



# Flexistability:

Building back better for the  
UK's working families

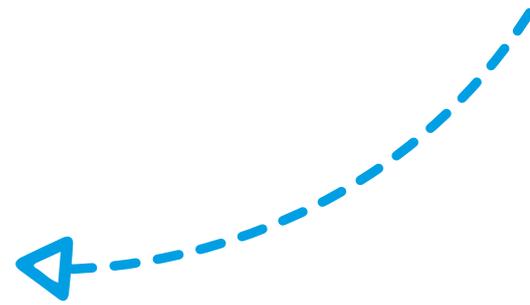




## Working Families is the UK's work life balance charity.

Our mission is to remove the barriers that people with caring responsibilities face in the workplace. We provide free legal advice to parents and carers on their rights at work. We give employers the tools they need to support their employees while creating a flexible, high-performing workforce. And we advocate on behalf of the UK's 13 million working parents for progressive policy change.

As the pandemic unfolded, we were inundated by working parents and carers urgently seeking our help as they struggled to remain in work and meet the needs of their families. We estimate that we saw up to a six-fold increase in the number of people getting in touch with our Legal Advice Service, almost overnight. The comprehensive online advice on COVID-19 we have compiled based on the queries we have received has been viewed, to date, by more than 1 in 24 UK working parents.



# Introduction

The COVID-19 pandemic has meant an unprecedented situation bringing a unique set of challenges and circumstances. Families have been in the eye of the storm.

At the height of the pandemic one in seven workers were affected by the closure of education and childcare settings - effectively ending the false wall between work and family life. The UK's 13 million working parents are a crucial part of our economy and ensuring that the labour market enables them to balance work and care should be at the heart of its industrial strategy.

There have been calls from many quarters to seize the opportunity of the upheaval caused by the pandemic to 'build back better'. Drawing upon the experiences we have heard from both parents and employers, this report outlines what building back better looks like for working families. Our proposals would create more inclusive opportunities to make 'levelling up' a reality, ensure the economy reaps productivity gains from engaged workers and enable families to thrive.



# The Context

The UK has long had a labour market that is incompatible with the needs of modern families. Our research has consistently found that those on the highest incomes and in the most senior roles are the most likely have accrued the control over working time that they need.

Before the pandemic two-thirds of parents (67%) earning over £50,000 worked flexibly, compared to two in five parents (43%) earning £15-20,000. The progress made on moving to more flexible forms of working has been incremental over the last decade and appeared to have stalled - 58% of parents told us they worked flexibly in 2015, compared to 55% of parents in 2020.<sup>1</sup>

This ongoing mismatch between the number of people who need to work flexibly and the low supply of flexible jobs<sup>2</sup> has led some parents to enter low-paid, insecure work as the only way to get some 'flexibility' in their working lives. While some of these arrangements can be mutually advantageous, parents contact our Legal Advice Service daily because they have little or no control over their work pattern and, therefore, their income. Prior to the pandemic, 2.1 million working parents were self-employed, working for an agency, on a zero-hours contract or working casually or seasonally.<sup>3</sup> Alongside fluctuating incomes, parents on these types of contract have fewer workplace rights.

In the year before the pandemic, 86% of the parents and carers that contacted us were women, and maternity rights remain consistently amongst the issues we are contacted about most often.<sup>4</sup> An estimated 54,000 women a year lose

their jobs simply because they have had a baby<sup>5</sup>, and women continue to shoulder the caring burden throughout their working lives. The 'motherhood penalty' is a key driver for the UK's persistent gender pay gap.<sup>6</sup> However, in recent years, fathers have seized opportunities to share care through the Shared Parental Leave scheme and a wider shift in societal norms. Our research has found that working fathers are increasingly stalling or downgrading their careers because of their caring responsibilities, in the same way that working mothers have done for decades.<sup>7</sup> This is a perverse form of gender equality.

Seven in 10 children in poverty are now in a working family.<sup>8</sup> Yet the UK's social security system - particularly the 'in-work conditionality' principle in Universal Credit - is based on the premise that jobs are readily available to claimants, and that work is a route out of needing additional support through the benefits system. But the low supply of quality, permanent flexible jobs precludes many parents from securing roles. Those that have found a job that works alongside childcare often still require support through the social security system because the job is low paid.

These issues reached their tipping point during the early months of the COVID-19 pandemic.

