

# Dad and Partner Pay

## Implications for policy-makers and practitioners

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On 1 January 2013, Australia introduced 2 weeks of government-funded Dad and Partner Pay for eligible working fathers or partners, including adopting parents and same-sex partner parents. This paper uses existing literature to describe Australia's family leave policy history leading up to this initiative, as well as providing background to the social context in which changes are being made. International parental/paternity leave policies and practices are considered in order to highlight key findings from policy enactment that may inform Australia's current and future policy approaches to parental/paternity leave, pay and other financial support to new parents.

This paper is of primary interest to policy-makers, but also service providers for whom family-related policy changes are relevant in terms of impacts on families accessing services and employee leave provisions.

### KEY MESSAGES

- The introduction of Dad and Partner Pay on 1 January 2013 is a significant addition to Australia's existing government-funded Paid Parental Leave scheme and complements parental leave policy under the National Employment Standards, which more appropriately reflects the current social context for fatherhood and validates new gender norms for the care of children in Australia.
- Government-funded paternity leave in a number of countries—including Portugal, Sweden, Norway and Iceland—has directly resulted in an increase in uptake of leave by fathers at the time of the birth or adoption of a child.
- International experience indicates that if governments provide well-compensated, flexible, parent-specific (mother or father or shared) and publicly promoted parental leave, fathers' uptake of leave will increase.
- Financial support to take leave at the time of a child's birth can give fathers a greater role that extends beyond the financial, encouraging them to engage immediately in the caring tasks. Leave can also give fathers the chance to develop a co-parenting relationship early, to enable a lived experience that reshapes notions of fatherhood and to increase their practical and emotional investment in their infant's care.

**KEY MESSAGES** (continued)

- Other key findings include:
  - government family leave and family payment policies do impact on choices families can make around work and care;
  - the impact of parental/paternity leave is greater if the leave is flexible and available over a long period of time (e.g., until a child reaches school age); and
  - legislated and government-funded parental/paternity leave and other government-funded financial support for new parents can increase the ability of fathers in low income brackets and those working in small businesses or who are self-employed to share in the care of their children.

## Introduction

The introduction of Dad and Partner Pay on 1 January 2013 is a significant addition to Australia's existing government-funded Paid Parental Leave scheme and complements parental leave provisions under the National Employment Standards (NES). Its introduction more appropriately reflects the current social context for fatherhood and validates new gender norms for the care of children in Australia.

The development of family policies relating to parental leave is relatively new, having only been available to families over the past 33 years, beginning with unpaid maternity leave in 1979, followed by the *Sex Discrimination Act* in 1984 and the *Affirmative Action Act* in 1986 (Wolcott, 1999).

The objectives of the government's Paid Parental Leave scheme, of which Dad and Partner Pay is the newest addition, are to enhance child and maternal health and development, facilitate women's workforce participation and promote gender equity and work–family balance (Dickenson, 2012).

The Human Rights and Equal Opportunity Commission (HREOC) (2007) found that “current inequalities in the spread of the costs and benefits of paid work and the essential work of care are not sustainable” and that “better incentives are required to increase men's use of family-friendly policies” (p. 93). As a society there is a need to evolve the current work–care practices within families. Importantly, research has found that high levels of father involvement are associated with significant and highly desirable outcomes for children and families (Wilson & Prior, 2011; see also Fletcher, 2011). According to O'Leary (2012) fathers who are involved with their children have children who are happier, healthier and do better at school, fathers feel loved and loving, and perform better in the workplace and community, couple relationships flourish, and society benefits because the children of involved fathers tend to avoid criminal behaviour and instead channel their energies in prosocial ways.

This paper provides a review of current family models of work and care, and considers the contemporary image of fatherhood and the increasing importance of policies that provide choices for families to manage the care of their children, unpaid work and paid work. Finally, the paper examines the role of government in facilitating greater choice for parents, enabling increased time with children and greater work–family balance.<sup>1</sup>

<sup>1</sup> This paper informs the current context for fathers in a couple relationship (with the mother of their child) and focuses on the period immediately after birth or adoption. The parenting context for single-sex parents and for lone-, step- and non-resident fathers, while recognised as important, falls outside the scope of this paper.

### Box 1: What does this mean for family and relationship service providers?

The Dad and Partner Pay policy is designed to encourage more dads to spend more time with their child immediately after birth. The implications of this policy may extend to more active and ongoing involvement in childcare and family domestic tasks, which would lead to greater gender equity in both paid and unpaid work and a greater work–family balance for mothers, fathers and partners, and better outcomes for children and families.

