

5. Availability and Take-up of New Entitlements

Key findings

Three-quarters of employees report that their employer offers **time off for dependants**.

Around two in five report that their employers offer **parental leave**, and a similar proportion report that their employers offer **paternity leave**.

Respondents with public sector employers are much more likely to report that their employer offers paternity leave and parental leave to employees.

Respondents were also asked if they thought their employer would offer these provisions if requested. Taking this together with those who believed that their employer already did offer such provisions shows that:

- two-thirds believed either that their employer already offered parental leave, or that their employer would do so if asked;
- three-quarters believed either that their employer already offered time off for dependants, or that the employer would do so on request.

Paternity leave (although not a statutory obligation) is the most likely of the three provisions to be paid leave, where offered (three-quarters of employers offering it, made payment).

Of the three provisions, parental leave, where offered, is least likely to be paid; and in cases where it is paid, it is less likely than the other provisions to be fully paid.

Analysis of the take-up of the new provisions showed:

- Fewer than one in ten of those who were aware that their employers offered parental leave believed they were eligible for parental leave during the previous year, and fewer than half of those had actually taken it.
- Around eight per cent of men who were aware that their employers offered paternity leave had been eligible for it during the previous year, but the majority of these had actually taken it.
- Almost all of those who had needed to take time off for dependants during the previous year had taken it (women are more likely than men to report needing such time off).

Looking to the future, nearly all of those who had already taken up the provision, and those who had not yet been eligible or had not needed to, indicated that they would take time off for dependants or paternity leave in future, if they needed to or became eligible. A slightly smaller proportion (but still more than four out of five) indicated that they would take parental leave in future, if they became eligible.

In all three cases, the most common reason given for not taking up the provision (when eligible) was not being able to afford to (because the leave or time off was either not paid or only partly paid).

5.1 Introduction

This chapter reports the findings of the small part of the present study which did not specifically focus on issues of awareness and knowledge of employment rights. This part of the study took advantage of the opportunity which was offered by an individual level survey on employment rights to fill a specific but separate gap in policy-makers' current knowledge. This gap related to questions of availability and take-up of provisions recently introduced under legislation relating to parental leave and time off for dependants.

Although these questions are rather different from those tackled in the rest of the study, they are included here for completeness.

In this part of the study, a short series of extra questions was asked of those in the sample who were in employment at the time of the survey, focusing on:

- whether or not their employer currently offered this kind of leave/time off
- whether the respondent had been eligible for this type of leave/time off in the last year
- whether eligible respondents had, in fact, taken the leave/time off in question, and
- if not, what had prevented them from doing so.

It should be stressed that, throughout this chapter, reference to 'availability' of the various statutory rights refer to *respondents' perceptions* of availability. This may differ in practice from the *actual availability* of those rights. Although employers are under a legal obligation with regard to the statutory provisions, many employees will become aware of their entitlements only through their employers. The specific questions (listed above) were designed to capture respondents' awareness in this sense and not to test employer compliance. If, instead of the questions asked, respondents had initially been reminded that their employers were under a legal obligation and then asked whether the rights were made available to them, they would, in effect, be answering a somewhat different question: 'does your employer comply with

the legislation'. This latter approach was not the purpose of the present study.

5.2 Availability of the new leave and time off provisions

All respondents in employment at the time of the survey were asked the following three questions:

Leaving aside your annual leave/holiday entitlement, does your employer offer:

- *Parental leave (ie the opportunity for **mothers** or **fathers** to take up to 13 weeks off work to spend with their children up until the child is five years old). [**NB** this is different from paternity leave]?*
- *Time off for dependants (that is, time off in an emergency; for example, to meet caring responsibilities)?*
- *Paternity leave [to fathers], ie time off work immediately following the birth of a baby?*

Table 5.1 shows that around three-quarters of respondents reported that their employer offered time off for dependants, while two in five reported that their employer offered parental leave and paternity leave respectively. It should also be noted that nearly a third of respondents in each case did not know whether their employer offered parental leave and paternity leave.

