

**BIS** | Department for Business  
Innovation & Skills

**GOVERNMENT RESPONSE TO  
CONSULTATION ON CHOICE AND  
FLEXIBILITY: ADDITIONAL  
PATERNITY LEAVE AND PAY**

JANUARY 2010

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# 1. Introduction

- 1.1 Approaches to childcare have changed over time and primary responsibility for childcare is no longer seen as largely the women's responsibility. Fathers are playing an increasingly significant role in caring for their children, with 56% of parents believing that they can share work and care equally with their partners. This has led to take up of paternity leave increasing, with more than half of fathers (55%) surveyed by the Equality and Human Rights Commission (EHRC) having taken it<sup>1</sup>. Also, the Maternity and Paternity Rights Survey 2005 found that the vast majority (93%) of fathers took time off around births<sup>2</sup>.
- 1.2 There is also evidence to show that early involvement of fathers in the upbringing of their children leads to a number of positive outcomes. These include continuing involvement throughout the child's life, reduced likelihood of the child's involvement in criminal activity and increased educational attainment<sup>3</sup>.
- 1.3 The Government has already taken significant steps to enable fathers to play a bigger role in bringing up their children through introducing parental leave, two weeks' paid paternity leave and the right to request flexible working. The Government now wants to create increased opportunities and flexibility to allow parents to find an appropriate balance between work and family responsibilities through the introduction of an additional entitlement for families, allowing fathers to spend more time with their children.
- 1.4 Additional Paternity Leave and Pay (APL&P) will enable eligible fathers to take up to 26 weeks' additional paternity leave. The leave may be paid if taken during the mother's maternity pay period. Leave taken after this period has ended would be unpaid. This new provision will provide parents with more choice and flexibility in child care responsibilities and a more equitable sharing of leave entitlements.
- 1.5 The scheme has been designed to minimise the administrative burdens on business whilst allowing fathers a greater opportunity to be involved in raising their child. Mothers will have the choice between taking their full maternity leave and returning to work early, allowing their partner to take leave instead.
- 1.6 The qualifying period for APL&P is based on entitlement to existing or 'Ordinary' Paternity Leave and Pay. Parents will also be required to self-certify their entitlement and to provide details which will allow employers to calculate entitlement and Her Majesty's Revenue and Customs (HMRC) to carry out compliance checks to minimise the risk of fraudulent Additional Statutory Paternity Pay (ASPP) claims. In addition,

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<sup>1</sup> [www.equalityhumanrights.com/uploaded\\_files/working\\_better\\_final\\_pdf\\_250309.pdf](http://www.equalityhumanrights.com/uploaded_files/working_better_final_pdf_250309.pdf)

<sup>2</sup> [www.berr.gov.uk/files/file27446.pdf](http://www.berr.gov.uk/files/file27446.pdf)

<sup>3</sup> Flouri, E. (2004), *Fathering and Child Outcomes*, John Wiley & Sons, Chichester

employers will also be able to request additional information to carry out further checks if they are concerned about the validity of the employee's claim.

- 1.7 Pay and leave may only be taken once the mother has returned to work. To allow for the fact that many women start their maternity leave before the baby is born; the earliest start date is 20 weeks after the child's birth. Leave must be completed by the child's first birthday (or one year after placement for adoption). ASPP is only payable during the mother's Statutory Maternity Pay period, Maternity Allowance period or Adoption Pay period.
- 1.8 Although the term 'father' is used throughout this document and the regulations, the definition of father mirrors that for the current or 'Ordinary' Statutory Paternity Leave arrangements. Therefore APL&P will also be available to partners and civil partners of mothers and to adopters where there is an entitlement to Statutory Adoption Leave and Pay.
- 1.9 This publication sets out the Government's response to a public consultation on the legal and technical aspects of the scheme. The Government had previously run consultations on the proposals and the administration of APL&P<sup>4</sup>.
- 1.10 The consultation ran from 25 September to 20 November 2009. During this period, policy officials also held meetings with a range of stakeholders to discuss the regulations. 110 written responses to the consultation were received.
- 1.11 Responses were generally positive with regard to the policy intentions. On the whole, they looked to ensure that the delivery of the scheme was as straightforward and effective as possible. Specific issues raised with respect to each question are set out in the following section.
- 1.12 The Government is grateful to all businesses, organisations and individuals who have taken the time to respond to this consultation. The feedback we received has been instrumental in the further development of APL&P regulations.
- 1.13 It is the Government's intention that the legislation be in force from 6 April 2010, with effect for parents of babies due from 3 April 2011.