<sup>1</sup> All figures taken from Working Families/Bright Horizons Modern Families Index 2020

<sup>2</sup> Timewise Flexible Jobs Index 2019

<sup>3</sup> Office for National Statistics Parents and non-parents by sex and age of youngest dependent child and different working arrangements, UK and regions 2018

<sup>4</sup> Working Families Weathering the storm: the COVID-19 pandemic and working parents 2020

<sup>5</sup> Equality and Human Rights Commission Pregnancy and Maternity-Related Discrimination and Disadvantage: experiences of mothers 2016

<sup>6</sup> Institute of Fiscal Studies Briefing Note BN186 The Gender Wage Gap 2016

<sup>7</sup> Working Families/Bright Horizons Modern Families Index 2020

<sup>8</sup> Joseph Rowntree Foundation UK Poverty 2019/2020

# A new dawn for flexible working?

It was clear from day one of the UK-wide lockdown measures that those parents and carers working for flexible employers were in a far better position to make required changes to ways of working almost instantaneously than those who weren't.

Working Families employer members were quick to recognise and respond to the emerging situation, with parts of their workforce flexing their hours and working exclusively remotely during lockdown.

Prior to the pandemic, top-level corporate commitments to agility and measuring performance rather than 'presenteeism' did not always translate into the lived experience of employees.<sup>9</sup> Working Families employer members told us that the rapid wholesale move to homeworking has helped them to overcome some pockets of resistance to flexible working within their organisations.

"The vast majority (including senior leadership) have bought into remote and flexible working. Huge culture changes for us as a business. Substantial change to where we were previously."

Feedback from Working Families employer member, September 2020

"We were already very pro-flexible working but how well it's worked has been a significant learning point."

Feedback from Working Families employer member, September 2020

Of the 45% of parents who weren't working flexibly prior to the pandemic, nearly four out of five said that the reason was because managers had told them that flexible working wasn't possible.<sup>10</sup> Many parents felt their employer's cultural resistance to working remotely had been broken down by the pandemic.

"COVID 19 forced companies to allow staff to work from home. My experience is that we have had the technology and policy for many years, but middle management did not



support it and put barriers up to prevent staff working from home. Now they have no reason to object."

Respondent to Working Families survey, August 2020

In addition to support to work remotely and to flex hours, many Working Families members put a 'best efforts' policy in place for staff working through lockdown alongside their caring responsibilities.

"Our CEO gave the message to the Corporate Board and HR teams that "we've never had such a good opportunity to really prove that our people are the most important thing" and that has been a real guiding principle from the top. Because of that, all of our comms and engagement has been people-led and we have tried to make sure that everything has been authentic - with kids in the background...Obviously, parents and carers still worry and it's still been tough but everyone has tried hard to make things OK and provide support."

Feedback from Working Families employer member, September 2020

Members' approaches have delivered business benefits. The majority we asked reported that productivity had been the same as usual or better than usual during lockdown.

"It's obviously been a tough period but our engagement scores and level of pride in 'who we are' have risen a huge amount from February to July. In large part, this has been driven by how well supported people feel and our approach to flexible working'."

Feedback from Working Families employer member, September 2020

<sup>9</sup> Working Families Employer Benchmark consistently emphasises the need to close the gap between organisation's policy and practice

<sup>10</sup> Working Families/Bright Horizons Modern Families Index 2020

However, for parents, home working brought its own set of challenges, putting many families under huge strain.

**“It’s just me here, doing it all. Working full time, lone-parenting full time, house-wifing full time, educating full time. It’s horrendous. And because I have a professional job, I am meant to be grateful for every crumb and accept my powerlessness to move anywhere else, with gladness and grace.”**

**Respondent to Working Families survey, August 2020**

And while there has understandably been much focus on the opportunities and challenges of homeworking during the pandemic, flexible working is about much more than the location where work is carried out. As schools and childcare settings closed their doors, parents sought our help because the nature of their role or childcare pressures meant they couldn’t work from home - because it wasn’t possible in their role or because their childcare pressures were too great.

**Christine contacted us because her employer told her she needed to be back onsite working from the 1st of July. But she has two young children and no childcare available. Christine had been working from home but has been told that was no longer acceptable and that she needed to be onsite or take unpaid leave.**

Almost all the parents that we surveyed in summer 2020 told us that they wanted to work flexibly going forward, but more than one in ten (13%) said they didn’t think they would be able to get ongoing flexibility in their roles.<sup>11</sup> This indicates that there is still a translation gap in some organisations when it comes to flexible working.