Table 5.1: Types of leave/time off under the new provisions offered by employer

Offered by employer?	Parental leave (%)	Time off for dependants (%)	Paternity leave (%)
Yes	40.5	75.9	42.5
No	26.2	13.1	25.4
Don't know	30.3	11.0	32.1
Unweighted base (n = 100%)	918	916	916

Tables 5.2 to 5.5 show how the perceived availability of the different provisions varied with the characteristics of the respondent's employer.

There was some sectoral variation (Table 5.2), but the pattern was not consistent between the different provisions. Thus the reported incidence of parental leave was highest in the 'other services' sector and lowest in the distribution and related sectors, while for paternity leave the distribution and related sectors had the highest reported incidence, and the primary and extractive sectors the lowest. As far as time off for dependants was concerned, the lowest reported incidence was in financial and business services, and the highest in the primary and extractive sectors.

Table 5.2: Leave/time off offered under the new provisions, by sector

Sector (SIC)	% of respondents in sector reporting that their employer offers...			Unweighted base (n = 100%)
	Parental leave	Time off for dependants	Paternity leave	
Primary & extractive	37.5	81.3	29.4	19
Manufacturing, utilities and construction	42.4	76.5	42.4	190
Distribution, hotels, restaurants, transport & communication	34.9	70.8	47.7	218
Financial & business services	37.8	70.0	47.3	94
Public admin., education, health & social work	44.9	80.8	41.8	293
Other services	47.5	71.7	38.3	67

Table 5.3: Leave/time off offered under the new provisions, by public/private nature of organisation

Nature of organisation	% of respondents in sector reporting that their employer offers...			Unweighted base (n = 100%)
	Parental leave	Time off for dependants	Paternity leave	
Public sector	43.8	74.2	50.0	363
Private sector	39.0	75.5	40.1	495
Voluntary/charitable	66.7	100.0	*	19

* = fewer than 5 cases in cell.

As Table 5.3 shows, however, whether the organisation was in the public or private sectors appears to be a more important influence than the particular industry in which the organisation is situated. Thus, in the case of paternity leave, and to a lesser extent parental leave, respondents with public sector employers appear more likely to report that their employer offers the provision. There is very little difference between public and private sectors with regard to reported provision of time off for dependants.

In the case of all three provisions, respondents in larger workplaces are more likely to report that their employer offers the provision (Table 5.4). Table 5.5 shows that trade union presence in

Table 5.4: Leave/time off offered under the new provisions, by size of workplace

Size of workplace (no. of employees)	% of respondents in sector reporting that their employer offers...			Unweighted base (n = 100%)
	Parental leave	Time off for dependants	Paternity leave	
Fewer than 15 employees	26.5	74.6	29.0	157
15 employees or more	43.1	75.3	46.5	719

Table 5.5: Leave/time off offered under the new provisions, by union presence in the workplace

Trade union present in the workplace?	% of respondents in sector reporting that their employer offers...			Unweighted base (n = 100%)
	Parental leave	Time off for dependants	Paternity leave	
Yes	46.6	78.8	49.6	431
No	35.0	73.7	37.8	474

the workplace is also associated with a higher incidence of all three of the provisions.¹

5.3 Would employer offer leave/time off under the new provisions on request?

Respondents who reported that their employer did not offer leave or time off under the new provisions, or who did not know whether the leave/time off was offered, were asked whether they believed that the employer would grant them the leave or time off, on request².

As Table 5.6 shows, a higher proportion of respondents thought that their employers would offer time off for dependants, if asked, than thought that their employers would offer parental leave.

¹ It should be noted that these two factors (workplace size and trade union presence are, themselves, associated. Thus, across the sample, 20 per cent of respondents in workplaces with fewer than 15 employees report a trade union presence at the workplace, compared with 53 per cent of respondents in workplaces with 50-plus employees.

² This question was not asked in relation to paternity leave which, at the time of the research was not a statutory obligation on employers.

