



Daycare Trust's response to the DTI consultation on 'Choice and Flexibility: additional paternity leave and pay'

1. Introduction

1.1. Daycare Trust is the national childcare charity, campaigning for quality affordable childcare for all and raising the voices of children, parents and carers.

1.2. Daycare Trust very much welcomes the consultation document on additional paternity leave and pay. This represents a real step forward in enabling families to make a choice about which parent is the carer, as well as promoting gender equality and potentially closing the gender pay gap.

1.3. Daycare Trust will not respond in depth to the consultation, but wishes to raise a number of issues in the approach taken by DTI.

2. Implementation timetable

2.1. Daycare Trust is disappointed that Additional Paternity Leave (APL) will not be implemented in 2007 with other changes in the Work and Families Bill. **We recommend that APL be implemented as soon as possible.**

3. Levels of pay

3.1. Daycare Trust is concerned that the low levels of pay associated with APL will act as a disincentive to families wishing to take advantage of paternity leave rights. Research from the Equal Opportunities Commission showed that only 28 per cent of fathers surveyed would take statutory paternity leave at £106 per week, but this would rise to 80 per cent if statutory pay was increased to £200 per week.

3.2. Daycare Trust urges the Government to increase the flat rate, as a minimum, to national minimum wage levels to ensure that families have an adequate income around the birth of a child and to prevent families falling below the poverty line. Ideally, pay for parental leave should be earnings related.

3.3. We recommend that the Government increase overall levels of paternity and maternity pay so that they provide adequate wage replacement.

4. Relationship with Ordinary and Additional Maternity Leave

4.1. Daycare Trust recommends that Additional Paternity Leave (APL) should be equated with Ordinary Maternity Leave (OML). This is the father's first six months of leave, and a suggestion that his job role, terms and conditions may be changed would be a disincentive to take APL.

4.2. While equating APL with Additional Maternity Leave (AML) may be more attractive to employers, Daycare Trust is concerned that this may lead to substantially reduced rights for fathers and therefore low take up of paternity leave. It may also lead to cases of discrimination.

4.3. Under OML, women have the right to return to the same job. AML gives the right to return to the same job, or a similar job if it is not "reasonably practicable". This serves as a disincentive to women and will also be a huge disincentive to men wanting to take additional paternity leave. Daycare Trust acknowledges that the opportunity to hold a post open for a mother/father to return to work becomes more difficult with time. Therefore, as the father will be out of the workplace for a maximum of 26 weeks, we believe that the same arguments apply for the right of return as for a mother on OML.

4.4. In addition, women on AML are no longer entitled to benefits such as employer pension contributions, mobile phones, childcare vouchers, or a company car. All of these benefits remain during OML. The removal of these benefits is a hindrance to employees who want to keep in touch with employers during an extended period of leave.

4.5. Daycare Trust urges the DTI to make clear that fathers' rights will be protected if they choose to take APL. If a father has the right to return to the same job, and doesn't lose employee benefits, he will be reassured that in taking APL he will not be put at a disadvantage on returning to work. The estimated take-up of APL is small, and the possibility of not returning to the same job, or having conditions changed during a period of APL would be a huge disincentive to fathers.

4.6. Daycare Trust strongly recommends that Additional Paternity Leave (APL) should be equated with Ordinary Maternity Leave (OML).

**Daycare Trust
May 2006**

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