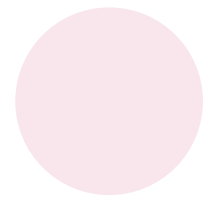
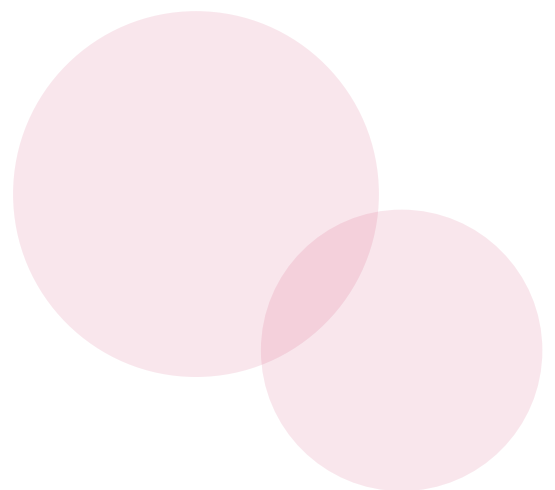
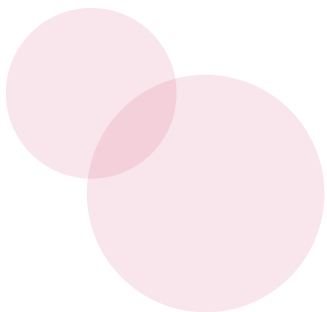
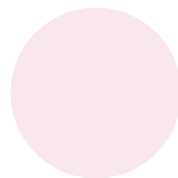


Research Paper



Flexible working for parents returning to work:
Maintaining career development

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Mary Mercer

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Disclaimer

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Flexible working for parents returning to work: Maintaining career development

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August 2017

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About the contractor

IES is an independent, apolitical, international centre of research and consultancy in public employment policy and HR issues. It works closely with employers in all sectors, government departments, agencies, professional bodies and associations. IES is a focus of knowledge and practical experience in employment and training policy, the operation of labour markets, and HR planning and development. IES is a not-for-profit organisation.

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Executive summary

The 'gender pay gap' has been widely reported on and is clearly a very stubborn issue to move. Lots of suggestions are offered, such as the need for more 'women on boards', but less is said about what can be done further down the line, *before* the disparity becomes pronounced. Women who have taken a break for maternity, adoption or caring responsibilities may struggle to retain their career paths but fathers also can pay a 'parenthood penalty', forgoing not their careers and salary necessarily, but time spent with their children and families, as evidenced by low uptake by fathers of flexible working arrangements and even paternity leave.

Both dimensions are at issue for this research, which was commissioned to consider how organisations are managing flexible working following a return to work after taking an extended period of leave for parental/caring responsibilities, and how organisations are then supporting people who work flexibly to maintain their career development, considering factors which may contribute to the gender pay gap.

The methodology adopted for the study comprised a purposive evidence review, coupled with a series of case studies.

Taking Leave

An organisation's attitude to flexible working and career development arguably becomes apparent before flexibility has even been discussed: at the point at which an employee informs their employer that they will be taking leave for the birth of a child, for adoption or for other caring responsibilities. Research (such as that published by Working Families) highlights that while women may be encouraged to take their maternity leave, keep in touch and be informed about all the options for flexibility on return, the father will often be treated differently. Survey evidence points to the fact that while most fathers take some leave for the birth of their child, this is often annual leave with employers less likely to enhance paternity pay nor encourage the father to take paternity leave, let alone remind them of the existence of flexible working.

Shared parental leave, introduced to encourage more equality in the 'who works, who cares' dynamic, has had relatively low levels of take up, perhaps unsurprising where fathers do not feel able to take just two weeks of paternity leave. There is a risk that organisations that have an enhanced maternity package but that have not enhanced shared parental leave pay will be seen to be signalling some form of status quo bias.

Some of the case study organisations in this research have demonstrated that by equalising the treatment of men and women around the taking of leave, they have laid the foundations for ensuring that those who take a break are not penalised on return. For example: by matching pay for shared parental leave to enhance maternity pay; by reminding new fathers as well as new mothers about their rights to request flexible working, and; by ensuring exposure, through mentoring and coaching, to senior people who have also taken leave and risen through the ranks. These organisations have found they have been well able to diminish any gender pay gaps and promote those who work flexibly into their senior ranks.

Take-up of flexible working

Despite now being open to all, the very implementation of the right to request flexible working, with its initial focus on young children and caring responsibilities, leant itself to take up by women. Hegewisch and Gornick (2011) summarised the view that “although mother-friendly policies enable more women to become economically active, they exacerbate gender occupational inequality” through either making family-friendly organisations and occupations more attractive to women or through the unequal treatment of female employees by employers following the take up of flexible working.

Many studies have shown that men are less likely to both request and be granted flexible working. It is suggested that men are fearful of flexible working as a risk to their career development, and are nervous of being seen as less than committed (Working Families; Cranfield School of Management, 2008). Employers might feel this too and overlook the potentially less visible flexible worker. As respondents in the Working Families and Cranfield report suggest:

“One of the drawbacks of not working full-time is a perception that you don’t have the job opportunities that you might have if you were working full-time.”

Other respondents identified those working shorter hours almost being ‘parked’ until they returned to a full-time contract in the future and were once again perceived to fully participate as an employee.

A report by Bright Horizons and Working Families (2017) suggests that men may conceal their family issues while at work and feel increasingly stressed by trying to create a work life balance while being denied or afraid to request flexible working. That research and the Third Work Life Balance Employee Survey (DTI 2007) found men in organisations who feel they cannot work flexibly for fear of being judged as not committed and therefore not worthy of career development; as well as many women who have taken up flexible working and accept being overlooked as the price to be paid for working flexibly while raising a family.

The case study organisations in this report demonstrate that creating equality around leave for birth, adoption or caring responsibilities, creates a culture where requesting flexible working also becomes more gender neutral, especially where the business case rather than the reason for the request is the basis for the decision. These organisations use flexible working as a business tool to meet customer need as well as a benefit for the employee. Also the case study organisations show that by focusing on output in the assessment of performance (rather than hours worked), flexible workers can continue to have their careers managed and developed.

Line manager skill

Line manager skill and performance is also key. While line managers are frequently the principal decision maker in a request to work flexibly, they are less often trained in how to make this decision and even less likely to be knowledgeable about how to manage a flexible team effectively. How performance is assessed can also have an impact. According to Capita and IES (2001) managers who often anecdotally suggest that their flexible workers are

among their hardest working and most loyal, do not always reflect this in their allocation of outcomes from the performance review process. Flexible workers suffer from not being able to present what Elsbach and Cable (2012) refer to as “passive face time”, seen as crucial to being regarded as the most dedicated worker.

Line managers need support and training if organisations want to overcome the judgements made about flexible workers, and support flexible workers in maintaining their career aspirations. In particular, line managers need to be supported to have open and honest conversations about development, career and family topics which can be sensitive and hard to discuss but which, if done well, can transform how well people are managed and developed. Performance review that focus on outcome (Clarke and Holdsworth 2017) aids the avoidance of subconscious bias and the application of presenteeism.

The case study organisations in this report, who have focused on line manager development and training, have been successful in creating flexible working for business performance as the way in which they operate. Enabling managers to have candid conversations has made it easier for them to ensure both the employer’s and employee’s needs are met, reducing unconscious bias around flexible working as far as possible and ensuring managers feel confident in their management of flexible teams.

Examples of excellence

There are organisations getting it right however, which have:

- equalised opportunities for paid leave for mothers and fathers and which actively encourage fathers to take leave
- been consistent in their approach to people requesting flexible working assessing requests on the basis of whether it can be accommodated by the business and not on the reason for the request
- spent time and energy in training managers in developing the skills they need to have in challenging conversations and to manage flexible teams
- looked at how they manage performance and the fairness in the system
- developed specific schemes to support and encourage returners, looking at how work is organised, how opportunities are promoted and how those having a break can return and maintain a career track.

While approaches to flexible working and taking leave will depend on an organisation’s circumstances to some extent, these organisations represent a body of good practice which can be inspiring to those who also seek to support returners, deliver flexible working and develop all staff to give their best performance.

