



HM Government

## 1. Transparency: Flexible working and family related leave and pay policies

The consultation is available at: <https://www.gov.uk/government/consultations/good-work-plan-proposals-to-support-families>

The closing date for responses is: 11 October 2019

Please return completed forms to:

Team: Family-related Leave and Pay Team  
Department for Business, Energy and Industrial Strategy  
Postal address: 1<sup>st</sup> Floor Spur, 1 Victoria Street, Westminster, London, SE24 0DN

Tel: 020 7215 5000

Email: [supportingfamiliesconsultation@beis.gov.uk](mailto:supportingfamiliesconsultation@beis.gov.uk)

### Personal / Confidential information

Please be aware that we intend to publish a summary of all responses to this consultation.

Information provided in response to this consultation, including personal information, may be subject to publication or release to other parties or to disclosure in accordance with the access to information regimes. Please see the consultation document for further information.

If you want information, including personal data, that you provide to be treated as confidential, please explain to us below why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we shall take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department.

I want my response to be treated as confidential

Comments: [Click here to enter text.](#)

## About You

Name:

Email address:

Organisation (if applicable):

Address:

	<b>Respondent type</b>
<input type="checkbox"/>	Business representative organisation/trade body
<input type="checkbox"/>	Individual
<input type="checkbox"/>	Legal representative
<input type="checkbox"/>	Large business (over 250 staff)
<input type="checkbox"/>	Medium business (50 to 250 staff)
<input type="checkbox"/>	Micro business (up to 9 staff)
<input type="checkbox"/>	Small business (10 to 49 staff)
<input type="checkbox"/>	Trade union or staff association
<input type="checkbox"/>	Other (please describe)

	<b>If you are an individual, are you:</b>
<input type="checkbox"/>	Employed
<input type="checkbox"/>	Self-employed
<input type="checkbox"/>	Unemployed
<input type="checkbox"/>	Retired
<input type="checkbox"/>	Not looking for work
<input type="checkbox"/>	other

	<b>If you are an employer, how would you classify your organisation?</b>
<input type="checkbox"/>	Private sector
<input type="checkbox"/>	Public sector
<input type="checkbox"/>	Charity/Voluntary sector
<input type="checkbox"/>	Other (please specify)

## Section 1: Publishing family related leave and pay and flexible working policies

If a requirement to publish family-related leave and pay and flexible working policies was introduced, large organisations might be required to provide a link to the relevant policies on their website. As the purpose of the requirement is to achieve greater transparency, we believe that this should be the case whether their offer exceeded the statutory minima or not. Where the offer does not exceed the statutory, a simple statement should suffice.

### Question 1

**Do you agree that large employers (250+ employees) should publish their family related leave and pay policies on their website?**

Strongly agree	<input type="checkbox"/>
Agree	<input type="checkbox"/>
Neither agree nor disagree	<input type="checkbox"/>
Disagree	<input type="checkbox"/>
Strongly disagree	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

**Please provide reasons for your answer.**

**Comments:** [Click here to enter text.](#)

**Question 2:**

**Do you agree that large employers (250+ employees) should publish their flexible working policies on their website?**

Strongly agree	<input type="checkbox"/>
Agree	<input type="checkbox"/>
Neither agree nor disagree	<input type="checkbox"/>
Disagree	<input type="checkbox"/>
Strongly disagree	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

**Please provide reasons for your answer.**

**Comments:** [Click here to enter text.](#)

**Question 3:**

**Do you agree that transparency of these policies will help employers to recruit and retain staff?**

Strongly Agree	<input type="checkbox"/>
Agree	<input type="checkbox"/>
Neither Agree nor disagree	<input type="checkbox"/>
Disagree	<input type="checkbox"/>
Neither agree nor disagree	<input type="checkbox"/>
Strongly disagree	<input type="checkbox"/>

Don't know	<input type="checkbox"/>
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**Please provide reasons for your answer.**

**Comments:** [Click here to enter text.](#)

**Question 4:**

**Do you agree that, where the employer has a policy on family related leave and pay which extends the statutory minima, reworking and publishing your internal policy document on a public-facing website would not be a significant or expensive task?**

Strongly agree	<input type="checkbox"/>
Agree	<input type="checkbox"/>
Neither agree nor disagree	<input type="checkbox"/>
Disagree	<input type="checkbox"/>
Strongly disagree	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

**Please provide reasons for your answer.**

**Comments:** [Click here to enter text.](#)

**Question 5:**

**Do you agree that, as for family related leave and pay, reworking and publishing your flexible working policy on a public-facing website would be simple and inexpensive?**

Strongly agree	<input type="checkbox"/>
Agree	<input type="checkbox"/>
Neither agree nor disagree	<input type="checkbox"/>
Disagree	<input type="checkbox"/>
Strongly disagree	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

**Please provide reasons for your answer.**

**Comments:** [Click here to enter text.](#)

**Question 6: How helpful would the following information be if it was held (and viewable) on a central database – for instance the Gender Pay Gap Reporting Portal:**

	Very helpful	Quite helpful	Neither helpful nor unhelpful	Not very helpful	Not at all helpful	Don't know
<b>A. Whether flexible working may be available from the start</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>B. Approach to place, hours and times of work</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>C. Approach to informal flexible working (such as later starts to accommodate health and other appointments)</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>D. Enhancements to different types of family related leave and pay, for example:</b> <ul style="list-style-type: none"> <li>• Maternity Leave and Pay;</li> <li>• Paternity Leave and Pay;</li> <li>• Adoption Leave and Pay;</li> <li>• Shared Parental Leave and Pay;</li> <li>• parental leave taken in respect of older children;</li> <li>• or, any other contractual enhancements to family related leave and pay.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**E. Please provide reasons for your answers.**