Prior to the pandemic, the proportion of jobs advertised with flexible working - including part-time - options stood at just 14%, rising to 23% for salaries below £20,000 FTE (Full Time Equivalent).<sup>12</sup> This is compared to 87% of people wanting to work flexibly.<sup>13</sup> The events of recent months mean that the latter figure is likely to be higher still, while at the same time there are reports that the current economic situation means that some vacancies are attracting thousands of applicants. There is a real risk that without more quality jobs with flexibility at the point of hire, parents who have lost their jobs will simply be unable to get back into the labour market or have to take on low paid work - with all the consequent implications for household incomes and wellbeing.

The government has made a commitment to bring forward an Employment Bill which will deliver ‘better support for working families and workplace participation for all’, including through making ‘flexible working the default unless employers have good reason not to’. Seven in ten Working Families employer members require some or all of their external job adverts to identify how flexible a position could be<sup>14</sup> and two thirds (65%) give their employees the right to request flexibility from day one.<sup>15</sup> The Bill is an opportunity to act in step with progressive UK employers and ensure this approach is taken more widely, helping preserve and extend the more hybrid model of working we have seen since the onset of the pandemic.

## Recommendations:

**Legislating in the forthcoming Employment Bill for a duty on employers to advertise vacancies flexibly unless there are good business reasons not to is a progressive and pragmatic next step, helping ensure the pandemic’s flexible working legacy isn’t simply more working from home only for those that can.**

**This should be accompanied by additional reporting requirements prompting employers to think through their vacancies, guarding against a blanket approach to marketing roles as flexible (‘flex-washing’).**

**Employers should publicly report annually on:**

- **How many jobs are advertised on a a) part-time and b) flexible basis, with the flexible working options specified (as a proportion of all jobs advertised, by salary level)**
- **How many staff are recruited on a a) part-time and b) flexible basis (as a proportion of all jobs advertised, by salary and gender).**

**The perception that flexible working is normally something that is ‘earned’ is exacerbated by the 26-week qualifying period before employees can make a flexible working request. In addition to advertising jobs flexibly as the ‘norm’, the Right to Request Flexible Working can and should be strengthened, with a focus on ensuring more employers fully engage with the process. It should be made a day-one right, and the business reasons for refusing a request reviewed and strengthened in light of COVID-19.**

<sup>11</sup> Working Families COVID-19 and flexible working: the perspective from working parents and carers 2020

<sup>12</sup> Timewise Flexible Jobs Index 2019

<sup>13</sup> Timewise Flexible working: a talent imperative 2017

<sup>14</sup> Based on respondents to Working Families Employer Benchmark 2020 (unpublished)

<sup>15</sup> Working Families Top 30 Employers for Working Families 2020 announced press release 7 September 2020

# One-sided flexibility

It was clear from day one of the UK-wide lockdown measures that those parents and carers working for flexible employers were in a far better position to make required changes to ways of working almost instantaneously than those who weren't.

Low paid jobs that only pay when you can pick up shifts, leave you with no options if you get sick or if your childcare breaks down, and leave you vulnerable to losing your job altogether without notice, simply don't work for families. The coronavirus pandemic has thrown this into sharp relief.

**Janice is a single parent on a zero hours contract. She got in touch because she was told that her rota would be changed from days to nights, even though she has no family support available to enable her to work nights. Janice told us that she signed a contract for day shifts only but her employer told her that if she refused the night shifts, she would have her contract terminated.**

