

“Evaluation of gender equality policies and their effect on family dynamics in relation to the division of unpaid and paid work between women and men in the UK”

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Abstract

This paper reports on research which set out to evaluate gender equality policy in the UK and the effect it may have on family dynamics and specifically the division of paid and unpaid labour between women and men within households. The research consisted of the analysis of major secondary sources of relevant statistics and information, and a piece of empirical research, which surveyed the informed opinions of key policy makers and observers in the field of gender equality.

Introduction – division of work

Paid Work

Women’s employment rate in the UK is at a historically high level (66%) and is continuing to increase (ONS 2001a). This is because the UK has seen the marked increased participation in the labour market of married or cohabiting women, and mothers. In the UK, the proportion of economically active women is the third highest of the European Union member states. However, “women” are a heterogeneous group. Hence there are significant differences in labour market participation according to age, ethnicity, location, educational qualifications and so on. Women’s unequal labour market experiences are associated with “domestic responsibilities” – primarily child care but also other family responsibilities.

The UK also has a very high rate of women working part-time, where they constitute 85% of all part-time workers (ONS 2001a). Occupational segregation between women’s and men’s work has barely changed over last century and still holds true into the new millennium, and over half of employed women work in three main occupational groups (personal services, administrative and secretarial, and selling) (ONS 2001a). The wage gap between women and men in paid work also persists, although it is decreasing slowly. In terms of hourly rate, full time working women earn on average 82% of the male full time rate, whereas part time working women earn only 59% of that rate. Also, the wage gap is even greater for weekly wages, with full time working women earning only 75% of the male rate, and part time women only 28% (ONS 2001b).

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Unpaid work

An examination of the research on caring and domestic responsibilities throws up some interesting facts. The impact of women's greater participation in the public workplace, and the effect of domestic appliances like the washing machine and the dishwasher, have resulted in women doing less housework over the years. Meanwhile men's participation in this area has risen, if only slowly. However, men's traditional role of breadwinner is reinforced by the existing structures of work patterns in the UK, and particularly the 'long hours' culture, which is seen as a sign of commitment to employers. In the UK 43% of women work less than 31 hours per week, whilst 58% of men work over 41 hours. Therefore, the division of unpaid work between women and men remains substantially unequal, with the majority of housework, childcare and elder care falling to women. Women remain responsible for domestic work in 75% of families and in 65% of families where both the woman and the man work full time (particularly shopping for groceries, cooking and cleaning the house). Also, middle class women's domestic and childcare activities are often partly replaced by paying other women to carry them out. This has resulted in an 'informal' economy worth an estimated £4 billion (€6 billion). This is estimated to triple by 2010 to £11 billion (€16.5 billion). The current fast growth in employment is largely in the personal services sector, much of which is plugging the domestic deficit created by women's increasing participation in the public workplace (National Women's Commission 2000).

It is now true that both women and men spend more time with their children than before, and may reflect a greater knowledge of the importance of and commitment to parenting. However, this parenting still falls disproportionately on women. A recent survey commissioned by the Equal Opportunities Commission (Hatter, *et al.* 2002) found that many fathers say they want to be more involved in the family, but they have differing perceptions of what constitutes involvement. It is possible to identify four different typologies of the working father:

"enforcer dad" who takes an overview role in the family and has prime responsibility for discipline;

"entertainer dad" who is involved with their children mostly in terms of play and leisure activities;

"useful dad" who performs many childcare tasks but generally as a "helper" to their partner;

"fully involved dad" who takes the lead in childcare and the tasks associated with it for substantial parts of the week.

Unsurprisingly, the most fathers fit into the middle two types of dad (either "entertainer" or "helpful"). Many also can be described as "weekend dads", in that they hardly see their children at all during the week, but deliberately set the weekend aside as "family time". Therefore, it is not surprising that mothers feel very strongly that they deserve greater recognition for the contribution they are making to their children's future and to society as a whole. They want the value of caring and in particular mothering to be raised in society as a counterbalance to what is seen as the "workaholic", materialistic culture that prevails. The best way to achieve this, given society's emphasis on measuring

people’s worth financially, is felt to be a “mothering wage” or better tax and benefit provision for mothers (Women’s National Commission 2000).