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<sup>4</sup> [www.berr.gov.uk/consultations/page39405.html](http://www.berr.gov.uk/consultations/page39405.html)  
<http://webarchive.nationalarchives.gov.uk/+http://www.berr.gov.uk//employment/workandfamilies/work-families-history/index.html>

1.14 A breakdown by type of respondents is provided below.

<b>Respondent</b>	<b>Response Per cent<sup>5</sup></b>
Micro business (up to 9 staff)	4.5%
Small business (10 to 49 staff)	3.5%
Medium business (50 to 250 staff)	13.5%
Large business (over 250 staff)	16.5%
Family / Parent representative organisation	3.5%
Legal representative	4.5%
Business representative organisation/trade body	14.5%
Trade union or staff association	4.5%
Charity or social enterprise	11%
Local government	7.5%
Central government	0%
Individual	11%
Other	4.5%

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<sup>5</sup> Figures rounded to the nearest 0.5%

## 2.Consultation questions

**Question 1: Do you consider the proposed administration of APL&P strikes the right balance between the need to keep administration simple and the need for certainty of entitlement?**

### Introduction

2.1 The Government is committed to ensuring that the administrative requirements on employers are not onerous. This will be achieved by making the process as light touch as possible. However, we are also committed to having a framework through which it is possible to easily identify those applicants who meet the eligibility criteria. We have, therefore, designed the regulations with both these points in mind and want to ensure that the balance is correct.

### Summary of comments

2.2 Of the respondents who answered this question, almost two-thirds agreed that that the proposed administration of APL&P does strike the right balance between the need to keep administration simple and the need for certainty of entitlement.

2.3 There was general support for the principles of the policy and recognition that the regulations have been developed in line with existing maternity and paternity provisions. There was also recognition that points made through previous consultation processes had been addressed to make the process as simple as possible. In particular, the self-certification approach was commended as the most appropriate to limit the impact on businesses. Employers also welcomed the proposal that the leave must be taken in continuous weeks and that the proposals will not come into effect until April 2011.

2.4 However, businesses and business representatives commented that despite the light-touch approach, the proposals will cause disruption to businesses. And, although most businesses welcomed the one year lead in period, one respondent organisation made a wider point, commenting that too much legislation is due to take effect in 2011. Given the current economic position, some respondents also felt that 2011 was the wrong time to be introducing the scheme.

2.5 On the whole, businesses welcomed the provisions to allow them to request details of the mother's employer and the child's birth certificate, but many requested additional clarification of what the specific expectations will be of employers and assurance that they would not be liable if claims turned out to be false. In contrast to the general support for this provision, some respondents objected to the provisions to allow businesses to request any information in addition to the self-certification.

2.6 Related to the expectations on businesses, respondents asked whether the mother's employer will be required to provide employment details

and whether there are potential data protection issues with these businesses doing so. Businesses also wanted to know whether there would be set requirements for the length of time they should retain data related to their employees taking APL&P.

- 2.7 A number of respondents, although supportive of the principle of allowing fathers to take additional leave to be more involved in the upbringing of the child, did not think a right related to the mother's return to work was appropriate. Instead an entitlement independent of the mother's right would have been preferred. There were also comments stating that it would be better if the mother and father's leave could be taken at the same time.
- 2.8 Some respondents requested further information on what is meant by the mother's 'return to work' in order to clarify when exactly the father becomes entitled to APL&P.

