

New Labour and Reconciling Work and Family Life: Making It Fathers' Business?

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Under New Labour, policies designed to help families reconcile paid work and family life have increasingly become part of the UK's family-policy terrain. These policies are usually analysed from the perspective of mothers. In this paper, however, we examine how fathers have been situated within these developments. We argue that, while there is evidence of increased optimism on the part of New Labour about fathers' capacity as care-givers, the policies to have emerged since 1998 are only minimally facilitative of opportunities for fathers to reconfigure their paid work and care patterns. We suggest that the reason for this has much to do with the economic rationale under which the reconciling work and family-life agenda has emerged.

Introduction

Under New Labour, policies designed to help families reconcile the spheres of paid work and family life have increasingly become part of the UK's family-policy terrain. The desire to further integrate women, and especially mothers, into the labour market has provided much of the impetus for this. Unsurprisingly, therefore, these developments tend to be scrutinised for their impact on women. There is a case, however, for examining the implications of such developments for men's, and more particularly fathers', relationships with paid work and care. Precisely because of the gendered distribution of paid work and care within families, it is doubtful whether we can appreciate fully the implications for women of efforts to reinforce their orientation towards paid work, without examining whether it is being matched by an attempt to re-orientate fathers towards care in the home. Furthermore, fathers also matter in their own right. At the very least, this is because some of the measures which have been introduced extend to them. In ignoring men there is also an implicit assumption that they are satisfied with their current paid work and care patterns. Yet, there is evidence that many men are dissatisfied with the volume and scheduling of their paid work (Bielenski *et al.*, 2001; Fagan, 2003), and that they have become more dissatisfied over the last decade (Taylor, 2002). As May (2001) has warned, this may reflect a desire for a re-alignment of work and leisure, rather than work, care and leisure. Yet, research in the UK, while bearing out Hearn's (1999) claim that any transformation of men's identity and roles is likely to be uneven, also points to the desire among some men, especially younger generations, to participate more fully in family life (Warin *et al.*, 1999; Lewis, 2000; Hatten *et al.*, 2002). In this paper we seek to establish just how far New Labour has gone in making the reconciliation of work and family life

the business of fathers. The paper is organised chronologically, with each section relating to a distinct phase of policy development.

1998–1999: Ambivalence towards fathers

In the early days of New Labour's work–life balance agenda, there was little explicit focus on fathers as a separate category. Discussions tended to employ the gender-neutral language of 'parents' and 'families'. In the Home Office's 1998 Green Paper 'Supporting Families', for example, 'being better able to retain and recruit *parents*' (para. 3.2: emphasis added) was held up to employers as their reward for helping families balance paid work and home. Implicitly, however, the reconciliation challenge was clearly seen as one facing women, since it is their attachment to the labour market, which is adversely affected by parenthood, while if anything becoming a father strengthens men's (O'Brien and Shemilt, 2003). To the extent that fathers were 'overtly named' (Scourfield and Drakeford, 2002: 633), it was within a broader family policy agenda, which constructed contemporary family life as being 'under considerable stress' (Home Office, 1998: Foreword). Within this discourse, fathers tended to be problematised. So in the 'Supporting Families' Green Paper, fathers were rarely ordinary; they were 'absent', 'non-resident', 'under-age' and 'teenage', for example. At the same time, though, fathers were constructed as having the potential to become a positive force in family life, if only they could become more 'involved' in their children's upbringing. Precisely what should constitute father involvement, however, was left vague. While there was clearly an expectation that it should extend beyond financial provision – the role fatherhood had been cast in for most of the 1990s in the context of Conservative child support policy (Scourfield and Drakeford, 2002) – involvement did not seem to be synonymous with the care-giving tasks, which are typically construed as the source of the parent penalty in the work–life balance debate. Rather, the emphasis seemed to be on fathers as mentors and role models, particularly as Featherstone and Trinder (2001) point out, in respect of their boys. Moreover, to the extent that fathers faced barriers to involvement, these were not associated with paid work, but rather a lack of appropriate parenting skills.

