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Work-Family Balance Policies as a Paradigm Shift**

Nevena Ivanović (Student, Master of Public Policy, Class of 2008)

Foreword by Prof. Stein Kuhnle (Hertie School of Governance)

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Family Policies in the United Kingdom: Work-Family Balance Policies as a Paradigm Shift?

Foreword

Nevena Ivanović has written this policy report as part of assignments for the Elective Course on “A New Social Europe?” organized by Stein Kuhnle for the Master of Public Policy program at the Hertie School of Governance during the Fall semester 2007.

The aim of the course was to look at what is happening at the European (EU) level and at commonalities and variations at the national level in today’s European welfare states. The purpose of the course was to give students a deeper understanding of European welfare state development, to study the role of the EU for national developments, and to study to what extent examples of national reforms can be understood as responses to exogenous or endogenous economic, social and political challenges.

As *one* assignment students were asked to write about – and characterize - reforms in different social policy fields – family-, health-, labour market- and pension policy - within one of the following countries, representing different types of welfare states or ‘welfare regimes’: Denmark, Germany, Poland and the United Kingdom. The general research question given was: Is there a new politics of welfare in the (selected) European countries? Is there a change of path of social policy or welfare state development? Students were asked to relate to conceptualizations of types of welfare states and concepts or theories of policy change; to report on major recent reforms; to discuss the contents and implications of reforms in light of theoretical conceptualizations; and, if possible, discuss why and how reforms came about. Thirteen students participated in the course, and reports were written on labour market reforms and pension reforms in all four countries; on family policy reforms in Germany, Poland and the UK; and on health policy in Poland and the UK. The course was very much an interactive, collective undertaking and the other students participating and actively taking part in discussions, and thus contributing to the improvement of single policy reports were: Veselina Angelova, Christine Ante, Simon Bruhn, Nevena Gavalyugova, Ariane Götz, Henry Haaker, Jan Landmann, Diana Mirza Grisco, Ruth Obermann, Diana Ognyanova, Julie Ren, and Lyubomir Todorakov.

Stein Kuhnle

Professor of Comparative Social Policy, HSoG Course Instructor/Convener

Abstract

This report seeks to examine major changes that occurred in the last 10 years in the UK in the sphere of family policies, or more specifically, the introduction of policies aimed at the reconciliation of working and family life. The changes were addressed from two perspectives. On the one hand, Peter Hall's concept of three different types of changes in policy – change in levels of existing instruments, changes to the instruments themselves, and changes in policy goals, has been employed, and a conclusion reached that there has been a paradigmatic shift: policy goals themselves changed. Family welfare and reconciliation of work and family life became legitimate policy goals. The other approach was to look at the changes from the perspective of gendered welfare state discussions, and ask the question in what way has the character of the UK gendered welfare state changed – specifically concerning state support for a different division of care and paid labour between men and women? The preliminary conclusion is that new UK policies make a beginning commitment in this respect but fall short of effectively encouraging major change: they do facilitate the reconciliation of work and family *for women*, but still provide moderate to weak levels of support for the involvement of *men* in child-rearing.

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1. Introduction: Research questions and theoretical models

In the initial welfare state typology developed by Esping-Andersen, United Kingdom was grouped in the liberal welfare state type, while the United States was identified as its ideal type representative, and little detail was offered about the character and extent of family policies of this particular welfare state model. When family policies are being considered, gender must necessarily be implicated. Still, Esping-Andersen's and other mainstream welfare state typologies were not successful at first in integrating gender as a category of analysis, even when they took into consideration the impact of welfare state provisions on women's employment patterns and on "gender equality" – understood as equal participation in the labor market and by extension, equal or full citizenship by women. While Esping-Andersen recognized that family as a provider of care played a role in the formation of welfare state types, and had built family into his explication of two other types – the conservative and the social-democratic – he did not integrate insights into the differences between men's and women's experiences with "decommodification" into his overall theoretical framework. (Decommodification is a key term used to denote the extent to which a social service is seen as an individual right, and the extent to which an individual can maintain a living independently of the market.) Since then, many authors have contributed to the rich debate on the gendering of the welfare state, and on the evolution of gender regimes – a more encompassing term which aims to capture other areas of state involvement or intervention that reach beyond the provision of care, and tax and benefit regulations, like, for example, the regulation of labour markets, laws concerning marriage, divorce and women's reproductive rights, as well as education.¹