An awareness of fathers' and partners' rights is helpful for family and relationship service providers for both their employees and their clients, as is an awareness of the latest family policies and research into father involvement. Fathers have noted that a barrier to increased engagement with children is seen in the infrastructure focus on services such as "maternal" and child health and "mothers" groups. A change in social norms and behaviours will only take place if institutional barriers are restructured to be inclusive of fathers. A new range of challenges may also appear in relationship counselling, such as role conflict, gender roles, what it means to be a man or father, and maternal gate-keeping. (See Further Reading for more information.)

## A short history of Australia's family leave policies

Since 1979, female Australian employees employed on a long-term basis (i.e., 12 months or more) have been entitled to 52 weeks of unpaid maternity leave. The *Maternity Leave Act* in 1973 had earlier provided 12 weeks of paid leave to female Commonwealth employees (0.4% of the total female workforce) (ABS, 1975).

Subsequently, a number of international developments influenced Australia's early steps to acknowledge (during and beyond the first 52 weeks) the challenges faced by workers with families. For example, in 1990 Australia ratified the International Labour Organisation's 1981 Convention 156, "Workers with Family Responsibilities", which enables men and women to enter employment "to the extent possible without conflict between their employment and family responsibilities" (Wolcott, 1999).

In the early 1990s the Work and Family Unit was established in the then Department of Industrial Relations, positioning work–family balance as an industrial issue. The then Office of the Status of Women's awareness campaign of short duration, entitled "Sharing the Load", included a range of educational material to lessen the "inequitable 'double-load' of women in performing paid and unpaid work" (Human Rights Equal Opportunity Commission [HREOC], 2005, p. 120). Also in 1990, the Industrial Relations Commission ruled that 51 weeks of unpaid parental leave after the birth of a child could be taken by either parent.

In 1993 the *Industrial Relations Reform Act* established family responsibilities as a proscribed ground of discrimination and established enterprise bargaining as the primary wage-setting, leave-providing mechanism. The Special Family Leave Test Case in 1994 established the first minimum entitlement (for women and men) to carer's leave and the extension of the *Sex Discrimination Act* in 2011 further protects men and women against discrimination on family responsibility grounds.

As recently as 1998, the New South Wales government produced two brochures on "parental leave" entitled "Maternity at Work" and "Maternity Leave: It's Your Right". These brochures captured the state of play in the late 1990s, when it was generally accepted that parental leave was exclusive to mothers and that even they required support to access their entitlements (NSW Government, 1999).

The *Fair Work Act 2009* provided an extension of the maximum period of unpaid parental leave from 12 to 24 months (Broomhill & Sharp, 2012). From 1 January 2010, Australia's National Employment Standards included flexible working arrangements, which mean that any employee who is a parent,

or has responsibility for the care of a child,<sup>2</sup> can request a change in their working arrangements (Fairwork Ombudsman, 2011b).

The National Employment Standards also include the provision that if only one person is taking the leave or if one member of an eligible couple wishes to take more than 12 months unpaid parental leave, the employee may request a further period of up to 12 months unpaid parental leave from their employer. If both members of a couple are eligible for unpaid parental leave, they may take up to 3 weeks of their leave at the same time in the period immediately following the birth or adoption, or in the period up to 6 weeks after the birth or adoption with the agreement of their employer.

Late in 2012, the Workplace Gender Equality Act was passed. This Act changed the name of the Equal Opportunity for Women in the Workplace Agency to the Workplace Gender Equality Agency, and aims to promote the elimination of discrimination on the basis of gender, including family and caring responsibilities.

The Paid Parental Leave scheme is based on recommendations made in the 2009 Productivity Commission Inquiry Report into Paid Parental Leave (Productivity Commission, 2009), and was introduced on 1 January 2011. It provides 18 weeks of Parental Leave Pay at the rate of the national minimum wage (currently \$606.50 per week before tax) for the primary carer, usually the birth mother. The primary carer may transfer some or all of their unused Parental Leave Pay to an eligible partner.

Dad and Partner Pay, also based on recommendations in the Productivity Commission Inquiry Report (Productivity Commission, 2009), was introduced on 1 January 2013. This statutory entitlement consists of a 2-week payment at the rate of the national minimum wage for eligible working fathers and partners. To receive Dad and Partner Pay a person must meet the scheme's work, income and residency tests, be caring for their child, and be on unpaid leave or not working during their 2 week Dad and Partner Pay period. Dad and Partner Pay complements the provision of unpaid parental leave under the National Employment Standards.

## Current attitudes and practices of Australian parents

This section reviews mothers' and fathers'<sup>3</sup> practices regarding working and caring, and examines the impact family policies can have on choices related to paid work, unpaid work and child care for both mothers and fathers.

