

# Breaking down barriers: a manifesto for working families



## Introduction

Since the General Election in 2019, the UK has faced a number of significant challenges, most notably the Covid-19 pandemic and the subsequent cost-of-living crisis. The pandemic prompted huge shifts in working behaviour alongside an overdue recognition of the benefits that flexible working can bring. But it also brought about a particular focus on home/hybrid working at the detriment of the many other forms of flexible working which could benefit many families. Additionally, as our *Working Families Index 2023* highlighted, the cost-of-living crisis has disproportionately impacted those on lower incomes with caring responsibilities, making life for these families incredibly challenging.

Against the backdrop of these challenges, a range of cross-party legislation became law, including the Neonatal Care (Leave & Pay) Act and Carer's Leave Act. Whilst these changes to the law are welcome, the failure to bring forward a wide-ranging Employment Bill means that there are still several areas where no legislation has been introduced, such as improving accessing justice and increasing pay for those taking parental leave. It is important that the next Government implements legislation that takes a holistic view of employment legislation, ensuring that any rights introduced by new legislation can be enforced.

While we recognise that the next Government will want to take time to gauge the impact of a range of government-backed Private Members' Bills, including legislation such as the Employment Relations (Flexible Working) Act 2023, Working Families is acutely aware that many of the barriers that people with caring responsibilities face in the workplace still remain. As such, we believe that the next election offers an exciting opportunity for the next Government to build on the work that has already been undertaken. We have identified five key areas where the next Government can make an immediate difference to working families. We believe that the policy recommendations in this manifesto offer a practical course of action that will make significant and meaningful change.

# Our Policy Priorities

In seeking to bring about change, Working Families works to a core set of values, of which one is working in a practical way. This means that while we set ourselves aims that we want to see realised, we are also keen to optimise opportunities to bring forward change, even if that change doesn't represent an end point to our campaign.

With this in mind, we worked closely with a range of MPs such as Stuart McDonald and Yasmin Qureshi on their Private Members' Bills, and we also worked with the Conservative Government and Civil Service to ensure that legislation such as the Retained EU Law (Revocation and Reform) Act did not have a detrimental impact on employment rights.

We have developed the following set of goals which we will not stop campaigning for until they are realised:

- Parental leave should be reformed so that it is more accessible for fathers/ partners and all new parents regardless of whether they are an employee, worker, or self-employed. Reforms should provide fathers/partners with their own increased (non-transferable) blocks of leave, and ensure that all mothers and fathers/partners are able to take the leave they need by setting statutory pay at levels that make it affordable.
- All parents have access to affordable and quality early years childcare, which suits their working requirements and ensures there is no gap between the end of paid parental leave and the start of funded childcare.
- All job roles are designed with flexibility in mind, so parents and carers are able to thrive in work while balancing their caring responsibilities.
- The social welfare system supports parents and carers in times of need.
- Working parents and carers are confident that there is a legal framework and justice system that understands their needs and upholds their rights and entitlements.

We recognise that not all of these changes are going to happen at once. We also understand that these changes need to be evidence-based, and to work for both employers and employees. As a charity, Working Families is in a unique position to utilise the expertise of both our employer members and services users of our legal advice service. In making our policy calls, we have been able to call on the opinions and experiences of both groups.

For this reason, we have broken down our five key principles into manageable policies that are evidence-based and, we believe, achievable for the next Government to implement.

**1. Parental leave should be reformed so that it is more accessible for fathers/ partners and all new parents regardless of whether they are an employee, worker, or self-employed. Reforms should provide fathers/partners with their own increased (non-transferable) blocks of leave, and ensure that all mothers and fathers/partners are able to take the leave they need by setting statutory pay at levels that make it affordable.**

## Our Policy Recommendations

- As an absolute minimum we expect the next government to improve paternity pay for the existing two weeks leave to 90% of salary (capped) to ensure new fathers and partners can afford to take it, and to encourage more employers to enhance parental leave.
- A review of new parent leave should be undertaken that sets out a long-term plan to increase pay rates to an affordable level for lower income families, expands coverage, and provides fathers with greater opportunities to take leave.

