents balance their work and family life. Central to this aim is helping parents, particularly new mothers, to take time out of the labour market following childbirth and then facilitate their return to the workforce when appropriate.

Previous PSI surveys of mothers, fathers and employers provided extensive information on maternity rights and benefits provision in Britain (Daniel, 1980; McRae, 1991; Callender, Millward, Lissenburgh and Forth, 1997). The third and most recent survey, carried out in 1996, was very important in this regard. Since 1996, however, several changes have been made to both maternity rights policy and work-life balance policies more generally. There has also been the introduction, for the first time, of statutory rights available to fathers. The surveys reported in this study, carried out in 2002 and covering both mothers and fathers, provide an updated picture of the provision, awareness, take-up, experiences and views of maternity rights and benefits in Britain and contain evidence on the early experiences of statutory rights available to fathers.<sup>4</sup> As such, they serve as a baseline against which to evaluate further changes in the statutory provision of maternity and paternity rights and benefits that have been introduced from April 2003 onwards. In addition, they make it possible to assess the impact of legislative changes introduced in 1999, by comparing the findings of the 1996 surveys with those carried out in 2002.

### 1.2 Maternity and paternity rights legislation in Britain

At the time of the last PSI survey of maternity rights and benefits, carried out in 1996, maternity pay and leave arrangements were briefly as follows:

- 14 weeks ordinary maternity leave (OML), regardless of a woman's length of service with her employer
- the right to take additional maternity leave (AML) and return to work up to 29 weeks after the birth provided the woman had completed two years' continuous employment with her employer by the beginning of the 11<sup>th</sup> week before the expected week of childbirth

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<sup>3</sup> Working Families Tax Credit was replaced by New Tax Credits in April 2003.

<sup>4</sup> A complementary report on employers is published as Bonjour and Lissenburgh (2004).



- the right to receive up to 18 weeks statutory maternity pay (SMP) from her employer if her average earnings at least equalled the lower earnings limit for National Insurance Contributions and she completed 26 weeks continuous employment with her employer by the 15<sup>th</sup> week before the expected week of birth.
- the right to receive maternity allowance (MA) for up to 18 weeks from the Department for Work and Pensions if a woman is not entitled to SMP, as long as she had been employed or self-employed for at least 26 weeks out of the 66 week period running up to the expected week of birth and had paid 26 weeks' NICs within the same period.

This provision was enhanced by the Employment Relations Act 1999, which came into force on 15 December 1999, the Maternity and Parental Leave (Amendment) Regulations 2001 and the Welfare Reform and Pensions Act 1999. They introduced the following:

- The rights of parents of children under five years old to 13 weeks unpaid parental leave or 18 weeks for parents of a child with a disability until the child is 18 years old, as long as they have worked for their employer for one year;
- Time off for dependants, which entitles all employees to a *reasonable* amount of unpaid time off in order to deal with emergencies involving a dependant. Employees are able to take time off to deal with certain unexpected emergencies or to make any necessary longer-term arrangements;
- improved rights to maternity leave, including increased entitlement to ordinary maternity leave from 14 weeks to 18 weeks and a reduced qualifying period of employment for additional maternity leave from two years' continuous employment with the same employment to one year
- the extension of Maternity Allowance to women earning less than the lower earnings limit for the payment of NICs but who have earned at least £30 per week on average and who have been employed or self-employed in at least 26 weeks out of the 66 week period prior to the week they expect their baby.<sup>5</sup>

### 1.3 Research issues

Five main research issues are explored with the surveys of mothers and fathers. The report:

- Explores women's engagement with and experience in the labour market during and following their pregnancy
- Explores mothers' and fathers' awareness of the maternity and paternity rights legislation
- Assesses the provision, take-up and views of work-life balance policies, including maternity and parental leave amongst mothers and fathers
- Examines the impact of the 1999 changes on mothers' and fathers' awareness of the legislation, through tracking changes from the 1996 survey
- Examines the impact of the 1999 changes on mothers' and fathers' labour market behaviour, through tracking changes from the 1996 survey

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<sup>5</sup> The enhancements to maternity leave and Maternity Allowance that are referred to here were introduced in legislation in 1999 but did not come into force until 2000.

## 1.4 Research methods

### The survey of mothers

A nationally representative sample of mothers of new babies was required to explore the research issues outlined above. Both practical and budgetary considerations dictated the use of postal questionnaires. The sample for the mothers' survey was drawn from the Department for Work and Pensions (DWP) Child Benefit (CB) records, which include all new mothers who have claimed Child Benefit. The sampling proceeded in two stages. In the first stage, a random sample of non-first time mothers who had given birth in January 2001 was generated by the Department. Following checks on the sample to remove any sensitive cases, 10,456 questionnaires were mailed out to non-first time mothers in February-March 2002, 13-14 months after the birth of their recent baby. A total of 3,442 of these non-first time mothers' questionnaires were returned and usable, giving a response rate of 33 per cent. In the second stage, a random sample of first time mothers who had given birth in January 2001 was generated by the Department. After similar checks were carried out to those for non-first time mothers, 8,012 questionnaires were mailed out to first time mothers in May 2002, 16 months after the birth of their baby born in January 2001. A total of 3,053 of the first time mothers' questionnaires were returned and usable, giving a response rate of 38 per cent.<sup>6</sup> In total therefore, 18,468 questionnaires were mailed out, of which 6,495 produced usable responses, for an overall response rate of 35 per cent.

Only women who had worked for at least 26 weeks between 31 August 1999 and the birth of their baby were included in the analysis and report. This is because these women would qualify for at least the most basic statutory maternity leave and pay provision. A total of 3,920 women fell within scope – 60 per cent of the total number of mothers' questionnaires returned. As they were similarly focussed on women who qualified for at least the most basic statutory maternity leave and pay provision, the survey of mothers is comparable with surveys conducted by PSI in 1979, 1988 and 1996.

As women who had worked for at least 26 weeks between 31 August 1999 and the birth of their baby are the main focus of the study, general references to 'mothers' that appear in the report can be interpreted as references to this group. However, particular subgroups of mothers are the focus of analysis in some chapters. Where this is the case, the subgroup of mothers is identified in relation to each table used in the analysis and in relation to that table references to 'mothers' should be interpreted as references to the particular subgroup under consideration.

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<sup>6</sup> The two-stage sampling procedure in fact arose due to administrative error. However, the slight under-representation of first time mothers that arose from this error was corrected for through weighting, as were factors associated with first time motherhood and the age and number of children, which affected mothers' tendency to respond to the survey. A full account of the weighting procedure is provided in Appendix 2. As well being corrected for through weighting, close attention was focussed in the analyses on differences between first time and non-first time mothers that might have occurred because of the different lengths of time after their baby's birth that they received the questionnaires. In fact, there were very few differences between first time and non-first time mothers in relation to the main issues considered by the analyses.

## **The survey of fathers**

A survey of fathers had been included for the first time in the maternity rights study of 1996 and a fathers survey was also included in 2002. This was of particular importance given the introduction of a statutory right to parental leave for fathers as well as mothers in 1999. The 18,468 questionnaires mailed out to mothers were each accompanied by one for their partner. Of these questionnaires, 4,298 were returned. It is not possible to report a response rate for fathers because it is not known how many fathers were present to receive the partner's questionnaire. However, 2,260 fathers' questionnaires were returned for the 3,410 women who had worked for at least 26 weeks between 31 August 1999 and the birth of their baby and who reported having a partner at the time of the survey, a relatively high proportion of 66 per cent. The analyses of fathers in this report are based on these 2,260 partners of women who had worked for at least 26 weeks between 31 August 1999 and the birth of their baby. General references to 'fathers' that appear in the report can be interpreted as references to this group. However, particular subgroups of fathers are the focus of analysis in some chapters. Where this is the case, the subgroup of fathers is identified in relation to each table used in the analysis and in relation to that table references to 'fathers' should be interpreted as references to the particular subgroup under consideration.

Further details of the fieldwork methods employed for both the mothers' and fathers' surveys, along with copies of the questionnaires, are provided in an accompanying technical report.

## **1.5 Structure and contents of the report**

The remainder of this report consists of five chapters describing the findings from the surveys of mothers and fathers. The five chapters of findings reflect the research issues noted in section 1.3.

Chapter 2 examines mothers' and fathers' levels of awareness of the maternity and paternity legislation. In the case of mothers, this is compared with levels of awareness as shown by the 1996 survey and an attempt is made to ascertain the impact of the 1999 legislative changes on levels of awareness.

Chapter 3 goes on to investigate issues concerning time taken off work by mothers around the birth of their recent baby. This involves examining maternity leave and maternity pay, both statutory and extra-statutory. Analyses are carried out of provision, entitlement, take-up and duration.

The focus on mothers continues in Chapter 4, where analyses are carried out relating to women's return to work after maternity leave. Issues analysed include the overall proportion of women returning to work, the extent to which they returned to the same employer, changes in women's jobs around childbirth and discussion of the barriers to returning. This chapter also examines the impact of the 1999 legislative changes on women's likelihood of returning to work after childbirth.

Chapter 5 analyses time taken off work by fathers around childbirth. This involves examining time taken off during pregnancy, time taken off at the time of birth and time taken off immediately after the birth (including any paternity leave). The chapter also investigates changes in fathers' labour market behaviour around childbirth.

Chapter 6 looks at a range of issues concerning the support of parents in the workplace. This involves analysing the new rights to parental leave and emergency time off for dependants, as well as extra-statutory provision of work-life balance policies and flexible employment practices by employers.

## **Analysis of variables within each chapter**

Within each chapter, an attempt is made to analyse the relationship between the key issues of interest and a selection of characteristics, both of the respondent and their employer, where appropriate. This is done through cross-tabular analysis. The following employer and respondent characteristics were examined in each chapter of the report:

- Broad sector (public, private or voluntary) and number of employees in the establishment<sup>7</sup>
- Number of employees in the establishment
- Industrial sector<sup>8</sup>
- Broad sector
- The gender composition of the establishment
- Occupation
- Full-time or part-time worker
- Length of service
- Trade union representation and membership
- Employer provision of work-life balance policies (see glossary)
- Highest educational qualification
- Level of earnings
- First-time mother or not first-time mother
- Single parent or with a partner
- Age
- Ethnicity
- Number of children<sup>9</sup>

A selection of further variables was used in addition to these core ‘break’ variables for the analyses in particular chapters, but these varied according to the chapter under consideration. It is made clear at the beginning of each chapter which break variables were used in addition to the core ones.

## **The interpretation of tables of survey results**

In general, the tables contain column percentages which, bar rounding errors, sum to 100 per cent. A minority of tables report multiple-response questions, where the sum of the percentages in a column can total more than 100 per cent. Some tables contain subtotals, where the same applies. A note under each table gives details of the appropriate ‘base’ for the

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<sup>7</sup> The variable indicates whether the establishment is in the public, private or voluntary sectors and shows the number of employees if it is in the private sector.

<sup>8</sup> It should be pointed out that there are two industrial sector variables, which vary according to the detail with which they define predominantly public sector industries. The more detailed variable has the following categories: production and communication; distribution, hotels and restaurants; banking, financial services and insurance; public administration and defence; education; health and social work; and other services. When referring to this variable, the public administration and defence, education, health and social work industrial sectors are sometimes referred to as the ‘predominantly public sector industries’. The less detailed variable has the following categories: production and communication; distribution, hotels and restaurants; banking, financial services and insurance; and public and other services. The less detailed variable was used for analyses where the base meant there were insufficient unweighted cases to split the public sector into smaller units. There is a separate ‘broad sector’ variable that indicates whether an establishment is in the public, private or voluntary sectors.

<sup>9</sup> This list is for the analysis of both mothers and fathers with the exclusion for fathers of length of service, marital status, number of children and first time mother and not first time mother. For mothers, generally, the employment characteristics were examined in relation to before the birth of the child in Chapters 2-4 and in relation to after the birth of the child in Chapter 6. For fathers, employment characteristics were examined in relation to the time of the birth of their child.

table – those to whom the figures relate. . The total (or ‘all’) percentages may vary between tables because of missing values for the variable used to specify the columns.

Some figures are enclosed in brackets to indicate that they are calculated from an unweighted base of fewer than 50 respondents; these figures should be treated with caution. Other conventions used in the tables are as follows:

- \* mentioned by less than 1 per cent
- 0 no observations

Formal tests of statistical significance were not used to determine which crosstabulations to include in the report. Instead, a qualitative judgement was made, taking into account the unweighted base size, about the strength of a crosstabular relationship by observing the degree to which percentages varied from one category of a break variable to another. Appendix Table 4.1 gives an indication of the confidence intervals to apply to different sizes of percentage results for different sample sizes within the report; these confidence intervals assume a simple random sample and no adjustment has been made for design effects.

### **Presentation of survey results**

In each chapter of the report in which crosstabulations are presented, tables are included which show the relationship between key issues of interest and a selection of the characteristics and other break variables described above. Due to space considerations, it is not possible to present tables each time a strong relationship was uncovered, although in the great majority of cases a description of such relationships is given in the text, even where a table is not presented. Where a particular issue is related to a large number of characteristics of parents or their employers, the choice regarding which table to include was determined partly by the strength of the relationship, as measured by the degree to which percentages varied from one category of a break variable to another, and partly by the need to present tables showing a variety of relationships. So, for example, if the key issues in a chapter were all related to occupation, tables were not presented showing each of these relationships. In order to provide more variety for the reader, tables showing the relationship between key issues and, for example, trade union representation and membership, would be shown, as long as the relationship with trade union representation and membership was strong.

# Chapter 2

## Mothers' and fathers' awareness of the legislation

### 2.1. Mothers' awareness of legislation

In order to assess levels of awareness of maternity rights among mothers, respondents were presented with 17 statements concerning different aspects of the maternity legislation. These statements dealt with both the rights established earlier and the new rights introduced in the 1999 Employment Relations Act. The statements focused on different aspects of legislation including employment rights for pregnant women, rights to ordinary and additional maternity leave (OML and AML), rights to statutory maternity pay (SMP) and maternity allowance (MA), the right to parental leave and the right to emergency time off for dependants.

For each one of these statements, respondents were asked to indicate whether they were 'fully aware', 'partly aware' or 'not aware' of this right. Women who were aware of their rights, but did not know about them in detail were classified as 'partly aware'. Respondents who did not have any awareness of their rights were classified as 'not aware'.

Variations in mothers' awareness of their rights were examined by a range of employment-related factors including the industry, gender composition, size and sector of the establishment in the last job in which women worked before the birth of their child and the number of work-life balance policies that it provided; union representation at their workplace and union membership, position on the occupational hierarchy, net hourly wage and entitlement to maternity pay. The relationship between awareness and a number of personal characteristics including age, education level, ethnic origin, whether the women were single or had a partner and the number of children they have were also examined. Variations in awareness were also examined by what mothers regarded as the most useful source of information on their statutory rights.

The following discussion only comments on those factors that were found to be associated with women's levels of awareness of maternity rights and benefits. Where a factor is not discussed it can be assumed that there were no substantial variations.

The analyses in this chapter focus on women who were in employment (including self-employment) during their pregnancy which led to the birth of a child in January 2001. For the most part, the analyses are confined to women who worked as employees during pregnancy, because the maternity rights and entitlements and parental leave provisions about which women were asked to describe their awareness were largely not relevant to self-employed women. The analysis on awareness of the right to MA includes self-employed women as this is particularly relevant to them.

### Employment Rights

The following three statements sought to gauge women's awareness of the legal provisions that protect women's employment rights during pregnancy.

*All pregnant women are protected against unfair dismissal because of their pregnancy.*

*All pregnant women are allowed reasonable time off work to attend ante-natal classes.*

*During the 18 weeks ordinary maternity leave, all women are entitled to their normal terms and conditions of employment except for wages.*

Overall, there was a high level of awareness of the three employment rights among women who worked as employees during pregnancy. These women felt most confident about their awareness of the right to protection against unfair dismissal because of their pregnancy. Almost 84 per cent said they were fully aware of this right and a further 11 per cent reported that they were partly aware. A marginally smaller proportion of 81 per cent reported that they were fully aware of their right to attend ante-natal classes. Women who worked as employees during pregnancy were slightly less confident about the right to normal terms and conditions of employment during the 18 weeks' OML. Eighty per cent claimed to be fully aware and 14 per cent said they were partly aware of this aspect of the legislation. In any case, no more than eight per cent said they were not aware of aspects of the legislation relating to employment rights (Tables 2.1, 2.2, 2.3).

Mothers' awareness of the right to protection against unfair dismissal was strongly related to their occupation during pregnancy. Among women who worked as employees during pregnancy, more than nine in ten women working in managerial and professional occupations (91 and 92 per cent respectively) reported that they were fully aware of this right, compared with seven in 10 women (72 per cent) in 'other' occupations (craft and related occupations, plant and machine operatives and other occupations). Women working in clerical (83 per cent) and personal or protective (77 per cent) occupations were also substantially less likely to report having full awareness of the right to protection against unfair dismissal (Table 2.1). In fact, compared with women in lower level occupations, women in managerial and professional occupations tended to report generally higher levels of awareness of all aspects of maternity legislation.

Among women who worked as employees during pregnancy, the level of awareness of their right to attend ante-natal classes varied according to the provision of work-life balance policies by the last employer for whom they worked before the birth of their child (Table 2.2). Work-life balance policies refer to policies that support workers in balancing their family responsibilities with work commitments. Respondents were asked whether their employer operated any of the following policies: financial help with the cost of childcare or childcare vouchers; a workplace nursery or crèche; other nurseries supported by the employer; help with finding childcare facilities away from the workplace; care for children after school hours or during school holidays; career breaks for family reasons; a telephone at work to use for family reasons; fully or partly paid time off work for family emergencies and fully or partly paid parental leave.

Table 2.1 Awareness of women's right to protection against unfair dismissal because of their pregnancy, by broad occupation in which women worked during last job before the birth of their child

Column percentage

	All	Broad occupation in which women worked						
		Manager	Professional	Associate Professionals	Clerical	Personal/protective	Sales	Other
<b>Awareness of protection against unfair dismissal</b>								
Fully aware	84	91	92	86	83	77	81	72
Partly aware	11	8	6	10	11	13	14	20
Not aware	6	2	3	4	7	11	5	8
Unweighted base	3304	480	381	514	933	459	301	236
Weighted base	3312	514	411	555	931	414	272	215

Base: Women who worked as employees during pregnancy

Source: Survey of Mothers 2002



The provision of work-life balance policies by employers repeatedly appeared to be an important factor in explaining the variation in women's levels of awareness of different aspects of the maternity legislation. The association was quite substantial in the case of the right to attend ante-natal classes. Where employers provided four or more work-life balance policies, more than nine in ten women (91 per cent) said they were aware of their right to paid time off work for ante-natal classes (Table 2.2). This proportion fell to seven in 10 women (71 per cent) where the employer provided no such policies.

Table 2.2 Awareness of the right to attend ante-natal classes, by the number of work-life balance policies provided by women's last employer before the birth of their child

	All	Work-life balance policies					Column percentage
		None	One	Two	Three	Four or more	
<b>Awareness of right</b>							
Fully aware	81	71	79	82	88	91	
Partly aware	11	16	12	10	9	6	
Not aware	8	14	9	7	3	4	
Unweighted base	3343	668	901	709	537	528	
Weighted base	3332	698	907	714	514	499	

Base: Women working as employees during pregnancy

Source: Survey of Mothers 2002

Among women who were employees during pregnancy, variations in awareness of their entitlement to normal terms and conditions during the 18-week OML period were associated with the size and sector of the last establishment in which they worked before the birth of their child. Their levels of awareness tended to be higher where they worked for medium-sized private sector establishments and lower where they worked for small private sector establishments. Nearly nine in 10 women (87 per cent) working in medium-sized private sector establishments with between 100 and 499 employees said they were fully aware of their right to normal terms and conditions of employment during OML. In comparison, less than eight in 10 women (76 per cent) working in small private sector establishments with less than 25 employees stated that they were fully aware of this right (Table 2.3).

Table 2.3 Awareness of right to normal terms and conditions of employment during maternity leave, by size and sector of establishment in which women worked in last job before the birth of their child

Column percentage

	All	Size and sector of establishment					
		Private 1-24	Private 25-99	Private 100-499	Private 500+	Public	Voluntary
<b>Awareness of right to normal terms and conditions during maternity leave</b>							
Fully aware	80	76	83	87	84	78	80
Partly aware	14	15	11	10	13	16	17
Not aware	6	9	6	4	3	6	3
Unweighted base	3146	659	412	409	251	1297	118
Weighted base	3128	689	423	401	240	1258	117
Base: Women who worked as employees during pregnancy							

Source: Survey of Mothers 2002

Women who worked in the public sector during pregnancy presented a complex picture. Their reported levels of awareness differed between the various aspects of the maternity legislation. In the case of the right to normal terms and conditions of employment during OML, they were less confident (78 per cent) in claiming to be fully aware of their right to normal terms and conditions of employment than women working in large and medium sized private sector establishments (84 per cent and 87 per cent, respectively) (Table 2.3). Awareness levels of other aspects of the legislation by women working in the public sector will be explored in the following sections.

### **Rights to ordinary and additional maternity leave**

Respondents were presented with five statements concerning different aspects of maternity leave provisions. These statements dealt with the rules governing entitlement, notification and commencement.

*All pregnant women working for an employer are entitled to 18 weeks ordinary maternity leave provided they give proper notice.*

*Pregnant women who have worked for the same employer for one year are entitled to additional maternity leave, which starts at the end of ordinary maternity leave and finishes 29 weeks after the birth.*

*Maternity leave can start at any time from the 11<sup>th</sup> week before the baby is due.*

*Pregnant women off sick for pregnancy-related reasons may have to begin unpaid maternity leave.<sup>10</sup>*

*A pregnant woman must give her employer at least 21 days notice before starting maternity leave.*

Women who worked as employees during pregnancy were not equally aware of different aspects of the maternity leave provisions.

Their levels of awareness tended to be higher about the right to 18 weeks OML, the provision that maternity leave can start any time from the 11<sup>th</sup> week before the baby is due and also about the requirement to give at least 21 days notice before maternity leave starts. By contrast, substantially lower numbers of women who worked as employees during pregnancy expressed full awareness of the right to AML.

In 1999, the legal right to OML was extended from 14 weeks to 18 weeks. Despite the relatively recent introduction of this change, 86 per cent of women who worked as employees during pregnancy said they were fully aware of their right to 18 weeks maternity leave and a further 11 per cent said they were partly aware of this right (Table 2.4).

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<sup>10</sup> It is important to note that the statement used in the questionnaire is likely to apply to very few women in practice, who would almost invariably begin either *paid* maternity leave or take sick leave if they were to have a period off sick for pregnancy-related reasons. There is an extremely low likelihood of women being faced in practice with a situation where they may have to begin unpaid maternity leave if off sick for pregnancy-related reasons. The findings from this question have not been reported as this statement did not capture the information required and should have read: *Pregnant women off sick for pregnancy-related reasons may have to begin maternity leave*. Due to the late editing of this report this chapter has not been updated to reflect the omission of tables 2.6 and 2.7 which include these findings.

Interestingly though, although all working women are entitled to OML regardless of length of service, awareness of the right to OML among women who worked as employees during pregnancy was related to their years of continuous service in the last job they held before the birth of their child. Women who had been working continuously for the same employer for more than five years were more likely to be aware of their right to 18 weeks OML. About nine in ten of those who had been with the same employer for more than five years (89 per cent and 90 per cent of those with ten or more years of service) said they were fully aware of this right. In contrast, 76 per cent of women who had less than one year of continuous service in their last job claimed to be fully aware of their right to OML (Table 2.4). Further investigations show that 27 per cent of the women with less than one year of continuous service in their last job are young mothers under the age of 25 and a further 26 per cent are between the ages of 25 and 29. Our findings indicate that young mothers reported generally low levels of awareness on most aspects of the maternity legislation. This seems to suggest that young working women who have not perhaps been in the labour market for a long time may not be fully aware of their maternity rights and entitlements.

Table 2.4 Awareness of entitlement to 18 weeks OML, by women's years of continuous service in last job held before the birth of their child

Column percentage

	All	Years of continuous service in last job				
		Under 1 year	1 to 2 years	2 to 5 years	5 to 10 years	10 years plus
<b>Awareness of entitlement</b>						
Fully aware	86	76	85	87	89	90
Partly aware	11	18	11	10	10	7
Not aware	3	7	4	3	2	3
Unweighted base	3270	301	440	1051	767	711
Weighted base	3252	320	465	1090	741	636

Base: Women who worked as employees during pregnancy

Source: Survey of Mothers 2002

In contrast to the high levels of awareness of the right to OML, a relatively small proportion of six in ten (59 per cent) women who had worked as employees during pregnancy confidently claimed to be aware of their right to AML and a striking two in ten (19 per cent) said they were not aware of this right at all. Years of continuous service in the last job women held before the birth of their child was once again strongly associated with levels of awareness. Only four in ten (43 per cent) women with less than one year of continuous service stated that they were fully aware of the right to AML (Table 2.5). This may be explained by the fact that these women were not yet entitled to AML. However, not all women who met the entitlement criteria were aware of their right to additional maternity leave. Only half of those (50 per cent) who had just passed the entitlement threshold (i.e. those between one and two years service) said they were aware of it.

Table 2.5 Awareness of entitlement to additional maternity leave, by women's years of continuous service in last job held before the birth of their child

Column percentage

	All	Years of continuous service in last job				
		Under 1 year	1 to 2 years	2 to 5 years	5 to 10 years	10 years plus
<b>Awareness of entitlement</b>						
Fully aware	59	43	50	58	67	68
Partly aware	22	28	24	22	20	20
Not aware	19	29	27	20	13	13
Unweighted base	3273	300	448	1054	760	711
Weighted base	3260	321	475	1093	735	636

Base: Women who worked as employees during pregnancy

Source: Survey of Mothers 2002

Women with longer than 10 years service were the most likely to be aware of their entitlement (68 per cent) to AML (Table 2.5).

Awareness of the right to AML among women who worked as employees during pregnancy was also related to the broad occupation in which women worked during the last job before the birth of their child. Compared to more than two thirds in managerial (68 per cent) and professional (69 per cent) occupations, about 41 per cent of those in personal/protective occupations and 56 per cent working in sales claimed to be fully aware of their right to AML.

More than eight in 10 (84 per cent) women who worked as employees during pregnancy were fully aware of the rule that maternity leave can start any time from the 11<sup>th</sup> week before the baby is due. Once again, levels of awareness varied by women's years of continuous service in last job they held before the birth of their child, almost exactly repeating the pattern described above; women with more than five years' continuous service in the last job before the birth (who also tended to be older mothers with 68 per cent over the age of 30) were more likely to know this rule than those with less than one year of continuous service.

Among women who worked as employees during pregnancy, awareness of rules governing maternity leave also depended on the size and sector of the establishment in which women worked in the last job they held before the birth of their child. While 65 per cent of mothers working in private establishments with less than 25 employees reported being fully aware of the requirement to give at least 21 days notice before the commencement of maternity leave, 83 per cent of those working in private establishments with 500 or more employees said they were fully aware of the notice requirement. With 76 per cent claiming to be fully aware of this requirement, women working in the public sector in their last job before giving birth reported higher levels of awareness than women working in small private sector establishments (Table 2.8). However, their level of awareness were still low compared with women who worked in large private sector establishments in the last job they held before the birth of their child.

## **Rights to maternity pay or MA**

The following five statements sought to gauge women's awareness of maternity pay.

*Statutory maternity pay is paid for up to 18 weeks to all women who qualify.*

*Women can get Statutory Maternity Pay whether or not they intend to return to work.*

*Statutory Maternity Pay is paid at 90 per cent of earnings for the first six weeks then a flat rate.*

*A woman has to earn more than a certain amount a week to get Statutory Maternity Pay.*

*Women earning £30 a week or more may be able to get Maternity Allowance.*

Table 2.8<sup>11</sup> Awareness of the requirement that women must give their employer at least 21 days notice before starting maternity leave, by size and sector of establishment in which women worked in last job before the birth of their child

Column percentage

	All	Size and sector of establishment					
		Private 1-24	Private 25-99	Private 100-499	Private 500+	Public	Voluntary
<b>Awareness of notice of commencement rule</b>							
Fully aware	74	65	74	77	83	76	73
Partly aware	17	22	17	17	12	16	20
Not aware	9	13	9	6	6	9	7
Unweighted base	3111	651	402	405	245	1288	120
Weighted base	3091	681	412	396	235	1249	118
Base: Women who worked as employees during pregnancy							

<sup>11</sup> Due to late editing, this report was not updated to reflect the omission of Tables 2.6 and 2.7. Please see footnote 11 for further explanation.

Women who worked as employees during pregnancy generally had a high level of awareness of the right to SMP, its amount and duration, but they were much less likely to know about the entitlement criteria for SMP and MA. Nearly nine in ten women (87 per cent) who worked as employees during pregnancy said they were fully aware of the right to receive SMP (Table 2.9). A lower proportion of seven in ten (71 per cent) reported that they knew that women could get SMP even if they don't intend to return to work (Table 2.10) and a similar proportion of 70 per cent of mothers said they were fully aware that SMP was paid at 90 per cent of earnings for the first six weeks, then at a flat rate (Table 2.11). In contrast, only about one in four (24 per cent) mothers were fully aware that they had to earn more than a certain amount to qualify for SMP (Table 2.12) and even fewer mothers (18 per cent) knew the income threshold for entitlement to MA (Table 2.13).

Nearly nine in ten women (87 per cent) who worked as employees during pregnancy said they were fully aware of the right to SMP for up to 18 weeks, available to all women who qualify. Their levels of awareness varied by whether or not they were legally entitled to SMP. Women who were legally entitled to SMP were substantially more likely to be aware of all aspects of the legislation relating to SMP than women who were not entitled to it. While nine in ten (90 per cent) of women who worked as employees during pregnancy and who were entitled to SMP said they were fully aware of the right to receive SMP for up to 18 weeks, seven in ten women (72 per cent) who were entitled to MA were fully aware of it and 64 per cent<sup>12</sup> of mothers who were not entitled to any maternity pay were (Table 2.9).

Table 2.9 Awareness of the right that SMP is paid for up to 18 weeks to all women who qualify, by entitlement to maternity pay

	All	Entitlement to maternity pay		
		Entitled to SMP	Entitled to MA	Not entitled
<b>Awareness of right</b>				
Fully aware	87	90	72	[64]
Partly aware	10	8	21	[24]
Not aware	3	2	8	[12]
Unweighted base	3338	2858	456	[24]
Weighted base	3327	2812	490	[25]
Base: Women who worked as employees during pregnancy				

Source: Survey of Mothers 2002

Levels of awareness of the right to SMP whether or not they intended to return to work among women who worked as employees during pregnancy were also associated with entitlement to SMP. Similarly, it was higher among women who were entitled to SMP than it

<sup>12</sup> This figure is based on only 24 unweighted cases and should be treated with caution.



was among women who were not. It was also higher among women who had a partner than it was among single mothers. Compared with 74 per cent of women who worked as employees during pregnancy and who had a partner, 56 per cent of single mothers reported to be fully aware that SMP is paid regardless of the intention to return to work (Table 2.10). This pattern of lower levels of awareness among single mothers was prominent across all aspects of the maternity legislation. Further investigations revealed that single mothers were generally more likely to work in clerical and personal or protective occupations and in small private establishments. They also tended to be young mothers. Around 80 per cent worked in non-managerial and non-professional occupations, nearly 40 per cent were under the age of 25 and a similar proportion had been with their employer for less than two years in their last job before the birth of their child. The findings presented in this chapter suggest that not only single mothers, but all women in lower level occupations and women with less than one years' continuous service with the employer for whom they worked in the last job before the birth of their child had generally lower levels of awareness of most aspects of the maternity legislation.

Table 2.10 Awareness of the right to SMP regardless of the intention to return to work, by women's marital status at the time of the survey

	All	Marital status	
		Partnered	Single
<b>Awareness of right</b>			
Fully aware	71	74	56
Partly aware	15	15	17
Not aware	14	12	28
Unweighted base	3315	2963	352
Weighted base	3305	2882	423

Base: Women who worked as employees during pregnancy

Source: Survey of Mothers 2002

Among women who worked as employees during pregnancy, those working in the public and other services sector in the last job women held before giving birth to their child had generally lower levels of awareness of their right to SMP and other aspects of the legislation governing maternity pay. Compared with nearly eight in ten women (78 per cent) working in the financial services sector and in the production and communication sector (77 per cent), six in ten (62 per cent) women working in public and other services said they were fully aware that SMP is paid at 90 per cent of earnings for the first six weeks and at a flat rate thereafter (Table 2.11).

Table 2.11 Awareness of the provision that SMP is paid at 90 per cent of earnings for the first six weeks then at a flat rate, by the industrial sector in which women worked in the last before the birth of their child

Column percentage

	All	Industrial sector of women's last job			
		Production and communication	Distribution	Financial services	Public and other services
<b>Awareness of the SMP rate</b>					
Fully aware	70	77	74	78	62
Partly aware	19	14	16	16	25
Not aware	11	9	11	7	13
Unweighted base	3296	405	790	743	1358
Weighted base	3285	395	841	716	1333

Base: Women who worked as employees during pregnancy

Source: Survey of Mothers 2002

Surprisingly few women were aware of the minimum income threshold for entitlement to SMP. Only about one in four (24 per cent) women who worked as employees during pregnancy said they were fully aware of the requirement that a woman has to earn a certain amount a week to be eligible for SMP. As many as half (50 per cent) said they were not aware of this requirement at all. There was little variation in levels of awareness of this aspect of the legislation across mothers' characteristics. The only substantial difference was between women who were entitled to receive SMP and women who were not. Only one fifth (22 per cent) who were entitled to SMP said they were fully aware of the requirement to earn a certain amount to get SMP. Interestingly, more than one third (37 per cent) who were not entitled to SMP, but to MA said they were fully aware that they had to earn a minimum income to get SMP (Table 2.12). This is somewhat surprising, as women who were actually entitled to SMP would be expected to know more about the income threshold than those who were not entitled to it. It is however conceivable that women who were entitled to MA had perhaps been unable to get SMP because they were earning below the income threshold and became aware of the minimum income criteria in this way.

