Acas welcomes the opportunity to comment on the DTI’s recently issued consultation document “Work and Families – Choice and Flexibility” which sets out the Government’s proposals for further developing the legislative and support framework for working parents. As part of its duty of improving employment relations in Britain Acas has nearly thirty years experience advising both parents and employers of their rights and responsibilities in maternity and paternity situations as well as helping organisations introduce flexible working arrangements.

We fully support the government’s efforts to encourage and extend flexible working for parents. As stated in the consultation document, flexibility is not only the key to allowing parents to balance work and family life but also a vital tool enabling employers to recruit and retain the skilled employees they need. And the importance of flexible working is only likely to grow when one looks at the demographics. On current predictions around 80 per cent of job growth by 2011 will be accounted for by female workers who are far more likely to be carers than men and will thus be looking for jobs that provide them with the ability to balance work and caring responsibilities.

Flexible working is already one of the issues at the top of the employment relations agenda as we know from the experience on our national helpline. Last year we dealt with over 40,000 calls specifically on flexible working and when we add in calls enquiring about part time working this number rose to 75,000. We have also seen a rise in the number of employment tribunal cases involving the right to request flexible working, from 108 in 2003 to 181 in 2004, but these are still very low figures when compared to the total number of claims going to tribunals.

Acas believes that the key to helping both parents and employers understand and deal with issues relating to work life balance is good information and advice and we already have a number of products and services to help. In addition to our national helpline we have a range of leaflets and booklets dealing with balancing work and family life and also provide a considerable amount of information on our web site including an interactive training tool on working parents. As part of our on-line service we also run Tiger (Tailored Interactive Guidance on Employment Rights) which includes a maternity planning tool. We know that this tool is well regarded by those who use it and with some extra publicity it could play an
important role in the government’s desire to improve the information available to working parents.

We are supportive of the idea set out in the consultation paper for a one-stop information shop and would be happy to explore with Department how this might work in practice. We are already developing a similar gateway on race and equality as a result of the DTI/IPPR report into “race equality and responsible business”. In setting up a one-stop shop it would be important to ensure that given the number of different bodies already offering guidance in this area there was no duplication of effort. Important though it is to provide help and support to parents we must not forget the information needs of employers and particularly small employers.

We know from our own experience that small employers are often completely unprepared for maternities and experience near-panic when an employee announces she is pregnant; proprietors of such companies are often so focussed on running their own business that they have little time or attention to spare for personal issues. Some recent research we commissioned last year shows that whilst many employers think they know about maternity and paternity issues their were clear gaps and misunderstandings in their knowledge and this has led a number of employers to believe that employees have all the rights whilst the employer has all the responsibilities. If this situation is to be corrected there will need to be a much more pro-active distribution of information about rights and responsibilities to both pregnant women and their employers.

We very much support the general aim set out in the consultation paper of improving the communication between employers and employees during maternity and adoption leave. We know from cases we deal with on our helpline that employees who are not contacted during their maternity leave feel isolated marginalised and de-valued. Undoubtedly some of this lack of communication is due to uncertainty on the part of employers, both about what the law allows them to do and not wishing to be seen to be too intrusive on their employees private life. This makes it all the more important that employers are helped to understand what they are allowed to do.

Acas would certainly support the option proposed by the EOC of providing a leaflet on employees’ and employers’ rights and responsibilities at an early stage, for instance at a woman’s early ante-natal appointment. We have already had some discussions with EOC on this issue and would be very happy to work with them to develop such a leaflet so long as it could be delivered in sufficient numbers.
We note the various options set out for supporting effective communication during maternity leave and would certainly agree about the need to increase awareness on keeping in touch through improved advice and guidance. We would clearly support the proposal in option three of providing more information and advice but option two also has merit in that it would make it clear that employers are allowed to make reasonable and culturally sensitive contact with employees in order to keep them in touch with workplace developments and to check on the employees intentions about returning to work. However, if option two were introduced, then as the consultation document states there would clearly be a need to set out guidance on what is meant by reasonable contact and we would be happy to help contribute to this guidance.

Acas
24 May 2005