### Key facts

- The UK's statutory paternity leave offer is over eight weeks shorter than the OECD average,<sup>1</sup> and almost a quarter of new fathers and partners are ineligible to take it due to being self-employed or not having worked for their employer for 26 weeks.<sup>2</sup>
- Of those eligible to take paternity leave only a third do so,<sup>3</sup> and only 5% of eligible fathers and partners take Shared Parental Leave.<sup>4</sup> This is largely due to the financial implications of taking leave: a father earning the average salary for a man in their 30s would be £1000 worse off for taking paternity leave paid at the statutory rate.
- Low levels of statutory pay have a huge impact on parents' ability to take leave when they have a new baby. On average, working mothers from lower-income households are taking just 23 weeks off work when they have a new baby (compared to the national average of 39 weeks).<sup>5</sup>

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<sup>1</sup> The UK offers 2 weeks of paid paternity leave; the average paid father-specific leave across OECD countries in 2022 was 10.4 weeks. <https://stats.oecd.org/index.aspx?queryid=54760>.

<sup>2</sup> TUC, 2017 <https://www.tuc.org.uk/news/quarter-new-dads-are-missing-out-paternity-leave-and-pay-says-tuc>

<sup>3</sup> EMW, 2023 <https://www.peoplemanagement.co.uk/article/1792695/third-eligible-fathers-taking-paternity-leave-analysis-finds>.

<sup>4</sup> The Department for Business and Trade evaluation of SPL, 2023 <https://www.gov.uk/government/publications/shared-parental-leave-spl-evaluation>

<sup>5</sup> Working Families Index 2023: Spotlight on Lower-Income Families: <https://workingfamilies.org.uk/publications/working-families-index-2023-spotlight-on-lower-income-families/>

- Only 29% of lower-income working parents have access to enhanced leave and pay. And 7 out of 10 lower-income mothers who didn't have access to enhanced leave took less leave than they wanted to, due to financial concerns.<sup>6</sup>

Working Families has previously driven forward a better deal for parents and carers, having been integral to the introduction of Shared Parental Leave. While we are proud of our record in helping to instigate change, we also recognise that more is required to enable many more parents and carers to be able to afford to take parental leave – especially for those on lower incomes.

Our *Working Families Index 2023* shone a spotlight on parents and carers on lower incomes and the findings showed that of those surveyed only 29% of working parents on a lower income had access to any enhanced parental leave and pay entitlements from their employer. This means that while it is positive that larger employers such as Aviva and even SMEs such as Working Families are leading the way in offering enhanced parental leave, it is time for the statutory rate of parental leave pay to be raised. After all, it is abundantly clear that parents will choose to spend more time with their new baby if they can afford to do so.

We know that as an absolute minimum, improving paternity pay for the existing two weeks' leave to 90% of salary (capped) will make sure that new fathers can afford to take leave. In isolation, though, this is not enough. The next Government must undertake a comprehensive review into new parental leave and pay. This review needs to set out a long-term plan that creates a base level of parental leave that means those on the lowest incomes can afford to take it, while encouraging all employers to then implement enhanced leave packages.

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<sup>6</sup> Working Families Index 2023: <https://workingfamilies.org.uk/publications/working-families-index-2023-spotlight-on-lower-income-families>

## **2. All parents have access to affordable and high-quality early years childcare, which suits their working requirements and ensures there is no gap between the end of paid parental leave and the start of funded childcare.**

### **Our Policy Recommendations**

It is crucial that the Government funds new and existing childcare provisions at rates that are sustainable for the early years sector, allowing them to meet increased demand, and reviews how Tax-Free Childcare and Universal Credit Childcare Element can further support working parents.

In the next Parliament, the Government should set out a long-term plan to reduce the costs for parents, ensures that at least 48 weeks of the year are covered, and supports lower income families with wrap-around care options.

#### **Key facts**

- The UK's childcare costs are some of the highest in the developed world (OECD) at 25% of the average couple's wage.<sup>7</sup>
- Over half (51%) of lower-income parents have had to reduce their working hours to manage childcare needs, and a fifth have had to quit their job altogether. Four in ten low-income parents said they had gone into debt to pay for childcare.<sup>8</sup>
- Nearly half of working parents of under-fives on lower incomes reported that their mental health was negatively affected by difficulties accessing childcare, while three in ten said that the high cost of childcare has had a negative effect on their relationship with their partner.<sup>9</sup>

Childcare isn't optional. All parents and carers are faced with the challenge of providing childcare for their child(ren). Challenges around finding and affording childcare are not only preventing parents from staying in work and progressing in their careers, but are also taking a financial and emotional toll on families, causing parents and carers to slide into debt and negatively affecting their mental health and relationships. This is perhaps best exemplified by a respondent to our *Working Families Index 2023* who told us: "I work for £9.50 an hour, and childcare here is £11 an hour – how am I meant to pay childcare that costs more than I'm earning and pay for a household too?".