Table 2.12 Awareness of the income threshold for entitlement to SMP, by entitlement to maternity pay

Column percentage

Awareness of the income threshold for SMP entitlement	All	Entitlement to maternity pay		
		Entitled to SMP	Entitled to MA	Not entitled
Fully aware	24	22	37	[60]
Partly aware	26	25	27	[16]
Not aware	50	53	35	[24]
Unweighted base	3308	2832	453	[23]
Weighted base	3299	2785	489	[25]

Base: Women who worked as employees during pregnancy

Source: Survey of Mothers 2002

The least well known aspect of the legislation was the MA entitlement criteria. The sample for this analysis included all women in employment during pregnancy, including the self-employed, because this aspect of the legislation was particularly relevant to them. Only 18 per cent of such women said they were fully aware of the provision that working mothers who are not entitled to receive SMP may be able to receive MA if they earn at least £30 a week. Mothers who were entitled to MA were substantially more likely to know about this aspect of the legislation than mothers who were entitled to SMP. Compared with 16 per cent of mothers who were entitled to SMP, twice as many (32 per cent) MA entitled women reported being fully aware of their right. While this suggests a comparatively higher level of awareness among those who were entitled to receive MA, it also shows that two-thirds of those who were entitled to MA were not fully aware (22 per cent partly aware, 46 per cent not aware at all) of their right in this respect (Table 2.13).

Table 2.13 Awareness of the income threshold for entitlement to MA, by entitlement to maternity pay

Column percentage

	All	Entitlement to maternity pay		
		Entitled to SMP	Entitled to MA	Not entitled
<b>Awareness of the income threshold for MA entitlement</b>				
Fully aware	18	16	32	[32]
Partly aware	23	23	22	[26]
Not aware	59	62	46	[42]
Unweighted base	3461	2945	487	[29]
Weighted base	3437	2887	519	[31]

Base: All women in employment during pregnancy including the self-employed

Source: Survey of Mothers 2002

### The right to unpaid parental leave

The 1999 Employment Relations Act introduced new parental rights for both mothers and fathers. The following three statements were used to gauge mothers' awareness of these new provisions:

*Most parents who have worked for the same employer for one year are entitled to 13 weeks unpaid parental leave.*

*Both mothers and fathers are entitled to parental leave.*

*Unless there is a separate arrangement between employers and employees, parental leave must be taken in minimum blocks of one week.*

Some aspects of the right to parental leave were better known than others. Overall though, it seems that, among women who worked as employees during pregnancy, the awareness of parental leave is not as high as their awareness of more established maternity rights and benefits.

Nearly one in four women who worked as employees during pregnancy said they were fully aware of the right to 13 weeks unpaid parental leave, available to parents who have worked for the same employer for one year. Women with less than one year of continuous service in the last job held before the birth of their child were less likely to say that they were fully aware of this provision. The level of awareness increases with the number of years women had worked in their last job before the birth, but the differences are not large. Compared with 15 per cent for mothers with less than one years' service, 20 per cent of those who had one to two years of continuous service said they were fully aware of the right to parental leave. Mothers who had been working for the same employer for more than ten years in the last job

before the birth of their child were the most likely (27 per cent) to be fully aware of their right to 13 weeks unpaid parental leave (Table 2.14).

Table 2.14 Awareness of the right to 13 weeks unpaid parental leave, women's years of continuous service in last job before the birth of their child

Column percentage

	All	Years of continuous service in last job				
		Under 1 year	1 to 2 years	2 to 5 years	5 to 10 years	10 years plus
<b>Awareness of right</b>						
Fully aware	24	15	20	25	25	27
Partly aware	27	27	24	27	28	29
Not aware	50	58	56	49	47	44
Unweighted base	3250	295	442	1048	760	705
Weighted base	3233	314	468	1086	735	630

Base: Women who worked as employees during pregnancy

Source: Survey of Mothers 2002

Nearly half (47 per cent) of women who had worked as employees during pregnancy said they were fully aware that both mothers and fathers are entitled to parental leave.<sup>13</sup> The levels of awareness varied substantially according to the number of work-life balance policies provided by women's last employer before the birth of their child. Where employers provided four or more of these policies, nearly two thirds of women who had worked as employees during pregnancy (62 per cent) said they were aware of the right to parental leave for both mothers and fathers. This proportion fell to around one in three (36 per cent) where the employer provided no such policies (Table 2.15).

<sup>13</sup> The findings in Tables 2.14 and 2.15 might be taken to suggest that more mothers (47 per cent) were aware that both mothers and fathers are entitled to parental leave than were aware (24 per cent) that the leave actually exists. However, the statement in relation to which 24 per cent of mothers said they were fully aware was 'Most parents who have worked for the same employer for one year are entitled to 13 weeks unpaid parental leave'. Mothers' lack of full awareness of this statement could arise from not knowing about the requirement to work for the same employer for one year, to not knowing that it is for 13 weeks or to not knowing that it is unpaid, rather than not knowing that it exists at all. Therefore, it is not particularly surprising that this statement had a lower level of awareness than the more straightforward one about both mothers and fathers being entitled to parental leave

Table 2.15 Awareness of the provision that both mothers and fathers are entitled to parental leave, by the number of work-life balance policies provided by women's last employer before the birth of their child

Column percentage

	All	Number of work-life balance policies				
		None	One	Two	Three	Four or more
<b>Awareness of provision</b>						
Fully aware	47	36	42	47	54	62
Partly aware	30	33	32	32	26	26
Not aware	23	31	26	21	20	13
Unweighted base	3327	666	896	702	535	528
Weighted base	3318	696	903	706	512	501
Base: Women who worked as employees during pregnancy						
Source: Survey of Mothers 2002						

Only 14 per cent of women who had worked as employees during pregnancy reported being fully aware of the requirement that unless there is a separate arrangement between employers and employees, parental leave must be taken in minimum blocks of one week. Once again, the level of awareness varied according to the provision of work-life balance policies by women's last employer before the birth of their child and the pattern of the variation was the same; the more work-life balance policies employers provided, the higher the levels of awareness of the parental leave regulations among their employees. While less than one in ten (nine per cent) mothers whose employer did not provide any such policies said they were fully aware of this provision, more than twice as many (22 per cent) women whose employer provided four or more work-life balance policies said they were fully aware of it (Table 2.16).

Table 2.16 Awareness of the provision that parental leave must be taken in blocks of one week, by the number of work-life balance policies provided by women's last employer before the birth of their child

Column percentage

	Number of work-life balance policies					
	All	None	One	Two	Three	Four or more
<b>Awareness of provision</b>						
Fully aware	14	9	11	14	17	22
Partly aware	17	16	17	18	17	19
Not aware	69	76	73	68	66	60
Unweighted base	3314	665	895	699	535	520
Weighted base	3306	695	902	704	513	492

Base: Women who worked as employees during pregnancy

Source: Survey of Mothers 2002

### The right to unpaid time off for dependants in an emergency

Mothers were presented with one statement about the right to unpaid emergency time off for dependants and asked to state whether they were fully aware, partly aware or not aware of this right.

*All working parents are entitled to unpaid time off for dependants in an emergency.*

About four in 10 women (42 per cent) who worked as employees during pregnancy were fully aware of the right to unpaid time off for dependants in an emergency. A further 32 per cent said they were partly aware of this right. The level of awareness once again varied substantially according to the provision of work-life balance policies by women's last employer before the birth of their child. Where the employer did not provide any work-life balance policies, only three in 10 women (29 per cent) said they were fully aware of the right to unpaid emergency time off for dependants. This increased to more than half (54 per cent) where the employer provided four or more such policies (Table 2.17). As well as indicating the positive impact of workplace provision on awareness, this also seems to support the suggestion that women were more likely to know about the established maternity rights and benefits and their levels of awareness with regard to newly introduced rights were not as high.

Table 2.17 Awareness of the right to unpaid time off for dependants in an emergency, by the number of work-life balance policies provided by women's last employer before the birth of their child

Column percentage

	All	Number of work-life balance policies				
		None	One	Two	Three	Four or more
<b>Awareness of right</b>						
Fully aware	42	29	38	44	52	54
Partly aware	32	29	32	34	30	32
Not aware	27	42	30	22	18	14
Unweighted base	3329	665	896	705	535	528
Weighted base	3318	696	902	709	511	500

Base: Women who worked as employees during pregnancy

Source: Survey of Mothers 2002

### Sources of information

The discussion above noted that, among women who worked as employees during pregnancy, levels of awareness of their maternity rights and entitlements varied between different aspects of the legislation. It also highlighted the fact that women who worked in large private establishments; those in higher level occupations; women with more than five years' continuous service with their employer and those with higher educational qualifications reported generally higher levels of awareness. In contrast, women working in small private establishments; those working in lower level occupations; women with less than one year of service with their employer and women with lower educational qualifications reported generally lower levels of awareness of their maternity rights and entitlements.

It would be useful to ascertain how women learned about their rights, as this could be one explanation for the variation in levels of awareness among women who worked as employees during pregnancy. This could also help identify which sources of information were more effective in producing a high level of awareness.

Women were asked about their sources of information on maternity rights and entitlements. They were then prompted to indicate which one of these sources they found most useful.

Among women who worked as employees during pregnancy, nearly one in four (38 per cent) reported that their employer was the most useful source of information on maternity rights and over one in ten (13 per cent) cited government leaflets and books. One in ten mentioned Bounty Books (the package of documents on maternity issues produced by a consortium of employers). A similar proportion (nine per cent) of mothers cited their friends, relatives or colleagues as the most useful source of information. DTI, DWP or the Benefits Agency was



mentioned specifically by only five per cent. Finally 17 per cent mentioned ‘other sources’ such as a health or doctor’s clinic or the Citizen’s Advice Bureau (Table 2.18)<sup>14</sup>.

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<sup>14</sup> There were no clear findings from analysing awareness by sources of information (see fathers’ section below).

Table 2.18 What was the most useful source of information on mothers' legal entitlements to maternity rights and benefits?

<b>Most useful source of information</b>	<b>Percentage</b>
Employer	38
Friend/relative/neighbour,colleague	9
Government leaflets and books	13
Bounty books	10
Pregnancy and parenting magazines	8
DTI, DWP or Benefits Agency	5
Other	17
Unweighted base	2993
Weighted base	2987

Base: Women who worked as employees during pregnancy

Source: Survey of Mothers 2002

Among women who worked as employees during pregnancy, those who worked in managerial and professional occupations in the last job before the birth of their child were more likely to cite their employer as the most useful source of information. Compared with nearly one in five (18 per cent) women in 'other' occupations and three in ten (27 per cent) in sales related occupations, nearly half of professionals (45 per cent) and half of associate professionals (50 per cent) said their employer was the most useful source of information. Women working in lower level occupations were slightly more likely than women in other occupations to cite government leaflets and books as the most useful source of information. They were also more likely to mention informal sources such as friends or relatives (Table 2.19).

Women working in large private sector establishments in the last job before the birth of their child were more likely to cite their employer as the most useful source of information. More than half of those (53 per cent) working in private establishments with 500 or more employees said their employer was the most useful source of information. In contrast, less than two in ten (18 per cent) working in small private establishments with less than 25 employees cited their employer. Women working in private establishments with less than 25 employees mentioned government leaflets and books more often than those working in private establishments with 500 or more employees (20 per cent against seven per cent) (Table 2.20).

Among women who worked as employees during pregnancy, nearly half of those with a first degree or a higher qualification (46 per cent), mentioned their employer as the most useful source of information. In contrast, only one third (33 per cent) of such women with O Level equivalent qualifications and 19 per cent of those with no formal qualifications mentioned their employer (Table 2.21).

Table 2.19 Most useful source of information about maternity rights, by broad occupation in which women worked during last job before the birth of their child

	All	Broad occupation in which women worked during last job						
		Manager	Professional	Associate Professional	Clerical	Personal/protective	Sales	Other
<b>Most useful source of information</b>								
Employer	38	43	45	50	39	27	27	18
Friend/relative/neighbour/colleague	9	7	6	10	10	10	11	13
Government leaflets and books	13	13	12	10	13	16	13	19
Bounty books	10	10	4	7	12	11	14	12
Pregnancy and parenting magazines	8	11	7	6	9	9	9	9
DTI, DWP or Benefits Agency	5	2	3	2	6	8	8	6
Other	17	15	24	15	13	19	18	23
Unweighted base	2959	450	361	513	854	353	242	186
Weighted base	2950	421	334	473	857	391	270	204

Base: Women who worked as employees during pregnancy

Source: Survey of Mothers 2002

Table 2.20 Most useful information source about maternity rights, by size and sector of establishment in which women worked in last job before the birth of their child

Column percentage

	All	Size and sector of the establishment					
		Private 1-24	Private 25-99	Private 100-499	Private 500+	Public	Voluntary
<b>Most useful source of information</b>							
Employer	38	18	27	38	53	52	29
Friend/relative/neighbour/colleague	10	8	10	11	8	10	6
Government leaflets and books	13	20	17	10	7	9	21
Bounty books	10	11	14	14	9	7	10
Pregnancy and parenting magazines	8	11	12	8	8	6	9
DTI, DWP or Benefits Agency	5	7	7	4	3	3	6
Other	16	25	14	15	13	13	20
Unweighted base	2819	592	359	370	231	1160	107
Weighted base	2802	622	370	361	223	1122	104

Base: Women who worked as employees

during pregnancy

Source: Survey of Mothers 2002

Table 2.21 Most useful source of information about maternity rights, by women's highest educational qualification at the time of the survey

	Column percentage						
	All	Women's highest educational qualification level					
		First degree or higher	HNC/ HND BTEC	A level or equivalent	O Level or equivalent	Other	None
<b>Most useful source of information</b>							
Employer	38	46	43	40	33	35	19
Friend/relative/neighbour/colleague	9	7	10	7	11	15	5
Government leaflets and books	13	14	10	13	13	14	12
Bounty books	10	5	8	13	12	6	14
Pregnancy and parenting magazines	9	8	8	8	9	10	12
DTI, DWP or Benefits Agency	5	3	4	5	6	4	8
Other	17	18	16	14	16	16	29
Unweighted base	2872	706	353	550	1065	111	87
Weighted base	2859	651	341	566	1099	105	97

Base: Women who worked as employees during pregnancy

Source: Survey of Mothers 2002

The association between the sources of awareness and employers' provision of work-life balance policies was also quite strong. Among women who worked as employees during pregnancy, 61 per cent of those whose last employer before the birth of their child provided four or more work-life balance policies said that their employer was their most useful source of information. By contrast, only a fifth (20 per cent) of such women whose employer did not provide any work-life balance policies cited their employer as their most useful source of information (Table 2.22).

Table 2.22 Most useful source of information about maternity rights, by the number of work-life balance policies provided by women's last employer before the birth of their child

	All	Number of work-life balance policies					Column percentage
		None	One	Two	Three	Four or more	
<b>Most useful source of information</b>							
Employer	38	20	32	36	49	61	
Friend/relative/neighbour/colleague	9	11	10	8	8	9	
Government leaflets and books	13	17	13	17	10	7	
Bounty books	10	13	11	10	8	6	
Pregnancy and parenting magazines	8	9	9	9	8	5	
DTI, DWP or Benefits Agency	5	7	6	3	4	2	
Other	17	23	19	16	13	11	
Unweighted base	2993	581	809	644	483	476	
Weighted base	2987	606	816	649	464	452	
Base: Women who worked as employees during pregnancy							
Source: Survey of Mothers 2002							

## Changes in mothers' awareness of the legislation from 1996 to 2002

The foregoing analyses have shown that mothers generally reported high levels of awareness of a wide range of aspects of the maternity rights legislation. Table 2.23 investigates whether these levels of awareness were higher than reported in the 1996 survey of maternity rights.

Table 2.23 Changes in mothers' awareness of the legislation from 1996 to 2002<sup>15</sup>

Aspect of entitlement to maternity rights <sup>16</sup>	Percentage of women employees during pregnancy who were fully aware of entitlement, 1996	Percentage of women employees during pregnancy who were fully aware of entitlement, 2002
All pregnant women working for an employer are entitled to 18 weeks ordinary maternity leave provided they give proper notice	77	86
During the 18 weeks ordinary maternity leave, all women are entitled to their normal terms and conditions of employment except for wages	74	80
All pregnant women are protected against unfair dismissal because of their pregnancy	81	84
Statutory Maternity Pay is paid for up to 18 weeks to all women who qualify	79	87
Women can get Statutory Maternity Pay whether or not they intend to return to work	69	71
All pregnant women are allowed reasonable paid time off to attend ante-natal classes	84	81
Maternity leave can start at any time from the 11 <sup>th</sup> week before the baby is due	88	84

Source: Survey of Mothers, 1996, 2002

<sup>15</sup> The bases for this table varied according to each aspect of maternity rights under consideration.

<sup>16</sup> The questions listed are as they appeared in the 2002 questionnaire. For the 1996 survey, slight alterations in wording were used to reflect the legislative situation and terminology pertaining at the time. Thus, '14 weeks maternity leave' word have been referred to rather than '18 weeks ordinary maternity leave'.

On the whole, mothers' levels of awareness were indeed higher in 2002 than they had been in 1996. This can be seen by comparing the answers of women who worked as employees during pregnancy to the seven 2002 questions that were exact or virtual replications of questions that had appeared in 1996 (Table 2.23). In five out of seven cases, mothers reported a higher level of awareness in 2002 than had been the case in 1996. This was quite emphatically the case in relation to some questions with for example, nine out of 10 mothers (86 per cent) showing awareness of the entitlement to 18 weeks OML, compared with eight out of 10 in 1996 (77 per cent), when the entitlement of course was to only 14 weeks. Similarly, nine in 10 mothers (87 per cent) were fully aware that SMP was paid for up to 18 weeks to all women who qualify, compared with eight in 10 such women (79 per cent) in 1996 and eight in 10 mothers in 2002 were fully aware that all women were entitled to their normal terms and conditions of employment (except wages) during OML, compared with three-quarters of mothers (74 per cent) who were fully aware of this in 1996. In the case of other questions, such as protection against unfair dismissal and the right of women to receive SMP regardless of whether they return to work, the increases in levels of awareness were more marginal.

In the case of two questions, the proportion of mothers who claimed to be fully aware of legislative provision declined from 1996 to 2002. These questions related to the fact that all pregnant women are allowed reasonable paid time off work to attend ante-natal classes and that maternity leave can start at any time from the eleventh week before the baby is due. In neither case did levels of awareness fall appreciably, however, and indeed remained high in 2002.

It is of interest to consider whether the increased level of awareness of maternity rights shown in Table 2.23 can be attributed in any way to the new rights and enhancements to existing provision introduced in 1999. It is not possible to make a direct comparison between awareness levels in 1996 compared with 2002, because of course the new rights and enhancements did not apply in 1996. It is possible, however, to draw some inferences with regard to this issue by comparing awareness levels in 2002 for questions relating to

- a) provision that existed before 1999 and was not changed
- b) provision that was enhanced in 1999 and
- c) provision that was introduced in 1999.

If awareness levels relating to new or enhanced rights are higher than for rights established before 1999, it may be that the changes have stimulated the overall increase in awareness of statutory maternity provision, perhaps because of the publicity surrounding them. This possibility is examined in Table 2.24.



Table 2.24 Levels of awareness in 2002 for different types of provision<sup>17</sup>

Aspect of entitlement to maternity rights	Percentage of women employees during pregnancy who were fully aware of entitlement, 2002
<b>Pre-1999 rights</b>	
All pregnant women are protected against unfair dismissal because of their pregnancy	84
Statutory Maternity Pay is paid for up to 18 weeks to all women who qualify	87
Women can get Statutory Maternity Pay whether or not they intend to return to work	71
All pregnant women are allowed reasonable paid time off to attend ante-natal classes	81
Maternity leave can start at any time from the 11 <sup>th</sup> week before the baby is due	84
Statutory Maternity Pay is paid at 90 per cent of earnings for the first six weeks then a flat rate	70
A woman has to earn more than a certain amount a week to get Statutory Maternity Pay	24
Pregnant women off sick for pregnancy-related reasons may have to begin unpaid maternity leave	49
A pregnant woman must give her employer at least 21 days notice before starting maternity leave	72
Mean percentage fully aware of pre-1999 rights	69
<b>Rights enhanced in 1999</b>	
All pregnant women working for an employer are entitled to 18 weeks ordinary maternity leave provided they give proper notice	86
During the 18 weeks ordinary maternity leave, all women are entitled to their normal terms and conditions of employment except for wages	80
Pregnant women who have worked for the same employer for one year are entitled to additional maternity leave, which starts at the end of ordinary maternity leave and finishes 29 weeks after the birth	59

<sup>17</sup> The bases for this table varied according to each aspect of maternity rights under consideration.

Women earning £30 a week or more may be able to get Maternity Allowance	18
Mean percentage fully aware of rights enhanced in 1999	61
<b>New rights introduced in 1999</b>	
All working parents are entitled to unpaid time off for dependants in an emergency	42
Most parents who have worked for the same employer for one year are entitled to 13 weeks unpaid parental leave	24
Both mothers and fathers are entitled to parental leave	47
Unless there is a separate arrangement between employers and employees, parental leave must be taken in minimum blocks of one week	14
Mean percentage fully aware of rights introduced in 1999	32

While comparisons of this type need to be made with care because reported levels of awareness can vary according to the complexity of the question as well as its subject, it seems clear that there is no obvious tendency for awareness of new or enhanced rights to be higher than for rights which have been unchanged since before 1999. Indeed, awareness levels of the new rights to emergency time off and parental leave are well below those reported in relation to both rights introduced prior to 1999 and those enhanced in that year. Whereas for the questions on rights introduced before 1999, women who worked as employees during pregnancy reported full awareness in 69 per cent of cases on average, this was true in 61 per cent of cases for rights enhanced in 1999 but in only 32 per cent of cases for rights introduced in 1999 (Table 2.24). While this low level of awareness of the new rights is perhaps not surprising in the case of awareness that parental leave must be taken in minimum blocks of one week unless there is a separate agreement with the employer, since this a very detailed aspect of the legislation, the other statements on the new rights are very general and straightforward. Despite this, less than half of women who worked as employees during pregnancy reported being fully aware that all working parents were entitled to unpaid time off for family emergencies and that both mothers and fathers were entitled to parental leave. On the basis of these findings, it would not appear to be the case that introduction of the new rights or enhancements in 1999 stimulated a general increase in levels of awareness.

## 2.1 Fathers' awareness of legislation

The Employment Relations Act 1999 introduced two new rights that are available for fathers as well as mothers. These are the right to 13 weeks unpaid parental leave for parents with children under the age of five and the right to unpaid emergency time off for dependants.

In order to assess the level of awareness of these new parental leave provisions among fathers, respondents were presented with four statements<sup>18</sup>. Three of these statements focused on different aspects of parental leave and the fourth focused on emergency time off for

<sup>18</sup> The analyses in this section are confined to those fathers who worked as employees at the time of the birth of their child because the new parental leave and emergency time off provisions were more relevant to this group than to the self-employed.

dependants. In response to each statement, respondents were asked to indicate whether they were ‘fully aware’; ‘partly aware’; or ‘not aware’ of this right.

Variation in fathers’ awareness of these leave entitlements was examined across a range of employment-related and personal factors. The employment-related factors all relate to the time their child was born and include their occupation; the industry, sector and size of the establishment in which they worked at the time of childbirth; union representation at their workplace and union membership; gender composition of the workforce and the provision of work-life balance policies by their employer. The personal factors all relate to the time of the survey and include age, highest educational qualification and ethnic origin. Variations in awareness were also examined by what fathers regarded as the most useful source of information on their statutory rights.<sup>19</sup>

The following discussion only comments on those factors that showed variations in awareness. Where a factor is not discussed, it can be assumed that there were no substantial differences.

### **Rights to parental leave**

The three statements that focused on different aspects of the legislation governing parental leave were as follows:

*Parents who have worked for the same employer for one year are entitled to at least 13 weeks unpaid parental leave.*

*Both mothers and fathers are entitled to parental leave.*

*Unless there is a separate arrangement agreed between employers and employees, parental leave must be taken in minimum blocks of one week.*

Overall, the level of awareness of the new parental leave entitlement was not very high among fathers and it varied between aspects of the legislation. The most widely known aspect of the right to parental leave was that both mothers and fathers are entitled to it. About four in 10 (39 per cent) fathers who were working as employees at the time of the birth of their child said they were ‘fully aware’ that both mothers and fathers are entitled to parental leave (Table 2.27). A lower proportion of 25 per cent said they were ‘fully aware’ of the entitlement to 13 weeks unpaid parental leave (Table 2.25) and only 13 per cent reported that they were ‘fully aware’ of the condition that parental leave must be taken in minimum blocks of one week (Table 2.30).

Like mothers, fathers also showed lower levels of awareness with regards to the right to parental leave. Comparing women who worked as employees during pregnancy with men who were working as employees at the time of the birth of their child, it can be seen that equal proportions of mothers and fathers (one in four) were fully aware of the right to 13 weeks unpaid parental leave. Almost equal proportions of such men (13 per cent) and women (14 per cent) reported being fully aware of the requirement to take parental leave in minimum blocks of one week. Mothers were slightly more likely to know about the provision that both mothers and fathers are entitled to parental leave. In comparison with 39 per cent of men, 47 per cent of women were fully aware that both mothers and fathers are entitled to parental leave.

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<sup>19</sup> A similar analysis was carried out for mothers but was not reported because it produced no clear findings.

Among fathers who worked as employees at the time of the birth of their child, the key factors associated with varying levels of their awareness of their rights concerning parental leave were their occupation, the gender composition, industry, sector and the size of the establishment in which they worked, whether their employer provided work-life balance policies or not and finally their qualification levels.

The variation in levels of awareness of the right to 13 weeks unpaid parental leave was strongly associated with the size and sector of the establishment in which fathers worked at the time of the birth of their child. Their levels of awareness tended to be higher where they worked for large private sector establishments and lower where they worked for small private sector establishments. Compared with one in five fathers in establishments with less than 25 employees, one in three fathers working for private sector establishments with at least 500 employees stated that they were fully aware of their right to 13 weeks parental leave (Table 2.25).

Table 2.25 Awareness of fathers' entitlement to 13 weeks unpaid parental leave, by size and sector of establishment in which fathers worked at the time of the birth of their child

	All	Column percentage					
		Size and sector of establishment					
		Private 1-24	Private 25-99	Private 100-499	Private 500+	Public	Voluntary Other
<b>Awareness of entitlement</b>							
Fully aware	25	20	24	29	32	26	24
Partly aware	26	23	30	27	23	27	30
Not aware	48	57	46	44	45	47	47
Base: Fathers working as employees at the time of the birth of their child	1778	417	309	306	185	439	122

Source: Survey of Fathers 2002

Awareness of entitlement to parental leave also depended on the broad occupation in which fathers worked at the time of the birth of their child. Fathers in managerial and professional occupations tended to have a higher level of awareness of their rights to parental leave. Compared with about one in five fathers in elementary occupations (21 per cent) and clerical, personal and sales occupations (20 per cent), about one in three managers (31 per cent) and professionals (28 per cent) were fully aware of their right to 13 weeks parental leave (Table 2.26).

Table 2.26 Awareness of fathers' entitlement to 13 weeks unpaid parental leave, by broad occupation in which fathers worked at the time of the birth of their child

Column percentage

	<b>Broad occupation in which fathers worked</b>							
	All	Manager	Professional	Associate Professionals and Technical	Clerical/Sales/Personal	Skilled Manual workers	Machine operatives	Elementary occupations
<b>Awareness of entitlement</b>								
Fully aware	25	31	28	24	20	22	24	21
Partly aware	26	26	32	28	26	22	29	17
Not aware	49	43	40	48	54	56	47	63
Base: Fathers working as employees at the time of the birth of their child	1796	446	247	230	327	296	178	72

Source: Survey of Fathers 2002

Fathers working in the financial services sector at the time of the birth of their child reported higher levels of awareness with respect to the provision that both mothers and fathers are entitled to parental leave. In comparison with 34 per cent of fathers working in distribution, hotels and restaurants, 44 per cent of fathers working in financial services said they were fully aware of this provision (Table 2.27).

Table 2.27 Awareness of the provision that both mothers and fathers are entitled to parental leave, by industrial sector in which fathers worked at the time of the birth of their child

Column percentage

	All	Industrial sector in which fathers worked			
		Production and Communication	Distribution, Hotels and Restaurants	Banking, Finance and Insurance	Public Admin, Education and Health
<b>Awareness of right</b>					
Fully aware	39	37	34	44	43
Partly aware	27	27	29	29	24
Not aware	34	36	37	27	33
Base: Fathers working as employees at the time of the birth of their child	1792	585	431	384	392

Source: Survey of Fathers 2002

Interestingly, among fathers who were working as employees at the time of the birth of their child, levels of awareness were higher in establishments where the gender composition of the workforce was either balanced or predominantly female. In establishments where 'all' or 'most' of the workforce were men, levels of awareness tended to be lower. Where the workforce consisted 'mostly' of women or 'about half men and half women', about half (49 and 46 per cent respectively) reported being fully aware that both mothers and fathers are entitled to parental leave. In 'all men' establishments this fell to 28 per cent (Table 2.28).

Table 2.28 Awareness of the provision that both mothers and fathers are entitled to parental leave, by the gender composition of the workforce at the establishment where fathers worked at the time of the birth of their child

Column percentage

Column percentages	All	Gender composition of the workforce			
		All men	Mostly men	About half men and half women	Mostly women
<b>Awareness of right</b>					
Fully aware	40	28	35	46	49
Partly aware	27	24	29	25	29
Not aware	33	47	36	29	22
Base: Fathers working as employees at the time of the birth of their child	1739	180	805	606	148

Source: Survey of Fathers 2002

Levels of awareness also varied by the highest educational qualification of fathers who were working as employees at the time of the birth of their child. Compared with 47 per cent of fathers with a first or higher degree, 32 per cent of those with O Level or equivalent qualifications said they were fully aware that both mothers and fathers are entitled to parental leave (Table 2.29).

Table 2.29 Awareness of the provision that both mothers and fathers are entitled to parental leave, by fathers' highest educational qualification at the time of the survey

Column percentage

	All	Fathers' highest educational qualification					
		First degree or higher	HNC/HND BTEC	A level or equivalent	O Level or equivalent	Other	None
<b>Awareness of right</b>							
Fully aware	39	47	49	39	32	45	30
Partly aware	27	26	25	28	28	33	22
Not aware	34	27	26	33	39	23	48
Base: Fathers working as employees at the time of the birth of their child	1806	460	190	289	679	80	108

Source: Survey of Fathers 2002

Among fathers who were working as employees at the time of the birth of their child, awareness of the requirement that parental leave must be taken in minimum blocks of one week (unless agreed otherwise with the employer), tended to be low (13 per cent). Levels of awareness of this requirement varied by the extent to which the employer with whom fathers were working at the time of the birth of their child provided work-life balance policies. Compared with the average of 13 per cent, fathers working for employers providing three or more work-life balance policies were nearly twice as likely (24 per cent) to say that they were fully aware of this condition attached to the take-up of parental leave (Table 2.30).



Table 2.30 Awareness of the requirement that parental leave must be taken in minimum blocks of one week, by the number of work-life balance policies provided by fathers' employer at the time of the birth of their child

	All	Column percentage			
		Number of work-life balance policies			
		None	One	Two	Three or more
<b>Awareness of requirement</b>					
Fully aware	13	11	12	13	24
Partly aware	13	12	13	14	15
Not aware	74	77	75	73	61
Base: Fathers working as employees at the time of the birth of their child	1789	728	592	316	153

Source: Survey of Fathers 2002

### Rights to emergency time off for dependants

In order to gauge their awareness of the right to emergency time off for dependants, fathers were presented with the following statement and asked to indicate whether they were aware of it:

*All working parents are entitled to unpaid emergency time off for family emergencies.*

On average, more than one in three (37 per cent) fathers who were working as employees at the time of the birth of their child said they were fully aware of their right to take unpaid time off in emergencies and another 28 per cent said they were partly aware. The level of awareness of the right to time off for family emergencies on the part of fathers who were working as employees at the time of the birth of their child was slightly lower than that of mothers who worked as employees during their pregnancy. At 42 per cent, a somewhat higher proportion of these women said they were fully aware of the right to emergency time off (Table 2.31).

Fathers' levels of awareness did not vary to a substantial extent by most of the variables considered. There was some variation by occupational status but the differences between groups were not large.

The only strong relationship was with the provision of work-life balance policies by the employer for whom fathers worked at the time of the birth of their child. Compared to those working at this time for employers who did not provide any work-life balance policies (29 per cent), respondents working for employers providing three or more work-life balance policies were twice as likely (61 per cent) to say that they were fully aware of their right to unpaid emergency time off (Table 2.31).

Table 2.31 Awareness of right to unpaid emergency time off, by the number of work-life balance policies provided by fathers' employer at the time of the birth of their child

	Column percentage				
	All	Number of work-life balance policies			
		None	One	Two	Three or more
<b>Awareness of requirement</b>					
Fully aware	37	29	37	43	61
Partly aware	28	26	31	29	21
Not aware	36	46	33	28	17
Base: Fathers working as employees at the time of the birth of their child	1830	745	606	324	155

Source: Survey of Fathers 2002

### Sources of information

Fathers' levels of awareness of their right to parental leave and emergency time off were not very high and varied by a range of factors. So it is useful to ascertain how fathers learned about their rights and which sources of information were most effective in producing a high level of awareness.

Fathers were asked about their sources of information on working fathers' statutory leave entitlements. They were then prompted to indicate which one of these sources they found most useful.

Note that one in three fathers who were working as employees at the time of the birth of their child (30 per cent) did not answer the question that asked respondents which one of these sources they found most useful. Those who answered the question mentioned a wide range of sources. More than one in five (22 per cent) stated that their employer was the most useful source of information on fathers' parental leave entitlements. A similar proportion (20 per cent) cited informal sources such as their friends, relatives or colleagues. Just under five per cent of respondents cited government leaflets and booklets and three per cent cited the Bounty Books (the package of documents on maternity issues produced by a consortium of employers). Another three per cent said the most useful source of information was pregnancy and parenting magazines. A further 15 per cent mentioned a range of other sources such as the Citizens Advice Bureau, trade unions, television, newspapers and other specialist organisations<sup>20</sup> (Table 2.32).

<sup>20</sup> The numbers of fathers mentioning each of these 'other' sources were too low to warrant separate analysis.

Table 2.32 What was the most useful source of information on fathers' legal rights to leave?