### **Government response**

- 2.9 The Government recognises that the introduction of APL&P will impact on businesses. We have designed the administration of the scheme to be as 'light-touch' as possible to minimise the burden placed upon businesses and have taken on board contributions from businesses to previous consultations on APL&P. We believe that the proposals reflect the best means for providing parents with increased choice in how their children are looked after, without placing onerous provisions on employers. Small businesses can claim back 104.5% of ASPP payments made and larger employers can claim back 92%.
- 2.10 The Government wanted to give employers a sufficient lead-in period in order to allow them to understand and prepare for the introduction of this legislation. We believe that implementation in April 2011 provides a suitable period for businesses to prepare effectively for APL&P. To further support businesses, guidance will be developed in 2010, which will provide employers with clear instructions on their responsibilities. The policy has been designed so that employee self-certification will be sufficient evidence, but the regulations provide for employers to request further information where there is doubt about legitimacy. The intent is that employers will not be penalised for administering claims in good faith and we do not believe that further checks will be required in the majority of cases. The guidance will also cover issues related to data handling and data protection that will be explicit and readily understandable. Key stakeholders will be provided the opportunity to input into the development of the guidance.
- 2.11 The Work and Families: Choice and Flexibility consultation of 2005<sup>6</sup> requested views on fathers being provided with an additional paternity

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<http://webarchive.nationalarchives.gov.uk/+http://www.berr.gov.uk//employment/workandfamilies/work-families-history/index.html>

entitlement. As a result of this process, it was determined that Additional Paternity Leave and Pay offered the preferred means of providing parents greater choice for deciding how best to care for their children. It has always been an intention of this policy that only one parent is absent from the work force at any one time. It is for this reason that the entitlements do not provide for maternity leave and additional paternity leave to be taken at the same time.

- 2.12 The regulations state that a mother or adopter is treated as returning to work when her maternity or adoption leave period has ended. The mother retains the option of taking annual leave or parental leave after this time. In reality, we would expect a significant number of mothers to choose to take some of their accrued annual leave at this time in order to facilitate the handover of primary child care responsibilities to the father.

“The proposed administration of the scheme is relatively light for employers to administer, though for many it will see them dealing with this legislation for the first time adding to the difficulty.”  
*Federation of Small Businesses*

“Scottish Engineering applaud the Government for choosing the simplicity of self-certification but also allowing in the regulations the requirement for the father to comply if his company request information about the mother’s employer or ask for a copy of the birth or adoption matching certificate.”  
*Scottish Engineering*

“The introduction of the proposed new rights for fathers will undoubtedly create an additional administrative burden on employers, particularly SMEs, and it is therefore vital that the implementation of APL&P reflects this.”  
*North East Chamber of Commerce*

“Too much employment legislation is being back-loaded for 2011, threatening economic recovery.”  
*British Chambers of Commerce*

## **Question 2: The Government estimates that 4-8% of eligible fathers will apply for APL&P, what is your assessment of this figure?**

### **Introduction**

- 2.13 As set out in the Impact Assessment, when assessing expected take up, we looked at the Maternity and Paternity Rights and Benefits: Survey of Parents 2005<sup>7</sup>. This takes into account an estimate of mothers who indicate that they are interested in making use of the new APL&P rights; and an estimate of fathers who indicate they are interested in making use of the new APL&P rights, or already demonstrate a strong commitment to the upbringing of the child in the first year.
- 2.14 Evidence from other countries which operate similar systems for allowing parents to share leave was also considered. Figures from Scandinavian countries showed the proportion of fathers taking leave was fairly low, ranging from 4% in Finland to 16% in Iceland.

### **Summary of comments**

- 2.15 Most respondents agreed that the assessment was broadly correct, although some believed it would be higher and others lower.
- 2.16 It was noted that decisions are often likely to be based on which partner earns the most income. Given this, there was a view that whilst the estimate is likely to be correct in the short term, the figure is likely to rise as a larger proportion of women earn the same as or more than their partners. Respondents also commented that the take up will vary across business sectors. There was also a view that take up would be higher if Statutory Maternity Pay (SMP) was extended to twelve months, thereby giving fathers the option of taking six months paid Additional Paternity Leave.

### **Government response**

- 2.17 Employers who have a predominantly male work force and who are likely to have had less experience of administering statutory entitlements will be aided by Government guidance, which will be developed in 2010. This will assist all employers in administering APL&P.
- 2.18 The Government has significantly improved maternity leave and pay and is continuing to extend support to parents through the introduction of APL&P. It remains this Government's goal to extend SMP to 52 weeks, the timing of which will depend on economic circumstances and the fiscal position.