Not only are the costs of childcare barriers to employment for parents and carers, but they also affect productivity and career progression. We are seeing repeated incidences of

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<sup>7</sup> OECD: Net Childcare Costs for Parents Using Childcare Facilities, 2024

<https://stats.oecd.org/Index.aspx?DataSetCode=NCC>

<sup>8</sup> Working Families: Working Families Index, 2023

<sup>9</sup> Working Families: Working Families Index, 2023

parents and carers not being able to take on promotions or even apply for roles because of the cost of childcare being too high, evidenced by the fact that 3 in 10 UK parents are currently working in jobs below their skill level because their jobs offer greater flexibility.<sup>10</sup> At the same time, we are seeing funding issues causing providers to struggle and, in some cases, shut down.

We welcome the renewed focus that this last parliament has brought on early years childcare but while the reforms are positive in principle, the details have been lacking. We are asking that the next Government funds new and existing childcare provision at rates that are sustainable for the early years sector, and reviews how Tax-Free Childcare and Universal Credit Childcare Element can further support working parents.

As a Founding member of the [Early Education and Childcare Coalition](#), we also believe that investing in childcare has benefits for the whole of society – a belief shared by 67% of the UK voters.<sup>11</sup> That is why we are asking for a long-term plan to reduce the costs for parents, ensuring that at least 48 weeks of the year are covered so the high-costs are not the cause of stress and debt, and why we are asking for wraparound care to be provided for lower income families so that work pays and childcare isn't a financial drain. The time has come to stop childcare being a barrier to work for parents and carers.

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<sup>10</sup> Working Families Index, 2023: <https://workingfamilies.org.uk/publications/working-families-index-2023-spotlight-on-lower-income-families>

<sup>11</sup> EECC, 2024

<https://static1.squarespace.com/static/646ca30371a2ef6a657e9309/t/664640d370c06c337dbd2995/1715880148539/Rescue%26Reform+Manifesto+FINAL.pdf>

### **3. All job roles are designed with flexibility in mind, so parents and carers are able to thrive in work while balancing their caring responsibilities**

#### **Our Policy Recommendation**

- While the new ‘right to request’ legislation settles in, the government should encourage public sector employers to trial designing and advertising all jobs with flexible options and to report on the results.

#### **Key Facts**

- The supply of flexible working opportunities is not keeping up with demand: 31% of jobs are advertised with options to work flexibly, yet 87% of people want to work flexibly.<sup>12</sup>
- The lack of access to flex impacts some groups more than others. Two thirds of lower-income working parents who don’t currently have a flexible working arrangement would like one, and those on a lower income are also twice as likely to have an informal flexible working request rejected than the average parents.<sup>13</sup>
- While fathers are more likely to have access to location-based flexibility, mothers are twice as likely to work reduced or part-time hours.<sup>14</sup>
- Less than half (45%) of parents working part time reported career progression in the past five years in comparison to over 62% of parents with other forms of flexible working.
- Two out of three parents say that fear of losing out on the flexibility they currently have is a factor for staying in their role, meaning they may be trading opportunities and pay progression for flexibility.

Since the pandemic, much has been said about flexible working, and indeed progress has been made on making flexible working more accessible, including the current Government making it a right to request flexible working from day one in employment. However, access to flexible working has not been equal, especially as the focus has drifted onto home working/remote working. What is often left out of the conversation is that a surgeon can work in a flexible way, as can a cleaner – but neither can do so from their own homes.

Our *Working Families Index 2023* found that parents on a lower income are twice as likely to have an informal request for flexible working rejected than the average UK parent. Even when lower-income parents do access flexible working, there appears to be an inequality in the types of flexibility available. We believe it is vital that the next Government help create more dialogue and action on alternative flexible working arrangements such as staggered

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<sup>12</sup> Timewise: Flexible Jobs Index, 2023 <https://timewise.co.uk/wp-content/uploads/2023/11/Timewise-Flex-Jobs-Index-2023.pdf>

<sup>13</sup> Working Families: Working Families Index, 2023 <https://workingfamilies.org.uk/publications/working-families-index-2023-spotlight-on-lower-income-families>

<sup>14</sup> Working Families: Working Families Index, 2022 <https://workingfamilies.org.uk/wp-content/uploads/2022/05/Working-Families-Index-2022-Highlights-Report.pdf>

starts, compressed hours, or flexitime. All of these initiatives could enable families to manage childcare without having a negative impact on their income or their careers.

