

## Church of England Board for Social Responsibility

### Submission to Work and Parents Taskforce

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#### Introduction

1. The terms of reference of the Church of England Board for Social Responsibility require it 'to co-ordinate the thought and action of the Church in matters affecting the life of all in society'. The Board reports to the Archbishops' Council and, through it, to the General Synod.
  2. The Board warmly welcomes the Government's decision to set up a Work and Parents Taskforce to consider parents' desire for more flexible work patterns in a way that is compatible with business efficiency.
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While recognising your request to answer your specific questions, we would like to note our concern that only one of the 10 members of the Taskforce is a parent representative and we feel that the terms of reference are weighted towards employers rather than employees.

We do not feel qualified to respond to all of the questions. However we offer our comments and wish the Taskforce well in its consultation.

#### **a. Should there be special conditions for small businesses?**

The Board's interest in the implications of socio-economic change for family life led it to offer strong support to the Council of Churches for Britain and Ireland (now Churches Together in Britain and Ireland) when it commissioned an Enquiry for the Churches, chaired by the Rt. Rev David Sheppard (then Chair of the Board for Social Responsibility) into the profound changes taking place in the labour market. The Enquiry looked at the effect of these changes on people in all kinds of situations, but especially those who are disadvantaged or poor. A high percentage of low-paid workers are to be found in small businesses. We suggest that there should be a greater emphasis on considering the real choices available to people. Low-paid employees in small businesses are particularly vulnerable. Within a light-touch approach there must be adequate protection for the employee who asks for a change in work arrangements and does not get it. While recognising the difficulties for small businesses, if they are exempted from the expectations to be flexible, then low-income families are going to miss out on the opportunities available to others.

**b. What age should the child be after which the parents have no absolute right to request flexible working (the cut-off)?**

We do not think that giving a definite cut-off age or to talk about ‘absolute rights’ is compatible with your ‘light-touch’ approach and the desire to spread flexible working. Families, children and parents are all different and in different situations. There could be a need to negotiate flexible working when a child is older or ill or when the family is coping with changing circumstances such as bereavement or relationship breakdown. We should be moving towards a culture, which allows for more flexible working arrangements for anyone who has a responsibility of caring.

**f. What should be the remedy if the employee believes their request has been refused without serious consideration?**

If there is no remedy then the ‘light-touch’ legislation may not be feasible. It needs to be clear what expectations there are for ‘serious consideration’. We suggest a ‘like-for-like’ approach. A written request deserves a written and reasoned response, explaining the consequences for the business if flexible working is allowed. If that is not given, or if it can be shown that the information in the response is seriously misleading, then the employee may, in effect, be being dismissed. There should, therefore, be the opportunity to sue for wrongful dismissal.

**h. What support can be given to employers and employees to help them make and deal with requests?**

It is a justifiable use of public money to enable employees and employers realistic choices, particularly those with the lowest incomes. Competitive pressures may make employers resistant to requests unless society as a whole recognises its responsibilities and is prepared to bare the cost of their implementation. There may need to be financial subsidies available as well as outside bodies to negotiate sensible arrangements on behalf of vulnerable employees. A light touch will work well in organisations that have clear and competent human resources personnel. Many of the issues raised in your questions depend on the quality of relationship between employer and employee.

**i. Are there any other legislative or other obstacles to the growth of flexible working?**

There has to be a process of education alongside this ‘light-touch’ approach. It is interesting to note that, even in countries where parents have the right to work flexible hours, the take up is low. There has to be a concerted effort by society, employers and employees to question the long-hours culture, not to discriminate against those who choose to work more flexibly and to affirm the importance of time with children. Other obstacles include the cost of housing. In a recent report, in several areas of the country the average cost of a house will need a £30,000 salary to service the mortgage. This limits the real choices that parents will have to be more flexible (and therefore reduce their income).

In conclusion, we understand the importance of producing solutions that employers will take up and the desire to have a light-touch approach. However we would stress the importance of the views of parents, of the vulnerability of low-paid employees who may not have same breadth of choice and that this initiative has to be seen in the context of giving all carers the opportunity to choose more flexible working arrangements.

+ THOMAS SOUTHWARK:  
Chairman

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