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<sup>7</sup> [www.berr.gov.uk/files/file27446.pdf](http://www.berr.gov.uk/files/file27446.pdf)

“On balance, we think this is a fair estimate.”  
*Liverpool Law Society Employment Committee*

“This is difficult to estimate and will be due largely to the main bread winner of the family.”  
*Payroll Alliance*

“We doubt that take up of APL will be that high, at least initially, and that this is likely to be an overestimate. In the UK we are still entrenched in traditional models of child rearing and we are likely to be for some time to come.”  
*The Newspaper Society*

“Take up of this new right will largely depend on how it is promoted by Government; how it is embraced by employers and business representatives; and how families who utilise it in the early days find the experience.”  
*4Children*

**Question 3: Do you agree with the proposal to amend the definition of an adopter as described in paragraph 29-31 of the consultation document?**

**Introduction**

2.19 Following changes to adoption law in England, Wales and Scotland, it is now the case that both parties in a couple adopting a child would be matched for adoption with that child. We have therefore proposed to change the legislative definition of an adopter and the eligibility to Statutory Paternity Leave and Pay to better reflect current adoption law. A change would also enable employers to be more certain of an adopter’s entitlement to APL&P.

**Summary of comments**

2.20 The vast majority of respondents (89%) supported changing the definition of an adopter to better acknowledge joint adoptions; and to require that an adopter seeking to take APL&P be matched for adoption – as is the case for an adopter seeking to take Statutory Adoption Leave. It was also recognised that the amendment will make it easier for employers to determine who is entitled to take leave.

2.21 Some respondents requested additional adjustments for adopters, including allowing both adopters to be on leave at the same time and for the eligibility period being extended. Some respondents also commented that adopters from overseas should not be excluded.

## Government response

2.22 The Government has carefully considered the responses and is content that the amendment to the definition of adopter will not exclude employees who would otherwise have been eligible. We therefore propose to amend the definition of an adopter in line with the definition set out in the consultation document. Regarding further extensions for adopters, while these views have been noted, they fall outside the scope of the consultation and as such will not be addressed through this legislation. Given it is a policy intention that both parents are not absent from the workforce at one time, we also do not intend to change the regulations to allow leave to be taken concurrently.

2.23 It is the Government's intention to legislate in April to give partners of employees adopting from overseas the same right to take APL&P as for those adopting from within the UK. This will have effect where the child being adopted from overseas enters Britain on or after 3 April 2011.

"Scottish Engineering fully supports the proposal to amend the definition of an adopter and the eligibility for additional statutory paternity leave and pay to better reflect current adoption law."  
*Scottish Engineering*

"We consider it is important that couples who adopt do so as equal partners."  
*Consortium of Voluntary Adoption Agencies*

"UCU welcomes plans to harmonise the language of the regulations with that in adoption law. This, it believes, will provide greater certainty and serve to entrench the rights of an adopter."  
*University and College Union*

"The TUC does not envisage the new requirement for the partner taking paternity leave to have been matched for adoption with the child will exclude otherwise eligible individuals."  
*Trades Union Congress*

## **Question 4: What are your views on the draft regulations?**

### **Introduction**

2.24 The substantive policy decisions had been consulted on in previous consultations. However, the Government wants to ensure that the regulations clearly support the intentions of the policy. Therefore we asked consultees to consider the regulations in this context.

### **Summary of responses**

2.25 A number of respondents commented that the regulations are clear, comprehensive and mirror those of existing statutory entitlements, although a number of others felt the regulations were too complex. Some respondents noted that there were instances in the regulations where the partner is referred to as being male.

2.26 Some respondents noted apparent disparity between references appearing to suggest that fathers are entitled to APL&P after 26 weeks from the birth of the child, and others suggesting the entitlement applies from 20 weeks after the birth. Some respondents also commented on the disparity between notice periods in changes of plans (six weeks for fathers; eight weeks for mothers). This was seen to be inequitable. Concerns were also raised regarding the potential of a father giving notice to take APL&P and then subsequently giving notice of a change of plan for taking the leave before the original intended date. This would result in less than eight weeks' notice.

