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Introduction

Work-life balance is an important policy issue for both government and business. The concept and practice of work-life balance traditionally focused on family-friendly workplaces and working practices, and enabling parents (and primarily mothers) to balance work and childcare responsibilities. However, there is a growing recognition from organisations, trade unions, the government and workers themselves that work-life balance is about more than families, and is more about helping employees to have access to working arrangements that are compatible with life outside work. It is also recognised that work-life balance can lead to increased productivity through improved retention and employee satisfaction.

In the domain of policy, however, the government has primarily sought to influence work-life balance through policies affecting parents, such as through the right to request flexible working for parents, introduced in 2003.

A major push for increased work-life balance has come from workers themselves, expressing a desire to exert more control over their working lives and working hours. For a growing number of workers, they are finding that life at work is taking over life outside work. They are feeling a "time squeeze" and becoming pressured in managing their day-to-day work and life. Women in particular are affected by this time-squeeze. The UK, like many other western economies, has seen an influx of women into paid employment over the last few decades. Yet they continue to do the majority of domestic labour, facing a double shift of paid and unpaid work.

Work intensification has made life increasingly complex and rushed, yet people want to spend more time with their families or friends or other activities outside work. British workers are becoming increasingly dissatisfied with their work-life balance, facing heavy workloads on top of long working hours. At the same time, organisations are becoming increasingly aware of the business benefits of work-life balance, with more and more published accounts of reduced absenteeism, lower staff turnover and a more productive, committed workforce resulting from positive approaches to work-life balance. There are some examples of good practice, yet this is not yet an issue being taken up across the board by organisations in the UK or at a pace demanded by employees.

While the Labour Government has introduced a wave of policies supporting flexible working and helping parents at work, there is an ingrained culture of nine to five presenteeism within the UK. Indeed Britain works the longest hours in Europe, and the UK is the only EU country that allows staff to opt out of the 48-hour limit set by the Working Time Directive. Yet the country still lags behind in the productivity tables. This is also possibly because work-life balance is still not seen as relevant to everyone, but as an issue only affecting parents. It could be argued that work-life balance will only be taken seriously when it is seen as an issue benefiting everyone at work

There are however, signs of change. Men are visibly participating more in housework and childcare and are demanding more work-life balance. And as

the future workforce becomes characterised by higher numbers of female and older workers, employers will face ever-increasing demand from their workforce for better work-life balance. As the elderly population continues to rise, this will mean greater numbers of workers with additional caring responsibilities. One in eight adults in Britain looks after or provides some regular care to a sick or elderly person. All of these factors add to the pressure on workers produced by juggling the demands of home and work and trying to fit more and more into the day.

Against this background of changing demographics, work intensification and workers' search for control of their working lives, we can see work-life balance as something to aspire to and negotiate around. It is also a variable and changing concept subject to changes in expectations, rather than a static goal that can be achieved and settled.

I. National Policies

A review of policies introduced under the New Labour Government reveals a mixture of approaches on working time and pay, from the transposition of the European Working Time Directive, to far-reaching regulations introducing the right to paternity leave and policies on child poverty. Some can be seen to be directed at workers generally or to help parents at work. Where policies have been directed specifically at groups of parents, we can see a gradual policy shift to favour all parents.

1.1 Policies targeting mothers or fathers specifically

Maternity, paternity and adoption leave

The Employment Act 2002 introduced a right to paid paternity and adoption leave for the first time from April 2003. One parent in couples who adopt, or individuals who adopt, also have the right to the equivalent of statutory maternity leave.

The Work and Families Act 2006 extended maternity and adoption pay from six to nine months from April 2007, towards the goal of a year's paid leave by the end of the Parliament. The Act also gave employed fathers a new right to up to 26 weeks Additional Paternity Leave some of which could be paid, if the mother returns to work.

In addition, under the 2006 Act, mothers are now entitled to 52 weeks maternity leave, regardless of how long they have worked for their employer, and 39 weeks of maternity pay.

A possible new development came with launch of a government consultation in May 2007 on new paternity leave proposals. The scheme would allow mothers to pass some of their statutory maternity leave (and pay) to fathers if they returned to work. This is likely to prove particularly popular with families where the mother earns substantially more than the father.