### Balancing workforce participation with unpaid work and child care

Changes to Australian families and family formation in recent years are reflected in the current demography of fatherhood, including delayed marriage, consequent delayed fatherhood and fewer children per family (Smyth, Baxter, Fletcher, & Moloney, 2012). Despite suggestions that contemporary imagery related to a nurturing and involved father is now considered "masculine" (Coltrane, 2009, p. 387), research indicates that the behaviour of most fathers does not match this imagery. Flood (2003) illustrated this as follows:

The image of the new father, the man highly involved with his children and sharing the parenting with his female partner, now exerts a powerful influence on popular perceptions [and yet] while the culture of fatherhood has changed radically, the conduct has not, and traditional divisions of labour often persist in both parenting and domestic work. (p. 7)

<sup>2</sup> The child must be under school age, or a child under 18 with a disability.

<sup>3</sup> In this paper, the term "father(s)" is used interchangeably with the term "partner(s)".

This assertion is supported by Bittman, Hoffman, and Thompson (2004), who stated that there is:

broad agreement in the literature that men are reluctant to take up family-friendly provisions (e.g., career breaks, parental leave, part-time work), both because of the effects this has (or is perceived to have) on income and status, and for personal identity and career progression reasons. (p. 1)

Work–family policies to date have either supported women’s entry into paid work (with the provision of child care benefits and increased access to child care) or encouraged women to remain at home, out of the workforce (through penalising tax reforms) (Brennan, 2007). Research suggests, however, that in aggregate, mothers’ and fathers’ time spent on caring and other unpaid work is still very different, even though fathers’ involvement in child care and housework has increased modestly over the past 15 years (Craig & Mullan, 2012). Importantly, Craig and Mullan found that fathers’ child care time increased across the range of care activities, including hands-on routine care (and not just play, talking, educational and leisure activities). More attention is now being paid to broader work–family policies, including promoting men’s participation in caring for their children (see Fox, Pascall, & Warren, 2009; Lewis & Campbell, 2008) and research indicates that being an “involved parent” is increasingly important to Australian fathers (Hand & Lewis, 2002).

In Australia, the main strategy for combining paid employment and unpaid domestic work has been for women to move into part-time employment. Part-time employment is high among Australian women, with 41% of employed women working part-time compared to an average of 26% in Organisation for Economic Co-operation and Development (OECD) countries.<sup>4</sup> There are particularly high levels of part-time employment for women between the ages of 30 and 44 years (Baxter & Gray, 2008). More time is available for child care; however, a consequence is that women also end up being responsible for the majority of unpaid domestic work (van Egmond, Baxter, Buchler, & Western, 2010). This is apparent when parental time use patterns are analysed. For example, using nationally representative data from 2004, Baxter, Gray, and Hayes (2007) reported that mothers with a child aged under 5 years spent an average of 38 hours per week parenting and playing with children, 23 hours per week doing housework, and 11 hours per week in paid employment. This compared to fathers spending 16 hours per week parenting and playing with children, 6 hours doing housework, and 43 hours in paid employment.

So while some academics discuss a shift away from the traditional breadwinner/carer model to a dual worker/carer model (Ben-Galim, 2011; Fox et al., 2009) or an adult worker model (Lewis & Giullari, 2005), others more realistically refer to the most common family model as the “modified breadwinner model” (Broomhill & Sharp, 2005; Haas, 2005). In this model, the father is the primary breadwinner and the mother also returns to work (usually part-time) while remaining responsible for most of the unpaid domestic work and child care.

Bittman et al.’s (2004) policy research paper for the Australian Government found that workplace arrangements enabling a balance between work and family responsibilities had until recently been regarded as solely the province of women. Some of the reasons men are now interested in these provisions include: men’s own expressed interest in caring for and having more time with their children, the business benefits, “gender equity”, and the inadequacy of child care provision (Bittman et al., 2004, p. 3). However, the paper also listed the workplace barriers discouraging fathers’ uptake of leave: the unevenness of family-friendly provisions, the novelty of men’s use of these provisions, doubts about the legitimacy of men’s claims to family responsibilities, negative attitudes on the part of immediate supervisors, informal practices and taken-for-granted assumptions, and the workload burden resulting from measuring performance by outcomes rather than by length of time spent at the workplace (Bittman et al., 2004).<sup>5</sup> Broomhill and Sharp (2012) found that a legislative guarantee

4 Thirty-four countries are members of the OECD. A current membership list is available at: <[www.oecd.org/about/membersandpartners](http://www.oecd.org/about/membersandpartners)>.