Policy developments around reconciling work and family life in the early period (see Table 1) reflected this ambivalence about the role of fathers. The initiatives were largely a result of New Labour's decision to sign-up to the European Union's Social Chapter, which among other things required the UK to implement directives on maternity and parental leave, time-off for emergencies, part-time working, and working time (Duncan, 2002).¹ With the exception of the extension of the length of paid maternity leave (from 14 to 18 weeks), policy developments were ostensibly gender neutral: mothers and fathers as working parents were granted the same individual rights to parental and emergency leave, and as employees had the same rights around part-time working and working time. It did not seem to matter that in the context of deeply gendered labour market and family conditions, gender-neutral policies would in practice be anything but. The experience of parental leave in some Nordic countries and Iceland, for example, has been that only explicitly gendered policies, in the form of non-transferable (use it or lose it) father quotas – 'daddy days' and more latterly in the Swedish and Icelandic cases, 'daddy months' – have the capacity (albeit limited) to engage fathers (Bruning and Plantenga, 1999; Leira, 1999; Björnberg, 2002; Rostgaard, 2002; OECD, 2005).

Table 1 Policy developments around reconciling work and family life, 1998–2005

| Date | Policy development | Key features |
|-----------|--|---|
| 1998–1999 | Maternity Rights Reform | Paid leave period extended from 14 to 18 weeks |
| | Parental Leave | 13 weeks (maximum of 4 weeks in 1 year) unpaid per parent |
| | Time-Off for Dependants | In emergencies; unpaid |
| | Part-Time Working Directive | Equal treatment of part-timers in employment and social protection fields |
| | Working Time Directive | Maximum 48-hour week (opt-out permitted); 4 weeks paid annual leave |
| 2000–2002 | Maternity Rights Reform | Paid leave period extended from 18 to 26 weeks; level of payment increased |
| | Parental Leave Reform | Leave period increased to 18 weeks if child disabled |
| | Paternity Leave and Pay Flexible Working Rights | Two weeks with flat-rate payment Right to request change to working pattern |
| 2003–2005 | Maternity Rights Reform | Paid leave period extended from 26 to 52 weeks; a proportion of leave transferable to father via Additional Paternity Leave and Pay; level of payment increased |
| | Flexible Working Rights Reform | Extend right to carers of adults |

The Nordic experience, though, also suggests that other features of reconciliation measures may matter more for men than for women. An absolute non-negotiable right to provisions is important, given evidence of men's experience of greater workplace resistance to their use of reconciliation-oriented policies (Den Dulk, 1999; Rost, 1999; Haas *et al.*, 2002). The flexibility built into provisions is a further dimension, which has been associated with men's take-up rates (Rostgaard, 2002). In effect, the more choices fathers have about how to go about reconciling paid work and family life, the more likely they are to do it. The level of wage replacement attached to provisions is also critical in influencing fathers' take-up (Bruning and Plantenga, 1999; Rostgaard, 2002). In large part because of gender pay differentials, provisions need to attract high wage replacement benefits to incentivise men.

Assessing the provisions introduced in this period against those dimensions, reinforces the view that fathers did not figure prominently in the minds of policy-makers. Thus, employers were given the right to postpone employees' parental leave for up to six months for business reasons. Once granted, there was to be little flexibility in how parental leave could be used. While valid for the first five years of childrearing, unless an alternative could be negotiated, either individually or collectively, the statutory fall-back scheme restricted leave to a maximum of four weeks in any one year. Moreover, it could not be used to reduce the daily or weekly work schedule, since it could only

be taken in blocks or multiples of one week. Perhaps most crucially, parental leave was to be unpaid. While the right to emergency leave for dependants was introduced as an unconditional right to time off to respond to immediate emergencies, there was to be no statutory protection against loss of pay attached to it.

