

Family Policy in Council of Europe member states

*Two expert reports commissioned
by the Committee of Experts on Social Policy
for Families and Children*

June 2009



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- **Council of Europe Family Policy Questionnaire - Comparative Analysis Report** (page 5)
*By Karin Wall with Lia Pappámikaail, Mafalda Leitão and Sofia Marinho
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- **Family Policies: Developments and Dynamics in a number of Council of Europe Member States** (page 77)
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- **Annex: Selected Council of Europe legal standards in the field of family policy** (page 95)

June 2009

The opinions expressed in this work are the responsibility of the authors and do not necessarily reflect the official policy of the Council of Europe

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Foreword

“The family has the right to social, legal and economic protection” states the revised European Social Charter. Family policy contributes a great deal to ensuring these rights, particularly in the social and economic spheres. Yet, what exactly are Council of Europe member states doing to protect the rights of the family? And how do they respond to all the changes contemporary European societies are faced with: Low fertility levels and aging populations, growing number of non-conventional and de-institutionalised living arrangements, and, in many countries, difficult economic circumstances and a widening gap between rich and poor?

Finding the answers to these questions was one of the tasks of the Committee of Experts on Social Policy for Families and Children, a sub-committee to the European Committee of Social Cohesion. Thanks to the expertise brought by the members of the Committee, the exchange of information, the collection of detailed data and the analysis of good practices undertaken in 2008 and 2009, the experts were able to identify interesting new policy initiatives.

To address the lack of up-to-date and comparable data on family policies (in particular concerning the non-member states of the European Union and OECD), the Committee developed a comprehensive questionnaire on national family policies and compiled 40 national replies, which now form a large database with detailed quantitative and qualitative data on all relevant sectors of family policy. In addition, two expert reports were prepared by Ms Karin Wall et al. (Portugal) and Mr Fred Deven (Belgium). Each report applies a different method but both shed light on the trends in family policies in the greater Europe today.

Karin Wall's Comparative Analysis Report analyses and summarises the extensive data collected through the abovementioned questionnaire. While the report provides an overview of all sectors of the data requested, the focus is on policy measures promoting the reconciliation of work and family life. This theme is high on the agenda of almost all European governments and Karin Wall's final comments (see chapter 4 of her report) highlight interesting findings concerning the dilemmas governments are facing in this area.

Fred Deven's report "Family Policy: Developments and dynamics a number of Council of Europe member states" complements this quantitative analysis with in-depth case studies, taking the example of selected countries with different approaches to family policy. The report more particularly documents how national family policy reacts to major structural changes and to the growing number of objectives and stakeholders in this field.

We would like to express our gratitude to the authors of these two reports as well as to the members of the Committee of Experts on Social Policy for Families and Children and the numerous officials and researchers who contributed to this work.

Alexander Vladychenko

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Council of Europe Family Policy Questionnaire

Comparative Analysis Report

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June 2009

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1. Introduction

The Council of Europe questionnaire on family policy represents an effort to gather a significant amount of information, quantitative but mainly qualitative, concerning themes relevant to family policy makers and experts. Forty¹ countries responded to the CoE challenge, allowing for data collection on family policies to be extended to a wide range of European countries, some of which, such as the Eastern European countries, have seldom been included in family policy comparative studies. The replies to the questionnaire reflect each national government's approach to social policies aimed towards families and children, thus providing a diversity of perspectives for international comparison and policy analysis.

From May 2008 to April 2009 a group of experts, members and consultants from CS-SPFC and CDCS prepared a comprehensive questionnaire on national family policies, compiled national replies, analysed the data and asked for respondents' validation².

Collected data allowed for the construction of a database and a general comparative analysis presented in this report. The database, designed in Excel, follows the theme structure of the questionnaire (see Appendix 2). It has, therefore, seven sections (each one corresponding to a different sheet):

- Structural Indicators;
- Family Policy: Institutional Framework And Objectives;
- Government Financial Policies Towards Families;
- Reconciliation Of Work And Family Life;
- Social Policy And Family Law: Marriage, Divorce And Parenthood;
- Policies For Dealing With Family Stress And Difficulty;
- Policies Aimed At Strengthening Family Life And Personal Development For Parents And Children.

Information for each country was introduced separately and, in general, only minor editing was carried out. In all cases the questionnaires were checked and validated by experts from the Ministries responsible for family policies (please see appendix 1 for the national respondents).

For the comparative analysis only four sections of the questionnaire were included (Structural Indicators; Family Policy: Institutional Framework and Objectives; Government Financial Policies Towards Families; Reconciliation of Work And Family Life). For the remaining sections only a summarized overview is provided. The report is organized into three main parts. First, the comparative analysis of the structural indicators and of sections 1, 2 and 3, secondly summarized overviews of sections 4, 5 and 6, and lastly some final comments.

¹ Austria; Azerbaijan; Bosnia and Herzegovina; Belgium; Bulgaria; Croatia; Cyprus; Czech Republic; Denmark; Estonia; Finland; France; Germany; Greece; Hungary; Iceland; Ireland; Italy; Latvia; Lithuania; Malta; Moldova; Monaco; Montenegro; Netherlands; Norway; Poland; Portugal; Romania; Russian Federation; Serbia; Slovakia; Slovenia; Spain; Sweden; Switzerland; Turkey; Ukraine; United Kingdom. It was possible to include thirty nine countries in the comparative analysis carried out in this report. Montenegro is not included in this analysis (however it is integrated in the database).

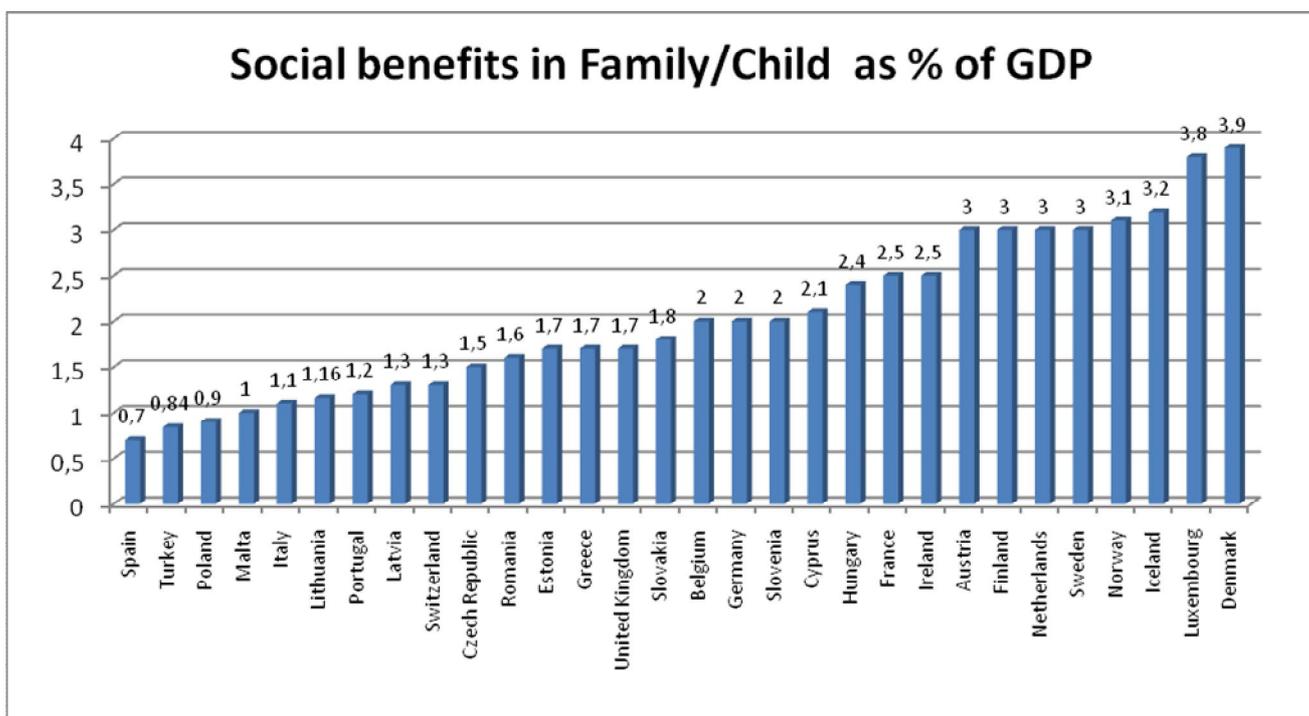
² In general, qualitative information covers the period from 2007 and 2008, even if expected changes in policies were asked for. Some respondents have, however, updated their information for the current year. As for structural indicators, although some countries provided more recent figures, for comparative reasons earlier data was used in some cases.

2. First approach and comparative analysis of structural indicators and sections 1, 2 and 3

2.1. Structural Indicators

As a backdrop to family policy analysis, the first section of the questionnaire/database included a quantitative overview of some selected, but fundamental, issues related to each country's demography; gender and family structure; labour market functioning; and social protection and services. Some of these structural indicators have been transformed into graphs in order to provide a better reading³. They allow us to present a general overview of each country's relative position regarding some fundamental aspects of family policy, on the one hand, and work and family life, on the other. The first figure displays the distribution of countries regarding the % of the GDP invested in social benefits targeted towards family and/or children. For interpretative purposes, they are presented from the lowest to the highest percentage. The majority of countries invest between 1 and 2% of GDP. Only 12 countries (Cyprus, Hungary, France, Ireland, Austria, Finland, Netherlands, Sweden, Norway, Iceland, Luxembourg and Denmark) have investments above 2%.

Figure n. 1

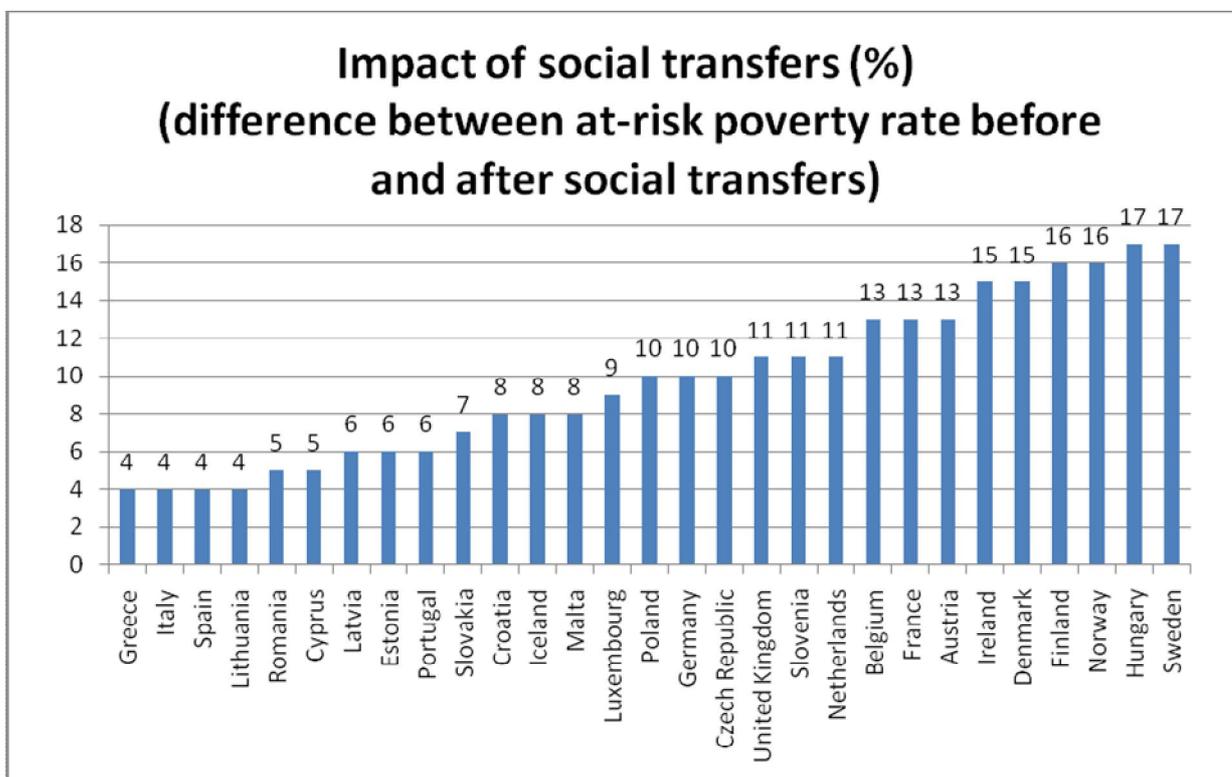


* Petrásová, A. (2007), Social Protection in the European Union, Statistics in Focus - Population and Social Conditions, 99/2007: 2004 (except Sweden, Slovenia and Cyprus – data for 2005; Lithuania and Czech Republic – data for 2006; Turkey, data drawn from COE Questionnaire on family policy).

³ Not all indicators are available for the 40 countries who answered the questionnaire. Therefore the graphs include a varying number of countries

Although we do not have direct measures of the impact of social benefits on families' budgets and overall living standards, it is interesting to examine the behaviour of "at-risk of poverty" rates before and after social transfers⁴.

Figure n. 2



* Eurostat, 2007 (except for Croatia data, provided by the COE Questionnaire on Family Policy): own calculations (at-risk of poverty rate before social transfers (-) at-risk of poverty rate after social transfers).

Social transfers have different degrees of impact in reducing poverty rates across countries, which seems to be related to the intensity of public investment (% of GDP) in social transfers (figure 2). In fact, the difference between at-risk of poverty rates before and after social transfers shows that the more the country tends to invest, in terms of % of the GDP, the higher the impact registered in reducing poverty. Figure 2 shows, for instance, that if in Greece, Italy or Spain social transfers only represent a 4% decrease in at-risk of poverty rates, in Hungary and Sweden the decrease reaches

⁴ According to Eurostat concepts and definitions database ([CODED](#)) the at-risk-of poverty rate is measured as the share of persons with an equivalised disposable income below the at-risk-of-poverty threshold. The threshold is set at 60% of the national median equivalised disposable income. Equivalised income is defined as the household's total income divided by its "equivalent size", to take account of the size and composition of the household, and is attributed to each household member (the total household income is divided by its equivalent size using the so-called "modified OECD" equivalence scale. This scale gives a weight of 1.0 to the first adult, 0.5 to any other household member aged 14 and over and 0.3 to each child.).The "at-risk-of-poverty rate after social transfers" indicator is defined as the share of persons with an equivalised total net income after social transfers (total income) below the 60% national median income. Net income is total income from all sources minus income tax. The median is the value which splits the distribution of income into two parts of equal size; exactly 50% of people fall below that value and 50% are above it.

17%, thus pointing to a higher impact of social transfers in these countries, on the one hand, and to availability of resources and other structural features, on the other.

Family policy orientation and definition is highly influenced by developments in demographic trends, family forms, labour market dynamics and gender equality issues. Data on these trends in each national context is therefore an extremely important tool as a backdrop to family policy analysis across such a large number of countries. The figures below contain data on each country's fertility⁵, marriage⁶ and divorce⁷ rates (figures 3-5), the percentage of children born outside marriage (figure 6) and employment⁸ and unemployment⁹ rates, by gender (figures 7-8) and also part-time employment¹⁰, by gender (figure 9).

⁵ According to Eurostat concepts and definitions database ([CODED](#)), total fertility rate corresponds to the mean number of children that would be born alive to a woman during her lifetime if she were to pass through her childbearing years conforming to the fertility rates by age of a given year. This rate is therefore the completed fertility of a hypothetical generation, computed by adding the fertility rates by age for women in a given year (the number of women at each age is assumed to be the same). The total fertility rate is also used to indicate the replacement level fertility; in more highly developed countries, a rate of 2.1 is considered to be replacement level.

⁶ According to Eurostat concepts and definitions database ([CODED](#)) crude marriage rate is a summary rate based on the number of marriages occurring in a population during a given period of time, usually a calendar year, i.e., the number of marriages occurring among the population of a given geographical area during a given year per 1,000 midyear total population of the given geographical area during the same year.

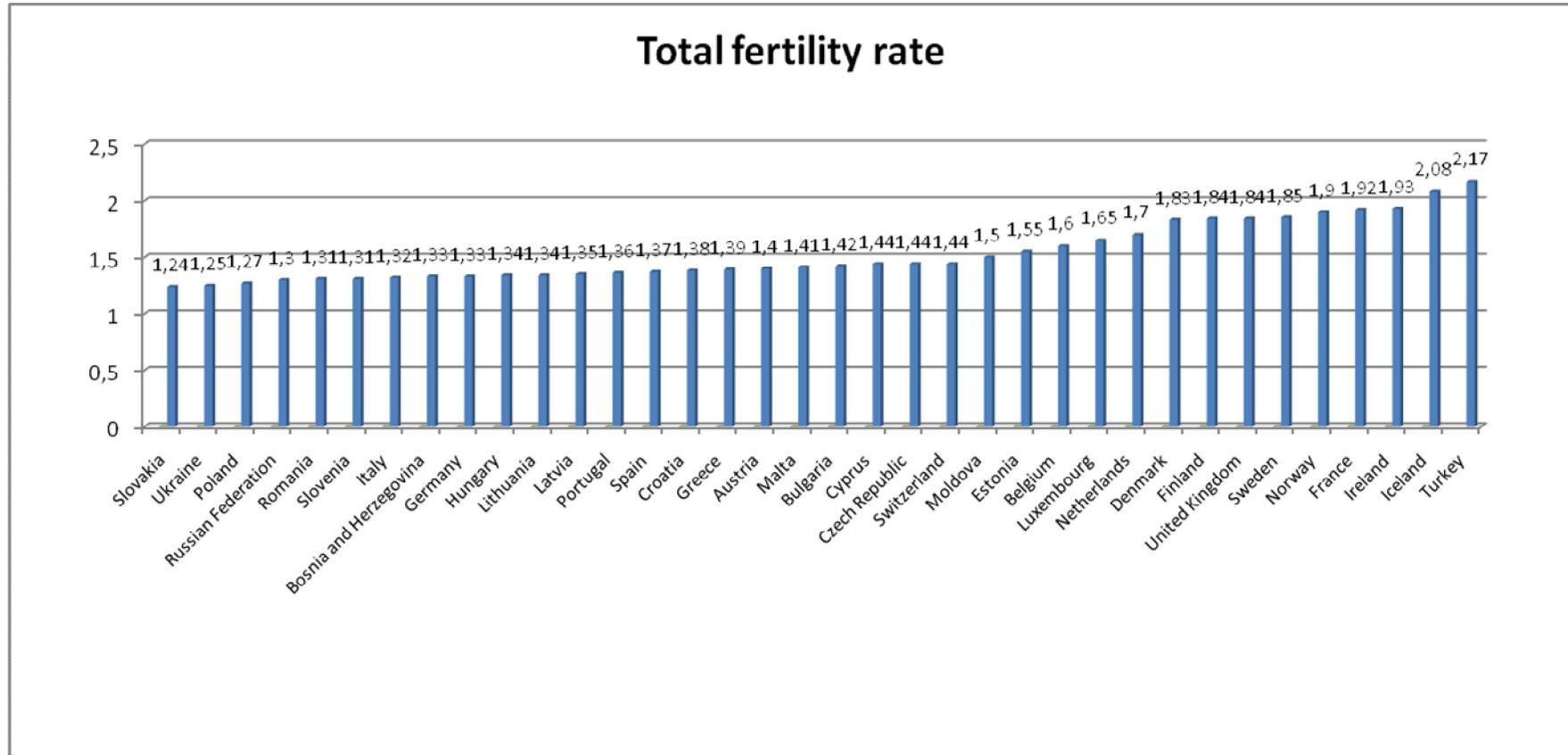
⁷ According to Eurostat concepts and definitions database ([CODED](#)) the crude divorce rate is a summary rate based on the number of divorces occurring in a population during a given period of time, usually a calendar year, i.e., the number of divorces occurring among the population of a given geographical area during a given year per 1,000 mid-year total population of the given geographical area during the same year.

⁸ According to Eurostat concepts and definitions database ([CODED](#)) employment rate represent persons in employment as a percentage of the population of working age (15-64 years).

⁹ According to Eurostat concepts and definitions database ([CODED](#)) unemployment rate represents unemployed persons as a percentage of the economically active population (15-64 years).

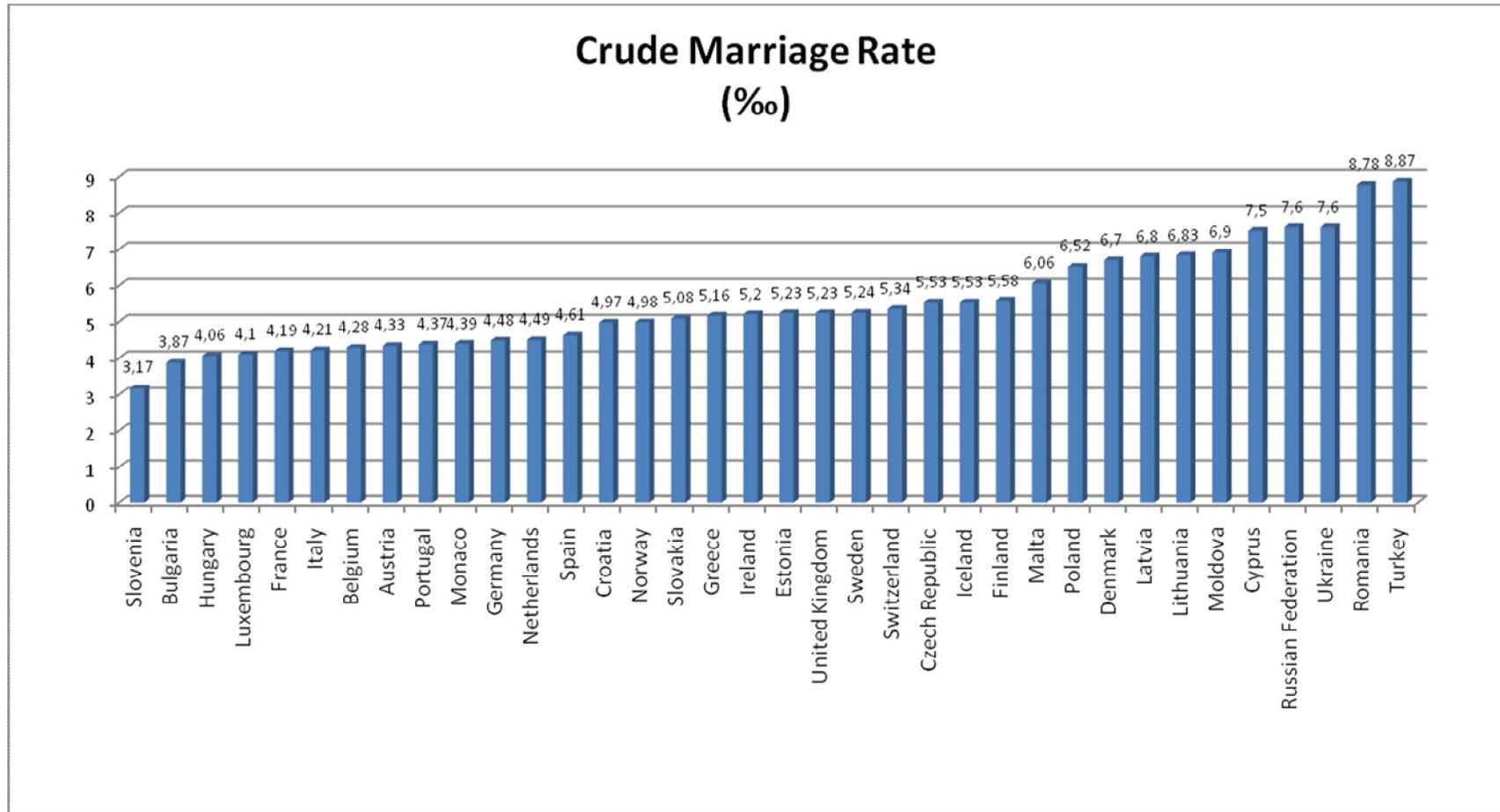
¹⁰ According to Eurostat concepts and definitions database ([CODED](#)) Part-time workers are persons whose usual hours of work are less than the normal working hours. This definition encompasses all forms of part-time work (half-day work, work for one, two or three days a week, etc.). This number may be established at the national, regional, industrial or unit level. It should be noted that whereas the "full-time employee" category is relatively homogeneous, the same cannot be said of the "part-time employee" category since this can cover anything between 20% or even less and 80% or more of the normal working hours of the employing unit. It is impossible to establish an exact distinction between part-time and full-time work due to variation in working practices between Member States and industries.