Changing families

In 1996 in the UK, there were 5.8 million households containing only one person. It is predicted that by 2011 there will be 7.9 million, one third of all households. A growing proportion of women are living outside the traditional female role of wife and mother. At present 14% of households are occupied by women living on their own compared to 10% 40 years ago. Lone parents head a quarter of all families with children, three times as many as in 1971, and almost all are lone mothers. It is predicted that by 2005 less than half of all women will be married, as a result of later and lower rates of marriage (in part made up by higher cohabitation rates, which will increase by 13%), and continuing high levels of divorce and widowhood. In one generation the number of first marriages has halved and the number of divorces has trebled. It is estimated that only a third of women aged 25-34 will be married in 2011. Also, women are now having just 1.7 babies on average, and one in four women are opting to have none at all (Women’s National Commission 2000).

The legislative political and cultural climate

The New Labour Government has now been elected into power twice with large majorities, in 1997 and again in 2001. Consequently, gender equality issues have grown in importance and substantially risen up the political agenda, including developing explicit policies for the reconciliation of work and family. Also, New Labour have reversed the UK’s opt outs from agreements on EU social policy as part of an explicit commitment to a more ‘constructive’ relationship with Europe,⁷ and introduced national policies, which appear to demonstrate a commitment to gender equality.⁸

The UK has had Equal Pay legislation for about 30 years (passed in 1970 – implemented in 1975). It has separate anti-discrimination acts in the areas of Sex (SDA), Race (RRA) and Disability Discrimination Acts (DDA) passed in 1975, 1976 and 1995 respectively. The RRA was amended and strengthened in 2001 (widening its remit to cover the police, criminal justice system, army and other public services), the SDA was extended to cover transsexuals in 2002, and the DDA continues to be broadened and strengthened. There are also plans to introduce provision to outlaw discrimination on the grounds of religion and sexual orientation in 2003, and age in 2006. Also, a minimum wage, which disproportionately affects women’s work as the lowest paid, was introduced in the UK in 1999.

In the field of “family-friendly/work-life” policies, maternity provision, in terms of leave and pay, has been the longest standing. This is currently contained in the Employment Rights Act 1996. The standard leave entitlement is

⁷ Directives on working time, part time work and paternal leave.

⁸ New Deal for Lone Parents to encourage lone mothers into the labour market. A National Child Care Strategy. A Minimum Wage 1999, immediate impact on low paid workers majority of whom are women.

18 weeks with all normal terms and conditions – except pay. In the UK, if entitled the woman receives Statutory Maternity Pay (currently £100, approximately 150 €) or social welfare payments if not. Also, 28 additional unpaid weeks are available under certain circumstances. The maternity leave provision is due to extended in 2003.

Also, statutory paternity leave legislation comes into force in April 2003. This will allow men two weeks leave. The Government’s intention initially was that this leave would be unpaid, but after a long and hard fought campaign they have accepted that it must be paid, but only at the same rate as statutory maternity leave. Parental leave is available, but this is unpaid, of limited duration (13 weeks), must be taken before the child reaches five years, hedged around with rules and requirements, and at present only available for parents of children born after 15 December, 1999. Also, employees are allowed ‘a short period’ of absence from work to deal with family emergencies, but it is unpaid.

Any other “family friendly/work life” policies such as flexi-time or job share are not covered by legislation and voluntarily undertaken by some employers, but by no means all. Thus we can see that in the UK, any “family-friendly” policies changes are relatively recent, and whilst there has been a high level of discussion concerning these policies they are rather conservative in their scope. UK male workers work the longest hours in the EU, and the rise in intensity of work in UK has been steeper than any other country in EU. Therefore, time will tell how gender equality measures or family reconciliation practices will work alongside the growing “harder, faster” work culture and will be a test of the Government’s commitment to gender equality.