Table 5.6: Whether employer (not currently offering leave/time off) would offer it on request

If you asked your employer for parental leave/time off, do you think you would get it?	Parental leave (%)	Time off for dependants (%)
Yes	43.0	59.7
No	38.1	22.5
Don't know	18.9	17.9
Unweighted base (n = 100%)	545	205

Taking the information in Table 5.6 together with that in Table 5.1 indicates that among respondents in employment:

- just under two-thirds (65.6 per cent) knew that their employer offered parental leave, or believed that the employer would offer it, if asked
- nearly three-quarters (73.8 per cent) knew that their employer offered time off for dependants, or believed that the employer would do so on request.

5.4 Whether leave/time off under the new provisions is paid or unpaid

Respondents reporting that their employers offered leave or time off under the new provisions were then asked whether this leave/time off was paid (fully or partly) or not, and the results are shown in Table 5.7.

Paternity leave (although, at the time of the research, not a statutory obligation) is the most likely of the three provisions to be paid (where offered), with nearly three-quarters of respondents whose employers provide it reporting that the leave is paid (in most cases fully paid).

Of the three provisions, parental leave, where offered, is least likely to be paid; and in cases where it is paid, it is less likely than the other provisions to be fully paid.

Table 5.7: Whether leave/time off offered under the new provisions is paid

Is leave paid?	Parental leave (%)	Time off for dependants (%)	Paternity leave (%)
Yes (fully paid)	33.1	44.9	63.7
Yes (partly paid)	23.2	17.8	8.9
No (unpaid)	24.8	25.9	12.7
Don't know	18.9	11.4	14.7
Unweighted base (n = 100%)	371	711	410

The question of whether or not the provisions (where offered) were paid, was also examined to see if there was any variation by type of employer (sector, size, union presence *etc.*), and Tables 5.8 to 5.10 summarise the results.

In the cases of time off for dependants and paternity leave, these provisions were more likely to be paid (where offered) in cases:

- where the respondent's employer was in the public or voluntary sectors
- where there were more than 15 employees in the workplace in question, and
- where the workplace was unionised.

By contrast, in the case of parental leave, the variation by employer type was generally smaller than for the other two provisions, and if anything, ran in the opposite direction in each case (*ie* the leave was slightly less likely to be paid in public sector, larger and unionised establishments).

Table 5.8: Payment of leave/time off offered under the new provisions, by public/private nature of organisation

Nature of organisation	% offering fully or partly paid leave/time off (among respondents whose employer offers the leave/time off in question)					
	Parental leave		Time off for dependants		Paternity leave	
	%	Unweighted base	%	Unweighted base	%	Unweighted base
Public sector	53.5	158	74.4	277	75.8	175
Private sector	58.5	187	61.3	386	68.7	214
Voluntary/charitable	*	10	75.0	17	87.5	13

* = fewer than 5 cases in cell.

Table 5.9: Payment of leave/time off offered under the new provisions, by size of workplace

Size of workplace (no. of employees)	% offering fully or partly paid leave/time off (among respondents whose employer offers the leave/time off in question)					
	Parental leave		Time off for dependants		Paternity leave	
	%	Unweighted base	%	Unweighted base	%	Unweighted base
Fewer than 15 employees	57.2	37	60.8	125	62.1	43
15 employees or more	55.8	318	65.3	553	72.8	357

Table 5.10: Payment of leave/time off offered under the new provisions, union presence in the workplace

Union presence in the workplace?	% offering fully or partly paid leave/time off (among respondents whose employer offers the leave/time off in question)					
	Parental leave		Time off for dependants		Paternity leave	
	%	Unweighted base	%	Unweighted base	%	Unweighted base
Yes	54.1	144	71.2	259	76.0	166
No	59.5	221	57.9	446	70.9	242

5.5 Eligibility for and take up of leave/time off under the new provisions

Respondents who reported that their employers offered leave or time off under the new provisions, were asked (in the case of parental and paternity leave) whether they had been eligible for such leave in the past year, or (in the case of time off for dependants) whether they had needed to take such time off in the last year. Those who said they were eligible for the leave or had needed to take time off were then asked whether or not they had taken the leave/time off. The results are summarised in Table 5.11 overleaf.

