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# Equality through the ages: Parental leave



#### Introduction

Parental leave, that is time away from the workplace associated with the birth of an infant and includes maternity, paternity and shared leave entitlement. However, formal definitions vary by jurisdiction and have evolved over time (Moss & Deven, 1999). Leave can be both paid and unpaid.

#### Equality

Historically, men and women have been expected to conform to traditional gender roles (Wright, 2014). Within these roles individuals were treated differently due to gendered norms and assumptions. For example, in the UK prior to the gradual removal of the marriage bar, women were expected to leave work upon marriage/pregnancy to assume home-based duties and childcare, supporting men as breadwinners (Briar, 1997). Indeed, the initial policy shift towards greater equality in the workplace was as late as the 1970's. Equality when defined in terms of the same or no less favourable treatment for all individuals was not a clear policy priority until the (EU-led) legislative overhaul of the Equality Acts 2006 and 2010.

### Progress through the ages...

In order to understand why parental leave has a significant policy impact affecting many areas beyond it's own policy frame, it is useful to look back at historical attitudes and the development of leave provision. *Figure 1.* Parental leave timeline illustrates how far the UK has progressed since 1900. A number of incremental attitude shifts have been required along the road towards greater equality (Smith, 2014).



Employment

Protection Act 1975

## 1946

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National Insurance Act 1911 - Maternity benefit (30 shillings) 1911 Figure 1. Parental leave timeline Social Security Act 1986 - Statutory maternity pay [SMP] (6 weeks: higher rate 90% pay; 12 weeks: lower flat rate); universal maternity grant abolished

## 1992

Pregnant Workers Directive 92/85/EC -Maternity leave minimum (14 weeks); maternity pay minimum (= sick pay) Social Security Contributions and Benefits Act 1992 (amended) - Maternity leave (14 weeks); SMP

## 1999

Employment Relations Act 1999 - Ordinary maternity leave (18 weeks) Maternity and Parental Leave etc. Regulations 1999 Additional maternity leave (11 weeks)

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The Additional Paternity Leave Regulations 2010 / The Additional Statutory Paternity Pay (General) Regulations 2010 - Additional Paternity Leave/Additional Statutory Paternity Pay [ASPP] (26 weeks maximum in lieu of maternity entitlement post 20 weeks) Children and Families Act 2014 -Ordinary Maternity Leave/SMP (2 weeks); Ordinary Paternity Leave/SPP (2 weeks); then Shared Parental Leave (50 weeks) SMP/ASPP (37 weeks); then unpaid Additional Maternity Leave /Paternity Leave (13 weeks) 2015

## 2010

Statutory Maternity Pay, Social Security (Maternity Allowance) and Social Security (Overlapping Benefits) (Amendment) Regulations 2006 -SMP and maternity allowance (39 weeks)

2006

Maternity and

**Parental Leave** 

(Amendment)

**Regulations 2002** 

**Employment Act** 

2002: SMP and

## 21st century equality

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The key changes to UK policy which come into force April (2015) will seek to reduce pay inequality by extending shared parental leave. It will give parents the opportunity to choose how best to divide infant care responsibility (BIS, 2012). However in striving for gender equality, the reform may have unintended but significant consequences for matters including: employment conditions; short and long term maternal and infant health; childcare; infant feeding choices; birth rate; and parent-infant/infant-parent bonding.

#### Conclusion and research next steps

The UK has historically adopted a piecemeal approach to maternity, paternity and parental leave provision and pay. Perhaps as a reflection of this, there is little focused research that looks at the recent reforms (however see e.g: Long, 2012). Accordingly, my research question is considering how flexible parental leave may shape infant feeding choices. For example, both breastfeeding initiation and duration rates may be negatively affected if mothers return to work as early as two weeks post-labour. The current stage of 12 months data collection will give way to critical evaluation and reflection.

#### Acknowledgements:

Tom Mason Memorial Scholarship My supervisory team:

- ★ Elizabeth Mason-Whitehead
- ★ June Keeling
- ★ Edna Astbury-Ward Images: *Obsidian Dawn*

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Contact: **Delyth Wyndham** d.wyndham@chester.ac.uk www.delythwyndham.com