<b>Most useful source of information</b>	<b>Percentage</b>
Employer	22
Friend/relative/neighbour,colleague	20
Government leaflets and books	5
Bounty books	3
Pregnancy and parenting magazines	3
DTI, DWP or Benefits Agency	2
Other	15
Not stated	31
Base: Fathers working as employees at the time of the birth of their child	1874

Source: Survey of Fathers 2002

It seems that some sources of information were more effective than others in producing better levels of awareness of the right to emergency time off for dependants. The most effective information source was the employer. While half of those fathers (51 per cent) who were working at the time of the birth of their child and who said their employer was the most useful source of information were fully aware of their right to emergency time off, one in three (32 per cent) of those who used informal sources claimed full awareness. Government leaflets and pregnancy and parenting magazines were also found to be reasonably effective in producing a high level of awareness: 42 per cent of fathers who said government leaflets or pregnancy and parenting magazines were their most useful source of information claimed to be fully aware of their right to emergency time off (Table 2.33).<sup>21</sup>

<sup>21</sup> Where DTI, DWP or the Benefits Agency (now Jobcentre Plus) were the most useful source of information, fathers were fully aware of the right to emergency time off in 56 per cent of cases, but this figure is based on a very low number of unweighted respondents (32) and thus is not reliable.

Table 2.33 Awareness of right to emergency time off, by most useful source of information on fathers' legal rights to leave

Column percentage

	All	Most useful source of information						Other
		Employer	Informal	Government Leaflets	Bounty books	Pregnancy and parenting magazines	DTI, DWP or Benefits Agency	
<b>Awareness of requirement</b>								
Fully aware	42	51	32	42	38	42	[56]	41
Partly aware	30	24	37	34	38	32	[22]	30
Not aware	28	26	32	24	24	27	[22]	29
Base: Fathers working as employees at the time of the birth of their child	1286	408	372	83	55	60	32	276

Source: Survey of Fathers 2002

The level of awareness of the right to 13 weeks unpaid parental leave varied in a similar pattern by the source of respondents' awareness. Fathers who were working as employees at the time of the birth of their child and who learned about their rights from their employer were the most likely to say that they were fully aware of their entitlement to parental leave (37 per cent). In contrast, only one in five (20 per cent) of those who used informal sources or pregnancy and parenting magazines said they were fully aware of their right to parental leave (Table 2.34).<sup>22</sup>

The most useful source of information on fathers' rights to leave and benefits varied by a number of characteristics. Fathers who were in managerial occupations at the time of the birth of their child were more likely than those in other occupations to cite their employer as the most useful source of information, which they did in about two-fifths (44 per cent) of cases (Table 2.35). Friends, relatives, neighbours or colleagues tended to be seen as the most useful by machine operatives, who cited this source in over a third (37 per cent) of cases.

Among different types of establishment, fathers who were working in private sector establishments with 500 or more employees (37 per cent) and in the public sector (40 per cent) at the time of the birth of their child were most likely to cite their employer as the most useful source of information on rights to leave and benefits (Table 2.36). In contrast, fathers working in private establishments with fewer than 25 employees were most likely to mention friends, relatives, neighbours or colleagues as the most useful source of information, with a third (33 per cent) of them doing so.

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<sup>22</sup> Where DTI, DWP or the Benefits Agency (now Jobcentre Plus) were the most useful source of information, fathers were fully aware of the right to 13 weeks unpaid parental leave in 50 per cent of cases, but this figure is based on a very low number of unweighted respondents (32) and thus is not reliable.

Table 2.34 Awareness of right to 13 weeks unpaid parental leave, by most useful source of information on fathers' legal rights to leave

Column percentage

	<b>Most useful source of information</b>							
	<b>All</b>	Employer	Informal	Government Leaflets	Bounty books	Pregnancy and parenting magazines	DTI, DWP or Benefits Agency	Other
<b>Awareness of right</b>								
Fully aware	30	37	20	35	22	20	[50]	34
Partly aware	29	27	33	30	37	42	[16]	27
Not aware	40	37	47	35	41	37	[34]	39
Base: Fathers working as employees at the time of the birth of their child	1287	412	369	83	54	59	[32]	278

Source: Survey of Fathers 2002

Table 2.35 Most useful source of information on fathers' legal rights to leave, by broad occupation in which fathers worked at the time of the birth of their child

	Column percentage							
	All	Managers	Professionals	Broad occupation in which fathers worked			Machine Operatives	Elementary Occupations
				Associate Professionals and Technical	Clerical, Sales and Personal Services	Skilled Manual workers		
<b>Most useful source of information</b>								
Employer	32	44	35	35	28	21	21	[23]
Friend/relative/neighbour/colleague	29	20	30	26	33	35	37	[32]
Government leaflets and books	7	6	6	6	5	7	8	[16]
Bounty books	4	4	2	3	5	6	5	[9]
Pregnancy and parenting magazines	5	5	4	5	5	7	2	[7]
DTI, DWP or Benefits Agency	3	2	1	2	5	3	2	[2]
Other	21	20	23	23	20	22	25	[11]
Base: Fathers working as employees at the time of the birth of their child	1281	326	172	174	243	196	126	[44]

Source: Survey of Fathers 2002

Table 2.36 Most useful source of information on fathers' legal rights to leave, by size and sector of establishment in which fathers worked at the time of the birth of their child

Column percentage

	Size and sector of establishment						
	All	Private 1-24	Private 25-99	Private 100-499	Private 500 +	Public	Voluntary
<b>Most useful source of information</b>							
Employer	32	21	31	31	37	40	38
Friend/relative/neighbour/colleague	29	33	25	30	31	27	31
Government leaflets and books	7	6	9	7	4	5	7
Bounty books	4	6	5	4	1	3	4
Pregnancy and parenting magazines	5	6	6	4	4	4	3
DTI, DWP or Benefits Agency	2	3	2	3	4	2	1
Other	21	26	23	22	20	19	16
Base: Fathers working as employees at the time of the birth of their child	1269	286	213	233	134	313	90

Source: Survey of Fathers 2002



Fathers working in banking, finance and insurance and the public administration, education and health sectors at the time of the birth of their child were more likely to indicate their employer as the most useful source of information, with 38 per cent and 36 per cent doing so respectively (Table 2.37). In contrast, those in the production and communication and communications sector were the most likely to mention friends, relatives, neighbours or colleagues as the most useful source (32 per cent).

Table 2.37 Most useful source of information on fathers' legal rights to leave, by the industrial sector in which fathers worked at the time of the birth of their child

Column percentage

	<b>Industrial sector of the job</b>				
	<b>All</b>	Production and communication	Distribution, Hotels and Restaurants	Banking, Finance and Insurance	Public Administration Education and Health
<b>Most useful source of information</b>					
Employer	32	26	31	38	36
Friend/relative/ neighbour/colleague	29	32	29	24	29
Government leaflets and books	7	8	7	5	6
Bounty books	4	5	6	3	3
Pregnancy and parenting magazines	5	4	6	4	5
DTI, DWP or Benefits Agency	3	3	2	2	3
Other	21	22	20	25	19
Base: Fathers working as employees at the time of the birth of their child	1281	402	308	291	280

Source: Survey of Fathers 2002

The sources of awareness were also strongly associated with employers' provision of work-life balance policies. Among fathers who were working as employees at the time of the birth of their child and whose employer provided three or more work-life balance policies, almost half (48 per cent) reported that their employer was their most useful source of information (Table 2.38). This compared with a quarter (26 per cent) of fathers whose employer provided no such policies at this time.

Table 2.38 Most useful source of information on fathers' rights to leave, by the number of work-life balance policies provided by fathers' employer at the time of the birth of their child

	All	Column percentage			
		Number of work-life balance policies			
		None	One	Two	Three or more
<b>Most useful source of information</b>					
Employer	32	26	29	41	48
Friend/relative/neighbour/ Colleague	29	32	31	25	16
Government leaflets and books	7	7	6	5	6
Bounty books	4	3	5	6	2
Pregnancy and parenting magazines	5	5	5	4	2
DTI, DWP or Benefits Agency	3	3	2	3	2
Other	21	23	22	17	23
Base: Fathers working as employees at the time of the birth of their child	1301	500	424	249	128

Source: Survey of Fathers 2002

# Chapter 3

## Mothers' time off around the birth of the child

### 3.1 Introduction

This chapter begins with an exploration of mothers' treatment at work prior to taking maternity leave. It then turns to its main focus of examining mothers' experiences of statutory and extra-statutory maternity leave and statutory and extra-statutory maternity pay. Eligibility, take-up and any barriers to take-up are reviewed for each in turn. The chapter closes with a consideration of mothers' experience of notification, both at the start of and during maternity leave.<sup>23</sup>

The break variables used in this chapter consisted of a range of employment-related factors including the industry, gender composition, size and sector of the establishment in the last job in which women worked before the birth of their child and the number of work-life balance policies that it provided; union representation at their workplace and union membership, position on the occupational hierarchy and net hourly wage. Personal characteristics including age, education level, ethnic origin, whether the women were single or had a partner and the number of children they have were also used as break variables. Finally, aspects of awareness, entitlement to and receipt of statutory maternity leave and pay were used as break variables, including the type of maternity pay received, entitlement to statutory maternity leave, the extent of employer provision of maternity leave and awareness of aspects of statutory maternity leave and pay provision.

The following discussion only comments on those break variables that were found to be associated with the issues explored in this chapter. Where a break variable is not discussed it can be assumed that there were no substantial variations.

### 3.2 Mothers' treatment at work prior to taking maternity leave

Women who had worked as employees during pregnancy were asked whether their employers had in any way treated them differently because of their pregnancy. Thirty-six per cent of such women stated that they had been treated differently. The main experiences that they described were indicative, on the whole, of sympathetic employers (Table 3.1). The most common response was that they found their employers more sympathetic about the tasks that they had to perform (58 per cent). Half of the women were asked to change or cut down on certain duties (50 per cent) though it is unclear whether women voluntarily complied with these requests. Three in ten women (31 per cent) did explicitly state that they were allowed more flexibility in the hours that they worked.

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<sup>23</sup> At various points in this chapter, contrasts are drawn between the rights and benefits to which women would appear to be entitled, based on the information they supplied in the questionnaire, and those which the employer is reported have provided. It is important to note that reports of provision are likely to reflect awareness on the part of respondents, as well as actual provision by the employer.

Table 3.1 Ways employees treated differently by employer during pregnancy

	Column percentage
<b>Aspects of treatment mentioned</b>	<b>All</b>
My employer was more sympathetic about the tasks I had to perform	58
I had to change or cut down on certain duties	50
I was allowed more flexibility in the hours that I worked	31
I was treated with less respect by my employer or line manager	18
I was allowed to work at home more	5
Showed general concern/supportive	2
Allowed time off for hospital appointments	*
Allowed to rest more often/sit down	*
Lack of promotion	1
All training ceased	*
Not consulted/excluded from meetings	1
Other	21
Unweighted base	2285 responses 1212 cases
Weighted base	2343 responses 1239 cases

Base: Women who worked as employees during pregnancy and were treated differently by employer during pregnancy

Note: This is a multiple response table. Respondents could give more than one answer

Source: Survey of Mothers 2002

Reports of negative treatment were comparatively rare, but a minority of women did relate experiences that were clearly negative. The most prominent of these experiences came from the two in ten (18 per cent) of women who had been treated less respectfully by an employer or line manager (Table 3.1).

Women who worked as employees during pregnancy were also asked whether they had experienced any difficulties carrying out their job during this period. The majority (70 per cent) of women had experienced no difficulties while one in three (31 per cent) stated that they had (Table 3.2). Being a single mother was particularly associated with experiencing difficulties (Table 3.2) as was being under the age of 25. Forty-two per cent of women under the age of 25 who worked as employees during their pregnancy experienced difficulty carrying out their job. Women who had experienced difficulties were also asked to describe the nature of the difficulties that they had experienced; and could give more than one answer. The main difficulties mentioned were 'being on my feet all day/standing too much' and 'difficulty bending/leaning over or stretching to reach things'<sup>24</sup>.

<sup>24</sup> The number of women describing the nature of difficulties was too low to report percentages.

Table 3.2 Whether experienced difficulty carrying out job, by marital status at the time of the survey

	Column percentage		
	All	Partner	Single
<b>Whether experienced difficulty</b>			
Difficulty	31	29	39
No difficulty	70	71	61
Unweighted base	3329	2974	355
Weighted base	3321	2895	426

Base: Women who worked as employees during pregnancy

Source: Survey of Mothers 2002

Mothers' difficulties working during pregnancy were also explored by asking women who had worked as employees during pregnancy if they had lost their job or stopped work earlier than they had wanted to. The majority had not. One quarter (24 per cent) of women had stopped work earlier than they wanted to while two per cent said that they had lost their job earlier than they wanted to. The main reason given by six in ten (59 per cent) women in this category was tiredness, sickness or a medical condition (Table 3.3). Four per cent of women had had worked as employees during pregnancy and who had lost their job or stopped work earlier than they wanted to reported that they had been made redundant: it is not clear whether this was because of their pregnancy or for business efficiency reasons, and less than one per cent said that they were sacked. One per cent of these women referred to poor treatment by their employer and fewer than one per cent mentioned childcare problems.

Table 3.3 Reasons why employees lost their job or stopped work earlier than wanted to

Column percentage

<b>Reason</b>	<b>All</b>
Because of tiredness, sickness or a medical condition	59
Because I was unable to carry out certain duties	9
Baby arrived early	4
I was made redundant	4
Poor treatment by employer	1
Found work too stressful	1
Moved house/moved to a new area	*
Childcare problems	*
I was sacked	*
Other	20
Unweighted base	994 responses 802 cases
Weighted base	1047 responses 841 cases

Base: all women who were employees during pregnancy and who lost job or stopped work earlier than wanted to

Note: This is a multiple response table. Respondents could give more than one answer

Source: Survey of Mothers 2002

### 3.3 Taking maternity leave

#### Eligibility for statutory maternity leave

Under the changes to maternity provision introduced by the Employment Relations Act 1999 (ERA 1999) and Maternity and Parental Leave Regulations 1999, every woman who becomes pregnant while in employment is statutorily entitled to 18 weeks ordinary maternity leave (OML). All employees with at least one year of continuous service by the beginning of the 11th week before the expected week of childbirth are entitled to an additional period of maternity leave. This period of additional maternity leave (AML) runs from the end of OML until 29 weeks after childbirth. Thus, women entitled to AML who start maternity leave 11 weeks before the baby is due are entitled to around 40 weeks maternity leave.

The great majority (85 per cent) of women who worked as employees during pregnancy were statutorily entitled to AML, 30 to 40 weeks of leave in total depending on when they had started maternity leave. Fifteen per cent of women did not qualify for AML and were entitled

to 18 weeks of OML only. The next section explores the amount of maternity leave which women took, and considers whether they exercised fully their rights to maternity leave.<sup>25</sup>

### Take-up of statutory additional maternity leave

Women who worked as employees during pregnancy were asked whether they had experienced any difficulties with their employers concerning the time they started maternity leave. Ninety-seven per cent of women had experienced no difficulties (Table 3.4). First-time mothers were twice as likely as non-first time mothers to report that they had problems, but the proportion of first-time mothers experiencing problems was still very low at four per cent (Table 3.4).

Table 3.4 Whether experienced difficulty with employer starting maternity leave, by whether first-time mother or not

	All	Column percentage	
		Whether first-time mother or not First-time mother	Non first-time mother
<b>Whether experienced difficulty</b>			
Difficulty	3	4	2
No difficulty	97	96	98
Unweighted base	3225	1806	1419
Weighted base	3212	1820	1392

Base: women who were employees during pregnancy

Source: Survey of Mothers 2002

Among women who had worked as employees during pregnancy and who were entitled to AML, taking advantage of their full entitlement to AML (or more) was strongly associated with being in a higher paid job during pregnancy (Table 3.5). One in ten (10 per cent) women on a net hourly wage of less than £5 per hour in the last job they held before the birth of their child took their full entitlement of 30-40 weeks leave, compared to 17 per cent of women earning £5 to £8 per hour and 22 per cent of women earning over £8 per hour. Take-up of their full entitlement (30-40 weeks) was also related to higher amounts of work-life balance policies provided by employers, larger establishment size, more years of continuous service, being over the age of 35 and having a partner. Thirteen per cent of women who worked for employers with no work-life balance policies in the last job before giving birth to their child

<sup>25</sup> Women were not directly questioned about AML or OML, but by comparing their answers to questions about the amount of maternity leave they took with their eligibility for statutory maternity leave, as determined by their years of continuous service in the last job before the birth of their child, it is possible to make inferences about the degree to which they exercised their statutory rights to maternity leave.

took their full leave entitlement compared with 22 per cent of women working for employers with four or more policies.

While 22 per cent of women who worked in private establishments with 500 plus employees in the last job before the birth of their child took their full entitlement of 30-40 weeks leave, only 15 per cent of women who worked in private establishments with one to 24 employees did so. Seven per cent of women under the age of 25 took their full entitlement compared with 19 per cent of women aged 35-39 and 22 per cent of women aged over 40. Twenty-two per cent of women who had ten years or more of continuous service in the last job held before the birth of their child took their full entitlement while only 13 per cent of women with one to two years of continuous service did so. Eighteen per cent of women with a partner took their full entitlement compared with only seven per cent of single women.

Among women who had worked as employees during pregnancy and who were entitled to AML, those who took less than 30 weeks of leave did not take up their full legal entitlement to AML. In fact, three quarters (75 per cent) of these women did not take up their full entitlement to AML (Table 3.5). The average duration of maternity leave for all women was thirty-one weeks. That most women entitled to AML returned to work in less than 30 weeks does not mean that their employers did not allow them to take the leave they were legally entitled to.

Table 3.5 Number of weeks maternity leave taken, by net hourly wage in last job women held before the birth of their child

	All	Column percentage		
		Net hourly wage in last job		
		Less than £5	£5 to £8	£8 plus
<b>Number of weeks maternity leave taken</b>				
0-18 weeks	40	56	38	26
19-29 weeks	35	29	35	40
30-40 weeks	17	10	17	22
40 weeks plus	9	5	9	13
Unweighted base	2246	573	922	751
Weighted base	2184	614	896	674

Base: women who worked as employees during pregnancy and were entitled to AML

Source: Survey of Mothers 2002



## **Barriers to taking statutory maternity leave and take up of OML**

Among women who had worked as employees during pregnancy and were entitled to AML, but who had returned to work in less than 30 weeks, the main reasons given for not taking up their full entitlement showed a concern with financial issues (Table 3.6). In this respect further maternity leave was not taken because: 'any more would have been unpaid' (34 per cent), they 'could not afford to' (27 per cent) and it 'became unpaid leave after 18 weeks' (15 per cent). Only one in ten (11 per cent) of women said that they did not take up their full entitlement because they were ready or wanted to go back to work (Table 3.6).

The reasons given for non take-up of AML varied according to the industrial sector in which women worked in the last job before the birth of their child (Table 3.6). Around four in ten women who worked in public administration and defence (44 per cent) and in health and social work (41 per cent) said that the fact that further amounts of maternity leave were unpaid was a reason for non take-up compared with one third (33 per cent) of women who worked in education in the last job before the birth of their child. The distribution and production and communication sectors had the highest proportions of women reporting that they had wanted to go back to work. Almost two in ten women in distribution (17 per cent) and production and communication (15 per cent) stated that they had wanted to return.

Table 3.6 Reasons for non take-up of full maternity leave entitlement, by industrial sector in which women worked in last job before the birth of their child

	Column percentage							
	All	Production and communication	Distribution	Industrial sector of last job		Education	Health & social work	Other services
				Financial services	Public admin & defence			
<b>Reasons for non take-up of full maternity leave entitlement</b>								
‘Became unpaid leave after 18 weeks’	15	11	18	11	17	15	18	[10]
‘Any more would have been unpaid’	34	28	30	35	44	33	41	[18]
‘Ready/wanted to go back to work’	11	15	17	11	5	9	7	[8]
‘Financial reasons/ could not afford to’	27	24	22	28	23	32	27	[44]
‘Was not returning to work’	3	4	6	3	0	4	4	[2]
‘Other reason’	10	18	11	13	11	7	3	[15]
Unweighted base	851	84	191	159	80	112	185	[40]
Weighted base	828	80	203	151	75	105	175	[39]
Base: Women who had worked as employees during pregnancy and were entitled to AML, but who had returned to work in less than 30 weeks								

Note: This is a multiple response table. Respondents could give more than one answer

Source: Survey of Mothers 2002

Women who were entitled only to OML were a minority (15 per cent) among women who worked as employees during pregnancy. Just under one half (48 per cent) of these women took the eighteen weeks of leave to which they were legally entitled, with a further third (31 per cent) taking more than 18 weeks (Table 3.7). Twenty-one per cent of these women took less than 18 weeks. Women in receipt of MA were more likely to take less than their statutory leave entitlement than women receiving other forms of maternity pay (Table 3.7).<sup>26</sup> Take-up of full legal entitlement to OML did not vary greatly by factors such as women's net hourly wage in the last job before the birth of their child, whether women were working full or part-time in the last job before the birth, the broad sector in which the job was located or whether there was a recognised trade union. However, there was a strong association between marital status and take-up of full statutory entitlement. Forty-nine per cent of single women took less than 18 weeks leave compared with 19 per cent of women with partners. Those women who received occupational maternity pay (OMP) were most likely to take in excess of their statutory entitlement to leave (Table 3.7), a theme given further consideration later in this chapter. See also Table 3.12 for factors associated with take up of OML in excess of the statutory entitlement.

Table 3.7 Number of weeks maternity leave taken, by type of maternity pay received

	All	Column percentage		
		Type of maternity pay received		
		OMP	SMP	MA only
<b>Number of weeks maternity leave taken</b>				
Less than 18 weeks	21	22	15	30
18 weeks	48	41	55	47
18 weeks plus	31	38	30	24
Unweighted base	275	88	116	71
Weighted base	285	93	121	71

Base: women who worked as employees during pregnancy and were entitled only to OML

Source: Survey of Mothers 2002

<sup>26</sup> Administrative data from the IAD Information Centre (1 per cent sample) for the period from April 2000 to March 2001 does not fit well with the data in Table 3.7, in that it indicates that 97.2 per cent of MA recipients receive the benefit for 17-18 weeks. There are a number of possible explanations for this inconsistency, of which two are outlined below. First, Table 3.7 is only concerned with women who worked as employees during pregnancy and were entitled only to OML. This does not capture the whole group of women who would appear as MA recipients in administrative records, of course, because many of these recipients would have been self-employed during pregnancy and so would not have qualified for OML. Second, the number of weeks maternity leave that appears in Table 3.7 is based on women's self-reporting in the questionnaire. There may be a degree of inaccuracy in women's recall of the length of maternity leave, which would partly explain the discrepancy with administrative data.

## **Availability of, eligibility for and take-up of extra-statutory maternity leave**

This section reports on mothers' experiences of extra-statutory maternity leave, a benefit that is intended to help female employees reconcile paid work and family responsibilities around the time of childbirth. It considers the extent to which mothers appeared to be provided with the opportunity to take more than the statutory minimum, the extent to which they made use of this provision and the factors associated with doing so. As outlined above, all employees with at least one year of continuous service by the beginning of the 11th week before the expected week of childbirth are entitled to an additional period of maternity leave. This means that they are legally entitled to 30 to 40 weeks of leave. Women who do not qualify for additional leave are entitled to 18 weeks of OML only.

Women were not directly questioned about extra-statutory leave. That is, they were not asked whether the leave provided by their employers was less than their statutory entitlement, in line with their statutory entitlement or more than their statutory entitlement per se. However, all women who worked as employees during their pregnancy were asked how much leave their employers actually provided for them. Their responses, when related to their statutory entitlement based on their years of continuous service, provide an indication of the availability of extra-statutory maternity leave and their eligibility for it. The extent to which leave provided was below, at or above the statutory level can be inferred from the number of weeks leave stated in the women's responses.

Among women who worked as employees during pregnancy, a higher proportion of women entitled only to OML compared with women entitled to AML suggested that their employer provided in excess of their statutory entitlement (Table 3.8). Provision of extra-statutory maternity leave appeared to be the exception rather than the norm. Twenty-two per cent of mothers legally entitled only to 18 weeks of OML, reported that provision was in excess of 18 weeks leave. Sixteen per cent of mothers who were legally entitled to AML, 30 to 40 weeks of leave overall, stated that they were provided with more than 30 to 40 weeks leave (Table 3.8).

Table 3.8 Extent of employer provision of maternity leave, by statutory maternity leave entitlement

Column percentage

	All	Statutory maternity leave entitlement	
		OML only	AML
<b>Extent of employer provision of maternity leave</b>			
Less than 18 weeks	10	22	8
18 weeks	34	58	31
19-29 weeks	24	11	26
30-40 weeks	17	3	19
40 weeks plus	15	8	16
Unweighted base	2877	321	2556
Weighted base	2828	334	2494
Base: women who worked as employees during pregnancy			

Source: Survey of Mothers 2002

While the number of women who worked as employees during pregnancy and were qualified only for OML is too small to undertake detailed analyses of their experience of extra-statutory provision, what does come through is a picture of perceived greater incidence of provision of extra-statutory leave in the public sector. Three in ten (30 per cent) women who worked in public sector establishments in the last job before the birth of their child and who were legally entitled only to 18 weeks of OML received extra-statutory maternity leave (i.e. more than 18 weeks leave) compared to 14 per cent of women who worked in the private sector in the last job before the birth of their child (Table 3.9).

Table 3.9 Extent of employer provision of maternity leave, by broad sector of women's last job before the birth of their child

	Column percentage			
	All	Private	Broad sector Public	Voluntary
<b>Extent of employer provision of maternity leave</b>				
Less than 18 weeks	23	29	16	[5]
18 weeks	56	57	54	[60]
18 weeks plus	21	14	30	[35]
Unweighted base	305	182	104	[19]
Weighted base	318	189	109	[20]

Base: women who worked as employees during pregnancy and were entitled only to OML

Source: Survey of Mothers 2002

For women who worked as employees during pregnancy and who were entitled to AML the lowest proportions who stated that their employers provided more than 30 to 40 weeks of maternity leave were to be found in the production and communication, distribution and other services sectors in the last job they held before the birth of their child (Table 3.10). Seven per cent of women in production and communication, six per cent of women in distribution and seven per cent of women in other services received extra-statutory provision. If women were working outside the predominantly public sector industries they appeared most likely to be provided with an opportunity to take extra-statutory maternity leave when based in the financial services sector. Eighteen per cent of women in financial services received extra statutory maternity leave in that their employer allowed them to take more than 40 weeks leave.

However, just as for women legally entitled only to OML, it was in the public sector that extra statutory provision of maternity leave was most prevalent for women entitled to AML. Twenty-seven per cent of AML entitled women in public sector employment in the last job before the birth of their child reported extra-statutory provision compared with eight per cent of their counterparts in the private sector. A more detailed breakdown of predominantly public sector industries reveals that in health and social work three in ten (31 per cent) women and in public administration and defence just over one quarter (26 per cent) of women were provided with more than 40 weeks of maternity leave. Of the predominantly public sector industries, the lowest reported extra-statutory provision was in education, where 14 per cent of women reported that their employer provided more than 40 weeks maternity leave (Table 3.10).

Table 3.10 Extent of employer provision of maternity leave, by industrial sector in which women worked in last job before the birth of their child

Column percentage

	All	Industrial sector of last job						
		Production and communication	Distribution	Financial services	Public admin & defence	Education	Health & social work	Other services
<b>Extent of employer provision of maternity leave</b>								
Less than 30 weeks	65	74	74	54	59	63	64	74
30-40 weeks	19	19	20	28	15	23	5	19
40 weeks plus	16	7	6	18	26	14	31	7
Unweighted base	2526	293	577	608	207	239	499	103
Weighted base	2461	278	596	579	190	226	487	105

Base: women who worked as employees during pregnancy and were entitled to AML

Source: Survey of Mothers 2002

Reporting of extra-statutory provision among women who worked as employees during pregnancy and were legally entitled to AML was also strongly associated with the receipt of OMP and several features of the last job held before the birth of their child: a higher net hourly wage, longer years of continuous service, extensive employer provision of work-life balance policies and larger establishment size in the private sector. Twenty-four per cent of women who received OMP were provided with extra-statutory maternity leave compared with 11 per cent of women who received SMP. Seven per cent of women on a net hourly wage of less than £5 per hour were provided with extra-statutory maternity leave compared with 25 per cent of women earning £8 or more per hour. While almost one quarter (24 per cent) of women with ten years or more of continuous service reported extra-statutory provision, only 11 per cent of women with one to two years of continuous service did so. Thirty-one per cent of women working for employers with four or more work-life balance policies reported extra-statutory provision compared with nine per cent of women working for employers with no such policies. And while only ten per cent of women working in private establishments with one to 24 employees reported extra-statutory provision, 28 per cent of women working in private establishments with 500 plus employees did so.

Extra-statutory provision of maternity leave to AML entitled women who had worked as employees during pregnancy was also strongly associated with trade union representation in women's last job before the birth of their child. Union recognition is almost universal in the public sector while in the private sector it is much less common. The association between provision and trade union representation and membership is unsurprising given the strong association between provision and broad sector. More than one quarter (28 per cent) of women who had a union present at their place of work and were a member reported that more than 40 weeks of maternity leave was provided compared to just six per cent of women in workplaces where a union was not present (Table 3.11).

Table 3.11 Extent of employer provision of maternity leave, by union representation and membership in women's last job before the birth of their child

	All	Union representation and membership		
		Union present and member	Union present but not member	Union not present
Column percentage				
<b>Extent of employer provision of maternity leave</b>				
Less than 30 weeks	65	53	57	76
30-40 weeks	19	19	21	18
40 weeks plus	17	28	22	6
Unweighted base	2417	860	492	1065
Weighted base	2348	807	476	1065

Base: women who worked during pregnancy and were entitled to AML

Source: Survey of Mothers 2002



Amongst women who worked as employees during pregnancy and were entitled only to eighteen weeks of OML, take-up of in excess of eighteen weeks leave was strongly associated with being in a higher paid job in the last job held before the birth of their child (Table 3.12). Forty-four per cent of women on a net hourly wage of £8 or more in this job took in excess of 18 weeks leave compared with 21 per cent of women earning less than £5 per hour and 34 per cent of women earning between £5 and £8 (Table 3.12). See also Table 3.7 for factors associated with take up of OML in excess of the statutory entitlement.

Table 3.12 Number of weeks maternity leave taken, by net hourly wage in women's last job before the birth of their child

	All	Column percentage		
		Net hourly wage in last job		
		Less than £5	£5 to £8	£8 plus
<b>Number of weeks maternity leave taken</b>				
Less than 18 weeks	23	27	19	24
18 weeks	46	52	47	32
18 weeks plus	30	21	34	44
Unweighted base	278	116	95	67
Weighted base	286	128	96	62

Base: women who worked as employees during pregnancy and were entitled only to OML

Source: Survey of Mothers 2002

Amongst women who had worked as employees during pregnancy and who were entitled to AML, the proportion who reported that they had taken-up extra-statutory provision, in the sense that they had taken in excess of 40 weeks leave, was low. Only four per cent of women indicated that they had taken 41 to 51 weeks of maternity leave while five per cent stated that they had taken 52 weeks or more (Table 3.13). The more work-life balance policies their employer had in the last job before the birth of their child, the more likely women were to report taking up extra-statutory leave. Seventeen per cent of women working for employers with four or more work-life balance policies took up extra-statutory maternity leave compared with six per cent of women working where they were no such policies (Table 3.13). Take-up of extra-statutory amounts of maternity leave was also associated with a higher net hourly wage and union representation and membership in the women's last job before the birth of their child. Of the women earning £5 or less, three per cent took leave of 41-51 weeks and two per cent took leave of 52 weeks or more. In comparison six per cent of women earning £8 plus took 41 to 51 weeks leave and seven per cent took 52 weeks leave or more. Where unions were present and women were members six per cent took 41 to 51 weeks leave and eight per cent took 52 weeks leave or more. Where unions were not present two per cent of women took 41 to 51 weeks leave while three per cent took 52 weeks leave or more.

Table 3.13 Number of weeks maternity leave taken, by the number of work-life balance policies provided by women's last employer before the birth of their child

Column percentage

	All	Number of work-life balance policies operated by employer in last job before birth				
		None	One	Two	Three	Four or more
<b>Number of weeks maternity leave taken</b>						
0-29 weeks	74	82	77	78	72	62
30-40 weeks	17	13	17	15	18	22
41-51 weeks	4	3	2	2	5	7
52 weeks or more	5	3	4	4	6	10
Unweighted base	2464	394	610	549	444	467
Weighted base	2394	399	596	541	419	439

Base: women who worked as employees during pregnancy and who were entitled to AML

Source: Survey of Mothers 2002

A message emerging from the findings on statutory maternity leave is that there is a lack of take-up of full statutory maternity leave entitlement, particularly for women entitled to AML. Around three-quarters of women who worked as employees during pregnancy and were entitled to AML reported that they took less than 30 weeks maternity leave (Table 3.14). Some of the reasons for this were discussed previously (see Table 3.6). Moreover, two thirds (65 per cent) of women who worked as employees during pregnancy and were entitled to AML reported that their employers were providing them with less than 30 weeks of maternity leave (see back to Table 3.11). Even where extra-statutory leave was provided (in excess of 40 weeks), women who worked as employees during pregnancy and were entitled to AML still reported relatively low take up, with only two fifths (41 per cent) of these women taking up this extra-statutory provision; 42 per cent of them took less than 30 weeks maternity leave (Table 3.14). See below for the discussion of barriers to take up of extra-statutory leave.

Table 3.14 Number of weeks maternity leave taken, by extent of employer provision of maternity leave (for those women entitled to AML)<sup>27</sup>

	All	Extent of employer provision of maternity leave		
		Provided less than 30 weeks	Provided 30-40 weeks	Provided 40 weeks plus
<b>Number of weeks maternity leave taken</b>				
Less than 30 weeks	74	93	36	42
30-40 weeks	17	4	62	17
40 weeks plus	9	3	2	41
Unweighted base	2392	1516	453	423
Weighted base	2321	1499	431	391

Base: women who worked as employees during pregnancy and were entitled to AML

Source: Survey of Mothers 2002

Among women who worked as employees during pregnancy and who were legally entitled only to OML, a much higher proportion both reported that there was extra-statutory provision in the last job held before the birth of their child and indicated that they had taken-up this provision, in the sense that they had taken more than 18 weeks of maternity leave. Eight in ten (81 per cent) women who said their employer provided extra-statutory leave took it up (Table 3.15).