5 This paper has not discussed the business case for paid parental leave, which includes: higher retention rates, better morale, increased return rates from parental leave (the cost of replacing staff is extremely high), higher productivity, fewer workers’ compensation claims, easier recruitment of high-quality applicants, less industrial action, low levels of absenteeism, and better customer satisfaction (Department of Employment and Workplace Relations, 2004, cited in HREOC, 2005). For further information, see the Australian Government’s *Paid Parental Leave Guide* <[guidesacts.fahcsia.gov.au/guides\\_acts/ppl/ppl-rn.html](http://guidesacts.fahcsia.gov.au/guides_acts/ppl/ppl-rn.html)>.

of job and career protection for those who take parental leave was also important in shifting the behaviour in households towards a dual earner/carer model.

## Making leave and other family policies more father-friendly

O'Brien (2009) referred to the need for a "father-care-sensitive leave model" (p. 190), which calls for an acknowledgement that current leave entitlements are mother-sensitive and that fathers' caring needs and responsibilities should also be considered and included. It is not only family leave models that are gendered; many policies around childbearing, family and child care are influenced by the model of the traditional family unit, with one primary breadwinner (male) and one primary carer (female). For example, Brennan (2007, p. 38) argued that policies related to family tax benefits in the late 1990s–early 2000s made it much more economically advantageous for a family to rely on a single income than to share paid work and family care between the parents.

The good news is that "changes in government and organisation policy to incorporate the issues of work–family balance are beginning to acknowledge that achieving the balance between work and family poses challenges differently for men and women" (Fletcher, Fairbairn, & Pascoe, 2004, p. 56). The not so good news is that Australia's family policies, organisational culture and gendered stereotypes still exert a powerful influence on mothers' and fathers' choices concerning earning and caring. For example, only 1–2% of families have fathers sharing equal responsibility for the physical care of children and only 5–10% of families have a father who is highly involved in the day-to-day care of children (Flood, 2003). In another study, fewer than 3% of families from a sample of more than 8,000 couple families surveyed over three time periods had both parents working part-time (Baxter & Smart, 2010). However, Baxter (2012) showed that a substantial proportion of fathers of young children are involved in personal care activities every day or a few times a week. For example, 41% of fathers reported changing nappies or helping their 2–3 year old children with the toilet every day, and another 45% did so a few times a week. Around 30% of fathers helped their children get ready for bed every day, and 51–56% did so a few times a week.

Another issue to consider is why men do not take paternity or parental leave. No clear-cut conclusions have been drawn from one of Australia's major longitudinal studies of children and their families. For example, Hosking, Whitehouse, and Baxter's (2010) study of 2,110 participants from Wave 1.5 of the Longitudinal Study of Australian Children (LSAC) found that the main reason given by men for not taking leave at the time of a birth or adoption of a baby was that they couldn't afford to (23%). The second highest rated reason was that they were too busy (14%) or lacked entitlement (5%). In addition, almost half of respondents stated that they used annual leave instead of paternity or unpaid leave (44%). However researchers at the Australian Institute of Family Studies (AIFS, 2008) found that the most common reasons were that paid paternity leave wasn't available (46%) and that the partner wasn't eligible for paternity or parental leave (22%). For fathers who used no leave, the most commonly specified reasons for this were that the father was self-employed (47%), the mother was at home full-time (37%), and the father's work was too demanding (24%).

One of the main differences between "best practice" paternity-leave-rich countries and paternity-leave-poor countries is the extent to which paternity leave is financially compensated. This will be discussed later in the paper.

## Fathers' leave entitlements and leave-taking behaviours

There is limited information about fathers' leave entitlements and the leave-taking behaviours they have undertaken to care for their young children. As mentioned above, Hosking et al.'s (2010) study found that 44% of fathers relied solely on paid annual leave. The balance relied solely on paid paternity or parental leave (14%); unpaid leave (16%); another form of paid leave (6%); or two or more types of leave (20%), most commonly combining paid paternity with paid annual leave. Finally, the study also found that 22% of fathers took no leave around the birth of the child, 32%

took less than 2 weeks, 22% took 2 weeks' leave, 6% took 3 weeks leave, and 17% took 4 weeks' leave or longer. In summary, 76% of fathers took between no leave and 2 weeks' leave when their baby was born.

Table 1 shows the results of the Baseline Mothers Survey (BaMS) undertaken as part of the evaluation of Paid Parental Leave in Australia (Martin et al., 2012). Most partners who had access to employer-funded paid parental leave (14% of total partners surveyed) took either 1 to 2 weeks' leave (35%) or 2 to 4 weeks' leave (31%). Overall, for fathers who had access to employer-paid paternity leave, 92% used some leave after birth.

Most partners who had access to unpaid parental leave took none (55%), and 57% of those who had access to paid holiday or annual leave took between 1 and 4 weeks.

In Australia, only 14% of middle to higher-income fathers received employer-funded paid parental paternity leave (Hosking et al., 2010). For fathers, employer-funded paid parental leave is generally limited to 2 weeks.