Analysis of empirical work

Methodology

The informed opinion of key policy makers and observers in the field of gender equality policy was sought through a questionnaire survey.⁹ The study was conducted using a postal questionnaire. The questionnaire was sent to various actors and observers in the policy field. These included: the Equal Opportunities Commission; the two major business led campaigns for equality between women and men in paid work in the UK, Opportunity 2000 and Fair Play; Trade Unions who were active in the field of gender equality; the Department of Trade and Industry; the Government’s Women’s Unit; a local authority pro-active in gender equality; and finally prominent academics in the disciplines of European Studies, Economics and Social Policy.

The questionnaire contained extensive questions on the impact of the main pieces of legislation pertaining to gender equality in the UK. For each of the pieces of legislation, the questionnaire asked for an assessment of the impact

⁹ A questionnaire was used as the vehicle for data collection as it became clear that it was impossible to set up either individual or panel interviews. None of the policy makers and observers approached was willing to participate in anything other than a postal questionnaire in the time period allocated for the study. Finally, nine completed questionnaires were received; some of which had been filled in jointly by more than one representative of an organisation.

of policy on women and men’s participation in both paid and unpaid work. The legislation included: The Equal Pay Act; The Sex Discrimination Act; The Employment Rights Act; the National Minimum Wage Parental Leave and Paternity Leave.

Finally, the respondents were asked to assess the impact of both national and European Union gender equality legislation and policies generally, to comment on their orientation, and to consider the issue of gender equality for legislators and policy makers themselves.

The questionnaire presented the majority of questions in the form of statements, to which the respondents then had to stipulate the degree to which they agreed or disagreed. Some questions asked respondents to assess the success of legislation on numerical scales. This allowed some quantitative statistics to be analysed. Although, the number of questionnaires was small for statistical purposes, it was felt that the extensive and in-depth knowledge and expertise of the respondents did allow some useful findings to emerge. The respondents were also asked to make recommendations for improvements to the various pieces of legislation and these proved to be very comprehensive and well thought out.

The results

Equal Pay Act (EPA)

Only a quarter of the respondents felt the EPA had increased the number of women in the work force. Most felt that, although the Act forms part of a wider environment that makes paid work a more acceptable and rewarding package for a larger number of women, other factors have been more relevant in increasing the number of women in the workplace: the decline of traditionally “male” industries (manufacturing) in conjunction with expansion of female dominated industries (service industry); the culture of part time jobs is conducive to women’s employment; and the growing need for dual earner families.

Most felt the EPA had not reduced occupational segregation. This was because occupational segregation initially increased in the five years between the introduction of the Act and its implementation. This was due to subversive action by employers to reduce the possibility of women comparing their lower wages with men doing the same job. Also, occupational segregation is still rising as more women enter the labour market. Women’s over-representation in part time work has remained into the 2000s. The Act has not made a significant impact, with women in traditionally female jobs still receiving lower rates of pay. However, some noted that the legal right to equal pay makes it worth women striving for men’s jobs. Men’s jobs are generally higher paid and women working them are theoretically entitled to equal pay.

Respondents were asked to rate the EPA’s success in equalising women’s and men’s pay. Most were positive but none felt it had been a total success. It was generally accepted that the UK would be in worse position with regards to pay equality without the EPA. However, the Act was recognised as having problems as after a quarter of a century the pay gap remains. The respondents were split on issue of whether the EPA had helped to increase the importance of women’s wages to family income. Respondents agreed that women were

contributing more to the family wage these days, and the Act was seen as part of more general climate in which this can happen. As more women receive income equal to their spouses the importance of the contribution must increase. Also, women’s increased economic independence increases their power within family. However, this highlights the issue of the heterogeneity of women as group, with a few women making inroads into professional male dominated jobs whilst at the same time there is a concentration of women into lower paid less skilled work.