Figure n. 3



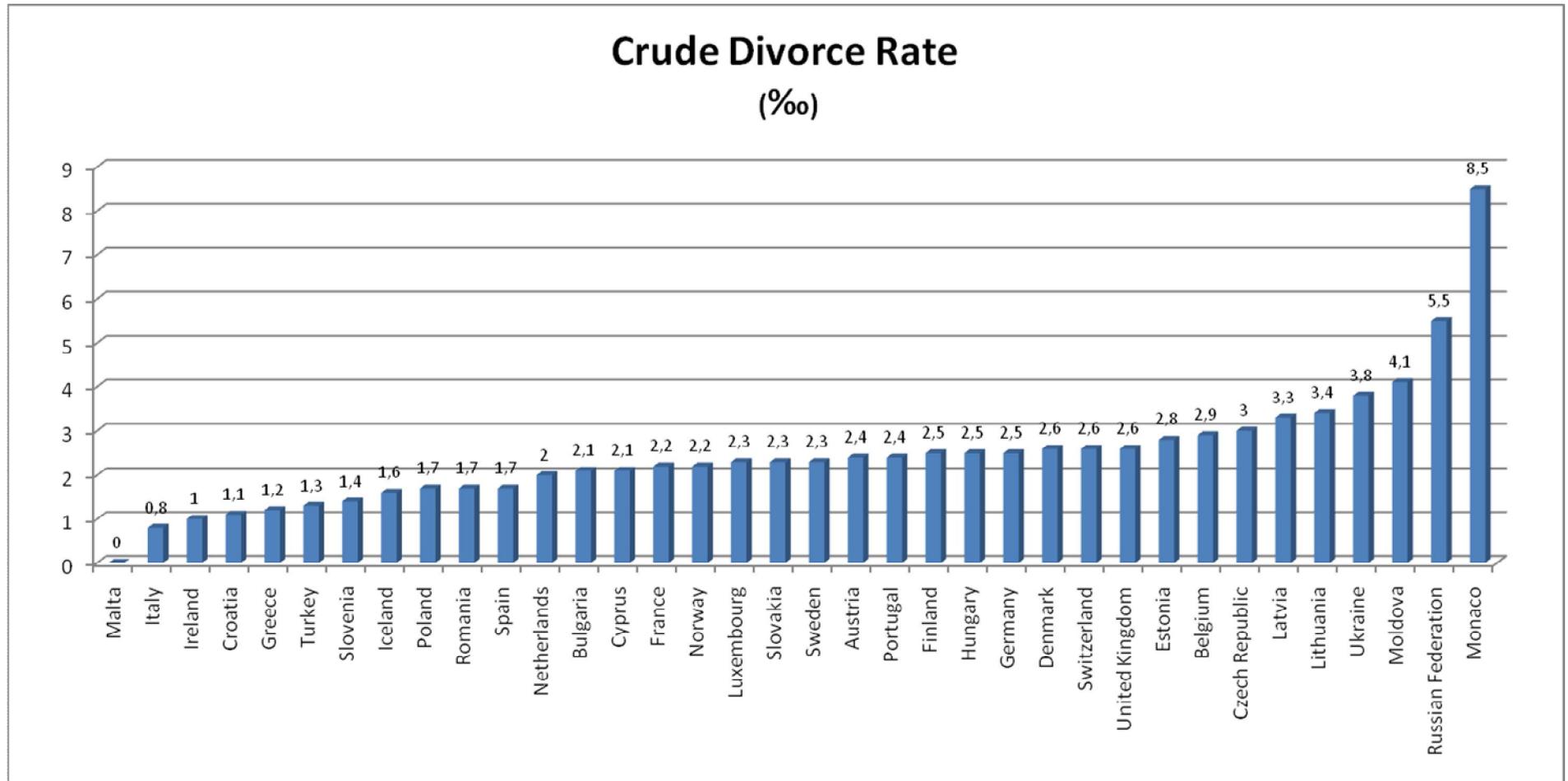
* Eurostat (Structural Indicators): 2006 (except for Austria, Italy, Moldova and Russian Federation – data for 2005; and for Czech Republic, Lithuania, Norway and Turkey – data for 2007 drawn from the COE Questionnaire on Family Policy)

Figure n. 4



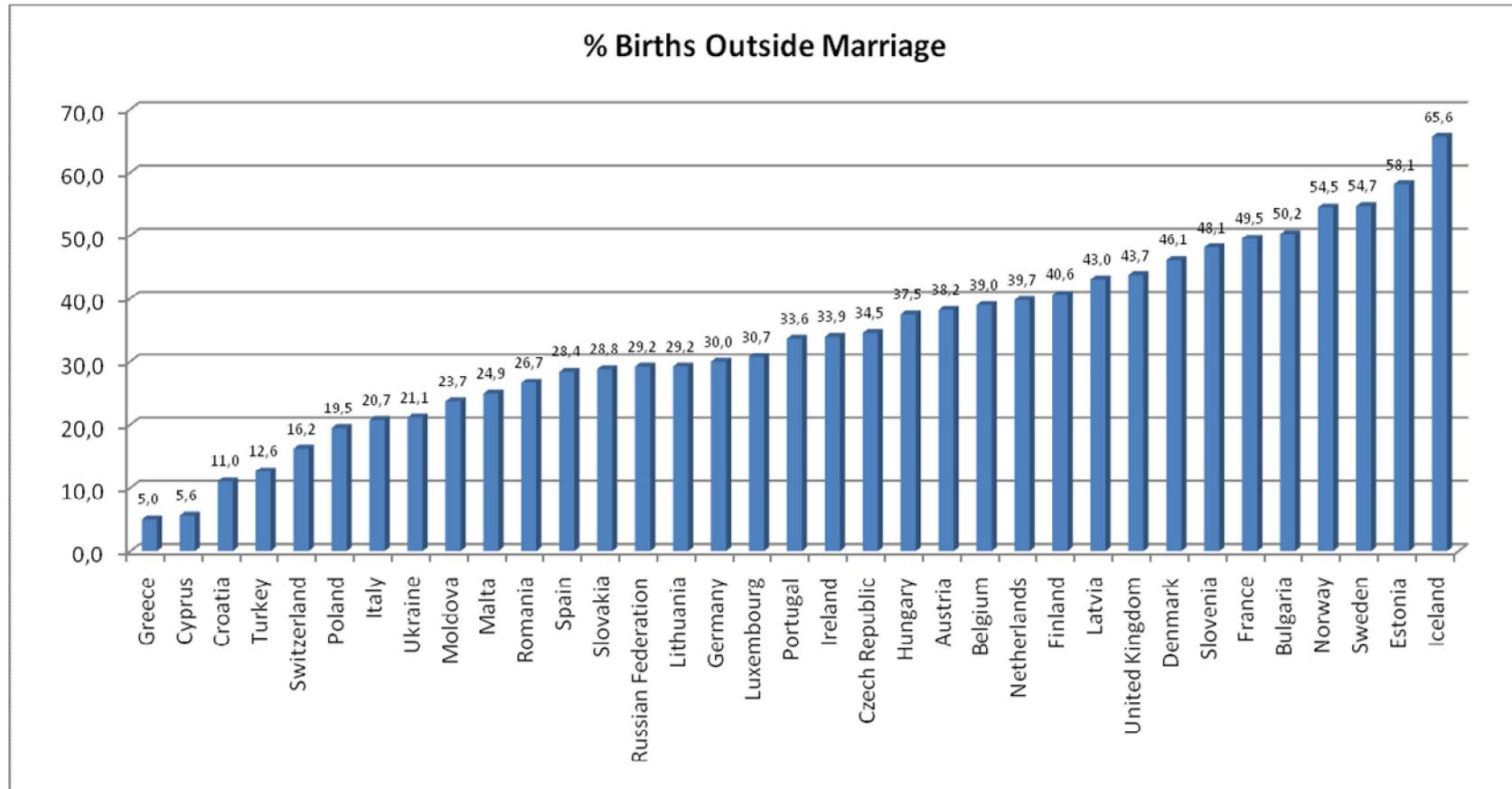
* Eurostat (Structural Indicators): 2007 (except Ukraine, Croatia, Ireland and Spain– data for 2006, and UK – data for 2005). Council of Europe, Recent Demographic trends in Europe, Strasbourg, 2004: Moldova and Russian Federation – data for 2003. Monaco, data for 2000 and Turkey data for 2007, both drawn from the COE Questionnaire on Family Policy

Figure n. 5



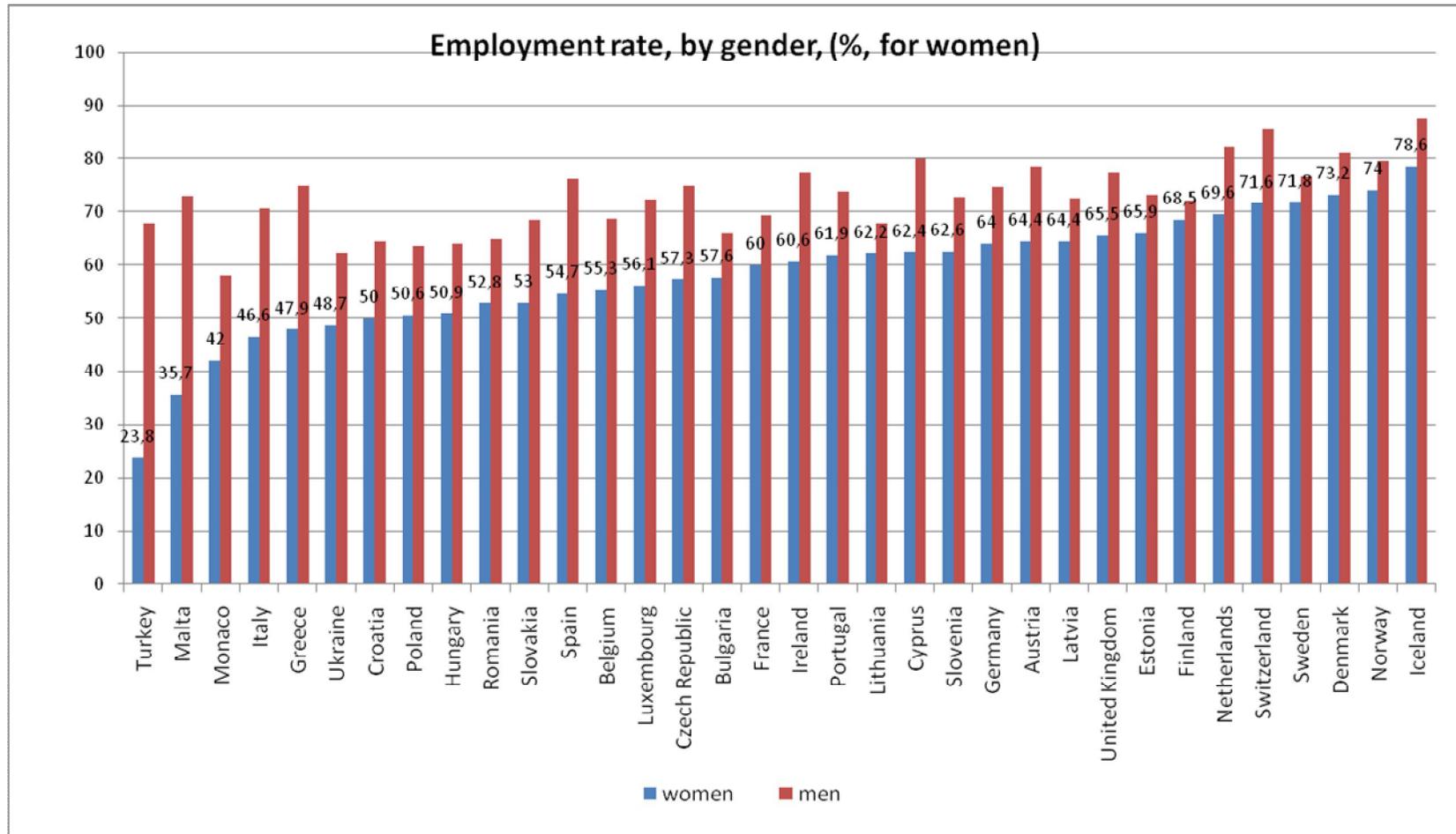
* Eurostat (Structural Indicators): 2007 (except Ukraine, Croatia, Ireland, Turkey, Ireland and France – data for 2006 and UK, Germany, Malta and Spain – data for 2005). Council of Europe, Recent Demographic trends in Europe, Strasbourg, 2004: Moldova and Russian Federation – data for 2003.

Figure n. 6



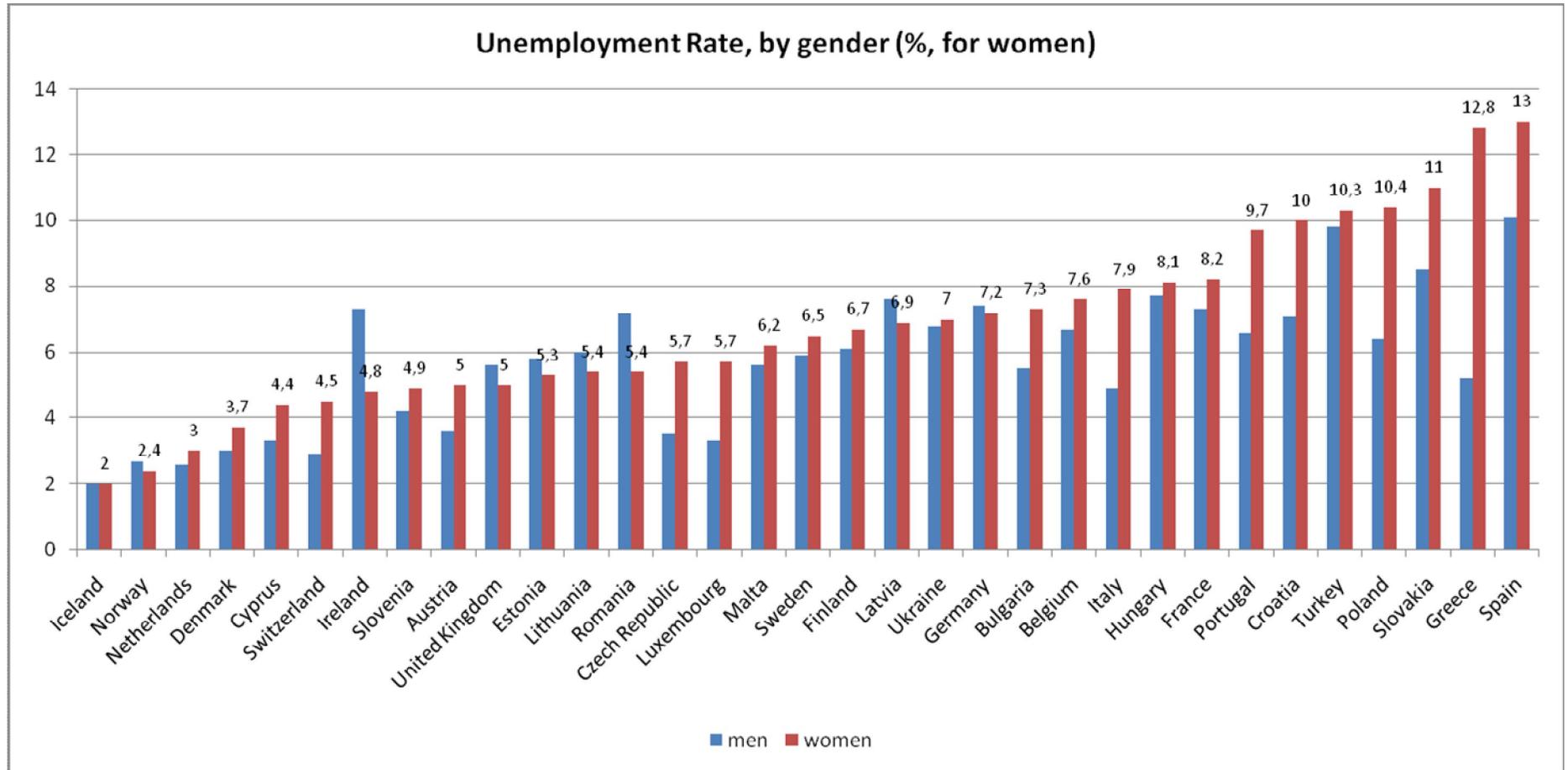
* Eurostat (Structural Indicators): 2007 (except Croatia, Cyprus, France, Germany, Greece, Ireland, Spain and UK – data for 2006). Council of Europe, Recent Demographic trends in Europe, Strasbourg, 2004: Moldova, Turkey and Russian Federation – data for 2003

Figure n.7



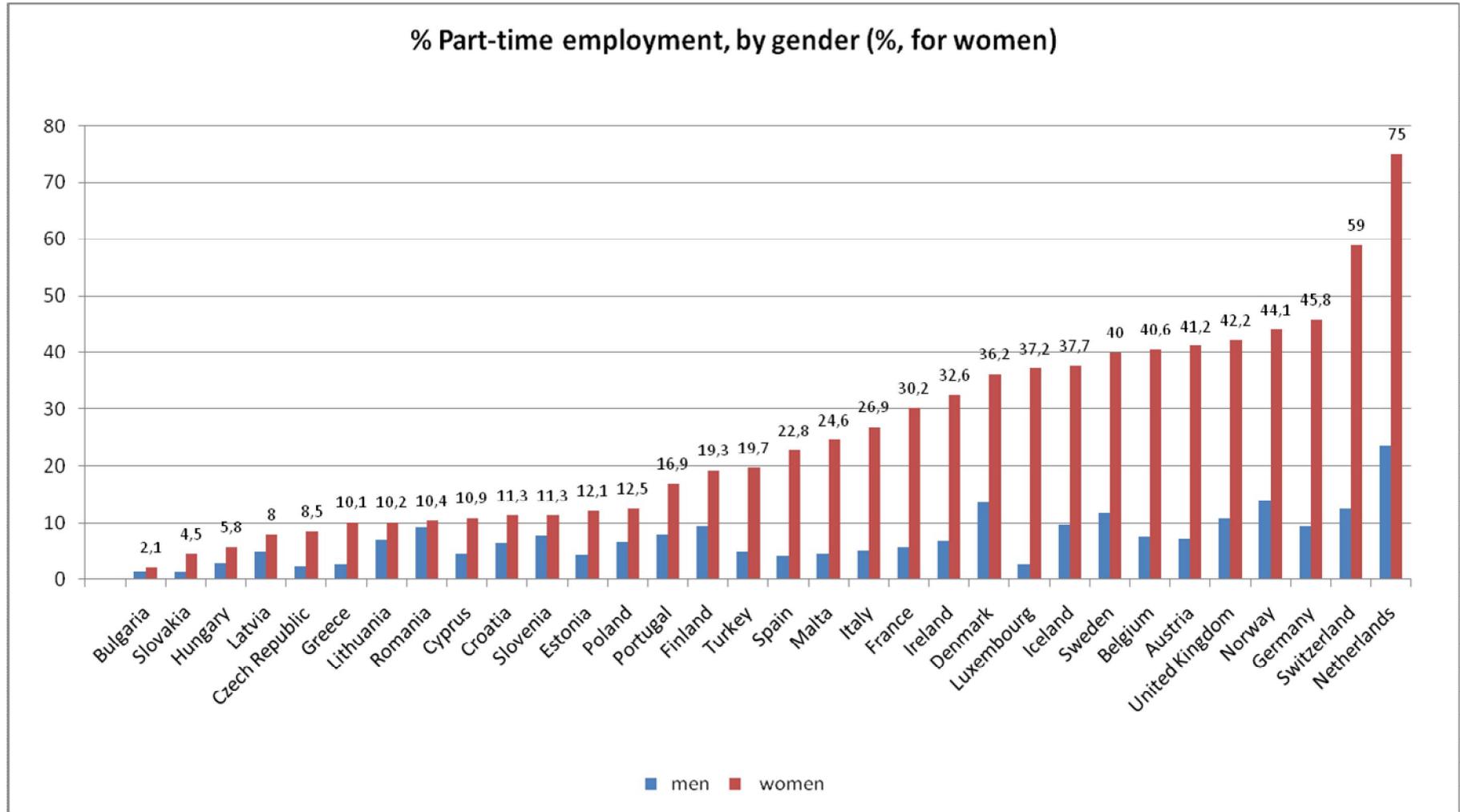
* Eurostat (Structural Indicators): 2007 (except Ukraine – 2006 figure and Monaco, data from 2000 drawn from the COE Questionnaire on Family Policy)

Figure n. 8



* Eurostat (Structural Indicators): 2008 (except Bulgaria, Greece, Italy, Romania, Switzerland, Turkey and the UK – data for 2007 and Ukraine – data for 2006 drawn from the COE Questionnaire on Family Policy)

Figure n. 9



* Eurostat (Structural Indicators): 2006 (except Bulgaria, Cyprus, Czech Republic, Lithuania, Slovenia, Sweden, Switzerland and Turkey – data from 2007, some drawn from the COE Questionnaire on Family Policy).

2.2. Family policy: institutional framework and objectives

Table 1 gives a summary of the descriptions of the institutional framework for family policy provided by each country. We observed that in the majority of the countries (33) family policy is coordinated by one main institution (frequently a Ministry), even though measures may be drawn up and implemented by several departments within it or in collaboration with other Ministries. In seven countries (Belgium, Croatia, Denmark, Greece, Ireland, Latvia and Russian Federation) the institutional framework for family policy is interministerial.

Table 1 - Institutional Framework of Family policies

Countries	One main coordinating institution (n:33)	Various institutions (n:7)
Austria	Federal Ministry of Economy, Family and Youth (+ family departments in the provinces – Länder)	
Azerbaijan	State Committee for Family, Women and Children Affairs.	
Belgium*		Federal government + the Minister of Well-Being, Health & Family (= WVG) on behalf of the Flemish Government + Ministre de la Santé, de l'Action sociale et de l'Egalité des chances in Wallon region.
Bosnia and Herzegovina	Coordinating institution: Ministry of Civil Affairs of Bosnia and Herzegovina (state level) Entity level: 1. Ministry of Labour and Social Affairs of the Federation of Bosnia and Herzegovina(+ other Ministries in cantons) 2. Ministry of Health and Social Policy of the Republika Srpska 3. Department for Health of the District Brčko of B&H	
Bulgaria	Ministry of Labour and Social Policy	
Croatia		Ministry of Family, Veterans' Affairs and Intergenerational Solidarity and the Ministry of Health and Social Welfare
Cyprus	Ministry of Labour and Social Insurance (Social welfare services under the Ministry with other 6 departments dealing with family policies)	
Czech Republic	Ministry of Labour and Social Affairs	
Denmark		Ministries of Social Welfare, Work and Justice
Estonia	Ministry of Social Affairs (Labour, Health and Social Affairs). Family policy unit under the Gender Equality department.	
Finland	Ministry of Social Affairs and Health	
France	Secrétariat d'Etat à la famille placé auprès du Ministère du travail, des relations sociales de la famille, de la solidarité et de la ville.	
Germany	Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (+Family Ministries in Laenden)	

Countries	One main coordinating institution (n:33)	Various institutions (n:7)
Greece		Secretariat General for Social Security (Ministry of Employment and Social Protection), General Secretariat for Welfare (Ministry of Health and Social Solidarity), General Secretariat for Public Health (Ministry of Health and Social Solidarity), General Secretariat of Adult Education, (Ministry of National Education and Religious Affairs), and General Secretariat of Gender Equality (Ministry of Internal Affairs).
Hungary	Ministry of Social Affaires and Labour	
Iceland	The Ministry for social affairs and social security is responsible for family policies	
Ireland		Department of Social & Family Affairs (which has the Family Support Agency under its remit), the Department of Health & Children (including the Office of the Minister for Children & Youth Affairs), the Department of Justice, Equality & Law Reform and the Department of Enterprise, Trade & Employment.
Italy	Department for Family Policies under the Presidency of the Council of Ministers	
Latvia		Ministry for Children and Family Affairs and Ministry of Welfare.
Lithuania	Ministry of Social Security and Labour (2 main departments)	
Malta	Ministry for Social Policy (with several departments, commissions and agencies)	
Moldova	Ministry of Social Protection, Family and Child	
Monaco	Conseiller de Gouvernement pour les Affaires Sociales et la Santé.	
Montenegro	Ministry of Health, Labour and Social Welfare – department for social and child protection	
Netherlands	The Interministerial Programme for Youth and Families (working closely with the Ministry of Health, Welfare & Sport, the Ministry of Justice, the Ministry of Social Affairs & Employment and the Ministry of Education, Culture and Science)	
Norway	Ministry of Children and Equality.	
Poland	Ministry of Labour and Social Policy	
Portugal	Ministry for Labour and Social Solidarity	
Romania	Ministry of Labour Family and Equal Opportunities	
Russian Federation *		Ministry of Health care and Social development, of Economic development, of Education and Science, of Sports, Tourism and Youth Policy, of Culture, of Finance, Federal Agency for Youth Affairs (+ region administrative units responsible for family policy)
Serbia	Ministry of Labour and Social Policy	

Countries	One main coordinating institution (n:33)	Various institutions (n:7)
Slovakia	Ministry of Labour, Social Affairs and Family	
Slovenia	Directorate for family affairs under the Ministry of Labour and Social Affairs	
Spain*	The Ministry of Education, Social Policy and Sport is the main responsible at national level. Within this Ministry is the Secretary of State for Social Policy and Families, which includes the General Direction for Families and Childhood.	
Sweden	Ministry of Health and Social Affairs	
Switzerland *	Domaine Famille, Générations et Société de l'Office Fédéral des assurances sociales au sein du Département (Ministère) fédéral de l'intérieur (au niveau de la Confédération) + diverses institutions dans les cantons	
Turkey	Ministry of State Responsible for Women, Family Child, and Disabled people (with several directorates within)	
Ukraine	Ministry for Family, Youth and Sport Affairs (departments of family and gender policy and demography development, and for Children Issues)	
United Kingdom	Department for Children, Schools and Families (England)	

*Federal states

Table 2 summarizes a first analysis of the several family policy objectives mentioned by respondents in question 1.2 of the questionnaire. This was an open question where respondents were asked to list **policy objectives and drivers which were considered to be high on the agenda at the present moment**. They were grouped into five major categories, to which was added a sixth, where **explicit reference to pro-natalist aims** was emphasized. This means that there may be other countries whose policies are linked to a pro-natalist paradigm of family policy, but they did not mention it explicitly as an objective in their answers. In other words, when an objective is not included in the table, this may only mean that it wasn't indicated by the respondent because it isn't currently among the main policy priorities. In fact, this can happen either because it is already an important area of policy making or because governments are investing more in other key areas. It is also important to note that this table refers to broad categories of objectives, even if national policy orientations and measures may be connected to different ideological contents (namely regarding the interpretation of the role of the family in society, as well the approach to gender issues). It is, however, indicative of which sets of policy priorities and concerns these national governments have at present and it is helpful to map family policies, traditions and political orientations across Europe. Answers also help to shed light on emerging trends and changes in this area.

