

Work-Life Balance Frequently Asked Questions

This leaflet has been produced in response to comments from members of Women in Film and Television, who have expressed to us their concerns about the challenge of achieving a balance between their work and their home life.

We recognise that employment instability and long hours are commonplace in film and television, but with such a highly skilled and expensively trained workforce, we believe it makes sense for employers to seriously consider work-life balance options for their workers – both female and male. This is equally important for the large freelance segment of our industry. WFTV has considerable anecdotal evidence that women are leaving the film and television sectors in their 30's – a fact that is borne out by the recent Skillset Workforce Survey. We are researching the reasons for this.

You have probably read recently about the flexible working regulations. Currently the right to request flexible working time applies only to employees with young or disabled children. Nonetheless there is a growing emphasis within government and industry to try to find ways to help working women and men achieve a better balance between their working and personal lives.

We have brought together information from a number of sources in order to provide general guidance. For more detailed information on your employment status and personal entitlement, contact your union, personnel department or your legal and financial advisors.

We would be interested to know more about your experiences in this area. We have enclosed a questionnaire – please do complete and return it by the deadline.

Jane Cussons
Chief Executive

Women in Film and Television

Barbara Benedek
Chair

Women in Film and Television

GENERAL

What is work-life balance?

Work-life balance is about developing work patterns so that everyone – regardless of age, race or gender – can more easily combine work with their other responsibilities and interests.

The range of work-life balance options include:

- Flexi-time
- Staggered hours
- Time off in lieu
- Compressed working hours
- Shift swapping
- Self-rostering
- Annualised hours
- Job-sharing
- Term-time working
- Working from home
- Tele-working
- Breaks from work.

Descriptions of these options are available on the Department of Trade and Industry's Work-Life Balance website at: <http://164.36.164.20/work-lifebalance/what.html>

What are the benefits of work-life balance?

Work-life balance practices can be a win-win situation for both employers and employees. Employees gain more control over when, where and how they work, leading them to enjoy a better quality of life.

For employers who recognise the commitment and loyalty given by employees who balance work and home, the benefits can be invaluable. These include:

- Increased productivity
- Improved recruitment and retention
- A more motivated workforce
- Lower rates of absenteeism
- An improved customer experience
- Reduced overheads

Failure to provide work-life balance options can lead to loss of income. The organisation Employers for Work-Life Balance estimates that employee costs are often at least 50 percent of a company's expenditure, with replacement costing anything from £3,000 to £10,000 depending on seniority and level of technical skill.

What are my rights and obligations under the law?

Not all work-life balance practices are legal obligations, but employee rights that are provided for by legislation include:

- The right for employees to limit their working hours to less than 48 hours per week
- Reasonable time off work without pay to deal with an emergency involving a dependant
- Four weeks paid annual leave
- The right to rest breaks
- Maternity and paternity leave around birth or adoption
- Unpaid parental leave of up to thirteen weeks subject to one year's service
- The right for parents with children aged under 6 or disabled children aged under 18 to request a flexible working pattern

Are there any exemptions for the audio-visual industries?

There are no exemptions for the audio-visual industries, but many of the rights do not apply to self-employed workers, who form a large part of the film and television workforce.

Employees within companies should also refer to their internal Human Resources policies and contractual agreements.

EMPLOYEES

What support are smart employers providing for their employees?

Employers are providing support in several ways:

- Information on local childcare options.
- Contribution to childcare costs, through childcare allowances or childcare vouchers. (Currently, there are tax and National Insurance exemptions on workplace nurseries. From April 2005 this will be extended to cover childcare vouchers and direct contracts between an employer and a nursery, child-minder or after-school club).
- Provision of childcare services, which could be a playscheme, nursery or a childminding net work, often run in partnership with other employers or local authorities.
- Longer maternity/paternity/parental leave than the statutory minimum.
- Provision for maternity returners to phase their return to work, or to return part-time.

If I don't want to ask my employer for financial support, where else could I go?

You could be entitled to money from the government to help pay for childcare. Working Tax Credit, for low to middle income families, provides extra help for childcare in the form of the 'childcare element'. Also, payments from Child Tax Credit can be put towards childcare.

