



Employment Relations Directorate
DTI
Room 3128
1 Victoria street
London
SW1A 0ET

Dear Anita Thomas

Response to ‘Work and Families ; Choice and Flexibility. Additional Paternity Leave and Pay’ consultation.

Children in Scotland is Scotland’s national agency for organisations and professionals working with and for children, young people and their families. It exists to identify and promote the interests of children and their families and to ensure that policies, services and other provisions are of the highest possible quality and are able to meet the needs of a diverse society. We have over 450 member organisations and also manage a Scotland based fatherhood project in partnership with Fathers Direct and the Equal Opportunities Commission called ‘Children, Fathers and Fatherhood’.

Children in Scotland welcomes the move to provide a statutory right to additional paternity leave and pay. We strongly believe that being cared for and nurtured by both parents will have a positive impact upon children’s development as well as family life in general. It will ensure that a child can be looked after by a parent for longer, and will enable and encourage fathers to take greater responsibility for the care of their child throughout its life.

Children in Scotland is broadly supportive of the measures detailed in the report to encourage and provide for additional paternity leave and pay. We do however have some concerns; firstly that a fathers right to paternity leave should not be tied to their partner’s employment status, that the benefits should be easy to access and simple to administer, and that fathers should be given the same job security as mothers who take ordinary maternity leave. Finally, we believe that the choice of when and in what order a family takes parental leave should be more flexible than is currently allowed for in this proposal.

We believe that as a matter of principle, a father’s right to paternity leave should not be reliant upon the employment status of their partner. There are many reasons why a women may not be eligible for maternity leave but still require their partner to share

the burden of child care. For example, women with other family care responsibilities. Children in Scotland believes that a man who qualifies for paternity leave should also qualify for additional paternity leave regardless of whether their partner is eligible for maternity leave.

It should also be noted that research has shown that the earlier fathers have access to paternity leave, the more likely they are to take it and that putting strict deadlines on when fathers can take additional paternity leave may be counter productive. As such Children in Scotland believe that while taking account of the mother's need to recover from childbirth, the choice of when and who takes parental leave should be made by the family according to their individual needs and circumstances.

There are a range of situations where the child and the parents may benefit from having a father present before the 20 week deadline suggested in the proposal. For example, in circumstances where the child or its siblings are disabled and both parents need leave at the same time. It may also be the case that a woman in a high skilled career may need to return to work as early as possible and need the father to take over the caring responsibilities. These families should be supported in their choices and not penalised for their circumstances. Children in Scotland welcomes the fact that the proposal addresses the issue of the death of a mother but would like to see consideration of the needs of a family where the mother suffers an inhibiting illnesses such as postnatal depression. In this case, a child could need the additional care of its father at the same time as a mother is on maternity leave.

On a practical note, we believe that substantial effort should be made to ensure that accessing and administering additional paternity leave is as painless as possible for both fathers and businesses. The DTI should make every effort to ensure that administrative bureaucracy and requirements are kept to a minimum.

Finally, Children in Scotland believes that the most important aspect of these provisions is to ensure that fathers have the same conditions and rights to return to work as mothers who take ordinary maternity leave. Failing to ensure this provision would be a disincentive for fathers to apply for leave. We strongly believe that this measure is the key to ensuring true choice and flexibility for families in Britain.

Yours Sincerely

Paula Evans
Policy and Parliamentary Officer
Children In Scotland