### **Government response**

2.27 Although the regulations are technical, accompanying guidance will be developed during 2010 to provide employers and employees clear instructions on complying with the regulations.

2.28 It has always been the intention that the references to parents will be gender neutral. Therefore, the regulations have been revised to ensure that this is the case before they are laid in Parliament.

2.29 In recognition of the fact that many mothers start their maternity leave before the baby is born fathers are entitled to take APL&P from 20 weeks after the birth of the child. This also allows more flexibility in how parents choose to divide the period of paid leave.

2.30 We considered that an eight week variation notice period for fathers would not work in practice. This is because it would effectively require a father to notify their employer of the original start date and the change of date at the same time. This would not be possible given that the change is likely to be caused by the mother altering her return dates. We have made amendments to the regulations in line with comments received to ensure that the required notice for a change of plan cannot lead to the notice period being less than eight weeks in total.

“The regulations as currently drafted provide opportunities for many families to have greater choice in their care arrangements, help to redress unfair discrimination and enable fathers and partners of mothers to spend more time with their children.”

*Trades Union Congress*

“We have serious concerns over the proposals relating to notice periods and change of circumstances.”

*USDAW*

**Question 5: How well do you consider the draft regulations support the policy proposal including giving sufficient powers and protections to employers in managing this entitlement and to employees using this entitlement?**

**Introduction**

2.31 Success of the policy depends on businesses effectively administering the scheme. The Government aims to ensure that the administration of this entitlement is as straightforward as possible and that both employers and employees are clear on their rights and responsibilities. The new scheme, as with any other statutory payment, will bring the risk of abuse but we expect this to be low. Consultation responses have been used to check that the steps taken to ensure compliance are proportionate and effective.

**Summary of responses**

2.32 On the whole, the provisions within the regulations to protect employers were welcomed. However, many employers raised concerns that the required eight week period to give notice of intention to take additional paternity leave does not provide employers with sufficient time to arrange suitable cover. The six week period for employees to give notice of a change in plan was also viewed as too short by some employers.

2.33 Related to this, some business representatives did not think that it is acceptable that an employer has to demonstrate that it is not reasonable to accommodate a change in plan of the employee because cover is likely to be planned by that stage. In addition, one business representative organisation suggested that employers should be able to postpone the return to work of an employee until after the full leave period has elapsed in order to prevent paying two sets of wages.

2.34 In contrast to these points, some employee organisations thought the eight week notice period was too long, and many stated that the six week period required to notify an employer of a change in plan to taking the leave was inappropriate. These respondents noted that family life can be uncertain and were concerned that there could be a negative

impact on families if the father was forced to take a period of unpaid leave where the mother has been made redundant, for example.

- 2.35 The issue of potential fraud was raised. There was a view that the emphasis appeared to be on dissuading employers from making false claims, whereas the liability should be on employees themselves. There should also be related penalties for employees found to be in contravention of the rules. Concern was also raised given the possibility that a mother could return to work but then leave shortly afterwards.
- 2.36 A few respondents asked for clarification on the position for employers who currently offer maternity entitlements which are more generous than statutory terms. One organisation considered the extension of statutory paternity entitlements may lead to a blurring of maternity and paternity rights. It was felt that if it is determined that fathers face the same disadvantages as mothers taking maternity leave and the law is changed to address this, burdens on businesses could be significant.
- 2.37 A number of respondents noted that if more than one person meets the eligibility criteria for APL&P (for example, where the biological parents have separated and the mother has a new partner who is involved in the upbringing of the child) there is no mechanism to prevent more than one person claiming APL&P (e.g. the biological father and the mother's new partner) as long as they both have a role in the upbringing of the child.