## International policy and practice

The governments of developed nations are deploying various solutions to increase parental time with children and achieve greater work–family balance. Policies and practices in Europe and North America, and how these impact on fathers' uptake of leave, are explored below.

By way of definition, “maternity leave” is generally available to mothers only and is usually understood to be a health and welfare measure, intended to protect the health of the mother and newborn child, to be taken just before, during and immediately after childbirth. “Paternity leave” is generally available to fathers only, usually to be taken soon after the birth of a child, and intended to enable the father to spend time with his partner, new child and older children. “Parental leave” is leave available *equally* to mothers and fathers, either as: a) a non-transferable individual right (i.e., both parents have an entitlement to an equal amount of leave); b) an individual right that can be transferred to the other parent; or c) a family right that parents can divide between themselves as they choose (Moss, 2011, p. 5).

## Fathers' legislated leave

Countries differ markedly on the amount of leave they provide for new fathers. O'Brien (2009) summarised international leave entitlements for fathers into four categories:

- extended leave with high-income replacement (80–90% of usual income) (Finland, Germany, Iceland, Norway, Portugal, Slovenia, Spain and Sweden);

**Table 1: Leave-taking behaviour of partners where the mother is eligible for Paid Parental Leave in Australia<sup>a</sup>**

Type of leave partners had access to	% who took this leave
<b>Employer-funded paid parental leave<sup>(b)</sup></b>	
None	8
Less than 1 week	16
1 to 2 weeks	35
2 to 4 weeks	31
<b>Unpaid parental leave</b>	
None	55
Less than one week	7
1 to 2 weeks	16
2 to 4 weeks	16
<b>Other leave without pay</b>	
None	69
Less than 1 week	9
1 to 2 weeks	10
2 to 4 weeks	9
<b>Other paid leave<sup>(c)</sup></b>	
None	20
0 to 1 week	8
1 to 2 weeks	20
2 to 4 weeks	37

<sup>a</sup> This table is a composite drawing on data from Table 6, Table 7 and Table 10 in the PPL Evaluation Phase 1 report (Martin et al, 2012)

<sup>(b)</sup> Percentages are for those eligible for this leave

<sup>(c)</sup> Paid holiday or annual leave

- short leave with high-income replacement (Belgium, Canada, Denmark, France, Greece, Hungary, the Netherlands);
- short/minimalist leave with low (minimum wage) or no income replacement (Australia, Austria, Czech Republic, Estonia, Ireland, Italy, Poland, United Kingdom); and
- no statutory leave (USA).

### Extended leave with high income replacement

Portugal, Sweden, Norway and Iceland are examples of countries with extended leave and high-income replacement.

#### Portugal

In Portugal, fathers are entitled to an exclusive 20 days' paternity leave, 10 of which must be taken during the first month after a child is born or adopted. Parental leave is 15 weeks shared, plus an extra month if the leave is shared and not just taken in entirety by the mother. Parents are entitled to 100% of earnings over this period, however this drops to 80% if the leave is not shared (Broomhill & Sharp, 2012).

#### Sweden

Sweden was the first country to offer paid paternity leave, in 1974. At that time, the National Labour Market Board stated, "The right for men to take responsibility for their children on the same basis as women must be accepted and encouraged" (Arbetsmarknadsstyrelsen, 1977, cited in Haas & Hwang, 2009, p. 304). In Sweden, each parent has access to 2 months' paid leave at 80% of salary and 12 months' paid leave between both parents before the child turns 8 or finishes the first year of school. In addition, the family receives an "equality bonus" if the parents share the leave equally (via tax relief) (European Union, 2012).

#### Norway

In Norway, fathers have access to 12 weeks or 60 days of paid leave as a "paternal quota", to be used before the child turns 3 years old (Norwegian Labour and Welfare Administration [NAV], 2012). This leave is provided as a "use it or lose it" benefit; it cannot be transferred to the mother.

#### Iceland

In Iceland the government provides 3 months of paid leave for mothers, 3 months of paid leave for fathers and 3 months of paid leave for either the father or the mother (at 80% of an individual's existing wage rate). There is a further 13 weeks unpaid each year for each parent until the child reaches the age of 8 (European Commission, 2008).

### Short leave with low/no income replacement

The United Kingdom, New Zealand and Australia are examples of countries with lower levels of father-specific leave and income replacement.

