

Maternity and Paternity Rights and Women Returners Survey 2009/10

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The Work and Families Act 2006 and associated regulations/package introduced a number of changes to mothers' maternity leave and pay entitlements. In particular, from 1 April 2007:

- the Statutory Maternity Pay (SMP) period increased from 26 to 39 weeks;
- the Maternity Allowance (MA) period increased from 26 to 39 weeks;
- the eligibility requirements for Additional Maternity Leave (AML) were removed, which enabled all employed mothers to take up to one year's Statutory Maternity Leave;
- the introduction of Keeping In Touch days enabled women to agree with their employers that they would work for up to ten days during their maternity leave.

Mothers of young children continued to have the right to request flexible working arrangements from their employers.

The Act did not make changes to fathers' entitlements. At the time that is covered in this report (2008), fathers could take two weeks of Statutory Paternity Leave after their baby was born. During the leave most were entitled to flat rate Statutory Paternity Pay. Like mothers, fathers of young children also had a right to request flexible working arrangements from their employers.

Key findings

- The mean length of maternity leave taken by mothers increased from 32 weeks in 2006 to 39 weeks in 2008. Mothers who increased their leave by the longest period were those with lower salaries and those whose partner had a low salary. Fourteen per cent of mothers took 26 weeks or less and 55 per cent took 39 weeks or less maternity leave.
- The overwhelming majority of mothers who had worked before childbirth had received some type of maternity pay. In particular:
 - 42 per cent of mothers received SMP only;
 - 32 per cent of mothers received SMP and Occupational Maternity Pay (OMP);
 - 4 per cent of mothers received OMP only;
 - 11 per cent of mothers received MA only; and
 - 11 per cent of mothers received no maternity pay.
- Three out of four (77 per cent) mothers had returned to work 12-18 months after childbirth. The return to work rate did not change between 2006 and 2008. In 2006, 76 per cent of mothers returned to work. Of the mothers who had worked full time before childbirth, slightly more than half (56 per cent) returned to work full time.
- Twelve per cent of mothers who returned to work reported no access to flexible working arrangements. Eighteen per cent had no access to childcare support and other arrangements, and 20 per cent had no access to family leave arrangements. The availability of childcare support and other arrangements had increased between

2006 and 2008, while the availability of flexible working arrangements and family leave had stayed the same.

- Two thirds of fathers (66 per cent) took some time off from work before their baby was born. Nine out of ten fathers (91 per cent) took some time off after the birth of their baby. Of the fathers who took time off, three-quarters took paternity leave either on its own or in combination with other types of leave. Half of the fathers who took paternity leave took their full entitlement of two weeks.
- The majority of fathers had access to family-friendly working arrangements. However, the proportion of fathers without access to flexible working arrangements and childcare and other support arrangements was higher than the proportion of mothers without access. Nearly half of fathers (44 per cent) made some changes to their working arrangements after the birth of their baby.

Background

This summary presents the findings from a national survey of mothers and fathers of children aged 12-18 months. The findings focus on mothers' experience with maternity leave and pay, their return to work and access to family-friendly working arrangements, as well as fathers' experience with paternity leave and pay, and access to family-friendly working arrangements. This report is based on 2,031 interviews with mothers and 1,253 interviews with fathers carried out in 2009 and 2010. The findings in this report refer to children born in 2008; the previous Maternity Rights Survey¹ report refers to children born in 2006. This report refers back to 2006 in order to make comparisons to assess the impact of the Work and Families Act which was implemented from 2007.

¹ La Valle, I., Clery, E. and Huerta, M.C. (2008) Maternity Rights and mothers' employment decisions.

Findings

Maternity leave

The mean length of maternity leave that mothers took increased from 32 weeks to 39 weeks between 2006 and 2008. Some mothers took less time off than their statutory entitlement of 52 weeks: 14 per cent of mothers took 26 weeks or less and 55 per cent took 39 weeks or less maternity leave.

There was considerable variation in the duration of maternity leave among different groups. The following groups of mothers were less likely to take longer leave (defined as 40 weeks or longer):

- mothers working for small private sector employers, compared with mothers working for large private sector employers;
- mothers working in work places without a trade union presence (compared with work places with a trade union presence);
- mothers working in work places with no family-friendly arrangements (compared with high number of family-friendly arrangements).
- mothers who were employed as skilled, process and elementary occupations compared with mothers who were professionals;
- lone mothers compared with partnered mothers;
- mothers in younger age groups compared with mothers aged 35-39.

Maternity pay

The overwhelming majority (89 per cent) of mothers who had worked before childbirth had received some type of maternity pay. The largest group of mothers (42 per cent) had received SMP on its own. SMP combined with additional OMP provided by the employer was received by 32 per cent of mothers. Eleven per cent of mothers had received MA only.

