



Employers' concern over shared parental leave

Matthew Howse considers some of the practical issues that could stem from plans to share parental leave more equally

Deputy prime minister Nick Clegg has announced that the government will be introducing a new flexible approach to shared parental leave in 2015 and will be going ahead with the previous government's plans in the meantime.

The Additional Paternity Leave Regulations 2010, which apply to babies born on or after 3 April 2011, are viewed by this administration as a stepping stone in the process. The regulations give fathers the right of up to six months' extra leave, which can be taken once the mother has returned to work, 20 weeks or more after the birth of the child. Fathers can receive the balance of the mother's statutory maternity pay if it's not already exhausted.

The fresh proposals outlined by Clegg suggest leave could be taken in a number of different ways, including: sharing paid leave between parents; allowing both parents time off together; or for time off to be taken in chunks rather than all at once. The government would also like to see "use-it-or-lose it" blocks of time especially reserved for fathers, but admits this may prove unaffordable.

Employers are already expressing concerns about how shared leave will work in practice and the increased financial and administrative burdens that will undoubtedly follow. It is not clear how employers will be able to check employees' partners' records if they work for a different organisation, so they see plenty of scope for abuse. There is also a risk of discrimination claims if fathers seek to secure the same organisational benefits as mothers on maternity leave (such as enhanced maternity pay or a return to work bonus). Employers will come under increased pressure from employees to equalise such benefits - if they bow to this pressure, the financial impact may force them to withdraw benefits altogether, which could damage staff retention and engagement.

Other employers believe that sharing parental leave will have a positive impact on their business, making them more successful at recruiting women of childbearing age and improving workforce diversity. In the long term, they expect that mothers who are the primary earners in their household may feel able to return to work earlier if their partners share childcare responsibilities. Ultimately this could result in more women holding senior positions within their organisations.

The government has said it will work with business to make sure the new system is sustainable and affordable and has promised to consult on its plans imminently.

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