The business case

Enabling all those who want to work flexibly in a way that can be accommodated by the organisation without the employee worrying about paying a career development penalty, can be enhanced where organisations consider flexibility as a business tool, implemented to create an agile and responsive workforce, rather than as a reactive response to accommodate caring responsibilities (M. Mercer, 2010).

The business case for flexible working has been around since the development of the right to request, with plenty of examples of reduced costs and increases in employee loyalty and productivity, if the right balance is achieved. The paradigm of working long hours and visibility equating to good performance seems stubborn to shift however. Organisations need to understand the business case more fully and ensure it is known and accepted throughout the organisation.

1 Research aims and methodology

1.1 Introduction

This study explores what organisations are doing to facilitate a return to work for parents and carers following a break – specifically, a period of maternity, paternity or parental leave¹. The research considers what organisations can and are doing in order to prepare employees for the period of leave and how parents and carers are supported while on leave and then on return, including access to and take up of various forms of flexible working.

The gender pay gap has been widely reported on recently and is clearly a very stubborn issue to move (D. Brown, 2017). There is interest in what can be done for women in junior levels before the disparity becomes so great. This situation is counterpointed by evidence of low uptake by fathers of flexible working arrangements and even paternity leave. With this context in mind, this project also examines how organisations are supporting those who return to work after a break to keep their careers on track, particularly if they take up some form of flexible working. It considers how treating men and women differently when they take or return from a period of leave can impact on both the wellbeing of men and the career development prospects of women.

The report presents a review of the evidence including:

- Taking leave and differences in approach to maternity, paternity and shared parental leave (examined in Chapter 2)
- Returning to work and the take up of flexible working – including the support and development of line managers and their impact on an employee’s career development (the focus of Chapter 3)
- The business case for flexible working: moving away from flexible working as a reactive response to leave towards more agile working for all (considered as part of Chapter 5)

This is supplemented by a set of case studies which highlight examples of good practice and interesting ideas for supporting parents and carers in their return to work and then maintaining their careers (set out in Chapter 4 and drawn on throughout).

1.2 Evidence review

A purposive evidence review was conducted to identify research targeted at flexible working, returning from a break in employment, good practice and equality/inequality. This review was guided by two research questions:

¹ Adoption leave was not separately considered but many of the findings would equally apply to adoption leave.

1. How are organisations managing flexible working following a return to work after taking an extended period of leave for parental/caring responsibilities?
2. How are organisations then supporting people who work flexibly to maintain their career development?

To answer these questions, papers were identified using the following search terms: flexible working, flexible work gender, career break, career progression, supporting managers, employment good practice, career success women, gender equality workplace, gender inequality workplace, caring responsibilities workplace.

Publications were identified through a number of different approaches. Academic papers published between 2000 and 2017 were identified by searching through three databases: PsycINFO, Web of Science and Scopus. In addition, searches were carried out on the websites of the Chartered Institute for Professional Development (CIPD), the Department for Work and Pensions, the Employers Network for Equality and Inclusion (ENEI), EU-OSHA (European Agency for Safety and Health at Work), the International Labour Organisation, the Organisation of Economic Co-operation and Development (OECD). Lastly, experts within IES highlighted additional seminal papers to include.

The review established over thirty papers that were pertinent. Literature was identified from articles and websites on a purposive basis, and a quality and relevance criteria was applied to include and exclude studies to ensure that the results presented had a robust evidence base and could be relied upon.

1.3 Case studies

To gain a snapshot of current 'good practice' across UK workplaces, researchers conducted four organisational-level case studies which involved speaking to human resources managers, general and line managers and employees, as appropriate.

Good practice employers were selected through the Top Employer for Working Families Awards which have been held for the last seven years and which identify good and innovative practice in flexible working. The awards were designed by Working Families, the leading charity and consultancy supporting working parents, in partnership with IES. In addition to the four organisations contacted by the researchers, one relevant case study was included which had been a winning submission in the Top Employers for Working Families awards, using their submission to those awards as a secondary source for this research. The case studies are not intended to be representative of all employers but instead give a flavour of interesting approaches that seem to be working.

The four organisations contacted for interviews were:

- Sacker and Partners LLP: with a focus on keeping in touch with employees on leave, Sacker and Partners have a detailed mentoring scheme and have ensured parity in their approaches to men and women as demonstrated by their approach to shared parental leave.

- Wales and West Housing Association: have developed a “systems thinking” approach enabling them to focus on employees’ achieved outcomes (as opposed to a task-centred performance management approach). This allows employees a great deal of flexibility in how they carry out their roles. They have also invested in the development of line managers.
- The UK Civil Service: has developed an across government job finder tool enabling the identification of job share partners across the whole of the civil service, including at senior levels. This tool has enabled the embedding of job sharing as a form of flexible working and has reaped organisational cost savings in terms of retention.
- The London School of Economics: offers a teaching and administration free term for those returning from a period of leave. This has been in response to fears that those taking leave (particularly women) were falling behind on their academic research, traditionally seen as crucial for career development. The organisation has also reconsidered their performance management process to put more emphasis on teaching and citizenship where women are considered to perform particularly well.

The organisation used as a case study from its submission to the Top Employers for Working Families awards is:

- The Foreign and Commonwealth Office: has recognised that those taking extended periods of leave may lose confidence and require flexibility on return and has set up alternative routes back into employment. (The FCO is staffed by civil servants and is considered here in its own right, separate to the wider Civil Service’s job-finder tool).

The managers interviewed for the case studies were asked a series of open questions focused on their specific activities to support those who has taken leave to return to the workplace and to maintain career development on that return, especially if the return included some form of flexible working. In particular, they were asked:

- How people are reminded of their right to request and how they access details on flexible working opportunities available
- The process of requesting flexible working, the level of formality, the discussion, the understanding of work patterns and impact, team based approaches
- How the managers of flexible workers are supported and trained in managing a flexible workforce and in considering requests
- How parity and fairness is ensured
- How flexible workers can keep visible, get opportunities and be treated fairly in performance management
- What specific strategies have been put in place to support flexible workers to manage their careers
- What challenges have been faced along the way

1.4 This report

Throughout the report, flexible working is taken to mean:

- part-time working
- reduced hours (for a limited period)
- job share
- flexitime
- compressed working hours
- term-time only working
- annualised hours
- working from home regularly

The right to request refers to the right to request flexible working. This has been in place for people with children under 6 (or children with a disability under 18) since 2003. The right to request was extended to people with children under 16, or for those with caring responsibilities and finally to all staff with six months service in 2015.

2 Taking leave: maternity, paternity and shared parental leave

An organisation's approach to flexible working and how it will be managed for parents returning to work after a period of leave can become clear, even *before* the parent-to-be has taken any leave. This is because the way organisations offer maternity, paternity and shared parental leave (SPL) and the similarities and differences between their offerings can act as a signpost as to how they might approach opportunities for flexible working and career development¹.

2.1 Maternity leave

Many organisations offer enhanced maternity packages increasing maternity pay beyond the statutory minimum.

In the Fourth Work Life Balance Employer Survey (Department for Business, Innovation and Skills, 2013) employers were asked if they offered any women taking maternity leave additional pay above the statutory minimum, referred to as occupational maternity pay. Among organisations which had experienced women taking maternity leave in the two years prior to the study, 22 per cent paid occupational maternity pay.

Establishments offering occupational maternity pay varied according to the following workplace characteristics:

- Size: Large establishments (60 per cent) were more than twice as likely as medium establishments (28 per cent) and more than five times as likely as small establishments (11 per cent) to pay occupational maternity pay.
- Industry: Higher levels of provision were found in the public administration and defence (28 per cent), finance (26 per cent), education (26 per cent) and health and social work (19 per cent) industries.
- Broad sector: The public sector was most likely to offer occupational maternity pay (31 per cent), followed by the third sector (14 per cent) and the private sector (11 per cent).
- Union presence: occupational maternity pay was paid in more establishments with union presence (28 per cent) than those without (nine per cent).

