

# Staff feel 'cynical' about employers' approach to shared parental leave <sup>[1]</sup>

Certain employers also 'obstructed' fathers' attempts to exercise rights, researcher told

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## AVAILABILITY

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## EXCERPTS

Supposedly generous shared parental leave (SPL) offerings are leaving staff disillusioned because they come with too many caveats, an academic has discovered while researching the landmark family-friendly policy.

SPL, which was introduced in April 2015, allows new parents to share up to 50 weeks of leave and 37 weeks of pay between them following the birth of a child.

However, some couples who spoke to Dr Katherine Twamley, a social sciences fellow at University College London (UCL), during the course of her research on the topic said they had been left feeling "cynical" after it transpired their employers' SPL deal was not as good as it appeared on the surface – such as "offering enhanced SPL pay but only in the first six months".

She also told People Management that, while mothers often said they were offered lots of guidance and advice on maternity leave, "the fathers weren't getting that information".

Twamley added that a small number of parents reported their employer behaved in a "very clearly obstructive" manner towards fathers trying to exercise their rights, such as advising them they didn't think they should take the leave. Meanwhile, the research revealed more than a third (37 per cent) of pregnant women thought SPL would have a negative impact on their male partner's career.

Harry Abrams, solicitor at Seddons, told People Management employers should "always be prepared for an employee wishing to exercise a right such as SPL by having the appropriate policies in place".

"An employee may be able to allege that their employer being obstructive to their SPL request – by failing to provide a policy, being slow in responses, etc – is itself a detriment, and therefore unlawful," he added.

Meanwhile, Claire McCartney, diversity and inclusion adviser at the CIPD, said: "Employers should be doing much more to communicate SPL to employees in general, and expectant parents especially, and support its uptake. Working parents make up a large proportion of the workforce and it makes sense for employers to create a culture which helps both men and women balance their work and caring commitments."

Critics have panned SPL's low take-up rates. In February, the government launched its 'Share the Joy' campaign in a bid to boost participation, revealing its data showed take-up could be as low as 2 per cent of eligible couples. The government is now evaluating the policy and is expected to publish its findings early next year.

The UCL study, which questioned more than 800 expectant parents at antenatal clinics, also discovered nearly half (48 per cent) of families who qualified for SPL thought they did not.

The findings echoed a report prepared by the Behavioural Insights Team on behalf of the Government Equalities Office <sup>[3]</sup>, which was released in May. This research concluded "parents often lack a sound understanding of SPL eligibility rules".

The UCL research also discovered 51 per cent of pregnant women felt it did not make financial sense for their partner to take SPL.

SPL schemes have been examined in the courts recently, on the basis that while many employers enhance their maternity leave offering, few raise their SPL payouts above the statutory requirement of £145.18 a week.

In May, the Employment Appeal Tribunal (EAT) decided that a serving police constable may have been indirectly discriminated against because his employer paid full pay for maternity leave but the statutory minimum for SPL. His case has now been returned to tribunal to be reconsidered.

However, in April, the EAT ruled a worker had not been directly discriminated against after his employer refused to let him take additional paternity leave at full pay.

Meanwhile, the British Social Attitudes survey, which was published yesterday, found two in five (39 per cent) people felt parents should be able to share paid leave between them following the birth of a child, although with the mother taking the majority of the time off. A further 30 per cent believed new parents should split leave evenly.

**Region:** Europe <sup>[4]</sup>

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[1] <https://childcarecanada.org/documents/child-care-news/18/07/staff-feel-%E2%80%98cynical%E2%80%99-about-employers%E2%80%99-approach-shared-parental-leave> [2] <https://www.peoplemanagement.co.uk/news/articles/staff-cynical-about-employer-approach-to-shared-parental-leave> [3]

<http://childcarecanada.org/documents/research-policy-practice/18/07/return-work-parental-decision-making> [4]

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