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Close flexible working loopholes to stop parents sacrificing careers, urge major employers

Vague guidance is giving some employers wiggle room to refuse parents the right to work flexibly

By Marianna Hunt
23 June 2020 · 6:00am





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Major employers, including banks Santander and TSB and energy firm Centrica, are calling for improvements to [flexible working](#) to ensure parents do not have to choose between their children and their career.

Twenty six firms, which together employ more than one million Britons, have signed an open letter calling for flexible working to be offered as standard to all employees. Other signatories included Teach First, the teacher training charity, and Network Rail, which manages the nation's train tracks.

Jane van Zyl of charity Working Families, which is leading the campaign, said loopholes [that allow employers to refuse flexible working](#) must be closed up. "This is particularly important as workplaces start reopening yet childcare remains hard to come by. It's also crucial in preventing women from [having to give up their careers](#)," she said.

ADVERTISING



The charity's legal helpline has received many calls from women who have been put on unpaid leave or dismissed as a result of their childcare responsibilities during Covid-19. Mothers are [47pc more likely than fathers](#) to have lost or quit their job since the lockdown began – often as a result of taking on extra childcare duties.

Major employers have written a letter calling for flexible working to be made the norm

Covid-19 has thrown flexible working into the spotlight. Almost overnight, businesses like ours across the UK have been forced to innovate and change their ways of working.

ONS data shows that at the peak of the pandemic, nearly 40pc of UK workers were working exclusively from home, compared to just 5pc before COVID-19. The way the business world has adapted to the crisis – whether it's been a shift to remote working or encouraging flexible hours – proves that flexibility is possible in many more roles than employers had ever considered before.

As leaders in organisations that fully embrace flexible working in all its forms, we know that there's no going back to business as usual after the pandemic. This isn't a bad thing. When done right and fully embedded and supported within an organisation, flexible working can improve performance, engagement, and retention.

There's a wealth of evidence to back this up. A 2017 study of British businesses found that 9 in 10 employees consider flexible working to be a key motivator to their productivity—an even bigger motivator than financial incentives. And recent research from work-life balance charity Working Families shows that staff working flexibly within best-practice companies outperform their non-flexible counterparts.

We're proud to join the national campaign to #flextheUK and make flexible working the rule, not the exception. This doesn't just make business sense – it will also help close the gender pay gap and support millions of parents and carers in balancing their responsibilities at work and at home. We encourage the rest of the business world to follow our lead and harness the increases in productivity, talent attraction, and diversity that flexible working will bring to the UK economy long after Covid-19 has run its course.

Signed:

Liz Ashford, HR Director, TSB

Dimple Agarwal, Managing Partner People & Purpose and Deputy CEO, Deloitte

Cathy Armor, Director for People, Cambridge University Press

Perry Burton, Head of People & Culture, Grant Thornton UK LLP

Steve Collinson, Head of the UK People Team, Zurich Insurance

Rachel Duncan, HR Director UK, Experian

Richard Foley, Senior Partner, Pinsent Masons

Lyn Garner, Chief Executive, London Legacy Development Corporation

Jon Grantham, Managing Director, LUC

Peter Harrison, Group Chief Executive, Schroders

Russell Hobby, CEO, Teach First

Pauline Holroyd, Group HR Director, Network Rail

Chris Jackson, Head of Employee Experience, Centrica

Jo Mackie, Customer and People Director, Superdrug

Cristina Nestares, CEO of UK Insurance, Admiral Group

Claire McDonald, Managing Director, HDI Global SE – UK

Mike Mew, UK Sales & Business Development Director and Executive Sponsor for the Parents & Carers Network, MBDA UK

Mark Qualter, CEO of Managed Services and Executive Sponsor of Flexible Working, DWF

Anouska Ramsay, HR Director Culture & Capability, Santander UK

Madiha Sajid, Chair of UCL Parents and Carers Together Network, UCL

David Sansom, Chief Risk Officer, Lloyd's

Dr Rashmi Shukla CBE, National Director and Executive Sponsor for Flexible Working, Public Health England

William Stovin, President, Markel International

Harvey Tilley, Chief Operating Officer, Independent Living Fund Scotland

Charlie Weatherhogg, Director of Human Resources, Genome Research Limited (incorporating Wellcome Sanger & Connecting Science)

John Yarham, Interim CEO, The Careers and Enterprise Company

Prior to the pandemic, around a third of working parents were not given the option to work flexibly, research by Working Families shows. This is in spite of the fact that all workers [have the right](#) to request flexible arrangements, including choosing their own start and finish times and working from home.

There are a number of caveats in the Government's guidance that allow employers to refuse the request "if they have a good business reason for doing so" or if the person has been working at the firm for fewer than 26 weeks.

"This wording is not fit for purpose. It is too vague and allows employers to turn people down if they are worried, for example, that the changes will cost too much, will affect productivity or will simply be too complicated to work out," Ms van Zyl said. "We frequently get calls to our helpline from parents who simply do not know what their rights are."

Once someone has changed their hours, their employer is not obliged to allow them to change them back if their circumstances change.

Steve Collinson of insurer Zurich, which signed the letter, said: "This isn't flexible. It locks parents into a different pattern but locks them in all the same." He said employees should be allowed to work their contracted hours in a way that suits them, making changes when needed.

"This is what we do. Since we introduced this, we've noticed a big increase in women applying for jobs and in the number of women in senior positions," he added.

Explained: shared parental leave

New parents opting for shared parental leave can split up to 50 weeks of leave and up to 37 weeks of pay between them. They must use this in the first year after their child is born or, if they are adopting, in the first year after the child is placed with the family.

They receive statutory shared parental pay, which is currently £148.68 a week or 90pc of the family's average weekly earnings, whichever is lower.

A parent will not be eligible if they started sharing responsibility for the child after it was born.

They must also have been employed continuously by the same employer for at least 26 weeks by the end of the 15th week before the baby's due date and stay with the same employer during their leave.

Since Britain entered lockdown, the proportion of parents working flexibly has jumped to 85pc, Working Families found. Around 13pc of parents said they would like to continue doing so once lockdown lifted but did not think it would be an option.

Ms van Zyl said the Government should also do more to encourage parents to share leave after the birth of a child. "This would spare mothers from being penalised for taking a long career break," she said.

Uptake of shared parental leave [has been low](#), research shows, as new fathers are generally offered less generous time-off packages by their employer compared to mothers.

Analysis of 750,000 job advertisements by careers site Totaljobs found that less than 1pc highlighted the organisation's paternity leave policy. Adverts were seven times more likely to mention perks such as pet-friendly offices and team socials than [shared parental leave](#).

A Government spokesman said: "Existing employment law already gives employees the right to request flexible working, including remote working. We are exploring ways to further support employers and workers alike to work flexibly."

The Telegraph has launched its own campaign, Equality Check, calling on the Government to take into account the disproportionately negative impact coronavirus has had on women and their careers. You can read more about it [here](#).

Should flexible working be offered as standard to all employees across the UK? Share your view in the comments section below.

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