None felt that the EPA had any effect on distribution of unpaid labour between couples who were both in paid work. It was never the intention of the Act to tackle the uneven distribution of unpaid work in the private sphere. Respondents felt it would be very difficult for legislation to tackle such personal practices in the UK. Instead, any changes would have to result from longer-term cultural shift, and depend on different hours men and women work. Despite the EPA having possibly strengthened women’s bargaining power within the family, the distribution of unpaid labour was resistant to change.

Recommendations to improve success of EPA

All respondents thought it could be improved. Most radically, it was suggested that the Act should be completely overhauled, as recommended by the EOC: instead of two separate acts, issues of equal pay and sex discrimination should come under the same Act to prevent women falling through the gaps in each law. Instead of being protective legislation, it was felt there should be positive, proactive clauses in the Act, legal victories should benefit all similar workers not just the individual, there needed to be a complete overhaul of the definitions of the “value” of different jobs, the burden of proof should be shifted to the employer, there should be faster recourse to tribunals, specialist training for tribunal members, and legal aid, for people taking cases under the legislation.

It was felt that employers were allowed too much discretion, it should be mandatory for companies to conduct pay audits, and report pay policy reviews in their annual accounts. Finally, all public bodies should be monitored for compliance with Act.

Minimum wage

The respondents felt that the introduction of the Minimum Wage would have a positive impact on women working, and a quarter felt it would encourage women into the work force. The Minimum Wage has had a positive effect on women’s pay, because mostly women work at the lower earnings end of pay distribution (the minimum wage has just been increased to £4.20 per hour for adult rate workers¹⁰ – €6.30). Higher pay will make it more worthwhile for women to work, and counteract the impact of losing social security benefits, which can prohibit and discourage some women from working.

¹⁰ Those over 21 years of age.

No respondents felt the Minimum Wage had reduced occupational segregation, although it may mean that men take on more traditional women’s work, if it is better paid. It was acknowledged that traditionally women’s work has always been lower paid than men’s, and therefore a national minimum at least controls a lower threshold of pay below which no one should fall. This has a particularly positive effect on part time employees, the majority of whom are women.

There were however words of warning. Firstly, that the Minimum Wage was low and may come to be used as maximum wage or benchmark pay for certain jobs, creating a permanent low paid sector, occupied by women.

Most respondents thought that the Minimum Wage has increased the importance of women’s wage to their family wage. Anything that raises women’s pay would have this effect, and it will especially have positive impact on lower paid women. However, none felt it had impacted on the distribution of unpaid work between working couples. Again it was felt that there was no reason why this legislation should impact on unpaid labour, as it was not its purpose. The issue of unpaid labour remains a cultural rather than legal issue in the UK, and the attitudes of individuals have the most impact on unpaid labour between couples. Enhanced economic progress for women may enhance their status in home and strengthen their bargaining power, but any impact would be slight.

Recommendations to improve the success of the minimum wage

The most common suggestion was to increase its rate, to review its level with reference to “a living wage” in consultation with the Trade Union Congress. It was felt that it should be automatically indexed to the average median wage to remove politics from the equation, and its rate raised automatically each year. Also, it was felt the enforcement procedures should be strengthened and the Government should police companies.

Sex discrimination act (SDA)

Most respondents remained neutral as to whether the SDA had reduced occupational segregation. It was felt it had successfully opened doors previously closed to women, and helped to remove many of the barriers that women faced. But at the same time occupational segregation had remained stubborn. Over two-thirds felt that the SDA improved women’s chances of breaking through the glass ceiling, and that it contributed positively to the general work culture, raised awareness of issues, and had given women recourse to fall back on.

None felt that the SDA had any impact on the distribution of unpaid labour between working couples. It was not the aim of the Act to do so, and there were no reasons why it should. In fact, women moving into better paid jobs used other women as paid help to solve burden of unpaid work. The culture of long and non-flexible hours are well established in UK for both women and men.