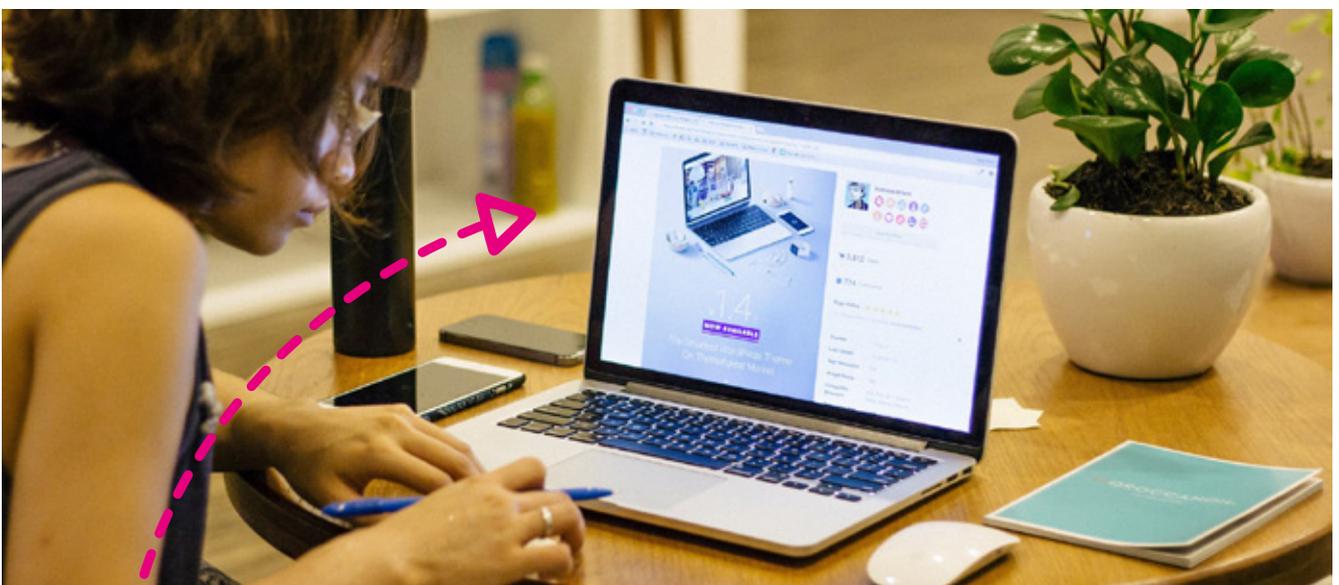
**Sam has been working for two years on a 20 hour a week contract during school hours. While schools were closed, she was asked by her employer to do 7-11am every day. Once schools re-opened, she wanted to return to her original working pattern but asked us for help because her employer told her that if she didn't keep the 7am start she would lose her job.**

These parents have fewer workplace rights, and found themselves on the receiving end of the wrong kind of flexibility - flowing only in the direction of the employer irrespective of the workers' circumstances.

## Recommendations:

**Job security is the foundation stone of genuinely two-way flexible work. Without ending the use of insecure employment contracts, including the inappropriate use of false self-employment, any government action on flexible working will simply benefit higher paid, professional workers. These contracts should be effectively banned by:**

- Ensuring workers have, from day one, a right to a contract that reflects the hours they work, a right to at least one month's advance notice of work schedules, and a right to compensation where shifts are cancelled or changed without reasonable notice
- Ensuring all UK workers have access to all parental employment rights - including to request flexible working and the ability to claim unfair dismissal - irrespective of their employment status
- Minimising the tax incentives for employers to offer zero-hours and bogus self-employed contracts and imposing significant penalties on those employers who use them inappropriately.<sup>16</sup>



# Paid parental leave

A number of Working Families employer members put enhanced leave provision in place during the pandemic, easing the financial imperative to work pre-pandemic hours.

Some parents who left or lost their jobs may have found themselves in a different situation if options for statutory paid leave had been available to them, particularly at the point schools and childcare settings closed. While UK parents who are employees have the right to take emergency time off for dependants or, on a more planned basis, parental leave, these entitlements are unpaid. This simply means that they are not a viable option for most families.

**Sally contacted us because her employer told her that she would soon be taken off furlough and expected to return to work. However, the school and wraparound care that Sally relied upon as a single parent was unavailable. She was worried as she could take a maximum of three weeks annual leave and commented that although she was entitled to take unpaid parental leave this would be 'a very short term option as bills still need to be paid'.**

## Recommendations:

**Introducing a new statutory right to ten days paid parental leave for all workers, that can be used irrespective of employment status and in an emergency as well as on a planned basis, would help mothers and fathers to balance work and care and ensure parents have more realistic financial options to deal with times of crisis like a breakdown in childcare arrangements.**



# Childcare

Affordable, available and reliable childcare arrangements are crucial to parents' ability to work.

Prior to the pandemic, of those working parents who required childcare, six in ten parents used formal registered childcare, three in ten relied on informal childcare and the remainder used a mixture of the two. 77% of parents considered their childcare needs before applying for a new job or a promotion.<sup>17</sup> But navigating the tangled web of childcare support can be complicated and difficult, with six types of support available in England alone<sup>18</sup>, each with different eligibility criteria and different ways of interacting with each other. Prior to the pandemic the childcare sector was in crisis with a £660million deficit in funding<sup>19</sup> and 17% of providers in England's poorest areas facing closure<sup>20</sup>. This situation has now worsened.