As for the five major categories they include:

- (i) **Financial support** for families through benefits, allowances, grants or benefit supplements. Special attention was given to the specific targets mentioned by respondents for this support, namely if they are aimed at families in general, or if family poverty or large families are specific concerns. The majority of countries (at least 22) mention financial support as a high priority on their current family policy agenda.

- (ii) The **reconciliation of work and family life**, which is often related in respondents' discourse to gender policy. We can see that most countries (30) underline this general objective (the latter was included in a category called reconciliation +gender balance, as this objective also covers the promotion of gender equality in access to employment and the creation of conditions so that working parents, specially mothers, can improve their daily life). Analysis also tried to identify countries which mention, in their policy objectives, concerns regarding the father's role, by trying to promote higher participation of fathers in all situations of family life (in couples, but also in sharing parental duties after divorce). However, only thirteen countries mentioned the father's role as a high priority on their current policy agenda. On the other hand, we found few references to policy objectives that aim to facilitate the reconciliation of work and family life when families take care of their elderly dependents. This category was nevertheless maintained, precisely to show how the emergent issue of caring for an aging population is not explicitly mentioned at the level of the main policy objectives.
- (iii) Although **service provision** is in many ways tied in with policies related to reconciliation of work and family life, it emerged as an autonomous category that includes references to governmental investment in new facilities and/or improving service provision to families in order to increase coverage rates. As before, a distinction was made between concerns over service provision towards children and elderly people. Building up facilities for children emerged as a major aim of national family policies (in 27 countries).
- (iv) The definition of policies aimed at the **strengthening of family life** is the fourth category of objectives. This category includes a broad range of objectives related to parenting itself (in terms of the relationship between parents and children), but also to the family institution in general and its role in society (for instance, the fight against increasing divorce rates in the Russian Federation is one example of the general concern over the family as an institution). Lastly, the existence of policy objectives which target violence in the family is also frequently mentioned by respondents. In these cases it is not changes in the legal framework that are being promoted, but mainly the prevention of violent behaviour inside the family.
- (v) The last major category which emerged from the data is related to **legislative and/or political measures to protect women and children**. This includes, namely, the improvement of existing legislation, or the introduction of new laws, with the purpose of enhancing the protection of children living in institutions. On the other hand, although gender policies are closely related to the fight against domestic violence, new basic legislation (to protect both children and women), particularly in countries in which gender policy is still very recent, emerges as a key task to which several governments are committed, according to the responses to the questionnaire (see for example Bosnia and Herzegovina, Moldova, Romania, Russian Federation, Serbia and Turkey).

Countries	Table 2 - Family policy objectives high on the current policy agenda													
	Explicit Pro-natalist Objective	Financial support				Reconciliation of work and family life			Service provision		Strengthening family life		Legislation and other measures	
		Family poverty	Financial aid to families in general	Large Families	Specific types of families*	Reconciliation + Gender Balance	Father's role	Care for dependent people	For children	For the elderly	Parenting	Domestic Violence (children and/or women)	protection of children in general (namely children in institutions)	protection of women
Austria														
Azerbaijan														
Belgium (both communities)														
Bosnia and Herzegovina														
Bulgaria														
Croatia														
Cyprus														
Czech Republic														
Denmark														
Estonia														
Finland														
France														
Germany														
Greece														
Hungary														
Iceland														
Ireland														
Italy														

Table 2 - Family policy objectives high on the current policy agenda

Countries	Table 2 - Family policy objectives high on the current policy agenda													
	Explicit Pro-natalist Objective	Financial support				Reconciliation of work and family life			Service provision		Strengthening family life		Legislation and other measures	
		Family poverty	Financial aid to families in general	Large Families	Specific types of families*	Reconciliation + Gender Balance	Father's role	Care for dependent people	For children	For the elderly	Parenting	Domestic Violence (children and/or women)	protection of children in general (namely children in institutions)	protection of women
Latvia														
Lithuania														
Luxembourg														
Malta														
Moldova														
Monaco														
Netherlands														
Norway														
Poland														
Portugal														
Romania														
Russian Federation														
Serbia														
Slovakia														
Slovenia														
Spain														
Sweden														
Switzerland														
Turkey														

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Countries	Explicit Pro-natalist Objective	Financial support				Reconciliation of work and family life			Service provision		Strengthening family life		Legislation and other measures	
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Ukraine														
United Kingdom														
TOTAL	13	24	19	8	18	32	14	4	27	9	24	13	22	9

* (lone parents, families with disabled children, etc.)

2.3. Government financial policies towards families

Although it is a rather complex theme, due to the immense diversity in modalities, designations, mechanisms and operating rules for different cash benefits and grants, Table 3 tries to highlight some of their main characteristics, and to identify the existence (or not) of specific grants or benefits which are relevant to understanding the nature and extension of state financial support to families.

Following a basic yes/no scheme¹¹, the first column tries to determine, for each country, if the child/family allowance is “universal” in scope, that is, if it aims to include all residents or not (in which case it is “category dependent” – i.e. for only certain categories of citizens) and/or if there is a means-tested threshold which excludes families with higher incomes. It is also important to determine if there are supplements granted to lone parents and to families with disabled children, and if there are provisions that take into account the number of children (usually resulting in increased rates for large families). Lastly, the table shows age limits for benefiting from family/child allowances.

The second column shows whether or not certain grants and benefits apply. Considered as an important pro-natalist measure, payment of lump sums when the first child is born (and/or subsequent children are born) is one of the strategies used by some countries to support families. Benefits to cover costs with child care (home-based or regulated care) but always by a third party, i.e., to allow mothers to initiate or to return to their professional lives (leave-related provisions were not taken into account in this table) is a much less common provision across Europe. The existence of benefits and/or supplements (independently of their amount) aimed at compensating families taking care of their elderly dependents was also looked for in each country (excluding regular contributory and non-contributory pension schemes).

¹¹ In order to provide an easier reading of the table, colours were used: blue for YES and pink for NO. When the features of the benefit arrangements were undetermined or mixed the cell has no colour.

Benefits	Table 3 – Financial Support						
					Grants and other benefits		
	Universal, all residents	Means tested	Specific types of families (lone parents, families with disabled children, large families, etc.) supplements	Age limits: normal / further education	Birth Grant	Child care benefit for care by third person	Care benefit for dependent elderly people (excluding regular pension scheme)
Austria				18/26			
Azerbaijan				?			
Belgium				18/25			
Bosnia and Herzegovina	Only nationals			15			?
Bulgaria	Only nationals			20			
Croatia				15/19			
Cyprus				18/23			
Czech Republic				15			
Denmark				17			
Estonia				15/19			
Finland				17			
France				20			
Germany				18/25			
Greece	Employed only			18/22			
Hungary				18/23			
Italy	Employed only			18			
Iceland		Both schemes		18			
Ireland				16/19			
Latvia		At local level		15/20			at local level
Lithuania				18			
Luxembourg		Both schemes		18/27			
Monaco				21			
Malta	Only nationals			16/21			
Netherlands				17			
Norway				18			
Poland				18/24			
Portugal				18/24			
Romania				18/?			

Benefits	Table 3 – Financial Support						
					Grants and other benefits		
	Universal, all residents	Means tested	Specific types of families (lone parents, families with disabled children, large families, etc.) supplements	Age limits: normal / further education	Birth Grant	Child care benefit for care by third person	Care benefit for dependent elderly people (excluding regular pension scheme)
Russian Federation	?			16/18			
Serbia	Only nationals			19/26			
Slovakia				16/25			
Slovenia				18/26			
Spain				18			
Sweden				16			
Switzerland	several schemes	several schemes	several schemes	several schemes	several schemes	several schemes	
Turkey	Civil servants only			25			
Ukraine				18/23			
United Kingdom				16/20			
YES	NO						

2.4. Reconciliation of work and family life

A first comparison of policies for reconciling work and family life in the 39 countries will be carried out by looking at 8 main indicators:

- Protection of mothers in the workplace
- Maternity leave
- Parental leave
- Total postnatal paid leave
- Leave for fathers
 - Paternity Leave
 - “Fathers only paid leave”
- Time off to care for a sick child
- Time off to care for a dependent adult/elderly family member
- Coverage rates for “Formal Childcare”

Protection of mothers in the work place

Protection of mothers in the workplace exists in all 38¹² countries. All women with permanent work contracts are protected from dismissal during pregnancy, maternity leave and parental leave (if existing). Some countries also have additional periods of protection after maternity and parental leave, which can cover one to three additional months. In general, dismissals during pregnancy and maternity leave can only result from illegal behaviour by the employee or financial difficulties of the employer (strong falls in production, closing down or bankruptcy of the company, for instance). Restrictions on dismissal during periods of parental or child care leave are more diversified.

In some countries there is also special maternity dismissal protection for women working under fixed-term contracts. This is the case, for example, of Norway and The Netherlands, which protect all women during pregnancy and maternity leave by suspending the period of notice; the Russian Federation, which protects women from dismissal at least till the beginning of maternity leave; and Serbia, where the duration of the work contract is suspended till the end of parental leave. It is worth mentioning that in 36 countries¹³ fathers are also protected from dismissal while taking paternity leave or sharing the maternity leave and parental or child care leave with mothers.

The diagram below gives a general overview of women's full protection from dismissal during pregnancy and leave periods, for the first child¹⁴:

¹² Denmark and Montenegro are not included because they did not answer this part of the questionnaire.

¹³ Turkey and Switzerland did not mention having legal provision related to fathers leave. Denmark and Montenegro did not answer this part of the questionnaire.

¹⁴ We have only considered situations of full protection from dismissal for women with permanent work contracts: in which the woman has the guarantee of retaining her job after pregnancy and leave.

Figure 10



*Regardless of differences in the length of leave.

** Countries having maternity leave only (with no parental leave).

Maternity leave

Entitlement to maternity leave is legally established in all 39 countries (Figure 11). What distinguishes these 39 countries is the diversity concerning eligibility, length, compulsory time before/after birth, payment, etc. In general, maternity leave is a short leave with an average duration of five months (20.5 weeks) and in most cases is well paid, at 80 per cent or more of average earnings.¹⁵

In 4 countries leave after the birth of a child is no longer called maternity leave but “parental leave” (Norway, Sweden), “initial parental leave” (Portugal) or “birth leave” (Iceland); in these cases mothers are entitled to mothers only leave after birth (3 months in Iceland, 9 weeks in Norway, 6 weeks in Portugal, 8 weeks in Sweden) and may also take the remaining weeks which are a parental entitlement, depending on the parents agreement to share the leave.¹⁶ Even if leave after birth still keeps its “maternity” designation, in 5 countries (Bulgaria, Croatia, Czech Republic, Poland and Spain)¹⁷ the father is also entitled to this maternity leave instead of the mother, depending on joint parental decision (after a short period of mother’s only leave).¹⁸

In 15 countries - Belgium, Czech Republic, Denmark, France, Finland¹⁹, Iceland, Ireland, Netherlands, Norway, Slovakia, Spain, Sweden, Switzerland, Romania, Russian Federation - there is either a ceiling or some restriction on earnings compensation. In 23 countries – Austria, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Estonia, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Monaco, Poland, Portugal, Serbia, Slovenia, Turkey, United Kingdom and Ukraine – there is no ceiling or restriction. Of these there are 18 countries - Austria, Azerbaijan, Bosnia and Herzegovina, Croatia, Estonia, Slovenia, Germany, Greece, Italy (only for public sector), Latvia, Lithuania, Luxembourg, Malta (last week is unpaid), Poland, Portugal, Serbia, Turkey and Ukraine - where maternity leave is paid with full replacement of earnings and no ceiling. In Moldova we were not able to identify the amounts paid for maternity leave.

¹⁵ In the following 34 countries maternity leave is paid at least at 80 per cent of average earnings: Austria, Azerbaijan, Belgium, Bulgaria, Croatia, Cyprus (depending on number of dependents), Denmark, Estonia, Finland (first 10 weeks), France, Germany, Greece, Iceland, Ireland (from the total 42 weeks of maternity leave only 26 weeks are paid), Italy, Latvia, Lithuania, Luxembourg, Malta (except for the last week), Monaco, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Serbia, Slovenia, Spain, Switzerland, Sweden, Turkey, United Kingdom (first 6 weeks), Ukraine. In the following 4 countries maternity leave is paid at a lower percentage of earnings: the Czech Republic, 69 per cent; Hungary, 70 per cent; Slovakia, 55 per cent; Bosnia Herzegovina (in one Entity, the Federation of Bosnia and Herzegovina, maternity benefit varies significantly within six cantons - between 50-90 per cent - and is not paid in four cantons; on the other hand, in the other Entity, the Republika Srpska, as well as in the the District Brčko, maternity leave lasts 12 months and seems to be paid at 100 per cent of earnings with no ceiling). In Moldova it was not possible to identify the amounts paid for maternity leave.

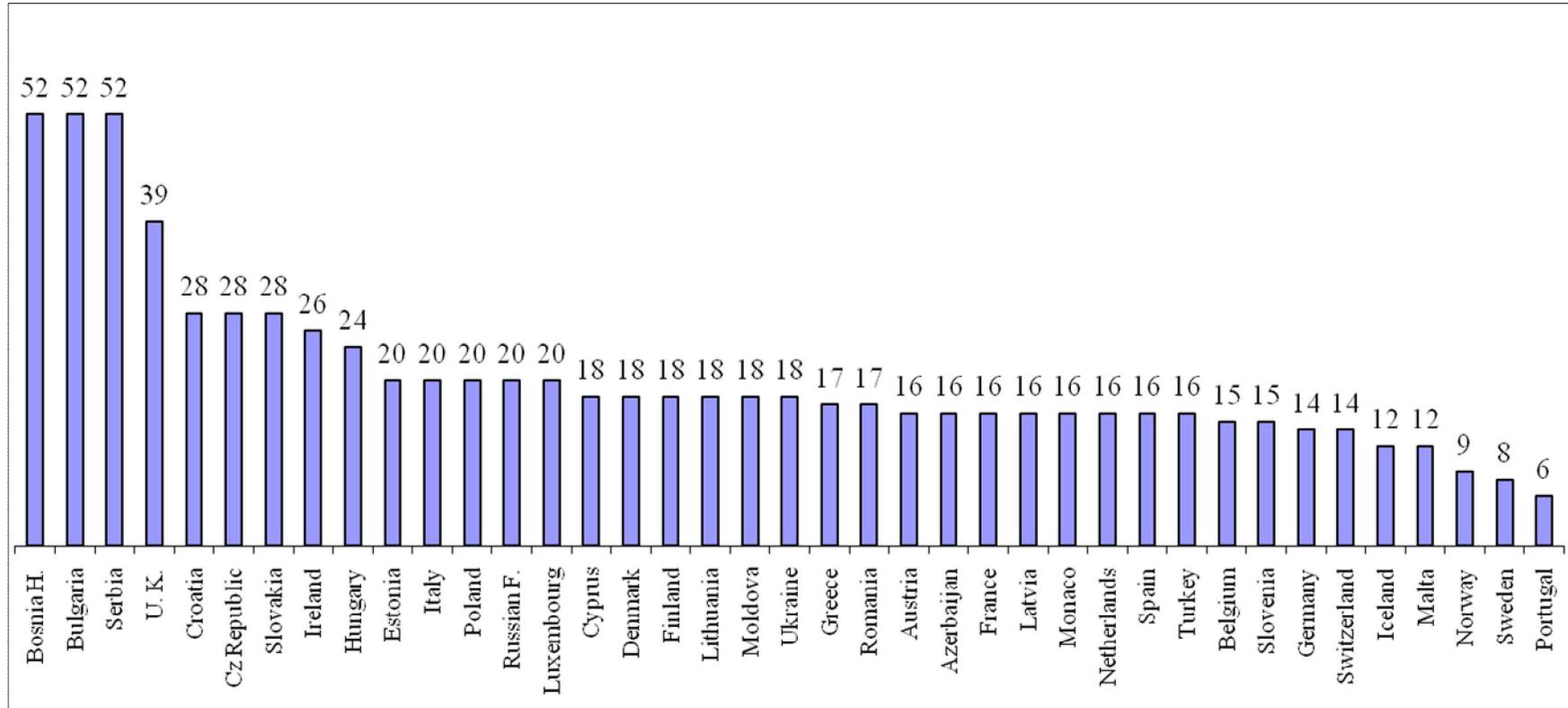
¹⁶ In Figure 11 we have considered the “mother only” leave for these 4 countries.

¹⁷ The mother can return to work after a compulsory period of maternity leave, generally 6 to 14 weeks immediately after birth, while the remaining time can be taken by the father with the same entitlements as the mother, including payment: as from the sixth month of child’s life in Bulgaria; 42 days after birth in Croatia; 7 weeks after birth in Czech Republic; 14 weeks after birth in Poland; 6 weeks after birth in Spain; we should also mention that in the one Entity of Bosnia and Herzegovina, the Republika Srpska, maternity leave can be transferred to fathers, by decision of the parents, as from 60 days after the childbirth, with entitlements being the same as for the mother.

¹⁸ In Serbia, after the 3 months mandatory maternity leave fathers instead of mothers may take up the remaining 9 months maternity leave but only if the mother is not in a working relationship.

¹⁹ In Finland during the first 56 days of leave (about 9 weeks) payment is equal to 90 per cent of annual earnings up to 46,207 Euros, with a lower percentage for higher earnings; after this initial period of leave benefit is paid at 70 per cent of earnings up to 30,033 Euros, also with a lower percentage for higher earnings.

Figure 11 – Total paid maternity leave (weeks, including before/after birth)



Considering length of leave in all the countries, we can see that in the majority (25 countries) paid maternity leave lasts between 14 weeks (about three and a half months) and 20 weeks (five months). In five countries paid maternity leave lasts between 24 and 28 weeks. Four countries (Bosnia and Herzegovina, Bulgaria, Serbia and United Kingdom) stand out from the others as providing longer paid maternity leave. However, in Bosnia and Herzegovina there is considerable variation: - in the Federation of Bosnia and Herzegovina, which consists of 10 Cantons, there are 4 cantons where maternity leave is not paid and 6 cantons where maternity leave payment ranges between 50 and 90% of earnings; in the Republika Srpska and in the District Brčko maternity leave can be fully compensated for 12 months. In the United Kingdom well-paid maternity leave (90 per cent of average earnings with no ceiling) lasts only 6 weeks while the remaining time also has a flat-rate payment. Therefore, Serbia (full amount of compensation during one year after birth) and Bulgaria (12 months at 90% of earnings²⁰) stand out as the most generous countries concerning the length of well-paid maternity leave.

In three countries²¹ maternity leave is increased from the third child onwards: 10 weeks in France and Monaco and one year in Serbia. On the other hand, some other countries have entitlements to longer maternity leave in the case of lone mothers or mothers who are breastfeeding. In Slovakia lone mothers' maternity leave is extended by 9 weeks (the Czech Republic and Greece used to have a week's extension but abolished it in 2008). In Luxembourg maternity leave is extended from 16 to 20 weeks in case of breastfeeding. It is of interest to note that one country – Portugal – offers parents the possibility of extending paid leave after birth, depending on father's take up of leave, which means that gender sharing of leave shortly after birth gives parents more time of paid leave²².

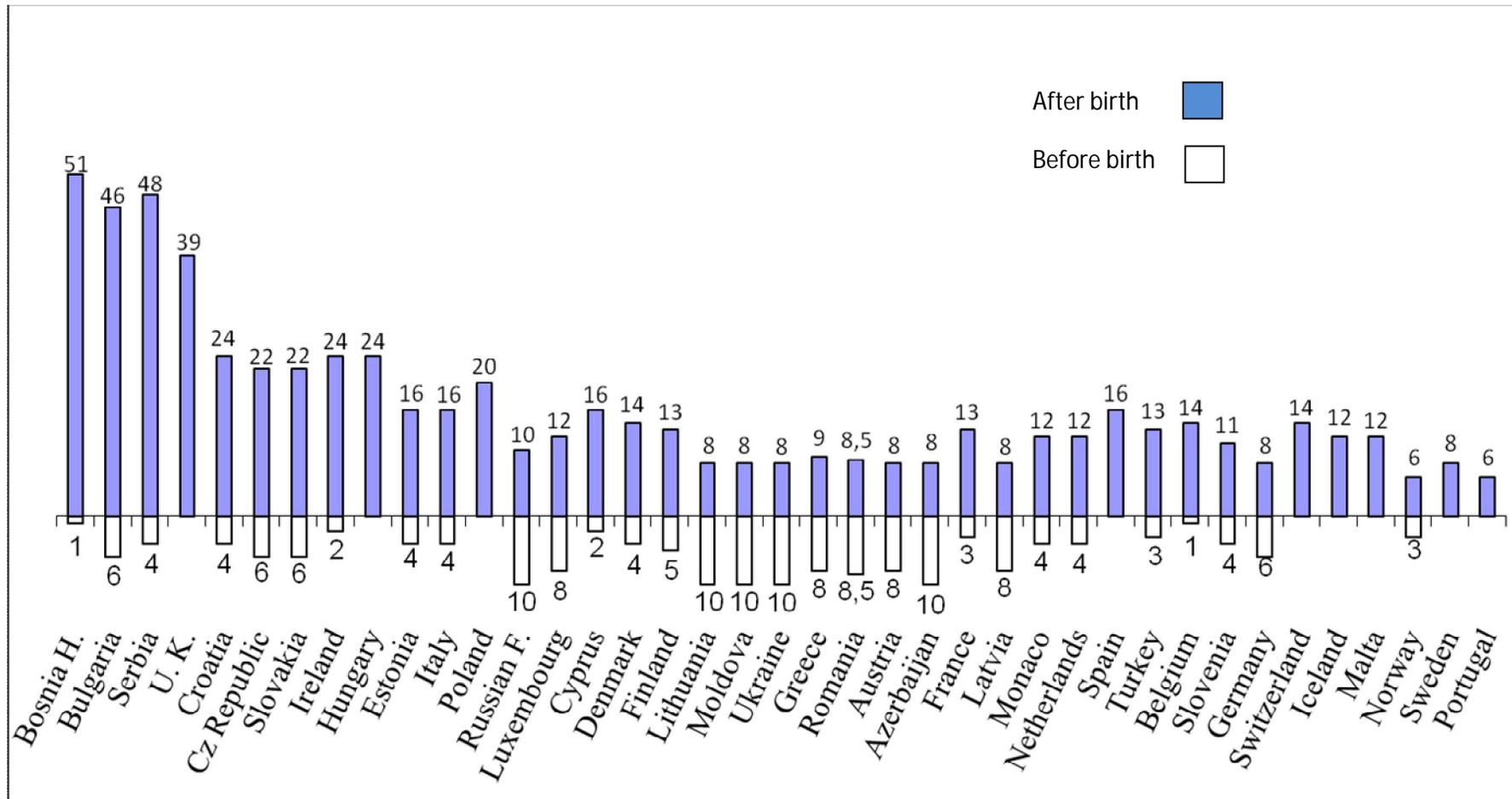
As shown below (Figure 12), in the majority of countries – 30 - it is obligatory to start maternity leave some weeks before the expected date of delivery, generally between two and eight weeks. In 9 countries (Hungary, Iceland, Malta, Portugal, Poland, Sweden, Switzerland, Spain and UK) there is no such obligation. However, in all of these 9 countries (with the exception of Switzerland) women may, if they wish, start maternity leave earlier (between two weeks, one month, and two months).