The government proposes allowing fathers to 'self-certify' that their child's mother is returning to work early, and are passing maternity entitlements over

to them. The father will be required to give his employer eight weeks' notice. While the trade unions have welcomed the governments' recognition that fathers play a vital role in the first year of a child's life, they argue that fathers should be entitled to this leave in their own right, rather than mothers having to give up paid maternity leave in order for fathers to get paid paternity leave.

1.2 Policies targeting parents as a whole

Working Time Regulations

The Working Time Regulations 1998 introduced limits on working time for many workers in a number of key areas and gave a right to paid annual leave for the first time. The regulations provide a basis for all workers

The provisions include:

- a 48 hour ceiling on the maximum average working week;
- entitlement to four weeks' annual leave and holiday pay;
- a ceiling on night workers' normal hours of an average of eight hours in every 24, and an absolute eight-hour ceiling for hazardous night work;
- minimum daily rest periods and weekly rest periods; and
- a right to rest breaks and a separate obligation on employers to provide rest breaks where work is monotonous or work rate pre-determined.

In the UK, workers may agree to opt out of the maximum working week - an arrangement which has been opposed by both trade unions and the European Parliament.

A number of surveys suggest that the number of people in the UK working long hours has increased in the last decade. Just over a fifth of people in employment (5.8 million, or 20.1%) work more than 45 hours a week. This is a high proportion by EU standards though other developed countries such as Australia, Japan and the United States have more long-hours workers than the UK. UK workers also have less paid leave on average than their EU counterparts (20 days per year compared to 25-30 in most EU countries) but again do better than Japan (17 days) and the United States (10 days).

Working patterns have also changed drastically as workers in service occupations, in both the private and public sectors increasingly have to be available to offer 24-hour services to the consumer. A 2003 report on long hours working by the Chartered Institute of Personnel and Development (CIPD), which is the main UK professional body for people involved in the management and development of people, showed that the main reason for working long hours was workload¹. Their survey found that:

- more than one in four respondents reported some sort of negative impact on health
- more than two out of five respondents reported a negative impact on their relationships
- most respondents reported negative effects on their job performance.

¹ *Living to work?* (2003) Chartered Institute Of Personnel And Development.

Part-time working

The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 give protection to part-time workers. The regulations ensure that part-time workers cannot be treated less favourably than comparable full timers in their terms and conditions. This means that part timers are entitled to be paid pro-rata to full timers for the hours they work, have the same entitlement to annual leave, maternity and parental leave and sick leave on a pro rata basis. Research by the Equal Opportunities Commission, (EOC) which is the government agency responsible for eliminating sex and other discrimination in Britain, has found that the reform has not been effective in equalising hourly pay between full-timers and part-timers and that there has been no convergence in pay between female part-timers and female full-timers (or between female and male part-timers) since the reform². As Wise (2003) states, low state support for childcare and cultural norms have led women into part-time jobs which are designed primarily to meet operational needs. She goes on to state that “women are therefore more likely to be in lower paid, lower status jobs with little opportunity for training or advancement, however these jobs rarely offer the levels of control and autonomy, essential for operating work-life policies and reducing work-life conflict.”³

Flexible working

The Employment Act 2002 contains provisions giving parents of children under six, or of disabled children under 18, the right to apply to work flexibly and their employers have a duty to consider their requests seriously. Employees have the right to request:

- a change to the hours they work;
- a change to the times when they are required to work; or
- to work from home.

The employee has to make an application in writing, giving details of how the change in working pattern will help them care for their child, and how the changes might affect the employer and how these could be accommodated. The emphasis is on employers and employees finding a solution that suits them both, and has therefore not given an automatic right to work flexibly.

Through the Work and Families Act 2006, the right to request flexible working has been opened up to many carers of adults from April 2007.

While welcomed by many NGOs, employers and trade unions as a step in the right direction, the right to request flexible working has been widely criticised for its voluntary nature. Researchers from Liverpool John Moores University concluded that its voluntary nature means that it lacks any real power to help working parents and offers little help to workers who are not sufficiently

² *Career Paths of Part-Time Workers*. (2005) Equal Opportunities Commission

³ Wise, S. (2003) *Work Life Balance: Literature and Research Review*, DTI and Fair Play

empowered or confident to ask their employer for flexible working⁴. However, the right to request flexible working may be viewed as a fallback mechanism for employees who felt their employers were treating them unfairly.