### **Government response**

- 2.38 The length of notice periods and change of plan notice periods were consulted on in the 2007 consultation: Additional Paternity Leave and Pay Administration<sup>8</sup>. At this time, the lengths of these periods were determined to be appropriate. Taking all arguments into consideration, we remain content that the current policy is a balance of the needs of employees and employers when planning for and managing APL&P. However, we will seek to clarify in guidance the circumstances in which notice may be waived and to encourage employers to be sympathetic to reasonable requests for a late change of plan; whilst allowing employers to enforce notice periods where there is good reason.
- 2.39 HMRC, who are responsible for the administration of the other statutory payments, acknowledge the risk of fraudulent claims, but regard the risk and the consequences for taxpayer's funds as likely to be relatively limited. We will work to minimise the risk and level of abuse in an appropriate and proportionate way, with HMRC conducting compliance checks, with sanctions in the form of financial penalties for those employers or employees who abuse the system. Details of these penalties will be set out in the guidance to be developed in 2010.
- 2.40 If, after a mother has returned to work, she stops work again and resumes her entitlement to maternity pay, the regulations are clear that

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<sup>8</sup> [www.berr.gov.uk/consultations/page39405.html](http://www.berr.gov.uk/consultations/page39405.html)

the father is no longer entitled to APL&P and must inform his employer. However, where a mother leaves her employment to start working for another employer, and therefore does not resume her entitlement to maternity pay, the father's entitlement to APL&P continues.

2.41 More than one person taking APL&P goes against the original policy intention of preventing more than one person being out of the labour market at any one time. Therefore, we have made clear in the regulations that the mother can only allow one person to take APL&P as a result of her ceasing to receive maternity payment. This will be reiterated in related guidance.

2.42 To date, case law has treated pregnancy as a circumstance which requires special protections. We will monitor case law for any changes but at this time, whilst the Government would support employers and employee representatives who agree contractual paternity enhancements, we do not believe that there is any requirement for employers to offer terms above statutory requirements.

"It is an excellent plan and will help reduce the feeling that mothers must be the primary care givers."  
*Evotec (UK) Ltd.*

"We have serious concerns about the possibility of employers forcing fathers to a period of unpaid leave if they fail to give adequate notice of a change of plan."  
*Trades Union Congress*

"If the employer does not wish to cancel the cover and accommodate the employee's arrangements, and therefore lose the resources invested in arranging cover (and possibly paying for the cover itself), they should not be subject to a 'reasonableness' test in order to require the employee serves out the leave which they applied for."  
*Institute of Directors*

## **Question 6: How well do you consider the draft regulations support the costs and benefits of this entitlement?**

### **Introduction**

2.43 A partial Impact Assessment was published alongside the consultation which sets out the expected costs and benefits of the proposals. This document presents the reason for implementing the policy and why APL&P offers the best means of supporting fathers to help bring up their children and have greater choices about balancing their work and child care responsibilities. We want to ensure that the costs and benefits appropriately reflect the outcomes of the scheme.

### **Summary of responses**

2.44 There was a general recognition that costs of a father's absence will be largely offset by the mother's return to work. Some respondents referred to the benefit being limited because the statutory amount is low, while others commented that because the take up of the entitlement is expected to be low, it is difficult to justify the costs. However others felt that the benefits to those affected outweigh the costs.

2.45 Some respondents felt that the cost of absences could be more significant than estimated in the Impact Assessment because there will be costs in addition to the direct cost of hiring temporary workers which will impact businesses. These include costs of scoping the job role, time liaising with agencies, recruitment, interviewing and induction costs. Other potential costs included productivity costs where suitable cover can not be found and the possibility of temps leaving during the period of cover.

2.46 Other responses noted that costs to HMRC, the Employment Tribunals Service and the Advisory, Conciliation, Arbitration Service (Acas) could result from increased enquiries. It was also felt that there is likely to be an increase in the number of requests for flexible working as a result of fathers returning to work after taking APL&P, which may have additional impact on businesses.

### **Government response**

2.47 Taking into consideration the points that have been raised regarding the management costs of covering an absence, we believe the estimates for the cost of covering absence presented in the Impact Assessment are as accurate as possible. In calculating the cost of absence we took into consideration non-wage labour costs including employers' social contributions such as National Insurance payments, contractual and statutory annual leave and sick pay as well as the time spent by management deciding how work should be covered, redistributing the work amongst other staff and paying overtime or similar for the cover.