#### United Kingdom

Since 2003 in the United Kingdom, fathers have been entitled to 2 weeks of Statutory Paternity Pay, paid at 90% of earnings or approximately £135 per week (whichever is lower). To put this amount in context, the national minimum wage is £243.20 per week. In addition, both mothers and fathers/partners are entitled to take up to 13 weeks of unpaid parental leave per child, which is to be taken in blocks of no more than 4 weeks until the child turns 5 (Directgov, 2012). Additional Paternity Leave and Pay has been available to fathers since April 2011, which entitles them to a maximum of 6 months' additional paid paternity leave, which can be accessed once the mother has returned to work. This leave must be taken when the baby is aged between 20 weeks and 52 weeks.

## New Zealand

In New Zealand, Paid Parental Leave is available to the primary carer for 14 weeks at equal rates to their pay prior to commencing parental leave but is capped at \$475.16 per week (Inland Revenue, 2012). This amount is less than the minimum wage of \$540 per week. Paternity leave of 2 weeks unpaid leave is available following 12 months of service to an employer, and 1 week is available following 6 months of service (Department of Labour, New Zealand, 2007).

## Australia

Currently, Australia's Paid Parental Leave scheme provides up to 18 weeks of Parental Leave Pay at the rate of the national minimum wage (\$606.50 per week before tax) for the primary carer (usually the birth mother). The primary carer may transfer some or all of their unused Parental Leave Pay to an eligible partner such as a father. Dad and Partner Pay, which was introduced on 1 January 2013, provides up to 2 weeks of pay at the rate of the national minimum wage. Under the Paid Parental Leave scheme, fathers or partners can receive up to 18 weeks of Parental Leave Pay, or a maximum of 18 weeks of Parental Leave Pay and Dad and Partner Pay combined if they become the primary carer. To receive Dad and Partner Pay a person must meet the scheme's work, income and residency test, be caring for their child, and be on unpaid leave (i.e., not on paid leave) or not working. Dad and Partner Pay complements the provision of unpaid parental leave under the National Employment Standards. Long-term employees are eligible to receive up to 12 months unpaid parental leave under the National Employment Standards. If both members of a couple are eligible for unpaid parental leave, they may take up to 3 weeks of their leave at the same time in the period immediately following the birth or adoption, or in the period up to 6 weeks after the birth or adoption with the agreement of their employer (Australian Government Fair Work Ombudsman, 2011a).

## Impact of fathers' legislated leave on uptake

While a direct comparison between paternity-leave-rich countries and paternity-leave-poor countries is not feasible, some general observations can be made regarding the conditions that international research has shown to be most likely to increase uptake of paternity leave. Leave must be:

- an individual (non-transferable) right;
- highly compensated;
- highly flexible; and
- publicly promoted through government awareness campaigns (Featherstone, 2009; Fox et al., 2009; Smith & Williams, 2007).

All four countries detailed earlier with extended leave and high-income replacement meet at least three of the conditions described above.<sup>6</sup>

In Portugal, in the last year that parental leave was unpaid (2000), fewer than 150 men took parental leave. Three years later, after Portuguese law was changed to give fathers 2 weeks of paid family leave ("daddy days"), the number of men who took up the leave rose to 27,000 (OECD, 2002). Men in Sweden make up a significant 25% of total parental leave recipients (compared to Australia, where women represented 99.5% of all Paid Parental Leave recipients). In Norway, 89% of eligible fathers take paternity leave (European Commission, 2008) and a review of Iceland's parental leave system and responses from other European countries found that 89.9% of eligible men applied for paternal leave in 2004 (European Commission, 2008).

By contrast, the UK Government has estimated that uptake of the Additional Paternity Leave and Pay (available from 3 April 2011) would be between 4 and 8% of eligible fathers (Department for Business Innovation & Skills [BIS], 2010). Smeaton and Marsh's (2006) study of 1,512 fathers across

<sup>6</sup> Evidence of the promotion of parental leave in Australia and internationally is limited. Australia's Paid Parental Leave scheme was actively promoted in 2011 through TV, radio and via printed materials (such as brochures) and online via the Department of Human Services website.

the UK found that despite a 2-week paternity leave entitlement, 20% of eligible fathers used none of it, relying instead on annual leave or other forms of leave. A later UK study by Chanfreau, Gowland, Lancaster, Poole, Tipping, and Toomse (2011) of 1,253 fathers found that 91% took time off after the birth of their baby. Seventy-three per cent of fathers who took some time off used paternity leave. Almost half took this time as paternity leave only and just over one-quarter took time off as a combination of paternity leave and other paid leave. Only half of the fathers who took some paternity leave took the full statutory length of 2 weeks.

In New Zealand in 2005–06, 82% of fathers took some sort of leave around the birth of a child, typically annual leave (58%) or another type of employer-funded leave (21%). Of those who took annual leave, 88% took up to 2 weeks. When considering total leave, 46% took up to a week and 38% took up to 2 weeks. Only 24% of fathers were aware that it was possible for mothers to transfer some or all of their paid parental leave entitlement to their spouse (Department of Labour, New Zealand, 2007).