In addition, a concern has been expressed that too few people know that they are entitled to Parental Leave. A survey for the Department of Trade and Industry (DTI) found that around 16% of all employees and 20% of employees with dependant children under the age of six were completely unaware that it was a right⁵. The same survey found that 17% of all employees surveyed had had their request to work flexibly declined by their employer, with men working in the private sector most likely to have their request declined. The survey also found that only 17% of employees had made a request in the previous two years to change how they regularly work for a sustained period of time. However, this finding may conceal higher occurrence of informal and short-term flexible working arrangements. The DTI survey found that just over one quarter of employees said that they were either currently working part-time, or had done so in the last 12 months with their current employer. Another 30% were not working part-time but said they were either currently using other flexible working practices, or had worked in this way in the last 12 months. Hence only two-fifths (44%) said they were not currently working flexibly, and had not done so in the last 12 months with their current employer. This indicates a higher incidence of flexible working than the number of formal requests made by employees would suggest.

Lobby groups such as the CIPD, EOC and the TUC have argued for the right to request flexible working to be extended to all workers, not just those with young children. A survey for the EOC found that 60% of people would support the extension of the right to request flexible working to all employees⁶. Mike Emmott, Employee Relations Adviser at the CIPD argued: “We would urge organisations to go beyond compliance with the law, and to respond positively wherever possible to employees’ requests for flexible working⁷.”

The Sex Discrimination Act 1975 (SDA) has also been used by both women and men whose employers failed to allow them to work flexibly or reduce hours. As greater numbers of women work part-time, women are often successful in claiming that the employer was guilty of indirect discrimination against women by imposing a requirement for full-time work which women would find more difficult to comply with than men.

Parental and dependency leave

The Maternity and Parental Leave Regulations 1999 provide rights to parental leave as well as the right to time off to deal with family emergencies. Working parents have the legal right to a period of unpaid leave. It can be up to four weeks in a year and overall no more than 13 weeks within the first five years

⁴ *Combining Work and Family Life: Removing the Barriers to Women’s Progression*. Liverpool John Moores University

⁵ *The right to request flexible working a review of the evidence*. Department for Trade and Industry (2007) www.dti.gov.uk/files/file38387.pdf

⁶ *Working outside the box* (2007). Equal Opportunities Commission.

⁷ www.flexibility.co.uk/flexwork/general/flexible-right.htm

of their child's life, as long as they have worked for their employer for at least a year.

Child Poverty and Childcare

A major governmental objective under New Labour has been the reduction of child poverty, achieved in a large part through an increase in parental employment. Various policies have been introduced including the Working Families Tax Credit to allow cash transfers to low-paid working parents, which include allowances for childcare costs.

This strand of policy is closely allied to another government strategy aimed at improving the supply of affordable childcare, so enabling parents to balance work and family commitments. The government's policy began with its National Childcare Strategy (NCS) launched in 1998. The aim is to have a range of good quality, affordable childcare for children aged 0-14, and up to age 16 for children with special needs, in every neighbourhood, including out of school childcare for a million children across UK, by 2003. The Strategy is founded on a commitment to promoting the well-being of children, offering equal opportunities for parents, especially women, and to supporting parents in balancing work and family life.

The NCS has delivered a major expansion in childcare provision with substantial numbers of new places in the public, private and voluntary sectors and with a wide variety of types of childcare provider - notably, day nurseries, playgroups, out of school clubs and childminding. Following the introduction of the Childcare Bill 2005, a statutory duty now rests on local authorities to secure sufficient childcare provision for their community; and to offer access to childcare for children aged 3-14, from 8am to 6pm on each weekday throughout the year by 2010.

Government Promotion of Work-life Balance

In March 2000, the government launched the Work-life Balance Campaign to encourage employers to introduce flexible working practices to help employees to achieve a better work-life balance. There were three main elements to the campaign:

- Establishment of Employers for Work-Life Balance, an independent alliance of leading employers committed to promoting good practice in the business community
- The Challenge Fund which ran for three years from 2000, to help employers explore how work-life balance policies can help them deliver goods and services more efficiently and flexibly. The fund provided free consultancy advice to forward-looking organisations that wanted to introduce innovative working arrangements that benefit their business, employees and customers. 448 companies took up this service during the period.
- Publication of a discussion document, including a checklist of the principles of work-life balance⁸ and a document setting out the business case, providing 50 case studies of Small to Medium Sized

⁸ *Changing Patterns in a Changing World*. DTI.

Enterprises (SMEs) and larger businesses offering flexible work life balance strategies⁹.