While we believe more can be done to improve access to flexible working, we believe that the government should work in partnership with employers to ensure that wherever possible, all jobs are designed and advertised with flexible working options. In addition to promoting Working Families 'Happy to Talk Flexible Working' strapline to employers, we believe the Government should encourage public sector employers to trial designing and advertising all jobs with flexible options and to report on the results.



## 4. The social welfare system supports parents and carers in times of need.

### Our Policy Recommendations

- Carers Allowance should be raised, alongside the earnings limit, to enable more carers to continue working. Similarly, means-tested benefits associated with caring, particularly the Universal Credit carers element should be raised.
- The five-week wait for UC support should be reduced, and support with upfront childcare costs via the Flexible Support Fund extended to claimants returning to work after taking maternity leave (not just for those starting new jobs or increasing their hours). A review of income replacement schemes should also be undertaken.

### Key facts

- In 2022, there were over 2 million households with children in receipt of Universal Credit<sup>15</sup> (that's one in four of all households with dependent children).<sup>16</sup> 40% of Universal Credit claimants are in work (over two million people).<sup>17</sup>
- 71% of people claiming Universal Credit find the 5-week delay in receiving payment problematic. Nearly 1 in 10 of people have used foodbanks whilst waiting for their first Universal Credit payment.<sup>18</sup>
- Carer's Allowance is only accessible if you care for someone for at least 35 hours a week and earn £151 or less net a week.<sup>19</sup> This limits the amount of paid work that a carer can do in order to still receive the Allowance whilst only rewarding them with an hourly rate of £2.34.

Working Families is mindful that the last few years have seen parents and carers face an unprecedented number of challenges. The pandemic was a challenge on an unmatched scale, often seeing parents manage work and childcare in the same space, while the cost-of-living crisis exacerbated the financial challenges working parents and carers were already facing.

The scale of support needed during this time can be highlighted through the numbers accessing our Legal Advice Service. In 2022/23 we provided personalised legal advice to nearly 1,700 parents and carers by email and phone, and nearly 1,000,000 working parents and carers accessed our legal advice pages. Our expert advisors also helped our helpline users to access nearly £100,000 in unclaimed benefits. These individuals are navigating

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<sup>15</sup> Department for Work and Pensions, <https://stat-xplore.dwp.gov.uk/webapi/jsf/tableView/tableView.xhtml>

<sup>16</sup> ONS: Families and households, 2024

<https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/families/datasets/familiesandhouseholdsfamiliesandhouseholds>

<sup>17</sup> TUC: Universal Credit cut will hit millions of working families and key workers, 2021

<https://www.tuc.org.uk/blogs/universal-credit-cut-will-hit-millions-working-families-and-key-workers>

<sup>18</sup> TUC: Universal Credit and the impact of the five week wait for payment, 2020 <https://www.tuc.org.uk/research-analysis/reports/universal-credit-and-impact-five-week-wait-payment>

<sup>19</sup> Gov.uk: Carer's Allowance <https://www.gov.uk/carers-allowance> and Low Income Tax Reform Group: Carer's Allowance, 2024 <https://www.litrg.org.uk/tax-guides/disabled-people-and-carers/caring-someone/tax-and-benefits-carers>

their way through a host of financial uncertainties and are desperately seeking help in the hope that we can offer some relief.

What we can conclude from those accessing our services is that it is time to reform how support is being delivered. The five-week wait for Universal Credit can drive families into debt spirals, while those who are returning to work from maternity leave aren't able to upfront help with childcare costs via the Flexible Support Fund in the way those starting new jobs or upping their hours can. These changes are easy to make and would have an immediate impact on reducing the barriers that people with caring responsibilities face in accessing employment.

We were delighted to work with Carers UK and a wide range of stakeholders to help secure the introduction of the new right to take up to five days of unpaid carers leave, introduced in April 2024. While this will provide an invaluable opportunity to many, the fact that the current rate of Carers Allowance is currently set at a maximum of £81.90 per week with an earnings limit of £151 per week is a real barrier to many carers to continue working. It is time to raise Carers Allowance alongside the earnings limit, alongside reform to the carer element of Universal Credit .