To recap Australia's leave uptake, Martin et al. (2012) found that most fathers (or partners) who had access to employer-funded paid parental leave took either 1–2 weeks' leave (35%) or 2–4 weeks' leave (31%). Of partners who had access to unpaid parental leave, most took none (55%); and of those who had access to paid/holiday annual leave, 57% took between 1 and 4 weeks.

The UK, New Zealand and Australia meet two of the international conditions for uptake described above: their leave is individual and (partly) flexible. However, due to the relatively low level of compensated paternity leave in the UK and New Zealand, fathers may choose instead to take annual leave, restricting their opportunities for annual leave later in the year. In Australia, employer-provided paid paternity leave is, in most cases, paid at wage replacement levels but for fathers with access only to unpaid parental leave under the National Employment Standards, it is highly likely that many fathers would also need to use their paid annual leave.

As Dad and Partner Pay has just commenced, the uptake rate by fathers is unknown. The Productivity Commission in its 2009 Inquiry Report assumed a full-time equivalent usage rate of 25% of eligible fathers, consistent with the experiences of overseas schemes (Productivity Commission, 2009).

This general snapshot demonstrates that countries with statutory paternity leave that meet identified conditions are more likely to see greater uptake of leave by fathers at the time of birth, and throughout the first 12 months and pre-school years of each child's life.

## Key findings

Based on the literature detailed in previous sections, four key findings have been identified:

- there are four conditions that increase fathers' uptake of leave;
- government policies do impact on choices families can make around work and care;
- the impact of paternity leave is greater if the leave is flexible and available over a long period of time (e.g., until a child reaches school age); and
- legislated and government-funded paternity leave increases accessibility.

## Four conditions increase fathers' uptake of leave

The experience of other countries has shown that if governments provide well-compensated, flexible, parent-specific (mother or father or shared) and publicly promoted parental leave, uptake by fathers will increase. Australia's Dad and Partner Pay is partly flexible (it must be taken in a 2-week block but can be taken any time in the first 12 months after a child is born or adopted), parent-specific (an individual right) and publicly promoted (a communication campaign to raise awareness about the scheme commenced in October 2012),<sup>7</sup> but it is set at a relatively low level

<sup>7</sup> Currently information on Dad and Partner Pay is available through printed materials (such as brochures) and online via the Department of Human Services website <[www.humanservices.gov.au/customer/services/centrelink/dad-and-partner-pay](http://www.humanservices.gov.au/customer/services/centrelink/dad-and-partner-pay)>.

of compensation (the national minimum wage). It well compensates fathers on low wages (at or below the national minimum wage) and better compensates those fathers who only have access to unpaid leave. While it provides only partial compensation for those fathers on higher wages, it is more likely they will already have access to employer-provided paid paternity leave and other paid leave.

Given that the main reason fathers provide for not taking leave at the time of a birth or adoption is that they cannot afford to (Hosking et al., 2010), improving access to better-compensated leave by employers along with better government financial support for working parents of newborn or adopted children should be considered in the future.

## Policies do impact on choices families can make around work and care

Close attention should be paid to the way in which Australian parents would like to manage the care of their children and their unpaid and paid workloads. Parental leave (and other family leave policies) should help facilitate these choices. As Fox et al. (2009) described, for significant social change, there needs to be “vigorous and proactive policy-making that engages with fathers, mothers, employers, and the labour market” (p. 323).

The Henry Tax Review noted that workforce participation is strongly influenced by incentives in the tax and transfer systems and by the affordability of quality child care. Factors influencing the return to work of mothers when children are younger include: financial considerations such as remuneration and child care costs; the quality and availability of child care; labour market and job conditions; and the views parents have on raising young children. In particular, partnered mothers and single parents are quite sensitive to the impact of taxes, transfer withdrawal rates and the level of transfer payments in deciding whether to undertake paid work (Australian Government, 2009).

## The impact of paternity leave is greater if the leave is flexible and available over a long period of time

Fletcher (2008) highlighted the impact fathers can have in caring for their children, stating that: “fathers are now seen as being vitally important in the way that children develop” (p. 3). However, several authors have found that short periods of leave taken by fathers at the time of a child’s birth may not lead to increased father involvement because of limited opportunities to practice routine child care tasks. While short leave periods provide fathers with valuable time with their newborns, their quick rush back to work can undermine any intentions to be heavily involved in child care (Hosking et al., 2010; Miller, 2010). The extent to which fathers are accessible to their child, particularly in time spent in the sole care of their child, is a more comprehensive indicator of fathers’ levels of involvement in child care (Hosking et al., 2010).