2000–2002: the naming of fathers

If in the initial period, both rhetoric and policy shared an ambivalence about the role of fathers, as we move into the second phase of policy development, what emerges is a gap between the rhetoric and the policies that ensued. In 2000 the Department of Trade and Industry (DTI) launched its Green Paper 'Work and Parents: Competitiveness and Choice', in which a variety of options around further work–life balance measures were set out. In both the Green Paper and its accompanying research document (DTI, 2000b), fathers emerged as an explicit category. As far as existing evidence allowed, their employment and reconciliation patterns were analysed separately from mothers, as was their access to and take-up of work-place family-friendly policies. For the first time, fathers also became the focus of policy proposals. Thus, the Green Paper proposed the introduction of paternity leave and pay. Moreover, while it proposed to extend maternity leave to one year, with the first six months paid and the second six unpaid, views were sought on allowing parents to share the second six months. And, in the proposal for a new right to work flexibly – defined as reduced working hours – only one of the three options suggested that this should be restricted to mothers. The remaining two explicitly proposed extending the right to fathers, and only varied in terms of what point in relation to maternity leave the right should take effect.

To the extent that the proposals were framed within an explicit rationale, this was a purported desire among fathers to 'do even more [with their children]' (DTI, 2000a: para. 1.4). While an ambiguity persisted around precisely what this might entail, in the 2000 Green Paper, we did begin to see fathers being cast in a care-giving role. The proposal to give fathers, as well as mothers, a right to work reduced hours was justified because it would 'cater for those families where the father wishes to spend more time caring and bonding with the baby' (DTI, 2000a: para. 4.18). Likewise, the proposed introduction of paternity leave and pay would 'enable all fathers to have the choice to spend time supporting their partner and new child' (DTI, 2000a: para. 3.25). In no way, however, was it assumed that the desire to do more (care) was universal among fathers; rather care was construed as something some fathers may choose to opt into.

Following consultation on the Green Paper, New Labour legislated for maternity leave reform, and the introduction of paternity leave and pay and flexible working rights. While the paternity leave scheme, which was finally introduced, remained unchanged from that proposed in the Green Paper – two weeks at the time of birth and paid on a flat-rate basis at the same rate as Statutory Maternity Pay – this was not the fate of the other proposals. Thus, the total period of maternity leave possible was extended to one year as had been proposed, but no provision was made to allow fathers to share in the second six months. So, by 2003, while fathers had been given an individual and effectively non-transferable right to 15 weeks leave (two weeks paternity leave and 13 weeks parental leave), this amounted to less than a quarter of the leave available to mothers, which now totalled 65 weeks (52 weeks maternity leave and 13 weeks parental leave). This is in contrast to the situation in Sweden, for example, where each parent has a more or less equal leave

entitlement (MISSOC, 2004).² The proposal around flexible working was also diluted. Most notably, what came into force in 2003 was a right to *request* to work flexibly, rather than a right *per se*. While in the final legislation, flexible working was defined more broadly than reduced working hours, to include practices such as annualised hours, compressed hours, flexitime, home-working, job sharing and term-time working, the precise arrangements were to be left to employees and employers to negotiate. Clearly both mothers and fathers were losers in the weakening of the proposal from an automatic non-negotiable right to one which hinges on consent from and negotiation with an employer. Given evidence, however, that fathers are less likely than mothers to perceive that there is scope for negotiating more flexible working arrangements with their employers (La Valle *et al.*, 2002), the dilution of the proposal may have been worse for fathers. Indeed, Palmer's (2004) survey of flexible working requests in the first few months following the introduction of the legislation, revealed that requests from mothers outweighed those from fathers by a factor of almost four. Mothers were also more likely to have their requests accepted.

An important question is why the legislation that eventually emerged offered so much less scope to fathers for the reconciliation of work and family life than had been proposed in 2000? An understanding of the broader context in which these developments were being framed probably takes us some way to answering that. A key theme of welfare-state reform under New Labour has been the reconciliation of social justice and economic goals (Driver and Martell, 1998). This has not been taken to mean a marriage of equals, however. Instead, social policy has tended to be cast in an instrumental way, as the 'handmaiden' (Lister, 2003: 437) of economic policy. Thus, while the 2000 Green Paper presented work–life balance as a win–win situation for both families and business, and spoke of balancing the needs of parents with those of business, it was to be against the impact on employers (in terms of costs, bureaucracy and planning, etc.) that the various options set out were to be judged (see also Dean, 2002). The ensuing consultation process revealed considerable opposition on the part of employers to many of the proposals: the possibility of an automatic right to reduced working hours, for example, was judged to be 'a step too far' (cited in Work and Parents Taskforce, 2001: para. 1.2). The consultation process also revealed New Labour's priorities: it responded with what it described as a 'lighter touch' (DTI, 2001: para. 7) – the right to *request* to work flexibly. In this context, described by Dean (2002: 9) as a state unwillingness to 'override the business case', it was perhaps inevitable that fathers in particular would lose out. To the extent that business perceives benefits in enabling employees to reconcile work and family life, these will overwhelmingly be in respect of (some) mothers, since it is their attachment to the labour market which is undermined by parenting. Moreover, with business interests dominating, there is unlikely to be much empathy towards policies the only stated rationale of which is that (some) fathers want them.