It was felt the state of the UK labour market and the position of women would be worse without the SDA. The threat of legal proceedings carried weight with employers, and the SDA set an important framework for action. However, it was too weak and needed many changes to strengthen it.

Recommendations to improve the success of the sex discrimination Act

As with EPA many felt the EOC recommendations for a combined single act covering both SDA and EPA should be implemented. Again reversal of the burden of proof, inclusion of the right to take class action and group cases, a higher compensation limit, and trained specialists were called for. Also, it was felt that enhanced safeguards were needed to ensure proper and fair treatment of individuals who remain with employers whilst involved in a case.

Employment rights Act (ERA)

The vast majority felt that the maternity provision in the ERA was successful in protecting the position of pregnant women and women returning to work following childbirth. The Act had established certain important rights for women, including the principle of maintaining women’s right to return to previous employment after maternity leave which substantially assisted women’s careers. Women had used the law with a large proportion of women returning to work part time. The situation would be more precarious without the Act, and most employers were aware of their legal implications. However, the period of maternity leave was felt to be too short, and the protection of jobs affected women differently depending on the industry they worked in, their hours of work, and the attitude of employers.

Many respondents felt maternity provision impacted on the distribution of childcare between couples in that men were more likely to participate if their partners returned to work. However, if parental leave was only taken by the mother and both maternity and parental leave was gradually extended then this supported the view women do child care, not men. This could reinforce the traditional division of unpaid labour.

Recommendations to improve the success of maternity provision

It was felt there needed to be higher maternity pay, longer periods of both leave and pay, longer periods of the right to reinstatement, and more flexible arrangements, with both parents having the right to return to part time work or reduced hours. Other member states in the EU were held up as examples of better and more successful provision, and paternity leave provision was seen as essential.

Parental and paternal leave

The majority of respondents felt that paternal and paternity leave could potentially have an impact on men in the labour market. They gave a minimum right for men who wanted to take more of a role in childcare. However, even though paid it was predicted that take up would be low as the level of pay was low and it would be viewed as impacting on the promotional opportunities of men who do take it up. Parental Leave could have more impact if it was taken in equal non-transferable periods by both parents.

Many felt Parental or Paternal Leave would have an adverse effect on the careers of working fathers as there was no reason why employer discrimination would not affect men too. This would depend on the length of the leave taken and on the company. It was suggested that company culture would be negative in some places. However, it was felt that ultimately men’s position in paid work is established and strong and it may take more than these provisions to change their predominance.

Most respondents believed that Parental and Paternal Leave could affect the distribution of childcare between working couples. However, any redistribution of childcare would depend on which parent opts to take leave, for how long, and the incomes of the individuals concerned. Thus any redistribution of child care would be marginal, as it was predicted that the UK is not likely to be overwhelmed by tidal wave of ‘stay at home dads’.

Recommendations to improve the success of both parental and paternal leave

It was felt it must be paid at a decent rate, the leave should be flexible and extended to one year reserving some months for fathers only, and both parents should have the right to work reduced hours on return to paid work.

Conclusion

Most of the impact of key gender equality legislation and policy provision in the UK, where any was judged to have taken effect, was in the field of paid work. This is because most of the legislation in UK is aimed at influencing this area. Only recently have family friendly policies aimed at the easier reconciliation of paid and unpaid work been introduced by the New Labour Governments. However, even these are judged to be relatively ineffective in changing the division of labour between women and men in unpaid work, because they have almost exclusively been aimed at women and their assumed caring role. This is seen as reinforcing traditional roles for women and leaving men’s contribution to unpaid work largely untouched. The most recent policy provisions of parental and paternal leave are viewed as holding out most potential for change, but even these are viewed as limited if unpaid or low paid and specific allocations of parental leave are not allocated exclusively for fathers.

