



Evidence to Committee

Equality and Social Justice Committee: Childcare and Parental Employment

Evidence details

Nature of Enquiry: Inquiry on childcare and parental employment, focussing on the barriers that childcare provision can present for parents, particularly women, entering and progressing in the labour market.

Source of Evidence: Senedd Cymru

Date: 15 November 2021

For more information please contact

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About the Commission

1. The Equality and Human Rights Commission ('the Commission') is Great Britain's national equality body and has been awarded an 'A' status as a National Human Rights Institution (NHRI) by the United Nations.
2. Our job is to help make Wales and Britain fairer. We do this by safeguarding and enforcing the laws that protect people's rights to fairness, dignity and respect. We use our unique powers to challenge discrimination, promote equality of opportunity and protect human rights. We work with other organisations and individuals to achieve our aims, but are ready to take tough action against those who abuse the rights of others.
3. The Commission has been given powers to advise Governments and Parliaments across England, Scotland and Wales on the equality and human rights implications of legislation and policy. We can also publish information or provide advice, on any matter related to equality, diversity and human rights. We are here to offer our expert advice to support the work of the Equality and Social Justice Committee to ensure equality and human rights considerations are at the heart of the Sixth Senedd.

How we have approached this inquiry

4. Our response is informed by emerging Wales evidence, and data and information from elsewhere where we consider that to be relevant.
5. We have submitted our response on 15 November - 2021. We acknowledge that some of the detail and many of the statistics cited will be out of date almost immediately, although the issues raised are likely to remain relevant.

6. Although the response is wide-ranging, we anticipate that – given the fluidity and rapidly-changing nature of the current context – we may need to raise additional issues, as well as provide updates on the issues raised here, to the Committee in due course.
7. Not all evidence headings were applicable to the work of the Commission, and therefore we have included evidence under alternative headings for clarity and to support the work of the Committee.
8. We thank the Committee for the opportunity to provide evidence and look forward to exploring this further on 29 November.

Evidence

Pregnancy and Maternity Discrimination Research Findings

9. Our findings in relation to pregnancy and maternity discrimination (May 2018). The Department for Business, Innovation and Skills (BIS) and the Equality and Human Rights Commission commissioned a programme of research to investigate the prevalence and nature of pregnancy discrimination and disadvantage in the workplace. The Equality Act 2010 legislation prohibits pregnancy and maternity discrimination. The results in this report are based on interviews with 3,034 employers and 3,254 mothers.

10. The two surveys cover the views and experiences of employers and mothers on a range of issues related to managing pregnancy, maternity leave and mothers returning to work. The report explored:
 - The type and incidence of potential pregnancy and maternity-related discrimination.
 - The characteristics of women who experience possible discrimination.
 - Availability and effectiveness of advice and support.
 - Experiences of women who raise complaints or attempt to enforce their legal rights.
 - Employer awareness of and attitudes to their legal rights and responsibilities.

- Employer attitudes towards recruiting and managing women of childbearing age, pregnant women, those on maternity leave and women with children.
- Availability of advice and support for employers (particularly small and medium-sized enterprises).
- Why some employers may possibly discriminate and others are successful in promoting good practice.
- The demand among mothers to breastfeed or express milk in the workplace and employer attitudes, policies and practices in relation to breastfeeding in the workplace.

11. The majority of employers reported that it was in their interests to support pregnant women and those on maternity leave and they agreed that statutory rights relating to pregnancy and maternity are reasonable and easy to implement.

12. However, around one in nine mothers (11%) reported that they were either dismissed; made compulsorily redundant, where others in their workplace were not; or treated so poorly they felt they had to leave their job; if scaled up to the general population this could mean as many as 54,000 mothers a year.

13. One in five mothers said they had experienced harassment or negative comments related to pregnancy or flexible working from their employer and /or colleagues; if scaled up to the general population this could mean as many as 100,000 mothers a year.

14. 10% of mothers said their employer discouraged them from attending antenatal appointments; if scaled up to the general population this could mean up to 53,000 mothers a year.

15. Our research and findings reports

[Read the employers full research report \(PDF\)](#)

[Read the mothers full research report \(PDF\)](#)

[Read the summary of the key findings \(PDF\)](#)

[Read the interim report: summer 2015 \(PDF\)](#)

16. This report follows the 2005 Equal Opportunities Commission's (EOC) report [Greater Expectations](#) examining the extent of pregnancy discrimination in Britain. The EOC reported that almost half of the 440,000 pregnant women in Britain at that time, experience some form of disadvantage at work, simply for being pregnancy or taking maternity leave. It was also reported that 30,000 women are forced out of their jobs. This figure included women who opted for voluntary redundancy.