<sup>27</sup> It can be seen in Table 3.14 that small proportions of women (two to four per cent) said that they took more leave than their employer provided. This is likely to be the result of recall error on the part of the women.

Table 3.15 Number of weeks maternity leave taken, by extent of employer provision of maternity leave (for those women entitled only to OML)<sup>28</sup>

	All	Extent of employer provision of maternity leave		
		Provided less than 18 weeks	Provided 18 weeks	Provided more than 18 weeks
Column percentage				
<b>Number of weeks maternity leave taken</b>				
Less than 18 weeks	23	71	12	6
18 weeks	46	10	72	13
18 weeks plus	31	19	16	81
Unweighted base	281	58	158	65
Weighted base	291	62	165	64

Base: women who worked as employees during pregnancy and were entitled only to OML

Source: Survey of Mothers 2002

There is a need for some caution concerning the figures on provision of maternity leave because of recall issues and mothers may not have been fully aware of their employers' provision, as was the case with their awareness of their legal entitlements (see Chapter Two). When probed on their awareness of maternity rights, 59 per cent of women who worked as employees during pregnancy stated that they were fully aware of the additional leave entitlement. When asked to specify the amount of maternity leave that they were legally entitled to respondents entitled to AML were often incorrect and in most cases their responses reflected what they considered their employer provided (Table 3.16). This may have resulted from the assumption that their employer provided them with their legal entitlement or that what they thought they were legally entitled to was what their employer provided. For example, 86 per cent of women who felt that their legal entitlement was less than 30 weeks of leave said that their employers provided them with less than 30 weeks (Table 3.16). Only 19 per cent of women who qualified for AML stated that their employers provided them with 30 to 40 weeks of leave. Eight in ten (82 per cent) women who were legally entitled to 30 to 40 weeks of maternity leave, and recognised this, reported that their employers were complying with their legal obligations. Seven in ten (72 per cent) of women who said that they were legally entitled to over 40 weeks of maternity leave also indicated that their employers provided them with this .

<sup>28</sup> As with Table 3.14, there was a tendency in Table 3.15 for women to report taking more than 18 weeks of maternity leave after stating previously that their employers provided less than this. One in five (19 per cent) of women who reported that their employer provided less than 18 weeks leave did this, as did one in six (16 per cent) of those who said their employer provided 18 weeks. Also, 10 per cent of women who said their employer provided less than 18 weeks leave said they took 18 weeks of leave. This is likely to result from recall error on the part of the women.

Table 3.16 Perceptions of employer provision of maternity leave, by perception of legal entitlement to maternity leave

Column percentage

	All	Perception of legal entitlement to maternity leave		
		Less than 30 weeks	30-40 weeks	40plus weeks
<b>Extent of employer provision of maternity leave</b>				
Less than 30 weeks	65	86	15	24
30-40 weeks	19	5	82	4
40 weeks plus	17	9	3	72
Unweighted base	2533	1716	463	354
Weighted base	2470	1696	442	332

Base: women who worked as employees during pregnancy and who were entitled to AML

Source: Survey of Mothers 2002

### Barriers to take-up of extra-statutory leave entitlement

The reasons for non-take up of full entitlement to statutory maternity leave were discussed above and shown to be overwhelmingly financial (see Table 3.6). The main barrier to take up of extra-statutory provision was also financial. Among women who worked as employees during pregnancy, both women entitled to OML only and AML who reported that they were provided with extra-statutory leave and did not take the full amount gave financial reasons for the non take-up of full-entitlement (88 per cent<sup>29</sup> and 80 per cent, respectively).

## 3.4 Receiving maternity pay or Maternity Allowance

### Receiving SMP

#### Eligibility

The ERA 1999 did not make any changes to the criteria for SMP qualification. In order to qualify for SMP, expectant mothers have to have been employed by their present employer for at least 26 weeks into their qualifying week, which is the 15th week before their baby is due. They also have to earn on average above the national insurance contributions lower earnings limit. If these requirements are met they were entitled at the time of the survey to receive SMP for up to 18 weeks, including six weeks at 90 per cent of their average earnings and 12 weeks at the basic rate of SMP. Entitlement to SMP is not conditional on an intention

<sup>29</sup> This figure should be treated with caution because the unweighted base was less than fifty.

to return to work. One in eight (79 per cent) women who worked as employees during their pregnancy were entitled to SMP.

### Take-up and barriers to take-up of SMP

Where women received SMP they were most likely to be in receipt of it for 18 weeks. Forty-eight per cent of women who worked as employees during pregnancy and who qualified for SMP received SMP for 18 weeks (Table 3.17). A further two-fifths of women who qualified for SMP (42 per cent) received OMP. These OMP recipients would normally have their SMP incorporated into their OMP. Three per cent of women who qualified for SMP received SMP for less than 18 weeks. Where women were fully aware of the fact that ‘SMP is paid for up to 18 weeks to all women who qualify’ 93 per cent of women received either OMP or SMP for 18 weeks (Table 3.17). Where women were not aware of this aspect of the maternity legislation half (50 per cent) received this level of payment, implying perhaps that women’s employers were instrumental in their receipt of their statutory entitlement. A small proportion (one per cent) of women who were fully aware of the legislation received no maternity pay. A much higher proportion (18 per cent) of women who were unaware of the legislation received no maternity pay (Table 3.17). It is not possible to be certain over the direction of the link between awareness and receipt of benefit, in that increased awareness might be encouraged by receipt of the benefit, while awareness might also encourage a woman to enquire about SMP and therefore be more likely to receive it in a situation where her employer would not otherwise have been aware of the circumstances in which it should be paid.

Table 3.17 Receipt of maternity pay, by awareness that SMP is paid for up to 18 weeks to all women who qualify<sup>30</sup>

	All	Column percentage		
		Fully aware	Partly aware	Not aware
<b>Receipt of maternity pay</b>				
Received OMP (usually incorporating SMP)	42	42	49	32
Received SMP for 18 weeks	48	51	28	18
Received SMP for less than 18 weeks	3	3	5	5
Received MA	3	2	7	9
Received other benefits	1	*	3	18
Received no maternity pay	2	1	7	18
Unweighted base	2866	2571	233	62
Weighted base	2821	2512	243	66

Base: women who worked as

<sup>30</sup> In this table and also Tables 3.18 and 3.19, it can be assumed that women who received OMP also received SMP.

employees during pregnancy  
and who qualified for SMP

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Source: Survey of Mothers 2002

The receipt of SMP did not vary by such factors as establishment size or broad sector. However, the proportion of women in receipt of SMP did vary by the broad occupation in which women worked during the last job before the birth of their child (Table 3.18). Managers and associate professionals were the groups most likely to receive either OMP (usually incorporating SMP) or SMP for 18 weeks. Women in personal and protective trades were the least likely to receive this type of payment. Ninety-five per cent of managers and 93 per cent of associated professionals reported receiving this type of payment compared with 82 per cent of personal/protective workers. Women in lower occupational groups were more likely to indicate that they had received SMP for 18 weeks or received SMP for less than eighteen weeks than women in higher occupational groups (Table 3.18). The receipt of OMP by women in higher occupational groups would seem to be a key driver for these patterns.



Table 3.18 Receipt of maternity pay, by broad occupation in which women worked during last job before the birth of their child

	Column percentage							
	All	Manager	Professional	Broad occupation			Sales	Other
				Associate professional	Clerical	Personal/protective		
<b>Maternity pay received</b>								
OMP (usually incorporating SMP)	42	46	62	57	33	34	25	32
SMP for 18 weeks	48	49	28	36	58	48	63	54
SMP FOR < 18 weeks	3	2	2	2	3	5	4	4
MA	3	1	4	2	2	7	4	5
Other benefits	1	*	0	*	1	5	2	3
No maternity pay	2	2	4	2	2	1	3	2
Unweighted base	2869	487	372	505	823	321	188	173
Weighted base	2821	453	341	467	818	354	202	186

Base: women who worked as employees during pregnancy and who qualified for SMP

Source: Survey of Mothers 2002

## Receiving MA

### Eligibility

Expectant mothers who do not qualify for SMP may be entitled to MA. This payment is received from the Department for Work and Pensions. It is paid to both employed and self-employed women who have been employed or self-employed in at least 26 of the 66 weeks before the week in which the baby is expected and earned an average of £30 per week. Two in ten (22 per cent) women who were in employment (including self-employment) during their pregnancy qualified for MA only. Less than one per cent of women who worked for at least 26 weeks between 31 August 1999 and the birth of their baby did not qualify for any form of maternity pay.

### Take-up

Two-fifths (39 per cent) of women who were in employment (including self-employment) during their pregnancy and who qualified for MA only actually received MA only (Table 3.19). Seventeen per cent of women who qualified for MA received no maternity pay. A further one in 10 (11 per cent) of women who qualified for MA received no MA but did receive other benefits, usually Income Support. About one in six (16 per cent) women qualified for MA reported receiving OMP and a similar proportion (18 per cent) reported receiving SMP: these women who qualified for MA but said they received OMP or SMP are examined in more detail below.<sup>31</sup>

### Barriers to take-up of MA

Among women who were in employment (including self-employment) during their pregnancy and who qualified for MA only, the degree of awareness of the fact that 'women earning £30 a week or more may be able to get MA' had a strong association with the receipt of MA (Table 3.19). Three-fifths (63 per cent) of women who qualified for MA only were fully aware of this statutory entitlement and in receipt of MA compared with two-fifths (42 per cent) who were partly aware and one fifth (20 per cent) who were unaware. The picture for women who did not receive any form of maternity payment reinforces this association between awareness and receipt of maternity pay. Less than one in ten (six per cent) women who were fully aware of their entitlement to MA received no maternity pay. Just over one in ten (13 per cent) of women who were partly aware of their entitlement to MA received no maternity pay. And almost one in three (27 per cent) of women who were unaware of their entitlement to maternity pay received no maternity pay (Table 3.19). As with the receipt of SMP there is uncertainty over the direction of the link between awareness and receipt of benefit. Despite this uncertainty, in the case of MA awareness it is more likely to influence receipt of MA because women are required to claim it from the Department for Work and Pensions.

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<sup>31</sup> In the case of women who were qualified for MA but received OMP, it is likely that they received MA in addition to OMP.

Table 3.19 Receipt of maternity pay, by level of awareness that women earning £30 a week or more may be able to get MA

Column percentage

	All	Awareness of MA provision		
		Fully aware	Partly aware	Not aware
<b>Receipt of maternity pay</b>				
Received OMP (usually in addition to MA)	16	17	17	15
Received SMP for 18 weeks <sup>32</sup>	16	11	16	19
Received SMP for less than 18 weeks	2	*	3	2
Received MA	39	63	42	20
Received other benefits	11	2	9	18
Received no maternity pay	17	6	13	27
Unweighted base	641	221	142	278
Weighted base	669	219	150	300
Base: women who were in employment (including self-employment) during their pregnancy and who qualified for MA only				

Source: Survey of Mothers 2002

Among women who worked as employees during pregnancy and who had received either OMP, SMP or MA, few reported that they had experienced a problem with the receipt of maternity pay. Only four per cent reported a problem (Table 3.20). Nevertheless, women notably more often reported problems with MA (11 per cent) than OMP or SMP (three per cent).

<sup>32</sup> As MA qualified women are not eligible to receive SMP, reported receipt of SMP is likely to reflect either a lack of awareness of maternity entitlements and payments or recall errors in the information used to classify women as being entitled only to MA.

Table 3.20 Whether women experienced problem receiving maternity pay, by type of maternity pay received

	Column percentage			
	All	Type of maternity pay received		
		OMP	SMP	MA only
<b>Whether women experienced problem</b>				
Any problems	4	3	3	11
None	96	97	97	89
Unweighted base	3156	1293	1534	329
Weighted base	3111	1234	1544	333

Base: women who worked as employees during pregnancy and who received OMP, SMP or MA

Source: Survey of Mothers 2002

## Receiving extra-statutory maternity pay

### Eligibility and take-up

OMP was received by about two-fifths (39 per cent) of women who worked as employees during pregnancy (Table 3.21). This represents an increase since the 1996 PSI Survey when a fifth (20 per cent) of women who worked as employees during their pregnancy reported receiving some form of OMP (Callender, Millward, Lissenburgh and Forth, 1997:112). As noted above, a number of women who qualified only for MA were in receipt of extra-statutory provision. One in six MA qualified women (16 per cent) received OMP (see back to Table 3.19)<sup>33</sup>. Forty-two per cent of women who qualified for SMP received OMP (see back to Table 3.18).

<sup>33</sup> As MA qualified women are not eligible to receive SMP, reported receipt of SMP is likely to reflect either a lack of awareness of maternity entitlements and payments or recall errors in the information used to classify women as being entitled only to MA.

Table 3.21 Whether OMP received, by broad occupation in which women worked in last job before the birth of their child

	Column percentage							
	<b>All</b>	<b>Broad occupation</b>						
		Manager	Professional	Associate professional	Clerical	Personal/ protective	Sales	Other
<b>Whether OMP received</b>								
Yes	39	44	59	55	31	32	22	30
No	61	56	41	45	69	69	79	70
Unweighted base	3248	509	405	542	909	405	266	212
Weighted base	3232	473	375	503	909	447	293	232

Base: women who  
worked as employees  
during pregnancy

Source: Survey of Mothers 2002

The receipt of OMP was clearly associated with women's occupation level, a finding consistent with the 1996 survey. With the exception of managers, as in the earlier survey, the higher the occupational level, the higher the proportion of women receiving and, implicitly, eligible for extra-statutory pay (Table 3.21). Fifty-nine per cent of women who worked as professionals in the last job before the birth of their child received these payments, as did 55 per cent of associate professionals and 44 per cent of managers. Lower down the occupational scale provision of OMP was less extensive. The proportions of women in lower labour market positions receiving OMP were 31 per cent in clerical jobs, 32 per cent in personal/protective jobs and 22 per cent in sales jobs. OMP was also received by 30 per cent of women in other occupations. Nevertheless, the receipt of OMP improved across all occupations between 1996 and the present survey.

The 1996 survey showed OMP to be associated with higher pay and almost exclusively with full-time employment. In the 2002 survey 22 per cent of women who earned a net hourly wage of less than £5 in the last job they held before the birth of their child received OMP compared with 42 per cent of women earning £5 to £8 and 56 per cent earning £8 plus. Receipt of OMP was still more likely for women in full-time employment in the last job before the birth of their child, but not greatly so. Forty-one per cent of women in full-time employment in this job received OMP compared with 34 per cent of women in part-time employment: overall, 70 per cent of OMP recipients were full-timers, down from 79 per cent in 1996.

Receipt of OMP continues to be skewed towards predominately public sector industries (Table 3.22). OMP was received by 64 per cent of women whose last job before the birth of their child was in public administration and defence, 57 per cent of women in education and 50 per cent of women in health and social work (Table 3.22). Outside the predominantly public sector industries, the proportion of women receiving OMP was highest in financial services where 39 per cent of women were in receipt. OMP was received by one third (34 per cent) of women in production and communication and only 26 per cent in other services and 23 per cent in distribution.

Receipt of OMP was also associated with larger establishment size, longer years of continuous service, trade union representation and membership and the number of work-life balance policies provided by employers. While 27 per cent of women whose last job before the birth of their child was in a private establishment with one to 24 employees received OMP, 45 per cent of women in private establishments with 100-499 and 58 per cent of women in private establishments with 500 plus did so. Twenty per cent of women with less than one year of service received OMP compared with 48 per cent of women with ten years plus service. Sixty per cent of women reporting that a union was present and they were members received OMP compared with 25 per cent of women reporting that a union was not present. Women were most likely to be in receipt of OMP if their employer in the last job before the birth of their child provided four or more work-life balance policies (Table 3.23). Sixty per cent of women working for employers with four or more work-life balance policies were in receipt of OMP compared with 24 per cent of women working for employers with no work-life balance policies. This supports evidence presented earlier in the chapter, that employers who were supportive of working mothers were more generous in their extra-statutory provision (see Table 3.13).

Table 3.22 Whether received OMP, by industrial sector in which women worked in the last job before the birth of their child

Column percentage

	All	Industrial sector of last job						
		Production and communication	Distribution	Financial services	Public admin & defence	Education	Health & social work	Other services
<b>Whether OMP received</b>								
Yes	39	34	23	39	64	57	50	26
No	61	66	77	62	36	43	50	74
Unweighted base	3247	402	779	727	223	308	651	157
Weighted base	3231	392	827	698	208	294	648	164

Base: women who worked as employees during pregnancy

Source: Survey of Mothers 2002

Table 3.23 Whether received OMP, by the number of work-life balance policies provided by women's last employer before the birth of their child

	All	Number of work-life balance policies				
		None	One	Two	Three	Four or more
<b>Whether OMP received</b>						
Yes	39	24	34	38	49	60
No	61	77	66	62	51	40
Unweighted base	3283	655	883	693	530	522
Weighted base	3271	684	890	697	507	493

Base: women who worked  
as employees during  
pregnancy

Source: Survey of Mothers 2002



Among women who worked as employees during pregnancy and who received OMP, only one-fifth (21 per cent) received it on a full pay basis for the whole time (Table 3.24). The median duration of this pay was 14 weeks. Part pay was received for the whole time by 16 per cent of women with a median duration of pay of 11 weeks. Fifty-two per cent of women received full pay for part of the time with a median duration of pay of 10 weeks. Part pay for part of the time was received by 44 per cent of women for a median duration of pay of 12 weeks (Table 3.24).

Table 3.24 OMP arrangements

Medians and column percentage		
Pay arrangement	Percentage with each arrangement	Median duration of pay (weeks)
Full pay for whole time	21	14
Full pay for part of the time	52	10
Part pay for part of the time	44	12
Part pay for whole of the time	16	11
Unweighted base	1253 valid cases 1671 total responses	
Weighted base	1192 valid cases 1587 total responses	
Base: women who worked as employees during pregnancy and were in receipt of OMP		

Note: This is a multiple response table. Respondents could give more than one answer  
Source: Survey of Mothers 2002

In exploring statutory maternity leave it was noted that of women who worked as employees during pregnancy and were legally entitled only to OML, those who received OMP were most likely to take in excess of their statutory entitlement (see Table 3.7). This was also the case for women entitled to AML. Almost three fifths (59 per cent) of women entitled to AML who took extra-statutory maternity leave were in receipt of OMP. In comparison 41 per cent of women who took less than their full statutory entitlement of leave were in receipt of OMP. Fifty-four per cent of women who worked as employees during pregnancy and who took extra-statutory maternity leave were in receipt of OMP. Only 12 per cent of women receiving OMP had taken extra-statutory maternity leave.

One fifth (20 per cent) of women who received OMP stated that receiving OMP had an impact on the time that they started maternity leave. Fifty-six per cent of women cited financial reasons for this, the most frequent reason being that they wanted to work as long as possible before the birth for financial reasons.

Thirty-five per cent of women who worked as employees during pregnancy and who received OMP stated that receiving OMP had an impact on the time that they returned to work. The primacy of financial concerns in the decision when to return to work is reinforced by the reasons women gave for this impact. The most common reason given for OMP having an impact was that the women could only afford to take time off while receiving OMP (Table 3.25). Sixty-eight per cent of women stated that they could only afford to take time off while receiving OMP. Four per cent of women gave the closely related response that they could only afford to take a few weeks unpaid leave. Five per cent of women stated, more generally, financial reasons. Only three per cent of women stated that receiving OMP allowed them to stay at home longer. Twenty-six per cent of women said that under the OMP scheme operating at their workplace they were obliged to return to work after a certain amount of time.

Table 3.25 Reasons OMP affected return to work

	Column percentage
<b>Reasons mentioned</b>	<b>All</b>
I could only afford to take time off while receiving OMP	68
I was obliged under the scheme to return to work after a certain amount of time	26
Financial reasons	5
Could only afford to take a few weeks unpaid	4
Allowed me to stay at home longer	3
Other	17
<hr/>	
Unweighted base	463 valid cases 573 total responses
Weighted base	432 valid cases 533 total responses

Base: all women who received OMP

Note: This is a multiple response table. Respondents could give more than one answer

Source: Survey of Mothers 2002

### **Barriers to take-up of OMP**

Women who had worked as employees during pregnancy and who received OMP were asked whether they had experienced any difficulties with their employer about the number of weeks OMP they were allowed, how much occupational pay they could receive or receiving OMP when they went on leave. Almost all (97 per cent) of these women reported that they had experienced no difficulties in these areas. Just four per cent of the women had experienced problems with the number of weeks OMP they were allowed. An even smaller proportion, two per cent, experienced difficulties with how much occupational pay they could receive. A further two per cent had problems receiving any maternity pay. Nevertheless, the prevalence of financial reasons in the decision to return to work implies that women who received OMP perceived its limited duration as a barrier to delaying the return to work and, perhaps, taking their full maternity leave entitlement.

### 3.5 Notification

In order to maintain their entitlement to statutory maternity leave women are required to fulfil a number of notification requirements in terms of both commencement of maternity leave and return from maternity leave. Under the ERA 1999 complicated multiple notice requirements for commencement have been simplified. In order to maintain their right to maternity leave, pregnant women are required to give their employer notice not less than 21 days before the date on which they expect their period of absence to commence. The new legislation simplifies arrangements by emphasising that where women cannot meet this deadline they should give notice '*as soon as is reasonably practicable*'. Key areas for notice to employers are the fact of pregnancy, the expected week of confinement and the start-date for maternity leave. At the employers' request this notice may be in writing.

Prior to the statutory changes that took place under the ERA 1999, women who qualified for extended maternity absence were legally required to fulfil a more stringent set of notification procedures in order to maintain their entitlement. This included a requirement to give employers written notice of their intention to return to work at least three weeks before starting the maternity leave period. Under the new statutory rules, a woman returning to work at the end of 18 weeks OML is not required to give her employer notice of return. For women entitled to 29 weeks of maternity leave intending to take their statutory entitlement from the week in which the baby is born, it is also not necessary to give employers notice of return. However, employers can write to women at any time from fifteen weeks after the start of maternity leave to confirm the date that they are returning to work and the date that their baby was born. In response, women must reply in writing within 21 days.

All women who worked as employees during pregnancy were asked whether they had formally notified their employer of the date that their baby was due, the date that they wanted to start maternity leave and also of their intention to return to work (Table 3.26). Across these areas a higher proportion of women tended to give notification in the public sector than in the private sector. Four-fifths (85 per cent) of women notified their employers of the date that their baby was due. The proportion of women doing so was substantially higher in the public sector than in the private sector. Nine in ten (87 per cent) women who worked in the public sector in the last job they held before the birth of their child provided notice of the due date compared to seven in ten (74 per cent) women who worked in the private sector in their last job before the birth. There was some variation in the private sector where 49 per cent of women provided notice in private establishments with 500 or more employees compared with 87 per cent of women in private establishments with 100 to 499 employees. Seventy-seven per cent of women in small private establishments, with fewer than 25 employees, provided notice of their due date. Eighty-five per cent of women notified their employers of the date that they wanted to start maternity leave, notice of commencement. The proportions doing so were highest in the public sector (87 per cent) and private establishments with 100 to 499 employees (87 per cent) and, again, lowest in private establishments with over 500 employees (52 per cent)<sup>34</sup>.

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<sup>34</sup> In interpreting these figures on notice given prior to the start of maternity leave, it should be noted that few women reported that they were employed in private establishments with 500 or more employees. While women working in these establishments were the most likely to indicate that they provided notice on none of the three areas (Table 3.26), they were also the most likely to report that they could not remember what notice they had given. These figures should be treated with caution as the unweighted base for women in this category of establishments has a count of less than fifty (Table 3.26).

Across the public, private and voluntary sectors and all private establishment sizes, before starting maternity leave lower proportions of women who had worked as employees during pregnancy notified their employers of their intention of returning to work (Table 3.26). Nevertheless three-fifths (60 per cent) of women did notify their employers of their intention to return. As they were not legally required to do so, and in the absence of evidence to the contrary, the women seem to have provided this information voluntarily. Whether mothers reported any difficulties with their employers over the return to work, more generally, will be considered in Chapter 4.

Table 3.26 Formal notices to employer before starting maternity leave, by size and sector of the establishment in which women worked in the last job before the birth of their child

Column percentage

	All	Size and sector of establishment						
		All	1-24	Private 25-29	100-499	500+	Public	Voluntary
<b>Type of formal notice given to employer</b>								
The date the baby was due	85	74	77	85	87	[49]	87	83
The date wanted to start maternity leave	85	75	79	85	87	[52]	87	82
The intention to return to work	60	45	47	55	66	[26]	65	53
None of these	5	13	8	4	5	[18]	4	6
Can't remember	3	4	4	3	1	[16]	2	1
Unweighted base	2514	1767	408	408	253	[32]	1293	120
Weighted base	2462	1791	418	398	243	[34]	1251	118
Base: women who worked as employees during pregnancy								

Note: This is a multiple response table. Respondents could give more than one answer

Source: Survey of Mothers 2002

Women who worked as employees during pregnancy were also asked whether, *during* their maternity leave, they had formally notified their employers of whether or not they still intended to return to work or the exact date of their return to work. Again, women are not legally required to do this unless their employers write to them requesting this information. Two-thirds (67 per cent) of women notified their employers of an intention to return to work while on maternity leave (Table 3.27). The proportion of women doing so varied according to broad sector in the last job in which women worked before the birth of their child: it was considerably higher in the public sector (71 per cent) than in the voluntary (61 per cent) and private (58 per cent) sectors. There was variation in patterns across different sizes of private sector establishment. Women in establishments with 100 to 499 employees were most likely to give notice (71 per cent) and women in establishments with 1-24 employees the least (61 per cent).

Just over half (56 per cent) of women gave their employers notice of the exact date that they would be returning from maternity leave (Table 3.27). The proportion of women doing so was again substantially higher where women worked in the public sector in the last job before the birth of the child (63 per cent) than in the voluntary sector (53 per cent) or the private sector (42 per cent).

It is unclear how much of this information on intention to return to work and the exact date of intention to return was provided upon employer request.

Table 3.27 Formal notices to employer during maternity leave, by size and sector of the establishment in which women worked in the last job before the birth of the child

Column percentage

	All	Size and sector of establishment						
		All	1-24	Private 25-29	100-499	500+	Public	Voluntary
<b>Type of formal notice given to employer</b>								
That still intended to return to work	67	58	61	65	71	[27]	71	61
The exact date of return to work	56	42	48	49	56	[16]	63	53
Neither, although intended to return	9	13	12	10	9	[20]	7	11
Neither, did not intend to return	15	21	19	17	12	[44]	13	19
Unweighted base	2462	1709	403	391	247	[28]	1276	117
Weighted base	2410	1729	412	380	237	[30]	1235	115

Base: women who worked as employees during pregnancy

Note: This is a multiple response table. Respondents could give more than one answer

Source: Survey of Mothers 2002

## Problems with notification

Respondents were asked whether or not they had experienced problems over notification before the start of maternity leave. This included: the date the baby was due; the date they intended to stop work and the intention to return to work (if they were taking more than eighteen weeks off). The great majority (94 per cent) of women who had worked as employees during pregnancy had not experienced any problems (Table 3.28). The minority of employees that did was more likely to do so if they were with employers that did not provide any work-life balance policies in the last job before the birth of the child (13 per cent). Only three per cent of women working for employers with three work-life balance policies at this time reported difficulties. The same low proportion reported difficulties for employers with four or more policies (Table 3.28).<sup>35</sup>

Overall the low level of difficulty that women had with maternity pay, maternity leave and notification, is reflected in the low number of complaints which women made to Employment Tribunals. Respondents were asked whether anything to do with the pregnancy, stopping work to have the baby, or going back to work afterwards, the focus of Chapter 4, led them to make a complaint against their employer to an Employment Tribunal. Only two per cent of women made such complaints. This low number precludes any detailed analysis of their resort to the law.

Table 3.28 Whether employees had a problem with notification before maternity leave, by the number of work-life balance policies provided by women's last employer before the birth of their child

	All	Number of work-life balance policies					Column percentage
		None	One	Two	Three	Four or more	
<b>Whether had problem</b>							
Any problems	6	13	6	5	3	3	
None	94	87	94	96	97	97	
Unweighted base	3006	565	783	645	506	507	
Weighted base	2973	586	781	647	480	479	
Base: women who worked as employees during pregnancy							
Source: Survey of Mothers 2002							

<sup>35</sup> Notification problems were not related strongly to any other factors.



# Chapter 4

## Returning to work after maternity leave

### 4.1 Introduction

This chapter begins by examining the proportion of women who had returned to work at various intervals of time following childbirth. These figures are related to comparable findings from the 1996 and, more cursorily, the 1988 maternity rights surveys. Following this discussion, attention is focussed on the extent to which women exercised their rights under the maternity legislation to return to the same job or to an appropriate alternative job, with the same employer they worked for before childbirth. Where women returned to work but did not exercise this right, the reasons why they changed job or employer are explored and the nature of the job change is examined in more detail. The chapter also considers the factors associated with an increased *likelihood* of returning to work after childbirth and describes the reasons for not working offered by those women who did not return to work. Finally, an attempt is made to investigate the impact of the changes in maternity rights provision brought about by the 1999 legislation. This investigation uses the ‘difference-in-differences’ technique described in Appendix 1.

The break variables used in this chapter consisted of a range of employment-related factors including the industry, gender composition, size and sector of the establishment in the last job in which women worked before the birth of their child and the number of work-life balance policies that it provided; union representation at their workplace and union membership, position on the occupational hierarchy, net hourly wage and whether they worked part-time or full-time in the last job before the birth of their child. Personal characteristics including age, education level, ethnic origin, whether the women were single or had a partner and the number of children they have were also used as break variables.

The following discussion only comments on those break variables that were found to be associated with the issues explored in this chapter. Where a break variable is not discussed it can be assumed that there were no substantial variations.

### 4.2 The return to work

Four-fifths (80 per cent) of women who had worked during pregnancy had returned to work some 13-17 months after giving birth. Despite their being surveyed at different time points after the birth, there was relatively little difference in the proportion of non first-time mothers who had returned to work within 13-15 months (81 per cent), compared with first-time mothers who had returned to work within 16-17 months (77 per cent). The overall proportion of four-fifths (80 per cent) of mothers returning to work in 2002 is considerably higher than the two-thirds of mothers (67 per cent) who had returned to work within 10-11 months after having their baby in 1996 and is emphatically higher than the fewer than half of mothers (45 per cent) who resumed employment within nine months of their baby’s birth in 1988.

An accurate comparison of these rates of return to work is obviously made difficult by the tendency for the maternity rights surveys to be administered at increasingly long periods after the birth. This problem can be overcome to some degree by utilising information from the 2002 survey on the new baby’s date of birth and the precise date at which the mother returned to work. By comparing these two dates, it is possible to work out the proportion of women in 2002 who had returned to work within 10-11 months of the birth and thus produce a figure comparable to that for 1996. When this is done, the proportion of women who returned to work in 2002 by 10-11 months after the birth falls to seven in ten (69 per cent), only

marginally higher than the 1996 figure. This proportion, however, is almost certainly an underestimate, because the question on precise date of return to work had a high proportion of missing values, due to women reporting that they had returned to work but then not providing a date of return.<sup>36</sup> Excluding mothers with missing values from the calculation effectively assumes that those mothers with missing values had an equal chance of returning before or after 10-11 months. In reality, it is almost certain that the great majority of these women would have returned within 10-11 months, because this was the case for more than nine in ten (92 per cent) of those mothers who returned to work and provided information on their date of return. Taking all this into account, the great likelihood is that 72-73 per cent of women had returned to work within 10-11 months, comfortably higher than the 67 per cent who had returned by this time in 1996 but nothing like the increase in rates of return that occurred between 1988 and 1996. It would appear, therefore, that while the propensity for women to return to work after childbirth continued to increase in the second half of the 1990s and early 2000s, it did so at a slower rate than had occurred in the late 1980s and in the first half of the 1990s.

### **4.3 Changes in women's jobs**

As was stated above, women who work during pregnancy have the right to return to the same job or to an appropriate alternative job, with the same employer they worked for before childbirth, after a period of ordinary maternity leave (OML) or additional maternity leave (AML). All respondents who had been in employment<sup>37</sup> during pregnancy and had returned to work after childbirth, were asked whether or not they were doing the same job as before they had their baby. Three in five women (59 per cent) had returned to the same job with the same employer (Table 4.1). Women who worked in predominantly public sector industries in the last job before the birth of their child, particularly health and social work (70 per cent) and education (66 per cent), were far more likely than women who worked in predominantly private sector industries in the last job before the birth of their child, such as production and communication (43 per cent) to return to the same job with the same employer (Table 4.1).

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<sup>36</sup> This missing value problem occurred in 18 per cent of cases. Missing values were not an issue for the 1988 and 1996 figures because these were obtained from a 'are you currently in work?' question, which almost everybody answered. The 2002 figure of 69 per cent, by contrast, comes from looking at women's exact return date for which the number of missing values was high.

<sup>37</sup> Including self-employment.

Table 4.1 Whether women returned to the same or a different job and/or employer, by the industrial sector in which women worked in the last job before the birth of their child

Column percentage

	All	Industrial sector of last job						
		Production and communication	Distribution	Financial services	Public admin & defence	Education	Health & social work	Other services
<b>Whether women returned to same or different job and/or employer</b>								
Same job and employer	59	43	54	58	65	66	70	58
Different job and/or employer	41	57	46	42	35	34	30	42
Unweighted base	2384	273	540	523	175	225	517	131
Weighted base	2333	261	563	495	162	213	505	134

Base: women in employment during pregnancy who had returned to work after the birth of their child

Source: Survey of Mothers 2002

Among women in employment during pregnancy who returned to work after the birth of their child, those who worked part-time in their last job before childbirth were more likely to return to the same job and employer than women who worked full-time (Table 4.2). Two-thirds (67 per cent) of women who worked part-time in their last job before childbirth returned to the same job and employer compared with just over half of women who worked full-time (55 per cent). Women returning to the same job and employer also tended to be non first time mothers; 71 per cent returned to the same job and employer compared with 58 per cent of first-time mothers. Older women also had a greater tendency to return to the same job and employer; 68 per cent of women aged 35-39 and 76 per cent of women aged 40 plus did so compared with 44 per cent of women under 25 and 60 per cent of women aged 25-29. Forty-three per cent of women with less than one year of continuous service returned to the same job and employer compared with 67 per cent of women with more than ten years of continuous service. If women were in a higher paid job in the last job before the birth of their child they were also more likely to return to the same job and employer. Fifty-five per cent of women on a net hourly wage of less than £5 returned to the same job and employer compared with 70 per cent of women earning £8 plus per hour. Women were more likely to return to the same job and employer if they were in receipt of OMP (69 per cent) compared with SMP for 18 weeks (59 per cent) or SMP for less than 18 weeks (62 per cent). However, 69 per cent of women who received Maternity Allowance (MA) also returned to the same job and employer.