²⁰ In Bulgaria the entitlement to 12 months maternity leave depends on the fact that women must have at least 12 months of working experience and have been insured during that period.

²¹ Also in the one Entity belonging to Bosnia and Herzegovina - the Republika Srpska - maternity leave is increased from 12 months to 18 months in case of a third or subsequent child.

²² In Portugal, if the father takes up a minimum of 30 consecutive days' leave (or two periods of 15 consecutive days) alone (without the mother) after the obligatory 6 weeks immediately after birth that must be taken by the mother, the initial parental leave is extended by one month (with payment ranging between 83 and 100 per cent of earnings).

Figure 12 – Total paid maternity leave before and after birth (weeks) *



* Maternity leave before birth is only taken into account for countries in which it is obligatory to take maternity leave before birth.

After maternity leave, when women return to work, nearly half of the countries (18 countries²³: Azerbaijan, Bulgaria, Croatia, Cyprus, Estonia, Greece, Hungary, Italy, Ireland, Latvia, Luxembourg, Norway, Portugal, Romania, Russian Federation, Spain, Sweden and Turkey) set an entitlement to breastfeeding leave - usually a reduction of two hours daily or a 30-minute break every 3 hours - until the baby is one or one and a half years old.²⁴

Parental Leave

Following maternity leave it is possible to take parental leave (with the exception of Bosnia and Herzegovina, Monaco and Switzerland where parental leave does not exist). Length and payment of parental leave vary significantly from country to country (Table 4).

Table 4 – Total parental leave (paid and unpaid) * Countries	Total length (months)	Paid Leave	
Austria ^{a)}	22	yes	flat rate
Azerbaijan	34	yes	flat rate
Belgium ^{b)}	6	yes	flat rate
Bulgaria ^{c)}	25,5	13,5: yes 12: no	(minimum salary)
Croatia ^{d)}	6	yes	earnings-related (100%) with low ceiling
Cyprus ^{e)}	6,5	no	-
Cz Republic	30,5	yes	flat rate
Denmark	8	yes	earnings-related (100%) with ceiling
Estonia	31,5	yes	14,5: earnings-related (100%) with ceiling; 17: flat rate
Finland	27 (6: parental leave + 27: care leave)	yes	6: earnings-related (70- 75%) lower percentage if higher income 27: home care allowance
France	33(if 2 nd child)	yes	flat rate
Germany ^{f)}	34	12: yes 22: no	earnings-related (67%)
Greece ^{g)}	7 + 6	7: no 6: yes	flat rate

²³ Though not included in this group of countries, it is also to be mentioned that in the one Entity of Bosnia and Herzegovina, the Republika Srpska, women are entitled to a break of 60 minutes for breastfeeding but only if they start working before their maternity leave has ended (maternity leave is obligatory only for 60 days immediately after birth).

²⁴ In Ireland breastfeeding mothers can either adjust their working hours or take breastfeeding breaks if breastfeeding facilities are provided at work. In Hungary there is a two hour daily reduction during the first six months and one hour thereafter up to the end of the ninth month. In Portugal for mothers actually breastfeeding their child "leave" lasts during the whole period of breastfeeding, otherwise there is a two hour daily reduction up to the first child's birthday which can be shared between parents. In Spain employed mothers are entitled to one hour of absence during the first nine months after the child's birth (12 months in public sector); if both parents are working the mother can transfer this entitlement to the father; it is also possible for the mother to take these breaks as full-time leave, thus extending maternity leave by two to four weeks.

Table 4 – Total parental leave (paid and unpaid) * Countries	Total length (months)	Paid Leave	
Hungary	30	yes	18: earnings-related (70%) with ceiling 12: flat rate
Iceland ^{h)}	6	yes	earnings-related (80%) with ceiling
Ireland ⁱ⁾	7	no	-
Italy	10	yes	earnings-related (30%)
Latvia	18	yes	12: earnings-related (70%) 6: flat rate
Lithuania	34	22: yes 12: no	10: earnings-related (100%) 12: (85%)
Luxembourg	12	yes	flat rate
Malta	6	no	-
Moldova	34	yes	flat rate
Netherlands ^{j)}	6,5	no	-
Norway	34,5	yes	10,5: earnings-related (80-100%)with ceiling 24: flat rate
Poland	36	24 or 36 if >1 child: means tested	flat rate
Portugal ^{k)}	34,5	10,5: yes 24:no	4,5: earnings-related (83%) 6: earnings-related (25%)
Romania	21,5	Yes	flat rate
Russia Federation	33,5	13,5: yes 20: no	earnings-related (40%) with ceiling
Serbia ^{l)}	25	no	-
Slovakia	30,5	yes	flat rate
Slovenia ^{m)}	9	yes	earnings-related (100%) with ceiling
Spain ⁿ⁾	32	no	-
Sweden ^{o)}	16	14: yes 2: no	11: earnings-related (80%) with ceiling 3: flat rate
Turkey ^{p)}	6	no	-
UK ^{e)}	6,5	no	-
Ukraine	34	yes	flat rate

* In this table we have only considered leave available equally to mothers and fathers after maternity leave. In the countries where leave after birth is called parental leave (Portugal, Norway, Sweden) we have subtracted the obligatory mother's only leave (Portugal and Norway, 6 weeks and Sweden, 60 days). For other countries we have considered not only parental leave but also other available types of leave parents are entitled to such as care leave, childcare leave, educational leave, etc...

a) In Austria parents can stay on parental leave up to child's second birthday, but parental benefit/childcare allowance is paid for a longer period.

b) In Belgium parental leave may be supplemented by payments from regional governments; leave can be taken either for 3 months full-time, or 6 months part-time or even 15 months at 1/5 of time (lone parents get more time if parental leave is taken at 1/5 of full-time leave); payment is reduced accordingly (712 euros per month for a full-time 3 months' leave). It is also important to mention "the time credit system" in Belgium which applies to employees in the private sector. All eligible workers have a basic

right to one paid year of this type of leave. This period can be extended for up to five years by collective agreement negotiated at sectoral or company level. Beneficiaries who extend their leave will continue to receive a payment during the full length of their leave.

c) In Bulgaria after the maternity leave there is an additional leave up to the child's second birthday. Afterwards, each parent has a 6 months unpaid parental leave to take up to the child's eighth birthday if the child is not placed in full state-supported childcare (12 months in case of a lone parent).

d) In Croatia paid parental leave can be extended by 2 months if the father takes at least 3 months of the 6 months' parental leave; in case of a third and every subsequent child the 6 months paid parental leave is extended to 30 months.

e) Maximum 4 weeks leave per year.

f) In Germany the 12 months paid parental leave can be increased to 24 months with proportional reduction of the amount paid (33 per cent of earnings instead of 67 per cent); four Laender provide payment (means-tested) during the second or third year of parental leave.

g) After maternity leave mothers working in private sector are entitled to a 6 months "maternal childcare paid leave" (flat rate payment). In public sector, 3 months parental leave is paid as from the third child onwards. For every third or subsequent child parental leave increases by 2 months.

h) Iceland also has a childcare leave scheme, in which each parent may take 13 weeks' unpaid leave until the child is eight years old.

i) In Ireland each parent is entitled to 14 weeks of parental leave; leave is not transferable between parents.

j) In the Netherlands parental leave is thirteen times the number of working hours per week (full-time work is 38 hours a week) per parent per child to be taken up to the child's eighth birthday; payment is a tax credit of 50% of the statutory minimum wage (i.e. 650 euros/month) in case of full-time leave and only for parents who have a life course saving scheme. Hence we have considered that the total duration of parental leave in Netherlands is 26 weeks, corresponding to nearly 6.5 months.

k) In Portugal "initial parental leave" can be taken for 6 months in case of gender sharing of leave (after the 6 weeks of mothers only leave), otherwise it lasts 5 months. After initial parental leave it is possible to take "additional parental leave" of 6 months (individual entitlement of 3 months for each parent paid at 25% of earnings) and afterwards one of the parents can still take unpaid childcare leave up to a maximum of two years (three years in case of a third or subsequent child).

l) In Serbia maternity leave can be paid up to the child's second birthday for the third or subsequent child. The mother or the father may take up the unpaid leave up to the child's third birthday.

m) In Slovenia parental leave may be taken on a part-time basis. In this case parental leave is extended (520 calendar days instead of 260 calendar days) and the benefit is reduced accordingly.

n) In Spain some payment is provided depending on regional governments.

o) In Sweden some municipalities (voluntary) may pay a new child care allowance (flat rate) to parents up to their child's third birthday. However, since it is not a universal entitlement, we did not take it into account. Therefore, if we subtract the two months reserved for mothers after birth, paid parental leave lasts for 16 months.

p) One year if civil servants

Parental leave is not paid in the following countries: Cyprus, Ireland, Malta, Netherlands, Serbia, Spain²⁵, Turkey, and United Kingdom. In Poland parental leave is paid only in the case of low-income families with less than €128 per month. Therefore, taking into account the information provided by the 39 countries, there is paid parental leave in 28 countries²⁶, though with significant differences in the amounts paid.

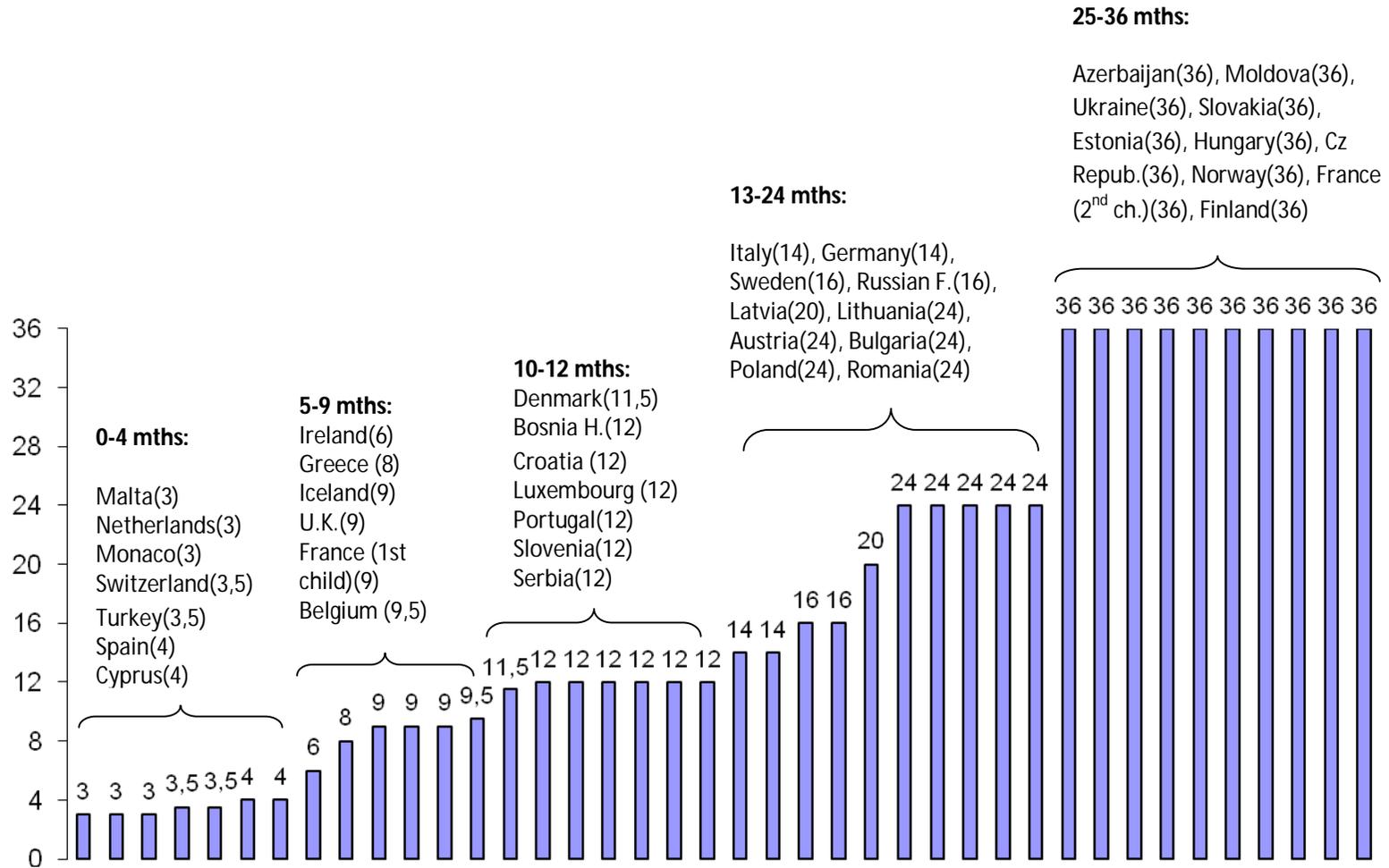
Total postnatal paid leave

Rather than looking separately at maternity leave and parental leave, it is interesting to focus our analysis on the total amount of time of paid postnatal leave. This indicator refers to the total period of paid leave parents are entitled to after the birth of a child. In some countries the total postnatal paid period can also include child care leave available to parents after parental leave. According to this criterion and considering the total amount of paid postnatal leave, independently of the amount paid, we find that the 39 countries fall into five main groups (Figure 13).

²⁵ In Spain each parent can take unpaid parental leave up to the child's third birthday. However, in some regional governments there is entitlement to a flat-rate payment.

²⁶ Including Poland where paid parental leave is means-tested.

Figure 13 – Total postnatal paid leave (months)

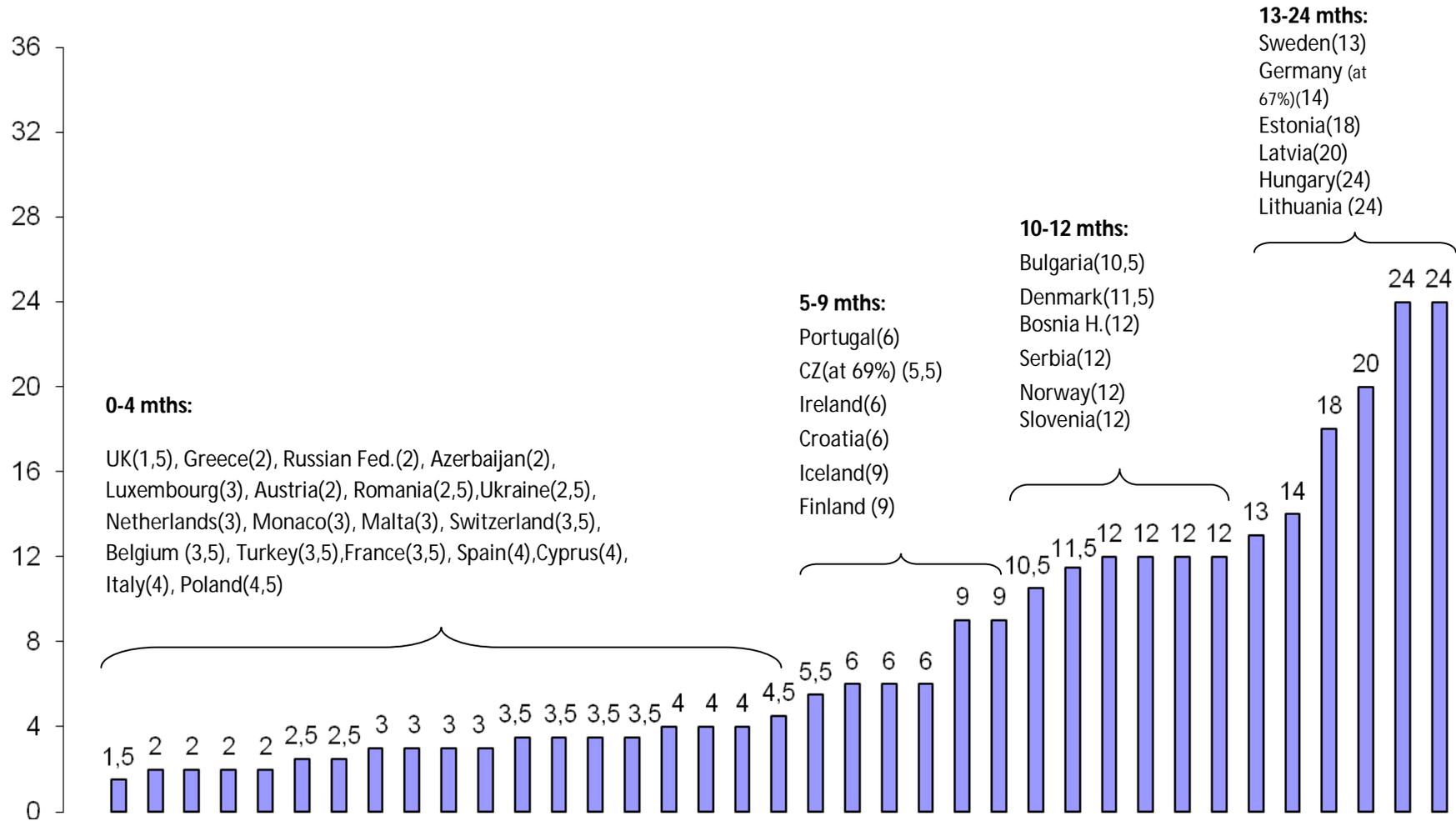


There are only 7 countries (Cyprus, Malta, Monaco, Netherlands, Spain, Switzerland and Turkey) where the total paid leave after birth does not go beyond 4 months, which actually corresponds to the short well-paid maternity leave (two of them - Monaco and Switzerland - do not have parental leave, while the others do but it is unpaid). Belgium, France (1st child), Greece, Ireland, Iceland and also the United Kingdom have intermediate postnatal paid leave, ranging between 6 and 9.5 months, while 26²⁷ countries have a postnatal paid leave covering at least the child's first year of life. 10 of these 26 countries (Azerbaijan, Czech Republic, Estonia, Finland, France-2nd and subsequent child, Hungary, Moldova, Norway, Slovakia and Ukraine) provide paid leave up to the third anniversary of the child.

However if we carry out further analysis linking the length of leave and well-paid leave (i.e. leave for which a benefit of over 70 per cent of average monthly earnings is paid) we find a completely different scenario (Figure 14).

²⁷ Excluding Bosnia and Herzegovina where maternity benefit varies significantly in each canton and is not paid in four cantons.

Figure 14 – Total postnatal well-paid (> 70% earnings) leave (months)



In Bosnia and Herzegovina well-paid leave does not exist in all cantons and payment ranges between 50-90 per cent of earnings; in Moldova there is no information on amount paid; Slovakia was not included due to the fact that replacement pay is below 70 per cent of earnings (55% of earnings).

On the basis of this indicator we can see that the distribution of the 39 countries changes completely. The group of countries which now belongs to the range 0-4 months of well-paid total postnatal leave increases from 7 to 19 countries while the opposite range (25-36 months), previously including 10 countries, disappears completely.

Accordingly, if we consider the period of leave parents can take after the birth of a child without losing a significant part of their monthly earnings, we can identify 10 main generous countries (Denmark, Estonia, Germany, Hungary, Latvia, Lithuania, Norway, Serbia, Slovenia and Sweden) which extend that entitlement at least until the child's first birthday, with 4 of them offering a much longer period of well-paid leave (Estonia, Hungary, Latvia and Lithuania).

Nevertheless, among these 10 countries only 4 – Hungary (24), Lithuania (24) and Latvia (20), Serbia (12) – have no ceiling on the amounts paid. In the remaining 6 countries (Denmark, Estonia, Germany, Norway, Slovenia and Sweden) which also have well-paid postnatal leave of at least one year, there is a maximum for replacement payments.

There is one more variable in our analysis, which is the fact that there are countries where it is possible to take paid parental leave in a flexible way, with a reduction in working hours, weekly part-time or even daily part-time. This means that in these countries parental benefit can coexist with earnings from work just as long the latter does not exceed a maximum number of hours per week or a ceiling of annual earnings. Looking at the 10 countries we have identified as the most generous ones, even if they establish a ceiling or other restrictions on earnings, we can see that in the majority – Denmark, Estonia, Germany, Latvia, Norway, Slovenia and Sweden - it is possible to take part-time parental leave with a proportional reduction of parental benefit.

Leave for fathers

Paternity Leave

Of the total 39 countries which have replied to the *Council of Europe's Questionnaire on Family Policy*, we can see that only about half of them have a legally established paternity leave to be taken shortly after the birth of a child, when the mother is also on leave; 24 countries (Azerbaijan, Belgium, Bulgaria, Denmark, Estonia, Finland, France, Greece, Hungary, Latvia, Lithuania, Luxembourg, Malta, Monaco, Netherlands, Norway, Portugal, Romania, Serbia, Slovenia, Spain²⁸, Sweden, Turkey and UK) have a statutory universal entitlement to paternity leave (if we define paternity leave as a short leave to be taken soon after the birth of a child when the mother is also on leave).

Paternity leave is, in general, a short leave, with an average duration of two weeks and a half to be taken after the birth of the child (figure 15). There are 8 countries where paternity leave is shorter, 2 days in Greece, Malta, Netherlands and Luxembourg, 3 days in Turkey (5 days in case of civil servants); 1 week in Hungary and Romania²⁹; one and a half weeks in Latvia (10 calendar days) and Serbia (7 working days). In 10 countries (Azerbaijan, Belgium, Bulgaria, Denmark, Estonia, France,

²⁸ In Spain paternity leave can be taken during or after maternity leave.

²⁹ In Romania if the father has a certificate in puericulture the length of leave is increased by 10 working days."

Norway, Spain³⁰, Sweden and UK) paternity leave lasts 2 weeks. Other countries stand out by having the longest paternity leave, which may last about 3 weeks (Finland and Monaco³¹), or 1 month (Lithuania and Portugal), or even 3 months (Slovenia).³²

Generally, paternity leave is well-paid leave (at 70-100% of earnings) in most countries, with or without a ceiling, with replacement pay equal or very similar to pay during maternity leave. Exceptions are Azerbaijan, where paternity leave is unpaid, the United Kingdom where the 2 weeks of paternity leave are paid at a flat rate (while the first month and a half of maternity leave is paid at 90 per cent of earnings), Norway where the 2 weeks of paternity leave are paid by employers, Serbia where the 7 working days are paid by employers Luxembourg³³ and the Netherlands where the two days paternity leave are also paid by employers. In 11 countries – Belgium,³⁴ Denmark, Estonia, France, Greece, Hungary, Lithuania, Netherlands, Portugal, Slovenia (first 15 days)³⁵ and Spain - paternity leave is paid at 100 per cent of earnings; in 5 of them (Greece, Hungary, Lithuania, Netherlands³⁶ and Portugal) there is no ceiling. Bulgaria and Monaco pay paternity leave at 90 per cent of earnings and Latvia pays at 80 per cent, also without a ceiling, while Finland (70%) and Sweden (80%) have either a ceiling or restrictions for higher incomes. All in all, looking at the 24 countries with statutory paternity leave, there are 8 countries (Belgium, Denmark, Estonia, Finland, France, Slovenia, Spain and Sweden) which have established either a ceiling or some restriction on payment of paternity leave. In Romania we were not able to identify the amount paid.