New research looking at employer views towards pregnant women and new mothers

17. The Equality and Human Rights Commission asked YouGov to conduct a survey to understand managers' attitudes around pregnancy and maternity discrimination. We found that:

- A third (36%) of private sector employers agree that it is reasonable to ask women about their plans to have children in the future during recruitment.
- Six in 10 employers (59%) agree that a woman should have to disclose whether she is pregnant during the recruitment process.
- Almost half (46%) of employers agree it is reasonable to ask women if they have young children during the recruitment process.
- 44% of employers agree that women should work for an organisation for at least a year before deciding to have children.
- 40% of employers claim to have seen at least one pregnant woman in their workplace 'take advantage' of their pregnancy.

- A third believe that women who become pregnant and new mothers in work are 'generally less interested in career progression' when compared to other employees in their company.
- Four in 10 (41%) employers agreed that pregnancy in the workplace puts 'an unnecessary cost burden' on the workplace.
- Half (51%) of employers agree that there is sometimes resentment amongst employees towards women who are pregnant or on maternity leave.
- Around a third (36%) of employers disagree that it is easy to protect expectant or new mothers from discrimination in the workplace.

Protected Characteristics and Socioeconomic Duty

18. The characteristics that are protected by the Equality Act 2010¹, which are most relevant for this evidence, include:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex

¹ <https://www.equalityhumanrights.com/en/advice-and-guidance/your-rights-under-equality-act-2010>

- sexual orientation

19. Pregnancy and maternity, in addition to sex, is a protected characteristic and is central to our evidence.

20. In addition, the Equality Act 2010 provides a framework for reducing the inequalities of outcome resulting from socio-economic disadvantage through the socioeconomic duty.

21. Pregnant women and new mothers already face disadvantage in the workplace, which will likely worsen as a result of the pandemic and any subsequent recession. Our analysis² of the previous recession showed that women with childcare responsibilities were at a greater disadvantage than either men or other women in continuous employment, due to restricted internal labour markets and employer perceptions of unreliability and inflexibility.

22. Our 2015 pregnancy and maternity research³ found that around one in 20 mothers were made redundant at some point during pregnancy, maternity leave, or on return from maternity leave.

² T. Hogarth et al, EHRC (2009), [The Equality Impacts of the Current Recession](#)

³ EHRC (2015), [Pregnancy and maternity-related discrimination and disadvantage: Experiences of Employers](#)

23. More recently, the TUC surveyed over 3,400 workers, with one in four pregnant women and new mums reporting unfair treatment or discrimination at work including being singled out for redundancy or furlough⁴. As employers face increased financial difficulty and uncertainty throughout the coronavirus response, pregnant women and those on maternity leave are at an even greater risk of discrimination, and of being forced into redundancy.

24. Many pregnant women reported that they had been forced to take unpaid leave, start maternity leave early or were placed on sick leave, rather than being furloughed, or were refused furlough because they had childcare responsibilities and were deemed not to be working. Many also raised, and continue to raise⁵, concerns about being forced to work without proper health and safety risk assessments, in breach of health and safety law.

25. The Commission is clear that pregnant women and new mothers should not be disadvantaged financially, or in their careers, by following advice to protect the health of themselves and their families.

26. The Welsh Government should include in all its guidance for employers links to the Equality and Human Rights Commission's Coronavirus employer guidance:

- [Coronavirus guidance for employers](#);
- [Reasonable Adjustments for Employees](#);
- [Your Duties on Pregnancy and Maternity](#).

⁴ TUC (2020), [Pregnant and precarious](#): new and expectant mums' experiences of work during Covid-19. Note the TUC's sample is self-selected, so may not be fully representative of the population.

⁵ Pregnant Then Screwed (June 2020) [The impact of Covid-19](#)

Coronavirus, Childcare and Parental Employment

27. While all workplaces and employees have been affected by coronavirus, the crisis is affecting different groups in different ways. While noting that men comprise the majority of critical care cases, the Women's Budget Group has highlighted how women are disproportionately affected in work.