Your local authority may provide vouchers to people caring for elderly or disabled family members in their own home. These 'carer break vouchers' can be used by carers to pay for short term, temporary alternative care (in a nursing home or in their own home) for their dependents.

I care for my elderly mother who can be taken ill unexpectedly. Can I lose my job if I have to keep taking time off to care for her?

In many cases you now have the right to take time off work to deal with an emergency involving someone who depends on you. You can't be penalised by your employer for taking the time off, providing your reasons for taking it are genuine. However, there is no legal obligation for your employer to pay you for the time you take off.

If you know beforehand that you're going to need time off, it may be that another form of leave is more appropriate, for example annual leave. Another option might be to find out if your local authority provides carer break vouchers that cover emergency care.

I travel across the country with my work, and I'd like my young son to come with me. Can I arrange temporary childcare in the local area?

The government's ChildcareLink service has contact details for playschemes, nurseries and registered childminders across the UK. In emergency cases, individual childcare providers may offer temporary places.

I don't have any dependants, but I want to work a three-day week so that I can spend more time pursuing other interests. Am I within my rights to requests this from my employer?

If you are employed by a company or an organisation, you can check whether internal policy goes beyond the legal limits of the flexible working regulations, making flexible working more widely available. A smart employer will extend these rights to all employees.

It might be helpful to suggest fixed days in the week or core hours when you will be working. You should also be prepared to demonstrate the value that you will add through having greater flexibility in when you work, and to prove your ability to deal with urgent or unexpected work commitments. However, an employer isn't legally obliged to agree to such a request.

FREELANCE/SELF-EMPLOYED

I'm self-employed. Do I have the same rights as an employee?

Self-employed people are not covered by much of the legislation around work-life balance. For example, if you work on a freelance basis and your employer pays your tax and National Insurance contributions, you may have the right to limit your hours to 48 per week, but if you are self-employed, running your own business and are free to work for different clients and customers, these regulations do not apply to you.

Nevertheless, it's still worth finding out what is available within the company or organisation you work with that you might be able to make use of.

What benefits am I entitled to as a self-employed person?

Self employed people do not qualify for statutory maternity pay, but may be entitled to receive Maternity Allowance for up to 26 weeks. To qualify, you must have been self-employed for 26 weeks out of the 66 weeks before the expected week of childbirth and have average weekly earnings of at least £30.

There is no equivalent benefit to statutory paternity pay for the self-employed, but there are special rules to allow fathers who are entitled to unpaid paternity leave to claim Income Support.

You may be eligible for help with childcare through the Working Tax Credit and/or Child Tax Credit, and your local authority may provide 'carer break vouchers' (see EMPLOYEES section above for further details).

Organisations such as ACAS have a helpline that you can contact for further information.

EMPLOYERS

How many people do I need to employ before work-life balance is relevant to me?

Legally and practically, work-life balance is relevant to all companies, no matter how few people they employ.

Fish.Net, a small IT consultancy employing nine permanent and two contract staff, offers flexible working options for all its employees. These include tele-working, flexible working hours and a room for employees' older children to do their homework after school. (See http://www.workingfamilies.org.uk/asp/awards/cs_case_study.asp?CSCode=fishnet for case study).

How can I keep track of my legal obligations regarding work-life balance?

If you run a small business you can register with your local Business Link centre to receive reminders and updates about changes to employment law.

The main legislation that covers this area can be found in:

- Employment Act 2002 (Flexible Working Regulations)
- Employment Relations Act 1999
- Management of Health and Safety at Work Regulations 1999
- Working Time Regulations 1998
- Employment Rights Act 1996
- Sex Discrimination Act 1975
- Equal Pay Act 1970

I employ people on a short-term project basis. How can I be expected to accommodate requests for flexible working?

Short-term project work may in itself provide some workers with the flexibility to balance work and home life.

If you also adapt to an individual's specific needs, you are more likely to get the most skilled person for the job. In the case of job-sharing, you will also benefit from developing relationships with a wider range of personnel for future projects.

Am I eligible for any financial support?