## Recommendations:

**As the country looks to build back better, it is critical the government fixes the UK's broken childcare system, prioritising it as the crucial part of the UK's infrastructure it so clearly is. Investing in creating a simple and efficient system of universal free high quality, accessible childcare that ensures parents are better off working, bridges the gap in provision between the end of parental leave and a child turning two, and offers support 52 weeks per year including before and after school and during school holidays, will pay economic dividends.**

<sup>16</sup> There are incentives for employers to keep a worker's hours low to avoid National Insurance Contributions (NICs) kicking in. Similarly, the beneficial NIC treatment of the self-employed is one of the main reasons for bogus self-employment.

<sup>17</sup> All figures taken from Working Families/Bright Horizons Modern Families Index 2020

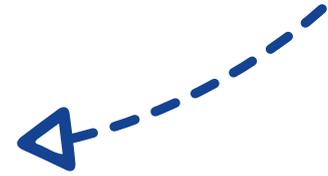
<sup>18</sup> Funded childcare for two year olds, universal funded childcare for 3 and 4

year olds, funded childcare for 3 and 4 year olds with working parents, tax-free childcare, Universal Credit and tax credits.

<sup>19</sup> <https://www.ceeda.co.uk/news/2019/early-years-sector-faces-662-million-funding-deficit-in-20192020/>

<sup>20</sup> Nursery World (2020) Nurseries in poor areas facing closure <https://www.nurseryworld.co.uk/news/article/nurseries-in-poor-areas-facing-closure>

# Caring - a flashpoint for workplace discrimination



As COVID-19 unfolded we saw an immediate retraction in equality at work and raised the alarm that women - especially mothers - were likely to pay a higher economic price for the pandemic due to their taking on the majority of childcare.<sup>21</sup>

At the outset of the lockdown, we were contacted by working mothers who were told by their employer that they could not work from home and care for their children at the same time, while working fathers at the same employer were being actively encouraged to work from home.<sup>22</sup> Two months into the lockdown mothers were one-and-a-half times more likely than fathers to have either lost their job or quit, and mothers were also more likely to have been furloughed.<sup>23</sup> Our subsequent research found that half of working mothers made changes to their working pattern to accommodate caring responsibilities, compared to a third of working fathers.<sup>24</sup>

“It’s an unmitigated disaster for gender equality at home and work. I am quite frankly devastated to watch all the hard work I have put in to build my career up ready for my youngest to start school wiped out in front of my eyes.”

Female respondent to Working Families survey, August 2020

**Polling that we undertook for this report found that one in five working parents (20%) felt they had been treated less fairly at work due to their childcare responsibilities since the pandemic began. This equates to 2.6 million people across the UK. This discrimination was more pronounced for working mothers (22%) than working fathers (17%) and for those working part time (29%) rather than full time (15%).**

Our experience of advising working parents tells us that those employees who are less ‘visible’ at work are at increased risk of redundancy. We are deeply concerned that parents will be harder hit in the economic downturn simply because they were required to provide full time childcare and home-schooling.

**Ella, a working mother, asked us for help because she felt she had been on the receiving end of an unfair redundancy process. She told us that she was not properly consulted or put into a pool of at risk employees before decisions were made. Ella commented that she believed she had suffered sex discrimination due to her childcare responsibilities during the pandemic.**

“Another colleague without childcare responsibilities took on extra ‘critical’ work, meaning she wasn’t furloughed. It worries me if redundancies were eventually made, this

critical work she was able to pick up could be the difference between keeping her and making me redundant.”

Female respondent to Working Families survey, June 2020

Women shoulder the lion’s share of caring responsibilities, and this forms the basis of the advice that we provide on workplace sex discrimination through our Legal Advice Service. However, there is little legal protection for working fathers who take on caring responsibilities (because fathers more broadly do not take on the majority of the responsibility for caring).

