



1 Cathedral Road
Cardiff
CF11 9SD

1 Heol y Gadeirlan
Caerdydd
CF11 9SD

Jenny Rathbone MS
Chair, Equality and Social Justice Committee
Senedd Cymru
Cardiff Bay
CF99 1SN

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Dear Jenny,

Thank you for contacting us regarding the follow-up inquiry into childcare and parental employment. This is crucial work to enable more people – especially women – to have good jobs and fulfilling careers, and we welcome the Committee's continued scrutiny.

Wales TUC believes everyone's children should be able to enjoy quality provision delivered by well paid, skilled professionals. The cost of living is exacerbating problems in the childcare sector, as nursery costs have risen four times faster than wages, so many public service workers are having to take second or third jobs to pay for childcare. Many, especially women continue to leave work altogether due to a lack of flexible working and accessible access to childcare.

Since the Committee's report, we have not had capacity to conduct research into the childcare offer in Wales or the experiences of childcare workers. Our comments below therefore focus on the structural issues facing the sector and how policy interventions are designed for it, in order to deliver on the Committee's recommendations and workers' aspirations.

A worker-oriented approach to childcare

From an economic perspective, childcare enables more workers to participate in the labour market and also creates a sector with a distinct workforce. Of course, these are not the only features of the childcare sector that are relevant to policymakers but we shall focus on these aspects as our main areas of interest.

Currently, social partners' advice is not sought in relation to government's childcare policy, and we are unaware of the extent to which workers' interests and the nature of work is considered as part of its development. Through government's promotion and our engagement in work-based learning and the wider skills agenda, we are aware the childcare provision is recognised as an issue in relation to adults – especially women – being able to participate and that some initiatives are addressing this. However, we are not clear on the extent to which the childcare offer is able to cater for those working atypical hours, for example, or whether government has acted upon [research it commissioned on this](#) in 2014. This is not to say it hasn't – this is to say that it is not engaging social partners, as the representatives of workers and representatives of employers, on the extent to which the childcare offer supports workers fairly.

We also suspect that public money is of greater risk of going towards unfair and exploitative labour practices (as childcare is a high risk sector for minimum wage underpayment, for example) and social partners could advise on how to lower this risk, and ensure that public money funds fair work only. We therefore propose that Welsh Government uses to Social Partnership Council and other social partnership arrangements to consult on childcare policy.

Sector bargaining for childcare workers

The Fair Work Commission recommended that Welsh Government should establish Fair Work Forums, which would (among other things):

- Identify and agree what is an appropriate and proportionate expectation within their particular context in relation to our recommended universal characteristics of fair work;
- Develop tailored Fair Work Wales standard(s) and play a role in assessing the extent to which the requirements of a Fair Work Wales standard are fulfilled;
- Identify particular fair work problems within their particular sector or industry etc. and help tailor specific interventions to promote fair work;
- Promote awareness and ownership of the fair work agenda in its sector;
- Facilitate collaboration and shared learning within the sector; encourage communities of practice;
- Promote and coordinate sector/industry-wide voluntary initiatives (e.g. around skills and training);
- Help ensure 'future proofing' and sustainability of definition by understanding developments in the nature of work and changing workplace in that sector and their implications for the detailed fair work indicators;
- Provide a sector focus for inter-agency co-operation

It recommended that social care should be prioritised as the sector for the first of these forums, because: “[t]he care sector is identified as ‘foundational’ in the Welsh Government’s Economic Action Plan, together with tourism, retail and food and drink. We consider that it should be prioritised for action to promote fair work. It is a core industry that contributes to individual and social well-being. Despite this contribution, it is a sector which displays various features associated with insecurity and poor working environment. A large percentage of the social care workforce is poorly paid and there is seeming undervaluation of the demanding, complex and valuable work that (predominantly female) employees within the sector perform.”

This same description applies to the childcare sector, which is arguably in greater need as many private and third sector social care workers can still trace back an element of their pay, terms and conditions to direct public sector employment, as they work for services which have been commissioned out. But much of the childcare sector in Wales has emerged because of an increase in demand in recent decades and does not have this same legacy of an employment culture.

We therefore suggest that, in order to deliver on recommendations 8, 9, 13, 14, 15, 16 in particular, Welsh Government works with social partners to prioritise the creation of a social partnership arrangement for the sector. This is not a criticism of the work Welsh Government has done to date – they have actively sought to engage trade unions in their work on the sector but the ad hoc nature of this engagement and the lack of collective bargaining arrangements in the sector have made it difficult to get a sense of momentum around this work. Redoubling effort into this, with a specific aim of establishing a forum which – like the Social Care Fair Work Forum – will have a shared vision to establish sector collective bargaining for the childcare sector is a necessary next step to ensure that public funding results in fairer work,

Best wishes,

Shavanah Taj
General Secretary
Wales TUC