Table 4.2 Whether women returned to same or different job and/or employer, by whether they worked part-time or full-time in the last job before the birth of their child

	All	Whether working part-time or full-time in last job	
		Column percentage	
		Full-time	Part-time
<b>Whether women returned to same or different job and/or employer</b>			
Same job and employer	59	55	67
Different job and/or employer	41	45	33
Unweighted base	2398	1584	814
Weighted base	2349	1550	799

Base: women in employment during pregnancy who had returned to work after the birth of their child

Source: Survey of Mothers 2002

Women who were in employment during pregnancy and returned to work after childbirth, but who did not return to the same job with the same employer, returned to the same type of job with a different employer, a different job with the same employer or a different job with a different employer. All these women were asked why they had changed job and/or employer (Table 4.3). Eight in ten of these women (80 per cent) indicated that they had changed their job voluntarily. The main reasons that they gave for doing so included wanting part-time hours; a job that was closer to where they lived; a job with less responsibility; or a job that allowed them to work more flexible hours. Two-fifths of the women (41 per cent) stated that a reason for changing job and/or employer was that they wanted part-time work. Two in ten women (20 per cent) reported that they had changed their job because their old job was not available: in other words, they had changed jobs involuntarily. Some of these women may have been denied their rights under the maternity rights legislation. Alternatively, in accordance with the demands of the legislation, they may have been offered an appropriate alternative job but chose to refuse the offer.

Table 4.3 Main reason why job and/or employer was changed, by industrial sector in which women worked in the last job before the birth of their child

	Column percentage							
	All	Production & communication	Distribution	Financial services	Public admin & defence	Education	Health & social work	Other services
<b>Main reason job and/or employer was changed</b>								
'I wanted to work more flexible hours'	16	10	15	18	13	22	18	13
'I wanted part-time hours'	41	49	46	41	37	33	30	43
'My old job was not available'	20	24	17	24	36	11	13	20
'I wanted a job with less responsibility'	17	13	22	18	13	26	12	7
'I wanted a job with more responsibility'	10	3	12	8	18	8	13	11
'I wanted a job that was closer to my home'	19	24	20	16	9	17	22	18
'I wanted a job that was easier to get to'	13	17	12	11	5	14	16	13
Unweighted base	950	150	244	218	60	74	153	51
Weighted base	953	148	261	209	56	72	152	55

Base: Women who were in employment during pregnancy and had returned to work after childbirth, but had changed job and/or employer

Note: This is a multiple response table. Respondents could give more than one answer.

Source: Survey of Mothers 2002

Among women who were in employment during pregnancy and had returned to work after childbirth, but had changed job and/or employer, the proportions of women reporting that they had changed their job and/or employer because their old job was not available varied according to the industrial sector of the last job in which they worked before the birth of their child (Table 4.3). Women who worked in public administration and defence in the last job before childbirth were the most likely to report that they had changed their job and/or employer because their old job was not available (36 per cent), while women working in education (11 per cent) and health and social work (13 per cent) were amongst the least likely to give this reason. Across other sectors, a quarter of women in production and communication and financial services (24 per cent) had changed their job and/or employer because their old job was unavailable while the figure for distribution was 17 per cent.

A movement to part-time work is suggestive of efforts to balance paid work and family responsibilities. Women who worked in production and communication in the last job before the birth of their child were most likely to report that they had changed their job and/or employer because they wanted part-time work (49 per cent) while women in health and social work were the least likely (30 per cent) to give this reason (Table 4.3). About half (51 per cent) of those women who worked as managers in the last job before the birth of their child changed jobs because they wanted part-time work in contrast to 31 per cent of women who worked in personal and protective occupations. Wanting part-time work was also strongly associated with being a first-time mother. Around half (51 per cent) of the first-time mothers wanted part-time work, compared with only a quarter (25 per cent) of non first-time mothers. This is of course related to the fact that most non first-time mothers (65 per cent) were already working part-time in the last job they held before childbirth. This was true of only one in ten (ten per cent) of the first-time mothers.

Women who changed job or employer because their old job was not available were not directly asked whether they had been offered an appropriate alternative job, in accordance with the legislative provisions. However, they were asked how their old job differed from the one they did during pregnancy. In the case of women who changed their job but not employer, and where their new job was on the same (or higher) grade or level as their old job, it can reasonably be assumed that this constituted an 'appropriate alternative job'. However, if it was on a lower grade or level, this may suggest that it was not an 'appropriate alternative job' (although it should be noted that it is possible that some of these women may have chosen to return to work at a lower level).

Among women who were in employment during pregnancy, had returned to work after childbirth and had changed jobs but not employer, two thirds (68 per cent) moved to jobs at the same or a higher level, two-fifths (38 per cent) moved to a different type of work and did not say whether this involved a changed in job level and one fifth (20 per cent) moved to a lower grade or level of job (Table 4.4). Those women who changed job because their old job was not available and moved into a lower grade job represent only one per cent of all women who returned to work.

Table 4.4 How new job differs from old by main reasons job changed

	Column percentage		
	All	Main reasons job changed	
		I wanted part-time hours	My old job was not available
How new job differs from old			
No difference in grade or level	43	47	55
It is a lower grade or level	20	29	24
It is higher grade or level	25	11	12
It is a different type of work	38	37	49
Uweighted base	315	148	85
Weighted base	298	139	82
Base: Women who were in employment during pregnancy, had returned to work after childbirth and had changed jobs but not employer			

Source: Survey of Mothers 2002

#### 4.4 The factors associated with increased likelihood of return to work

This section investigates the factors associated with an increased likelihood on the part of women of returning to work after childbirth.<sup>38</sup> There were marked differences between women who did and did not return to work. These variations were in terms of:

- The jobs they held during their pregnancy, including their pay and length of service
- Where they had worked while pregnant and the type of employer they had worked for
- Their access to work-life balance policies
- Their personal characteristics and household circumstances

Each of these is examined in turn.

<sup>38</sup> It uses information on whether women had returned to work, regardless of whether it was to the same job and/or employer. This is because the primary function of this section is to investigate characteristics and factors associated with an increased likelihood of return, rather than to examine whether women exercised their rights under the maternity legislation.



## Type of job held during their pregnancy

Overall, women who worked in higher level occupations in the last job before the birth of their child, namely as managers, professionals and associate professionals, were more likely to have resumed working than those in lower level occupations, such as clerical workers, and those in sales and personal and protective service jobs (Table 4.5). Women who had worked in associate professional occupations had the highest rates of return (90 per cent), while those who had worked in ‘other’ occupations had the lowest (64 per cent). While this general pattern is very similar to that found in the 1996 survey, with indeed the broad occupational groups having the highest and lowest rates of return being the same in both surveys, what is notable is that whereas the proportion of associate professionals who had returned to work was only marginally lower in 1996 than in 2002, at 84 per cent, the proportion of women in ‘other’ occupations was markedly lower last time round, at only 43 per cent (Callender, Millward, Lissenburgh and Forth, 1997). This suggests that higher return rates by women in lower grade occupations is an important driver of the higher overall tendency for women to return to work after childbirth that was reported in earlier sections of this chapter. This finding has implications for the evaluation of the impact of the 1999 legislative changes on mothers’ propensity to return to work after childbirth and these are discussed in more detail below<sup>39</sup>.

Table 4.5 Whether respondent returned to work, by broad occupation in which women worked during last job before the birth of their child

	All	Broad occupation in last job						Column percentage	
		Manager	Professional	Associate professional	Clerical	Personal/protective	Sales	Other	
<b>Returned to work</b>									
Yes	80	85	89	90	78	72	73	64	
No	20	15	11	10	22	28	27	36	
Unweighted base	3506	556	464	590	949	435	276	236	
Weighted base	3484	518	428	544	954	479	303	258	
Base: women in employment during pregnancy									

Source: Survey of Mothers 2002

<sup>39</sup> It should be remembered, of course, that when comparing 1996 with 2002, as discussed previously, the difference in rates of return occurs partly because the 2002 survey took place a longer time after the birth, so that mothers had more time to return to work.

Given the relationship between occupation and pay, it is not surprising that there was also a strong relationship between women's rates of return and their levels of earnings. The higher was women's net pay in the last job before childbirth, the greater the proportion working again after childbirth. Nine in ten (88 per cent) women who had earned £8 or more per hour in the last job before the birth of their child returned to work, compared with about two-thirds (68 per cent) of women who earned less than £5 per hour (Table 4.6). It is again notable, however, that compared with 1996, lower paid women register a 20 percentage point increase in their proportion in work, compared with an eight percentage point increase for higher paid women (Callender, Millward, Lissenburgh and Forth, 1997).<sup>40</sup>

Table 4.6 Whether respondent returned to work, by women's net hourly wage in the last job before the birth of their child

	All	Net hourly wage in last job		
		Less than £5	£5 to £8	£8 plus
<b>Returned to work</b>				
Yes	80	68	84	88
No	20	32	16	12
Unweighted base	3201	997	1211	993
Weighted base	3189	1101	1187	901

Base: women in employment during pregnancy

Source: Survey of Mothers 2002

Another key variation in women's return-to-work behaviour was associated with their length of continuous service with the last employer for whom they worked prior to their baby's birth (Table 4.7). The longer they had worked for their employer the more likely they were to return to work. Five in six women (87 per cent) who had worked for over ten years had returned to work, compared with about two-thirds (64 per cent) of women with under one years' continuous service.

<sup>40</sup> The differences in time period after the child's birth for the 2002 and 1996 surveys does not affect comparisons of the return-to-work behaviour of lower paid women in 1996 compared with 2002 and the equivalent comparisons for higher paid women, since these involve looking at 'differences in differences', in the sense that they involve looking at the difference in return rates between higher paid women in 2002 compared with 1996 and lower paid women in 2002 compared with 1996.

Table 4.7 Whether respondent returned to work, by women's years of continuous service in the last job held before the birth of their child

Column percentage

	All	Continuous years of service in last job				
		Under one year	1-2 years	2-5 years	5-10 years	10 years plus
<b>Returned to work</b>						
Yes	80	64	75	79	85	87
No	20	36	25	21	15	13
Unweighted base	3313	305	453	1061	776	718
Weighted base	3298	325	479	1102	749	643

Base: women in employment during pregnancy

Source: Survey of Mothers 2002

### Where women worked during pregnancy and type of employer

Women who had worked in the public sector in the last job before the birth of their child were more likely than those who had worked in the private sector to return to work (85 per cent compared to 75 per cent) and women who had worked in large establishments, with 500 or more employees, were more likely to return (87 per cent) than those who had worked in small establishments, with fewer than 25 employees (75 per cent) (Table 4.8). Differences between women according to the industrial sector in which they worked in the last job before the birth of their child were also marked. Women who worked in production and communication (72 per cent) were the least likely to have returned to work, while those in public administration and defence (91 per cent) were the most likely (Table 4.9).

Table 4.8 Whether respondent returned to work, by size of establishment in which women worked in the last job before the birth of their child

Column percentage

	All	Size of establishment (number of employees) in the last job			
		1-24	25-99	100-499	500 plus
<b>Returned to work</b>					
Yes	80	75	81	82	87
No	20	25	19	18	13
Unweighted base	3385	1184	839	710	652
Weighted base	3363	1207	843	691	622

Base: women in employment during pregnancy

Source: Survey of Mothers 2002

Table 4.9 Whether respondent returned to work, by the industrial sector in which women worked in the last job before the birth of their child

Column percentage

Returned to work	All		Industry					
		Production and communication	Distribution	Financial services	Public administration and defence	Education	Health & social work	Other services
Yes	80	72	76	79	91	86	86	74
No	20	28	24	21	9	14	14	26
Unweighted base	3505	426	822	795	233	326	703	200
Weighted base	3483	417	871	764	218	311	696	206

Base: women in employment during pregnancy

Source: Survey of Mothers 2002

## **Availability of work-life balance policies**

Women's return-to-work behaviour varied substantially depending on the number of work-life balance policies provided by their last employer before childbirth. Women were least likely to return to work if their last employer had no such policies (70 per cent) and were most likely to return if this employer provided four or more policies (88 per cent). This suggests that employment arrangements that can help women with young children acted as a positive encouragement for women to return to work, a finding that was also produced by the 1988 and 1996 PSI surveys (McRae, 1991; Callender, Millward, Lissenburgh and Forth, 1997).

## **Personal characteristics and household circumstances**

The proportion of women who returned to work following childbirth also varied according to age and marital status. Older women were more likely to go back to work: about two-thirds (65 per cent) of women under 25 returned, compared with almost five in six women (85 per cent) aged 35 years or more. Married or co-habiting women were more likely than single women to return (82 per cent compared with 66 per cent). It is notable, however, that this gap in return rates between partnered and non-partnered women of 16 percentage points was lower than the 26 percentage point gap reported by the 1996 survey. This is probably due at least in part to the implementation of policies introduced since 1996, especially Working Families Tax Credit, that have disproportionately benefited lone mothers by making work pay.

## **4.5 Women who did not return to work**

### **Characteristics of non-returners**

A fifth of women who were in employment during pregnancy did not return to work after their baby's birth. These non-returners tended to have jobs during their pregnancy with the lowest levels of pay in the lower occupational groups and to have had the shortest periods of continuous service (see Tables 4.5-4.7). They were most commonly employed in small private sector workplaces and those that did not provide any work-life balance policies. Women who did not return to work were also likely to be younger than those who did return and to be single (see above). As was noted above, however, there was substantial evidence to suggest that, while the characteristics of non-returners have not changed appreciably since 1996, the *extent* to which these characteristics were associated with non-return was not as great in 2002 as it had been in 1996.

### **Work intentions of non-returners**

Of the women who worked during pregnancy but did not return to work after childbirth, just over one in six (18 per cent) said they were looking for a job, most commonly part-time. Of the 82 per cent not seeking work at the time of the survey, nine out of ten (88 per cent) reported that they intended to return to work some time in the future, while ten per cent were unsure about their future plans. Only two per cent of women who had not returned to work had dropped out of the labour market entirely.

### **Reasons for not returning to work**

The reasons given by non-returners for not doing any paid work at the time of the survey are given in Table 4.10. The most frequently mentioned reason, given by seven in ten women (72

per cent), was that they preferred to look after their child or children themselves. The next two most frequently cited reasons are well-documented barriers to mothers' labour market participation – affordable childcare and jobs with suitable hours. A third (35 per cent) of non-returning women reported that they could not earn enough to pay for childcare. This is exactly the same proportion of non-returners who cited this reason as in the 1996 survey, which suggests that the substantial policy changes introduced since 1996 to improve childcare provision, including the National Childcare Strategy and the childcare elements of Working Families Tax Credit, have further scope for helping mothers to overcome this barrier. A fifth of women non-returners (22 per cent) were not working because they could not find a job with the right hours. This suggests that the introduction in April 2003 of a legal duty on the part of employers to seriously consider requests for flexible working from parents of children under six and parents of children with a disability under 18 has the potential to address a real barrier to mothers' labour market participation<sup>41</sup>. The remaining reasons given by non-returners included 18 per cent who simply said they preferred not to work; 14 per cent who said they could not find suitable childcare; and 11 per cent who said they would lose benefits.

Table 4.10 Main reasons given for not returning to work

	Percentages
<b>Reasons for not returning to work</b>	
I prefer to look after my child(ren) myself	72
I cannot earn enough to pay for childcare	35
I cannot find a job with the right hours	22
I prefer not to work	18
I cannot find suitable childcare	14
I/my family would lose benefits if I was working	11
I cannot find a job in a suitable location	5
My employer has given me a career break	4
My health/disability prevents me from working	3
Unweighted base	678
Weighted base	712
Base: women who were in employment during pregnancy but did not return to work	

Note: This is a multiple response table. Respondents could give more than one reason.  
Source: Survey of Mothers 2002

<sup>41</sup> The Government is committed to reviewing this 'duty to consider' three years after it comes into force.

## **4.6 Impact of the 1999 changes on the return to work**

It was stated above that the proportion of women who returned to work after childbirth in 2002 was higher than in 1996. This section investigates the extent to which the enhancements to statutory maternity rights and benefits that were enacted in 1999 were responsible for this increased rate of return to work. This was done using the ‘difference-in-differences’ (DiD) method described in Appendix 1.

### **Increased entitlement to OML from 14 weeks to 18 weeks**

Entitlement to OML, which is conferred regardless of length of service, was increased from 14 weeks to 18 weeks in 1999. This increase in the amount of maternity leave that women would be able to take might be expected to increase their capacity to return to work, because it would provide them with more time to, for example, make the childcare arrangements that might facilitate their return. The primary beneficiaries of this enhancement were women who would only have been entitled to 14 weeks OML under the legislation that applied in 1996, that is women who were in employment at the time of pregnancy but only qualified for OML. For the purposes of the DiD analyses, their comparators were women in 1996 and 2002 who had worked for at least 26 weeks of the 66 week period running up to the expected week of birth but did not qualify for OML because they were not in employment 11 weeks prior to the expected week of birth.

In order to calculate the impact of this legislative change on the return to work rate, the difference in return to work rates between women who did not qualify for OML in 2002 and women who did not qualify for OML in 1996 (the ‘non-eligibles’) was subtracted from the difference in return to work rates between women who qualified for OML in 2002 and women who qualified for OML in 1996 (the ‘eligibles’). This calculation was done while controlling for background characteristics of the individuals, such as their occupation, wage, marital status, age and so on, which might also be expected to affect the return to work rate.<sup>42</sup>

There were sufficient numbers of surveyed women in the eligible and non-eligible groups for the DiD analyses to be carried out effectively, but the analyses found no evidence to suggest that the increased entitlement to OML from 14 weeks to 18 weeks in 1999 had increased the return to work rate in 2002 compared with 1996.

### **Reduced qualifying period of employment for AML from two years’ continuous employment to one year**

The qualification period for AML was reduced from two years’ continuous service with the employer to one year in 1999. This meant that a wider group of women became entitled to take up to 40 weeks’ maternity leave, which might be expected to increase their capacity to return to work. This is because, as with the enhanced OML, it would give those women entitled more time to make the arrangements that might facilitate their return. The primary beneficiaries of this enhancement were women who would only have been entitled to OML under the legislation that applied in 1996, that is women who had at least one but less than two years’ continuous service with their employer. For the purposes of the DiD analyses, their comparators were women in 1996 and 2002 who qualified for OML but did not qualify for AML because they had worked continuously for their employer for less than one year.

In order to calculate the impact of this legislative change on the return to work rate, the difference in return to work rates between women with less than one years’ continuous

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<sup>42</sup> Details of the model used for this analysis can be found in Appendix Table 1.2.



service with their employer in 2002 and women with less than one years' continuous service with their employer in 1996 (the 'non-eligibles') was subtracted from the difference in return to work rates between women with between one and two years' continuous service in 2002 and women with between one and two years' continuous service in 1996 (the 'eligibles'). This calculation was again done while controlling for background characteristics of the individuals, such as their occupation, wage, marital status, age and so on, which might also be expected to affect the return to work rate.<sup>43</sup>

As with the analyses of enhancement to OML, there were sufficient numbers of surveyed women in the eligible and non-eligible groups for the DiD analyses to be carried out effectively, but the analyses found no evidence to suggest that the reduced qualifying period of employment for AML from two years' continuous employment to one year in 1999 had increased the return to work rate in 2002 compared with 1996.

### **The extension of MA to women earning less than the lower earnings limit but at least £30 per week on average**

Entitlement to MA, which is a benefit paid to women who had been employed or self employed for in at least 26 weeks of the 66 week period running up to the expected week of birth but do not qualify for SMP, was extended in 1999 from women who earned at least the lower earnings limit for National Insurance contributions, on average, during the 26 week period, to women whose average weekly earnings were at least £30 during this time<sup>44</sup>. For the purposes of the DiD analyses, their comparators were women in 1996 and 2002 who had worked for at least 26 weeks of the 66 week period running up to the expected week of birth but earned less than £30 per week, on average. While the payment of MA does not imply entitlement to maternity leave and the associated right to return to an employer after childbirth, increasing the number of women entitled to MA might be expected to help them maintain contact with the labour market and thus have some impact on return-to-work behaviour.

In order to calculate the impact of this legislative change on the return to work rate, the difference in return to work rates between women not entitled to SMP and earning less than £30 per week in their last job before the birth in 2002 and women not entitled to SMP and earning less than £30 per week in their last job before the birth in 1996 (the 'non-eligibles') was subtracted from the difference in return to work rates between women not entitled to SMP and earning between £30 per week and the lower earnings limit in 2002 and women not entitled to SMP but earning between £30 per week and the lower earnings limit in 1996 (the 'eligibles'). This calculation was again done while controlling for background characteristics of the individuals, such as their occupation, wage, size and sector of workplace, education level, and so on, which might also be expected to affect the return to work rate. In the case of the MA analyses, however, sample numbers were relatively low, so a restricted range of control variables was used.

In contrast to the analyses of enhancements to maternity leave, the sample numbers for the MA analyses, while sufficiently large to make the analyses viable, were such that a relatively large effect on return to work behaviour would have been necessary to achieve statistical significance. No such effect was forthcoming and so the analyses found no evidence to suggest that the extension of MA to women earning less than the lower earnings limit but at least £30 per week on average had increased the return to work rate in 2002 compared with 1996.<sup>45</sup>

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<sup>43</sup> Details of the model used for this analysis can be found in Appendix Table 1.3.

<sup>44</sup> The qualifying condition for MA prior to 1999 was the payment of 26 national insurance contributions in the 66 week period running up to the expected week of birth. The lower earnings limit has been used as a proxy for analysis purposes.

<sup>45</sup> In contrast to the 'difference-in-differences' analyses presented in this section, recent research by Burgess, Gregg and Propper (2003) finds a considerable impact of maternity rights upon women's

# Chapter 5

## Fathers' time off around the birth of the child

### 5.1 Introduction

Paid paternity leave was introduced for fathers from April 2003. At the time of the survey, however, there was no legislative provision for time off for fathers during their partners' pregnancy or around the time of the birth of their child. Time off taken during the partner's pregnancy and paternity leave taken around the time of birth were subject to arrangements fathers made with their employer.

This chapter first looks at fathers' time off patterns during their partner's pregnancy and explores the reasons given by fathers for taking time off at this time. Secondly, it analyses patterns of time off around the time of the birth and examines, in detail, the type of leave arrangements fathers made, including the nature of provision (e.g. formal/informal) made by their employer, the number of days fathers took at this time and factors associated with paternity leave provision, entitlement and take-up. Thirdly, it examines fathers' labour market behaviour after the birth of their baby.

The break variables used in this chapter consisted of a range of employment-related factors including the industry, gender composition, size and sector of the establishment in the job in which fathers worked at the time of the birth of their child and the number of work-life balance policies that it provided; whether the employer provided paternity leave; union representation at their workplace and union membership, position on the occupational hierarchy and net hourly wage. Personal characteristics including age, education level and ethnic origin were also used as break variables.

The following discussion only comments on those break variables that were found to be associated with the issues explored in this chapter. Where a break variable is not discussed it can be assumed that there were no substantial variations.

### 5.2 Time off work during pregnancy

Fathers who worked as employees at the time of the birth of their child were asked whether or not they had taken any time off during their partners' pregnancy in 2000, for reasons to do with their pregnancy. Just under half (47 per cent) of fathers had taken time off (Table 5.1). There was a particularly strong association between the number of work-life balance policies provided by their employer at the time of the birth of their child and whether fathers took any time off during their partners' pregnancy. Forty-one per cent of fathers working for employers with no work-life balance policies took time off compared to 60 per cent of fathers who worked for employers with three or more work-life balance policies (Table 5.1). Taking time off was also strongly associated with higher pay and being in a higher occupational group. Compared to 52 per cent of fathers earning £8 or more per hour, only 40 per cent of those earning less than £5 per hour in the job they held at the time of the birth of their child said they took time off during pregnancy. Similarly, while 56 per cent of managers took time

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propensity to return to work after childbirth. However, the effect is only observable at 3-7 months after the birth. By 8-11 months after the birth it has disappeared and by 12-34 months after the birth becomes negative. While of interest, Burgess, Gregg and Propper's (2003) results are not directly comparable to those presented here as they consider a different time period from the one analysed in this study (their data ends in 1991-92).

off during this time, 40 per cent of those in clerical or sales did so. It was most common for fathers to take time off if they worked in banking, insurance and finance and least common if they worked in distribution, hotels and restaurants. Fifty-four per cent of fathers in the former took time off compared to 43 per cent of fathers in the latter.

Among fathers who worked as employees at the time of the birth of their child and who said they took time off during their partners' pregnancy, the majority, 63 per cent, took one to three days off work during their partners' pregnancy. Twenty-six per cent of fathers took four to seven days, five per cent took more than seven days and seven per cent took no time off<sup>46</sup>. All fathers who took time off were asked why they had done so. The main reasons given were to accompany their partners for ultrasound scans (93 per cent) and to attend other hospital appointments (49 per cent). Just 15 per cent of fathers reported taking time off to attend antenatal classes. Few fathers reported taking time off because their wife or partner was ill (five per cent); pregnancy complications (two per cent); to care for other children (two per cent), and mid-wife visits (one per cent).

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<sup>46</sup> After reporting that they had taken time off during their partner's pregnancy, when asked the number of days they took, they stated none. Thus, either they had not taken a full day or a slightly higher proportion of fathers took no time off than the 53 per cent mentioned.

Table 5.1 Whether fathers took time off work during their partner's pregnancy, by the number of work-life balance policies provided by fathers' employer at the time of the birth of their child

	All	Number of work-life balance policies provided by employer			
		None	One	Two	Three or more
Whether time taken off during pregnancy					
Yes	47	41	48	54	60
No	53	59	52	46	40
Base: Fathers who worked as employees at the time of the birth of their child	1834	750	606	324	154

Source: Survey of Fathers 2002

## **5.3 Time off work around childbirth and paternity leave**

### **Time off work around childbirth**

Fathers who worked as employees at the time of the birth of their child were also asked if they had taken any time off work at around the time that their babies were born. At 96 per cent, the overwhelming majority of such fathers took time off work around the time their baby was born.

The occupational group where the highest proportion of fathers took time off at the time of the child's birth was managers. Fathers who worked as machine operatives at the time of the birth of their child were the least likely to have taken time off. Ten per cent of machine operatives did not do so (Table 5.2). As in the case of time taken off during pregnancy, banking, insurance and finance was the industrial sector where fathers were most likely to take time off at the time of birth. Ninety-nine per cent of fathers working in this sector took time off. Fathers were least likely to take time off at the time of birth in public and other services where 93 per cent of fathers took time off.

Table 5.2 Whether fathers took time off around the time of birth, by broad occupation in which fathers worked at time of the birth of their child

Column percentage

	<b>All</b>	<b>Broad occupation</b>						
		Managers	Professionals	Associate professionals and technical	Clerical, sales and personal services	Skilled manual workers	Machine operatives	Elementary occupations
Whether fathers took time off work around the time of birth								
Yes	96	98	96	96	95	96	90	97
No	4	2	4	4	5	4	10	3
Base: Fathers who worked as employees at the time of the birth of their child	1809	449	251	231	333	299	175	71

Source: Survey of Fathers 2002

The actual number of fathers who worked as employees at the time of the birth of their child and who said they did not take any time off was too few (86) to allow any detailed analysis of their experiences. However, it is worth noting that two thirds (66 per cent) of these fathers who did not take any time off at birth said, if they had wanted, they would have been allowed to take time off. Those who did not take any time off despite having been allowed to do so were asked to explain why they did not use the provision made by their employer. The numbers were too few (57) to draw any firm conclusions, but the reasons given included work commitments, financial constraints, the fitting of work shifts around the birth and help given by other family members.

Fathers who stated that they took time off work at the time of the birth were asked how many days they had taken off. About three quarters took up to ten days and nearly one in five (18 per cent) took between 11 to 15 days (Table 5.3).

Table 5.3 Number of days fathers took off work around the time of the birth of their child

	Percentage	Total (n)
<b>Number of days fathers took</b>		
1 to 5 days	39	674
6 to 10 days	37	646
11 to 15 days	18	310
16 or more	7	113
Base: Fathers who worked as employees at the time of the birth of their child and who took some time off around the time of the birth	100	1743

Source: Survey of Fathers 2002

Fathers who worked as employees at the time of the birth of their child and who took some time off work at around the time of the birth were asked what had affected the number of days they took. The need to settle their partner and the baby was cited by almost half the fathers (48 per cent), suggesting that in most cases, the mother and the baby do need more intensive support in the days following the birth. A similarly high proportion of fathers said how much annual leave they had left was an important factor in deciding how many days to take. Nearly one in three mentioned pressure of work and one in four referred to financial constraints (Table 5.4). This indicates a tension between the need to support their partner and the baby around the time of the birth and the pressure of not having a dedicated time-off allowance for new fathers.

Table 5.4 Factors that affected how much time fathers took off work around the time of the birth of their child

<b>What affected time off</b>	<b>Percentage</b>
The need to settle partner and baby	48
The amount of annual holiday remaining	46
Pressure of work	31
Financial constraints	24
Partner or baby's health	18
Other factors	9
Paternity leave entitlement	*
To care for other children	*
To spend time with family and new baby	1
Base: Fathers who worked as employees at the time of the birth of their child and who took some time off around the time of the birth	1762

Note: This is a multiple response table. Respondents could give more than one answer.  
Source: Survey of Fathers 2002

Fathers who stated that they took some time off work were asked to indicate whether they took paternity leave, parental leave or made some other type of leave arrangement with their employer. Where respondents combined two or more of these methods, they were asked to state all the arrangements they made.

The most common arrangements made by fathers were to take paternity leave or to use their paid annual holiday entitlement or to combine the two. Sixty four per cent of fathers who took time off around the time of the birth had paternity leave and almost an equal proportion of 65 cent said they used their annual leave entitlement. Other methods used included taking time off but making it up later, taking unpaid time off or taking sick leave, but these were reported by too few respondents to warrant any further investigation (Table 5.5).



Table 5.5 Type of time-off taken around the time of the birth

<b>Type of leave arrangement</b>	<b>Percentage</b>
Paternity leave	64
Paid annual leave	65
Parental leave	5
Took paid time off but made up later	2
Took unpaid time off (not paternity or parental)	3
Own sick leave	2
Other arrangement	3
Base: Fathers who worked as employees at the time of the birth of their child and who took some time off around the time of the birth	1762

Note: This is a multiple response table. Respondents could give more than one answer.  
Source: Survey of Fathers 2002

### **Paternity leave**

Fathers who worked as employees at the time of the birth of their child were asked questions about the nature of paternity leave provided by their employer, their personal entitlement and also their use of the provision.

#### **Employer provision**

Fathers who worked as employees at the time of the birth of their child were asked to indicate whether their employer at this time provided any paternity leave. This question did not ask separately about fully paid, partly paid or unpaid paternity leave. It simply asked whether their employer generally provided paternity leave to any employees. In response, 67 per cent of fathers employed at the time their child was born stated that their employer provided paternity leave and one in three said no paternity leave was provided by their employer (Table 5.6).

Table 5.6 Whether fathers' employer at the time of the birth of their child provided paternity leave

	<b>Percentage</b>
<b>Did the employer provide paternity leave?</b>	
Yes	67
No	33
Base: Fathers who worked as employees at the time of the birth of their child	1801

Source: Survey of Fathers 2002

Since paternity leave was provided voluntarily by employers at the time of the survey, rather than being a statutory benefit, the arrangements would not be expected to be standard. The way the leave arrangements are made may be crucial, however, in determining whether all fathers are actually entitled to and able to use the provision. For this reason, men who reported that their employer provided paternity leave were asked a number of questions about the nature of the provision. These questions aimed to explore whether the arrangement was formal or informal; whether it was restricted in some way or was available to all employees and whether entitlement depended on some internally devised criteria.

Fathers who worked as employees at the time of the birth of their child and whose employer provided paternity leave were asked whether the availability of paternity leave was restricted. The majority (85 per cent) said it was available for all fathers. A noticeable minority of more than one in ten fathers (12 per cent) appeared not to know whether the availability of paternity leave was restricted in some way or not (Table 5.7).

Table 5.7 Restrictions applied by the employer to the availability of paternity leave

	<b>Percentage</b>
<b>Restrictions</b>	
It was available for all fathers	85
It was available for some fathers	3
I don't know	12
Base: Fathers who worked as employees at the time of the birth of their child and whose employer provided paternity leave	1192

Source: Survey of Fathers 2002

The actual number of respondents who said paternity leave was available for some fathers was too small (46) to allow any further exploration of the entitlement criteria used by their employers. However, respondents who said it was available to some employees and those who said they didn't know whether it was available to all employees or not (giving a sample size of 187) were prompted by two further questions. The first one of these asked specifically about the way their employer arranged the paternity leave provision. Of these 187 fathers, nearly half (46 per cent) said it was provided at the discretion of their manager, indicating that the arrangement was informal and was not necessarily part of any written company policy. The second question put to these respondents was about any problems they may have experienced with regard to paternity leave. About one in five (18 per cent) said they had experienced problems. Once again, the numbers reporting problems (33 respondents) were too few to explore the types of difficulties they had in any detail.

All fathers who were employed at the time of the birth of their child and who said that their employer provided paternity leave to any employees were then asked whether entitlement to paternity leave depended on length of service, grade of job or having a permanent employment contract. The findings suggest that where the employer provided paternity leave, in the majority of cases, this was available to all employees. Eighty per cent of all fathers whose employer provided paternity leave said all men were equally entitled to it<sup>47</sup>. The second most often mentioned criteria was the type of contract, with 16 per cent reporting that only permanent employees were entitled to paternity leave. More than one in ten said it depended on having completed a minimum length of service. A similar proportion said it depended on individual circumstances indicating that the voluntary paternity leave arrangements negotiated between the employer and new fathers were not always formal (Table 5.8).

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<sup>47</sup> The proportion of 80 per cent of fathers whose employer provided paternity leave who said all men were equally entitled to it is not consistent with the 85 per cent who said that paternity leave was available to all fathers. These percentages derive from two different questions, however, which had slightly different wording. The 85 per cent figure came from a question that asked fathers whether paternity leave was 'available for all fathers' and the 80 per cent figure came from a question which asked whether 'all men were equally entitled to paternity leave'. These are slightly different questions so it is plausible for there to be slightly different proportions of respondents saying 'yes' in response.