Business Link offers a free in-depth employment practice evaluation for small businesses through the Department of Trade and Industry's 'achieving best practice in your business' solution. If you need an expert consultant to help implement any recommended changes, the DTI will provide the funds for half of your project costs, up to a maximum of £5,000.

FURTHER INFORMATION

ORGANISATION

BACKGROUND

4Children (formerly known as Kids' Clubs Network) www.4children.org.uk 020 7512 2100	Provides advice and information on all aspects of childcare and children's issues.
ACAS (Advisory, Conciliation and Arbitration Service) www.acas.org.uk 08457 47 47 47	Provides information, independent advice and training, and works with employers and employees to solve problems and improve performance.
Accor Services www.accorservices.co.uk 020 7834 6666	A supplier of childcare vouchers and carer break vouchers.
BECTU (Broadcasting Entertainment Cinematograph and Theatre Union) www.bectu.org.uk 020 7346 0900	Represents its members (employed and freelance media workers) in pay, conditions and contract negotiations.
BusinessLink www.businesslink.gov.uk 0845 600 9 006	Offers practical help and advice for small businesses on all aspects of employment.
ChildcareLink www.childcarelink.gov.uk Freephone: 0800 096 0296	Helps parents find providers of different types of childcare and early education in their local area. The website also contains details of local Children's Information Services, who can provide additional help and advice with all aspects of childcare and early years.
Daycare Trust www.daycaretrust.org.uk 020 7840 3350	Advises parents and carers, providers, employers, trade unions and policymakers on childcare issues.
DTI Employment Relations Directorate www.dti.gov.uk/er/	A government website that contains summaries of all individual employment rights.
DTI Work-Life Balance Campaign www.dti.gov.uk/work-lifebalance/ 020 7215 6249	A government campaign that provides employers with support and advice on work-life balance issues.
Employers Childcare Network www.employerschildcarenetwork.com 0870 902 0016	A non-profit making company that has been set up to open a network of purpose-built childcare centres, based on demand, throughout the UK. The company aims to enable employers and employees to benefit from tax and National Insurance relief on the provision of childcare.
Employers for Work-Life Balance www.employersforwork-lifebalance.org.uk 0870 165 6700	Run by The Work Foundation, Employers for Work-life Balance aims to help all UK organisations implement and continuously improve sustainable work-life strategies. Its website includes a useful 'jargon buster' of work-life balance terms.
Equal Opportunities Commission (EOC) www.eoc.org.uk 0845 601 5901	The leading agency working to eliminate sex discrimination in the UK. Provides advice and information on legal rights. Includes EOC Scotland and EOC Wales.
Equality Commission for Northern Ireland www.equalityni.org 028 90 500600	General duties include promoting equality of opportunity and encouraging good practice.
Inland Revenue Working Tax Credit http://www.inlandrevenue.gov.uk/taxcredits/ 0845 300 3900	Provides information on entitlement to working tax credit and the childcare tax credit element.
National Childminding Association (NCMA) www.ncma.org.uk Freephone: 0800 169 4486	A national charity and membership organisation that speaks on behalf of registered childminders in England and Wales.
Northern Ireland Childminding Association (NICMA) www.nicma.org 028 9181 1015	A charity and membership organisation which works to support childminders, parents and children in Northern Ireland.
Scottish Childminding Association (SCMA) www.childminding.org 01786 445377	The only dedicated support organisation in Scotland for registered childminding.
Sodexo Pass www.sodexhopass.co.uk 01252 369794	A supplier of childcare vouchers.
The Work-Life Balance Trust www.w-lb.org.uk 08707 577 266	An independent charity that initiates organises and stimulates debate and action via conferences, seminars and reports for the business sector.
Time4balance www.time4balance.com 020 8549 7949	A specialist consultancy advising companies and individuals about flexible working issues.
Tiger (Tailored Interactive Guidance on Employment Rights) www.tiger.gov.uk 08457 47 47 47	Provides a user-friendly guide through different aspects of UK employment law.
Working Families (formerly Parents at Work and New Ways to Work) www.workingfamilies.org.uk 020 7253 7243	Offers information and advice on work-life balance to working parents and their employers.