**Rob is a father of five children all of whom have complex medical needs. He contacted us because when one of his children required a hospital admission, he was told by his employer that he had ‘missed loads of work’ this year and needed to try and come in. Rob had to take four months off work during the pandemic because his family was told to shield, and he cannot work from home. Over the last ten years he has used his annual leave to cover his children’s medical appointments and hospital stays.**

Too often, caring responsibilities have been invisible in the government’s economic response to the pandemic. We warmly welcomed the decision to allow parents to be furloughed for childcare reasons but the time that it took for this announcement to be made meant many parents simply lost their jobs in the meantime. Similarly, the government signalled that employees should return to workplaces while many childcare and education setting remained closed, prompting an immediate rise in concern amongst working parents:

“I work in a large firm and the majority of employees are young and childless - I will feel real pressure if everyone is made to return and I can’t due to childcare commitments - I feel there will be a perception that I am not as committed as others. I was not furloughed at any stage and I continued to work my contracted hours whilst balancing childcare for 5 months and now I am being made to feel responsible for the demise of the high street because I can’t simply drop everything and return to the office.”

Respondent to Working Families wraparound childcare survey, August 2020

On 11 May 2020, the Prime Minister stated: 'If people cannot go to work because they cannot get the childcare that they need, plainly they are impeded from going to work, and they must be defended and protected on that basis'.<sup>25</sup>

However, there is no legal or regulatory mechanism to defend or protect working parents in the way that the PM suggested. Rather, we have seen an ongoing lack of understanding and empathy from some employers who believe that the re-opening of schools in September means they can expect employees to immediately return to the working pattern they had in March. In reality, parents are managing staggered school times, gaps in wraparound childcare provision, and the ever-present risk of being required to isolate their family.

**Hina contacted us because she had been informed that the after-school club that she and her partner rely upon to work full time wouldn't be available until at least after the October half term. She had an agreement for September to reduce her hours to work during school hours, using annual leave to make up the shortfall. However, her employer refused to extend this arrangement stating that she had all of September to find childcare and that was her responsibility. In common with many parts of the country, Hina has found that there is no alternative childcare provision available in her area.**

**Freya, who works in her daughter's school, got in touch after she was told that her family needs to isolate following a positive test result within her daughter's class. Her employer has said that she won't receive any payment for the isolation period, despite the fact that the government has introduced the Test and Trace Support Payment.**

A third of the UK's working population are parents. We have seen children 'popping up' on countless virtual meetings across the country and interjecting in national broadcast media interviews. The vast majority of our employer members feel they have an improved understanding of who the parents and carers are in their organisation as a result of the pandemic. The realities of balancing work and care have never been more

visible. But they remain stubbornly absent from economic policymaking. This is unsustainable.

## Recommendations:

**We agree with the government that parents who are simply unable to work in their usual way as their childcare arrangements are unavailable should be 'defended and protected'. The best way to achieve this would be to add caring responsibilities to the list of protected characteristics in the Equality Act, providing a legal foundation on which to tackle workplace discrimination against mothers and fathers.**

**Supporting parents to balance caring for children more equally between mothers and fathers or partners is crucial to protecting women's labour market attachment. The current system of leave and pay in a new child's first year does not always support fathers and partners' aspirations, perpetuating the idea of mothers as carers, underpinning gender inequality. Fathers and partners are doing more childcare since the beginning of lockdown.<sup>26</sup> The case for better leave entitlements for fathers has never been stronger. We are calling for a reformed framework where:**

- o **Mothers would still have the option to transfer some of their maternity leave and pay to their partner after taking two weeks of leave (as per the current system of Shared Parental Leave). However, 12 weeks is reserved for her and must be used in a block within 52 weeks of the birth**
- o **Fathers and partners are entitled to an additional 12 weeks of non-transferable partner's leave. It must be used in a block within 52 weeks of the birth**
- o **The remainder of a mother's maternity leave (39 weeks) can be transferred to her partner in up to three blocks**  
**- two blocks of paid leave (13 weeks) and one block of unpaid leave (12 weeks).**

<sup>21</sup> Women and Equalities Committee Mrs0138 - Unequal impact: Coronavirus (Covid-19) and the impact on people with protected characteristics

<sup>22</sup> Working Families Weathering the storm: the COVID-19 pandemic and working parents 2020