¹ Although the language used here (i.e. 'maternity' with reference to women and mothers and 'paternity' with reference to men and fathers) is conventionally gendered, it should be noted that some employers have inclusive leave policies for their employees which enable anyone who is considered the primary caregiver for a child, regardless of how that child is conceived, to take a set amount of leave.

Also key was that the more flexible working practices an organisation suggested it had in place, the greater the likelihood of occupational maternity pay being offered (from six per cent among establishments with no flexible working practices available to 26 per cent among establishments with 7-8 flexible practices available). Organisations were thinking therefore, about their overall package of support for mothers, from taking leave to flexibility on return.

The majority of employees who go on maternity leave look to return to work afterwards. The BIS Fourth Work Life Balance Employer Survey reported that 77 per cent of women who worked in the 12 months before giving birth returned to work 12-18 months later. In that survey, employers were asked whether their establishment operated various schemes to help women on maternity leave return to work. Employers were asked whether they offered a keep-in-touch scheme and retraining when mothers returned to work and if they offered a phased return process.

Over two-thirds of employers (68 per cent) offered a phased return to work. The proportion offering keep-in-touch schemes (63 per cent) and retraining on return (65 per cent) had increased significantly since 2007, when the then-Department for Trade and Industry (DTI) carried out the Third Work Life Balance study, so that these practices are now relatively widespread (while in 2003 they were limited to a minority of workplaces). Employers with direct experience of having employees take maternity leave in the last two years were even more likely to offer these schemes (76 per cent offered a phased return, 76 per cent offered retraining and 80 per cent offered a keep-in-touch scheme).

Enhancing maternity pay, encouraging limited but specific contact during a long break and supporting women to make the transition back into work are strategies which organisations can adopt to support women both during their break and after their return to work. These strategies begin from the announcement of the intention to take leave rather than being left until return and are becoming more widespread. Organisations can be seen to demonstrate that they have a package of support for mothers taking leave by offering enhanced maternity pay and a variety of flexible working options available on return. For example, Sackers and Partners – one of the organisations used as a case study in this report – begin discussing possibilities for flexibility when a woman makes clear her intention to take maternity leave. They also provide a maternity coach for women in senior roles who again will work with her client before leave has even started. All women are offered a mentor who has taken leave, as support on return. Equally important to Sackers is to keep in touch, with a carefully thought out balance between the employee being left to get on with their leave, while not being overwhelmed by changes that might have occurred while they were off. These strategies encourage women to return and also demonstrate Sacker's commitment to their smooth reintegration and continued career development: 58 per cent of the company's fee earning staff, who have reached partner level, are women (see Section 4.1 for a full case study of Sackers and Partners).

2.2 Paternity leave

As of 2011, nine out of ten fathers (91 per cent) took some time off after the birth of their baby (Department for Work and Pensions, 2011). According to the more recent Fourth Work Life Balance Employer Survey, a quarter of all workplaces (27 per cent) offered extra paternity leave (beyond the statutory two

weeks). The average length of occupational paternity leave provided was 4.8 weeks, though the most common length was two weeks.

The Fourth Work Life Balance Survey reported that only 17 per cent of organisations paid occupational paternity pay and 22 per cent of establishments had experienced fathers using holiday or annual leave rather than paternity leave. Private sector establishments were more likely to report male employees taking annual leave rather than paternity leave than was the case for public and third sector establishments.

Cultural barriers in the workplace may impede the uptake of paternity leave (Institute of Leadership and Management, 2014). According to the ILM study of 1,000 employees and almost 800 managers, fewer than 10 per cent of new fathers take more than two weeks of paternity leave, falling to 2 per cent among managers, who feel greater pressure to return to work (compared to 94 per cent of female managers). A quarter of new fathers take no paternity leave whatsoever on the birth or adoption of a child.

Even with the introduction in 2015 of Shared Parental Leave (SPL) – discussed at Section 2.3 – for the majority of new fathers, the time taken from work around the birth of a child is paternity leave or annual leave. While almost as many organisations enhance paternity leave pay as enhance maternity leave pay, it is clear that not all fathers take any paternity leave, with many opting instead to take annual leave.

A perceived lack of support from employers was revealed as a major factor limiting the uptake of paternity leave by the ILM study. Employees felt their organisations were less supportive of men taking two weeks of paternity leave than of mothers taking up to a full year of maternity leave, leading to fewer men taking time out from the office after the birth of a child.

Low levels of paternity pay were also seen to be depressing the number of new fathers taking parental leave. While 70 per cent of new mothers on maternity leave received full pay between 1 and 38 weeks, just 9 per cent of fathers received anything longer than two weeks at full pay. The ILM study concluded that this inconsistency in maternity and paternity pay is an active financial disincentive for new fathers to take more than the two weeks statutory paternity leave.

In general, organisations are not consistent in their treatment of mothers and fathers when it comes to reminding them about opportunities for flexible working (Working Families and IES, 2013). The Working Families and IES benchmark survey (of organisations considered leaders in the development of flexible working) found that while 93 per cent of organisations reminded new mothers of their right to request flexible working on the declaration of intention to take maternity leave (and 90 per cent reminding again on return), only 55 per cent reminded new fathers of their same right to request on declaration of intention to take paternity leave (and 31 per cent reminding again on return). Fathers are also less likely to be offered the opportunity to phase their return if they extend their leave.

One might interpret this difference in treatment of mothers and fathers as giving a signal from the employer about who they feel *should* be taking parental leave.

In this sense it may be seen to (latently) reinforce cultural stereotypes insofar as there is greater encouragement of mothers than fathers into taking a break, which may lead to women struggling to get into a career development path on return to work. Men who feel they cannot even take two weeks off around the birth of their child, for fear that this displays a lack of commitment as they are under pressure to return, are unlikely to feel secure taking a longer period of time off or flexing their working hours. It is clear therefore, that offering a good package of leave and flexibility to new mothers is not necessarily enough *in itself* to support mothers to return to work and pick up where they left off in terms of career development in all cases.

As the case studies undertaken for this study show, there can be an equalising effect where organisations adopt a more similar approach to new fathers and partners and signal that it is culturally acceptable to take leave around the birth or adoption of a child. This is helped still further if the organisation has established that it is acceptable for men to work flexibly as well as women. The London School of Economics, for example, has found that their approach to academic life can be quite flexible for men and women and it is therefore not unusual for men to work in a flexible way. Both men and women take time off around the birth of a child and take advantage of the teaching-free term that the University offers on return. The already established flexible culture has enabled men to feel that they can take leave and the teaching-free term on return without risk to their own career prospects. Encouraging both men and women to take leave and establishing a flexible culture has also helped the LSE to address what the organisation referred to as its “leaky pipeline” where the higher up the academic career ladder one goes, the fewer women there are (see Section 4.3 for a full case study of LSE).

2.3 Shared Parental Leave

Inequality of treatment between mothers and fathers – with mothers taking much longer leave than fathers around the birth or adoption of a child – were issues that lay behind the development of SPL in 2015. Replacing additional paternity leave, but not maternity, paternity nor adoption leave, SPL and shared parental pay (ShPP), are available for working parents who have or who adopt a child. SPL is flexible in that: employees can return to work between periods of SPL; it can be stopped and started; SPL can be taken by both parents at the same time if desired and; between them, parents can take up to 50 weeks of leave (the mother must take two weeks of maternity leave following the birth). Once a mother has stepped off maternity leave to share SPL with her partner, she cannot get back onto maternity leave.

ShPP is paid at a flat statutory rate throughout and even if the mother ends her maternity pay period before taking all of her 6-week enhancement, she cannot transfer the enhancement to the father/partner.

A year after the implementation of SPL, a number of studies looked at take-up and found that it had been slow. My Family Care (2015) suggested that, in the organisations they surveyed, women did not really want to give up their maternity leave in large numbers. Working Families (2016) found that around a third of organisations reported take-up to be at the level they had anticipated, with 11 per cent reporting higher than anticipated take-up, and 14 per cent a lower than anticipated take-up. Thirty-nine per cent of organisations reported no

take-up at all. The government anticipates take-up to be between 2-8 per cent of fathers (Commons Select Committee 5 April 2017).