## **5. Working parents and carers are confident there is a legal framework and justice system that understands their needs and upholds their rights and entitlements.**

### **Our Policy Recommendations**

- The Government should review making caring the 10<sup>th</sup> protected characteristic under the 2010 Equality Act to ensure that those with caring responsibilities are better protected in the workplace.
- The Department for Business & Trade and Ministry of Justice should run a joint consultation exploring how early resolution services can be promoted to offer employees and employers an alternative to the tribunal system to resolve disputes so that parents and carers can stay in the jobs they value doing.

### **Key facts**

- Caring responsibilities are not covered in the 2010 Equality Act. This means that employers and service providers do not consistently consider carers needs, and individuals who experience discrimination based on their status as a parent or carer, are forced to make sex-based or discrimination-by-association claims to address grievances.
- An EHRC survey in 2018 found that 66% of people in England and Wales who had experienced discrimination reported that they did not know how to seek legal redress.<sup>20</sup>
- The EHRC estimates that up to 54,000 women a year lose their job due to pregnancy or maternity discrimination.<sup>21</sup>
- Only 1 in 4 women who experience pregnancy or maternity discrimination assert their rights in any way, only 3% raise a grievance and fewer than 1% bring an Employment Tribunal claim.<sup>22</sup>
- The legal costs for an Employment Tribunal claim about pregnancy-related redundancy can easily exceed £10,000, making it inaccessible for many women, especially if they are low paid.<sup>23</sup>
- Between 2008 and 2021 the average waiting time for an employment tribunal from receipt of claim rose from 31 weeks to 49 weeks.<sup>24</sup>

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<sup>20</sup> EHRC: Access to legal aid for discrimination cases, 2019

<https://www.equalityhumanrights.com/sites/default/files/access-to-legal-aid-for-discrimination-cases-our-legal-aid-inquiry.pdf>

<sup>21</sup> EHRC: Pregnancy and Maternity-Related Discrimination and Disadvantage: Experiences of Mothers, 2018

<https://www.equalityhumanrights.com/sites/default/files/2022/guidance-pregnancy-and-maternity-related-discrimination-and-disadvantage-experiences-of-mothers.pdf>

<sup>22</sup> EHRC, 2018

<sup>23</sup> Maternity Action: Unfair Redundancies, 2017 <https://www.maternityactioncampaigns.org.uk/wp-content/uploads/2017/11/RedundancyReportFinal.compressed.pdf>

<sup>24</sup> Hansard: Employment Tribunal Service, 2023 <https://questions-statements.parliament.uk/written-questions/detail/2023-01-26/133625>

The 2010 Equality Act covers nine protected characteristics including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sex.

Despite experiences of discrimination faced by unpaid carers in the workplace, caring responsibilities are not covered by the Equality Act, meaning there are no requirements on employers to make reasonable adjustments. In cases of discrimination, parents and carers have no direct means to seek redress and must claim discrimination based on one of the nine protected characteristics e.g. sex discrimination, or disability by association.

To ensure that those with caring responsibilities are better accommodated and protected in the workplace, the Government should review making caring the 10th protected characteristic.

However, a right is only as strong as the ability for employees to access it. We know that many of those who come to access our services do so because of the lack of awareness they have around their employment rights. In many cases, our team make our service users aware of their rights and entitlements and explain how they can access them.

At Working Families, we believe the role we play in making people aware of these rights and entitlements is invaluable, as is the role of organisations such as Citizens Advice and other rights supporting organisations. By empowering these organisations, we believe that employees will feel more secure in gaining access to existing rights and understanding the existing ways they can use them to help remove barriers they face from the workplace.

Through our work with both employers and supporting employees, we know that the current tribunal system requires reform. The cost of going to tribunal is prohibitive to many employees and for employers it is a time-consuming process. We believe that process can be made smoother for all parties and the way to achieve this is a joint consultation between the Department for Business & Trade and the Ministry of Justice to explore how early resolution services can be promoted to offer employees and employers an alternative to the tribunal system for resolving disputes.

We believe that top employers are already doing this through innovative measures such as training managers in conflict resolution or by proactively seeking mediation or early resolution alternatives to disputes to avoid the need for conciliation or tribunal processes. If this can be replicated on a wider scale it will help speed up the resolution of any conflict in the workplace and will encourage discussion rather than the costs and time associated with tribunals.

# About Working Families

Working Families is the UK's national charity for working parents and carers.

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 people while creating a flexible, high-performing workforce. And we advocate on behalf of the UK's 13 million working parents and three million unpaid working carers, influencing policy through campaigns informed by ground-breaking research.