Table 5.8 Entitlement criteria applied by employers in the provision of paternity leave

Entitlement criteria	Percentage
All men were equally entitled	80
Only permanent employees were entitled to paternity leave	16
Only men employed for a minimum length of time were entitled	12
It depends on individual circumstances	12
Only full-timers were entitled to paternity leave	7
The higher the job grade the more paternity leave men got	2
Only men in higher grades were entitled	*
The longer the men have been employed the more paternity leave they got	1
Base: Fathers who worked as employees at the time of the birth of their child and whose employer provided paternity leave	1211

Note: This is a multiple response table. Respondents could give more than one answer.  
Source: Survey of Fathers 2002

In fact, when fathers who took paternity leave were asked directly whether the paternity leave arrangements were formal or informal, one in four said it was provided at the discretion of their manager. Nevertheless, about three quarters (75 per cent) said it was provided as part of a written company policy (Table 5.9).

Table 5.9 Whether paternity leave arrangements were formal or informal

The nature of paternity leave provision	Percentage
Provided as part of a written company policy	75
Provided as part of a collective agreement	7
Time off at the discretion of the line manager	25
Other	1
Base: Fathers who took paternity leave around the time of the birth of their child	985

Note: This is a multiple response table. Respondents could give more than one answer.  
Source: Survey of Fathers 2002

Finally, fathers whose employer at the time of the birth of their child provided paternity leave were asked to comment on what else might have influenced their employer's decision to allow men to take paternity leave. Nearly half the fathers whose employer provided paternity leave chose not to answer this question. About half the men who did not answer this question were the fathers, who in response to another question had said that all men were equally entitled to paternity leave. Nevertheless, it seems that substantial numbers did not feel in a position to comment on this issue.<sup>48</sup> Just over one in four (27 per cent) mentioned work commitments, followed by nearly one in five (19 per cent) who said it was influenced by whether the employer had equal opportunities policies (Table 5.10). This suggests that for a substantial number of men work pressures influence their employers' decision to allow paternity leave and their right to take time off around the time of the birth of their child may not be guaranteed. This is an important point, because an overwhelming majority of fathers do take time off around the time of the birth, suggesting that there is a need and desire to be with their partner and baby at this time, but their ability to do so may be restricted by work commitments.

Table 5.10 Factors influencing whether the employer allowed fathers to take paternity leave

	<b>Percentage</b>
What influenced your employer's provision	
Work commitments	27
Whether the manager has a family	5
Whether the employer has equal opportunities policies	19
Company policy	1
Other	11
Nothing	2
I don't know	4
Not stated	42
Base: Fathers who worked as employees at the time of the birth of their child and whose employer provided paternity leave	1211

Note: This is a multiple response table. Respondents could give more than one answer.  
Source: Survey of Fathers 2002

<sup>48</sup> The high proportion of non-answers to this question might have been because 'nothing' or 'none' did not appear as options under the suggested answers. The two per cent of fathers who said 'nothing' entered this without prompting.

The provision of paternity leave varied according to a number of characteristics of the establishment in which fathers worked at the time of the birth of their child. Namely, whether there was union representation at the workplace, the size and the sector of the establishment and the industrial sector in which it was located.

The likelihood of an employer providing paternity leave varied both by union representation and membership. Just over half (53 per cent) of fathers who worked as employees at the time of the birth of their child and who worked in establishments where no union negotiated over pay and working conditions said their employer provided paternity leave. Even if they were not personally members, fathers who worked in establishments where a union had negotiating rights were substantially more likely (eight in ten) to say that their employer provided paternity leave. Respondents who were themselves union members where the union had negotiating rights were the most likely (nine in ten) to say that their employer provided paternity leave (Table 5.11). Union representation may influence the availability of the provision, but union membership may perhaps bring with it an increased awareness of the employer's policies. The higher proportion of union members reporting an availability of paternity leave may therefore be reflecting a higher awareness of the provision on the part of union members, rather than an actual difference in provision. It may also be the case that unions help to disseminate the fact that paternity leave is available at a workplace and, thus, non-members become aware of it as well, and employees report higher levels of provision.

Table 5.11 Employer's provision of paternity leave, by union representation and membership at fathers' workplace at the time of the birth of their child

Column percentage

	All	Union representation and membership		
		Union present and member	Union present but not a member	Union not present
<b>Employer provision</b>				
Yes	68	88	78	53
No	32	12	22	47
Base: Fathers who worked as employees at the time of the birth of their child	1646	517	255	874

Source: Survey of Fathers 2002

Large private establishments and public sector employers were also substantially more likely to provide paternity leave for their employees. Nearly nine in ten (87 per cent) fathers who worked in the public sector at the time of the birth of their child and an almost identical proportion of those who worked in large private sector establishments with 500 or more employees reported that their employer provided paternity leave. In sharp contrast, fathers working in small private establishments with less than 25 employees were only half as likely (44 per cent) to say so (Table 5.12).

Table 5.12 Employers' provision of paternity leave, by the size and sector of the establishment in which fathers worked at the time of the birth of their child

Column percentage

	All	Size and sector of establishment					
		Private 1-24	Private 25-99	Private 100-499	Private 500+	Public	Voluntary/ Other
<b>Employer provision</b>							
Yes	67	44	58	64	86	87	78
No	33	56	42	36	14	13	22
Base: Fathers who worked as employees at the time of the birth of their child	1745	409	297	298	185	436	120

Source: Survey of Fathers 2002

The provision of paternity leave also tended to vary by the industrial sector in which fathers worked at the time of the birth of their child. As opposed to over 80 per cent of employees in public administration, education and health, 58 per cent of fathers working in production and communication and 65 per cent working in distribution, hotels and restaurants said their employer provided paternity leave (Table 5.13). This may be related to the fact that establishments in the production and communications sector were more likely to be small establishments. The difference between the public services and the production and communications sector is particularly great in this respect; establishments in the public services were nearly twice as likely to have 500 or more employees.

Table 5.13 Employer's provision of paternity leave, by the industrial sector in which fathers worked at the time of the birth of their child

Column percentage

	All	Industrial sector in which fathers worked				
		Production & Communication	Distribution, Hotels & Restaurants	Banking, Finance & Insurance	Public Admin, Education & Health	
<b>Employer provision</b>						
Yes	67		58	65	70	81
No	33		42	35	30	19
Base: Fathers who worked as employees at the time of the birth of their child	1764		578	424	378	384

Source: Survey of Fathers 2002

### Personal entitlement to paternity leave

Fathers who worked as employees at the time of the birth of their child and who said their employer provided paternity leave were asked how many days they were personally entitled<sup>49</sup> to. Among fathers whose employer provided paternity leave, 77 per cent said they were personally entitled to it. This figure is slightly lower than the proportion (80 per cent) who said all men were equally entitled to the paternity leave provided by their employer. Nearly one in five (17 per cent) who said their employer provided paternity leave were not sure of their own personal entitlement (Table 5.14).

Table 5.14 Personal entitlement to paternity leave

	Percentage
<b>Personal entitlement</b>	
Yes	77
No	6
I don't know	17
Base: Fathers who worked as employees at the time of the birth of their child and whose employer provided paternity leave	1211

Source: Survey of Fathers 2002

Where fathers said they were personally entitled to paternity leave, they stated in the majority of cases fathers that they were entitled to fully paid paternity leave; 93 per cent of fathers who were personally entitled to some paternity leave said they were entitled to fully paid leave. However, the amount of entitlement to fully paid paternity leave was not the same for all fathers. Among fathers who were personally entitled to paternity leave, seven per cent did not have any fully paid paternity leave; 73 per cent said they had up to five days, 16 per cent said they could take between six to ten days and a minority of four per cent said they could take more than ten days (Table 5.15). On average, fathers said they were entitled to five days fully paid paternity leave.

Table 5.15 Number of days fully paid paternity leave fathers to which fathers were personally entitled

Number of days fully paid paternity leave	Percentage
None	7
1 to 5 days	73
6 to 10 days	16
11 or more	4
Base: Fathers who worked as employees at the time of the birth of the child and said they were personally entitled to some paternity leave	937

Source: Survey of Fathers 2002

<sup>49</sup> References to 'personal entitlement' or 'personally entitled' in this chapter refer to situations where the respondent reported that their employer allowed them to use a particular aspect of employer provision. They may or may not have taken up (i.e. used) this entitlement. This is distinct from 'legal entitlement', where the respondent would appear to be legally entitled to a particular aspect of provision on the basis of the information they supplied in the questionnaire.



Among fathers whose employer provided paternity leave, personal entitlement did not vary by position on the occupational hierarchy or qualification level. However, entitlement patterns varied substantially by industry sector, the size and sector of the establishment in which fathers worked and union representation at the workplace.

Fathers who were working in banking, finance and insurance or in public administration, education and health at the time of the birth of their child were more likely (84 and 81 per cent respectively) to say that they were personally entitled to paternity leave than those working in production and communications and in distribution, hotels and restaurants (72 and 73 per cent respectively). Furthermore, fathers working in production and communication were almost twice as likely (22 per cent) as those working in banking, finance and insurance services to say that they did not know whether they were personally entitled to paternity leave (Table 5.16).

Table 5.16 Personal entitlement to paternity leave, by the industrial sector in which fathers worked at the time of the birth of their child

Column percentage

	<b>Industrial sector in which fathers worked</b>				
	<b>All</b>	<b>Production &amp; Communication</b>	<b>Distribution, Hotels &amp; Restaurants</b>	<b>Banking, Finance &amp; Insurance</b>	<b>Public Admin, Education &amp; Health</b>
<b>Personal entitlement</b>					
Yes	77	72	73	84	81
No	6	6	10	4	3
I don't know	17	22	17	12	16
Base: Fathers who worked as employees at the time of the birth of their child and whose employer at provided paternity leave	1187	335	277	263	312

Source: Survey of Fathers 2002

The difference between fathers working in small and large private establishments was even greater. As opposed to 61 per cent of fathers who worked in private establishments with less than 25 employees at the time of the birth of their child, 86 per cent of those who worked in large private establishments with 500 or more employees said they were personally entitled to the paternity leave provision supplied by their employer. More strikingly, fathers working in small private establishments were four times more likely as those working in large private establishments to say that they did not know about their personal entitlement status (Table 5.17).

Table 5.17 Personal entitlement to paternity leave, by the size and the sector of the establishment in which fathers worked at the time of the birth of their child

Column percentage

	<b>Size and sector of establishment</b>						
	<b>All</b>	Private 1-24	Private 25-99	Private 100-499	Private 500+	Public	Voluntary/ Other
<b>Personal entitlement</b>							
Yes	78	61	72	79	86	86	75
No	5	7	7	4	5	5	3
I don't know	17	32	21	17	9	10	22
Base: Fathers who worked as employees at the time of the birth of their child and whose employer provided paternity leave	1176	181	173	190	159	379	94

Source: Survey of Fathers 2002

Personal entitlement also varied by union representation at the workplace and by whether fathers were themselves union members. In comparison with 69 per cent of fathers who worked in non-unionised establishments at the time of the birth of their child, 80 per cent of non-union members working in establishments where a union was represented said they were personally entitled to paternity leave. Being a member of the union further increased the probability of being personally entitled to take paternity leave, to 87 per cent (Table 5.18).

Table 5.18 Personal entitlement to paternity leave, by union representation and membership at fathers' workplace at the time of the birth of their child

Column percentage

	<b>Union representation and membership</b>			
	<b>All</b>	Union present and member	Union present but not a member	Union not present
<b>Personal entitlement</b>				
Yes	78	87	80	69
No	5	3	4	8
I don't know	16	10	16	23
Base: Fathers who worked as employees at the time of the birth of their child and whose employer provided paternity leave	1113	454	198	461

Source: Survey of Fathers 2002

## Take up of paternity leave

Among fathers who worked as employees at the time of the birth of their child and said they were personally entitled to paternity leave, 91 per cent took fully paid leave, four per cent took partly paid leave and eight per cent said they took unpaid paternity leave<sup>50</sup> (Table 5.19<sup>51</sup>).

Table 5.19 Take up of paternity leave – fully paid, partly paid or unpaid

	Percentage
<b>Type of paternity leave</b>	
Fully paid	91
Partly paid	4
Unpaid	8
Did not take up paternity leave	10
 Base: Fathers who worked as employees at the time of the birth of their child and who were personally entitled to paternity leave	 937

Note: This is a multiple response table. Respondents could give more than one answer.

Source: Survey of Fathers 2002

Among fathers who were personally entitled to paternity leave, the majority said they took fully paid paternity leave. However, the number of days taken were not the same for all. More than two thirds (71 per cent) of fathers who were personally entitled to paternity leave reported that they took up to five days fully paid paternity leave. A further 16 per cent took between six to ten days and one in ten did not take any fully paid leave (Table 5.20). On average, fathers said they took five days fully paid paternity leave. The figures in Table 5.20 are very similar to those in Table 5.15, which showed the number of days of fully paid paternity leave that fathers were personally entitled to. This suggests that, where paternity leave was fully paid, fathers took a high proportion of their entitlement.

<sup>50</sup> Note that, in response to an earlier question put to all those who took some time off around the time of the birth, a higher number of respondents (1123) said they took paternity leave than said they were entitled (937). The analysis of take up patterns in this section however is based on those who said they were personally entitled to paternity leave. An explanation for the inconsistency between the figures for personal entitlement and take-up may be that respondents were less likely to be certain about entitlement and so might have said 'don't know', whereas most people can recall whether they actually took a type of leave. It may also be that in very informal work environments there may not be an entitlement as such, but people may often be able to take leave in practice.

<sup>51</sup> Respondents were asked to report all paternity leave they took, whether paid or not, if they took a combination of these. Therefore, the figures in this table add to more than 100 per cent.

Table 5.20 Number of days fully paid paternity leave fathers took around the time of the birth of their child

<b>Number of days fully paid paternity leave taken</b>	<b>Percentage</b>
None	10
1 to 5 days	71
6 to 10 days	16
11 or more	3
Base: Fathers who worked as employees at the time of the birth of their child and who were personally entitled to paternity leave	908

Source: Survey of Fathers 2002

Among fathers who worked as employees at the time of the birth of their child and were personally entitled to paternity leave, 94 per cent made use of the provision (Table 5.21).

Table 5.21 Take up of paternity leave among fathers who were personally entitled

<b>Take-up of paternity leave</b>	<b>Percentage</b>
Yes	94
No	6
Base: Fathers who worked as employees at the time of the birth of their child and who were personally entitled to paternity leave	908

Source: Survey of Fathers 2002

It was noted above that another common arrangement made by fathers was to take paid annual leave at the time of the birth of their child. Sixty five per cent of fathers worked as employees at the time of the birth of their child and who took some time off when their baby was born stated that they took paid annual leave (Table 5.5). Fathers who took fully paid paternity leave were less likely to use up their holiday entitlement in this way. Forty-three per cent of fathers who took fully paid paternity leave said they did not take any paid holiday at around the time their baby was born. Where no fully paid paternity leave was taken, 76 per cent of fathers said they used their paid holiday entitlement (Table 5.22).

Table 5.22 Number of days paid holiday taken at around the time of the birth, by whether fathers took fully paid paternity leave

Column percentage

	All	Took fully paid paternity leave	
		Yes	No
<b>Number of days paid holiday taken</b>			
None	35	43	24
1 to 5 days	29	27	33
6 to 10 days	23	19	30
11 to 15 days	9	7	11
16 or more	4	5	3
Base: Fathers who worked as employees at the time of the birth of their child and who took some time off around the time of the birth	1762	1032	730

Source: Survey of Fathers 2002

This suggests that a substantial number of fathers resorted to using up their annual leave entitlement around the time their baby was born, either because their employer did not provide any paternity leave or because the available provision was not found sufficient and needed to be supplemented by other types of leave. About 29 per cent of fathers who worked as employees at the time of the birth of their child and who took some time off around the time of the birth took up to five days annual leave, 23 per cent of such fathers said they took between six to ten days, nine per cent took between 11 and 15 days and a further four per cent said they took more than 16 days annual leave (Table 5.22).

In fact, employer provision of paternity leave was not associated with whether fathers took time off around the time of the birth (Table 5.23). This supports the point that whether the employer makes special provision or not, an overwhelming majority of fathers prefer to take time off at this time and will make alternative arrangements including using up their holiday entitlement.

Table 5.23 Taking time off around the time of the birth of the child, by whether fathers' employer at the time of the birth provided paternity leave

Column percentage

	Employer provision of paternity leave		
	All	Yes	No
<b>Did you take time off work around the time of the birth?</b>			
Yes	95	96	93
No	5	4	7
Base : Fathers who worked as employees at the time of the birth of their child	1801	1211	590

Source: Survey of Fathers 2002

The take-up of paternity leave did not vary substantially among fathers who worked as employees at the time of the birth of their child and aid they were personally entitled to paternity leave. There were some differences between fathers working in small and large private establishments, but it was not very large. At 97 per cent, take-up levels were identical in the public sector and large private sector establishments with a minimum of 500 employees. By comparison, in private establishments with less than 25 employees, it dropped to 89 per cent (Table 5.24). This may in fact support the finding that work pressures are an important factor in whether a father takes paternity leave or not, as it may be more difficult to accommodate staff absence in small private establishments. Consequently, even where the employer makes provision and the staff are personally entitled to it, they may still not be able to take paternity leave around the time of the birth of their child.

Table 5.24 Take up of paternity leave, by the size and sector of the establishment in which fathers worked at the time of the birth of their baby

Column percentage

	Size and sector of establishment						
	All	Private 1-24	Private 25-99	Private 100-499	Private 500+	Public	Voluntary/ Other
<b>Take up</b>							
Yes	94	89	89	93	97	97	92
No	6	11	11	7	3	3	8
Base: Fathers who worked as employees at the time of the birth of their child and who were personally entitled to paternity leave	890	106	120	147	135	316	66

Source: Survey of Fathers 2002

## 5.4 Changes in labour market behaviour around childbirth

A further area explored with fathers was changes in labour market behaviour around childbirth. Traditionally it has been mothers who have adjusted their paid working hours in order to combine work and family life, largely through movement from full-time to part-time employment, a pattern of labour market behaviour amongst mothers reinforced by this research (see back to Chapter 4). The long working hours culture in the UK labour market is now a familiar theme. As the number of hours of paid and unpaid overtime worked has increased the working week has become longer for both women and men (Harkness, 1999; Kodz et al, 2003).

Fathers were asked whether they had changed their pattern of working in any way because of the birth of their child and a substantial minority had done so (Table 5.25). One third (33 per cent) of fathers who were in employment at the time of the birth of their child had changed their pattern of working. A variety of changes had occurred. The most common changes of working pattern were for fathers to work to fit in with their partner's job or to work shorter hours. Twenty-nine per cent of fathers adjusted their work pattern so that they might more closely fit in with their partner's job, and presumably domestic demands. Twenty-nine per cent of fathers reported that they were working shorter hours. There were several other recurring themes. One quarter (26 per cent) of fathers had changed their job or place of work, 20 per cent were working more regular hours and 14 per cent of fathers were starting work

later and finishing work later. These findings may be indicative of a rise in the incidence of fathers adjusting their pattern of working because of the birth of a child. An earlier study of family-friendly working arrangements conducted by PSI showed that a quarter (23 per cent) of fathers who were in employment at the time their child was born changed their pattern of working in some way (Forth, Lissenburgh, Callender and Millward, 1997:138). In that study just nine per cent of fathers had changed their working pattern to fit in with their partners' job. The most commonly mentioned way fathers had changed their working pattern was to have reduced the number of hours that they worked.<sup>52</sup> Eight per cent of fathers said that they were working longer hours<sup>53</sup> and two per cent were doing more overtime (Forth, Lissenburgh, Callender and Millward, 1997:185).

These changes in working patterns were most closely associated with fathers who worked for employers that had three or more work-life balance policies at the time that their babies were born (Table 5.25). The exceptions were fathers stating that they had changed their job or place of work and/or had started working shifts. This behaviour was more prevalent amongst fathers working for employers with no work-life balance policies (Table 5.25). A change of job or place of work was also more likely if fathers had a net hourly wage of less than £5 per hour. Forty-four per cent of fathers in this earnings bracket changed their job or place of work compared with fifteen per cent of fathers on an hourly rate of £8 or more. Higher earning fathers were also more likely to have changed to working shorter hours.

Fathers who were in employment at the time of the birth of their child were also asked whether they had changed jobs since the birth of their child. Twenty-five per cent of fathers had done so. Thirty-seven per cent of fathers who had changed jobs stated that their job change was connected to the birth of their child and they gave a number of reasons for this (Table 5.26). Around three-fifths (59 per cent) of these fathers said that their new job allowed them to spend more time with their wife and child(ren). This response was particularly likely to be given by higher earning fathers (67 per cent), who earned a net hourly wage of £8 or more in the job they held at the time their child was born. Fifty-six per cent of fathers whose job change was connected to the recent birth felt the higher pay received in their new job helped them to meet the greater responsibilities. Two-thirds (66 per cent) of fathers earning less than £5 per hour in the job they held at the time the child was born gave this response. This is compared with only 35 per cent of fathers who earned £8 or more in the job they held at the time of the birth of their child (Table 5.26).<sup>54</sup> In addition twenty-two per cent of fathers felt that their employer at the time of the birth of the child did not show them enough consideration after the birth of their child and this had been a reason for their change of job.

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<sup>52</sup> The precise percentage who had done this was not available in the report.

<sup>53</sup> The comparable figure from the 2002 survey was that two per cent of fathers who worked as employees at the time of the birth of their child and who changed their pattern of working after the birth said that they worked longer hours.

<sup>54</sup> It should be noted that the proportions for both high earning and low earning fathers were based on an unweighted count of less than 50 and so should be treated with caution.

Table 5.25 Ways fathers changed their pattern of working after the birth of their child, by the number of work-life balance policies provided by fathers' employer at the time of the birth of their child

Column percentage

	All	Number of work-life balance policies provided			
		None	One	Two	Three or more
Ways that working pattern has changed					
I work to fit in with my partners job	29	29	25	33	36
I now work shorter hours	29	27	29	27	44
I have changed my job or place of work	26	32	25	19	19
I start work later or finish work later	14	9	13	18	31
I work more regular hours	20	14	23	21	27
I now work on shifts	5	8	5	3	3
Other <sup>55</sup>	49	51	43	62	39
Base: Fathers who worked as employees at the time of the birth of their child and who changed their pattern of working after the birth	595	224	202	105	64

Note: This is a multiple response table. Respondents could give more than one answer

Source: Survey of Fathers 2002

<sup>55</sup> Included amongst the 'other' category were 'work from home more often', 'start work earlier', 'work longer hours', 'work less weekends', 'finish work earlier', 'start and finish work earlier', 'work flexible hours', 'work less overtime', 'spend fewer nights away' and 'leave on time'.



Table 5.26 How fathers' job change was connected to the birth of their child, by fathers' net hourly wage at the time of the birth of their child

	Column percentage			
	All	Net hourly wage at the time of birth		
		Less than £5	£5 to £8	£8 plus
How job change was connected to birth of child				
It allows me to spend more time with my wife and children	59	[54]	58	[67]
The higher pay helps me to meet the greater responsibilities	56	[66]	63	[35]
My employer did not show me enough consideration after the birth of the child	22	[22]	24	[19]
Other	17	[17]	18	[17]
Base: Fathers who worked as employees at the time of the birth of their child and who changed jobs after the birth for reasons connected to the birth	169	[41]	80	[48]

Note: This is a multiple response table. Respondents could give more than one answer

Source: Survey of Fathers 2002

# Chapter 6

## Supporting parents in the workplace

### 6.1 Introduction

Statutory and extra-statutory maternity rights and benefits and voluntary paternity leave provision by employers are likely to be the key influences on mothers' and fathers' labour market behaviour around the time of childbirth. The previous chapters analysed the provision and take-up of statutory and extra-statutory maternity benefits and paternity leave voluntarily provided by employers and evaluated the changes in the labour market participation of mothers and fathers after childbirth.

How parents with dependent children balance their work and family responsibilities is also likely to be affected by the extent to which parents are supported in the workplace by their employers. In an increasing number of families, both parents are in full-time employment and this increases the need for a degree of flexibility in traditional work patterns. Voluntary arrangements and provisions made by employers could be crucial in enabling parents to negotiate work and family responsibilities, benefiting both employers and employees. To what extent employers make provisions for fathers and they in turn use these arrangements is particularly important, as this can foster a greater sharing of responsibilities between men and women (Callender, Millward, Lissenburgh and Forth, 1997).

Maternity and paternity leave and benefits are specifically targeted at the time of childbirth, but parents' childcare responsibilities do not end there. On the contrary, they continue intensively at least until their children reach school age and well beyond. In order to support parents throughout their children's early years, the 1999 Employment Relations Act (ERA 1999) introduced thirteen weeks unpaid parental leave for mothers and fathers who had one year of continuous service with their employer.

Obviously, balancing family responsibilities with work is not only difficult for parents, but for workers with other care responsibilities too. The introduction of the right to unpaid time off for family emergencies recognises the need for flexibility in family emergencies and it is an important step in supporting all employees in balancing work and family life.<sup>56</sup>

In this survey two main types of policies for supporting parents in the workplace were examined:

- Provisions focusing on supporting parents with dependant children (parental leave, time off for dependants and childcare provision); and
- More generic flexible or non-standard working arrangements which are likely to assist all employees to balance their work and non-work life, but also help those with families (for example, flexi-time, job-sharing and so on).

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<sup>56</sup> It is important to note that the right to time off for dependants is not only for families: 'dependant' can mean partner, child, parent or someone living as part of the family. It can also include someone who relies on the employee as his or her primary carer or only source of help in an emergency.

This chapter first assesses the provision of statutory and extra-statutory parental leave and time off for family emergencies, both for mothers and fathers.<sup>57</sup> It then examines the provision of childcare-related arrangements and flexible working practices provided by employers and examines entitlement and take-up patterns for mothers and fathers.

For mothers, the break variables used in this chapter consisted of a range of employment-related factors including the industry, gender composition, size and sector of the establishment in the job women held at the time of the survey and the number of work-life balance policies that the employer provided; union representation at their workplace and union membership, position on the occupational hierarchy and net hourly wage<sup>58</sup>. Personal characteristics including age, education level, ethnic origin, whether the women were single or had a partner and the number of children they have were also used as break variables.

For fathers, the break variables used consisted of a range of employment-related factors including the industry, gender composition, size and sector of the establishment in the job in which fathers worked at the time of the birth of their child and the number of work-life balance policies that it provided; union representation at their workplace and union membership, position on the occupational hierarchy and net hourly wage. Personal characteristics including age, education level and ethnic origin were also used as break variables.

The following discussion only comments on those break variables that were found to be associated with the issues explored in this chapter. Where a break variable is not discussed it can be assumed that there were no substantial variations.

## **6.2 Parental leave**

### **Mothers' experiences of parental leave**

#### **Provision of statutory (unpaid) parental leave**

Schedule four of the ERA 1999, supplemented by the Maternity and Parental Leave Regulations 1999, introduced a statutory entitlement to parental leave. It is a right to *unpaid* leave for all those with responsibility for a child (dependent on eligibility criteria) who have at least one year of continuous employment by the time they want to take the leave. This measure aims to help parents achieve a better balance between their home and working lives by giving employed parents more time with their young children. It gives some recognition to the conflicting pressures that can arise between paid work and parenthood. The main entitlement is 13 weeks parental leave per child up until the child's fifth birthday (dependent on eligibility criteria). On introduction parental leave was only available to parents of children born or placed for adoption after 15 December 1999. Under the Maternity and Parental Leave (Amendment) Regulations 2001 (which came into force in January 2001) parental leave was extended to parents of a child born or placed for adoption between 15 December 1994 and 14 December 1999. Those parents have until 31 March 2005 to take their parental leave entitlement or up to the child's 18th birthday if the child is entitled to

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<sup>57</sup> At various points in this chapter, contrasts are drawn between the rights and benefits to which mothers and fathers would appear to be entitled, based on the information they supplied in the questionnaire, and those which the employer is reported have provided. It is important to note that reports of provision are likely to reflect awareness on the part of respondents, as well as actual provision by the employer.

<sup>58</sup> In the case of unpaid parental leave, the analysis was conducted using women's net hourly wage in the last job before the birth of their child.

Disability Living Allowance. The 2001 regulations also increased parental leave to 18 weeks for parents of children with a disability.

Women who worked as employees during pregnancy were asked whether unpaid parental leave was provided in the last job before the birth of their baby. Due to the qualifying period required for legal entitlement to statutory parental leave, only those women who returned to work for the same employer for whom they had been working during pregnancy were likely to have a right to statutory parental leave, so the analyses are based on these women. Twenty-nine per cent of women who worked as employees during pregnancy and who were working for the same employer at the time of the survey stated that unpaid parental leave was not provided (Table 6.1). One third (34 per cent) of women working for the same employer indicated that unpaid parental leave was provided. The lowest proportion of women reporting non-provision, across all industrial sectors, was in public administration and defence where 19 per cent of women stated that unpaid parental leave was not provided. The highest proportion of women indicating that unpaid parental leave was not provided, again across all industrial sectors, was in education where 34 per cent of women reported that leave was not provided (Table 6.1).

Perhaps the most striking feature of the data was the high proportion of women across all sectors that were unaware of whether the employer to whom they had returned to work provided unpaid parental leave. This mirrors the lack of awareness of parental leave rights as demonstrated in Chapter 2. Thirty-seven per cent of women stated that they did not know about provision (Table 6.1). This lack of awareness was highest in the education sector where almost half of the women were unaware of provision (46 per cent) and lowest in production and communication where one third (32 per cent) of women were unaware of provision. The dearth of awareness renders the extent of employer provision of unpaid parental leave a rather grey area. Lack of awareness may be signalling that a number of employers are not publicising the new entitlement or promoting its take-up amongst employees who qualify.

Table 6.1 Whether unpaid parental leave was provided, by the industrial sector of the employer to whom women returned to work

Column percentage

	<b>Industrial sector of employer to whom women returned to work</b>							
	<b>All</b>	Production and communication	Distribution	Financial services	Public admin & defence	Education	Health & social work	Other services
<b>Whether unpaid parental leave provided</b>								
Yes	34	38	34	38	41	20	31	32
No	29	30	32	29	19	34	28	33
Don't know	37	32	34	34	40	46	41	35
Unweighted base	1395	125	288	313	137	148	330	54
Weighted base	1338	115	292	295	128	137	317	54
Base: Women who worked as employees during pregnancy and were working for the same employer at the time of the survey								

Source: Survey of Mothers 2002

Reported non-provision of unpaid parental leave was also related to the presence of fewer work-life balance policies provided by employers, trade union representation and membership and gender composition of the workforce. Forty per cent of women who worked during pregnancy, were working for the same employer at the time of the survey, and who said that a union was not present at their workplace, reported non provision of unpaid parental leave compared with 23 per cent of women working for employers where a union was present and they were members. Women working for employers providing four or more work-life balance policies were three times more likely than those who worked for employers who provided no such policies to say that their employer provided unpaid parental leave (54 per cent compared to 18 per cent). Where the gender composition of the workforce was all women, a higher level of non-provision was also notable. Compared to 43 per cent in ‘all women’ establishments, 33 per cent in workplaces employing ‘mostly men’ said their employer did not provide unpaid parental leave. However, the number of women who were unaware of provision clouds the possible inference of a link between gender composition of the workforce and non-provision.

There was a strong association between *provision* of unpaid parental leave and net hourly wage levels. Twenty-nine per cent of women who worked as employees during pregnancy, were working for the same employer at the time of the survey, and reported a net hourly wage of less than £5 per hour in the last job before the birth of their child, said that their employer provided unpaid parental leave compared with thirty-nine per cent of such women who earned a net hourly wage of £8 or more. To reiterate, however, the provision picture is clouded by lack of awareness.

### **Take-up of statutory parental leave**

As noted above, 34 per cent of women who worked as employees during pregnancy and were working for the same employer at the time of the survey, and were thus most likely to be legally entitled to statutory parental leave, said that unpaid parental leave was provided. These women were asked whether they were entitled to unpaid parental leave and whether they had made use of this arrangement since returning to work after the birth of their baby. Eighty-one per cent of women who worked as employees during pregnancy, were working for the same employer at the time of the survey, and who said that their employer provided unpaid parental leave, also said they were personally entitled<sup>59</sup>. Only eight per cent of those women who said that they were personally entitled to unpaid parental leave had actually used this provision. There was only a weak association between take-up of unpaid parental leave and the net hourly wage these women earned in the last job before the birth of their child (Table 6.2). Twelve per cent of women on a net hourly wage of £8 or more had used unpaid parental leave by the time of the survey compared with seven per cent of women earning £5 to £8 per hour and eight per cent of women earning less than £5 per hour<sup>60</sup>.

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<sup>59</sup> References to ‘personal entitlement’ or ‘personally entitled’ in this chapter refer to situations where the respondent reported that their employer allowed them to use a particular aspect of employer provision. They may or may not have taken up (i.e. used) this entitlement.

<sup>60</sup> It should be noted that the proportions for low earning mothers was based on an unweighted count of less than 50 and so should be treated with caution.

Table 6.2 Mothers' take-up of unpaid parental leave, by women's net hourly wage in the last job before the birth of their child

Column percentage

	Net hourly wage in last job			
	All	Less than £5	£5 to £8	£8 plus
<b>Take-up of unpaid parental leave</b>				
Yes	8	[8]	7	12
No	91	[92]	93	88
Unweighted base	271	[47]	107	117
Weighted base	256	[51]	102	103
Base: Women who worked as employees during pregnancy, were working for the same employer at the time of the survey, and who said they were personally entitled to take unpaid parental leave				

Source: Survey of Mothers 2002

### Mothers' experiences of extra-statutory parental leave

When examining provision, entitlement to and take up of *extra-statutory* parental leave, it is no longer necessary to focus exclusively on mothers who were entitled to statutory (unpaid) parental leave. This is because the major concern of this section is not to ascertain whether women are receiving their statutory entitlements, but to examine the degree to which they are experiencing extra-statutory provision. Thus, this section is based on all women who were employees at the time of the survey, either with the same employer or a different one, or if they were not an employee during their pregnancy. Thirty-two per cent of these mothers indicated that unpaid parental leave was provided by their employer (Table 6.3). Forty-four per cent of women who were employees at the time of the survey stated that they were personally entitled to unpaid parental leave. It is surprising that a higher proportion of mothers considered themselves personally entitled to unpaid parental leave than said that their employer provided it: perhaps mothers considered themselves entitled because of the law despite a lack of employer provision. Just seven per cent of women who were employees at the time of the survey stated that they had taken-up unpaid parental leave (Table 6.3).