³⁰ In Spain public servants of the central state government get 23 days of paternity leave.

³¹ Monaco has 12 days of paternity leave which can be extended up to 19 days in the case of multiple births or a third child.

³² It is not clear if fathers can stay at home with mothers for the whole 3 months.

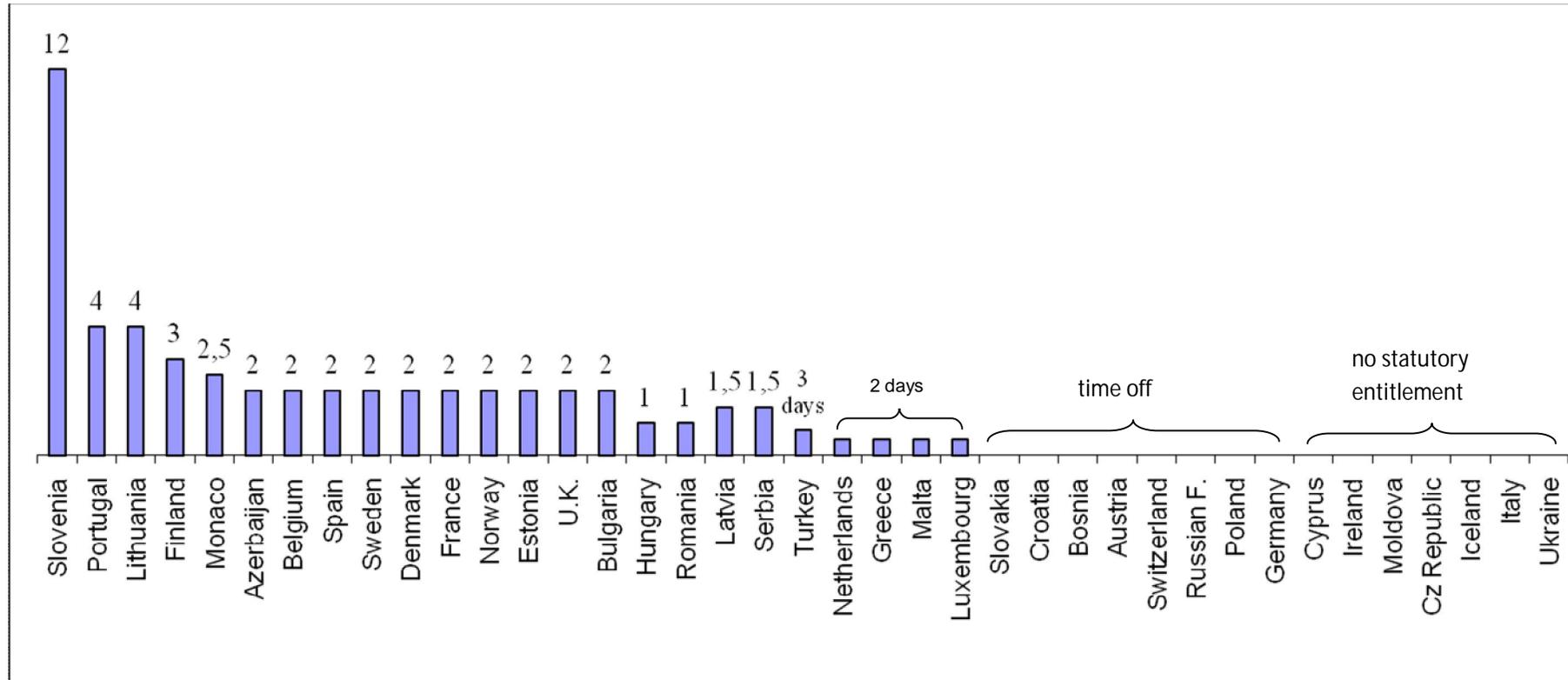
³³ In Luxembourg the Minister of Family has proposed to increase paternity leave from 2 days to 2 weeks, to be taken by fathers on birth occasion.

³⁴ 100 per cent of earnings for 3 days with a ceiling and 82 per cent for the remaining 7 days also with ceiling.

³⁵ In Slovenia the first 15 days of paternity leave are compulsory and are paid at 100 per cent, with a ceiling, while the remaining 75 days are paid at a flat rate.

³⁶ Except for the first two days which are paid by the employer.

Figure 15 – Paternity leave (weeks)



It is interesting to note that in two countries (Portugal and Slovenia) part of the paternity leave is compulsory: two weeks in Portugal to be taken during the first month after birth (one must be taken immediately after birth), and part of it in Slovenia (15 days of the total 3 months) to be taken up during the 6 months after birth. In Spain it is possible to take paternity leave on a part-time basis.

In the remaining 15 countries³⁷ there is no statutory entitlement to paternity leave as defined above (Austria, Bosnia and Herzegovina, Croatia, Cyprus, Czech Republic, Germany, Iceland, Ireland, Italy, Moldova, Poland, Russian Federation, Slovakia Switzerland and Ukraine). However, 8 of them (Austria, Bosnia and Herzegovina, Croatia, Germany, Poland, Russian Federation, Slovakia and Switzerland) stipulate that, under specific circumstances - for example, in case of birth of a child or accompanying a spouse during childbirth - fathers can take a couple of days off/time off, which may or not be paid.

With respect to the remaining 7 countries (Cyprus, Czech Republic, Iceland, Ireland, Italy, Moldova and Ukraine), which did not mention the possibility of having a paternity leave or a few days off work directly related to the period immediately after birth, in 2 of them (Croatia and Czech Republic) it is possible for fathers to take maternity leave instead of the mother, depending on the parents' agreement.³⁸ On the other hand, it is important to mention four countries (Austria, Croatia, Germany and Iceland) which do not have the statutory right to paternity leave as defined above, but still make an effort to ensure the father's participation in leave time: Iceland by means of 3 "daddy months" (which are lost if not taken by the father) and the other three countries through the introduction of extra leave (at least one or two months) if fathers take up some of the leave.

"Fathers only paid leave"

Among the 39 countries we have analysed there are 11 countries (Austria, Belgium, Croatia, Finland, Germany, Iceland, Italy, Luxembourg, Norway, Portugal and Sweden) where fathers have an individual entitlement to paid leave, to be taken while the mother is not on leave (even if some countries are flexible in relation to this)³⁹. We can call this leave "fathers only paid leave" since entitlement is individual and usually not transferable to mothers, meaning that this period of leave will be lost if fathers do not take it up (table 5).

There are a number of motives underlying this strategy of actively trying to include fathers "on their own" in parental leave time, namely: greater gender equality in childcare and making sure that women are not permanently excluded from the job market. Therefore the "fathers only" strategy in paid parental leave is generally presented as an aspect of leave policy which is directly related to gender equality policies.

³⁷ However in some countries such as the death of the mother or child abandonment by the mother, it is possible for fathers to take maternity leave instead of the mother. We did not take into account these situations but only the ones where fathers have their own entitlement to paternity leave to be taken shortly after the birth of a child when mother is also on leave.

³⁸ We should also mention that in one Entity of Bosnia and Herzegovina, the Republika Srpska, maternity leave can be transferred to fathers, by decision of the parents, as from 60 days after the childbirth, with entitlements being the same as for the mother. In Germany as well in Croatia the father may claim entitlements to parental leave at the same time as the mother.

³⁹ In Spain there are some regional differences concerning father's entitlements: for example in Catalonia public servants are entitled to an additional month of paternity leave to take after the end of maternity leave.

However, if we consider the amounts paid, only in 6 countries (Finland, Germany, Iceland, Norway, Portugal and Sweden) is the father-only paid leave a “fathers only well-paid leave” with the amount paid being above or close to 70 per cent of earnings.

According to this criterion, we should make a distinction between two groups of countries.

1 - The first group includes the countries with a “fathers only paid leave” but where the amount paid is either below 70 per cent of earnings or a flat rate. In this group we find the following countries: Austria, Belgium, Croatia, Italy and Luxembourg. In Austria parents can take parental leave up to the child’s second birthday (employment law). However parental benefit (cash benefit/childcare benefit) may last longer, if parents take turns in receiving the allowance. There are three alternative options for the childcare allowance: until the child is 18 months old (15 + 3, paid at 800 euros per month) if the other parent receives the childcare allowance for at least 3 months; until the child reaches 24 months (20 + 4, paid at 624 euros per month) if the other parent receives the childcare allowance for at least 4 months; until the child reaches 36 months (30 + 6, paid at 436 euros per month) if the other parent receives the childcare allowance for at least 6 months. While receiving childcare allowance the parent may earn an additional income up to an annual ceiling. If parents do not take turns in receiving childcare allowance the period of payment is reduced. This means that longer paid parental leave is allowed (though paid at a flat rate), subject to gender sharing of leave. In Belgium fathers are entitled to 3 months of full-time parental leave paid at a flat-rate (712.60 euros per month). In Croatia parental leave is supposed to be shared on an equal basis by both parents with an earnings related payment which has a very low ceiling (between 227 and 364 euros) ; however, if the father takes at least 3 months of parental leave this leave is extended by two months.⁴⁰ In Italy fathers are entitled to 6 months parental leave paid at 30 per cent of earnings. In Luxembourg fathers are entitled to 6 months paid parental leave (individual entitlement of each parent) which cannot be transferred to mothers. On the other hand, both parents cannot be on a full-time paid parental leave at the same time. Instead of a 6 months full-time parental leave, fathers (and mothers) can take 12 months of parental leave if taken on a part-time basis and on alternate schedules.

2 – The second group of countries includes the ones with a “fathers only well-paid leave” where payment is above or close to 70 per cent of earnings (with or without a ceiling). In this group we find the following countries: Finland, Germany, Iceland, Norway, Portugal, and Sweden. In Finland, fathers are entitled to 18 working days of paternity leave plus a bonus of 12 days (to be taken until the child is 16 months old) but only if the father takes the last two weeks of parental leave (father’s month). Germany has recently introduced a “partner’s only paid leave”, in which paid parental leave can be extended by 2 months (12+2 paid at 67 per cent of earnings, with a minimum of €300 up to a maximum of €1.800) on condition that the other parent takes up the 2 months of leave. Fathers can also take up to 12 months of paid parental leave if the mother claims an accordingly shorter period of paid parental leave. Iceland provides a “fathers only well-paid leave” for 3 months (paid at 80 per cent of average earnings with a ceiling) even if it has no paternity leave to be taken shortly after birth, while mothers are on leave. Norway has 2 weeks of paternity leave (paid by the employer) immediately after birth, plus 6 weeks of “fathers only paid leave” within parental leave, to be taken

⁴⁰ If only one parent takes the 6 months parental leave, a written consent must be given by the other parent.

up to the child's third birthday. In Portugal, fathers are entitled to 20 working days of paternity leave (10 are compulsory and must be taken within the first month after birth) and another month of fathers only well-paid leave if taken "alone" (at any time after the obligatory 6 weeks for the mother but within the first six months after birth during the "initial parental leave").⁴¹ There is also an individual entitlement of 3 months' paid parental leave (at 25 per cent of earnings) which is not transferable to the mother (to be taken up immediately after "initial parental leave"). Sweden combines paternity leave (10 "daddy days") to be used within 60 days of the birth, and another 60 days of "fathers only well-paid leave" in parental leave, to be taken up to the child's eighth birthday (half of the remaining paid parental leave time also being for the father, though in this case it is possible to transfer it to the mother, with the father's written consent).

⁴¹ In Portugal parental leave is divided in two stages: 1) one is the "initial parental leave" to be taken on birth occasion and which is a parental entitlement (except for the first 6 weeks immediately after birth, which are obligatory for mothers). If the father takes up a minimum of 30 consecutive days leave (or two periods of 15 consecutive days) alone (without the mother) after the obligatory 6 weeks immediately after birth that must be taken by mother, the initial parental leave is extended by one month (with payment ranging between 83 and 100 per cent of earnings). In case of no gender sharing of leave the initial parental leave lasts either 4 months paid at 100 per cent of earnings or 5 months paid at 80 per cent of earnings instead of 6 months paid at 83 per cent of earnings; 2) the second is the "additional parental leave" an individual entitlement of each parent to a 3 months paid leave (25 per cent of earnings) to be taken at the end of the initial parental leave.

Table 5 – Paternity leave and “fathers only paid leave”

COUNTRIES	Statutory paternity leave	“Fathers only paid leave”
Azerbaijan	X	-
Belgium	X	(3 months)
Bulgaria	X*	-
Denmark	X	-
Estonia	X	-
Finland	X	(1 month – father’s month)
France	X	-
Greece	X	-
Hungary	X	-
Latvia	X	-
Lithuania	X	-
Luxembourg	X	(6 months)
Malta	X	-
Monaco	X	-
Netherlands	X	-
Norway	X	(1.5 months)
Portugal	X	(4 months)
Romania	X	-
Serbia	X	-
Slovenia	X	-
Spain	X*	-
Sweden	X	(2 months)
Turkey	X	-
U.K.	X	-
Austria	<i>time off</i>	(3/4/6 months)
Bosnia and H.	<i>time off*</i>	-
Croatia	<i>time off*</i>	**
Germany ⁴²	<i>time off</i>	(2 months)
Poland	<i>time off*</i>	-
Russian Fed.	<i>time off</i>	-
Slovakia	<i>time off</i>	-
Switzerland	<i>time off</i>	-
Cyprus	no	-
Czech Republic	no*	-
Iceland	no	(3 months)
Ireland	no	-
Italy	no	(6 months)
Moldova	no	-
Ukraine	no	-

⁴² In order to follow the same criteria used in the other countries, in Germany we only took into consideration the two months of “partner’s only paid leave”. The father may also take up to 12 months paid leave in case the mother claims an accordingly shorter period of paid leave.

*In these countries, it is possible for fathers to take part of the maternity leave, subject to both parents agreeing. This transfer must be made within a certain time after birth.

** In Croatia parental leave is a parental entitlement though it is supposed to be divided equally between both parents; if the father takes 3 months total paid parental leave (earnings related, very low ceiling), the latter is extended by 2 months.

Finally, it is also important to underline that in this group of six countries only four – Finland, Norway, Portugal and Sweden - combine both universal entitlement to paternity leave and the “fathers only well-paid leave”. From this point of view, we could say that it is these countries that place greater emphasis at present on gender equality in their leave policies.

Time off to care for sick children

With the exception of Azerbaijan and Iceland⁴³, all the other respondent countries have confirmed the existence of entitlements to miss work in order to care for a sick child (Figure 16). Nevertheless in 4 countries (Denmark, Moldova, Turkey and Ukraine) this possibility is not clearly presented because respondents do not state the number of days parents can miss work to care for a sick child, the child's age, and whether there is replacement payment or loss of earnings. These are the variables which differentiate between the several countries.

Regarding the **number of days** parents can miss work in order to care for a sick child we can see that:

- There are countries where the period of absence to care for a sick child ranges from 7 days/1 week per year (Cyprus, France⁴⁴, Greece and Slovakia) to 14 days/2 weeks per year (Austria, Belgium, Latvia, Lithuania and the Netherlands);

There is a group of countries that is more generous, for example Sweden (120 days per year and per child under 15); Bulgaria (60 days per year if child is under 18); Poland (60 days per year if child is under 14); Romania (maximum 45 days per year to care for a child below age 7); Bosnia and Herzegovina⁴⁵ (per illness episode with full replacement payment for the first 42 days); Monaco (35 days per year); Germany (maximum 25 days per year if child is under 12); Norway (20 days to care for a child under 12); Switzerland (3 days per illness episode); Finland (4 days per illness episode for a child under 10), UK (1-2 days per illness episode)⁴⁶.

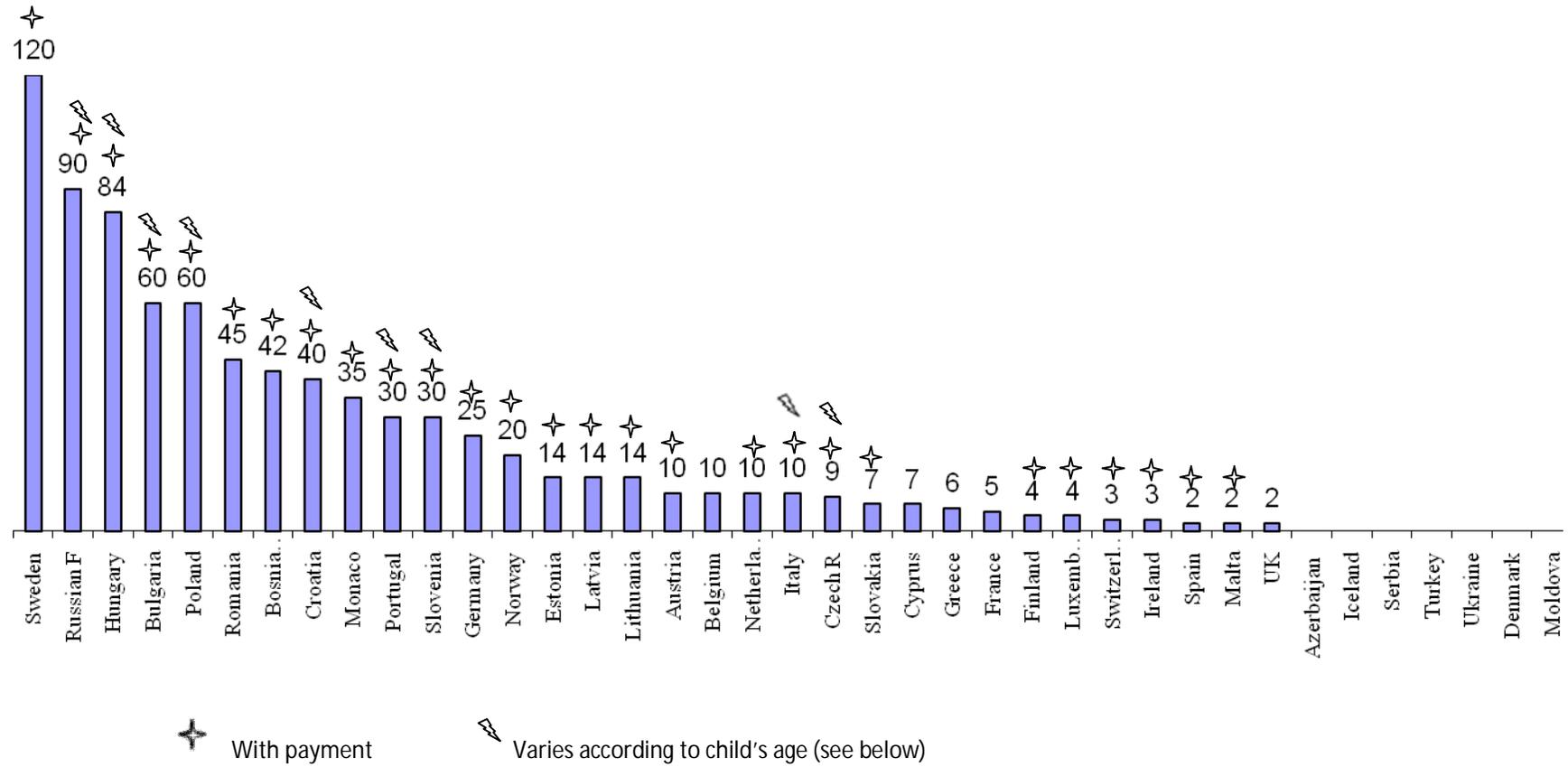
⁴³ In Azerbaijan employees with a child with serious health problems as well as women caring for a child under age 14 are entitled to a reduced working hour's schedule. In Azerbaijan women are entitled to a partial paid leave up to the child's 3rd birthday. In Iceland employers are required by law to make the necessary arrangements to enable men and women to balance family life and work, namely flexible work arrangements as well as giving parents leave from work in case of serious or unusual family circumstances. In Iceland each parent is entitled to 13 weeks of childcare leave until the child's eight's birthday. Leave is unpaid.

⁴⁴ In the case of a very serious illness of a family member under 20, it is possible to take leave and be paid for 310 days.

⁴⁵ Though, in the one Entity of Bosnia and Herzegovina, the Republika Srpska, there are at least 5 days of paid leave for parents caring for a sick child. In the other Entity, the District Brčko, there is a maximum of 2/3 days per year.

⁴⁶ And also Serbia which states that there is no limit to miss work in order to take care for a sick child (leave is paid and the doctor defines the period of leave according to the type of illness).

Figure 16 – Time off (days) to care for a sick child



- Another group of countries tends to favour younger children by establishing better entitlements for parents to miss work to care for a small sick child: Italy (unlimited up to the child's third birthday, 10 days per year if child is between three and eight years old); Hungary (unlimited up to the child's first birthday, 84 days if child is between 12 and 35 months and 42 days if child is between 36 and 71 months); Czech Republic (unlimited when child is under 10, with 9 days of payment per illness episode until the child is 16 years old); Croatia (40 days per illness episode if child is under 7 and 20 days per illness episode if child is over 7); Portugal (30 days per year if child is under 12, decreasing to 15 if over 12); Slovenia (15 working days per illness episode if child is under 7, and 7 working days per illness episode if child is over 7, extendable up to 14 or 30 days); Russian Federation (60 to 90 days per year if child is under 7 and 45 days if child is between age 7 and 15);
- Ireland⁴⁷, Luxembourg⁴⁸, Malta and Spain⁴⁹ are the less generous countries since they have established a maximum of 2/3/4 days per year for parents to miss work in case of a sick child.

The number of days of leave may still vary:

a) According to the number of children in the same household

There are countries (Greece, Norway and Portugal) where households with 2 or more children under 12/14 are entitled to extra days of leave in case of a sick child. For example, in Greece parents can miss work to care for a sick child up to 6 days per year and per parent (unpaid). This increases to 8 or to 12 if there are, respectively, 2 or 3 children in the same household. Norway extends from 20 days to 30 days the right to miss work in case of a sick child when there are at least 2 children under 12 in the same household. In Portugal the 30 days to care for a sick child under age 12 as well as the 15 days to care for a sick child over 12 are extended by 1 day for every subsequent child;

b) According to the type of family

In 4 countries (Czech Republic, Greece, Hungary and Norway) there is a positive discrimination in favour of lone parent families. In Czech Republic, lone parents receive benefit for 16 days, instead of 9, in the case of a lone parent caring for a sick child up to age 16 attending compulsory education; in Greece lone parents get 6 additional days of paid leave to care for a sick child under 12; also in Hungary the 42 days to care for a sick child between 36 and 71 months is increased to double the time (84 days) in the case of lone parent families, the same applying to the 14 days to care for a sick child between age 6 and 12, which increases to 28 days for a lone parent family. In Norway each parent gets 10 days per illness episode to care for a sick child under 12, increasing to 20 days in case of a lone parent;

⁴⁷ Ireland establishes a maximum of 3 days in 12 consecutive months or 5 days in 36 consecutive months.

⁴⁸ In Luxembourg, if a child below age 15 is seriously ill leave is paid at 100% of earnings and can be extended up to 52 weeks.

⁴⁹ In Spain the two days leave per worker are extended to four days if travelling is required (if the workplace is in a different municipality)

c) According to public or private sector

There are differences between the public and private sectors, with public sector employees sometimes receiving more compensation for lost earnings and more days of leave (in France the 3-5 unpaid days increase to 14 days in the public sector; in Monaco the 35 days parents can miss work are paid at 50 per cent of earnings in the public sector and unpaid in the private sector, though some payment is possible depending on social regimes); in Spain the two days leave per worker increase to three days in the public sector.

Regarding the **child's age**: among the countries where the child's age is defined we can see that Romania defines the age of 7; Italy defines the age of eight; three countries (Czech Republic, Finland, Slovakia,) consider children below age 10; seven countries (Austria, Estonia, Germany, Greece, Hungary, Portugal and Norway) establish the age of 12 while the other seven countries (Bulgaria, France, Latvia, Lithuania, Luxembourg, Poland and Russian Federation) have a higher age limit, at least up to the age of 14.

In the majority of countries the number of days which parents are entitled to leave to care for a sick child has an annual limit. However, there are 10 countries (Bosnia and Herzegovina, Croatia, Czech Republic, Estonia, Finland, Serbia, Slovenia, Switzerland, Italy and UK) which set either no limit in the number of days or set limits per sickness episode rather than annually. On the other hand it is interesting to note that there are countries where the right to miss work is not only recognised in the case of a sick child but also to stay with the child when the main carer is sick (Czech Republic, Estonia, Norway, Poland, Slovakia, Sweden and UK) or when school is closed (Czech Republic, Poland and U.K.).

Concerning payment:

This leave is unpaid in the following countries: Belgium, Cyprus, France, Greece (except in case of lone parent families), Turkey and United Kingdom.