It is the intention of this report to examine major changes that occurred in the last 10 years in the UK in the sphere of family policies, or more specifically, policies aimed at the reconciliation of working and family life, and to do that from two perspectives. Firstly, the changes will be addressed from the perspective of Peter Hall's concept of three different types of changes in policy: change in levels/settings of existing instruments ("first order change"), changes to the instruments themselves ("second order change"), and finally, changes in policy goals, or the hierarchy of goals ("third

¹ On gender regimes, see Walby (2001) and (2004). For a very brief review of the literature which adds the gender dimension to welfare state theorising, see Arts and Gelissen (2002).

order change”) (Hall 1993: pp. 278-9). Secondly, the paper will attempt to examine the changes against the background of discussions on how the welfare state is gendered and how changes in policy may affect the gendered character of the welfare state.

Since the election of a new Labour government in 1997, the UK has introduced a mix of policies that extended existing maternity leave and pay, introduced new rights to fathers, and a new right to both parents to request flexible working hours, as well as expanding the provision – public and private – of childcare for small children. These reforms are considered major and are subject to analysis because they involved a lot of new public spending at a time when the welfare state was considered to be contracting, and also because they changed the basic assumptions about how much state intervention is appropriate in what has been for so long considered off limits to the state: the ‘private’ sphere.

Research question one would, looking at the reforms since 1997, ask the simple question, following Peter Hall’s account of policy change: what types of policy changes have occurred? Did change happen at the level of settings (of instruments), mechanisms (change in type of instruments), or policy goals? As for *research question two*, it would be: in what way do these reforms change – if they do – the specific gendered character of the UK welfare state? How do they affect normative assumptions about the ‘right’ division of labor in the family, and of paid and unpaid labour between women and men? And the actual division of domestic/caring labor? While the scope of this report does not allow for a satisfactory answer to the second question, it will try to offer some preliminary conclusions. The report will start with an overview of different contributions to the theorising of welfare state types which bring gender in as a category of analysis. Following that, it will describe the situation prior to the introduction of the reforms and then the reforms themselves. The report will also look at the background for the changes, namely how policy issues had been framed and the larger policy context they were a part of. Finally, it will outline an analysis of the reforms and try to answer the two research questions about the nature of change in the realm of family policies in the UK over the last 10 years.

Theoretical models: gendering the welfare state...and ‘gender regime’

Gender ideology is institutionalized in a variety of laws and policies: labor and tax laws, educational curricula, childcare policies, family law (regulation of women's reproductive capacities and familial and social relationships). These laws and policies, but also different services and programs, which cut across other, traditional policy domains, all constitute 'family policy', or rather 'family policies'. Thus it is impossible to conceptualize of family policies and not think about gender or social control or power relations. In the UK, like in all Western states, the system of social provision, when created, rested on an implicit gender division of labour: men worked for wages, and women, even if they also worked for pay, were primarily mothers, wives, caregivers and domestic workers (Orloff 2002: p. 22).

The focus on power resources is at the core of Esping-Andersen's typology of the different welfare state regimes of Western capitalist states. Still, his typology initially focused on the relationship between state and market, adding family to the mix later, cursorily, never noticing the untenability of gender neutrality of many concepts he uses, such as the Marshallian concept of social rights (women did not have the same social rights as men) or his 'typical industrial worker' (the typical worker was male). According to Esping-Andersen's typology, in liberal welfare states women are encouraged to participate in the labour force, especially in the service sector (Esping-Andersen 1990). As gender matters less than the sanctity of the market, women's ability to enter paid work simply depends on the level of services, which are privately provided in liberal regimes, enabling or constraining women from working, depending on individual circumstance and choice (Orloff 1993: pp. 312-314).

However, 'adding women' to the framework is not enough. There are important differences, established by empirical research, within liberal but also conservative and social-democratic regime type states, and neither women's employment patterns, nor the type of provision of services fit neatly into this typology. It is the analytical model itself that needs to be gendered. The consideration of gender relations, and an exploration of the gender nature of welfare state regimes has served as a very useful

corrective and contribution to the mainstream typology of Esping-Andersen, one which he has tried to incorporate in his recent work.²

Several authors initially responded with attempts to gender Esping-Andersen's dimensions of the welfare state, with different authors suggesting different elements as key in accounts of gendered welfare state types. Early work by Lewis (1992) distinguished between the policy regimes based on the extent to which they supported the strong-male-breadwinner-female-housewife model, finding that a 'modified' one and a 'weak' one exist throughout the Western world. Years later, a colleague of Esping-Andersen, Korpi (2000), used the institutions of family policy and the way they supported the division of women's labour between the family and society to develop three ideal-typical models: 1. dual earner support model (e.g. Scandinavian states); 2. general family support model (e.g. Germany); and 3. the market-oriented model (liberal states), where both services and income are left to market forces.