A significant decision for organisations planning for the implementation of SPL was whether or not to enhance ShPP. My Family Care (2015) reported that 45 per cent of the organisations they surveyed were enhancing ShPP and, of these, 90 per cent were matching maternity pay (80 per cent of organisations enhanced maternity pay). Working Families (2016) found that 32 per cent of their surveyed organisations were enhancing ShPP and an additional five per cent were enhancing some SPL but not matching maternity. Forty-eight per cent of organisations were offering statutory pay for all of SPL and 13 per cent of organisations, eight months after the implementation of SPL, had still not decided.

Some of the organisations in the My Family Care survey had used SPL and its implementation as a way of distinguishing themselves from their competition and further demonstrating their credentials as a good employer. Even though take-up may be small and women may not be giving up their maternity leave in large numbers, these organisations had recognised that the way SPL is implemented gives clear messages to the market, to employees and potential employees about how they view mothers and fathers, the role of women in their organisation, and their attitudes to family life and flexibility.

SPL and how it is implemented has given organisations a crucial step towards enabling more women to progress into senior roles. As Jennifer Sabatini Fraone reported "The idea of parental leave options for men and women allows both parents time to focus on their careers and bond with their children. It also encourages a more open-minded workplace where families are not defined in the heteronormative terms of mother and father." (Sabatini Farone, 2014).

Where ShPP does not match enhanced maternity pay, employees might conceivably interpret this – rightly or wrongly – as a signal that their employer would rather female staff take leave around the birth or adoption of a child than male staff; and the barriers that prevent men taking even two weeks paternity pay may prevent them from taking an extended period of SPL. It follows that the opportunities to enable both parents to focus on their careers and on their families risk being lost. However, organisations who *have* matched ShPP, even where take up remains small, make it clearer that they are gender neutral in their offering of leave. This can be beneficial for both men and women and in particular for the continued career development of women. Both the LSE and Sacker and Partners, case studies in this report where SPL was discussed, had matched ShPP to their enhanced maternity pay. Sackers also offered all maternity benefits of coaching and mentoring to men (and women) who were taking SPL and had seen a small rise in the number of men expressing interest in taking SPL. The LSE, where cultural acceptance of men taking leave for the birth of a child was well established, has found that SPL has fitted easily into their benefits offering with men as well as women keen to take up SPL and the teaching free term that follows return, enabling both men and women to get back onto an academic track. The message from both organisations was clear: periods of leave and flexibility do not signal a lack of career commitment; they are just part of a package offered to attract and retain (and develop) the very best employees.

3 Returning from leave: take-up by parents and carers of flexible working

The right to request flexible working is now open to all, regardless of caring responsibilities and almost all employers (97 per cent) had at least one form of flexibility available including part-time working, and 88 per cent had at least one form available excluding part-time working (according to the Fourth Work Life Balance Employer Survey, 2013).

The nature of the introduction of the right to request, based as it was around childcare and caring, has meant the majority of those who have taken up flexible working, since the right to request in 2003, have been women. Even in organisations which had already extended their flexible working schemes to all staff, the pattern is usually similar.

Despite the extension of the right to request therefore, fathers might still not be as involved as they would like to be. Employers, who must offer the right to request to all their staff, might still focus their flexible working offering towards mothers.

The Fourth Work Life Balance Employee Report confirms that mothers, who were part of a couple, were most likely to be aware of this general right to request (87 per cent), compared with couple fathers (73 per cent).

Take-up of flexible options reflects the same pattern. Part-time working is most common among mothers (59 per cent) compared with fathers (15 per cent). Women with dependent children are more likely to work school terms only (42 per cent), compared with men with dependent children (24 per cent) and take-up of job-share is more common among female employees with dependent children (14 per cent), compared with male employees with dependent children (four per cent) (Department for Business, Innovation and Skills, 2012).

The Third Work Life Balance Employee Survey (The Department for Trade and Industry, 2007) found men who wanted to work fewer hours and would have liked to request flexible working but who did not. The survey asked "Would you prefer to work fewer hours, if it meant earning less money as a result?" – 31 per cent of men answered 'yes'. This has been confirmed more recently in a study which has found fathers want to take an active part in childcare and 38 per cent would be willing to take a pay cut to achieve a better work life balance. (Bright Horizons and Working Families, 2017). In *Working for Fathers* (Lancaster University and Working Families, 2011) the authors reported that 82 per cent of the 1000 employed fathers that they interviewed said they would like to spend more time with their family.

So the question remains as to why formal flexible working is still commonly the preserve of the working mother and, if fathers want to play an active role, why are they not more able to do so?

There is evidence to suggest that some employers may question the organisational commitment of those staff who work flexibly, and are less likely to confer on them promotion or bonuses for good performance. The Top Employers for Working Families Benchmark suggested that despite most organisations asserting that their clients and customers did not demand that full-time staff be

available, and that long hours and 'presenteeism' were not valued, part-time workers appeared to be struggling against negative assumptions about their efficiency. Part-time workers were less likely to be promoted than their full time colleagues, and less likely to receive the highest performance rating in appraisal (Working Families and IES, 2015). This pattern was uncovered across the Civil Service in 2001 in research published by the Cabinet Office (Capita and IES, 2001.). That research found– at that point in time – that women tended to do better than men in performance reviews at more junior levels, but that part time workers did less well than full time colleagues at all levels.

The situation is arguably not helped where employers ask for the reason for the request when people apply for flexible working. Even employers considered to operate a good practice approach to flexible working and included in the Working Families Benchmark studies, frequently asked for the reason for the request for flexible working and used that reason to make a judgement on the legitimacy of the request rather than making the decision solely on whether the organisation could accommodate the request. The Civil Service job share finder, which enables people to locate job share opportunities and partners, enables people to apply for job share roles, regardless of *why* they want such a role. Hailed as a success for diversity across the Civil Service for the impact on women seeking senior level job share roles, the scheme managers have also found people (particularly men) beginning to seek job sharing as they approach retirement (see Section 4.4 for a case study of the Civil Service job share finder).

Employers in the Fourth Work Life Balance Employer Survey were asked for the proportion of requests for flexible working that were made by men. Most establishments (65 per cent) had not received any requests for flexible working from men in the last 12 months, and this was particularly true in smaller organisations (69 per cent compared with 51 per cent in medium sized establishments and 26 per cent in large establishments). On average, employers who received requests from men reported that these requests represented a quarter (25 per cent) of all requests. Just over half (56 per cent) of employers who had turned down requests for flexible working in the past 12 months stated that at least three-quarters of the flexible working requests rejected were made by men. As reported in the Third Work Life Balance Employee survey, male employees are therefore less likely to make a request *and* more likely to be turned down when they do.

The Bright Horizons and Working Families study reported that many fathers found their workplaces generally unsupportive to their flexible working needs with 20 per cent suggesting their workplace was completely unsupportive, expecting no disruption and to whom they would not report any childcare problems or issues in case it was viewed negatively. In fact, 44 per cent of fathers reported that they had lied about family related responsibilities that might be seen to interfere with work. These fathers were reported by the same study as feeling 'burnt out' and working additional hours in the evenings, finding their work-life balance an increasing source of stress.

A sizeable minority of fathers reported in the Bright Horizons and Working Families study and in the Third Work Life Balance Employee Survey that they would be prepared to downshift, take a pay cut and compromise their careers in order to get more time with their families and better work-life balance (which the

Bright Horizons and Working Families report refers to as the “fatherhood penalty”).

The very fact that there is differential uptake of flexible working by men and women has the potential to *perpetuate* gender divides in the workplace, given that those working flexibly – who are disproportionately women – can be prone to become less visible, less well-paid and less likely to be promoted. As a consequence, it might similarly be reasoned that flexible working becomes increasingly the preserve of women as men fear the risk to their careers of taking it up and who, on the balance of evidence presented here, are also more likely to be turned down when they do make a request.

The possible workplace repercussions are two-sided, with implications for equal pay and representation of mothers at senior levels *and* potential wellbeing implications for fathers who lack sufficient work life balance. How employers approach leave for new mothers and fathers can therefore be said to be reinforced by how employers handle requests for flexible working on their return, and how appropriate employers view flexible working for men and for women. Fifteen years after the original right to request was introduced, one might surmise that employers are in some cases still making judgements about ‘who works and who cares’.