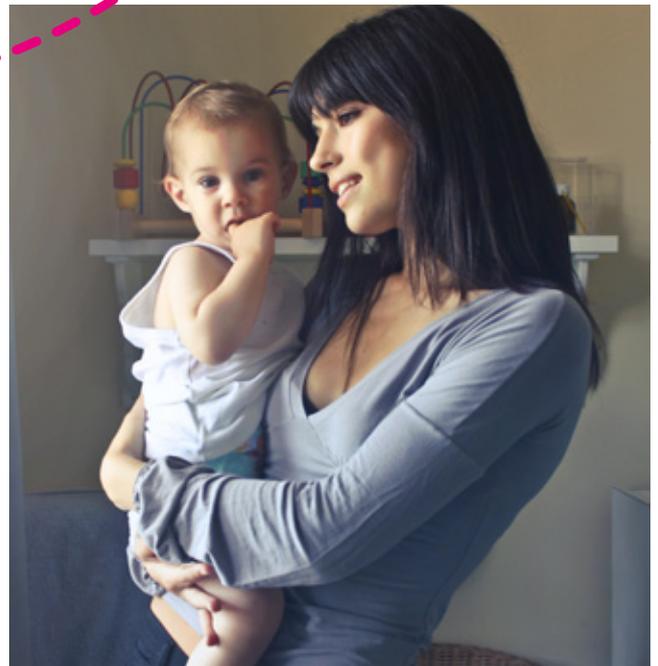
<sup>23</sup> IFS Briefing Note BN290 How are mothers and fathers balancing work and family under lockdown? May 2020

<sup>24</sup> Working Families COVID-19 and flexible working: the perspective from working parents and carers 2020

<sup>25</sup> House of Commons statement COVID-19 strategy 11 May 2020 Column 29

<sup>26</sup> The COVID-19 lockdown has led to a 58 per cent increase in unpaid childcare undertaken by men, according to data gathered by the Government's Office for National Statistics

# Redundancy protection for pregnant women and new parents



The UK already has widespread pregnancy and maternity discrimination levels, with over an estimated 1,000 women losing their jobs every single week because they have had a baby.<sup>27</sup>

The experience of those new and expectant parents who have contacted us during the pandemic suggests that this discrimination has become even harsher. A lack of clarity in government announcements and guidance - combined with the pre-existing paucity of employer understanding of health and safety requirements for pregnant workers - led to many pregnant women being incorrectly placed on statutory sick pay, or being dismissed altogether.<sup>28</sup>

The government has made strong statements during the pandemic about the fact that pregnancy and maternity discrimination is illegal.<sup>29</sup> But the fact is that pregnant women and new mothers have been economic victims of the pandemic.

**Clive contacted us because his wife had been informed she was being made redundant. She had been on maternity leave during COVID and was then placed on furlough. She had also offered to reduce her hours in order to help her employer bear the cost of contributing to the flexible furlough scheme. No other employees have been made redundant.**

**Tasha recently started a new job and was on probation throughout the lockdown period. During the time that she was working at home she became pregnant. Despite her work demonstrably improving this time, she was told her performance has suffered**

**and has been told not to return to work after maternity leave.**

**Amit works in a school and has recently welcomed his second child. He had been successfully working from home while schools were closed to pupils. Amit requested to take Shared Parental Leave. After this request was made the school changed their rota and required him to come in for three days a week. No other staff with young children were asked to come in. When Amit challenged the rota change his employer argued that since his partner is on maternity leave, she could look after the children.**

Recourse to an employment tribunal is not an effective solution - not least given the huge backlog within the legal system - and does nothing to tackle endemic damaging misperceptions about pregnant women and new parents.