II. Local/regional policies

Wales

The Welsh Assembly is responsible for managing the Work-life Balance Initiative, launched in March 2000. Together with Chwarae Teg, the Assembly Government has promoted the business case for work-life balance and invited comments on how to best put it into practice. Chwarae Teg is an independent organisation backed by a partnership of public, private and voluntary organisations. It helps to promote work-life balance by supporting and developing childcare projects and partnerships; providing a technology-based, Wales Childcare Information Service; and promoting family friendly working practices with employers.

In addition, the Challenge Fund provides support for small businesses to undertake projects concerning work-life balance. This is complemented by the pamphlet *Work-Life Balance: A better way of working and living – a guide for employers in Wales*. In March 2004, 11 new projects in the SME and Voluntary Sector in Wales received nearly £100k in the latest round of the Work life Balance Challenge Fund.

Scotland

The Scottish Executive has supported the measures introduced at UK level to address work-life balance. It also launched the document "Take the Time" in 2003 which is a guide to work-life balance aimed specifically at Scottish employers and Human Resources teams. It provides guidance to developing and implementing a work-life strategy and includes a number of case studies, showing how organisations in the public, private and voluntary sectors in Scotland have made work-life balance work for them.

In May 1998, the government published "Meeting the Childcare Challenge: A Childcare Strategy for Scotland. A key part of the strategy was the establishment of Childcare Partnerships to be set up in every local authority area bringing together all those with an interest in childcare to promote its expansion in line with parental demand. Plans for the 2003-2007 parliamentary session¹⁰ set out the following commitments:

- Provision of more flexible and more available childcare
- Nursery school provision for three and four year olds and the creation of flexible childcare provision accessible to all, expanding facilities, in the public, private and voluntary sectors and through co-operative arrangements
- Maintenance of free nursery places for every three and four year old in Scotland
- Support for breakfast clubs.

⁹ *Flexible Working The Business Case*. DTI.

¹⁰ *A Partnership for a Better Scotland*. Scottish Executive (2003).
www.scotland.gov.uk/library5/government/pfbs-00.asp

III. Private sector initiatives

The typical business case for work-life balance lends itself better to the practice and language of the private sector, with the drivers usually cited as increasing services' customer focus, reducing absenteeism, recruiting and retaining talented people, and improving productivity and making efficiency gains. However, in reality, the private sector often struggles to match the public sector. For example, an analysis of the 2005 Labour Force Survey data by the TUC revealed that flexible working is less prevalent in the private than the public sector, with almost 87% of private sector employees and 59% of public sector employees reporting to have no flexible working options open to them¹¹.

The 24-7 Work Life Balance Survey of employees conducted for the Work-Life Balance Centre¹² also found wide variations in terms of the availability of different flexible working options available to UK workers. The most widely available option was found to be flexible start and finish times, while the least likely option available was term time working. Other arrangements available to the majority of those in the survey were the option to work from home at times and job share or work part-time. Only around a third of employees had the option of contracted or annualised hours or flexible shift patterns. Despite availability, employee take-up of flexible working practices was generally low. Whilst slightly more than half of those surveyed had used the options of home working and flexible start and finishing times (where available), take-up of the other four schemes was very low, ranging from 3.8% to 20.3%. The survey also looked at the availability of support services (help with childcare or elderly care, employee counselling schemes, stress management training and massage and aromatherapy sessions) and found that they were unavailable to most workers in the survey. Furthermore, usage rates for all four support services were uniformly low and while two-fifths of people in the survey had caring responsibilities only 2.5% of respondents reported using such a service.

The Employers for Work-Life Balance alliance is a key initiative for the promotion of work-life balance in UK organisations. It is run by the think tank, the Work Foundation, having been set up by various companies including British Telecom, Lloyds TSB, Prudential and Sainsbury's. It aims to support employers in implementing work-life balance policies and progress debates around work-life balance issues. Its website includes case studies from the private and public sectors, research, benchmarking tools and information about making a business case¹³.