Wales and West Housing Association has made their flexible working all about the job delivery with men and women equally likely to work flexibly and at all levels in the organisation. A focus on outcomes and moving away from box marking in the performance management system has in their particular case meant that people feel they are appraised on their work outcomes and not on their work pattern or style. Its people are therefore not said to be concerned about the impact on their careers of working flexibly: indeed they use flexible working to help them deliver their jobs in the most appropriate and customer focused way, enhancing both individual and team performance (see Section 4.2 for a case study of WWHA).

Key to the success of this arrangement at WWHA has been the role of line managers, who play an essential part in ensuring flexibility for staff. Indeed, here and elsewhere, the impact of line managers on flexible working for parents returning to work – both in terms of *who* works flexibly and *how* these arrangements are managed – can be vital, and merits specific consideration.

3.1 The impact of line managers

Managing a flexible workforce is potentially difficult. Decisions need to be made about what flexible work patterns best suit the business need and, for managers on a practical day-to-day level, who is covering the work and where they are based. Many organisations expect that a request for flexible working will be handled by the employee’s immediate line manager. However, Working Families and IES found that nearly half (48 per cent) of organisations identified lack of line manager skills and knowledge as a bimportantarrier to flexible and high performance working, and more than 20 per cent of organisations reported that they did not train their managers in managing flexible teams (and where training was provided, it was compulsory in only half of organisations). (Working Families and IES, 2014). Clarke and Holdsworth (2017) note that flexible working can be hampered by barriers to productivity such as poor communication and team co-

ordination from managers. In some cases, flexible workers can also work too hard. Clarke and Holdsworth refer to “work intensification” where flexible workers are more willing to work longer hours and take work home as appreciation for the flexibility, which some managers do not always pick up or manage.

Working Families and IES suggested that addressing the acknowledged barrier of lack of line manager skill through more and improved training is something that employers needed to seriously consider. Of the organisations who took part in the Top Employers for Working Families Benchmark (2014), 28 per cent reported a lack of support amongst line managers for flexible working. This is a potentially significant issue. Without training and support there is a risk that line managers will remain uncertain of their skills to manage flexible workers effectively, and will struggle to build high performing flexible teams. Similarly, without support, there is greater risk that value judgements may be applied and unconscious bias demonstrated around requests for flexibility, performance and career development opportunities. Working Families and IES found that line manager support was also lacking around the introduction of SPL with 68 per cent of managers neutral or unsupportive of the implementation of SPL. Some 90 per cent of organisations, in the Working Families SPL research, had trained between 0-25 per cent of their managers in the new SPL legislation.

Studies have found that, anecdotally, managers value their flexible workers and report a positive relationship between flexible working and performance (Working Families, 2008). However, many organisations find that their flexible workers receive poorer outcomes in the performance management process and are less likely to receive the top performance awards. Managers still want to equate being seen in the office and long hours working as ‘good performance’ (Capita and IES, 2001). Elsbach and Cable (2012) refer to this presenteeism as “passive face time”: just being seen is important regardless of how efficient or effective you are, especially in a white collar setting. Elsbach and Cable refer to “expected face time” which is being seen during office hours. Putting in good “expected face time” led managers in their study to attribute traits of “responsible” and “dependable”. In addition, the authors observed “extracurricular face time” i.e. getting in early, staying late or being in at weekends. This led to managers attributing the traits of “committed and dedicated”.

Despite policy development and a wealth of flexible working options available to employees, a barrier can exist between top level support and a will for implementation and the reality of line managers trying to manage staff ‘on the ground’. If many employees want different work patterns, to work from different locations or to take blocks of time off, this could seem overwhelming for the line manager who has had little training in how to manage all these requests in the best way for the organisation. Lack of training in the rationale for flexible working or even SPL policy and, in particular, lack of skills development in the implementation of these policies means that managers could falter in reviewing and responding appropriately to requests. Value judgements can be applied about what is appropriate for men and women and implementation is likely to be patchy and inconsistent across an organisation (Capita and IES 2001). Clarke and Holdsworth (2017) also refer to inconsistency in the implementation of flexible workers amongst line managers in their small-scale, qualitative study, leading to feelings of unfairness between teams. They report that the extent to which team effectiveness is affected by flexible working “depends critically on how it is managed.”

In this study, Wales and West Housing saw the training that they had invested in managers as crucial to the making of good decisions about flexible working and the effective management of flexible teams. Managers there are seen as the essential role in ensuring flexibility for staff and delivery for customers. Wales and West have developed '*Developing heroes to make a difference*', a bespoke employee development programme – which includes 'development conversations' training for all staff and a five-day leadership programme for all line managers – based around Wales and West's own leadership model. Wales and West wanted to bring leadership to the top of the agenda in its drive to achieve excellence for its residents and staff. Such is Wales and West's emphasis on trust in people to do a good job that flexible working requests are always accommodated in some form (although sometimes this is a negotiation which, through training, managers are equipped to hold), and as a result flexible working is taken up by both men and women and is seen to be no barrier to development or career advancement (see Section 4.2 for a case study of WWHA).

4 Approaches that can work

Many organisations have implemented flexible working as a business tool aimed at facilitating employee and customer satisfaction and ensuring that opportunities for flexible working are employer-driven. Rather than waiting passively for employees to make a request, these employers look to see what kinds of flexible working might suit their businesses and encourage whole teams and new joiners , in some cases from day one, to adopt flexible patterns whether they are men or women, parents or not. Some have gone as far as implementing total flexibility, allowing employees to work where and when both they and the job requires.

These organisations have also implemented detailed support to ensure anyone returning from a break, both men and women, are able to integrate back into the organisation with ease and continue on a career track if so wished.

Some organisations have implemented very specific approaches to flexible working to ensure that the flexibility is visible (ie not a policy only), accessible and with outcomes measured to ensure that the business benefits are clearly understood.

Creating a culture that allows all employees to focus on both having a career and having a family, regardless of their role in that family, requires a lot of discretion and decision making by the line manager. That manager is key to the creation of the flexible culture and so must be trained and supported as some organisations have recognised.

Below are examples of organisations that are making flexible working, career progression and flexible cultures work for them, their employees and customers. These organisations were selected from their submissions to the Top Employer for Working Families awards which have been run for the last seven years by the leading flexible working charity Working Families, with the support of IES. Four organisations were contacted for further details and one has been reported using their submission to Working Families.

These case studies are presented as examples of what has worked for those organisations in their particular circumstances and from which generalisable lessons might be extracted. They are not intended to be prescriptive but to inspire where appropriate.

4.1 Sacker and Partners LLP

The law firm Sacker and Partners LLP discussed how vital a good keeping in touch programme and back to work support was for women returning following maternity or adoption leave. Sacker and Partners have made a determined effort to implement a back to work programme that will help women transition smoothly back into work following a break for maternity or adoption leave.

Sacker and Partners begin the process once a woman has informed them of her pregnancy and decision to take leave (or a man considering SPL or any parent preparing for adoption). The employee will then have a meeting with their line manager and human resources (HR) to discuss the process of maternity leave and return. Those taking leave who are fee earners are also offered an external

maternity coach with whom they can discuss the transition back into work and how to balance work and home commitments, with the Company paying for a number of hours and leaving it up to the employee and the coach to discuss how and when to use their hours.

On return to work, the employee is paired with a mentor at Partner-level who works flexibly or who has had a period of leave, to help them to transition back into the workplace and to support them as needed. The mentors are volunteers who were given orientation at the start of the programme on what Sackers were seeking to achieve, how it would work, and what their role was. They were also provided with a resource pack to help them and they provide support to each other in doing this important role. Each maternity mentor only has one mentee at a time to ensure they are not overloaded. A matching process ensures that people are allocated a mentor with whom they will 'gel' and be able to talk openly about issues. The exposure to a Partner also reaffirms that it is possible within the Company, to progress to partner level despite a period of leave or a flexible working arrangement.