28. For example, women comprise the majority of health and care workers and of low paid workers,⁶ where a lack of basic employment rights such as sick pay mean that many have been forced to continue working while having to bear the brunt of their own childcare needs.⁷

29. This places significant challenges in terms of individual health and well-being, but also in terms of women's ability to participate in the labour market after restrictions are ended, or if childcare provision is eroded further.

⁶ Women's Budget Group (April 2020), [Crises Collide: Women and Covid-19](#)

⁷ Almost 3 in 10 mothers report reducing their working hours for childcare reasons, compared with 1 in 20 fathers ONS (2019), [Families and the labour market](#) The Resolution Foundation notes that 39% of working mothers were key workers before the crisis began, compared to just 27% of the working population as a whole. Resolution Foundation (April 2020), [Economic impacts of the coronavirus crisis on different groups of workers](#)

30. Recent estimates at a European level is that the economic benefits of gender equality could lead to a 10 percent increase in GDP yearly.⁸ There are clear business benefits to increasing workforce diversity too: diverse workplaces are more competitive, profitable and secure, financially out-performing their peers.⁹
31. As such, the Commission strongly believes economic recovery plans and employer responses need to consider and address the specific economic constraints facing women. If the Government is genuinely committed to achieving the best possible recovery it can, it needs to address labour market inequality, remove the barriers facing women in employment and create conditions for better economic participation for women.
32. This includes making a commitment to ensuring the provision of affordable, flexible childcare, stepping away from insecure employment and encouraging the creation of good work at real living wage levels, so that women are able to contribute their skills and experience to securing Wales's economic recovery.
33. The introduction of social distancing measures, shutdown of certain sectors and subsequent closure of schools and childcare settings has had a particular impact on women. Pre-existing labour market gender inequalities such as concentration in part-time, low paid employment, and

⁸ European Institute for Gender Equality (2017) [Economic benefits of gender equality in the European Union](#). Calculations state that gender equality could increase growth by 10 percent across the EU. Because of the UK's relative position as one of the EU's best performers in terms of gender equality means the benefits would likely not be as high as this but could still be as high as 4% or the equivalent of £88bn based on 2019 UK GDP.

⁹ CIPD (June 2018) [Diversity and inclusion at work: facing up to the business case](#)

over-representation in health and social care,¹⁰ childcare and education sectors, as well as shut-down sectors such as hospitality and retail, and the ongoing unequal burden of caring for children and family members,¹¹ places huge challenges on women's labour market participation and financial stability.

34. The sectoral impact of the social distancing restrictions, and the disproportionate impact it has had on low-paid women. The Resolution Foundation reported in June 2020 that women in employment were more likely to be in shutdown sectors than men in employment¹², and that women were more likely to be in low pay, with 19 per cent of women paid below two-thirds of the median compared to 12 per cent of men.¹³ IFS analysis also shows that workers in shutdown sectors such as hospitality were already almost twice as likely to be in poverty before the pandemic.¹⁴

35. Our analysis of the previous recession showed that women with childcare responsibilities were at a greater disadvantage than either men or other

¹⁰ According to the Women's Budget Group, 77% of healthcare staff are women. 83% of those working in social care are women, and around 21% are ethnic minorities. See Women's Budget Group (April 2020), [Crises Collide: Women and Covid-19](#)

¹¹ Almost 3 in 10 mothers report reducing their working hours for childcare reasons, compared with 1 in 20 fathers ONS (2019), [Families and the labour market](#) The Resolution Foundation notes that 39% of working mothers were key workers before the crisis began, compared to just 27% of the working population as a whole. Resolution Foundation (April 2020), [Economic impacts of the coronavirus crisis on different groups of workers](#)

¹² Resolution Foundation (2020), [The Full Monty](#). Facing up to the challenge of the coronavirus labour market crisis.

¹³ Resolution Foundation (2020), [A new settlement for the low paid: Beyond the minimum wage to dignity and respect](#)

¹⁴ IFS (2020), [Living standards, poverty and inequality in the UK: 2020](#)

women in continuous employment.¹⁵ The Commission's research into pregnancy and maternity discrimination also found that 1 in 20 pregnant workers or those on, or recently returning from, maternity leave experienced redundancy.¹⁶

36. In addition, low-skill, low paid work is particularly vulnerable to any economic downturn¹⁷ and there is evidence already that certain sectors, including hospitality and retail where many women are employed, are beginning to implement major redundancies,¹⁸ and permanent closures as a result of the pandemic.¹⁹ This will have a profound impact on the financial security of many women and the gender pay gap in the longer term.