Countries which have replacement pay at least at 60-70 per cent of earnings (with or without a ceiling) are: Austria (100%), Bosnia and Herzegovina (100% for the first 42 days), Croatia (70-100%), Czech Republic (69%), Estonia (80-100%), Finland⁵⁰ (100%), Germany (80%), Hungary (70%), Ireland (100%), Italy (100%), Latvia (80%), Lithuania (60-100%), Luxembourg (100%), Netherlands (70-100%), Poland (80-100%), Portugal (65%), Romania (85%), Russian Federation (60-100%), Slovenia (80%), Sweden (80%), Switzerland (in some cases) (100%).

Leave also seems to be paid in Bulgaria, Denmark, Italy, Malta, Serbia, Slovakia, Spain, and Ukraine (however it was not possible to identify the amounts paid).

⁵⁰ In Finland payment depends on collective agreements so there can be variation between different employees (for instance how many days are covered with payment), however is often paid at full earnings

Time off to care for a dependent adult/elderly family member

In comparison with leave and entitlements to miss work to care for a sick child under 10, 12 or 14, the 39 countries are, in general, less generous concerning the right to miss work to care for an adult or elderly family member (Figure 17).

Among the 39 countries we find:

- a) 6 countries which say nothing about the right to miss work to care for an adult/elderly dependent family member (Lithuania, Monaco, and Romania) or which do not have any entitlement (Latvia, Norway, Ukraine);
- b) 3 countries – Luxembourg, Moldova⁵¹ and Serbia - which only mention either collective agreements at company or sectoral level or the possibility of an agreement between the employer and the employee concerning flexible working schedules or part-time working days/weeks.
- c) 25 countries which have some type of leave to miss work for some days to care for a dependent adult/elderly person: Sweden (60 days per year), Bulgaria (60 days per year), Bosnia and Herzegovina⁵² (per illness episode with full replacement payment assured for the first 42 days), Russian Federation (7 days a time with a maximum of 30 days per year), Portugal (15 days per year to care for a family member plus 15 days per year to care for a severely ill or disabled spouse), Croatia⁵³ (15 days), Azerbaijan (14 days), Poland (14 days per year), Greece (6 to 12 days per year), Germany, Netherlands and Belgium (10 days per year), Slovakia (7 days per year), Slovenia (7 days a time, possible to extend to 14-30 days), Estonia (7 days), Cyprus (7 days per year) Austria (1 week per year), Czech Republic (9 days), Italy, Ireland and Switzerland (3 days per year), Spain (2 days)⁵⁴, United Kingdom (1-2 days), Malta (minimum 15 hours per year), Finland⁵⁵. Among these 25 countries there are 7 countries which do not have earnings compensation for these short leaves to care for an adult/elderly dependent family member: Azerbaijan, Belgium, Cyprus, Germany, Greece, Portugal (only paid in the public sector) and United Kingdom. In the remaining 18 countries there is an entitlement to some replacement pay;

⁵¹ Also mentioned by Finland and Spain though in these countries there is also the possibility of being temporary absent from work for some days due to an illness or accident of a family member. In Serbia it is possible to work shorter hours in case of a severe disease of a family member, in this case it is possible to receive proportional earnings compensation.

⁵² Though in the one Entity of Bosnia and Herzegovina, the Republika Srpska, there are at least 5 days of paid leave for parents caring for a sick child. In the other Entity, the District Brčko, there is a maximum of 2/3 days per year.

⁵³ 15 days per illness episode if caring for a spouse; no entitlement in case of a sick elderly person.

⁵⁴ In Spain the two days leave per worker are extended to four days if travelling is required (if the workplace is in a different municipality)

⁵⁵ In Finland a family member has the possibility to be absent for some days for compelling family reasons. Employees shall be entitled to temporary absence from work if their immediate presence is necessary because of an unforeseeable and compelling reason due to an illness or accident suffered by their family. The employer is not required to pay the employee remuneration for the duration of such absence. However in case of informal care of a family member (an ageing, disabled or ill person at home) municipalities can support the care given by family members by paying a care allowance for the care and/or by arranging diverse social welfare and health services that support the care.

- d) 5 Countries (Denmark France, Hungary, Iceland and Turkey)⁵⁶ which provide only a longer leave period (of several months) to care for a very seriously or terminally ill person.

It is also important to mention that there are countries which, besides having time off to care for a sick elderly person, also provide long-term care leave:

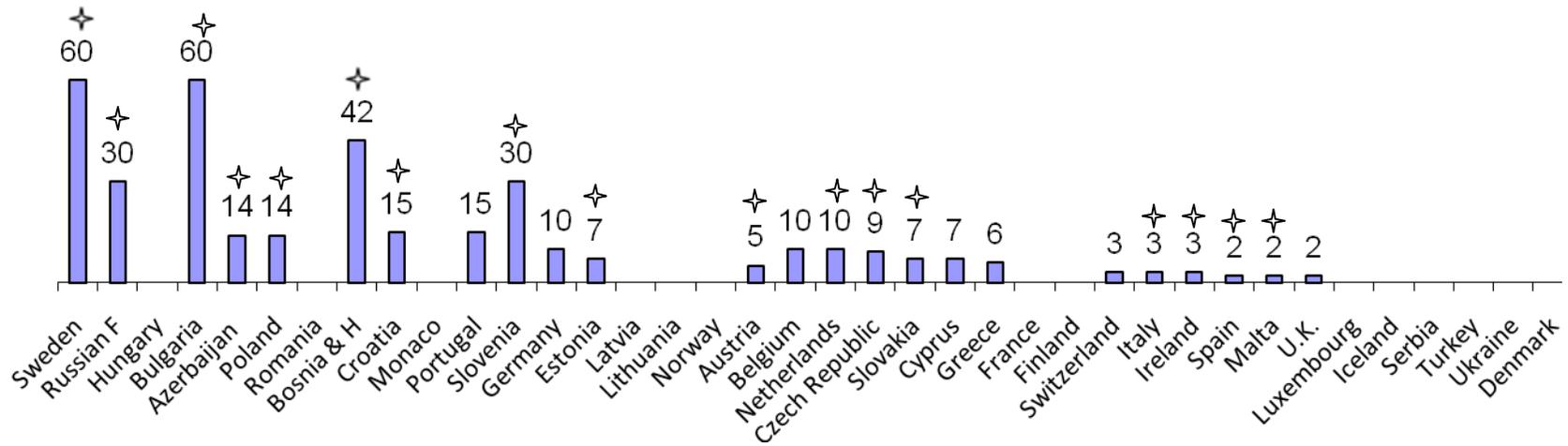
Austria and Germany (unpaid leave up to 6 months⁵⁷); Belgium (between 1 and 12 months full-time leave but only to take in periods of 1 to 3 months or 24 months if taken on a part time basis, or up to 2 months' full-time or part-time leave in the case of a terminally ill family member if not cohabiting, but only to take in a period of one month; see also time credit system mentioned above in parental leave section); Italy (up to two years of paid leave to care for a seriously ill relative even if not cohabiting); Ireland (between 13 weeks and two years unpaid leave); Netherlands (paid leave⁵⁸ up to 6 times their working hours per week – 38 hours full-time week); Spain (unpaid leave up to two years).

⁵⁶ Long term care leave with care benefit in Denmark; France and Iceland (at least for 6 months at a time); in Hungary there is a nursing fee to support care services); Turkey: up to 6 months unpaid leave.

⁵⁷ In Austria low income families may claim benefit if care leave causes financial distress.

⁵⁸ Level of payment depends on family income.

Figure 17 – Time off (days) to care for a dependent adult/elderly family member



✦ With payment

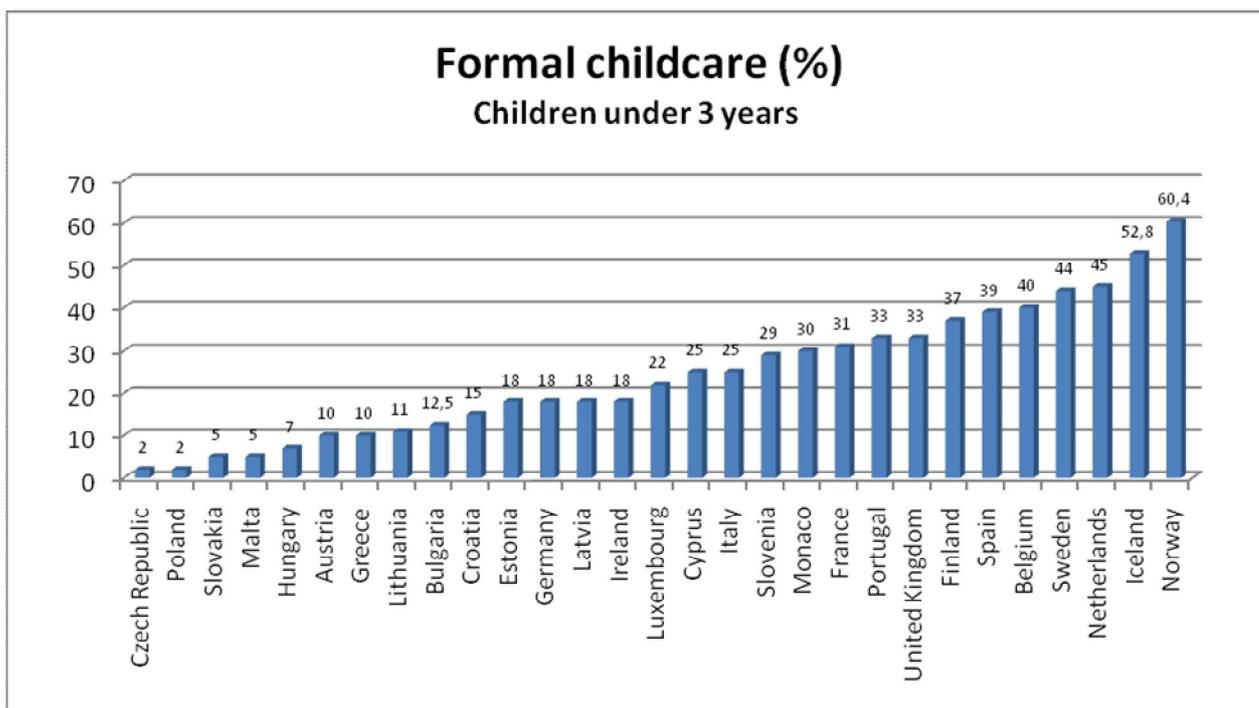
Coverage rates for Formal childcare

The provision of **Formal childcare**⁵⁹ services is an important aspect of work-family balance and also relates to gender equality, family and work policies. Due to the rising participation of women in paid work who have children, demand for regulated childcare services has been increasing all over Europe⁶⁰. However, there are variations in national strategies regarding the provision of these services, particularly for babies and very young children, due to different perspectives on what is better for the child's well being (staying with the mother as the primary caregiver during the first years or not) and the importance given to promoting young children's mothers' ties to the job market. On the other hand, these variations are also a result of more or less supportive policies for working parents with young children, which are often expressed in childcare leave policies (as described in the previous points) and in the relevant legal frameworks (work flexibility, for instance) in each country. Therefore, all these factors can shape country differences, both related to the type of regulated childcare services available for parents (age group limits for younger children, number of hours provided –part-time or full-time, for instance) and access to these services. The following figures (18) and (19) show the coverage rates for formal childcare services for children under 3 in 29 countries, and for those aged between 3 and compulsory school age in 33 countries (data not available for the remaining countries).

⁵⁹ According to Eurostat: "**Formal childcare** for the age groups up to compulsory school age includes childcare at day-care centres and education at pre-school. Care provided by parents themselves, child minders having direct arrangements with parents as well as childcare by grand-parents, other relatives, friends and neighbours are excluded from the definition formal childcare"(European Commission. Eurostat web page, 2008).

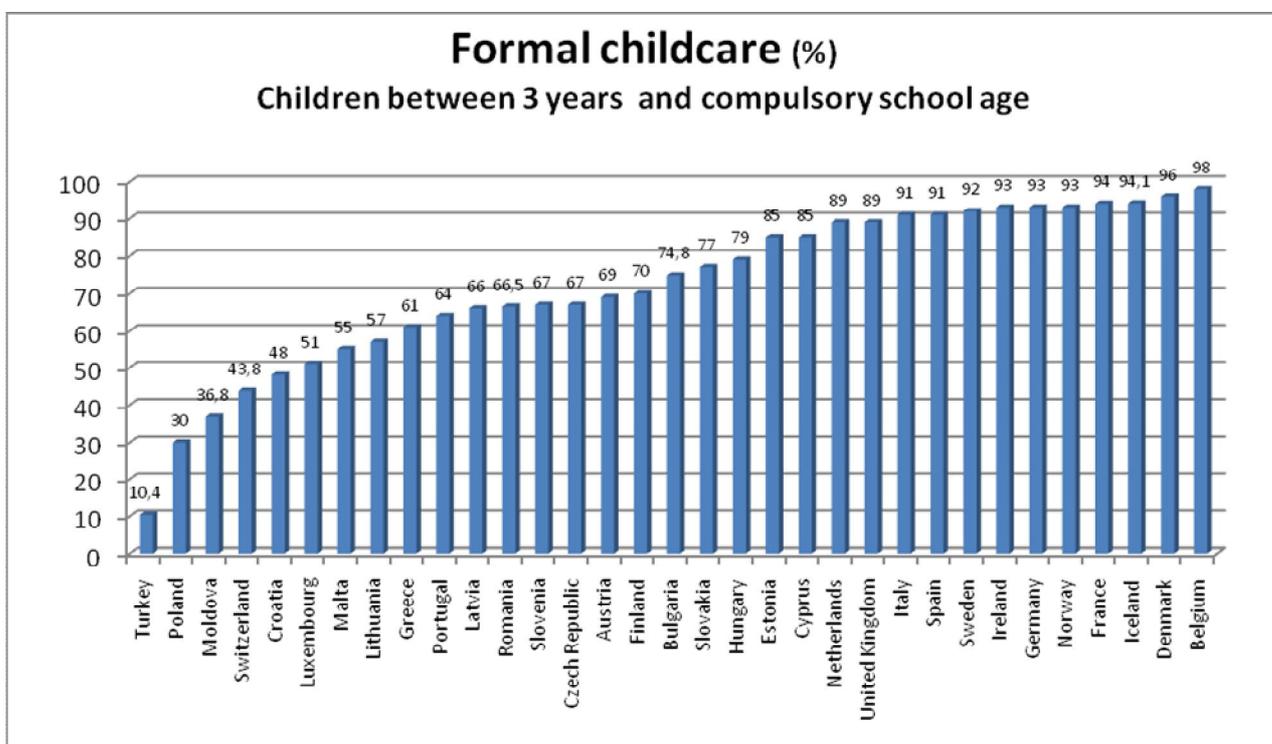
⁶⁰ See in particular the following countries: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Estonia, Greece, Hungary, Ireland, Latvia, Luxembourg, Lithuania, Norway, Portugal, Russian Federation, Spain, Sweden, Switzerland and United Kingdom.

Figure 18



Source: Eurostat – EU-SILC 2006, except for Austria, Norway, Iceland, Monaco and Finland, data drawn from the COE Questionnaire on Family Policy

Figure 19



Source: Eurostat – EU-SILC 2006, except for Turkey, Switzerland, Romania, Norway, Bulgaria, Finland and Croatia, provided by national data.

3. Summarized overviews of sections 4, 5 and 6 of the questionnaire

3.1. Section 4: Social Policy and Family Law

Section 4 includes data on several aspects of social policy and family law: on marriage, cohabitation, divorce and parenthood (questions can be seen in Appendix 2). A general examination of the information provided on family and divorce laws gives us a very interesting picture of the values and norms that are expected to guide family relations, and also parental and gender relations within the family. First of all, it is worth mentioning that equal rights and responsibilities for married men and women have been implemented almost everywhere, evidence of the institutionalization of gender equality values within the family. A trend toward the acceptance of family diversity is another point of interest, even though it is not as widespread as the first. However, there are clear signs of it, as demonstrated by the orientation towards treating marriage and cohabitation as equivalent, and in some countries also same-sex partnerships (for instance, in Belgium, Czech Republic, Denmark, Germany, Hungary, Iceland, Netherlands, Switzerland, Slovenia, Spain and the United Kingdom).

The acknowledgement of the emergent diversity of parental relations and ties after divorce, which has been changing post-divorce family relations, is a third interesting pattern that emerges from the information. In fact, one can observe how Denmark has branched out by giving step-parents the right to access the child after divorce, thus recognizing the importance of parental ties between children and step-parents. And, on the other hand, that the regulation of post-divorce parental relations and responsibilities reflects the adoption of gender equality values in parenthood, and is evidence of a new understanding of the rights and needs of the child. A clear sign of this is the growing implementation of “joint custody” after divorce all over Europe (already existing in 24⁶¹ countries as “shared parental responsibility and authority”), either as an option or as the norm. The introduction of “shared parental responsibility and authority” also facilitates the taking up of “shared residence⁶²” with child.

⁶¹ Austria; Bosnia and Herzegovina; Croatia; Cyprus; Denmark; Slovenia (will be introduced with the new family code); Finland; France; Germany; Hungary; Iceland; Italy; Ireland; Latvia; Monaco; Netherlands; Norway; Poland; Portugal; Serbia; Spain; Sweden; Switzerland and United Kingdom.

⁶² Legal provisions on “shared custody” may define the child’s primary residence with just one of the parents (and a period of visit to the other) or allow for “shared residence”. In a small number of countries shared residence is defined and accepted as a legal option, usually meaning that the child will spend an equal or very similar amount of time with each parent, as long as parents can agree and arrange it (France, Ireland, Monaco, Sweden and United Kingdom). In most countries, however, shared residence is not defined, therefore the law leaves it to the parents to decide what kind of arrangements they wish to have (if they choose “shared residence” there is the legal assumption that it is in the ‘child’s best interest’). In this case the amount of time that each parent spends with the child is not necessarily equal, as a primary residence for the child (where the child resides more than halftime) must be established.

3.2 Section 5: Policies for Dealing with Family Stress and Difficulty

This section includes policies for helping families to deal with stress and difficulties. A general overview of the data shows that in almost all countries⁶³ women, children and young people are legally protected against violence and abuse, either outside or within the family. Both civil law and criminal law provide this protection, including specific rules on sexual, emotional and physical abuse within the family; in some countries, for instance, Bosnia and Herzegovina, Croatia, Cyprus Czech Republic, Estonia, France, Greece Norway, Portugal, Serbia and the United Kingdom, these rules also protect other family members living in the household. This legal framework provides both health care and social services for the victims and also criminal law protection (for example, restraining orders, removal of parental rights or imprisonment of the aggressors, violence and abuse considered as criminal acts). In each country welfare social services and legal frameworks have their own particularities but, in general, they all provide financial assistance, shelters, counselling, mediation and therapy centres for women and children, and also foster families or care institutions for children. Some countries also mention emergency victim support helplines (Bulgaria, France, Italy, Luxembourg, Portugal, Romania, and the Russian Federation). Others have counselling programs for aggressors as well (Lithuania, Malta, Romania, and Portugal). In addition to support services for women and children who are victims of violence or abuse, in most countries there are also guidance services for children and young people, and parenting and family guidance and counselling services as well. Lastly, it is important to underline the important role that the NGOs have in complementing (or in providing state financial support to) these services, by creating and running shelters or support centres for victims of violence or abuse, and for families, parents or children and young people needing guidance, in almost all countries.

3.3. Section 6: Policies aimed at strengthening family life and personal development for parents and children

Answers to section 6 of the questionnaire provided a very rich set of information on policies aimed at strengthening family life for parents and children. In fact, the first remark is precisely on the wide range of programs, services, objectives and institutions involved, as described by respondents, thus revealing that this is an increasingly significant issue across the majority of European countries (only Bosnia and Herzegovina stated that it did not have such programs). For a significant number of respondents (Poland, for example) it was difficult to separate parenting programs from regulated care services, as these are seen as being closely related to each other. Only a few countries, on the other hand, provide support beyond the period of family life covering birth and the rearing of small children. In fact, concern over strengthening family life and parenting when children are very young is mentioned by a majority of the countries. Training programs and services are led mainly by health professionals (as in Slovenia or the UK, for instance), even if they are also complemented by programs led by other types of professionals.

⁶³ Denmark, Greece, Monaco, Montenegro, Netherlands, Moldova, Poland and Serbia did not submit complete data on these policies.

Countries like Sweden or Norway, for example, are creating and maintaining more structured programs aimed at improving relationships between parents and their children and within couples in general, and this seems to be an emergent field of intervention across Europe.

A first assessment of the diversity of programs and policy measures mentioned by respondents suggests that future analysis must distinguish between **concerns related to basic skills of parenting**, which has to do with the fight against negligence, abuse and/or violence against children – these are more common and aimed at families with behaviour problems or at risk due to poverty or substance abuse, and the ones targeted at the **enhancement of parental skills and practices** in order to improve inter-generational relations, which are less common and usually aimed at families in general.

It is also important to note that the above-mentioned programs are run at very different levels (from state to local level) and also by very different kinds of institutions (public, private, religious, NGOs) thus resulting in a wide range of modalities and beneficiaries.

It was also interesting to note that the degree of pro-activity demanded from citizens, implicit in the definition of these policies, varies considerably. In the majority of countries parenting-related concerns are concentrated on the increase of services offered to families at their request, thus on a voluntary basis, while others find it important to bring in either educational or health professionals in order to train them specifically to work on these issues with families, or to work with families directly through group or individual counselling, helplines, etc. In fact, compulsory enrolment in such activities is always limited to individuals with serious legal problems related to violence towards women and/or children.

4. Final comments

Key trends and findings:

1. Families and policies for families are important in all member countries examined. Across the member countries there is evidence that the role of family policy in relation to both material, legal and emotional protection is at, or near, the centre of political debate.
2. Although family policies are contentious, and it is difficult to delineate consistent or common trends, there are some emerging similarities.
 - First, the legitimacy of certain objectives of family policy: financial support for families, in particular for parents with young children; the reconciliation of work and family life; and the protection of parenthood and family life as well as support for individual members within families (women, children, fathers). Above all there is a widespread concern with the relationship between work and family life.
 - Secondly, financial support for families through the combination of fiscal and transfer arrangements continues to be one of the key ways in which national policies seek to impact on families. Across the member countries cash benefits for families with children are more often universal (for all residents) than category dependent. Moreover, almost all countries have financial support for specific types of families and earnings compensation for parents who miss work to care for young children. By contrast, fewer countries provide earnings compensation for persons caring for dependent adults/elderly persons.
 - Third, policies for the reconciliation of work and family life underline the importance of well-paid leave for a period of at least 3 months after the birth of the child, with a significant number of countries moving towards six to twelve months of postnatal well-paid leave, as well as the establishment of optional longer periods of leave (not always well paid). Another general trend that may be highlighted in this area of policy is the building up of services to support dual-earner couples with children and the furthering of gender equality in work/life balance. However, the development of “fathers only paid leave” (where the father is ‘on his own’ caring for a child below age 1) does not seem to be a general trend.
3. Cross national analysis of policies to reconcile work and family life shows that the changing nature of work/family policy is at present linked to some important tensions and dilemmas.
 - First, the tension between support for maternal employment versus support for mothers to stay at home for long periods to care for very young children.
 - Second, the tension between policy emphasizing one predominant pattern of reconciliation (for example, well-paid leave for one year after the birth of the child and state-supported services from then on) and policy emphasizing the idea of ‘choice’ between diverse forms of conciliation and leave options (short periods of

well-paid leave, well-paid leave combined with a longer period of low or unpaid leave, flexibility in the use of leave, etc.).

- Third, the tension between building up crèches for very young children and keeping them in the care of the family during this period.
- Fourth, the tension between considering leave after birth basically as a maternal entitlement or as a parental entitlement. In some countries (for instance, Norway, Sweden, Iceland, Portugal) the term used in law to refer to leave after birth is a generic term (parental leave/birth leave) implying that leave after birth is a parental entitlement (after the obligatory period of a few weeks' maternity leave). In other countries (Bosnia and Herzegovina, Bulgaria, Serbia) we find an opposite trend: one year of well paid leave after birth is essentially for mothers.
- Fifth, the dilemma of how to encourage fathers to take leave. The evidence points towards the importance of combining paternity leave for fathers, taken when mothers are also on leave, and well-paid 'fathers only leave' to encourage men to spend time alone with the child.