Partly and fully paid parental leave are extra-statutory. Employers are under no legal obligation to provide them. Provision of extra-statutory parental leave appeared substantially less prevalent than statutory leave. Just seven per cent of women who were employees at the time of the survey indicated that their employer had partly paid parental leave arrangements while 11 per cent reported that fully paid parental leave arrangements were in place (Table 6.3). Few women who were employees at the time of the survey reported personal entitlement to these arrangements. Nine per cent of such women said that they were

personally entitled to partly paid leave and 15 per cent said that they were personally entitled to fully paid leave.<sup>61</sup> Even lower proportions of women reported that they had used them. Only two per cent of women who were employees at the time of the survey stated that they had used partly paid parental leave. The proportion of such women using fully paid parental leave was six per cent (Table 6.3).

Table 6.3 Parental leave: Provision, entitlement and take-up among mothers who were employees at the time of the survey

<b>Percentages of respondents</b>			
<b>Parental Leave arrangements</b>	Employer provided	Personally entitled	Take up
Unpaid parental leave			
Yes	32	44	7
Partly paid parental leave			
Yes	7	9	2
Fully paid parental leave			
Yes	11	15	6
Unweighted base	2536	2536	2536
Weighted base	2493	2493	2493
Base: Women who were employees at the time of the survey			

Source: Survey of mothers 2002

## **Fathers' experiences of statutory (unpaid) parental leave**

### **Provision of statutory parental leave**

Parental leave is a legal entitlement for both parents to have leave to look after their child *in their early years*. Parental leave is distinct from paternity leave. Paternity leave is a specific period of leave for fathers *around the time of the birth* of their child and was considered in Chapter 5. All fathers employed at the time of birth were asked whether their employers had provided unpaid parental leave. Due to the qualifying period required for legal entitlement to statutory parental leave, only those men who did not change their employer after the birth were included in the analysis because it was considered that only these fathers were likely to have a legal right to this type of leave. Overall, a third (34 per cent) of fathers who were entitled to statutory parental leave according to this criteria said that their employer provided unpaid parental leave; three in ten (28 per cent) such fathers reported non-provision; and the remaining two-fifths (38 per cent) said they did not know whether their employer provided unpaid parental leave. These proportions are very similar to those provided by mothers who qualified for statutory parental leave, as shown in Table 6.1.

<sup>61</sup> The higher levels of reported entitlement than provision for fully paid parental leave may reflect differences between respondents' perceptions of their legal entitlement and the extent of employer provision.



As for mothers, reports of non provision of unpaid parental leave by fathers who did not change employer after the birth of their child were evident across all industrial sectors. Fathers' reports of non provision of unpaid parental leave were highest in production and communication, where one third (34 per cent) of fathers reported non provision and lowest in banking, insurance and finance, where 22 per cent of fathers reported non provision (Table 6.4). Lack of awareness was evident across all industrial sectors, but highest in public administration, education, health and other services where 42 per cent of fathers did not know about provision. Lower paid fathers were more likely to report non provision than higher paid fathers. Non provision, and lack of awareness of provision, was also associated with fathers working for employers with none or few work-life balance policies.

Table 6.4 Provision of unpaid parental leave for fathers by industrial sector in which fathers worked at the time of the birth of their child

	Column percentage				
	All	Production & communication	Distribution hotels & restaurants	Banking insurance & finance	Public admin, education, health & other services
<b>Whether unpaid parental leave provided</b>					
Yes	34	30	30	44	36
No	28	34	31	22	23
Don't know	38	37	39	34	42
Base: Fathers who worked as employees at the time of the birth of their child and did not change employer after the birth	1134	376	256	253	249

Source: Survey of Fathers 2002

### Take-up of statutory parental leave

Sixty per cent of fathers who were legally entitled to statutory parental leave, and who said that their employer provided unpaid parental leave, also said they were personally entitled to this leave. Ten per cent of fathers who said that they were entitled to unpaid parental leave said that they had used the provision.

### Fathers' experience of extra-statutory parental leave

When examining provision, entitlement to and take up of *extra-statutory* parental leave, it is no longer necessary to focus exclusively on fathers who were entitled to statutory (unpaid) parental leave. Thus, this section is based on all fathers who worked as employees at the time of the birth of their child. Among these fathers, 32 per cent said that they were provided with unpaid parental leave (Table 6.5). Only three per cent stated that they had taken up unpaid

parental leave. Eight per cent of fathers said that they were provided with fully paid parental leave. Partly paid leave was even rarer. Only three per cent of employed fathers said that they were provided with partly paid parental leave. Seven per cent of fathers said that they were personally entitled to fully paid parental leave. Only four per cent of fathers said that they used fully paid parental leave.

Table 6.5 Parental leave: Provision, entitlement and take-up among fathers

<b>Percentages of respondents</b>			
<b>Parental Leave arrangements</b>	Employer operated	Personally entitled	Used
Unpaid parental leave Yes	32	21	3
Partly paid parental leave Yes	3	3	1
Fully paid parental leave Yes	8	7	4
Base: Fathers who worked as employees at the time of the birth of their child	1874	1874	1874

Source: Survey of Fathers 2002

### **6.3 Emergency time-off for dependants**

#### **Mothers' experience of emergency time-off for dependants**

##### **Statutory (unpaid) emergency time-off**

Under schedule four of the ERA 1999 all parents are entitled to emergency time off for dependants. It provides for a right to unpaid time off, for example to deal with the unexpected disruption or breakdown of care arrangements, a dependant falling ill or to deal with a death. Emergency time off for dependants differs from parental leave in two main respects. Firstly, there is no service requirement for entitlement to emergency time off for dependants. Secondly, the time entitlement for emergency time off is not fixed. It is 'a reasonable amount of time off under the circumstances for which it is taken'.

Women’s reporting of the provision of unpaid emergency time off for dependants was much higher than for the provision of unpaid parental leave. This disparity may be indicative of employer commitment to providing support for parents at crisis points in their family life, but rather less commitment to everyday work-life balance. Alternatively, it could be that if mothers are more likely to use emergency time off they are more likely to be aware of employer provision. Sixty per cent of women who were employees at the time of the survey said that their employer provided emergency time off for dependants (Table 6.6). Fifty-one per cent of women who were employees at the time of the survey said that they were personally entitled to unpaid emergency time off, but again there is a picture of low take-up of arrangements. Only 13 per cent of women who were employees at the time of the survey had taken up unpaid emergency time off. Once again there was a theme of lack of awareness. Forty-three per cent of women who were employees at the time of the survey did not know whether they were personally entitled to unpaid emergency time off or whether they had used it (Table 6.6).

Table 6.6 Emergency time-off: Provision, entitlement and take-up among mothers who were employees at the time of the survey

<b>Percentages of respondents</b>			
<b>Emergency time off arrangements</b>	Employer provided	Personally entitled <sup>62</sup>	Used
Unpaid emergency time off			
Yes	60	51	13
Partly paid emergency time off			
Yes	17	20	5
Fully paid emergency time off			
Yes	37	43	22
Unweighted base	2536	2536	2536
Weighted base	2493	2493	2493

Base: Women who were employees at the time of the survey

Source: Survey of mothers 2002

### **Extra-statutory emergency time-off**

Provision of fully paid emergency time off for dependants appeared less common than provision of unpaid time off, but more prevalent than partly paid time off (Table 6.6). While

<sup>62</sup> It can be seen that for partly paid and fully paid emergency time off, a higher proportion of women said that they were personally entitled than said their employer provided the leave. It is difficult to understand why this might be the case. One possible explanation is that women might have perceived the phrase ‘personal entitlement’ to encompass rights at work that go beyond those provided by the employer (for example, statutory rights) and that paid emergency time off for dependants was part of these rights, independently of any employer provision.

17 per cent of women who worked as employees at the time of the survey reported that their employers had partly paid emergency time off arrangements in place, 37 per cent stated that fully paid emergency time off was provided. It is the case, therefore, that a relatively high proportion of mothers reported that their employer provided more than the statutory minimum time off for dependants. Take-up of fully paid emergency time off was notably higher than take-up of unpaid time off. While 13 per cent of women who were employees at the time of the survey had taken unpaid emergency time off, 22 per cent had used fully paid time off (Table 6.6). Of women who said that their employer provided fully paid emergency time-off and that they were entitled, three in ten (31 per cent) said that they had taken it up. By broad occupation at the time of the survey, take-up was highest amongst managers and professionals (Table 6.7). Forty-eight per cent of women who were employed in professional occupations, who said that their employer provided fully paid emergency time-off and that they were personally entitled to it, also said that they had made use of this arrangement. This can be compared with 25 per cent of women in clerical jobs.

Table 6.7 Mothers' take-up of fully paid emergency time-off for dependants, by broad occupation in which employees worked at the time of the survey

	Column percentage							
	<b>All</b>	Manager	Professional	<b>Broad occupation at the time of the survey</b>			Sales	Other
				Associate professional	Clerical	Personal/protective		
<b>Take-up of fully paid emergency time off</b>								
Yes	31	38	48	30	25	[23]	[33]	[12]
No	69	62	52	70	75	[78]	[67]	[88]
Unweighted base	474	84	61	117	139	[38]	[18]	[17]
Weighted base	449	76	56	107	135	[40]	[18]	[17]
Base: Women who were employees at the time of the survey, whose employer provided fully paid emergency time off and who said they were personally entitled								

Source: Survey of Mothers 2002

## **Fathers' experiences of emergency time off**

### **Statutory (unpaid) emergency time off**

Fathers were also asked about their experience of unpaid emergency time off for dependants with reference to their employer at the time of their baby's birth. Reports of provision of unpaid emergency time off for dependants were marginally more common amongst fathers than reports of provision of unpaid parental leave. Just over half (52 per cent) of fathers who were working as employees at the time of the birth of their child reported that their employer provided unpaid emergency time off for dependants (Table 6.8). One in ten (13 per cent) of these fathers had taken it up. Fathers had taken an average of three days unpaid emergency leave since the birth of their child. Take-up was highest amongst fathers working for small private sector establishments with less than 25 employees, though provision was also lowest for this group. Sixteen per cent of fathers in private establishments of this size made use of an unpaid emergency time off arrangement. Take-up was lowest in the public sector where eight per cent of fathers reported that they had taken unpaid emergency time off (Table 6.8).

Take-up of unpaid emergency time off for dependants was relatively high for fathers who were working in the distribution, hotel and restaurants sector at the time of the birth of their child: 18 per cent of fathers had taken unpaid emergency time off in this industrial sector, as compared to ten per cent in banking, insurance and finance. It was also higher amongst the lower paid. For fathers with a net hourly wage of less than £5 per hour in the job they held at the time of the birth of their child, take-up was 18 per cent, compared to ten per cent for fathers with a net hourly wage of £8 or more per hour at this time.

Once again an issue of awareness came to the fore with around one third (36 per cent) of fathers who were working as employees at the time of the birth of their child stating that they did not know whether their employer provided unpaid emergency time off or whether they had made use of it. Awareness of provision was at its lowest in small private sector establishments. Nearly half (45 per cent) of fathers who worked in private establishments of this size at the time of the birth of their child did not know whether their employer provided unpaid emergency time off for dependants (Table 6.8).

Table 6.8 Provision and take-up of unpaid time off for family emergencies, by size and sector of the establishment in which fathers worked at the time of birth of their child

	All	Column percentage						
		All private sector	1-24	Size and sector of establishment			Public	Voluntary
				Private				
				25-29	100-499	500+		
<b>Experience of unpaid time off for family emergencies</b>								
Provision	52	50	39	54	55	60	57	52
Take-up	12	15	16	15	15	9	8	9
Don't know	36	36	45	31	30	31	35	39
Base: Fathers who worked as employees at the time of the birth of their child	1874	651	213	174	168	87	226	56

Source: Survey of Fathers 2002

### Extra-statutory emergency time-off

Taking into account all arrangements for emergency time-off for dependants, (that is, fully paid, partly paid and unpaid time-off) three quarters (76 per cent) of fathers who worked as employees at the time of the birth of their child and who gave the number of days emergency time-off taken, said that they had taken one to three days since their baby was born. Nineteen per cent of these fathers said that they had taken four to seven days and five per cent had taken more than seven days.

Fully paid emergency time-off was more widely provided and used than partly paid emergency time off (Table 6.9). Four in ten (42 per cent) of fathers who worked as employees at the time of the birth of their child said that their employer provided fully paid emergency time off and 15 per cent of such fathers said they had used it. The equivalent figures for partly paid time off were 12 and three per cent respectively. Since the statutory requirement is only for unpaid time off to be provided, it is clear that a relatively high proportion of fathers reported that their employer provided more than the statutory minimum time off for dependants.

Table 6.9 Emergency time-off: Provision, entitlement and take-up among fathers who worked as employees at the time of the birth of their child

Percentages of respondents			
Emergency time off arrangements	Employer provided	Personally entitled	Used
Partly paid emergency time off			
Yes	12	8	3
Fully paid emergency time off			
Yes	42	28	15
Base: Fathers who worked as employees at the time of the birth of their child	1874	1874	1874

Source: Survey of Fathers 2002

Exploration of provision, entitlement and take-up patterns did not reveal any clear pattern of differentiation between fathers. However, it should be noted that actual numbers reporting entitlement or take-up were too few to carry out a conclusive analysis.



## 6.4 Flexible working practices and childcare-related provision

### Mothers' experiences of flexible working practices

Mothers who were employees at the time of the survey were asked whether their current employer operated any of the following flexible working practices:

*Part-time working*

*Job-sharing*

*Flexible working hours (flexi-time)*

*An agreement to work reduced hours for a specific period and to return to normal hours when the period ends*

*School term-time contracts*

*Special shifts (e.g. evenings, school hours shifts)*

*9-day fortnights / 4½ day working weeks (for full-time employees)*

*Working at or from home occasionally*

*Working at or from home all the time*

*'Keep in Touch' scheme during maternity leave*

*Re-training on return from maternity leave*

The most commonly operated practice was to allow women to work part-time, followed by the provision of job-sharing opportunities, flexible working hours and to work reduced hours for a specific period and to return to normal hours when that period ends.

The discussion below explores patterns of variation in provision by employers (as perceived and reported by women) and entitlement and take-up among mothers. The sample size was large enough to allow investigations of this type only in the case of part-time working, job-sharing, flexi-time and working reduced hours for a specific period. Except in the case of part-time working, sample sizes were not large enough to carry out reliable analyses of take-up patterns for any of the flexible working practices explored in the survey.

### Part-time working : provision, entitlement and take-up

Part-time working was the most often reported flexible working practice to be operated by employers. Nearly nine in ten (86 per cent) mothers who were employees at the time of the survey said their employer allowed them to work part-time (Table 6.10). Nevertheless, women's responses indicate the presence of small differences in provision. The presence of a union at the workplace at which women worked at the time of the survey increased the likelihood of an employer allowing mothers to work part time. In comparison with 84 per cent of mothers working in non-unionised establishments, 93 per cent of those working in unionised establishments said their employer provided part-time working. Provision of part-time working was also associated with working for a public sector employer. While nine in ten women working in the public sector stated that their employer provided part-time working, eight in ten women working in the production and communications sector said so. It is important to note that reports of provision are likely to reflect awareness on the part of respondents, as well as actual provision by the employer.

The proportion of women who said they were personally entitled to use this provision was considerably lower than the proportion who indicated that their employer provided it. Among women who were employees at the time of the survey, 52 per cent said they were personally entitled to work part-time. Further explorations of entitlement patterns did not reveal any clear evidence of differentiation among women by occupational status, length of service, union membership or pay level.

Table 6.10 Flexible working arrangements: Provision, personal entitlement and take-up among mothers who were working as employees at the time of the survey

Arrangements	Percentages		
	Employer Provided	Personally Entitled	Used
Part-time working	86	52	40
Job sharing	44	20	7
Flexible working hours (flexi-time)	44	22	17
An agreement to work reduced hours for a specific period and to return to normal hours when the period ends	41	15	6
Special shifts	32	11	7
Working at or from home occasionally	27	11	12 <sup>a</sup>
School term-time contracts	21	8	3
Keep in touch scheme	21	7	8 <sup>a</sup>
Re-training on return from maternity	21	11	7
9-day fortnight or 4 ½ day working week (for full-time employees)	8	3	1
Working at or from home all the time	6	2	4 <sup>a</sup>
Unweighted base	2536	2536	2536
Weighted base	2493	2493	2493
Base: Women who were employees at the time of the survey			

a: a higher number of respondents said they used these provisions than were entitled to them. The reason for this is unclear.

Source: Survey of Mothers 2002

Among women who were working as employees at the time of the survey and who were personally entitled to part-time working, only half of them (50 per cent) said they had actually used it (Table 6.11). Take-up of part-time working was strongly associated with women's net hourly pay levels in the job they held at the time of the survey. While only about four in ten (38 per cent) women who earned less than £5 per hour took-up part-time working, six in 10 of women (60 per cent) earning more £8 per hour or more did so (Table 6.11). What this suggests is that whether women actually take-up part-time working after childbirth depends as much on their personal financial circumstances as it does on whether their employer provided the opportunity to do so. It seems that even where the employer made provision and women were personally entitled to use it, women on low pay were substantially less likely to take-up part-time working.

Table 6.11 Take-up of part-time working, by women's net hourly wage at the time of the survey

	All	Column percentage		
		Net hourly wage at the time of the survey		
		Less than £5	£5 to £8	£8 plus
<b>Take-up of part-time working</b>				
Yes	50	38	50	60
No	50	62	50	40
Unweighted base	1129	266	470	393
Weighted base	1108	291	462	213

Base: Women who were employees at the time of the survey and who were personally entitled to part-time working

Source: Survey of Mothers 2002

### Job-sharing: provision, entitlement and take-up

Compared with the provision of part-time working (86 per cent), provision of job-sharing was reported by only half as many (44 per cent) women who were working as employees at the time of the survey. A much smaller proportion of one in five (20 per cent) women who were working as employees at the time of the survey said they were personally entitled to use this provision and less than one in ten (seven per cent) said they took it up (Table 6.10).

Women working in the public sector at the time of the survey were the most likely to say that their employer provided job-sharing (60 per cent). Compared with 55 per cent of mothers working in large private sector establishments with 500 or more employees, less than one in three (29 per cent) working in small private sector establishments with less than 25 employees stated that their employer provided job-sharing. Provision of job-sharing was also associated with union representation at the workplace. Where a union was present, employees were twice as likely (55 per cent in unionised workplaces and 28 per cent in non-unionised workplaces) to say that their employer provided the opportunity to job-share.

Where employers provided job-sharing, 60 per cent of women said they were personally entitled to it. Personal entitlement to job-sharing was strongly associated with women's pay levels. Compared with four in ten women (42 per cent) with a net hourly wage of less than £5 at the time of the survey, seven in ten women (70 per cent) with net earnings £8 or more per hour said they were entitled to job-sharing (Table 6.12). Sample size was not sufficiently large to allow an exploration of entitlement patterns by occupational status.

Table 6.12 Entitlement to job-sharing, by women's net hourly wage at the time of the survey

	All	Column percentage		
		Net hourly wage at the time of the survey		
		Less than £5	£5 to £8	£8 plus
<b>Personal entitlement to job sharing</b>				
Yes	60	42	61	70
No	40	58	39	30
Unweighted base	682	138	288	256
Weighted base	660	147	281	232

Base: Women whose employer at the time of the survey provided job sharing

Source: Survey of Mothers 2002

Among women who were personally entitled to job-sharing, about one in five said they had used it. Once again, the number of respondents who said they used job-sharing was too small to allow an examination of take-up patterns.

### **Flexi-time: Provision, entitlement and take-up**

Over four in 10 (44 per cent) women who were working as employees at the time of the survey said their employer provided the opportunity to work flexible hours. Provision of flexible working hours was not clearly associated with any of the employer characteristics examined and these included the size and sector of establishment, industrial sector and union representation at the workplace.

Where employers provided flexible working hours, six in ten women who were working as employees at the time of the survey said they were personally entitled to it. Entitlement seemed to vary by occupational status, but the analysis was not conclusive as there were too few respondents in some occupational categories. However, the association of entitlement with women's pay level was once again very clear. In contrast with 50 per cent of women who had net earnings of less than £5 per hour at the time of the survey, 70 per cent of those earning between £5 and £8 said they were personally entitled to flexible working hours.

Among women who were personally entitled to work flexible hours, nearly half said they took-up the opportunity, but actual numbers were too small to carry out any further analysis of take-up patterns.

**An agreement to work reduced hours for a specific period and to return to normal hours when the period ends: provision, entitlement and take-up**

Four in ten women who were working as employees at the time of the survey said their employer provided the opportunity to work reduced hours for a specific period and to return to normal hours when that period ends. Women working in large private establishments with 500 or more employees were the most likely (52 per cent) to say that their employer provided such an agreement, while those working in small private establishments with less than 25 employees were the least likely (35 per cent).

Half of those women whose employer provided the opportunity to work reduced hours for a specific period said they were personally entitled to it. Personal entitlement to working reduced hours for a specific period was found to be associated with women's occupational status, pay level and also with union representation and membership. Where women worked in an establishment where a union was present and where they were a member at the time of the survey, they were more likely to be personally entitled to this provision. Compared with 48 per cent of non-union members and 48 per cent of women who reported that a union was present but that they were not a member, 57 per cent of women who said that a union was present and that they were a member said they were personally entitled to work reduced hours for a specific period (Table 6.13). This may also be an indication of awareness as union members may be more likely to have been informed of policies provided by their employer. The difference between women in higher and lower level occupations was also marked. Compared with more than six in 10 women (62 per cent) working in managerial occupations, less than four in ten women (39 per cent) working in personal or protective occupations at the time of the survey said they were personally entitled to work reduced hours for a specific period. With 46 per cent reporting personal entitlement, women in clerical occupations were also considerably less likely to be entitled to work reduced hours for a specific period.

Table 6.13 Personal entitlement to work reduced hours for a specific period, by union representation and membership among women were working as employees at the time of the survey

Column percentage

	All	Union representation and membership		
		Union present and member	Union present but not a member	Union not present
<b>Personal entitlement</b>				
Yes	52	57	48	48
No	49	43	52	52
Unweighted base	560	227	144	189
Weighted base	551	220	143	188

Base: Women who were employees at the time of the survey and whose employer provided the opportunity to work reduced hours for a specific period

Source: Survey of Mothers 2002

Among women who were personally entitled to work reduced hours for a specific period, only 16 per cent said they used this provision. Once again, actual numbers reporting usage were too few to warrant any further analysis of take-up patterns.

### **Other flexible working practices**

The other flexible working practices were less common. One in three women (32 per cent) who were working as employees at the time of the survey were given the opportunity to work special shifts (e.g. evenings, school hours shift) and a similar proportion of 27 per cent said their employer provided the opportunity to work at or from home occasionally. Provision of school term-time contracts, a keep in touch scheme and the opportunity to re-train on return from maternity leave were reported by one in five women (Table 6.10). On the whole, very few women reported entitlement to or usage of these provisions.

### **Mothers' experiences of childcare-related policies**

Women who were employees at the time of the survey were asked about any childcare-related policies provided by their current employer. These questions aimed to explore provision by employers and also entitlement and take-up patterns among mothers.

In order to assess the provision of childcare-related practices by their current employer, mothers were asked whether their employer provided any of the following:

*Financial help for the cost of childcare/childcare vouchers*

*Workplace nursery or crèche*

*Other nurseries supported by your employer*

*Help in finding childcare facilities away from the workplace*

*Care for school children after school hours or during school holidays*

*Career breaks for family reasons*

*A telephone at work to use for family reasons*

The most commonly provided policies were a telephone to be used by employees and career breaks for family reasons. More than half (59 per cent) of mothers who were working as employees at the time of the survey said their current employer provided a telephone that could be used for family reasons. More than one in four (28 per cent) indicated that their employer provided the opportunity for employees to take a break from their career for family reasons. Over one in ten (12 per cent) stated that their employer provided a nursery at their workplace (Table 6.14).

Table 6.14 Childcare-related arrangements: Provision, entitlement and take-up among mothers who were working as employees at the time of the survey

Arrangements	Percentages		
	Employer Provided	Personally Entitled	Used
A telephone at work to use for family reasons	59	32	24
Career breaks for family reasons	28	13	2
Workplace nursery or crèche	12	6	3
Financial help with the cost of childcare	6	6	3
Help in finding childcare facilities away from the workplace	5	2	2
Care for school children after school hours or during school holidays	5	2	1
Other nurseries supported by your employer	3	2	*
Unweighted base	2536	2536	2536
Weighted base	2493	2493	2493

Base: Women who were working as employees at the time of the survey

Respondents were asked to indicate all that applied.

Source: Survey of Mothers 2002



### **A telephone at work to use for family reasons**

Compared with women working in large private sector establishments of 500 or more employees (59 per cent), those working in small private sector establishments of 25 or fewer employees were more likely (71 per cent) to say that their employer provided a telephone to be used for family reasons. Women working in the public sector at the time of the survey were the least likely to have access to a telephone to be used for family reasons (58 per cent). This is somewhat surprising as it seems that generally, large private establishments, together with public sector employers are more likely to operate all types of flexible working practices and provide child-care related arrangements. The higher probability of provision in small private sector establishments could perhaps reflect the physical proximity to a telephone that workers may have in small workplaces.

Where employers provided a telephone, more than two thirds (69 per cent) of women who were working as employees at the time of the survey said they were personally entitled to use this provision (Table 6.15). There was some difference between women in higher and lower level occupations, with those in managerial occupations being the most likely to say that they were personally entitled to it (79 per cent) and women in 'other' occupations the least likely (64 per cent).

Table 6.15 Personal entitlement to use the telephone provided by employer to be used for family reasons, by broad occupation in which women worked at the time of the survey

Column percentage

	All	Broad occupation in which women worked at the time of the survey						
		Manager	Professional	Associate Professionals	Clerical	Personal/protective	Sales	Other
<b>Personal entitlement</b>								
Yes	69	79	65	69	67	68	69	64
No	31	21	35	31	33	32	31	36
Unweighted base	1060	185	109	153	333	134	94	52
Weighted base	1047	174	101	145	327	144	101	55

Base: Women who were working as employees at the time of the survey and whose employer provided a telephone to use for family reasons

Source: Survey of Mothers 2002

Among women who were personally entitled to use the telephone provided, less than half (42 per cent) said they actually used it. Women in lower level occupations were less likely (26 per cent in personal/protective occupations) to have used it. Women on low pay were similarly less likely to have used the telephone provided by their employer. Compared to 31 per cent of those with net earnings of less than £5 per hour at the time of the survey, 49 per cent of women with net earnings of £8 or more per hour said they used the telephone facility. Take-up of the provision was also associated with union membership and women's length of continuous service with their current employer, but none of these associations were particularly pronounced. To some extent, usage of the telephone provided is likely to be a reflection of the type of job women do and the accessibility of the provision. It may also suggest that making the provision *accessible* may be as important as making it generally *available*.

### Career breaks for family reasons

More than one in four (28 per cent) mothers who were working as employees at the time of the survey said their employer provided the opportunity for employees to take a career break for family reasons.

In comparison with more than a third (37 per cent) in large private sector establishments, just over one fifth (22 per cent) of women working in small private sector establishments at the time of the survey indicated that their employer provided the opportunity to take a career break. It is likely that establishments with a large number of employees would have more staff who could potentially be redeployed to cope with fluctuations in staffing and therefore would be more able to accommodate their employees' needs for career breaks (Table 6.16). Union representation and membership was also found to be associated with the provision of career breaks. Women working in establishments where a union was present were more than twice as likely (35 per cent) as those who worked in establishments with no union representation (16 per cent) to say that their employer provided career breaks for family reasons.

Table 6.16 Provision of career breaks for family reasons, by the size and the sector of the establishment in which mothers worked at the time of the survey

Column percentage

	All	Size and sector of establishment					
		Private 1-24	Private 25-99	Private 100-499	Private 500+	Public	Voluntary/ Other
<b>Employer provision</b>							
Yes	29	22	21	23	37	35	22
No	71	79	78	63	65	78	71
Unweighted sample	2300	408	277	249	174	1082	110
Weighted sample	2253	418	281	240	164	1041	109

Base: Women who were working as employees at the time of the survey

Source: Survey of Mothers 2002

Where the employer allowed career breaks for family related reasons, about two thirds of women who were working as employees at the time of the survey said they were personally entitled to use this provision. Personal entitlement seemed to be more widespread among women in better-paid jobs; compared to 77 per cent of women with net earnings of £8 or more per hour, only 56 per cent of those earning less than £5 per hour net said they were entitled to it. However, no conclusive analysis could be carried out as the actual numbers reporting personal entitlement were too few. Even fewer women stated that they had actually used this provision.

### **Other child-care related provisions**

Other child-care related provisions were reported by relatively few women. One in ten women who were working as employees at the time of the survey said their employer provided a workplace nursery. Even smaller proportions reported that their employer provided care facilities for school children after school hours or during school holidays (five per cent) and supported other nurseries (three per cent) (Table 6.14). Marginal proportions indicated personal entitlement or actual take-up these arrangements. The number of respondents reporting any of the other child-care related provisions were too few to allow any reliable analysis of provision, entitlement or take-up patterns.

### **Fathers' experiences of flexible working practices**

Fathers who were working as employees at the time of the birth of their child were asked whether their employer provided any of the following flexible working practices:

*Part-time working*

*Job sharing*

*Flexible working hours (flexi-time)*

*An agreement to work reduced hours for a specific period and to return to normal hours when the period ends*

*School term time contracts*

*Special shifts (e.g. evenings, school hours shift)*

*9-day fortnight/41/2 – day working weeks (for full-time employees)*

*Working at or from home occasionally*

*Working at or from home all the time*

Table 6.17 shows the levels of availability and usage of flexible working practices that fathers reported. The most prevalent flexible working practices were:

Part-time working

Flexible working hours

Working at or from home occasionally.

Table 6.17 Flexible working arrangements: Provision, entitlement and take-up among fathers who worked as employees at the time of the birth of their child

<b>Arrangements</b>	<b>Employer Provided</b>	<b>Personally Entitled</b>	<b>Used</b>
Part-time working	22	11	2
Flexible working hours (flexi-time)	22	13	11
Working at or from home occasionally	20	12	14 <sup>a</sup>
Job sharing	13	6	1
An agreement to work reduced hours for a specific period and to return to normal hours when the period ends	13	7	3
Special shifts	7	2	2
School term-time contracts	4	2	1
9-day fortnight or 4 ½ day working week (for full-time employees)	4	2	2
Working at or from home all the time	4	2	3 <sup>a</sup>
<b>Base: Fathers working as employees at the time of the birth of their child</b>	<b>1874</b>	<b>1874</b>	<b>1874</b>

a: higher number of respondents said they used these provisions than entitled. The reason for this is unclear.

Source: Survey of Fathers 2002

## Provision of part-time working, flexi-work and working at home

Twenty three per cent of fathers who were employees at the time of the birth of their child said their employer provided part-time working opportunities, an equal proportion said their employer provided a flexible working hours policy and slightly fewer (20 per cent) said they could work at or from home occasionally.

The provision of all three of these practices varied substantially according to the industrial sector in which fathers worked, the size and sector of the establishment in which they worked, union representation and membership and also by fathers' position in the occupational hierarchy. The pattern of the variation was the same for all three arrangements.

Fathers working in small private sector establishments with less than 25 employees at the time of the birth of their child were the least likely (11 per cent) to say that their employer provided part-time working. Fathers working in private sector establishments with between 100 and 499 employees were twice as likely and those working in even larger private sector establishments (those with 500 or more employees) were nearly three times as likely (28 per cent) to say that their employer had part-time working (Table 6.18). Part-time working was *most* likely to be offered by public sector establishments (37 per cent).

Table 6.18 Employer's provision of part-time working, by the size and sector of the establishment in which fathers worked at the time of the birth of their child  
Column percentage

	Size and sector of establishment						
	All	Private 1-24	Private 25-99	Private 100-499	Private 500+	Public	Voluntary/ Other
<b>Employer provision</b>							
Yes	23	11	17	22	28	37	28
No	57	73	62	57	50	43	54
I don't know	20	17	21	21	23	20	18
Base: Fathers working as employees at the time of the birth of their child	1740	405	307	296	182	430	120

Source: Survey of Fathers 2002

In terms of providing the opportunity to work flexible hours, the difference between the distribution and production and communication sectors, and the financial and public administration, education and health sectors was equally substantial. Fathers who worked in the financial services and public administration, education and health sectors at the time of the birth of their child were about twice as likely (38 and 30 per cent respectively) as those working in the distribution, hotels and restaurants sector (15 per cent) and in the production and communication sector (16 per cent) to say that their employer provided the opportunity to work flexible hours (Table 6.19).

Table 6.19 Employers' provision of entitlement of 30-40 weeks leave, flexible working hours, by the industrial sector in which fathers worked at the time of the birth of their child

Column percentage

	<b>Industrial sector in which fathers worked</b>				
	<b>All</b>	<b>Production &amp; Communication</b>	<b>Distribution, Hotels &amp; Restaurants</b>	<b>Banking, Finance &amp; Insurance</b>	<b>Public Admin, Education &amp; Health</b>
<b>Employer provision</b>					
Yes	23	16	15	38	30
No	60	65	65	49	57
I don't know	17	19	21	13	14
Base: Fathers working as employees at the time of the birth of their child	1754	574	424	370	386

Source: Survey of Fathers 2002

The provision of the opportunity to work at or from home occasionally also varied substantially by the size, sector and industry of the establishment in which fathers worked at the time of the birth of their child, though the variation by occupation was most marked. Not surprisingly, given the nature of their work, no machine operatives said they would be allowed to work from home. Similarly, only two per cent of skilled manual workers said they could work at or from home and nine per cent of clerical grade staff said their employer would provided the opportunity to work from home. By contrast, 39 per cent of fathers who worked in professional and 37 per cent who worked in managerial occupations at the time of the birth of their child reported that they had the opportunity to work at or from home (Table 6.20).

