

**PARLIAMENTARY BRIEFING ON THE CHILDREN AND FAMILIES BILL**

**HOUSE OF COMMONS COMMITTEE STAGE**

**This briefing is prepared by the Single Parent Action Network with the support of the following members of the Working Parents Group:**

**Amendment to remove the employment service requirement for a right to request flexible working Clause 101, page 109, line 41 at end insert (cc) subsection (8) is repealed.**

**Purpose of amendment**

The amendment removes the Secretary of State's ability to prescribe employment service conditions in order for an employee to qualify for a right to request flexible working.

**Reason for amendment**

Regulations currently prescribe that only employees with 26 weeks' continuous service with an employer have a right to request flexible working. This acts as a barrier to flexible job entry that has both a cost to the individual and a cost to the economy. It also undermines the effectiveness of welfare changes as many people are unable to find work that fits with their caring responsibilities or they move into poorly paid employment with the resultant ongoing in work financial support. Women are more likely than men to need to work flexibly as a tool to combine work and their caring responsibilities.

Without a right to request for job seekers individuals looking for flexible employment currently have to rely on advertised vacancies which evidence has shown are less available and where they exist tend to be lower skilled and poorer paid. A study (Gingerbread 2010, p3<sup>1</sup>) found that 83% of jobs advertised in London papers had no flexibility and only 11% were advertised as part-time. A recent study (Women Like Us, JRF March 2012<sup>2</sup>) found that although a quarter of jobs were advertised as part-time roles they

1 Changing the Workplace: the Missing Piece of the Jigsaw (2010) Gingerbread London.

2 Building a Sustainable Quality Part-time Recruitment Market (2012) Women Like Us, JRF London.

were much less likely than full-time jobs to pay at a reasonable level. They found that for every one part-time vacancy paying £20k full-time equivalent there were 18 full-time vacancies at this level. Another study shows that 51% of women aged 25-54 working part-time and below their potential were doing so because it was the only work they could get where they could combine work with caring for children (Holmes et al, 2007<sup>3</sup>). The Resolution Foundation (Resolution Foundation, 2012<sup>4</sup>) study found that nearly half of the women they surveyed had taken a lower skilled job because they were working part-time.

International comparisons show that Britain is falling behind in making the most of the skills of workers who need to work flexibly. In the Netherlands it is assumed that nearly every job can be done part-time and 46% of the population work part-time (Isusi & Cirral, 2004<sup>5</sup>). The German Government agreed targets for increasing the amount of jobs available flexibly and part-time hours employment laws have significantly increased the proportion of managers who work part-time rising from 3.7% in 2001 to 9.8% in 2003 (Hegewisch, 2009, p25<sup>6</sup>). In Britain the estimated costs of under utilising women's skills is estimated to be between 15 and 23 billion pounds or 1.3 to 2% of GDP<sup>7</sup>.

Welfare reform changes mean that more people are expected to seek work as a condition of receiving benefits, including many who need to work flexibly. For instance since 2008 400,000 single parents have moved onto job seeking benefits<sup>8</sup> (the majority are allowed to work part-time to take account of their caring responsibilities) . With the introduction of the Universal Credit partners of benefit recipients will need to seek employment. In addition in work conditionality, set out in the Welfare Reform Act 2012, will promote the idea that workers

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3 cited in DWP flexible Working Report, p19

4 The Price of Motherhood: Women and Part-time work. Feb 2012.

5 Part-time work in Europe. March 2004 European Working Conditions Observatory

6 Hegewisch, A. (2009). Flexible working policies: A comparative review.

7 Flexible working: working for families, working for business DWP.

8 Grayling, C PQ 28<sup>th</sup> March 2011 and figures from DWP report 736 May 2010.

should become less reliant on in work financial support. It will be increasingly important to open up job opportunities, including flexible employment on job entry, if the welfare changes are to succeed.

In the 2012 study (Women Like Us, JRF March 2012<sup>9</sup>) it was found that resistance to part-time recruitment was “related to workplace culture” and found that concerns about part-time working reduced with experience of it, “Employers who regularly employed and had recruited quality part-time staff were very positive about the business benefits” (page 4 summary).

A right to request at job entry could open up a significant number of opportunities for people entering the workforce. It would start the conversation about how a job might be undertaken by a suitable candidate in a different way and would contain the protection that employers would still have the right to turn down a request subject to the code of practice. This could be good for the business employing staff to help secure the best person for the job and good for the business of Government to make the most of their resources and the skills of it’s workforce.

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<sup>9</sup> Building a Sustainable Quality Part-time Recruitment Market (2012) Women Like Us, JRF London.