Sacker and Partners are keen that women on maternity or adoption leave use their 'keeping in touch' days as they feel that a period of 12 months leave can be really hard to return from, and it can be a challenge for someone to 'get their head back into the workspace' after such a long break. People on leave are invited to social and corporate events so they are not out of the loop with how the company has developed in their absence.

Sacker and Partners also explicitly introduce the opportunities for flexible working to women who plan to go on maternity leave. At the initial meeting with HR, all the flexible working options are outlined and women are actively encouraged to consider how they might like to return while they are on their period of leave.

Any request for flexible working is considered by HR as well as line managers, as HR like to keep an overview of how requests are handled and treated. The application for flexible working is relatively formal and the applicant is encouraged to think carefully about the impact on the business. Feedback from the applicant's 'group leader' is sought before a decision on flexibility is made. Most requests are accommodated in some form and detailed progress is captured at three and six months following the move to flexible working.

Sacker and Partners' approach has been designed to ensure as many women as possible return to work following a break, are given exposure to senior staff who work flexibly to demonstrate the Company's commitment and can truly be flexible while keeping on a career track: 58 per cent of their fee earning staff who have reached partner level are women. The Firm's deputy managing partner is a working mother working part-time hours. Two other members of the managing group (one male and one female) have flexible working arrangements in place and overall, 32 per cent of staff work flexibly, with 40 per cent of partners, 30 per cent of associates and 29 per cent of business services staff in a flexible working arrangement.

Key to flexible working take-up is that it does not damage career development. Sackers promotes individuals based upon merit and this includes staff working flexibly. For example, six female lawyers working flexibly have been promoted in the last five years.

Notably, Sacker and Partners have matched ShPP to their enhanced maternity pay, while encouraging frank and open conversations about flexible working with men. Coaching, exposure to Partners working flexibly and all other benefits offered to women taking maternity leave are now offered to anyone taking SPL. Sacker and Partners admit that they were perhaps not as focused on fathers before the implementation of SPL. As a result, the Company has found a slow but steady increase in the number of fathers taking SPL. From one person in 2016, three have applied this year. As well as matching pay, Sacker and Partners offer their programme of coaching and return to work support to everyone taking SPL.

There are a number of factors that Sacker and Partners consider key to their success in encouraging flexible working and developing the careers of those working flexibly. Firstly, the Company has worked to ensure that the culture has moved away from the traditional view that flexible workers are not 'fully committed'. They have done this by ensuring flexible working is not focused on childcare but on the needs of the business and have a number of staff working flexibly for reasons other than childcare. They actively believe and promote the view that staff should have well-rounded lives to be the best performers. The fact that many partners work flexibly encourages those at more junior levels to believe that it is possible to progress and work in this way. They are upfront with clients about their approach to flexible working and the three and six month follow ups after the implementation of flexible working is primarily to ensure that the flexible worker is not overloaded.

4.2 Wales and West Housing Association

Wales and West Housing Association (WWH) operates a culture that puts their customers at the heart of what they do, working within a so-called 'systems thinking' approach that means 'anything is possible' as long as the focus is on outcomes and with an emphasis on their corporate values (Fair, Open, Reasonable, Supportive and Efficient). This was confirmed by a senior manager who stressed that, during her interview for the role, her technical expertise was "taken as read" and the ensuing informal conversation focused on "me as a person" values, fit with the Organisation and an explanation of what WWH wanted to achieve and why.

Such is WWH's emphasis on trust in people to do a good job that flexible working requests are *always* accommodated in some form, and as a result flexible working is taken up by both men and women. Crucial to the approach has been the investment in and support of line managers, seen as the essential role in ensuring flexibility for staff and delivery for customers. WWH have developed '*Developing heroes to make a difference*', a bespoke employee development programme – which includes 'development conversations' training for all staff and a five-day leadership programme for all line managers – based around WWH's own leadership model. WWH wanted to bring leadership to the top of the agenda in its drive to achieve excellence for its residents and staff.

Managers are said now have better, genuine and open conversations on a wide variety of topics, from discussions around work-life balance and workload to issues of performance or conduct. These open conversations provide a greater opportunity to understand and support their teams in a way that matters to them. Crucially men feel able, even encouraged, to discuss their family lives and their childcare issues with their managers who are trained in holding these more

difficult, personal conversations. This has transformed individual reviews which have a total development focus with no scoring, ranking or performance related pay.

As a consequence, managers are said to know their teams very well: their work and personal pressures. As flexibility is so commonplace and open to all, it is no barrier to career progression with, for example, a full-time role job shared if applicants want to work part time. Job roles are always advertised internally first to ensure staff get the opportunity to consider promotion in an organisation with low staff turnover. As one male member of staff said:

“Without flexible working, I would have had to change jobs, I don’t know what I would have done. For 18 months I needed to look after our two young kids for one day a week. It was a quick and straightforward chat with my line manager, discussing how it might impact on the team and then the decision was just made. It made a huge difference to my family.”

The Head of Finance explained that he works from 7am to 3-4pm to get “meaningful chunks of time off” but explained that the “phenomenal loyalty” shown by staff can create blockages for staff wanting to progress as staff turnover is so low. The organisation has overcome this by enabling staff to take secondments into other roles to learn new skills and to fully appreciate the big picture of the whole organisation. People can also split roles to operate in two roles during their working week to continue their career development.

A culture where flexibility is just part of good delivery and people are trusted to deliver sounds straightforward, but is not easy to achieve. WWH have arrived there by emphasising their corporate values and investing to ensure people are led and managed in a way that is true to those values. It is vital to the organisation that the values shown to their customers are also applied to their staff. A focus on development and how performance is managed is also said to have made a difference. No scoring, performance grades or performance related pay has enabled WWH to really focus on development and an honest conversation, with presenteeism unconscious bias minimised. Managers feel equipped and trusted to make decisions about flexible working for their teams. People feel “lucky” and “privileged” to work there. Flexible working is described as “non-binary” with different “tools in the toolkit”: a whole host of flexible options are possible and managers and their teams (men as well as women) are equipped to discuss all the options that might work for them.

4.3 The London School of Economics

The London School of Economics (LSE), like all universities, has traditionally set the career trajectory for academics largely on their research output. Although teaching is seen as important, amongst the academic community, it is the output in terms of publications which is really key to a good reputation and promotion.

A break for maternity therefore, can really set women behind. Not researching or publishing for up to a year leaves a large gap in a body of work and, on return, women have found it hard to catch up with their planning and teaching requirements let alone their research work. This has reportedly led to women struggling and often failing to ever catch up with their research work and as a

consequence falling behind in their career development and promotion opportunities.

In 2013, the LSE reviewed the structure of its academic staffing and went from four to three academic levels. A review was undertaken of what it took in order to pass from one level to the one above and found that much of it had to do with academic publication. It was clear to the organisation that there was already an issue with the promotion of women. At the most junior lecturer level, the ratio of men to women was about 50:50. However, at each level there were progressively fewer women. HR at the LSE described this as their “leaky pipeline”.

In response, the LSE now offers academic employees, who are absent for more than 18 weeks, a teaching-free and administrative-free term on full pay to catch up on research upon their return. This ensures that those who have taken a career break do not step off the career track and can catch up with their research and publication work.

At the LSE, academic life can be quite flexible for men and women and it is therefore not unusual for men to work in a flexible way. The organisation has matched ShPP to enhanced maternity pay and found that both men and women are taking time off around the birth of a child and taking advantage of the teaching-free term on return. The already established flexible culture has enabled men to feel that they can take SPL and the teaching-free term on return without risk to their own career prospects.

For example, an associate professor took six months on full pay following the birth of his son. After this he benefited from having a term’s research leave to re-establish his research trajectory. It was a very positive experience and the associate professor is grateful for the LSE’s support; it has made him more loyal and more productive. As he suggests:

“This makes an enormous difference to our wellbeing as a family. The childcare is genuinely shared. If employers are genuinely committed to equality this kind of scheme is a must. It has allowed us to institutionalise a fair childcare system and keep both our careers on track.”