Equality and Human Rights Implications

37. The equality and human rights implications of the coronavirus pandemic stretch far and wide. It has precipitated a global public health and economic crisis that is significantly impacting all areas of life for everyone throughout Wales.

¹⁵ T. Hogarth et al, EHRC (2009) [The Equality Impacts of the Current Recession](#)

¹⁶ EHRC and the Department for Business, Innovation and Skills (2016) [Pregnancy and maternity related discrimination: experiences of mothers](#)

¹⁷ T. Hogarth et al, EHRC (2009) [The Equality Impacts of the Current Recession](#)

¹⁸ UK Hospitality (June 2020) [One million hospitality staff members expected to return to work in July](#) this survey indicates that the hospitality industry is expecting to see around 320,000 redundancies as a result of the pandemic.

¹⁹ Centre for Retail Research (June 2020) [The crisis in retailing](#). The CRR estimates there will be over 235,000 job losses in the retail sector in 2020.

38. The Commission's "How coronavirus has affected equality and human rights" report shows how the pandemic has laid bare, intensified and deepened existing inequalities.
39. Dr Sara MacBride-Stewart & Dr Alison Parken in "[Inequality in a future Wales: Areas for action in work, climate and demographic change](#)" highlights that low-skilled jobs decrease, creating unemployment for those over-represented in low-paid and precarious work, including women.
40. In addition, with the shift towards digital and green jobs, there is a concern that women are underrepresented in these sectors and will be further underemployed²⁰
41. The differential economic impact we are seeing on women is a direct result of existing labour market inequalities caused by the combination of women's concentration in low paid or part time work, lack of flexible working opportunities at all levels, and the fact that women do the majority of unpaid care work. These are all contributing factors to the gender pay gap, which we believe may be widened as a result of the coronavirus.
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43. As a result of the closure of schools and nurseries, many parents faced difficulty balancing the needs of working and childcare, either because they were expected to work from home, or because they were required to

²⁰ <https://phw.nhs.wales/publications/publications1/inequality-in-a-future-wales-areas-for-action-in-work-climate-and-demographic-change/>

attend work. Unequal division of unpaid labour, including childcare and caring responsibilities for older or disabled relatives, means that this is having a particular impact on women.

44. An IFS online survey reported that mothers are 23 per cent more likely than fathers to have lost their jobs either temporarily or permanently during the pandemic. Of those mothers who were in paid work prior to social distancing measures being introduced, they were 47 percent more likely to have permanently lost their job or to have quit employment, and 14 percent more likely to have been furloughed. Many mothers too have had to reduce their paid working hours in order to manage the additional requirement of childcare and schooling.²¹

45. A survey by Pregnant Then Screwed indicates that 77.6 per cent of mothers reported difficulties balancing paid employment and childcare, with 25 percent of respondents saying that their employer had been inflexible. 56.5 per cent also report concerns that this has, or will, damage their career prospects.²²

46. A lack of affordable, sustainable and flexible childcare is also a real concern. Childcare providers have expressed concern about their long term viability in light of the social distancing restrictions²³ because of narrow profit margins and reliance on parents paying fees²⁴. A survey in April revealed that 25 per cent of providers thought that it would be

²¹ Institute for Fiscal Studies (May 2020) [Parents, especially mothers, paying heavy price for lockdown](#)

²² Pregnant Then Screwed (June 2020) [The impact of Covid-19](#) surveyed 3868 pregnant women and mothers.

²³ Professional Association for Childcare and Early Years (May 2020), [PACEY survey reveals devastating impact of Covid-19 on childcare provision.](#)

²⁴ Coram Family and Childcare (April 2020), [Statement from Coram Family and Childcare: nursery closures.](#)

unlikely they would be operating in 12 months' time²⁵; another reported that around 15 per cent of providers, offering up to 250,000 places, stated that they won't reopen once social distancing measures are ended²⁶.

47. Previously, the TUC also found that 71 per cent of mums planning to return to work in the three months following June 2020 are currently unable to find childcare²⁷, with 35% of mothers prior to the crisis relying on informal childcare such as friends and relatives. If early years' childcare settings are forced to close, this will severely undermine women's future participation in the labour market.

