



**Department for Business and Trade  
and Department for Work and  
Pensions: Parental Leave and Pay  
Review Response**

A response by  
The Chartered Institute of Legal Executives  
(CILEX)

August 2025

## Introduction

- 0.1. CILEX would like to take the opportunity to respond to the DBT and DWP's consultation in relation to the review in parental leave and pay. CILEX represents a substantial number of employment law practitioners who undertake work in relation to parental leave and pay.
- 0.2. The Chartered Institute of Legal Executives (CILEX) is the professional association and governing body for Chartered Legal Executive lawyers (commonly known as 'CILEX Lawyers'), other legal practitioners and paralegals. Under the Legal Services Act 2007, CILEX acts as the Approved Regulator (AR) and delegates these regulatory powers to the independent regulator, CILEX Regulation Ltd (CRL).
- 0.3. CILEX represents over 17,500 members of which 77% of the membership are female, 16% of members are from an ethnic minority background, 4% are LGBT and 6% have a disability. Additionally, in terms of social mobility, 77% of CILEX members attended a state-run or state-funded school and 41% have an undergraduate university degree (of which 63% of those members were the first to attend university).
- 0.4. As part of this response, CILEX surveyed members working in employment law, and members who have experience with the current parental leave and pay system. Therefore, CILEX is only responding to questions where there is sufficient evidential data.

### **1. Question 5a: Do you think that the current parental leave and pay entitlements support these objectives? (Yes/No)**

- **Providing sufficient time off work with adequate pay to support maternal health**
- **Supporting economic growth through labour market participation by enabling more parents to stay in work and advance their careers, including reducing the gender pay gap**
- **Ensuring adequate resources and leave for parents to facilitate the best start in life by supporting the healthy development of young children**
- **Providing parents the flexibility to make balanced childcare choices, including co-parenting**

- 1.1. CILEX does not believe that the current parental leave and pay entitlements meet the above objectives.

### **2. Question 5b: For each objective, briefly explain the reasons for your selection above. Please provide any evidence (including links) to support your view.**

- 2.1. CILEX firstly outlines that current working family dynamics are complex, appreciating that dependents come in different shapes and sizes, noting that ‘greater family-oriented thinking is needed in policy’<sup>1</sup> and any legislation in relation to parental leave and pay should reflect this.
- 2.2. In **providing sufficient time off work with adequate pay to support maternal health, and ensuring adequate resources and leave for parents to facilitate the best start in life**, CILEX members noted the following:
- Parental and paternity leave are inadequate. Understanding that *‘fathers are much more involved in raising children, there is a demand for both parents to be able to take sufficient paid time off to allow mothers to suitably recover’*.
  - Employers struggle to understand shared parental leave under current provisions.
  - Paternity and Maternity pay are insufficient.
  - The current system permits only a short period of leave to care for a newborn, which is not proportionate in comparison with other jurisdictions, such as Germany, where parental leave for both parents can extend up to three years per child protected by legislation<sup>2</sup>.
- 2.3. CILEX is aware that one major regional firm have launched a new parental leave policy, allowing employees 6 months full pay, regardless of gender, alongside other benefits<sup>3</sup>. Whilst a new initiative, CILEX is interested in the outcomes of this policy and the overall impact on the market in due course.
- 2.4. In relation to **supporting economic growth through labour market participation by enabling more parents to stay in work and advance their careers, including reducing the gender pay gap**: CILEX is aware that extensions of paid leave lengths *‘have a positive, albeit small, influence on female employment rates and on the gender ration of employment’*<sup>4</sup>. Additionally, the provision of affordable childcare from the end of parental leave would enable parents, and often mothers, to return to work more quickly should they choose to<sup>5</sup>.
- 2.5. However, CILEX members working in employment law note that the current lack of awareness of different parental leave initiatives is hindering economic growth

---

<sup>1</sup> Understanding Society, ‘Families are changing and need support’, [Families are changing and need support - Understanding Society](#)

<sup>2</sup> Germany Expat, ‘Parental Leave in Germany: All you need to know’ [Parental Leave in Germany: All You Need to Know \(2025\)](#)

<sup>3</sup> Foot Anstey, ‘Foot Anstey launches market leading parental leave policy’, <https://www.footanstey.com/our-insights/articles-news/foot-anstey-launches-market-leading-parental-leave-policy/>.

<sup>4</sup> OECD, ‘Labour market effects of parental leave policies in OECD countries’, [Labour Market Effects of Parental Leave Policies in OECD Countries | OECD](#)

<sup>5</sup> CIPD, ‘Employer focus on working parents: parental leave and pay and childcare policies’, [Employer focus on working parents: Parental leave and pay and childcare policies](#)

through a lack of labour market participation. CILEX refers to the CIPD report, noting that very few new fathers/partners and mothers have taken up the right to shared parental leave in the last two years<sup>6</sup>, even though they could be entitled to it.

- 2.6. As referenced above, CILEX notes that the current framework is not suitable for those seeking shared parental leave specifically due to the lack of awareness and from both expectant parents and employers. This therefore does not align with objective 4, **providing parents the flexibility to make more balanced childcare choices, including co-parenting.**

**3. Question 6: Are there any further or other objectives that you would like to see included as part of the parental leave and pay review? (Yes/No)**

- 3.1. Yes, CILEX believes that there are other initiatives and proposals that could add value to the current parental leave and pay entitlements.

**4. Question 6b: Please list and briefly explain each one, including providing links to any relevant evidence**

- 4.1. Whilst CILEX does not have structured objectives for adoption, CILEX believes that the below is of fundamental importance when considering improvements to the current parental leave and pay structure:
- Amendment to provisions in the Equality Act 2010 in relation to pregnancy and maternity as a protected characteristic, to recognise that parental leave discrimination is not gender specific. CILEX recommends that a sensible amendment would be to change 'pregnancy and maternity' to 'pregnancy and parental leave' to accommodate a diverse working and domestic society.

**5. Question 7: Please prioritise the objectives, including any additional objectives, in order of importance.**

- 5.1. CILEX believes that the order of importance is as outlined below, referencing to responses above.
1. Providing sufficient time off work with adequate pay to support maternal health
  2. Amendment to provisions in the Equality Act 2010 to change protected characteristic 'pregnancy and maternity' to 'pregnancy and parental leave'.
  3. Providing parents the flexibility to make balanced childcare choices, including co-parenting

---

<sup>6</sup> *Ibid.*

4. Supporting economic growth by enabling labour market participation for more parents to stay in work and advance their careers, including reducing the gender pay gap
5. Ensuring adequate resources and leave for parents to facilitate the best start in life by supporting the healthy development of young children

**6. Question 8: If you have any additional comments, evidence or suggestions that you have not had the opportunity to provide elsewhere, please do so here.**

- 6.1. CILEX does not wish to raise any other comments.