In work by Orloff (1993), the critical gender dimensions of a social policy regime were whether access to paid work and services that made employment available for caregivers (thus helping women reconcile home and work responsibilities) were adequately decommodified. Access to work and services that make working possible for women are more important to them than decommodification, understood in the original sense, i.e. as the insulation from the market. In other words, women need a right to be commodified. Another important dimension for Orloff was the question of outcome of policies, i.e. how they affect the capacity of women to form and maintain an autonomous household – which also entails the freedom to choose whether one does or does not enter a marital or other relationship to a man/male breadwinner (Orloff 1997: p. 195).

Another analysis which sought to integrate gender into the discussion on models of welfare states grouped countries in clusters not only according to their *orientation to*, but also according to the eventual *outcome in* women's paid employment. Women's employment was here understood in its two dimensions of continuity and extent, and this analysis also included the regulation of labour markets as an important aspect of

² For example, chapter "A New Gender Contract" in Esping-Andersen 2002 (*Why We Need a New Welfare State*).

state activity, something that had not been captured before (Daly 2002, slightly modified by Orloff 2002). The clusters of countries according to women's 'activity' (i.e. employment measured by two dimensions, extent and continuity) are: 1. high activity (US, Canada, France, Portugal, Scandinavia); 2. medium to high activity (UK, Australia); 3. medium (Austria, Germany, Netherlands, Belgium); and 4. low activity (Southern states without Portugal, Ireland, Luxemburg).

Finally, Sylvia Walby suggests in her work on gender regimes as a more encompassing theoretical framework for the examination of gender relations than the 'gendered welfare state' concept, that looking beyond provisions of care services and benefits is useful for a better understanding of what goes on in the Western states in general, and in each of them individually. Looking into other aspects, such as regulation of labour markets, which is an area where the European Union has exercised great powers over the last several decades, is useful because it serves to explain the activity of women: it is not only socialized care, but also the structure of the labour market, that influences the numbers of women in paid work (Walby 2001: p. 6). So, it has been established that, on the one hand, women's (and by extension, mothers') employment is not necessarily determined only by welfare state family policies, and on the other, that not all family policies necessarily have for their purpose an extension of women's employment, understood in both its dimensions (Daly 2000: p. 491). Still, inevitably, wherever women's employment has been extended, care has shifted elsewhere – either to the market or the state (Orloff 2002: p. 17).

2. What has changed? An account of the pre-reform situation and the subsequent reforms

Provisions in the field of family policies, early to mid-1990s

This section will spell out what, if any, were the policies addressing the balance of work and family, and look at the patterns of women's employment in the UK. How well did the UK fit in Esping-Andersen's liberal welfare state type, and are the other types more useful?

As for leave and income replacements during and after child birth, before 1998, in the UK maternity leave was up to 18 weeks, payable: for the first 6 weeks it was compensated at 90% of past earnings, and for the next 12 at a flat statutory rate. There was no parental leave and no paternity leave. Also, there was little public provision of child care: aside from Luxemburg, UK had a lowest percentage of children under 3 in publicly funded care in mid-1990s of all of Western Europe – only 2%. The low public provision of services, which in other countries acts as a strong hindrance of women's employment, has been counterbalanced in the UK by demand for part-time, service sector work, which is often poorly paid, and deregulated; and also by the cheap provision of private care, since this type of work was also low-paid and not skills-related (Daly 2002: p. 488).

So, in mid-1990s, UK had levels of moderate to high women's employment, but also low levels of continuity in employment (owing to interruptions for child rearing) and a sharp division between fathers' and mothers' engagement in paid work (Daly 2002: p. 501, Orloff 2002: pp. 9-10). This made the UK sit uncomfortably in the mainstream liberal cluster. Actually, when checked for women's employment, this cluster can be divided in the following way: the US and Canada form the 'high activity' group with the Scandinavians, France and Portugal, and UK and Australia make up the 'medium to high' group. And inside Korpi's model, these two countries, rather than being put into the market-oriented model, can actually be said to form a liberal version of the general family support cluster (Sjöberg 2006: pp. 109-110).