48. A survey of 6147 parents in early March 2020 found that eight per cent of women had not returned to work following a birth of a child due to childcare costs, and for those who had, 47.2 per cent reduced their hours²⁸. Recent research by the Organisation for Economic Co-operation and Development estimates that the UK has the second most expensive childcare system in the world,²⁹ meaning many women decide to work part-time to care for their children themselves, a contributing factor to the gender pay gap.

²⁵ Early Years Alliance (May 2020), [CORONAVIRUS: A quarter of childcare providers fear permanent closure within the year, new Alliance survey reveals.](#)

²⁶ Childcare.co.uk (April 2020) [Nearly a sixth of childcare providers set to close permanently due to Covid-19](#)

²⁷ TUC (2020), [Pregnant and precarious: new and expectant mums' experiences of work during Covid-19](#)

²⁸ Pregnant Then Screwed (February 2020), [Cost of childcare.](#)

²⁹ Organisation for Economic Co-operation and Development (OECD) (2019), [Net childcare cost for parents using childcare.](#)

49. Evidence shows a disproportionate impact on some people³⁰. In the context of the economic reconstruction strategy for Wales we specifically highlight the unequal impact on ethnic minorities, disabled people, young people, women and people experiencing socio-economic disadvantage. The coronavirus pandemic has laid bare, intensified and deepened existing inequalities.

50. In our *Is Wales Fairer? 2018*³¹ report we documented how disabled people are being left even further behind, socio-economic disadvantage is leading to a stark gap in life experiences, violence against women and girls is a reality for many, and race inequality persists in Wales. We are concerned that the pandemic and responses to it are exacerbating these existing inequalities across all areas of life.

51. Concerns have been raised in Wales that pregnant women have been sent home on sick pay or unpaid leave during the Coronavirus crisis³². Caring responsibilities are increasing for many which will have a disproportionate impact on the one in four women aged 50-64 who have caring responsibilities, compared to one in six men³³. We need to mitigate the negative impact this could have on women's careers as they continue to shoulder the majority of childcare and caring responsibilities³⁴. Ethnic

³⁰ https://www.equalityhumanrights.com/sites/default/files/equality_and_human_rights_commission_how_coronavirus_has_affected_equality_and_human_rights_2020.pdf

³¹ [Equality and Human Rights Commission \(2018\), 'Is Wales Fairer? 2018', EHRC website \[accessed June 2020\]](#)

³² [BBC news, 'Coronavirus: Claim pregnant women put on sick pay', 10 May 2020 \[accessed May 2020\]](#)

³³ [Carers UK, Facts About Carers policy briefing, August 2019 \[accessed May 2020\]](#)

³⁴ [Summers, H. \(2020\) UK society regressing back to 1950s for many women, warn experts', The Guardian, 18th June \[accessed 18 June 2020\]](#)

minority women are more likely to be in precarious employment and could therefore feel the brunt of any economic recession.

52. In addition, recent analysis by the Women's Budget Group shows that many disabled women had very real concerns about the financial implications of coronavirus, with 34.2 per cent reporting that they had run out of money compared to 24.4 per cent of non-disabled women. Disabled women were also more likely to report that they were spending more time working from home, were struggling to focus and experienced increased stress.³⁵

53. We recognise that Welsh Government resources and public services are under exceptional strain and that responding to the pandemic means responding to a rapidly evolving situation and making tough decisions. However, now and as we emerge from this crisis, it is crucial that equality and human rights are at the centre of decision-making so that responses to it are effective and no-one is left behind.

What measures should the Government put in place to ensure gender equality in the longer-term economic recovery from Coronavirus, with specific reference to any upcoming financial announcements?

³⁵ Women's Budget Group (June 2020) [Disabled women and Covid-19](#)

54. There is an urgent need for the Welsh Government to take steps to ensure that workers with particular protected characteristics do not face further detriment.
55. The cumulative impact of the financial disadvantage experienced by women risks resulting in many falling into poverty in the short term, and widening the gender pay gap in the longer term. The Welsh Government must consider the specific economic impacts of the pandemic on women, including younger, disabled and ethnic minority women, particularly those who are low-paid, and where necessary, target support to sectors that have been disproportionately impacted.
56. We also urge the Welsh Government to undertake analysis on the number of employees made redundant disaggregated by protected characteristic, full-time and part-time status, occupation, and industry as part of its wider assessment of the impact of coronavirus and work with the Commission, trade unions and business representative groups to find ways to mitigate any disproportionate impact on different protected groups.
57. It is important for the Welsh Government to take action to protect women from discrimination, particularly given its binding obligations under CEDAW to eliminate discrimination against women in the field of in the field of employment, including on the grounds of pregnancy and maternity.
58. Our 2015 pregnancy and maternity discrimination research also revealed that a quarter of employers believe it is acceptable to ask questions about a woman's plans to have children at interview.³⁶ This potentially places women at further disadvantage in a competitive job market.

