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5.5 Deputy L.M.C. Doublet of the Minister for Social Security regarding designating maternity leave as ‘parental leave’ available to either parent:

Given the Assembly’s commitment to the 1,001 Days initiative, will the Minister be exploring an extension to maternity leave as part of the planned review of family-friendly legislation, and furthermore will she consider designating at least a significant portion of maternity leave as ‘parental leave’ available to either parent?

Deputy S.J. Pinel (The Minister for Social Security):

I have said that I will direct the Employment Forum to review family friendly legislation later this year. This is confirmed in my department’s business plan for 2016. The forum will make recommendations to me following a period of public consultation and I will base my decisions on these recommendations. I have said on previous occasions that I would like to see a longer period of maternity leave, however we will develop the proposed scope of the Forum’s review later this year. If Members have any suggestions they are welcome to contact me.

5.5.1 Deputy L.M.C. Doublet:

I thank the Minister for her answer. Could I have some indication on her view on shared parental leave and does she think it should be up to the family to decide beyond perhaps a recommended minimum for the mother? Should it be up to the family to decide whether it is the father or the mother, which parent takes the parental leave?

Deputy S.J. Pinel:

As the Deputy will know, I have said several times in this Assembly, that we need to re-evaluate the family friendly law to investigate all of those possibilities mentioned by the Deputy. It is too early to put any recommendations to the Employment Forum at this stage, it is only February, and they will not start their review until October, which is one year after the family friendly law came into being.

5.5.2 Deputy L.M.C. Doublet:

Sorry, that did not answer my question. I asked for the Minister’s view on whether the shared parental leave should be available just on an in principle.

Deputy S.J. Pinel:

I will ask the Employment Forum to look at that as well as the extension of the maternity leave. I will ask them to do that, I cannot say that they will come back with what is my particular view.

5.5.3 Deputy S.Y. Mézec:

Given that there is virtually no chance whatsoever of the Employment Forum coming to any other conclusion that the fact that we have only 2 weeks’ paid statutory maternity leave is a paltry amount, would she agree that it is best to be starting to make the preparations to increasing the length of statutory maternity leave from right now?

Deputy S.J. Pinel:

The Employment Forum have a lot to do and they will be starting on the minimum wage review in April, which takes up all of their time, and they will start this review, as I have said, a year after the legislation came into being.

5.5.4 Deputy S.Y. Mézec:

Given that the Minister herself has said she wants to see the length of maternity leave increased, does she not think it is worth beginning to dedicate time within her department to looking at this right now rather than waiting potentially months and months and months for the Employment Forum to reach what we know will be their conclusion about this current situation is unsatisfactory?

Deputy S.J. Pinel:

I have no idea what the conclusion of the Employment Forum would be so I cannot see how the Deputy could know either.

5.5.5 Deputy M. Tadier:

Perhaps to try and get some idea of the policy basis from which the Minister is working, does she accept that during the first 1,001 days it is important for a child, where they have 2 parents, to see both of those parents and not just one of those parents?

Deputy S.J. Pinel:

Yes, of course I accept that.

5.5.6 Deputy M. Tadier:

Therefore, does she accept also then that it must be completely discriminatory if the paltry leave that we have at the moment but albeit that leave is only given to one parent and that the other parent, who happens in this case to be of the male gender, cannot access that benefit?

Deputy S.J. Pinel:

We have obviously considered many other jurisdictions in bringing forward this legislation in the first place and it is quite clear that in most of those jurisdictions if parental leave is paid to the father in an obligatory fashion, it is often taken. If it is just left to the families themselves, the couple themselves to sort it out, then generally speaking the father does not take the parental leave. So all those things will have to be looked at before the Employment Forum come up with a recommendation.

5.5.7 Deputy L.M.C. Doublet:

While I do understand that Ministers use different groups to advise them on decisions, it is the Minister that sets the policy. I would just press the Minister once more. Can she just give me her personal view on does she think that shared parental leave should be an option for families and that it should be the family who best decides who the primary carer of the child is, not the Government?

Deputy S.J. Pinel:

I think I already answered that. I do personally feel that of course both parents should have time to be with their child involving leave. The debate is whether it is paid for or not.