2003–2005: new opportunities for fathers?

In October 2005, New Labour set out its latest plans around the reconciliation of work and family life in the 'Work and families' Bill (House of Commons, 2005). The Bill proposes to make the total period of maternity leave paid (nine months by April 2007 and 12 months by 2010 at the latest), and to make the paid leave transferable from mothers to fathers (via an entitlement to Additional Paternity Leave and Pay), if the mother returns to work after

six months but before the end of her maternity leave period.³ The idea of transferability is not new: as we have seen, something similar had been proposed in 2000. Two aspects of the proposals are different this time around though. Firstly, that it should be *paid* leave which is transferable. Secondly, that for the first time there is an attempt to present an economic rationale for giving fathers increased opportunity to take time out to care.

The economic rationale drawn upon to legitimise extending fathers' right to leave is, more specifically, a social-investment one. The discourse of social-investment plays a prominent role in the idea of the social-investment state – a welfare model held up in particular, but not exclusively, by the Third Way (see Giddens, 1998), as offering an alternative to the post-war welfare state (Lister, 2003).⁴ The social-investment state rests more specifically on a 'child-centred social investment strategy' (Esping-Andersen, 2002: 20), in which children are of a concern because they are the 'citizen-workers of the future' (Lister, 2003: 427). The discourse has been employed in support of a range of social policy developments under New Labour, including the commitment to abolish child poverty, the introduction of tax credits for families with children, the introduction of the Child Trust Fund, the launch of the Sure Start programme and the National Childcare Strategy (Lister, 2003).

It was not until 2003, however, that we see a social-investment rationale deployed to support the broader reconciling work and family-life agenda. It was at that point that the Treasury began to have a hand in this policy area, publishing with the DTI the consultation document 'Balancing Work and Family Life'. For the first time, the benefits of reconciliation measures for children were identified: '[H]elping mothers and fathers to balance work and family life can... have positive impacts on their children's health, schooling and prospects in later life' (HM Treasury and DTI, 2003: para. 3.2). And by 2004, 'ensuring every child has the best possible start in life' (HM Treasury, 2004: para. 1.4) had become one of the guiding principles for any further work-life balance policy developments. In the consultation paper preceding the 2005 Bill, this is seen as 'not just a matter of fairness but also the right foundation for continued economic prosperity... supporting healthy child development during the earliest years of life helps improve social and educational attainment levels in later childhood, the effects of which can last into adult life' (DTI, 2005a: para. 1.5). The consultation paper was the first to discuss explicitly fathers' role in this. It argued that 'when mothers work during the first year of their child's life and fathers play a greater role in bringing up children, this can lead to strong, positive educational effects later on in the child's life... The new law enabling mothers to transfer a proportion of their maternity leave and pay to fathers will help give children the best start in life by supporting fathers' involvement in their care' (DTI, 2005a: paras. 4.2–4.6).

While the 2005 Bill represents the strongest statement yet on fathers and reconciling work and family life, the proposed measure is limited in a number of important ways. In the first place, it falls well short of an individualised non-transferable use it or lose it scheme, which tends to be associated with a higher take-up rate among fathers (OECD, 2005). As the Government noted in its initial consultation, '[T]he intention is that the mother will decide whether or not to transfer statutory maternity leave and pay to the father' (DTI, 2005a: para. 4.9). While the subsequent Bill dropped the terminology of 'transferable maternity leave', the intention remains the same since 'an employed father's entitlement to [Additional Paternity Leave] and Pay will be dependent upon the mother returning to work' (DTI, 2005b: para. 4.22). Secondly, there is no plan to introduce an earnings-related

payment schema. Payment will remain flat-rate, and, while the Government expresses an interest in increasing the rate of payment at some undefined point in the future, it does so very timidly:

[W]e will assess how take up rates have been affected by the changes . . . once they have been implemented, and we will consider the implications for the level of flat rate payments . . . the Government will need to strike the right balance between the needs of all stakeholders, ensuring parents, fathers as well as mothers, have genuine choices about how much time to take off work around the birth of a child, while also ensuring that any future increases in pay are affordable and supported by wider society, including business. (DTI, 2005a: para. 2.34)

Finally, despite aiming 'to give parents as much flexibility and choice as possible about who takes maternity leave and pay' (DTI, 2005a: para. 4.8), the scheme is a highly inflexible one. Not only will the point at which leave can be transferred be fixed, but only one transfer in the total 12-month leave period will be permitted, for 'the new law must be designed in such a way to make its administration as straightforward as possible for employers. Employers need to be able to plan and manage their workforce effectively when their employees are on leave' (DTI, 2005a: para. 4.8). Caring for children, though, is often an unpredictable task. For first-time parents in particular, caring is an endless process of experimentation, in which even the best-laid plans can go awry. In this scheme, though, there is no scope to experiment; once transferred, if things do not work out, the leave cannot be transferred back. Either parents stick with an unsatisfactory situation or all remaining leave is lost from the family. Under this scheme, couples are likely to play safe, and use the 12 months as maternity leave.

Conclusions

Assumptions about fathers have changed significantly since the start of New Labour's work-life balance agenda. For much of the preceding decade, Conservative governments' family-policy had sought to tackle what they perceived to be the failings of fathers, who were almost exclusively seen in relation to their role as breadwinners. To a large extent, New Labour's first family-policy statement in 1998 continued to problematise fathers, but hinted at their potential to become a resource for families, and not only an economic one. New Labour, although initially vague about what else fathering might entail, has in statements around reconciling work and family life, progressively extended a care-giving role to fathers, and the measure contained in the 2005 Work and Families Bill, is the strongest indication of this yet. The optimism about fathers as care-givers, however, has not translated fully into policies: taken together the provisions fall far short of what might be needed to optimise the opportunity for fathers to re-balance paid work and care. The economic rationale in which reconciling work and family life developments are being framed does not seem conducive to more favourable provisions for fathers. The business case, although explicitly presented in gender neutral terms, is essentially one of enabling mothers to combine paid work and unpaid care. Moreover, under New Labour, the needs of business have been allowed to prevail over those of parents, ruling out policy features which might be more facilitative of fathers, but which are perceived to be incompatible with economic objectives. The economic rationale has recently been extended to include a social-investment case, in which giving fathers greater opportunity to care is justified on

the grounds that it will bring long-term economic benefits via the positive developmental impact on their children – the next generation of workers. It remains to be seen whether business, normally not so long-termist when it comes to investment, will buy into such a futurist agenda, although the weaknesses in the measures set out in the 2005 Work and Families Bill suggest that New Labour has already taken steps to ensure that it will.

Notes

- 1 The part-time working and working time measures, of course, extend more widely than to parents.
- 2 In Sweden in 2004, the care-leave totalled 480 days. 60 days of this were reserved for each parent (non-transferable), with the remaining 360 free to distribute as the parents chose. There was no separate maternity leave scheme, but fathers were entitled to ten days paternity leave. This took fathers' entitlement to around 105 per cent of mothers' (MISSOC, 2004).
- 3 The Bill also proposes to extend the flexible working right to carers of adults from April 2007. The consultation document preceding the Bill (DTI, 2005a) had proposed that parents of older children would also benefit from this measure, but this was dropped in the face of employer opposition (see DTI, 2005b).
- 4 Lister (2003) usefully maps out the usage of the idea of a social-investment state. In the UK context it can be traced through from the Commission on Social Justice (1994), to Anthony Giddens (1998), and to New Labour, especially the Treasury under Gordon Brown (HM Treasury, 1999). It has also been used by the OECD, the EU, and has provided the framework for recent Canadian social policy developments. The most considered exposition of the idea has probably been given by Esping-Andersen and colleagues (2002).

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