Part time work accounted for almost half of all women's employment, and was prevalent among married and single mothers: in early 1990s, only 52% of UK mothers with children under 10 worked, and of that, 2/3 had part-time work. Occupational segregation was high, although the gender pay gap was lower than in the US (Daly 2002: p. 490).

In summary, while the UK did not have explicit family policies, nor matching government portfolios to deal with them, different welfare state provisions – or the lack of provisions, in some cases – working together with other aspects of state regulation, *did* have gendered implications. They had led to all kinds of different outcomes for men and women, especially for mothers and fathers when it concerns

their participation in employment. On the other hand, the liberal tradition meant that in terms of taxation, women were treated as individuals, and when pensions are concerned, there were credited periods for time spent caring for family members (only since 1978 though) (Orloff 2002: p. 26). This is the situation as found in 1997 by the new Labour Government.

What has changed?

The major reforms undertaken by the new Government can be divided into three aspects: 1. Leaves and pay while on leave, including the new role for fathers; 2. Rights to request flexible hours; and 3. Childcare provisions (Lewis 2007).

1. Looking at old instruments of maternity leave and pay, *maternity leave* has been extended to 52 weeks, out of which 39 are payable (6 weeks at up to 90% and the rest at the statutory flat rate). The payments have increased significantly, and conditionality for eligibility has been relaxed, making the number of eligible women rise more than three-fold between 1997 and 2001 (Lewis 2007: p. 374). There was a commitment to soon make the full year of maternity leave payable.

While these paid leaves will be among the longest in Europe, new *rights for fathers* – a new policy instrument – are still underdeveloped, considering some more ‘advanced’ provisions in other countries. However, newly introduced two weeks of paid paternity leave (paid at statutory rates, but often supplemented by employers) have been taken up by 93% of fathers by 2005. Another novelty in the area of paternity leave is the provision that fathers may take up to 20 weeks from the mother’s leave, should she choose to go back to work. However, this provision will probably have negligible effect, since it has been established elsewhere that leaves for fathers needs to be adequately compensated and flexible in order to be taken up (Lewis 2007: p. 373).

2. Right to request flexible hours has been introduced, making it a marked departure from the tradition of voluntarism in British industrial relations. Requests can be made by parents before the child’s 6th birthday, or 18th if the child is disabled, and they have a right to be ‘taken seriously.’ This right, however, does not amount to a right to actually *get* a flexible working pattern (Lewis 2007: p. 374). Still, the take up has

been high: 3.2 million women and 2.2 million men, or 22% of the total workforce, now have a flexible working arrangement. Importantly, this measure has halved the number of women who change their employer because of child birth – from 41% of them in 2002, to 20% in 2006 (Munn 2007).

3. As for childcare – since 1998 there have been constant initiatives to increase the scope of provision, including by direct investment of funds, provision of free care for some families, and extending working hours of facilities. Also, in the Childcare Act of 2006, the government committed, for the first time, through legislation, to provide “accessible, high quality childcare and other services for children under five [to give] parents greater choice in balancing work and family” (Department for Children, Schools and Families 2006). However, the mixed provision of services was not abandoned (reliance on the private sector is still present), and although the spending has increased, it remains demand-led. The sustainability of facilities, especially in disadvantaged areas, is a problem (Lewis 2007: p. 373).

3. How and why: The new ideological thrust behind the changes in family policy

Policies in the UK unfolded against the background of long-standing demographic change, changes in fertility and marriage patterns, and working patterns, as well as economic globalization (including pressures from the international labor markets). Social changes made the male breadwinner an exception rather than the rule – and Labour was ready to recognize it. Their reforms aimed at the restructuring of the welfare state in general, looking for a new role for social policy, provide a wider ideological umbrella for an understanding of policies on the reconciliation of work and family.

The new element was making rights more conditional, i.e. strengthening the work-welfare relationship, this time for women too; and while the labour market had already been flexible, Labour wanted to make flexibility, in their words, “fair.” At first, family policies or social policy issues were not considered separately – rather, the focus was on employment, as employment was seen as the best pro-family policy

(Lewis 2007: p. 367). Also, social expenditure began to be framed as social investment (for example, early years learning and dealing with child poverty, which was growing in the UK). Finally, the welfare state restructuring package also included the modernization of services.