Appendix 1 - National correspondents coordinating the reply to the Council of Europe family policy questionnaire

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Appendix 2 - Structure of the questionnaire

SOCIAL POLICY FOR FAMILIES AND CHILDREN

QUESTIONNAIRE

The aim of this questionnaire is to carry out a multi-country exploration of policies for families and children in Europe today.

The term family policy is used here to describe what governments do for families, in particular those public policies designed to affect the situation of families with children. It includes laws, regulations, cash benefits, and programmes more or less deliberately designed to achieve specific objectives for individuals in their family roles or for the family unit as a whole. The questionnaire is organized in sections corresponding to these different areas of family policy (see structure below).

When reporting on legislation, benefits or programmes please provide data for 2007 or refer to the most recent information available.

STRUCTURE OF THE QUESTIONNAIRE

The questionnaire is divided into six sections (+ a table with global data), as follows:

- **Global data on demographic trends and general economic situation**

- 1. Family policy: institutional framework and objectives**
- 2. Government financial policies towards families**
- 3. Reconciliation of work and family life**
- 4. Family law on marriage, divorce and parenthood**
- 5. Policies for dealing with family stress and difficulty**
- 6. Policies aimed at strengthening family life and personal development for parents and children.**

GLOBAL DATA ON DEMOGRAPHIC TRENDS AND GENERAL ECONOMIC SITUATION

	Year	Data
Population		
Total Fertility Rate		
Marriage Rate		
Average age of mothers at first birth		
Divorce Rate		
% Births Outside Marriage		
% Couples with Children (dependent)		
% Lone Parents		
GDP per capita		
Expenditure Family/Child Allowances as % of GDP		
Female economic activity rate (% ages 15 and older)		
As % male rate		
Employment rate		
Men		
Women		
Unemployment rate		
Men		
Women		
% of employed working part time		
Men		
Women		
Employment gender gap (full-time equivalent)		
Employment rate (20-49 with children under 12)		
Mothers		
Total		
Part-time		
Fathers		
Total		
Part-time		
Gender-related Development Index		
Gender Empowerment Measure		
Access to regulated care services (%)		
Children under 3 years		
Children 3-5 years (inclusive)		
Elderly pop. (+ 65 years) in institutions		

1. FAMILY POLICY: INSTITUTIONAL FRAMEWORK AND OBJECTIVES

1.1 The institutional framework for family policies

- i) Please describe the current institutional framework for family policy. Is there a single Ministry, Government Department or Minister responsible for family policy? What are the names/main functions of the governmental bodies responsible for family policy?
- ii) What is the relationship between family policy and other policies (gender policy, social policy, employment policy, etc.)? If there are many ministries involved which one has the main responsibility/coordinating body? Is there a crosscutting/interdepartmental body?
- iii) What is the relationship between government and non-governmental organizations in the formulation and implementation of family policies?
- iv) In 2008 and 2009 are there any plans for changes in the institutional framework for family policies? Have there been major changes?

1.2 Main objectives and policy drivers

- i) Please describe the main objectives of family policy in your country at present. Which objectives are highest on the agenda? Which goals are set out explicitly in governmental programmes?
- ii) What would you say are the main concerns and policy drivers underlying these objectives (drop in fertility, achieving gender equality, improving child development...)?
- iii) Is the issue of reconciliation of work and family life high on the policy agenda? What are the main policy goals?
- iv) Have there been major shifts in the profile of family policy over the last decade? Which issues have been in debate and what is the position of the different political parties?

2.1 Family/child allowances

- i) Please describe the current system of child allowances (either income related or categorical/universal), specifying beneficiaries, conditions of entitlement and amounts. Please indicate the existence of other allowances for families (such as birth grant, wedding grant...) specifying beneficiaries, conditions of entitlement and amounts.
- ii) Please give us some idea of their impact on family income.

- iii) Have family benefits declined in real value over the last decade (and/or in popular support)? Please indicate any major changes in the system of child allowances which have taken place over the last few years (specifying changes in beneficiaries, conditions of entitlement and amounts).
- iv) Has there been any public debate concerning family/child allowances over the last few years and in 2006/7 in particular? What were the terms of this debate and who were the actors involved?

2.2 Fiscal Policies (taxation)

- i) Please indicate existing tax deductions, tax allowances and tax benefits for children, other dependent persons and spouses/cohabiting partners. Specify whether these relate to:
 - children (of what ages) or other adults
 - family (household) composition, for example, one-parent families (or other groups)
 - all dependants
 - only certain categories (for example, students, disabled people, etc.)
- ii) Please indicate any major changes which have taken place, over the last few years in tax deductions, tax benefits or tax allowances for children, other dependent persons and spouses/cohabiting partners. Please give an indication of the significance of these changes. Please outline the policy rationale for any changes and the reaction of key groups.

2.3 Other benefits affecting families and children

- i) Please describe the following current social security benefit arrangements (including both social insurance and social assistance benefits) and indicate how they are related to children or to marital status/household status of the beneficiaries:
 - special benefits for specific types of families (lone parents, adolescent mothers, pregnant mothers out of the labour force, families with disabled children, unemployed families, families in poverty, families caring for dependent elderly people)

3. RECONCILIATION OF WORK AND FAMILY LIFE

3.1 Protection of mothers in the workplace

- i) Please describe the existing system of protection of mothers in the workplace, in particular protection against dismissal before/after giving birth, reasons for prohibitions on employment, exemption from night work and from working extra hours.
- ii) Are there any new plans for the protection of mothers in the workplace?

3.2 Flexible working/part-time working/reduction in working hours

- i) Is there a national policy on flexible working and on part-time working? What are the views of employer's organizations, trade unions and women's movement?
- ii) Are there any plans in this field?
- iii) Please provide any available evidence concerning the impact of these changes on gender equality.

3.3 Leave arrangements/time off for parents

- i) Please describe the current leave arrangements to support parents in your country:
 - Maternity Leave
 - a) Length of leave and payment
 - b) Flexibility in use
 - c) Eligibility
 - d) Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother
 - Paternity Leave
 - a) Length of leave and payment
 - b) Flexibility in use
 - c) Eligibility
 - d) Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother
 - Parental leave
 - a) Length of leave and payment
 - b) Flexibility in use
 - c) Eligibility
 - d) Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother
 - e) Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Other leave arrangements/time off
 - a) Childcare leave or career breaks
 - b) Adoption leave and payment
 - c) Time off for the care of dependents (please specify age) who are ill
 - d) Flexible working/reduction in working hours
 - e) Time off to go to children's schools
 - f) Other
- ii) Please describe the current leave arrangements/time off for people caring for elderly/disabled or other adult dependent persons (length of leave and payment; flexibility in use; eligibility)
- iii) Are there any new plans for leave policy and other related developments (including proposals currently under discussion)?
- iv) Please provide recent estimates of the take up of the different types of leave (maternity leave, paternity leave, parental leave)

3.4 Service provision

- i) Please describe existing regulated paid **child care services** (crèches, nurseries, out of school care for primary school children) in your country, indicating for different age groups (0-3 years, 3-6 years, 6-10):
 - Main types of providers (private profit making, private non profit, public)
 - Typical service provision and number of hours provided
 - Any recent changes in policy or provision affecting each form
- ii) Please describe the timetables for children in primary school. Are there any plans to alter these timetables?
- iii) Do you have information on existing informal child care systems (for example, grandparents, neighbours, friends, immigrant women, etc.)? Are there any new plans for informal child care systems?
- iv) Please describe the different types of formal or paid care provisions for **elderly/other adult dependent persons** in your country, specifying main types of providers (private profit, non profit, etc), typical service provision, number of hours provided, any recent changes in provision.

3.5 Any other measures geared at reconciling family and work roles

4 FAMILY LAW ON MARRIAGE, DIVORCE AND PARENTHOOD

4.1 Marriage and cohabitation

- i) Please describe existing laws on marriage (hetero/same sex marriage, age at which it is possible to be married, rules regarding parental consent, rights and duties of marriage)
- ii) Please describe existing laws on cohabitation (emphasizing similarities and differences with the rights of married couples and any recent on trends in cohabitation).

4.2 Divorce and parenthood

- i) **Divorce laws.** Please describe existing laws on divorce and legal separation (divorce by mutual consent/fault-based, process of divorce, alimony and maintenance).
- ii) **Custody of children and child support/maintenance.** Please describe how legislation deals with the custody of children.
 - Is shared custody of children becoming more common? Any information on how it is put into effect?
 - Child support/maintenance. The high level of divorce and separation in many member states results in large numbers of children who may be entitled to maintenance from the non-resident parent. Please describe the current arrangements.
 - Have there been any major developments or legislative initiatives in this area?
 - What special measures have been taken by authorities in order to secure payments due to children? If so, please give details.
- iii) **Mediation.** Please describe the core elements of the legislation dealing with mediation or conciliation during the course of divorce or separation. What services exist in your country for mediation. Where possible, please provide data on the numbers of people using such services, the costs involved and any research evidence on their impact.

4.3 Parental status/children status

- i) Do you have any new plans for parental status, in particular the rights of step fathers and the rights of fathers concerning children born outside marriage?
- ii) Do you have any new plans for the legislation affecting the relative legal status of children born in and outside marriage?

4.4 Rights of children

- i) Any new provisions indicating the growing tendency to regard children as persons in their own right?
- ii) Do children have the right to appeal to a mediator in order to defend their rights?
- iii) Any legal developments allowing young children (that is those under the age of legal independence) to go to court to challenge parental decisions on issues such as residence or education (e.g., the so-called right to “divorce your parents”)?
- iv) Any other provisions concerning the rights of children, such as in the educational system?

5. POLICIES FOR DEALING WITH FAMILY STRESS AND DIFFICULTY

5.1 Violence in the family

In many countries violence in the family, especially towards women and children, has become a matter of public concern, resulting in changes in law, practice and service provision.

- i) Describe the current legal and policy framework (if one exists) for dealing with this problem in your country. Make, if appropriate, distinctions between provisions for spouses (normally women), children, parents/grandparents, or any other persons.
- ii) Please describe the current legal and policy framework regarding the corporal punishment of children.

5.2 Services helping family members to deal with problems

- i) Are there any services, such as counselling services, to help family members deal with problems? Please specify who the main providers are.

5.3 Removing parental authority

In dealing with child protection, public authorities in many countries have powers to take over authority and responsibility for children from their parents.

- i) Please describe the current legislative situation in your country giving such powers to the authorities and the rights to appeal.
- ii) Any recent changes in these provisions?

6. POLICIES AIMED AT STRENGTHENING FAMILY LIFE AND PERSONAL DEVELOPMENT FOR PARENTS AND CHILDREN

Parental education and support for parenting

- i) Please indicate if there are any policies in your country to support parents in their upbringing tasks (parenting programmes/parental counselling/training sessions in order to support working parents etc.)? Is there any debate on this issue?

- ii) Please provide the following information on these programmes:
 - Since when do they exist
 - Who are the main providers and beneficiaries (main target groups)
 - Types of services provided

- iii) Is there any obligation to attend parenting programmes in cases of vulnerability (e. g. abused children, domestic violence, adolescent pregnant women, parents serving prison sentences, etc.)?

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Family Policies:

Developments and Dynamics in a number of
Council of Europe Member States

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June 2009

Introduction

In the framework of the Council of Europe Committee of Experts on Social Policy for Families and Children (CS-SPFC), a decision was taken to collect basic information about the family policy of the Council of Europe member states. The objective of this report is to complement the quantitative information with in-depth qualitative analysis. Using a concrete approach, a limited number of states were selected, in order to analyse the impact of context, major structural changes, relevant stakeholders and actors, on the developments and dynamics of family policies. This is supposed to add to the information provided in the Comparative Analysis Report prepared by Karin Wall and to build on the development of policy relevant knowledge. This understanding is crucial in the design of future family policy.

Based on several considerations, some member states were chosen to reflect different types of family policy regimes as defined by existing typologies. The geographical distribution in Europe was another determining factor. Various country characteristics such as size and state structure were additionally taken into account. Notwithstanding the availability of experts, resource persons and publications.

This report is divided in to three chapters: The main findings of relevant comparative and conceptual work will be considered first, in order to provide guidance for a more qualitative study of selected countries. The result of this theoretical work, will then serve as inspiration and guidance to analyse policy developments and dynamics in the Council of Europe member states in chapter II. Chapter III provides some tentative conclusions.

1. Main findings of comparative conceptual work

Various scholars have attempted to classify national family policies, mainly for countries in Europe. Underlying these attempts is, of course, the assumptions that sufficiently clear similarities and differences exist, which form distinguishable subgroups or clusters of countries. Initially, such clustering was suggested as a continuum, whereby family policies were considered to be: explicit or implicit; harmonized or un-coordinated; episodic or comprehensive.

However, Gauthier (2002) argued that different components of family policies did not necessarily form an integrated issue, if judged in terms of the nature, direction and timing of reform.

Similarly, Daly & Clavero (2002), building upon earlier work, which focused on the family-state relationship, viewed it as having at least two dimensions: control and support. This suggests a series of family-state relationship models, varying across state policies and ranging from highly controlling and proactive on the one hand, to those which are highly reactive on the other. At this point, it is worth considering the enforcement of family responsibilities in certain domains, the manipulation of incentives in order to create specific family forms and behaviours and the use of constraining assumptions which limit the boundaries of family variation, while at the same time, supporting traditional family roles and responding to the arising needs and demands of families.

A number of models emphasise duties and obligations for families. This implies monitoring, sanctions and rewards. In other models, the state works with existing patterns to support families and respond to their needs. Here, interventions tend to be limited to situations where families are at risk, or in trouble. Therefore, the clarification of similarities and differences among countries can only be made in terms of the generosity and the degree of diversity of family support.

Bahle (2008) who defines family policy as the "*institutionalized pattern of public policy-makers' actions on the family*", builds on the concept of 'families of nations' in Europe. This refers to groups of nations, which share central policy characteristics that were formed in a specific historical-cultural context. Starting with the 'old' EU member states, he develops a conceptual map of family policy classifications in Europe, constructed around two dimensions: family forms and state-church relationships. Adding the new Eastern EU member states to this analysis, he argues that existing patterns were profoundly changed by Communism. Bahle labels the Eastern European family policy model of that time as the 'Working family' model, because family policies were deeply based on the working couple family (similar to Scandinavian countries, although not based on similar individual rights and universalistic principles). However, once the connection between social protection and the workplace disappeared, the context for family policy in the Eastern European transition countries experienced a dramatic change. In conclusion, Bahle states that, in terms of family policy, Eastern EU European countries found their place amidst older member states.

*"Most of them joined the Central European subsidiarity model. At the same time, however, this model is changing. All over Europe, except in the South, family policy seems to be moving closer to the Scandinavian model. (...) Family policies have gained prominence in the political process, foremost with respect to the electorate, but also within pressure groups"*ⁱ

Finally, we turn to the framework and analysis by Hantrais (2004) who documents the family-state relationship in 25 EU countries. Her conceptualization combines its criteria in a flexible way and documents the four clusters and their subgroups by a variety of data, methods and perspectives. It aims to capture:

*"the complexity of the policy process as a form of social interaction between policy actors with different agendas and interests that change over time, as they react to a variety of socio-economic and cultural pressures, family and household events"*ⁱⁱ

Hantrais identifies four major clusters of EU countries that share similar features. The subgroups in each cluster reflect differences in funding mechanisms, vehicles for delivery, target population, and the overall impact of policy on family life. She particularly considers shared characteristics within each cluster, in terms of the design and structure of their family policies, level of commitment of state support for family life, a similar degree of legitimacy, and a more or less coordinated approach to the involvement of political, economic and civil society actors in the policy process.ⁱⁱⁱ

Thus, to attempt to fit all countries, including those outside the EU, into such a framework, would require the analysis and comparisons of the different countries situations during that period; as well as monitoring whether Council of Europe member states in 2009 still fit into the

same cluster or type of family policy that they were grouped in, at the start of the 21st century. For example, a number of indicators point to substantial developments and shifts in family policy-making within some Member states such as Germany. Providing such analysis in a comprehensive way, goes well beyond the possibilities of this project work, although much benefit was taken from the contributions prepared for the September 2008 Council of Europe Technical Family Policy Seminar.^{iv}

In view of the large number of European countries included in Hantrais' analysis, and the policy relevance of the kind of characteristics considered (see above), it was agreed that this framework would be applied as the main source of inspiration to guide the selection of member states in the present report.

2. Country case studies

Comparative family policy studies note that, when searching for similarities and variations, the '*small-n design*' sharpens the view for historical developments, which have shaped a country's family system and policy in specific ways. Moreover, it aims to "*supplement analyses of institutional regulations and social benefits by studies on how systems actually work, are perceived, and 'used' by individuals and how policies and individual strategies interact in various social contexts*".^v

Family policies neither operate in a void, nor develop in a social vacuum. This explains why the country case studies presented below do not limit themselves to the present-day policies, but rather take into account the context of historical, socio economic and cultural factors of the actual family policy applied in a specific member state.

This section of the report analyses family policies in terms of a number of developments and dynamics. Some relate to the impact of major macro structural changes on family policy and how this raised daunting challenges for the political class. Others relate to important shifts such as the involvement of a growing number of objectives as well as of actors, which made the family policy process more complex and challenging. Finally, we turn to a number of dilemmas that many public authorities need to resolve. Examples from a number of Council of Europe member states have been included to illustrate this.

To document such developments and dynamics, countries have been chosen to represent different clusters of the framework referred to above linking the family – policy relationship.^{vi}

2.1. Managing major structural changes

We begin by considering member states that experienced major shifts in their family policy during the previous decades. Examples of this can be found with the transition from Communism (early 1990s) in many Central and Eastern European countries.^{vii} Also countries like Portugal, Germany and the Russian Federation experienced major shifts of governments or political regimes.

Portugal has been characterized by two contrasting economic, social and political contexts: before and after the 1974 revolution. This event represents a major turning point in family

policy. Radical changes took place within the political-juridical framework governing families and women's rights (e.g. marriage, divorce, maternity leave). The new Portuguese Constitution (1976) recognized the state's obligations to impose equality in all domains, to develop a public network of childcare services, to inform on family planning, and to provide other types of support for families with children. It is felt that the mere 'shame' of the explicit interference in private lives of families during decades of dictatorship gave the political class ample leverage to introduce the principles of gender equality as a natural part of the democratization process (Wall, 2008; Wall & Escobedo, 2009).

The family policy developments of Germany certainly provide an interesting case on this dimension. For most of the 20th century, the German welfare system (at least in West-Germany) was an almost archetypical male breadwinner model with a strong homecare logic that encouraged and supported long absences by mothers from the labour market. During the last two decades, Germany witnessed two sweeping changes. First, in 1989 at the time of the reunification, there was a need to merge, if possible integrate, two very different views (cf. FRG and GDR)^{viii} on family life, gender issues and family policy. In short, the outspoken preference for cash-for-care benefits in West-Germany versus the expansion of public childcare services that underpins a work-centred approach in East-Germany.

At the end of the 20th century there was a paradigmatic shift in Germany's family policy in a very short period of time. To understand why and how Germany moved away so clearly from its traditional family policy paths at the turn of the 21st century, some scholars point to the following underlying issues as the main driving forces (e.g. Erler, 2005, 2009; Fagnani & Math, 2008). The German unification worked as an important trigger. This was reinforced by the growing concern about Germany's very low fertility rate and the related issue of population ageing. Also, the European Union induced process of Mutual Policy Learning (cf. the OMC) and the EU Directive on Parental Leave (1996) stimulated German policy makers to turn more to some of their EU neighbours for possible policy solutions (especially the Swedish parental leave system and the extensive French system of childcare services). The German federal government has aimed to develop and implement a sustainable family policy in a consequent manner since 2005. It created a set of measures 'in cash' and 'in kind' to support families financially, through infrastructure, and in time management. These measures were supplemented by an outcome-oriented governance to monitor their effectiveness.

The profound social and economic changes in the Russian Federation during the 1990s also had an impact on family policies. In the years following the perestroika, the demographic trends threatened the basis of existing Soviet social policies. The development of industrialism disrupted the incentives to childbearing and the maintenance of family relations. Also, the strict employment regulations and a socialist discourse of gender equality did not foster a rapid shift in attitudes towards family life and gender roles in Russia during the post-Soviet period. Some of the non-egalitarian features continued to exist.

In 1994, when major restructuring was occurring in the social and economic sphere of Soviet Russia, the proportion of 'dual-earner' and female led families was even higher than in Sweden. Despite this, there was still strong support for traditional gender roles. A policy of privatisation together with the economic problems accompanying transition, worked to disintegrate the welfare mechanisms of the command economy. Under such conditions,

Russian family policy was subjected to a considerable reformulation of the 'official' gender contract. New ways were sought to implement family policy due to scarce financial means and the break with ideological concerns. The structure of benefits and services for families with young children established during the 1990s to help their financial difficulties, nevertheless kept women in employment and facilitated childcare (e.g. Kravchenko, 2008a, 2008c).

It is important to note that the traditionalism seen in relation to the distribution of private versus public responsibilities of women and men did not break away all the sudden. However, by the early 2000s a turn towards more egalitarian values is noted. The Russian gender contract at all levels has not been as overwhelming as expected at the start of the transformation processes. It may have become more traditional again.^{ix}

There is evidence that the economic transition induced changes and even major shifts in family policy of many members' states in Central and Eastern Europe.^x In the early 1990s most of them were hit by its impact on their family policies. As a token, it has been observed that in spite of revived economic growth in the 2nd half of the 1990s in most of transition countries, by the start of the 21st century, almost half had surpassed their GDP levels of 1989 (UNICEF, 2001). Clear shifts in demographic behaviour were observed during the 1990s. In many of these countries, birth rates were already characterised by a long-term decrease (cf. except for Hungary), but in some of them a sudden relatively high decrease can be related to the Transition.

It has been noted that not all those countries have suffered lowered entitlements to family benefits, at least not to the same degree. They all share a considerable decrease in national GDPs, high unemployment rates and the resulting lowering of living standards. Beyond every doubt, the political transition created a generally unfavourable social environment for most families. Here we look at the ways in which policy makers in those countries responded to a shortage of resources for financing family policy measures and note that most governments cut social expenditure to limit severe budget deficits. Among the strategies that many of these member states applied during the 1990s were:

- An introduction of benefit targeting to replace universal family benefits. There was a move from universal child benefits (horizontal redistribution) towards target-specific benefit allocation, or income-tested benefits (stressing vertical redistribution e.g. developments in Bulgaria, Poland, Russia). This probably reflected the pressure on government budgets and the need to reform their social protection systems, as well as the growing concern to tackle increased poverty levels;
- A more subtle strategy of reducing benefits by omitting the indexation of cash social benefits. Following particularly high levels of inflation, there was a gradual erosion of the purchasing power or real value of child benefits;
- A lowering or extending of the duration of entitlements e.g. parental leave (unpaid) and/or not guaranteeing the return to one's former job (cf. Croatia from 1996 on), and a decrease of the wage compensation (cf. Czech Republic and Hungary) but not in the Slovak Republic (in contrast with the 100% wage compensation during 37 weeks in Slovenia).

- Furthermore, certain benefits or former price subsidies for goods consumed, especially by children and families, were abolished. Some countries instead, introduced a compensation benefit or imposed an income threshold for entitlement.

At the same time however, other measures or benefits were introduced such as:

- Provisions for large families (see Croatia, Hungary, Slovenia);
- Extending benefit coverage to additional categories of citizens/residents. For example, the entitlement to insurance-based maternity benefit given to non-insured mothers in the former Czechoslovakia, equal entitlement to long paid parental leave as insured mothers provided to non-insured mothers giving birth to their 3rd or subsequent child in Croatia between 1996 and 2001, pregnancy benefit for non-insured studying mothers in Lithuania, the right to parental leave for full-time students in Russia, and parental benefit for all non-insured mothers in Bulgaria;
- Coverage of child benefits, being for a long time part of social insurance, was gradually broadened to families outside formal employment, in response to increasing levels of unemployment which had in fact eroded the coverage (see Hungary in 1990, Estonia in 1992, Poland in 1993, Lithuania in 1994); and
- More flexible modes of certain types of leave arrangements, for example, parental leave in Slovenia or the introduction of additional types of leave (see paternity leave, for example in Latvia which eventually found itself in the process of adhering to regulations required for the EU membership).

Overall, it can be noted that even in times of socio-economic hardship, governments not only trimmed but also introduced, or increased certain benefits. Most prominent among the situations described above, was certainly the need to decrease budget deficits, attempt to raise a birth rate considered too low for future development, and the wish to tackle rising poverty levels among population subgroups (e.g. single mothers).