Some groups of mothers were more likely to receive a combination of SMP and OMP, including mothers working for large private employers (47 per cent) and in the public sector (46 per cent), mothers in workplaces with a recognised trade union (51 per cent) and five or more family-friendly arrangements (46 per cent), mothers with the highest earnings (51 to 56 per cent of those with an hourly gross pay of £12.50 or more) and those who worked more than 30 hours per week (39 per cent); mothers who had worked in their job for longer duration (43 to 46 per cent of those who had been in their job for more than five years).

Employment decisions after birth

Seventy-seven per cent of women who gave birth in 2008, and worked in the year before the birth, had returned to work 12-18 months later. This figure had not changed between 2006 and 2008. The factors with the strongest association with returning to work included:

- **Employer size and sector:** 87 per cent of mothers working in the public sector returned to work, compared with 76 per cent working in large public companies, 75 per cent working in medium-sized private companies and 61 per cent working in small private companies.
- **Duration of pre-birth job:** 90 per cent of mothers who had worked in their pre-birth job for more than ten years returned to work compared with 34 per cent who had worked in their pre-birth job less than a year.
- **Type of maternity pay received:** the rate of return to work was 90 per cent among mothers who received a combination of SMP and OMP, compared with 38 per cent among those who received no maternity pay.
- **Family structure:** partnered mothers were more likely to return to work than lone mothers (82 per cent and 51 per cent respectively).
- **Qualifications:** the rate of return was 84 per cent among the highest qualified mothers, compared with 49 per cent among those with no qualifications.

Returning to work² after childbirth

About half (56 per cent) of mothers who had previously worked full time returned to full-time work, with about two-fifths reducing their working hours to long part-time hours (16-29 hours per week; 38 per cent).

While a proportion of mothers did take a cut in hourly pay following maternity leave, this was the case for significantly fewer women who had babies in 2008 (eight per cent) compared with in 2006 (15 per cent).

The results show the major role played by informal carers – grandparents in particular – in providing childcare support. Fifty-four per cent of families were using grandparents for regular childcare after the mother returned to work, compared with 35 per cent who were using a nursery, and 14 per cent a childminder.

Family-friendly arrangements

While mothers reported that a range of family-friendly arrangements were available in their post-birth job, these were by no means universal, for example 12 per cent of mothers said no flexible working arrangements were available in their first post-birth job; childcare and other support was not available to 18 per cent of mothers in their first post-birth job; 20 per cent of mothers said their employer did not provide family leave.

Access to family-friendly arrangements varied considerably according to employer's characteristics, type of employment and mothers' socio-economic profile. Mothers working for small- and medium-size employers, mothers working for employers with no recognised trade union, mothers in lower-level occupations, mothers in temporary jobs and lone mothers were considerably less likely than other mothers to have access to a variety of arrangements.

² This refers to both mothers who changed jobs and those who remained in the same job.

Paternity leave and pay

The vast majority of fathers did take some time off (including all different types of leave) before and after the birth of their baby (66 per cent and 91 per cent respectively). Fathers who took no time off following the birth were most likely to be working in small private organisations or the public sector, working in an organisation where there were no family-friendly arrangements available. Self-employed fathers and fathers earning the lowest rate of hourly pay were also less likely to take time off.

For those fathers who took some time off work following the birth of their baby, almost half took this time as paternity leave only and just over a quarter took time off as a combination of paternity leave and other paid leave. Half of the fathers who took some paternity leave took the statutory length of two weeks.

A large proportion of fathers received some of their paternity leave paid at their full pay rate, while others received the statutory pay only. Two-fifths who took paternity leave received full pay for up to two weeks (39%). This means that many employers must be topping up the statutory rate of paternity pay and paying fathers Occupational Paternity Pay. One fifth of fathers who took paternity leave received none of this time paid at their full pay rate.

Fathers working patterns and family-friendly arrangements

The number of flexible working arrangements available to fathers was most commonly three or more (43 per cent); however, most fathers who had access to these took up either one or no flexible working arrangements (both 39 per cent).

The number of childcare support arrangements available to fathers was most commonly one arrangement (29 per cent) and over half with access to at least one arrangement (51 per cent) made use of one childcare support arrangement.

Just under one-third (31 per cent) of fathers reported having three or more family leave arrangements available to them; however, slightly more than half (55 per cent) did not use any of the family leave arrangements available to them.

Slightly less than half of fathers (44 per cent) changed their working patterns following the birth of their baby. For fathers that did change their working patterns, the most popular types of changes were working shorter hours, working more flexible hours and doing more work at home, all of which point to the most common changes being more family-friendly.

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The full report of these research findings is published by the Department for Work and Pensions (ISBN 978 1 908523 273. Research Report 777. October 2011).

You can download the full report free from: <http://research.dwp.gov.uk/asd/asd5/rrs-index.asp>

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