Initially, a strong business-case for gender equality and for the reconciliation of work and family was being made: state officials quoted a benefit of a growth of 2% of GDP if men and women were treated equally in terms of wages, also stressing large GDP increases if more women enter the labour force or increase their working hours, and if they get work they are qualified for. This was part of the larger efforts to make a business case for social policy in general. The term “work family balance” – and work-family balance (WFB) policies – appeared in 2000, to tone down gender equality and present the case more effectively to employers’ associations. Research has been used to demonstrate that WFB policies improve “employee retention, productivity, morale and commitment” (Lewis 2007: p. 369). Balancing policy initiatives with the consideration of business interests, and taking into account different stakeholders, has been an important characteristic of the process.

Since 2003, a discursive shift has been visible, when the Labour government abandoned the business case for WFB policies and other social policy provisions, and instead framed all those policies as being directed at furthering the goal of *family welfare*. (Lewis 2007: p. 376). Child poverty and embarrassingly low ranking of UK high-school students in OECD-wide studies of educational achievement probably contributed to this reversal as well. Needs of families and of children began to be treated as a legitimate policy goal of its own, and state claimed a right for itself to intervene in balancing work and family obligations. However, the type of intervention remains specifically British, in the sense that it sought lighter modes of regulation and intervention, while being able at the same time to extend the scope and extent of provisions. The outcome of this intervention in the UK are WFB policies which do not necessarily resemble those in other countries considered progressive when it comes to WFB regulation (Lewis 2007: p. 376).

4. What type of change: A Summary of the Analysis of the Reforms

Overall, the tendency has been toward incremental increases in levels of provision of already existing instruments; modest and rather weak³ new instruments have been introduced, and the most marked change seems to have occurred at the level of policy goals and ideas about what is desirable state intervention. New goals emerged after a term in government which saw slow, but steady and substantial extensions of old instruments and an introduction of new ones. There was a tendency to increase scope and coverage over time; spend more and more public money and make more people eligible. The result has also been that more time is taken up.⁴ As Lewis notes, the package of policies, even if characterised by a lot of continuity alongside change, represents a considerable change of policy – as the government commitment to the reconciliation of work and family is rightly interpreted as a major paradigmatic shift concerning the desirability of state intervention in the sphere of work and family. Being a paradigmatic shift, this change also means that the particular set of WFB policies is relatively entrenched, and that only minor changes would be possible in the case of a Conservative government coming into power.

So, the answer to the first question is more or less obvious: we can observe Hall's third order change – policy goals have changed, and a new political consensus emerged on role of state. An answer to the second one remains more ambiguous. There is an indication that the policy package/mix introduced in the last 10 years is contributing to a shift in gender relations, and more specifically to the distribution of caring work between men and women in families, but the provisions are new and too weak to have immediate demonstrated effect. Reconciliation of work and family for women may be facilitated by the changes, but as even Esping-Andersen writes, gender equality is more than just harmonizing motherhood with employment: it would ensue when more men would also seek to combine work and family time (Esping-Andersen 2002: pp. 94-5). New UK policies, at least at the level of goals, if not actual

³ Like, for example, the short paternity leave, and the 20 weeks that the father can take if the mother chooses to return to work – in addition to being very modest in length, compared to provisions of Scandinavian countries, and, as of recently, Germany, they are also not compensated to the extent that any substantial take up can be expected – see discussion on p. 9.

⁴ Three quarters of new mothers take full entitlement, up from two thirds in 2002, and leave use is up from 4 months in 2002 to 6 months in 2006. See Munn 2007.

size of provisions, make a beginning commitment in this respect but fall short of effectively encouraging this kind of change.

Following what Walby writes in her comparative inquiry into different national gender regimes, this clear-cut case for paradigmatic policy change (extension of old instruments, introduction of new instruments, change at the level of goals: desire to create new “workplace culture,” focus on family welfare and child welfare, new consensus for acceptable state intervention) can also be understood as a move of the UK gender regime from the more private one to the more public – a move that does not preclude *further* transformation along that continuum between a domestic and a public gender regime (Walby 2001: p. 11). Following a different route from the Scandinavians, and building on a different gender ideology, the UK has reached a stage of high women’s employment (while maintaining high levels of fertility), high levels of support for working mothers, with still moderate to weak levels of support for an involvement of men in child-rearing. The potential for more change is there, even if it will necessarily interact with other social institutions to form, perhaps, yet another specifically British ‘gender contract.’

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