NGO initiatives and proposals

The Parents and Carers Coalition was set up by the EOC in 2004. The coalition has over 50 member organisations representing parents, carers and paid care workers as well as older and disabled people and include Age

¹¹ *Challenging times: flexibility and flexible working in the UK*. TUC (2005)

¹² www.24-7survey.co.uk

¹³ www.employersforwork-lifebalance.org.uk

Concern, Child Poverty Action Group, the TUC, Fathers Direct and Relate. The Coalition wants to see more access to flexible working and support for carers and parents and campaign around the following goals:

- Mothers, fathers and carers able to choose whether or not to combine caring with paid work and get the support they need whatever choice they make
- More access to flexible working for all parents and carers in all types of job
- Reducing long hours at work, to ease the pressure on workers and increase real productivity
- Better access to good quality, affordable childcare
- Better support services for carers and for older and disabled people
- Better pay, training and prospects for childcare and other care workers
- A better framework of employment rights for parents and carers
- A pensions framework that does not penalise people for the time they spend caring.

The TUC has a website entitled Changing Times, which is devoted to work-life balance and includes a case study guide on work-life balance and various resources. The TUC has recently been campaigning against Britain's long hours culture and since 2004 has organised a 'Work Your Proper Hours Day' on one day in February, urging staff to work their contractual hours only and take a full lunch break. The TUC estimates that nearly five million employees worked on average an extra day a week in unpaid overtime in 2005.

Working Families makes the case to government and employers for social policy and workplace change that will benefit families, employers and communities. Its vision is a society where everyone has real choices about how they balance their working and caring responsibilities¹⁴. It calls for:

- Family friendly working hours and leave for parents and carers
- A right to request flexible working for all employees
- Affordable, quality childcare and elder care
- An end to the UK's long hours work culture.

The Work-Life Balance Centre undertakes research into work and its effect on people's lives and provides guidance to employers and employees.

IV. Concrete examples

Improving Working Lives in the NHS

In 2000, the NHS set out a series of performance standards for NHS employers, designed to improve the working lives of NHS employees. All NHS employers were expected to achieve the Improving Working Lives (IWL) Standard by 2003 with the aim of encouraging employers to develop a range of policies and practices which support personal and professional development and enable employees to achieve a healthy work-life balance. Over the past few years NHS organisations have gone through a three-stage

¹⁴ www.workingfamilies.org.uk

process aimed at achieving accreditation and being awarded an IWL kitemark. Their progress has been judged against the IWL Standard, and backed by significant sums of money from the Department of Health.

The accreditation process ended in 2006, by which time almost all organisations had reached the final stage of the IWL standard. The Department of Health reported that it was confident that although the accreditation process had reached the end of its course, IWL principles would continue to be applied in the NHS.

Health and Wellbeing at Work

In 2005, the government launched its Health, Work and Wellbeing Strategy – Caring for our Future. This is a joint initiative between the Department for Work & Pensions (DWP), the Department of Health (DH) and the Health & Safety Executive (HSE) to coordinate all the initiatives which impact upon the health and wellbeing of working age people. It is designed to cover the health and wellbeing of people in, seeking to enter, or seeking to return to work.

In general the aims of the Strategy are to:

- Improve the health of the working age population;
- Minimise the risk of employees becoming ill in the first place;
- Improve employee retention;
- Change attitudes so that people who experience illness or disability are rehabilitated not rejected.

The Strategy recognises the significance of work-life balance in improving the health and wellbeing of working age people. It states that stress, back problems, depression and juggling family commitments have serious associated sick leave ramifications, with sick leave costing the economy £11.7bn annually. The Strategy acknowledges the important role of work-life balance in reducing absenteeism and the necessity for sick leave and brings together stakeholders to spread best practice and fund public programmes.

A key part of the Strategy has been the promotion of the HSE's Stress Management Standards, aimed at reducing the number of employees who go off sick, or who cannot perform well at work because of stress. The Standards reflect the contribution that workload and work patterns can have on stress levels.

Conclusions

In general, the UK government's approach has been to encourage employers, on a voluntary basis, to extend the scope of work-life balance schemes available and raise public awareness of legal entitlements, and the benefits of work-life balance policies. Central to the government's work-life balance agenda is that flexible working options are good for business. It is claimed that employers offering more flexibility benefit from a "happier" and more motivated workforce, experience less absenteeism and have fewer retention problems.

The New Labour Government has provided a framework which has put in place new rights for people at work, mainly benefiting parents and carers. However, the Government has also actively urged employers that effective organisations benefit from strong work-life balance policies which go beyond complying with the law. We may see this approach as part of a general policy shift towards developing an “enabling state,” moving away from government interference in industry and citizens’ lives. This policy approach makes the development of positive and constructive relationships between employees and their managers and employers of great importance in the pursuit of work-life balance.