Table 6.20 Employer's provision of the opportunity to work at or from home occasionally, by broad occupation in which fathers worked at the time of the birth of their child

Column percentage

	Broad occupation in which fathers worked							
	All	Manager	Professional	Associate Professionals & Technical	Clerical/Sales/Personal	Skilled manual workers	Machine operatives	Elementary occupations
<b>Employer provision</b>								
Yes	21	37	39	33	9	2	0	2
No	65	49	48	53	79	82	82	82
I don't know	14	14	13	14	12	16	18	17
Base: Fathers working as employees at the time of the birth of their child	1745	437	241	226	316	289	170	66

Source: Survey of Fathers 2002



## **Other flexible working arrangements**

The other flexible working arrangements fathers were asked about did not appear to be widely available. Around 13 per cent of fathers who worked as employees at the time of the birth of their child said their employer provided job-share arrangements and 13 per cent said they provided an arrangement whereby the employees could reduce their hours for a specific period and would be allowed to return to normal hours when that period ended. School term-time contracts, 9-day fortnights and working at or from home all the time were provided by very few employers, not more than five per cent in any case. The actual number of respondents reporting that any of these other arrangements were made by their employer was too few to allow any further exploration of the variations in the pattern of provision (see Table 6.17).

## **Entitlement and take-up: part-time and flexi work and working at home**

Where employers provided a flexible working arrangement, it appeared that not all employees were personally entitled to use these.

In the case of part-time working, among those whose employer provided the opportunity, less than half the fathers (43 per cent) indicated that they were personally entitled to use it. One in five said they were not sure of their entitlement and another one third chose not to answer this question. Only four per cent of those who said their employer provided part-time working had actually used the arrangement.

In the case of flexible working, just over half (53 per cent) the fathers whose employer provided flexible working said they were personally entitled to take advantage of this provision. Compared to their responses about entitlement to and take-up of part-time working, fathers were less likely to leave the question about flexible working unanswered (17 per cent) and also less likely to say that they did not know whether they were personally entitled to it (13 per cent). Fathers were also more likely to take advantage of flexible working hours where employers operated it. Among those whose employer made the provision, 42 per cent made use of it.

Among fathers whose employer provided the opportunity to work at or from home occasionally, 59 per cent said they were personally entitled to use this provision and nearly all those said they had actually used it.

In all three cases however, the actual number of respondents who said they were personally entitled to any one of these provisions and the number of fathers who said they actually used these were too small (Table 6.17) to carry out any further analysis of the variation in patterns of entitlement and take-up.

## **Fathers' experiences of childcare-related provision**

In order to assess the provision of childcare-related practices by their employers, fathers who were working as employees at the time of the birth of their child were asked whether their employer provided any of the following:

*Financial help for the cost of childcare/childcare vouchers*

*Workplace nursery or crèche*

*Other nurseries supported by your employer*

*Help in finding childcare facilities away from the workplace*

*Care for school children after school hours or during school holidays*

*Career breaks for family reasons*

*A telephone at work to use for family reasons*

Only two of these provisions were reported to have been provided by a substantial number of employers; 40 per cent of fathers said their employer provided a telephone to be used for family reasons and 10 per cent said their employer allowed them to take career breaks for family reasons. All of the other practices were reported to have been provided by a small number of employers (Table 6.21).

Table 6.21 Childcare-related arrangements: Provision, entitlement and take-up among fathers who worked as employees at the time of the birth of their child

<b>Arrangements</b>	<b>Employer Provided</b>	<b>Personally Entitled</b>	<b>Used</b>
A telephone at work to use for family reasons	40	21	19
Career breaks for family reasons	10	6	1
Workplace nursery or crèche	4	2	1
Financial help with the cost of childcare	3	2	2
Other nurseries supported by your employer	2	1	1
Help in finding childcare facilities away from the workplace	2	1	*
Care for school children after school hours or during school holidays	*	*	1
Base: Fathers working as employees at the time of the birth of their child	1874	1874	1874

Respondents were asked to indicate all that applied.

Source: Survey of Fathers 2002

One important point to note here is that a substantial number of fathers were not sure whether their employer made these provisions. The proportion of those who said 'I don't know' is around ten per cent for most of these provisions. It is only a little lower in the case of workplace nurseries (eight per cent), but substantially higher in the case of career breaks for family reasons (19 per cent). On average, a further five per cent did not answer the questions about their employer's provision of childcare-related arrangements.

### **A telephone at work to use for family reasons**

A telephone at work was the most often reported type of child-care related benefit provided by employers. Nevertheless, less than half of fathers (40 per cent) who were employees at the time of the birth of their child said their employer provided a telephone that they could use for family reasons. Only one in five (21 per cent) said they were personally entitled to use the facility and a similar proportion (19 per cent) said they made use of a telephone for family reasons.

The likelihood of employers providing a telephone to be used for family reasons did not vary substantially by any of the factors considered. The levels reporting availability of a telephone depended to some extent on the industrial sector in which fathers worked around the time of the birth of their child. Compared with 50 per cent of fathers working in the financial services sector, 37 per cent of fathers working in public administration, education and health said their employer provided a telephone to be used for family reasons (Table 6.22). To some extent, this is likely to reflect the ease of access to a telephone some respondents will enjoy as facilitated by the type of work they do. Respondents working in an office environment would be more likely to have access to a telephone and could potentially use it freely for personal reasons without having to ask for permission.

Table 6.22 Provision of a telephone at work to use for family reasons, by the industrial sector in which fathers worked at the time of the birth of their child

Column percentage

	All	Industrial sector in which fathers worked			
		Production & Communication	Distribution, Hotels & Restaurants	Banking, Finance & Insurance	Public Admin, Education & Health
<b>Employer provision</b>					
Yes	43	43	44	50	37
No	46	47	47	40	50
I don't know	11	10	9	10	13
Base: Fathers working as employees at the time of the birth of their child	1728	565	412	372	379

Source: Survey of Fathers 2002

Where employers had an arrangement providing their employees with access to a telephone they could use for family reasons, personal entitlement varied depending on broad occupation. Fathers who worked in the higher level occupations such as professionals, associate professionals and managers in the job they held at the time of the birth of their child were more likely to be entitled to use the telephone facility provided by their employer. Compared with 63 per cent of professionals, only 44 per cent of machine operatives reported personal entitlement (Table 6.23). This is also likely to be related to differences in the nature of work across these occupations. Professionals, in contrast to machine operatives, would be expected to work in environments where a telephone would be more easily accessible by all employees.

Table 6.23 Personal entitlement to use the telephone provided by employer for family reasons, by broad occupation in which fathers worked at the time of the birth of their child

Column percentage

	All	Broad occupation in which fathers worked						
		Manager	Professional	Associate Professionals & Technical	Clerical/ Sales/ Personal	Skilled Manual workers	Machine operatives	Elementary occupations
<b>Personally entitled</b>								
Yes	56	59	63	62	52	45	44	[70]
No	44	41	37	39	48	55	56	[30]
Base: Fathers who worked as employees at the time of the birth of their child and whose employer provided a telephone to use for family reasons	748	203	120	109	126	108	59	[23]

Source: Survey of Fathers 2002

Among fathers who were personally entitled to use the telephone facility, take-up patterns varied according to the industry in which fathers worked at the time of the birth of their child. While 64 per cent of fathers working in the banking, finance and insurance sector reported having used the provision, only 45 per cent working in production and communications and in distribution, hotels and restaurants did so (Table 6.24). It seems that, if the facility is not easily accessible (as may be the case in the latter two sectors), this is likely to affect usage patterns even when fathers are personally entitled to it.

Table 6.24 Usage of the telephone provided to be used for family reasons among fathers who were personally entitled to it, by the industrial sector in which fathers worked at the time of the birth of their child

Column percentage

	All	Industrial sector in which men worked			
		Production & Communication	Distribution, Hotels & Restaurants	Banking, Finance & Insurance	Public Admin, Education & Health
<b>Usage</b>					
Yes	53	45	45	64	53
No	47	55	55	36	45
Base: Fathers who were working as employees at the time of the birth of their child and who were personally entitled to use a telephone for family reasons	422	120	92	125	85

Source: Survey of Fathers 2002

### Career breaks for family reasons

With ten per cent of fathers who worked as employees at the time of the birth of their child reporting that their employer provided this opportunity, the second most common child-care related provision was to allow career breaks for family reasons. At six per cent, personal entitlement levels were lower. More strikingly, only one per cent of fathers said they made use of the opportunity to take a career break for family reasons (Table 6.21).

Employer provision of career breaks varied substantially by the industrial sector in which fathers worked at the time of the birth of their child. Compared with only three per cent of fathers working in the production and communication sector, 21 per cent of fathers working in the public administration, education and health sector stated that their employer provided career breaks for family reasons. The provision levels were also relatively low in the distribution, hotels and restaurants sector (Table 6.25).

Table 6.25 Employer provision of career breaks for family reasons, by the industrial sector in which fathers worked at the time of the birth of their child

Column percentage

	All	Industrial sector in which fathers worked			
		Production & Communication	Distribution, Hotels & Restaurants	Banking, Finance & Insurance	Public Admin, Education & Health
<b>Employer provision</b>					
Yes	11	3	7	16	21
No	70	78	76	63	58
I don't know	20	19	17	21	22
Base: Fathers working as employees at the time of the birth of their child	1728	564	412	373	379

Source: Survey of Fathers 2002

Employers in small private sector establishments were also highly unlikely to provide career breaks for family reasons. As opposed to three per cent of fathers in private sector establishments with less than 25 employees, 16 per cent of fathers who worked in private sector establishments with a minimum of 500 employees said their employer would provided career breaks (Table 6.26). This may also help explain the difference between industrial sectors, as public sector employers tend to be larger establishments. Lack of provision in small private establishments may also reflect the difficulty of accommodating long-term staff absence in such establishments, as there is a smaller pool of workers from which to draw in order to cover for absent workers. Large private and public sector establishments would also be more likely to have career or personal development opportunities that take into account changing personal needs of their staff, as well as being more able to accommodate these needs.

Table 6.26 Employer provision of career breaks for family reasons, by the size and sector of the establishment in which fathers worked at the time of the birth of their baby

Column percentage

	<b>Size and sector of establishment</b>						
	<b>All</b>	Private 1-24	Private 25-99	Private 100-499	Private 500+	Public	Voluntary/ Other
<b>Employer provision</b>							
Yes	11	3	5	7	16	21	12
No	70	87	78	71	55	55	62
I don't know	20	11	17	22	28	23	26
Base: Fathers working as employees at the time of the birth of their baby	1714	400	296	294	183	425	116

Source: Survey of Fathers 2002

There were too few respondents to carry out a detailed analysis of the entitlement and usage patterns of career breaks among fathers.

### **Other child care related provisions**

Fathers' responses indicate that none of the other childcare-related support facilities were widely available. Accordingly, few fathers said they were personally entitled to or used any of these provisions.

Only four per cent of fathers who worked as employees at the time of the birth of their child said their employer provided a workplace nursery and an even smaller proportion of three per cent said they provided financial help towards the cost of childcare. Less than two per cent said their employer supported other nurseries that could be used by their employees, gave help in finding childcare facilities away from the workplace or helped to arrange care for school children after school hours or during school holidays. The number of respondents reporting that these arrangements were made, or supported, by their employer were too few to allow any further exploration of the variation in provision, entitlement or usage patterns (Table 6.21).

## Appendix 1: The ‘difference-in-differences’ method<sup>63</sup>

The ‘difference-in-differences’ (DiD) method was used to estimate the impact of enhancements to maternity rights provision in 1999 upon the likelihood of mothers returning to work after childbirth in 2002, compared with their likelihood in 1996. One approach would be to compare the return-to-work rates of women who were newly eligible for enhanced provision in 2002, for example those with between one and two years’ continuous service who were newly entitled to additional maternity leave, with the return-to-work rates of women with the same lengths of service in 1996. Any differences in return-to-work rates would then be ascribed to the enhanced provision. However, a simple ‘before-after’ comparison of this type can be misleading. If other factors – seasonality, for example, or changes in the overall economy making it more or less likely to find return to work - could have affected the comparison, the specific contribution of the enhanced legislation cannot be separately identified by this method. To address this, an estimate of what would have happened had the enhanced provision not been introduced is needed. This can be achieved by considering a second group of mothers who were not affected by the enhanced provision. A before-after comparison for these mothers can be used to proxy the ‘no enhanced provision’ scenario for those in the first group. This can be used to adjust the first before-after comparison such that the effect it captures can be attributed solely to the enhanced provision. This is achieved by taking the difference between the two before-after differences. For obvious reasons, the resulting estimator is known as the difference-in-differences (DiD) estimator.

An example may serve to clarify. Appendix Table 1.1 presents some hypothetical figures on return-to-work rates. The first row relates to an ‘eligible’ group. In this case, the eligible group are those mothers with between one and two years’ service who were not eligible for additional maternity leave in 1996 but were in 2002. The ‘before’ column indicates that, prior to the enhancement, 70 per cent of these mothers would have found work within a given period of time. The ‘after’ column shows that this rose to a level of 85 per cent over the same period after the enhancement. The resulting before-after comparison reports an increase of 15 percentage points. Repeating this for the ‘ineligible’ group, such as mothers with less than one years’ service, yields a before-after estimate of 10 percentage points. This can be viewed as the increase that the eligible group would have experienced had the enhancement not taken place. To arrive at an estimate of the specific effect on the eligible group of the enhancement itself, this second difference needs to be deducted. Doing so results in the DiD estimator of 5 percentage points. The key assumption in this is that whatever external factors caused the 10 percentage point increase in the ineligible group would, in the absence of the enhancement, have led to a similar rise in the eligible group.

Appendix Table 1.1: An illustration of the difference-in-differences estimator

	Before	After	Difference
Treatment	70	85	15
Control	60	70	10
Difference in differences estimate:			<b>5</b>

In practice, these estimates are achieved in a regression framework that allows for the effect of other variables to be controlled for and therefore to identify the effect of the enhancement more precisely. It also allows the statistical significance of the estimates to be observed. However, this does not detract at all from the interpretation of the results as set out above.

<sup>63</sup> This description is adapted from Bonjour, Dorsett, Knight and Lissenburgh (2002).



## Appendix Table 1.2

Factors influencing likelihood of mothers returning to work after childbirth (Difference-in-differences model for estimating impact of increased entitlement to OML from 14 weeks to 18 weeks)

Factors influencing likelihood of mothers returning to work after childbirth	Coefficient	Level of statistical significance
Manager in last job before birth of their child	0.04	-
Professional in last job before birth of their child	0.06	5
Associate professional in last job before birth of their child	0.03	-
Skilled manual worker in last job before birth of their child	-0.15	1
Sales worker in last job before birth of their child	0.04	-
Personal/protective services worker in last job before birth of their child	-0.01	-
Machine operative in last job before birth of their child	-0.14	1
Other occupation in last job before birth of their child	-0.02	-
<i>Base: Clerical worker in last job before birth of their child</i>		
Supervisory responsibility in last job before birth of their child ( <i>Base: no supervisory responsibility</i> )	-0.03	10
Part-time worker in last job before birth of their child ( <i>Base: full-time worker</i> )	-0.07	1
Temporary worker in last job before birth of their child ( <i>Base: permanent worker</i> )	-0.08	1
Months of continuous employment in last job before birth of their child	0.04	1
Union member in last job before birth of their child ( <i>Base: not union member</i> )	0.06	1
Number of work-life balance policies provided by employer in last job before birth of their child	0.01	-
Number of flexible working practices in last job before birth of their child	0.02	1
Received Occupational Maternity Pay ( <i>Base: did not receive OMP</i> )	0.04	5
First time mother ( <i>Base: not first time mother</i> )	-0.05	1
Net hourly rate in last job before birth of their child	0.005	1
Single	-0.08	1
Partner was not working at the time of the birth of the child	-0.04	-
<i>Base: partner who was working at the time of the birth</i>		
Ethnic minority ( <i>Base: white</i> )	-0.03	-
Age	-0.00	-
Impact of increased entitlement to OML from 14 weeks to 18 weeks)	<b>-0.04</b>	-

Note: - non-significant

### Appendix Table 1.3

Factors influencing likelihood of mothers returning to work after childbirth (Difference-in-differences model for estimating impact of reduced qualifying period of employment for additional maternity leave from two years' continuous employment to one year)

Factors influencing likelihood of mothers returning to work after childbirth	Coefficient	Level of statistical significance
Manager in last job before birth of their child	0.06	-
Professional in last job before birth of their child	-0.02	-
Associate professional in last job before birth of their child	0.07	-
Skilled manual worker in last job before birth of their child	0.21	10
Sales worker in last job before birth of their child	-0.03	-
Personal/protective services worker in last job before birth of their child	-0.06	-
Machine operative in last job before birth of their child	0.02	-
Other occupation in last job before birth of their child	-0.02	-
<i>Base: Clerical worker in last job before birth of their child</i>		
Supervisory responsibility in last job before birth of their child ( <i>Base: no supervisory responsibility</i> )	-0.07	-
Part-time worker in last job before birth of their child ( <i>Base: full-time worker</i> )	-0.04	-
Temporary worker in last job before birth of their child ( <i>Base: permanent worker</i> )	0.03	-
Months of continuous employment in last job before birth of their child	-0.006	10
Union member in last job before birth of their child ( <i>Base: not union member</i> )	0.03	-
Number of work-life balance policies provided by employer in last job before birth of their child	0.01	-
Number of flexible working practices in last job before birth of their child	-0.009	-
Received Occupational Maternity Pay ( <i>Base: did not receive OMP</i> )	0.08	5
First time mother ( <i>Base: not first time mother</i> )	-0.004	-
Net hourly rate in last job before birth of their child	0.008	10
Single	-0.06	-
Partner was not working at the time of the birth of the child	0.03	-
<i>Base: partner who was working at the time of the birth</i>		
Ethnic minority ( <i>Base: white</i> )	-0.09	-
Age	-0.002	-
Impact of reduced qualifying period of employment for additional maternity leave from two years' continuous employment to one year	<b>0.07</b>	-

Note: - non-significant

## **Appendix 2: Weighting**

### **A2.1 The approach to weighting for the survey of mothers**

Chapter 1 described how the survey of mothers was based upon a nationally representative sample of 18,468 mothers who had given birth in January 2001, drawn from the Child Benefits records database. While the sample obtained from Child Benefits records was nationally representative, there are two factors that may have prevented the achieved survey sample from having the same characteristic. First, an administrative error occurred which meant that separate samples of first time and non-first time mothers were drawn from the Child Benefit records. This error was associated with a slight under-representation of first time mothers in the sample to which postal questionnaires were sent out. Second, the relatively low response rate of 35 per cent, compared with a response rate of 55 per cent for the 1996 survey, meant there was considerable scope for non-response bias to produce an achieved survey sample that was quite substantially different from the nationally representative sample obtained originally. A three-stage approach to weighting was adopted in order to address these problems. Each stage is described below.

#### **Sampling weight**

A sampling weight was derived in order to adjust the proportion of non-first time mothers and first time mothers to be the same in the achieved sample as it was among the group of women who gave birth in January 2001. As well as adjusting for differences in the sampling process for non-first time and first time mothers, which arose because of the administrative error referred to above, this sampling weight also adjusted for the higher response rate of first time mothers (38 per cent against 33 per cent) that was reported in Chapter 1.

#### **Non-response weight**

There is the additional possibility that response to the survey may have differed according to characteristics not taken into account in the construction of the sampling weight. In investigating the impact of these factors, analysis was restricted to variables available from the Child Benefits records database. These are region, age of mother, age of children other than the baby born in January 2001, number of children other than the recent baby and the number of babies born to the mother in January 2001. A logistic regression model was constructed to predict response to the survey, using these characteristics as the explanatory variables. Details of this logistic regression model are given in Appendix Table 2.0. The predicted probability of response computed from this model was then saved and its inverse became the non-response weight.

#### **Overall weight**

The final stage in the procedure was to multiply the sampling and non-response weights together, thereby producing an overall weight for the mothers' analyses. This weight was used for all of the tables relating to mothers that appear in the report. Its aim was to ensure, as far as possible given data constraints, that the achieved sample for the mothers survey had the same characteristics as the nationally representative sample drawn originally from the Child Benefits records database.<sup>64</sup> It is important to note that while a weight was derived for each of the 18,468 mothers in the original sample, the only weights used in the analysis were those

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<sup>64</sup> It was not possible to undertake a similar exercise for fathers, because there was no data available to indicate what the characteristics of partners of mothers who gave birth in January 2001 might have been.

for women who had worked for at least 26 weeks between 31 August 1999 and the birth of their baby, as the study is based on these women.

Appendix Table 2.0 Logistic regression model used to predict non-response to the survey

Characteristic	Exponentiated coefficient	Statistical significance (%)
<u>Age</u>		
Age in years	1.061	1
<u>Region</u>		
East Anglia	1.125	n.s.
East Midlands	0.923	n.s.
London	0.694	1
North	0.962	n.s.
North West	0.819	1
Scotland	0.882	10
South West	1.127	10
Wales	1.050	n.s.
West Midlands	0.885	10
Yorkshire and Humberside	1.004	n.s.
<i>Base: South East (excluding London)</i>		
<u>Child-related characteristics</u>		
Number of babies born in January 2001	1.038	n.s.
<i>Base: 1</i>		
Number of children other than the one born in January 2001	0.834	1
Age of the youngest child other than the one born in January 2001	0.957	1
First-time mother	0.772	1
<i>Base: not first-time mother</i>		

Notes: n.s. non-significant

## **A2.2 Testing the representativeness of the achieved sample of others: comparisons with LFS data**

In order to gain an indication of whether the weighting procedure described above had been successful, comparisons were made between the sample of mothers achieved by the survey and a sample of women from a similar background, obtained from Labour Force Survey (LFS) data for Spring 2001. The LFS data was based on women with a youngest child aged less than one year, who were economically active<sup>65</sup> in Spring 2000. From the survey of mothers, women who had worked for at least 26 weeks between 31 August 1999 and the birth of their baby were selected, because these women are the focus of the study. LFS data from 2001 was the most appropriate for comparative purposes because it enables the identification of a group of women with a child under one in early 2001 who had been economically active in 2000, which is approximately when the women from the survey of mothers who had worked for at least 26 weeks between 31 August 1999 and the birth of their baby would have been economically active. Appendix Table 2.1 compares the two groups of women across a range of characteristics.

While the comparison is made only across a selection of characteristics, it is clear that the samples are very similar (Appendix Table A2.1). In relation to education, the women were compared according to the age at which they first left full-time education. The LFS sample were more likely (41 per cent) than the survey of mothers (37 per cent) to have left under the age of 17 and the survey of mothers were more likely (33 per cent) than the LFS (29 per cent) to have left between the ages of 17 and 18, but the proportions leaving at older ages were virtually identical across the two surveys. Similarly, across a range of characteristics comparing lone parenthood, ethnicity, partner's economic status and the extent of part-time working, the mean difference between the two surveys was never greater than three percentage points. Average age differed by only one year. The LFS sample had longer periods of continuous employment, but the LFS question here does not specify that this had to be with the same employer, whereas the survey of mothers question did so. It is difficult to compare hourly pay rates because LFS uses gross pay whereas the survey of mothers used net pay. However, as the LFS figure is 28 per cent higher than the survey of mothers figure and a high proportion of the women worked part-time, this differential is consistent with approximate parity.<sup>66</sup>

Overall, the samples appear very similar, which means that despite the low response rates, the findings from the survey of mothers can be generalised with confidence.

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<sup>65</sup> The LFS definition of economically active is 'those in work or seeking work and available for work'.

<sup>66</sup> The LFS household level dataset was used for the lone parent and status of partner results and the individual level dataset for the other comparisons.

Appendix Table 2.1 Comparisons between LFS 2001 and Survey of Mothers 2002

Characteristic	LFS 2001, for women with a youngest child aged less than one year, who were economically active in Spring 2000	Survey of Mothers 2002, for women who had worked for at least 26 weeks between 31 August 1999 and the birth of their baby
<u>Education</u>		
Percentage of women who first left full-time education aged under 17	41	37
Percentage of women who first left full-time education aged 17-18	29	33
Percentage of women who first left full-time education aged 19-21	15	15
Percentage of women who first left full-time education aged 22 plus	15	16
<u>Marital status</u>		
Percentage of women who were lone parents	11	13
<u>Ethnicity</u>		
Percentage of women who were white	92	94
<u>Age</u>		
Mean age, in years	30	31
<u>Partner's economic activity status</u>		
Where the mother is part of a couple, the percentage of partners who are in employment	93	96
<u>Employment characteristics</u>		
Ratio of part-time to full-time employees	0.55	0.53
Mean months in continuous employment	72	64
Mean hourly pay (LFS=gross, Mothers=net)	9.63	7.55

## Appendix 3: Piloting

The questionnaire was designed by NOP and PSI in consultation with DWP and DTI. A two-stage pilot was undertaken in order to test the wording, comprehension and coverage of the draft document.

The first stage of the pilot involved sending out questionnaires to 200 eligible parents. The initial mail-out took place 29-30 November 2001, with a postcard reminder despatched week commencing 10 December 2001, the first full reminder (including a questionnaire) sent week commencing 31 December 2001 and the second full reminder sent week commencing 7 January 2002. A total of 58 completed mothers questionnaires were returned and 29 fathers questionnaires. The table below shows a leads breakdown and final response rate:

Appendix Table 3.1: Pilot Survey Leads Breakdown

	<b>Mother</b>	<b>Father</b>
<b>Mailed</b>	<b>200</b>	<b>200</b>
<b>Completes:</b>		
Before postcard reminder	4	2
Before 1 <sup>st</sup> full reminder	19	7
Before 2 <sup>nd</sup> full reminder	14	9
After 2 <sup>nd</sup> full reminder	21	11
<b>Total completed questionnaires</b>	<b>58</b>	<b>29</b>
<b>Response Rate</b>	<b>29%</b>	<b>14.5%</b>
Blanks	6	19
Refusals	1	0

The lower than expected response rate was attributed to the fact that the questionnaire was not in its final booklet format and that it was sent out over the Christmas period. As the completed pilot questionnaires were returned to the office, they were checked by NOP executives for accuracy of input (i.e. to see whether people had accurately followed the routing instructions) and whether or not responses appeared to be logical and consistent.

The second part of the pilot involved observing respondents as they filled-in the self-completion questionnaire in a hall in Bexleyheath. On Saturday 12 January 2002, two interviewers recruited six mothers and five fathers of children aged between 10 and 18 months. In order to make sure that the whole questionnaire was tested, interviewers were instructed to recruit mothers who either worked during the pregnancy or had worked since the birth (preferably both). For the same reason, interviewers were instructed to recruit fathers who were either in paid work during their partner's pregnancy, at the time she gave birth or in work now (preferably all three). Respondents were asked to complete the questionnaire in a hall very close to the town centre where there were toys and books for the children to play with while their parent/s were filling-in the questionnaire/s. A senior NOP executive was present in the hall to watch how respondents filled-in the questionnaire and to see if, and when, they got in to any difficulty with the questionnaire and then assist if necessary. Following the completion of the questionnaire, respondents were questioned by the NOP executive about the clarity of the questionnaire and the ease of completing each section. Everyone who completed a questionnaire received a £5 Boots Gift Voucher.

Following the Postal and Observational Pilots, any problems with the questionnaire were discussed with DWP and DTI and the necessary amendments made.

### **Mainstage Mail-out**

The initial mail-out of the mainstage survey involved sending 9,101 questionnaires to eligible parents. The questionnaire was sent out with a reply-paid envelope and a personalised covering letter which was on DWP headed paper and was signed by a senior DWP manager. The letter explained the purpose of the survey, emphasised confidentiality, and made clear that response was voluntary and asked respondents to return blank questionnaires if they did not wish to participate; this was so that they could be removed from the database and not sent reminders. Women who did not have a partner were asked to return the blank fathers questionnaire to NOP so that they would not receive inappropriate reminders in relation to a non-existent partner.

Three reminders were sent – one postcard reminder (which did not include a further copy of the questionnaire or reply paid envelope) and two reminders with questionnaires and envelopes. Reminders were sent in relation to the response from the mother and/or partner so that if the response had been received from only one, the reminder would relate only to the missing questionnaire.

The questionnaires were prepared by an external printer and then mailed-out by NOP's Operations unit in Chelmsford. Second class post was used for both despatch and return of the questionnaires.

The completed questionnaires were received in Chelmsford and were immediately logged-off on the central database. The unique identification number was entered, together with a summary outcome code (complete, incomplete, moved, refused, too ill, returned undelivered etc.). Each questionnaire was dealt with on the same working day that it was received and then passed for scanning and coding (see below). Response was monitored daily in order to ascertain the ideal timing for the mailing of reminders.

As the table below indicates, questionnaires were also despatched to 1,355 eligible parents from the Reserve Sample. This was because response was considerably lower than anticipated after the postcard reminder. However, it should also be noted that the second full reminder for the Main Sample, as well as the first and second full reminders for the Reserve Sample were not despatched. This was because by the time each of these mail-outs was due to take place, the response rate had increased considerably to what had been originally expected.



Appendix Table 3.2: Return of Main and Reserve Sample Completed Questionnaires for non first time mothers

Date	MOTHERS					FATHERS
	MAIN SAMPLE		RESERVE SAMPLE		COMBINE D SAMPLE	
	Mailed-out	Completes	Mailed-out	Completes	Completes	Completes
Wc 18+25 Feb	Despatch 9101					
Wc 4 March	Postcard reminder	421			421	258
Wc 11 March		1,143	Despatch 1355		1,143	759
Wc 18 March	1 <sup>st</sup> full reminder	1,850		123	1,973	1,356
Wc 25 March		2,085	Postcard reminder	171	2,256	1,495
Wc 1 April	*2 <sup>nd</sup> full reminder	2,177	*1 <sup>st</sup> full reminder	190	2,367	1,584
Wc 8 April (if nec.		2,815	*2 <sup>nd</sup> full reminder	234	3,049	2,030
Wc 16 April		2,982		281	3,263	2,180
Wc 22 April		3,041		301	3,342	2,243
Wc 29 April		3,116		323	3,439	2,305
1 May		3,119		323	3,442	2,308

\*Not despatched

The next table shows a full breakdown of responses.

Appendix Table 3.3: Main and Reserve Sample Leads Breakdown for non first time mothers

	MAIN SAMPLE		RESERVE SAMPLE		COMBINED SAMPLES	
	Mothers	Fathers	Mothers	Fathers	Mothers	Fathers
<b>Mailed-out</b>	<b>9,101</b>	<b>9,101</b>	<b>1,355</b>	<b>1,355</b>	<b>10,456</b>	<b>10,456</b>
Returned to sender	11	11	1	1	12	12
Moved	7	7	1	1	8	8
<b>Presumed in-scope</b>	<b>9,083</b>	<b>9,083</b>	<b>1,353</b>	<b>1,353</b>	<b>10,436</b>	<b>10,436</b>
Blank	188	781	16	71	204	852
Refusal	45	51	0	0	45	51
No father	0	1	0	0	0	1
Total	3,370	2,955	341	277	3,711	3,232
<b>Completed questionnaires</b>	<b>3,119</b>	<b>2,104</b>	<b>323</b>	<b>204</b>	<b>3,442</b>	<b>2,308</b>
<b>Response Rate</b>	<b>34%</b>	<b>n/a</b>	<b>24%</b>	<b>n/a</b>	<b>33%</b>	<b>N/a</b>

Of the 10,456 questionnaires mailed in total, 20 were returned to NOP marked “Return to Sender” or “Moved”. This left 10,436 mothers who were presumed to be in-scope. Of these, 3,442 returned a completed questionnaire, representing a response rate of 33 per cent.

During April it was discovered that due to a sampling error, the original sample provided by DWP to PSI did not contain any First-Time Mothers. Clearly, the exclusion of this group of mothers would result in bias and therefore it was decided that there would be another mail-out to First-Time Mothers. This time, first class post was used for both despatch and return of the questionnaires.

Appendix Table 3.4: Return of First-Time Mothers Completed Questionnaires

Date	MOTHERS		FATHERS
	Mailed-out	Completes	Completes
10 May	Despatch 8,012		
14 May		541	310
21 May		1,287	770
23 May	Postcard reminder (7,084)		
27 May		1,564	943
6 June		2,081	1,281
10 June		2,215	1,380
12 June	Full reminder (5,667)		
17 June		2,357	1,482
24 June		2,610	1,669
28 June		2,865	1,841

Appendix Table 3.5: First-Time Mothers Sample Leads Breakdown

	<b>Mothers</b>	<b>Fathers</b>
<b>Mailed-out</b>	8,012	8,012
<b>Returned to sender</b>	16	14
<b>Moved</b>	11	11
<b>Presumed in-scope</b>	7,985	7,987
<b>Blank</b>	256	646
<b>Refusal</b>	40	45
<b>No father</b>	-	6
<b>Deceased</b>	0	1
<b>Completed questionnaires</b>	3,053	1,990
<b>Response Rate</b>	38%	n/a

Each of the Appendix Tables 3.2 to 3.5 above provides details of completed non-first time mother and first time mother questionnaires. However, the processing of questionnaires was stopped once an agreed number had been reached in order to limit the additional costs of processing. Following discussions between NOP and DWP (and DTI), it was agreed that, as far as possible, the final questionnaires would be selected for processing on the basis of there being both a completed mothers and completed fathers questionnaire, rather than on the basis of the order in which they were returned. Questionnaires were processed using NOP's Fujitsu scanner that utilises Eyes and Hands software. The table below shows how many questionnaires were processed.

Appendix Table 3.6: Processed Questionnaires

	<b>Mothers</b>	<b>Fathers</b>
Sample of NFTM	3,416	2,307
Sample of FTM	2,848	1,344
<b>Total</b>	<b>6,264</b>	<b>3,651</b>

After initial scanning, all questionnaires were forwarded to the Coding department. For each open-ended question, listings were made on a random selection of 200 responses and the initial code frame for that question prepared from that list. Where appropriate, code frames from the 1996 study were re-used for continuity.

Once the open-ended questions had been coded, the full data set was forwarded to PSI for analysis in SPSS.

Appendix Table 4.1

## Approximate standard errors for various percentages and sample sizes

Sample size	Approximate 95 per cent confidence limits for a percentage result of:		
	10% or 90% + / -	30% or 70% + / -	50% + / -
50	8	13	14
100	6	9	10
250	4	6	6
500	3	4	4
1,000	2	3	3
1,500	2	2	3
2,000	1	2	2
2,500	1	2	2
3,000	1	2	2
4,000	1	1	2

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