Gornick and Meyers’ (2009) framework called for 6 months of family leave with wage replacement for men (as well as women), with leave allotments able to be taken for a period of 8 years. As Coltrane (2009) stated: “If male leave-taking becomes normative, fathers will use their time to attend ... school conferences, performances and other activities as their children mature” (pp. 404–405). Longer-term leave entitlements in Australia would give parents greater choice in the management of child care and work.

## Legislated and government-funded paternity leave increases accessibility

Government-funded financial support to complement paternity leave enables more universal access to paternity leave. Employer-funded paternity leave is taken by approximately 14% of Australian fathers (Hosking et al., 2010). Addressing this disparity would help to focus on the issue identified by O’Brien (2009), which is that varied access to paid paternity leave “raises the possibility of a new polarisation for infants: being born into either a parental-leave-rich or -poor household and, indeed, country” (p. 190). Dad and Partner Pay will give most working fathers at all socio-economic levels and in all forms of employment greater opportunities to spend time with their children.

## Conclusion

The ability to take leave at the time of a child's birth can give fathers a greater role that extends beyond the financial, encouraging them to engage immediately in the caring tasks. Leave can also give fathers the chance to develop a co-parenting relationship early (Asher, 2012), enable a lived experience that reshapes notions of fatherhood (Haas & Hwang, 2008), and have an opportunity to increase practical and emotional investment in their infant's care (O'Brien, Brandth, & Kvande, 2007).

What is the role of government in facilitating parents' choices around earning and caring? International research indicates that legislated leave has a direct correlation with increased uptake of paternity leave. In addition, legislation can improve the choices on offer and empower those whose identity is currently restricted by the legislation that favours traditional models of household arrangements (James, 2009). Finally, there is a social and public interest in the nurturing of children, and governments have significant power over the framework within which families go about their daily business.

The introduction of Dad and Partner Pay is a significant first step for Australia from the rhetoric of the "nurturing father" towards the reality of mothers and fathers both engaging in paid work, unpaid work and child care. However, the right to request flexible work legislation (under the National Employment Standards), while valuable and acceptable for mothers, is still not seen (in practice) as an option for many fathers. Dad and Partner Pay has the potential to address some workplace barriers and alter workplace expectations, such as the unevenness of family-friendly provisions, the novelty of men's utilisation in child care and doubts about the legitimacy of fathers' claims to family responsibilities. The new policy may therefore have an important role to play in establishing and validating new gender norms by sending an important message to working fathers and employers that it is acceptable and indeed desirable for fathers to take leave at the birth or adoption of a child (Baird & Whitehouse, 2012).

Key findings from international literature that can inform Australia's future policy responses include:

- there are four major conditions that increase fathers' uptake of leave (well-compensated, flexible, parent-specific and publicly promoted);
- government policies do impact on the choices families make around work and care;
- the impact of parental/paternity leave is greater if the leave is flexible and available over a long period of time (e.g., until a child reaches school age); and
- legislated and government-funded parental/paternity leave and complementary government-funded financial support for new parents increases the ability of fathers in low-income brackets and those working in small businesses or who are self-employed to share in the care of their children.

The Institute for Social Science Research at the University of Queensland (2012) is conducting the evaluation of Dad and Partner Pay as part of the evaluation of the broader Paid Parental Leave scheme. The evaluation will examine the impact of Dad and Partner Pay in supporting fathers and partners to: spend more time with their children around the time of a birth or adoption; have further opportunities to bond with their child; and take a greater share of caring responsibilities and support mothers and partners from the beginning.

It will also be important to observe the impact of Dad and Partner Pay on the distribution of work and care between Australian men and women over time as a younger generation of employees enter the workforce, as workplace culture and attitudes change, and as policies become embedded in Australia's social and gender norms (Baird & Whitehouse, 2012). It is important that the voices of mothers, fathers and employers are heard, as well as, over the longer-term, the voices of children.

The opportunity exists for the Australian Government to build on these benchmark reforms to further increase the ways in which it can create real choice for men and women between earning and caring, which would deliver positive outcomes for men, women, their children and society as a whole.

## Review of Paid Parental Leave

The Australian Government legislated (in Section 307A of the *Paid Parental Leave Act*) to undertake a review of the Paid Parental Leave scheme in 2013, which will take into account emerging evaluation findings and the views of stakeholders on the scheme's future development.

The review will cover issues such as: the amount of time off work primary carers are taking to care for newborn or newly adopted children; the operation of the work test; the availability and amount of leave and payments provided by employers in relation to the birth or adoption of a child, and their interaction with the government's scheme; and whether employers should make superannuation contributions in relation to Parental Leave Pay. The *Paid Parental Leave Act* requires that the review begin by 31 January 2013 and that public submissions are sought in relation to the review.

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