³⁶ BEIS and EHRC (2015) [Pregnancy and maternity related discrimination: summary of findings](#)

59. As noted above, the Commission is very concerned about the longer term availability of childcare for working parents, and the impact this has on women's participation in the job market. The unequal division of unpaid caring responsibilities was also identified as major concern
60. Fathers increasingly want to play a greater and more active role in bringing up their children, but current parental leave offers are failing to meet this demand because of the complexity of the Shared Parental Leave scheme, ineligibility, low financial incentive, and concerns about employer attitudes.
61. These barriers to parental leave for fathers reinforce gendered assumptions about caring responsibilities, and result in a disproportionate burden of childcare and other unpaid work on mothers. At the last UK census³⁷, women were also notably more likely to be unpaid carers than men, which can also have a lasting impact through women's careers and contribute to the gender pay gap³⁸.
62. Social distancing measures have required many employers to implement flexible working practices in order to survive. [ONS data](#) shows that in the period 14-17 May a third worked from home only, with another eight per cent working from home and travelling to work. This has demonstrated that it is possible, and beneficial to both employers and employees.
63. We hope to see this practice continue in the long term as flexible working enables many people to participate in the labour market, particularly those

³⁷ Office for National Statistics (2011), [Census 2011](#)

³⁸ EHRC (2018), [Fair opportunities for all: a strategy to reduce pay gaps](#)

with caring responsibilities³⁹ and disabled people⁴⁰, leading to greater efficiency, reducing stress and increasing employees' motivation and commitment. Flexible working options for fathers would also help to increase their participation in early years' childcare, and, as with improvements to parental leave, support more balanced gender roles.

64. Recent reports indicate that many employees are worried their employer will revert to previous inflexible working practices⁴¹. We believe that this would be regressive and that both government and employers need to recognise that flexible working during the pandemic has shown that it is possible to retain productivity and contribute to the economy, while reducing strain on public services and improving people's family life.

The impact of high-quality formal childcare provision on reducing the attainment gap, and the potential benefits of extending childcare provision to tackle inequalities.

³⁹ Working Families (2019), [2019 Modern Families Index](#) Nearly three in five parents (58%) reported having a flexible and family-friendly employer would make them more likely to stay. Over half (55%) said it would make them more motivated and productive.

⁴⁰ Leonard Cheshire (2019), [Disabled workers are being failed by employers](#)

⁴¹ TUC (2019), [One in three flexible working requests turned down, TUC poll reveals](#)

65. Our human rights tracker⁴² highlighted that the Welsh Government funded childcare for an average of over 13,500 children per month before the pandemic. Access to childcare remains a barrier to employment in Wales – support should be tailored to parents’ needs, including by expanding the offer to children under three.

66. It is still commonplace for women to bear the majority of domestic work and caring responsibilities, a contribution that is often unseen, undervalued and, in some cases, increasing. ONS estimates the value of unpaid childcare at £132.4bn, 69% of which is accounted for by women. The estimated value of unpaid adult care is £7.97bn, with 59% accounted for by women. This can have major implications for the living standards and mental and physical health of carers.

67. A study by the University of Manchester showed that around 85 carers a year died by suicide in the UK between 2011 and 2015, around half of whom were female. The high cost of childcare can be prohibitive. New analysis by the Trades Union Congress (TUC) revealed that while real wages fell in England between 2008 and 2016, childcare costs rose by 48% over the same period⁴³. The UK and Welsh governments have extended their free childcare, though the availability and implementation of this is different in each country. We have previously highlighted that childcare provision in Wales is patchy⁴⁴.