**Comments:** [Click here to enter text.](#)



**Question 7:**

**To what extent do you believe that a job applicant's decision on whether to apply for a job depend on the publication of the information mentioned above?**

A lot	<input type="checkbox"/>
Somewhat	<input type="checkbox"/>
Not at all	<input type="checkbox"/>

**Please provide reasons for your answers**

**Comments:** [Click here to enter text.](#)

## **Section 2: A requirement to report or a voluntary approach?**

There are already a number of mandatory reporting regimes in place, including gender pay gap reporting (mandatory for all large businesses, i.e. those with 250+ employees). These provide incentives on businesses to take action to improve their performance, so we are mindful of introducing additional regulation without testing a voluntary approach in the first instance – particularly given the impact the reporting requirement alone appears to be having in raising the profile of these issues.

However, the potential for change to be driven by greater transparency around existing policies should also be weighed against the potential stimulus for change which an action plan might provide. Around 50% of large employers already voluntarily supplement their gender pay gap information with a narrative or an action plan, which sets out the steps they are taking to narrow the gap. It may be that a dynamic action plan is a more effective way of driving cultural change also on this issue.

**Question 8:**

**How effective do you believe a voluntary approach to encourage greater transparency about an organisation's approach to flexible working and family related leave and pay (e.g. through the Gender Pay Gap Reporting Portal) might be in providing information about employers' policies?**

Very effective	<input type="checkbox"/>
Fairly effective	<input type="checkbox"/>
Not very effective	<input type="checkbox"/>
Not at all effective	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

**Please provide reasons for your answer.**

**Comments:** [Click here to enter text.](#)

**Question 9: How effective do you believe creating a facility on the Gender Pay Gap Reporting Portal on GOV.UK to record details about an organisation's policies on flexible working and family related leave and pay would be:**

	Very effective	Fairly effective	Not very effective	Not at all effective	Don't know
A. To provide a central point of information for employees or prospective employees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. To let employers record the information as a part of the annual cycle of Gender Pay Gap Reporting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Please provide reasons for your answer**

Comments: [Click here to enter text.](#)

**Question 10:**

**How effective do you believe it might be to encourage employers to set out how they are using greater transparency about their employment policies as part of their gender pay gap action plans?**

Very effective	<input type="checkbox"/>
Fairly effective	<input type="checkbox"/>
Not very effective	<input type="checkbox"/>
Not at all effective	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

**Please provide reasons for your answer**

Comments: [Click here to enter text.](#)

**Question 11:**

**Do you agree that it would make sense to enforce a reporting requirement of this kind in the same way as gender pay gap reporting (i.e. a requirement to provide this information as part of the gender pay gap reporting process)?**

Strongly agree	<input type="checkbox"/>
Agree	<input type="checkbox"/>
Neither agree nor disagree	<input type="checkbox"/>

Disagree	<input type="checkbox"/>
Strongly disagree	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

**Please provide reasons for your answer**

Comments: [Click here to enter text.](#)

### **Section 3: A requirement to say whether jobs may be open to flexible working in an advert**

If employers were to be required to say in a job advert whether flexible working was available, there would be a need to strike a balance between what information it was practical to provide, and what a candidate would find helpful.

**Question 12:**

**Thinking about the balance between what it is practical to provide in a short job advert and what is useful to a candidate, which of the following is the best option (please select one)?**

A simple statement (such as "Happy to Talk Flexible Working")	<input type="checkbox"/>
A short statement covering the organisation's approach to place, hours and times (e.g. "core hours") of work	<input type="checkbox"/>
A simple statement and a link to a published policy	<input type="checkbox"/>
A short statement covering the organisation's approach to place, hours and times of work and a link to a published policy	<input type="checkbox"/>
Other	<input type="checkbox"/>

**If Other, please set out below**

Comments: [Click here to enter text.](#)

**Please provide reasons for your answer**

Comments: [Click here to enter text.](#)

**Question 13: If a requirement was introduced to state in job adverts whether flexible working may be available or not:**

**A. Who might the enforcement power sit with? Please describe.**

Comments: [Click here to enter text.](#)

**B. What should be the process for reporting a breach? Please describe.**

Comments: [Click here to enter text.](#)

**C. What should be the penalty for a breach? Please describe.**

Comments: [Click here to enter text.](#)

**Question 14:**

**If a requirement to provide a link to your flexible working policy on the gender pay gap reporting portal was introduced, do you agree that it would be helpful also to ask employers to record whether they had advertised jobs as open to flexible working?**

Strongly agree	<input type="checkbox"/>
Agree	<input type="checkbox"/>
Neither agree nor disagree	<input type="checkbox"/>
Disagree	<input type="checkbox"/>
Strongly disagree	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

**Please provide reasons for your answer**

Comments: [Click here to enter text.](#)

Thank you for your views on this consultation.

Thank you for taking the time to let us have your views. We do not intend to acknowledge receipt of individual responses unless you tick the box below.

Please acknowledge this reply

At BEIS we carry out our research on many different topics and consultations, and your views are valuable to us. Would you be happy for us to contact you again from time to time either for research or about other consultations?

Yes

No