2.48 The Government recognises that there will be costs associated with the implementation and monitoring of the policy. We will monitor the level of these costs to ensure that the provisions are effective and that

individuals are able to access sufficient information and advice. Guidance will be developed during 2010 to help employees and employers to use and administer the entitlement.

2.49 Fathers now contribute around a third of all time spent by parents in caring for children. Survey evidence suggests that fathers would like to be even more involved and there is a growing body of evidence that fathers can play an important part in their child's development from birth through to adolescence<sup>9</sup>. For example, when mothers work during the first year of their child's life and fathers play a greater role in bringing up children, this can lead to strong, positive educational effects later on in the child's life. The Government believes flexible working for fathers is a positive thing in supporting families with the choices they face. There is a range of existing support and guidance available to businesses on handling requests for flexible working through the Business Link and Directgov websites.

"There will be one-off costs associated with adjustments what will need to be made to our IT systems, but ongoing costs should be minimised by standardisation with existing paternity procedures."

*Tesco Stores Ltd.*

"From an administrative point of view, the costs are not excessive and certainly no more onerous than administering AMP or SPP."

*Steeles of Worthing*

"The Impact Assessment underestimates the cost of covering absence. The direct costs, such as recruiting, training and paying for temporary cover, are high."

*EEF*

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<sup>9</sup> [www.berr.gov.uk/files/file53550.pdf](http://www.berr.gov.uk/files/file53550.pdf)

## **Question 7: Do you have any other comments on the consultation process as a whole?**

### **Introduction**

2.50 We wanted to provide respondents with a chance to offer any additional points not covered in the previous questions.

### **Summary of comments**

2.51 A large number of respondents expressed a desire to see the entitlements effectively communicated to parents. It was also widely noted that clear guidance will be essential in ensuring that the entitlements are properly understood and administered.

### **Government response**

2.52 We are currently developing plans to publicise APL&P as part of a wider Work and Families communications strategy. This will involve a targeted set of activities aimed at improving awareness of help for fathers as well as mothers to balance work and family responsibilities. These activities will include putting in place improved guidance for families and employers on the Business Link and Directgov websites and refreshing the 'Pregnancy and work' leaflet in the packs provided to all expectant mothers, to include details of rights for new fathers.

“Although the most progressive employers view such arrangements as a business benefit which supports investment in workforce health, many employer representative bodies still portray such rights as a “burden”. The Government must continue to challenge this view and continue to support workers with family care responsibilities to maintain their income through work and continue to use their knowledge and skills to contribute fully to national productivity.”

*Public and Commercial Services Union*

## Annex A: List of respondents

4Children  
Acas  
Adoption UK  
Bakbone Software Limited  
Bliss  
British Association for Adoption and Fostering  
British Chambers of Commerce  
British Retail Consortium  
CBI  
H.L.Brown & Son Ltd  
Chartered Institute of Personnel and Development  
Consortium of Voluntary Adoption Agencies  
DWF LLP  
EEF - the manufacturer's organisation  
Employment Lawyers Association  
Epwin Group  
Equality and Human Rights Commission  
Evotec (UK) Ltd  
Family and Parenting Institute  
Federation of Small Businesses  
Forum of Private Business  
Genome Research Limited  
Gingerbread  
Horticultural Trades Association  
Institute of Directors  
Liverpool Law Society  
Employment Committee  
Local Government Employers  
Managing Maternity Ltd  
Maternity Action and NCT  
Merseyside Integrated Transport Authority and Passenger Transport Executive  
Mind  
Mothers' Union  
North East Chamber of Commerce  
Payroll Alliance  
Pipeline Induction Heat Limited  
Pirelli Tyres Ltd  
Public and Commercial Services Union  
RNID  
Road Haulage Association  
Scottish Engineering  
Southern Housing Group  
Steeles of Worthing  
Tesco Stores Ltd.  
The Ethical Property Company Plc  
The Fatherhood Institute  
The Institute of Payroll Professionals  
The Newspaper Society  
The Law Society  
Trades Union Congress  
Transport for London  
Twins and Multiple Births Association (Tamba)  
UEA Centre for Research on the Child and the Family  
Universities and Colleges Employers Association  
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