⁴² <https://humanrightstracker.com/en/progress-assessment/access-to-employment-welsh-government-assessment/>

⁴³ <https://www.equalityhumanrights.com/sites/default/files/pressing-for-progress-womens-rights-and-gender-equality-in-2018-pdf.pdf>

⁴⁴ See: <https://www.equalityhumanrights.com/en/file/18736/download?token=VJ6vr2ia> [accessed: 20 May 2018].

68. The Welsh Government introduced the Childcare Offer for Wales in 2017 to provide up to 30 hours of formal childcare for children aged three or four⁴⁵, but this does not go far enough to meet the needs of parents.

69. The UK and Welsh governments, where applicable, should⁴⁶ ensure the availability and affordability of properly regulated childcare, including by ensuring adequately funded, flexible and high-quality childcare for all children, tackling problems with funding and availability of the provision for 30 hours of free childcare for children aged three to four years, and addressing the funding gap for children between the ages of nine months and three years.

- a. introduce dedicated, non-transferable and flexible ‘use it or lose it’ shared parental leave for parents, with a pay rate that acts as a real incentive to take-up.
- b. make paternity and shared parental leave a ‘day one’ right for employees, and include equivalent provisions for agency and self-employed workers to ensure they can access paid shared parental leave at the same rate as employees.

70. Encouraging parents to share childcare responsibilities more equally would reduce the impact on women’s careers and pay, and ensure fathers have the opportunity to involve themselves more in day-to-day child rearing. In principle, paternity pay and the introduction of shared parental leave means this is possible.

⁴⁵ Welsh Government, ‘The Childcare Offer for Wales: Help with childcare costs for working parents of 3 to 4 year olds’ [accessed: 10 September 2020].

⁴⁶

https://www.equalityhumanrights.com/sites/default/files/childrens_rights_in_great_britain_executive_summary_0.pdf

71. A survey of parents and businesses suggested, however, that just 1% of men had taken up shared parental leave, and that parents considered their relative earning potential and the financial impact when deciding who should care for their children. Statutory maternity and paternity pay is much lower than the National Minimum Wage (NMW) or National Living Wage (NLW), and pay for fathers is lower than that for mothers. In addition, flexible working rights are restricted to employees with over 26 weeks' service.

72. Two factors seem to encourage men's involvement in childcare and reduce the impact on women's careers of being the sole carer: more generous paternity leave, and more affordable childcare. Evidence has shown that countries with effective paternity leave policies are often those that offer well-paid, flexible but non-transferable policies.

73. We have called on the Welsh Government to review the Gender Equality Roadmap to respond to women's experiences of work during the Coronavirus pandemic and in recovery. We also called for the Welsh Government to address the problems with the availability and affordability of properly regulated childcare, including by ensuring adequately funded, flexible and high-quality childcare for all children, and monitor the impact different models of provision have on women's labour market participation, and encourage men and women to share caring responsibilities on an equal basis⁴⁷.

⁴⁷ <https://www.equalityhumanrights.com/sites/default/files/pressing-for-progress-womens-rights-and-gender-equality-in-2018-pdf.pdf>

Other sources of evidence the Committee may wish to consider

Human Rights Tracker

74. Our [human rights tracker](#) is one of the world's first online tools for monitoring human rights compliance. It is a searchable online tool to track how well the Welsh and UK Governments are putting its human rights duties into practice and contains all of the most recent recommendations made to the UK by the UN treaty bodies and the Universal Periodic Review (UPR). We want the human rights tracker to raise awareness of the UK's human rights duties, to help you monitor how well they are being put into practice, and to support you in holding government to account.

75. You can use the tracker to:

- Review the progress the Welsh & UK governments have made towards fulfilling their international human rights obligations.
- Search by [UK](#) and [Wales](#) so you can see which government is responsible for implementing the recommendations.
- Find out what the UN has said about a particular human rights issue (such as education, living standards or work) or population group (such as disabled people or children) in the UK.
- Find dedicated pages on each of the UN human rights treaties the UK has agreed to follow, and on the UPR process.

Is Wales Fairer?

76. [Is Wales Fairer?](#) is the most comprehensive review of how Wales is performing on equality and human rights across all areas of life, including; education, work, living standards, health, justice and security and participation in society.

77. This is the Welsh supplement to our report on equality and human rights progress in England, Scotland and Wales, [Is Britain Fairer?](#)

78. We have also recently produced a follow-up “[How Coronavirus has affected equality and human rights](#)” report which summarises evidence to help us understand the effects of the coronavirus (COVID-19) pandemic on different groups in society.