Fewer than one in ten of those reporting that their employers offered parental leave believed that they were eligible for parental leave during the previous year, and fewer than half of those who were eligible had actually taken the leave. Further analysis of the data (not shown in the table) indicated that 16 per cent of those reporting that their employers offered parental leave had children aged under five at the time of the survey, but it should also be recalled that under the new legislation, they would become eligible for parental leave only if their child was born on or after 15 December 1999¹.

¹ This eligibility criterion applied at the time of the research (Summer 2000). It should be noted, however, that the Government announced on 25 April 2001 new measures to extend the entitlement to parental leave. These included extending the right to parents of all children who were under five as at 15 December 1999.

Table 5.11: Whether respondent has been eligible for parental/paternity leave or has needed to take time off for dependants in the last year

Eligible for leave/needed to take time off?	Parental leave (%)			Time off for dependants (%)			Paternity leave* (%)
	Men	Women	All	Men	Women	All	
Yes, eligible for leave/needed to take time off – and took it	4.1	3.6	3.9	26.0	33.6	29.3	6.9
Yes, eligible for leave/needed to take time off – but did not take it	4.1	6.7	5.2	0.5	0.3	0.4	1.4
No, not eligible/did not need to take time off	91.9	88.6	90.4	73.4	66.1	70.2	91.6
Don't know	—	1.2	0.6	—	—	—	—
Unweighted base (n = 100%)	153	218	371	307	404	711	184

* Note that only men were asked the question about eligibility for paternity leave.

A similarly small proportion (around eight per cent) of men who reported that their employers offered paternity leave had been eligible for it during the previous year, but the majority of these had actually taken it.

Turning to time off for dependants, it is clear that not only was this reported as being more widely on offer than the other two provisions, but that almost all of those who had needed to take such time off during the previous year had taken it. It is interesting to note, however, that further analysis of the data shows that among those reporting that their employers offer such time off, women are more likely than men to report that they have needed to take such time off during the previous year.

5.6 Potential future take-up of leave/time off under the new provisions

Respondents who were eligible for leave or who had needed to take time off under the new provisions in the last year, *and* who had taken the leave/time off, together with those who were not eligible or who had not needed to, were asked the following questions:

- *If you became eligible for parental leave (again) would you take it?*
- *If you needed to take time off for dependants (again) would you take it?*
- *If you became eligible [for paternity leave] would you take it (again)?*

As far as time off for dependants and paternity leave is concerned, the responses (Table 5.12) indicated that nearly all of this group would take the time off/leave in future, if they needed to or became eligible. A slightly smaller proportion (but still more than

four out of five) indicated that they would take parental leave in future, if they became eligible.

Table 5.12: Potential take-up of new provisions

Would respondent take leave/time off (again) under the new provisions in future?	Parental leave (%)	Time off for dependants (%)	Paternity leave (%)
Yes	82.5	98.6	96.4
No	11.9	0.6	3.1
Don't know	5.6	1.0	0.5
Unweighted base (n = 100%)	347	708	166

Note: Question was asked of those who had already taken up the provision, and those who had not yet been eligible or needed to.

5.7 Barriers to take up of leave/time off under the new provisions

Finally, those respondents who had been eligible for leave or time off under the new provision but had not taken it, together with the small number who had taken it but indicated that they would not do so again, were asked to identify the factors that would stop them taking the time off/leave.

The total numbers of respondents to these questions were too small¹ to justify presenting an analysis of the data. In each case, however, financial reasons dominated. Thus using weighted data, 37 out of 53 respondents gave affordability as the reason with regard to parental leave, seven out of eleven with regard to time off for dependants, and four out of seven with regard to paternity leave.

¹ The unweighted numbers of respondents to these questions were as follows: parental leave (43); time off for dependants (12); and paternity leave (6).