Another assistant professor suggested that “it makes a big difference if your employer understands and supports families”. She and her partner, who also works for the LSE, decided to share the care of their child equally, each taking six months off, followed by a term of research leave on full pay. She felt enormously creative on return and really benefited from the term free of teaching and administration responsibilities. “It was a time of turbulence and creativity. If your institution can support you during this period they can reap the rewards of harnessing that creativity.” She is publishing more than she ever did, has recently taken on the centre directorship and feels her career has been boosted by just having the space to focus on research at that time.

One professor, who had taken two periods of maternity leave – one before, and one after the teaching free term was introduced – explained how she “slipped behind” in her research during her first period of leave but felt “a lot less worry and stress” following the second. She completed an entire paper on return during her teaching free term and felt “it was really good for my confidence.”

In addition, the university has, as part of its academic restructure, refocused its appraisal and promotion processes to include more regard to teaching quality and citizenship as well as academic publication, as women have traditionally performed well in these aspects of their roles.

As part of the LSE's commitment to changing the 'mum carer, father provider' stereotype and have a positive effect on gender equality at the LSE, the organisation has developed the following workshops open to both mothers and fathers:

- Balancing work and being mum (places are given to mums, even if they are not employees, to support the dads who are employees).
- Balancing work and being dad (places are given to partners, even if they are not our employees, to support the dads who are employees).
- Building resilience in our primary age children and ourselves.
- Balancing work and being the carer of an adult.

The LSE also offers both parents:

- networks
- flexible working
- paid time to accompany the birth mother (partner or surrogate mother) to attend antenatal appointments
- two weeks' fully paid paternity leave
- excellent, paid adoptive leave
- phased return to work
- on-site subsidised nursery that also provides emergency childcare when usual childcare arrangements fail
- emergency leave on full pay
- one-to-one meetings with HR staff to provide tailored advice on leave/keeping in touch/flexible working
- the opportunity to seek support from a trained mentor on managing the transition to becoming a working father.

The LSE centrally monitors application and uptake of all its maternity/paternity focused policies to ensure consistency in management approach and provides training to manage unconscious bias as a mandatory requirement for all staff involved in making decisions on recruitment, review, promotion and reward of their colleagues.

4.4 The Civil Service job share finder tool

One of the challenges to being in an effective job share is finding an appropriate partner. Often organisations leave the search up to individuals. Others create registers to collect names which can be rudimentary and paper based. The Civil Service has created an innovative approach: the Civil Service job share finder tool to allow all civil servants to identify and contact each other when looking for a job share partnership. The site has had 1,700 registrants since its launch in 2015.

The creation of the site was originally driven by the need to address the missed opportunity of retaining female talent in senior management roles because of the lack of take up of flexible working practices within the Civil Service. Potential benefits have been expanded to include job sharing to support older workers who wish to reduce hours during pre-retirement working, supporting people with disabilities who may wish to job share as part of reasonable adjustments processes and also supporting carers who may wish to job share to facilitate the time management of their caring responsibilities. The recognition that job share is useful for people at all career stages, including approaching retirement has made job sharing seem more culturally acceptable, leading to a significant upswing in the number of people registering.

The job share finder tool is already reaping measurable benefits. Site survey results have shown that 80 per cent of people found the site easy to use and, in the first year of operation, ten senior managers at Grade 7 and Director grades have found job share partners with whom they subsequently took up new posts. A cost-benefit analysis has shown that staff retention through job sharing was equivalent to a recruitment cost saving of £75,000 within the first year of operation, compared to yearly running cost of £50,000 for the tool. These savings are only expected to increase in the years to come.

There are additional benefits to the tool. It has a group email function which has been used to good effect to organise job share networking events and progress site surveys. The tool also generates data that has been used to identify areas where the site could be promoted more effectively.

Pressure to develop the tool came from the Heads of Diversity and Inclusion in a number of government departments and time and budget were set aside to develop something really fit for purpose. Three months were taken to consult with diversity networks across the Civil Service to create a "user story" and to find out what was needed from the tool and how it should be delivered. The tool has received much attention and praise from within the Civil Service. The tool was given a significant launch with the Head of the Civil Service praising the site as "one of five reasons for the Civil Service to cheer" at the Talent Action Plan event in 2015. Outside the Civil Service, private sector companies are seeking out the development and implementation team to review the tool and learn from it.

The work completed on progressing the service has resulted in several award nominations where the site achieved being a finalist including the Civil Service Diversity and Inclusion awards 2015.

4.5 The Foreign and Commonwealth Office

The Foreign and Commonwealth Office (FCO) has implemented an ambitious initiative to enable people to take significant leave when needed and return to work against a background of reduced public expenditure and the challenge of overseas working. The FCO's Special Unpaid Leave (SUPL) offer is unique, allowing employees breaks from the office for up to five years while relocating for a partner's role, or undertaking study, and up to 10 years for childcare, with employment held open. The FCO also offers a career break option that enables an employee to come back, after several years, and bid for roles. Given the FCO's overseas footprint, there are many families in which either one or both parents work overseas, and SUPL gives a flexibility for staff to build 'lattice' careers around the various scenarios that arise; for example an employee accompanying his or her FCO spouse on an overseas posting and doing non-FCO work or parenting for a few years.

However, the FCO reported that long periods of SUPL presented challenges for returning to the workplace and the FCO has been working to address this. Firstly, the FCO found that people struggled to be successful at interview against colleagues; and secondly, it discovered that there were many who wanted to return to work in a flexible way, but were unable to, due a lack of flexible options for them. So the organisation decided to run a pilot to offer project or 'roving consultant' style work to those on SUPL and maternity leave. The FCO sought to identify projects that could be done by people in their own preferred hours, in most instances working from home. Remote working was at this point a fairly radical concept in the FCO, with just a few lone 'trailblazers'. The aim of the pilot was to test the benefits – to both the organisation and staff – of providing an alternative route back to work, other than directly through the challenging and competitive FCO internal and largely full-time jobs market. The FCO hoped that this route would encourage more staff to transition back into work in a smoother way and tap into a highly skilled and under-used pool. The pilot was also designed to provide additional flexible resources that could be used by teams across the FCO to deliver priority areas of work.

At the end of the one year pilot phase, a full independent evaluation was carried out. Thirteen projects across eight departments had been carried out, each on a part-time and remote basis. Projects included the NATO Summit, a review for the Middle East department, WW1 commemorations and a conference. The grade breakdown ranged from junior to senior managers with an average working pattern of 10 days per month. The duration of the project ranged between six weeks and six months.

Staff who participated in the pilot phase were positive about the experience; those who wanted to return to the office said it helped them prepare for applying for roles and gave them recent examples of successful work that they could refer to in interviews. Feedback from host departments was that the pilot provided a steady flow of personnel to busy departments, adding value and targeting people who wanted to come back into the workforce. Pilot candidates stated that the scheme boosted morale, confidence and a sense of connection with the FCO. Of the 40 people on the pilot, three have now returned, one is returning shortly and eight have gone from being uncertain about returning to definitely wanting to return or the pilot has hastened their return. Most felt reconnecting with former colleagues and updating themselves on current FCO practices would make it

easier to bid for jobs and make them more confident on return. Most also felt that the goodwill factor generated by the pilot was worthwhile, that the FCO valued returners and their career development and was willing to be flexible.

The pilot phase lasted one year (2013–14) and in February 2015 the FCO board agreed that the pilot should be turned into a permanent arrangement. It has already been shared as part of the implementation of the Civil Service Talent Action Plan's strategy in support of diversity.

4.6 Effective examples of the implementation of SPL

A study reviewing progress in the implementation of SPL (Mercer, 2016) found a number of organisations implementing SPL in such a way that would boost take-up amongst men. Approaches included:

- Matching ShPP to enhanced maternity pay provision.
- An explicit aim of supporting a more equal parenting approach and improving gender balance (eg one large accountancy firm encouraged fathers to take at least 12 weeks as this would both help with business continuity in that there was time to get explicit cover, and with their gender change ambitions. Their Director of Diversity suggested: "We want our fathers/partners to take a significant amount of time out to fully understand the role of the primary carer and the challenges that this can bring so managers and future managers empathise with and support employees that take time out from their careers".
- An accompanying focus on unconscious bias in application for flexible working and in performance review.
- Extensive communication on SPL including webinars, social media and intranet.
- Extensive training for managers and staff both on SPL policy and focused on upskilling with an emphasis on shifting attitudes towards caring responsibilities (ie good for business).
- Enabling enhanced ShPP to be taken in any 20 weeks of the first 52 weeks of the child's life (most organisations who match maternity match the enhanced period e.g. the first six weeks, while many companies find fathers may prefer to take their leave towards the end of the year when their partner feels more ready to go back to work).
- Removing the usual titles of 'maternity' and 'paternity' to instead offer 'family/parenting' leave (notwithstanding the fact that the former are statutory terms that will need to be referenced somewhere in the employer's policy).
- Offering SPL regardless of the leave the other parent intends to take (ie SPL for partners not reduced by the maternity leave their partner has taken and also available to fathers whose partners do not work).