## Recommendations:

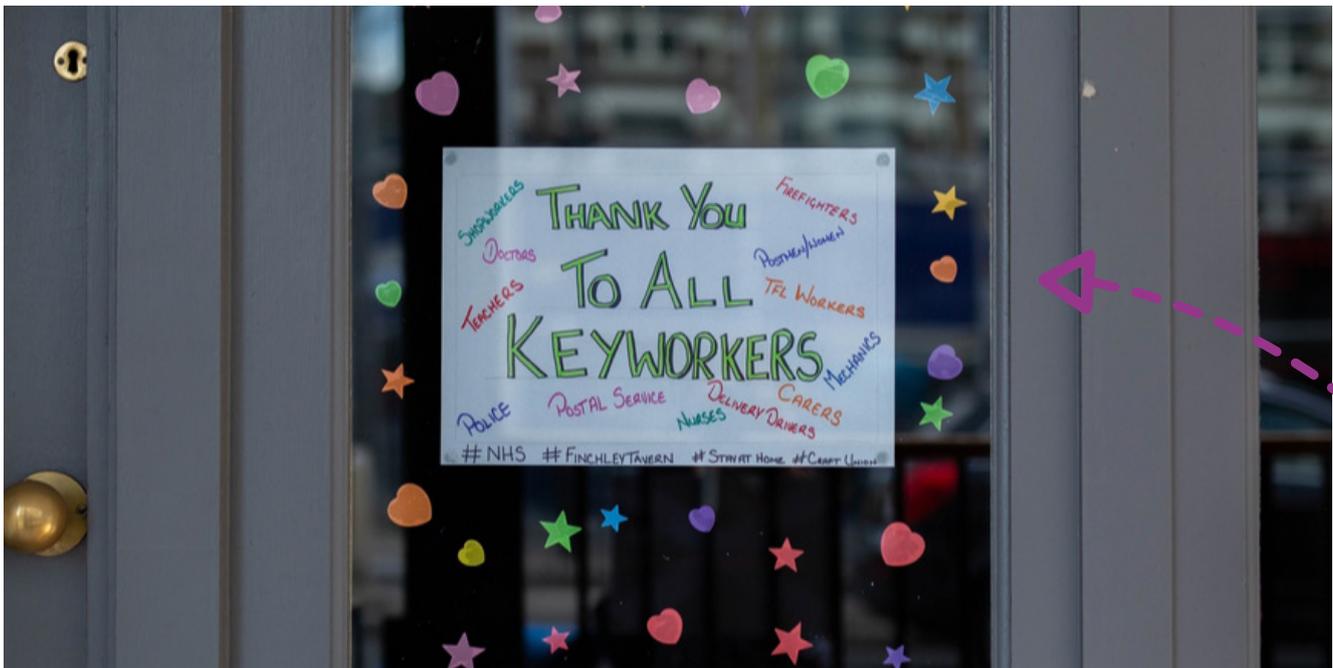
**The government must bring forward measures to ensure it is unlawful to make pregnant women and new parents redundant other than in very limited and specified circumstances, such as the closure of the business, given the expected scale of redundancies in the coming months.**

<sup>27</sup> Equality and Human Rights Commission Pregnancy and Maternity-Related Discrimination and Disadvantage: experiences of mothers 2016

<sup>28</sup> Employers are under a legal obligation to either provide a safe environment for pregnant women to work in, or to suspend pregnant workers on full pay if a

safe workplace is unavailable.

<sup>29</sup> For example, BEIS Committee Oral evidence: Work of the Department and Government response to coronavirus, HC 301 Q192



## Building back better

The social and economic consequences of COVID-19 have ushered in extraordinary changes in our country, almost overnight. We will need to find new ways to live with the virus for the foreseeable future: the way that we work is no exception.

The impact of the pandemic on families has been multi-faceted and, for some, extreme. However, harder hit have been those families where working parents have been unable to get the flexibility that they needed to keep the show on the road - whether that was flexibility over when and where to work, the need to match working hours to the limited childcare provision on offer, or certainty over future income.

The COVID-19 pandemic was also a crisis in which our employment rights framework was found sorely wanting. As well as exposing the unequal protections afforded to people working on different types of contract, the crisis demonstrated that parents who are being discriminated against because of their caring responsibilities often have nowhere to turn.

The forthcoming Employment Bill is a positive opportunity to create 'flexistability': a labour market and rights framework where all parents can access and progress in quality, permanent genuinely two-way flexible work.

The pandemic has demonstrated that flexibility is possible in many, many more jobs than were previously advertised on this basis. But without intervention, the UK labour market will be split even more sharply into flexible working 'haves'

and 'have nots'. Being able to balance work and care should not be a luxury found only amongst leading employers: legislating so that jobs are advertised flexibly as the norm and so that flexibility is available from day one of the job will level the flexibility playing field.

A rigorous and universal rights framework is an essential safety net to keep parents in their jobs at times of crisis. Extending parental employment rights to all workers will give families the security that they need. Access to ten days paid parental leave could be the difference between staying in a job or moving inadvertently into long-term unemployment, with all of its associated economic and social costs.

The government has the means to shield parents from discrimination in the workplace through new protections, including dedicated measures for pregnant women and new mothers. The promised reforms of the UK parental leave and pay system could also help families to shift the dial on shared care, building on the positive experiences that many families have had during the lockdown.

The time is ripe to implement these measures to 'future proof' a resilient labour market and safeguard family livelihoods long after the pandemic has run its course.



Working Families is the UK's work-life balance charity. Our mission is to remove the barriers that people with caring responsibilities face in the workplace.

We provide free legal advice to parents and carers on their rights at work. We give employers the tools they need to support their employees while creating a flexible, high-performing workforce. And we advocate on behalf of the UK's 13 million working parents, influencing policy through campaigns informed by ground-breaking research.

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