This clearly expresses the different kind of aims and objectives policy makers try to reach via family policy measures.

In the next section, we address the issue of the impact of various and often conflicting policy objectives on the developments and dynamics of national family policies.

2.2. Multiple objectives and stakeholders

Multiple objectives

Family policy in Sweden has, for quite some time, been explicitly characterised by a combination of various aims and objectives. It is rooted in the early 20th century when social inequality, poor families and the declining birth rate became viewed as socio-political problems. Social reforms were advocated for, to bring about a new society based on social solidarity: a new planned economy and the vision of a people's home ('*folkhemmet*'). From the

early 1970s, Swedish family policy strongly emphasized a dual-earner / dual-carer family model. This additionally aimed to strengthen gender equality by influencing individual preferences and creating a quite coherent social consensus about the equal gender rights in employment and childrearing. The latter became a formal political issue rather than a private family one.

Overall, Swedish family policies gradually developed to meet three major goals of social and family policy: (1) the well-being of children and combating child poverty; (2) gender equality especially through promoting women's economic independence; and (3) good possibilities to reconcile work and family life for mothers and fathers through facilitating men's involvement in childcare and family life.

It would appear that the main social goals are in accordance with prevailing social values and social institutions and were widely accepted by a predominantly homogenous population (Chronholm, 2009). Various social programs co-exist and complement each other (cf. widespread subsidized childcare, generous parental leave, equal employment legislation).

It seems that the basic principles and goals have become so widely accepted that no special interest group or economic downturn can erode them easily. Despite this more long-term continuity, there are still some voiced concerns about the impact of a change of government coalition on entitlements and existing family policy measures (Duvander et al., 2008). Basically, although no major changes may occur following such shifts of office, the latest family policy reform is quite substantial. It considers more the different needs of various families and as such, goes beyond the 'one size fits all' model, which characterized, at least implicitly, the more universal support for Swedish families in previous decades.

Compared to other member states, it can be argued that family policies in France aim to pursue multiple and heterogeneous goals such as encouraging parents (especially mothers) to get and remain involved in paid labour market, tackling social inequality, keeping a high fertility rate, and lowering the levels of child poverty. France remains very successful in terms of its fertility level. There are several policy measures that contribute to this such as the well-established pre-school system ('école maternelle')^{xi}, the longstanding system of family allowances and the percentage of female in (full-time) employment (Fagnani, 2007). Another issue distinguishing French family policies from that of other countries could be found in the amount of public expenditure on services for children and parents. In previous decades, various French governments continued to invest in childcare services and leave arrangements, despite budget cuts in other sectors. There seems to be a culture, which generally approves of public expenditure for children and larger families.

In recent years, family policy goals in Portugal have tended to focus on three major objectives: (1) expanding the service provision, (2) economic support for vulnerable families, and (3) the promotion of a higher birth rate. Strong budgetary constraints, falling levels of living and a sharp drop in the fertility rate underpinned the focus on those objectives (Wall, 2008). Two major parties (PS and PSD) having been alternately in power for the last 25 years, built up a fairly strong consensus about the link between conciliation and gender equality policies. The same holds for their vision of the importance of publicly subsidized services to support families. The leave policy model in Portugal is characterized by the endorsement of an early return to work after delivery as an expression of a full-time dual earner model and of gender

equity in employment and in society (Wall & Escobedo, 2009). All this contributed to a substantial continuity regarding these family policy measures.

Early 2007, the Russian Government launched a new national reform to boost low fertility rates and to increase the well being of families with children. The so-called 'maternity capital' aims to facilitate multiple births. From 2010, only mothers will be able to use the new opportunities (buying accommodation, covering educational costs, or increasing savings for one's pension). But overall, the variety of choices available to Russian families remains rather small (Kravchenko, 2008a). This new family policy reform is based on four components: (1) the introduction of municipal vouchers for childcare facilities and preschools, (2) special measures to emphasize the pedagogical aspects of ECEC^{xiii}, (3) an equality bonus to encourage more fathers to take parental leave, and (4) childcare allowance for parents with children. These new developments will provide a new opportunity to monitor the implementation and outcomes of these components in the Russian Federation.

From the late 1990's, the debates over the direction that the German family policy could or should take were heavily dominated by the conundrum of how to encourage young couples to have children and reduce the opportunity costs of childbearing for mothers. Even though (West) German fertility rates have been very low since the 1970s, policy makers only really began to tackle the issue during the late 1990s. Objective demographic pressures are considered as important driving forces behind family policy changes. These are however, insufficient by themselves to understand the timing and direction of such changes. German policy makers started to realize that the main family policy objectives were increasingly out of tune with the socio-economic realities of their country.

The shifts in the family policy aims also developed due to the rising concern, especially among German employers and multinational companies, over the decreasing competitiveness of the German economy. This stimulated the dawn of a discourse that married family policy with economic growth, a higher fertility rate and with more prosperity. The federal Ministry for Family Affairs specifically commissioned (economic) studies to document a different family policy as a win-win situation for better economic prospects ("increasing birth rate through increased female labour employment").

Tackling child poverty has been central to the United Kingdom government's policies on social inclusion. In 1999, the Government declared its historic ambition to end child poverty by 2020 and halve it by 2010. The government's main lever to tackle this is to get more parents into work. It particularly targets lone parents who are the family type at greatest risk of poverty. In the late 1990s when the Blair administration took office they set out quite early some of the Labour government's aspirations across family advice and support, the relationship between work and home, marriage and relationship services, and family problems such as domestic violence and school age pregnancy (see "Supporting Families", 1998). Much of this endeavour to support the upbringing of children has now taken the centre stage in political thinking in the UK (Henricson & Bainham, 2005).

In-work poverty was also addressed. In 1999, a national minimum wage was introduced and has been increased in real terms since. Tax credits have also been an important part of the Labour government's welfare policy: the almost universal Child Tax Credit, and the Working Tax Credit which is an in-work payment to people on low incomes. The British Government has

also given a high priority to parenting in its social exclusion and criminal justice agendas, and clearly considers the promotion of good parenting as a significant tool in fostering social cohesion (Henricson, 2008). The government's approach has been one of 'rights and responsibilities'. The Crime and Disorder Act 1998 introduced parenting education into the criminal justice system, followed by various pieces of legislation extending the use of parenting orders. Social order and social control became strong underlying currents in these and other measures (Daly, 2009). Sure Start, now mainstreamed in children's centres nationwide, sets a high premium on supporting parents. New Labour's family policy is explicitly aimed at strengthening family relationships. To increase employment rates, particularly among mothers, various measures have been introduced to enable parenting and paid employment to be combined: an increase in statutory maternity leave to nine months paid and three months unpaid; two weeks paid paternity leave; a right for parents of children under five to take up to a total of three months off work with job protection but without pay; and the right for parents of children under six (or under 18 for a disabled child) to request flexible working arrangements (Henricson, 2008).

There is also a range of policies geared towards significant strands of family wellbeing. Families are referred to in a number of government initiatives (see a Ministerial Group on the Family, a Family Policy Unit at the Department for Children, Schools and Families and a strategic document on support for parents – Every Parent Matters (2007). The Children's Plan 2007 also includes a section on 'A family policy for the 21st century'.

A growing number of stakeholders

Most Council of Europe member states share this common development within family policy. Over time, more stakeholders and actors play a part in the development and the outcomes of family policy measures. Some stakeholders came into play or are even urged to become involved (e.g. employers) whereas others may fade out or lose part of their influence (e.g. Roman Catholic Church). New actors also come to the fore due to the nature of Governmental initiatives and reforms launching major new programmes (e.g. NGOs, local public authorities, ECEC professionals, service providers).

In the United Kingdom, for example, Sure Start was launched in 1999 as a comprehensive community based programme of early intervention and family support, targeted at deprived areas. In rolling the programme out across the country, the original projects have now been converted into Children's Centres, run by local authorities. These provide childcare and family support. There is a target to have 3,500 Children's Centres in place by 2010. The Childcare Act 2006 gave local authorities duties to assess the supply and demand for childcare in their area; to provide sufficient childcare for all working parents; and to improve outcomes for all young children in their area and reduce inequalities, through the provision of accessible and integrated early childhood services. For older children, extended schools are being introduced, which will be open from 8am to 6pm. The intention is that these centres will also provide activities for children, community services, parenting and family support. By 2010, all schools should be offering extended services.

The integration of child public health and youth care (incl. integrated family services and parenting support) has been very high on the political agenda in the Netherlands. In the early 21st century, a Dutch Ministry for Youth and Families was created for the first time. Another innovation was to create Youth and Family Centres (*'Centrum voor Jeugd en Gezin'*) to operate at a local level for parents and children aged 0-23 years where a variety of professionals create a programme of support for all children and parents as an integrated system. Community schools (*'Brede Scholen'*) have been developed to promote the cooperation of all organisations and services working with children. Beside the school as the leading party, there are other partners such as childcare services, social welfare, child public health, community centres, sports, theatre, etc.

In Portugal, the launch of formal state-provided childcare services (remaining low mainly due to budgetary constraints and the lack of experience to implement them) led to the development of a new public/private mix centred on publicly subsidised non-profit organizations to expand services to support working parents. This expansion was slow but steady. It was more visible during the 1990s when a considerable constituency was built up regarding reconciliation policies, particularly from a gender equality perspective. Another major trend in family policy during the first years of a Socialist government (1995-2002) relate to the increase in different types of services to support families and elderly persons. For a short period (2002-2004) family policy discourse and objectives changed under a centre/right-wing coalition government. Support for large families was strongly emphasized by focusing on pro-natalist, pro-life and familialist objectives. However, strong budgetary constraints and other factors only led to the introduction of more flexibility in the leave scheme rather than a major revision of its principles.

In France, for example, family policy is a highly institutionalised domain with strong players such as the National Family Allowance Fund (CNAF) or the National Family Association (UNAF). Besides, there also was a formal platform such as the annual 'Family Conference' (since 1994) under the auspices of the French President. There, representatives from the social partners, as well as from family organisations and the central Government can exchange and debate new measures which the latter intend to implement in the near future (e.g. a permanent High Council for the Family).

Somewhat similar to France, Belgium has a multitude of actors, some being involved in the family policy process for many decades (for example, the Family League), others are newcomers but have an increasing impact on developments (e.g. employers, ECEC professionals). For example, as an active and quite influential NGO the Family League (*'Gezinsbond'*) continues to remind the federal government that family allowances have lost about 40% of their purchasing power since the 1970s. The development of Belgium into a federal state structure, mostly from the early 1970s till now, also contributes to the increasing number of actors. When the 'Aid to persons' came under the authority of the three Community-level Governments, the involvement of public authorities -from local to supranational level- diversified and increased. For example, this can be seen where the Belgian federal government regulates the leave arrangements whereas the Community-level Governments and municipal authorities rule early childhood education and care services (Deven, 2007).

A very large member state such as the Russian Federation certainly has to deal with a great number of actors, because of the sheer number of regions, which are 89. Local authorities are a key agent in social service provision but have no direct impact on the social security management. In addition, families also receive different kinds of support from NGOs and local enterprises. The Council of Federation of the Federal Assembly of the Russian Federation arranged a number of seminars and round table discussions with scientists and practitioners at the start of the 21st century to discuss the problems of national and regional family policy. The economic difficulties of large families, the educational problems related to adolescents, as well as the growing 'devaluation' of marriage and the rise of the divorce rate were pointed at by various participants. The rather dramatic transformation of the public administration in Russia was also linked with the division of responsibilities between various levels of government (national, regional, and local).

3. Some tentative conclusions

Family policies remain crucial as large parts of the population in most Member States find themselves yet again, amidst the turmoil of financial and economic difficulties, which influence the daily life of families. At present, the global financial-economic crisis affects the budgets of many European Governments and the extent to which it begins to impact on family policies may well be considered on the basis of past experiences.

Analysis of family policies in terms of their dynamics and developments reveals the impact of major structural changes at a macro level, raising daunting challenges for governments and public authorities. Other important shifts relate to a growing number of, even conflicting, objectives as well as actors, making the family policy process more complex and challenging.

Can a comprehensive and sustained family policy ever be developed? Can we or any one European country really talk about a family policy that mainly centres on the well being of the family as a unit? On the basis of the previous discourses and analysis, mainly from an academic perspective, one may doubt whether any member state can. Still, there remain some member states, which developed their family policy over many decades and managed to build a continued, comprehensive and even consistent family policy.

The family policy of Sweden is considered as perhaps the closest, having elaborated quite consistently the dual-earner model over various decades. It is still worth remembering that the present-day Swedish family policies started in the early 1930s as an attempt by public authorities to counteract the demographic crisis at the time: the pauperisation of households and large families; and a decreasing life expectancy. Up to the 1990s, Swedish family policy developed as an integral part of the success story of the Nordic welfare state. Single-party governments ruled the country for almost half a century (1932-1976), which made it easier to gradually develop a comprehensive and consistent set of family policy measures and services. As one element of the broader social policy, family policy thrives better as part of a hegemonic project, where there is little need to strike an alliance and reach compromise with other parties. A country witnessing longer periods of government stability seems better equipped to develop a greater consistency in its policies.

For a long time Hungary could also qualify as an example of explicit and consistent family policy. Certainly between 1960 and 1985, its family and population policy became part of long-term governmental planning. From a comparative perspective a number of family and childcare allowances in Hungary during that period, were among the best in Europe. It was social insurance-based and gradually expanded throughout the 1970s.

France too has a long record and tradition in terms of family policy measures. It is well understood that its system of transfers is rooted in a long-established natalist tradition, which partly emerged from the severe loss of population of World War I (cf. *idem* for Belgium). Although this discourse is disappearing, to an extent this tradition still pervades French family policies, which are clearly partial to large families. The taxation system as well, continues to favour married couples where only one spouse is in paid employment. Some experts consider that this contradicts the more recent objective of promoting gender equality and the stronger involvement of women (mothers) in the labour market. In this sense, it is argued that French family policy is yet to say farewell to maternalism.

At present, the increasingly dominant discourse of the rationale for family policies is that children benefit the well being of their parents as well as the rest of society. There is an economic gain in productivity, and social rewards result from investing in children's education. Hence, it is better understood that society bears its share of the direct and indirect costs of childrearing. This discourse reflects the 'promoting profitable investment' model, which represents a rather dominant approach to the new welfare policy paradigm of investing in children. Its future-orientation largely overlooks the quality of childhood itself.^{xiii} Children are somehow perceived as the pension-providers of the older generations in Europe. An underlying assumption is that by investing in children's welfare, one can avoid costly and remedial interventions in adolescence and young adulthood. Therefore this type of child-oriented family policy is recast as 'an ECEC social investment policy'.

In conclusion, many governments consider family policy a useful tool in providing a number of cash benefits and a variety of family support services. But it also increasingly relates to helping families with young children with their time management so that they can reconcile paid employment and care. Other governments still wish to adopt a broader approach, which may involve housing subsidies, health related prevention, or free pre-school education. In the end, the overall interest and challenge lies in the extent to which and how family policies succeed in compensating the cost of having children and in supporting the well being of families as dynamic networks of care.

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ⁱ See Bahle (2008: 120)

ⁱⁱ See Hantrais (2004: 199)

ⁱⁱⁱ See Hantrais (2004: Figure 8.1)

^{iv} The contributions prepared for a Council of Europe Technical Family Policy Seminar (Paris, 11-12 September 2008), especially provided relevant information for Austria (K. Mazal), Belgium (F. Deven), Portugal (K. Wall), the Russian Federation (Z. Kravchenko), Sweden (A-Z Duvander) and the UK (C. Henricson).

^v Pfenning & Bahle (2000: 3)

^{vi} The formal labels Hantrais (2004) uses in her framework are: 'defamilialised', 'partially defamilialised' 'familialised', and 'refamilialised'. They are not used here, as discussions within the Expert Committee on Social Policy for Families and Children (CS-SPFC) revealed they triggered an amount of confusion and uneasiness. For example, when Nordic countries such as Sweden are labelled as 'defamilialised' this may suggest to them that family policy and family issues may not be a priority in their country. Rather the opposite may be true.

^{vii} See especially: Stropnik (2003).

^{viii} In order to consider developments during the 2nd half of the 20th century we need of course to remind ourselves the co-existence of the Federal Republic of Germany (FRG) and the German Democratic Republic (GDR) between 1945 and 1989.

^{ix} Using 'again' may not be appropriate as the initial Soviet gender contract was traditional in its views on care in the domestic sphere. Such observations point to the importance of looking behind the official discourses of family policy in order to be able to assess its real social outcomes.-

^x For a thorough review, see especially Stropnik (2003).

^{xi} Other countries such as Italy and Belgium very much share this characteristic with France but remain less successful with respect to their TFR or their employment rates of mothers.

^{xii} ECEC: Early Childhood Education and Care

^{xiii} See especially: Lister (2008)



Annex

Selected Council of Europe legal standards in the field of family policy

I. Conventions

European Convention on Human Rights (1950)

Article 8 – Right to respect for private and family life

- 1) Everyone has the right to respect for his private and family life, his home and his correspondence.
- 2) There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Revised European Social Charter (1996)

Article 8 – The right of employed women to protection of maternity

With a view to ensuring the effective exercise of the right of employed women to the protection of maternity, the Parties undertake:

1. to provide either by paid leave, by adequate social security benefits or by benefits from public funds for employed women to take leave before and after childbirth up to a total of at least fourteen weeks;
2. to consider it as unlawful for an employer to give a woman notice of dismissal during the period from the time she notifies her employer that she is pregnant until the end of her maternity leave, or to give her notice of dismissal at such a time that the notice would expire during such a period;
3. to provide that mothers who are nursing their infants shall be entitled to sufficient time off for this purpose;
4. to regulate the employment in night work of pregnant women, women who have recently given birth and women nursing their infants;
5. to prohibit the employment of pregnant women, women who have recently given birth or who are nursing their infants in underground mining and all other work which is unsuitable by reason of its dangerous, unhealthy or arduous nature and to take appropriate measures to protect the employment rights of these women.

Article 14 – The right to benefit from social welfare services

With a view to ensuring the effective exercise of the right to benefit from social welfare services, the Parties undertake:

1. to promote or provide services which, by using methods of social work, would contribute to the welfare and development of both individuals and groups in the community, and to their adjustment to the social environment;
2. to encourage the participation of individuals and voluntary or other organisations in the establishment and maintenance of such services.

Article 15 – The right of persons with disabilities to independence, social integration and participation in the life of the community

With a view to ensuring to persons with disabilities, irrespective of age and the nature and origin of their disabilities, the effective exercise of the right to independence, social integration and participation in the life of the community, the Parties undertake, in particular:

1. to take the necessary measures to provide persons with disabilities with guidance, education and vocational training in the framework of general schemes wherever possible or, where this is not possible, through specialised bodies, public or private;
2. to promote their access to employment through all measures tending to encourage employers to hire and keep in employment persons with disabilities in the ordinary working environment and to adjust the working conditions to the needs of the disabled or, where this is not possible by reason of the disability, by arranging for or creating sheltered employment according to the level of disability. In certain cases, such measures may require recourse to specialised placement and support services;
3. to promote their full social integration and participation in the life of the community in particular through measures, including technical aids, aiming to overcome barriers to communication and mobility and enabling access to transport, housing, cultural activities and leisure.

Article 16 – The right of the family to social, legal and economic protection

With a view to ensuring the necessary conditions for the full development of the family, which is a fundamental unit of society, the Parties undertake to promote the economic, legal and social protection of family life by such means as social and family benefits, fiscal arrangements, provision of family housing, benefits for the newly married and other appropriate means.

Article 17 – The right of children and young persons to social, legal and economic protection

With a view to ensuring the effective exercise of the right of children and young persons to grow up in an environment which encourages the full development of their personality and of their physical and mental capacities, the Parties undertake, either directly or in co-operation

with public and private organisations, to take all appropriate and necessary measures designed:

1. a. to ensure that children and young persons, taking account of the rights and duties of their parents, have the care, the assistance, the education and the training they need, in particular by providing for the establishment or maintenance of institutions and services sufficient and adequate for this purpose;
b. to protect children and young persons against negligence, violence or exploitation;
c. provide protection and special aid from the state for children and young persons temporarily or definitively deprived of their family's support;
2. to provide to children and young persons a free primary and secondary education as well as to encourage regular attendance at schools.

Article 27 – The right of workers with family responsibilities to equal opportunities and equal treatment

With a view to ensuring the exercise of the right to equality of opportunity and treatment for men and women workers with family responsibilities and between such workers and other workers, the Parties undertake:

1. to take appropriate measures:
 - a. to enable workers with family responsibilities to enter and remain in employment, as well as to reenter employment after an absence due to those responsibilities, including measures in the field of vocational guidance and training;
 - b. to take account of their needs in terms of conditions of employment and social security;
 - c. to develop or promote services, public or private, in particular child daycare services and other childcare arrangements;
2. to provide a possibility for either parent to obtain, during a period after maternity leave, parental leave to take care of a child, the duration and conditions of which should be determined by national legislation, collective agreements or practice;
3. to ensure that family responsibilities shall not, as such, constitute a valid reason for termination of employment.

Convention on the adoption of children (1967, revised 2008)

This Council of Europe Convention applies to national adoption and is thus complementary to the 1993 Hague Convention on Intercountry adoption. The revised Convention (opened for signature in 2008) reflects the social developments of today's Europe as well as the case law of the European Court of Human rights. It is thus an up-to-date set of rules which aims at ensuring that adoptions are carried out in the best possible conditions and with the best interest of the child as its main concern.

Convention on the protection of the children against sexual exploitation and sexual abuse (2007)

The Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse represents a major advance in the field of child protection. This new Convention is the first instrument to establish the various forms of sexual abuse of children as criminal offences, including such abuse committed in the home or family, with the use of force, coercion or threats.

Convention on contact concerning children (2003)

The objects of this Convention are to determine general principles to be applied to contact orders and to fix appropriate safeguards and guarantees to ensure the proper exercise of contact and the immediate return of children at the end of the period of contact. Also to establish co-operation between central authorities, judicial authorities and other bodies in order to promote and improve contact between children and their parents, and other persons having family ties with children.

Convention on the exercise of children's rights (1996)

The object of this Convention is, in the best interests of children, to promote their rights, to grant them procedural rights and to facilitate the exercise of these rights by ensuring that children are, themselves or through other persons or bodies, informed and allowed to participate in proceedings affecting them before a judicial authority.

II. Recommendations of the Committee of Ministers

Recommendation Rec(2008) on strengthening the integration of children of migrants and of immigrant background

Recommendation Rec(2006)19 on policy to support positive parenting

Recommendation Rec(2006)12 on empowering children in the new information and communications environment

Recommendation Rec(2006)5 on the Council of Europe Action Plan to promote the rights and full participation of people with disabilities in society: improving the quality of life of people with disabilities in Europe 2006-2015

Recommendation Rec(2005)5 on the rights of children living in residential institutions

Recommendation Rec(2004)13 on the participation of young people in local and regional life

Recommendation Rec(2003)19 on improving access to social rights

Recommendation Rec(2002)8 on child day-care

Recommendation Rec(2002)4 on the legal status of persons admitted for family reunification

Recommendation Rec(2001)16 on the protection of children against sexual exploitation

Recommendation no. R (98) 8 on children's participation in family and social life

Recommendation no. R (98) 1 on family mediation

Recommendation no. R (96) 5 on reconciling work and family life

Recommendation no. R (94) 14 on coherent and integrated family policies

III. Recommendations of the Parliamentary Assembly

Recommendation 1864 (2009): Promoting the participation of children in decisions concerning them

Recommendation 1828 (2008): Disappearance of newborn babies for illegal adoption in Europe

Recommendation 1778 (2007) on child victims: stamping out all forms of violence, exploitation and abuse

Recommendation 1666 (2004) on a Europe-wide ban on corporal punishment of children 2003

Recommendation 1769 (2006) on the need to reconcile work and family life

Recommendation 1639 (2003) on Family mediation and gender equality

Recommendation 1532 (2001) on a dynamic social policy for children and adolescents in towns and cities

IV. Recommendations and Resolutions of the Congress of Local and Regional Authorities

Recommendation 253 (2008) "The social reintegration of children living and/or working on the streets"

Resolution 271 (2008) "The social reintegration of children living and/or working on the streets"

Recommendation 241 (2008) "Child in the city"

Resolution 258 (2008) "Child in the city"

Recommendation 53 (1999) "Policies for deprived children/adolescents and families"

Resolution 74 (1999) "Policies for deprived children/adolescents and families"