- Investigating blocks of time that are attractive to fathers in the organisation. One organisation, for example, offers six weeks full pay as this was a timeframe “manageable” to fathers in their organisation and may therefore incentivise as least some of them to take more time off.
- Framing SPL as just part of an agile working/business as usual challenge, no different to being out of the office on secondment, for example.

5 Conclusions

Since the introduction of the right to request flexible working in 2003, organisations have been working with their employees to enable people, and particularly those with caring responsibilities, to develop ways of working that would suit the employee but also the business demands of the employer. Typically, those requesting flexible working have been women and in particular, women returning from maternity leave, adoption leave or carers leave.

Although the right to request flexible working has undoubtedly enabled those having taken it up to achieve a better work-life balance, the research evidence reviewed for this study points to a cohort of female employees for whom the corollary has been: difficulty achieving equal pay with men; diminished opportunities for career development and promotion; and reduced career aspiration. Studies have found that those who worked flexibly were less likely to receive the top performance marks in appraisal (despite managers anecdotally praising the hard work and commitment of their flexibly working staff) and less likely to be promoted. There is also evidence of managers falling back on long hours working and visibility ('passive face time') as deciding factors when identifying one's best performers.

Against a backdrop of attaching policies for flexibility onto traditional ways of working, it has remained difficult for women, and in particular women who work flexibly, to progress into the senior ranks of many organisations. Research has shown that men conversely want more flexible working but are too nervous about the impact on their careers of requesting it. Men typically are more likely to have their flexibility requests denied and they can suffer from a lack of well-being and reduced family time, according to research.

The business case for flexible working

Organisations struggle to measure the impact of flexibility, citing informal flexibility and the lack of centrally held records (Working Families and IES Top Employers for Working Families 2014). Employee satisfaction surveys do not always distinguish between flexible and more traditionally working colleagues. Employers who implement flexible working successfully, so that it matches the business need as well as the individual's request have, however, reported bottom line benefits in terms of: reduced levels and costs associated with sickness absence; more returners from maternity leave; greater productivity and engagement, and; an ability to retain the employees they want to retain without necessarily having to increase financial incentives or rewards, coupled with; the agility required to better respond to customer needs.

Flexibility is about choice: choice about how to deliver against contractual obligations whilst we balance all the parts of our lives. Choice is core to intrinsic motivation and therefore emotional engagement. Research has found that engaged employees generate 43 per cent more revenue than disengaged employees; organisations with highly engaged employees have the potential to decrease employee turnover by 87 per cent and improve performance by 20 per cent. Research also shows that, if organisations increased investment in engaging their people by just 10 per cent, they would increase profits by £1,500 per employee per year (Institute for Employment Studies and The Work Foundation, 2008).

In “Hours to Suit” (Working Families, 2007) Working Families demonstrated that there can be a strong business case for facilitating senior managers to work on a reduced hours and a flexible basis. This is linked with: retention; recruitment; energy; enthusiasm; effectiveness; motivation; and long term loyalty. The diversity aspects (especially encouraging women to reach senior levels) are also increasingly recognised to be of importance to customers and clients. The argument here holds that clients see the company as innovative and, far from struggling to get hold of senior people when they are needed, they welcome the opportunity to work with a company which respects and values its people (while rarely, if ever, feeling their own service is compromised).

Having senior people working flexibly may also have a ‘drip through’ effect to other staff who really feel they can succeed while working flexibly and also attracts talent into the business. Sacker and Partners – case studied for this project (see 4.1) – is careful to ensure mentors allocated to those returning following a break for maternity, adoption or SPL leave, include those in senior roles who have chosen to work flexibly to demonstrate how it is possible to keep on a career track while working flexibly in a way that suits both the individual and the organisation.

Clarke and Holdsworth (2017) refer to the greater productivity of flexible workers, reduced stress and increased personal and team effectiveness. Sacker and Partners, for example, actively believe and promote the view that staff should have well rounded lives to be the best performers. If employers can be presented with compelling evidence that flexibility is good for their bottom line and their employees’ engagement and well-being (Working Families and Cranfield School of Management, 2008) then the fear of taking time off and the reward and recognition risks of being a flexible worker ought to diminish.

The business case for flexible working – though ultimately situation-dependent – is a powerful one therefore. However, in both The Fourth Work Life Balance Employer Survey and the Top Employer for Working Family Benchmark reports, respondents said that a difficult or uncertain economic climate hindered their ability to implement flexible working i.e. they expected staff working flexibly to be a drain on resources, to cost the company money, rather than add to the bottom line. Therefore, despite the logical connection between an engaged worker and a productive worker and the possible benefits of agile working, not all organisations are convinced. Some remain firmly wedded to the ‘old chestnuts’ of the worker who can be seen to work the longest hours in the office being the most productive and valuable.

Moving away from flexible working as a reactive response to maternity, paternity or parental leave – towards more agile working for all

Some forward thinking organisations (such as those included in the case studies for this report) have developed programmes to support people back after a period of leave such as mentoring, large scale managed job share programmes and phased return. Others have tried to open new opportunities for flexible work such as creating new roles as a roving consultant. Many of these have worked well but such support works best where it is underpinned by a genuine shift that recognises that flexible working can be good for business and is therefore equally

suitable for men and women, for those with caring responsibilities and those without.

Paradoxically, on the balance of the evidence presented in this paper, in looking at how organisations can support *women* to reach the top of organisations and reduce the pay gap, part of the answer may be to look at how the organisation treats *men*.

How do organisations treat men and women around the birth of a child, adoption leave or time off for caring responsibilities, perhaps before flexible working has even been considered? Are men encouraged and able to take a well-paid block of time under the new SPL legislation? On return, are men reminded about opportunities for flexible working and supported back into the workplace (as women are)? Are men aware of and able to request and be granted flexible working in the same numbers as women? An organisation that is able to answer such questions in the affirmative is likely to have a culture that is conducive to helping women and men to take a break around the birth or adoption of a child, return, integrate successfully and work flexibly whilst also continuing to develop their careers.

There are a number of ways that organisations have been successful in opening up flexible working and changing outmoded 'mother carer, father provider' cultures. Encouraging fathers by matching SPL to enhanced maternity or at least enhancing a block of time that the organisation understands would be attractive and enabling this to be taken by all new fathers (regardless of the mother's leave or employment status) has been shown to be highly effective. Furthermore, ring-fencing this time for fathers and actively encouraging take-up has been used as an approach to bring about true cultural change.

Research also suggests that organisations must invest in their managers: help their managers to develop the skills to have conversations about difficult and personal topics such as family, stress and work life balance and to have these conversations with men as well as women in an open and trusting environment. Some of the organisations included in this study have achieved as much through a reconsideration of their style of performance management with the ultimate aim of ensuring that scoring, grading and ranking staff does not lead to presenteeism or the bringing to bear of unconscious bias, and does not prevent an honest conversation about development from happening.

At the heart of success lies trust. Trust that flexible working really can be good for business; trust in the employee to do the right thing in getting the work done regardless of the particular hours they work or their location and trust that a flexible worker is as committed, productive and worthy of career development as their more traditionally working colleagues.

The case study organisations in this study have found that the key to enabling the career development of those who have had a period of leave and who work flexibly on return, is to focus on the development of business appropriate leave and flexible working policies and practices; not as a reactive response to a request for leave but on the basis of the benefits to the business of an agile and engaged workforce.

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