All respondents felt that in general the legislation had been useful, and that the situation for women in UK would be far worse without it. However, they also felt very strongly that it could have been more effective and had more of an impact, if it was stronger, more proactive and more effectively implemented.

On the positive side, it was felt that policies were at least a foundation for setting standards and encouraging women to expect equality. It was felt that the legislation mainly contributed positively to the general paid work culture, making it more favourable to women. The legislation had at least raised awareness of the issues and given women a recourse to fall back on if all else failed. The respondents felt that the threat of legal proceedings under the Acts carried weight particularly with better employers and organisations in the public sector. Whilst recognising that you cannot legislate for culture and attitude, it was felt that the Acts did set an important framework for action.

However, the respondents felt that the impact of policies should not be overestimated as they only form part of a wider environment that has made paid work a more acceptable and rewarding package for a larger number of women, and that other factors have been more relevant in increasing the number of women in the workplace. The decline of traditionally 'male' industries, such as manufacturing, in conjunction with the expansion of female dominated industries such as the service industry have played important roles in the increasing women's representation in the labour market. Also, the culture of part time jobs and flexible hours has been conducive towards women's employment, making paid employment an easier option for them than it used to be. The need for dual earner families in the present economy have also played their part. It is important to acknowledge that gender equality policies may be as much a response to the growth in women's paid work rather than the instigator of it.

Another important issue highlighted by this report is the danger of an assumption of the homogeneity of women as a category at both EU and national levels, when formulating gender equality policy. This assumption is reinforced by concentrating and orienting policy towards women and their difficulty of reconciling paid work involvement, with the assumed caring, family role of unpaid work. This can make some policy not relevant for many groups of women. It is important to note that women are a heterogeneous category divided by age, ethnicity, class, disability, sexuality, motherhood, occupation, education, etc. These factors and divisions all mediate the division of both paid and unpaid work between women and men.

Dominance of policies aimed at allowing women to reconcile paid work and family, can establish in the minds of employers that women are different, less good, employees who need special treatment. This reinforces prejudices and justifies different, and worse, treatment of them. It can also absolve male partners of these women of their responsibilities for childcare and family life.

It is the very difficult area of the distribution of unpaid work between women and men where virtually no gender equality policies exist in the UK. This is seen as rightly designated to the private sphere, and it is felt that it would be very difficult for legislation to tackle such personal practices. Politicians from all political parties have consistently shown their reluctance to tackle this area in response to the strong cultural view that it would be inap-

appropriate. Instead, respondents in the survey felt that any changes in the distribution of unpaid labour would have to result more from a longer-term cultural shift. Whilst it was felt that enhanced economic progress for women may enhance their status in the home and strengthen their bargaining power, it was also felt that any impact would be slow. Further, it was pointed out that women moving into better paid jobs often use other women as paid help to solve the burden of unpaid work. The culture of long hours and non-flexible hours is well established in the UK.

Respondents felt the EU had been very important in prompting UK governments to act in the area of EO. The EU continued to provoke action on gender equality policy. Examples of this include, the Pregnancy, Parental and Paternity Leave Directives. The EU was seen as a crucial catalyst in strengthening national equal pay legislation, and eliminating sex discrimination in social security.

This UK study has shown that the expert respondents were fairly unanimous in their comments that government policy has only had a limited impact on division of paid, and particularly unpaid work between women and men. It was also felt that changes in the division of paid and unpaid labour are more likely a result of a wider cultural change of which equality legislation is only a part. In many instances, it has been changes in attitude and culture that led to legislation rather than the other way around. In the future, changes in the educational achievement of women and men in the UK might bring about changes in their division of labour. Women now successfully outperform men at all levels of the education system. If employment chances continue to be influenced by qualifications then there might be knock on consequences for gender relations in both paid and unpaid work in the UK.

Finally, what should be noted and seriously considered is the unintended consequences and effects of policies in the UK. There has been a sharp increase in the number of women delaying childbirth until their 30s and the number of women choosing to forgo having children at all.

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