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Ministerial and other Maternity Allowances Bill 2019-2021

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Summary

The [Ministerial and other Maternity Allowances Bill 2019-2021](#) was introduced into the House of Commons on 4 February 2021. It is scheduled to go through all remaining stages of Commons scrutiny on 11 February 2021. The Bill, Explanatory Notes written by the Government and further information can be found [on the Parliamentary website](#).

Why is the Bill needed?

The Bill's aim is to allow Ministers to take paid maternity leave whilst remaining in government.

Current arrangements for Ministerial maternity leave are set out in the [Ministerial Code](#). A Minister who wants to go on maternity leave must seek permission from the Prime Minister. Another Minister already in government will be asked to temporarily cover the functions and responsibilities of the Minister on leave.

The Government states in the [Explanatory Notes](#) to the Bill that these arrangements are "particularly difficult to apply" to a Minister in a "very senior office" (such as a Secretary of State). This is because the "legal excise of functions of such roles cannot be 'covered' by another Minister."

The Government argues that for these legal functions to be executed, another Minister may have to be appointed to the same rank. There are statutory limits on the number of Ministers (109 paid Ministers in total, and 95 paid or unpaid Ministers in the House of Commons). If another Minister had to be appointed to Cabinet-level to cover maternity leave, the Government states that this could result in a breach of the statutory limit on the number of Ministers.

What does the Bill do?

The Bill would allow the Prime Minister to designate a Minister wishing to take maternity leave as a 'Minister on Leave'. This designation will not count towards the overall number of Ministers when calculating the statutory limits. This means that the Prime Minister can then also appoint someone else to the role vacated by the Minister going on maternity leave, without exceeding the statutory limits on the number of Ministers.

A designation of 'Minister on Leave' would automatically terminate after six months. During that time, the Minister on Leave would be entitled to an allowance equivalent to their Ministerial salary. The Bill does not guarantee that the Minister on Leave will be appointed to their previous ministerial role after their maternity leave ends – as with all ministerial appointments, this is at the discretion of the Prime Minister.

Opposition post holders

The Bill also enables salaried members of the Official Opposition to take six months' paid maternity leave. The Bill applies to: the Leader of the Opposition in both Houses, the Chief Opposition Whip in both Houses, and two Assistant Opposition Whips in the Commons.

Other types of parental leave

The Bill only makes provision for maternity leave for birth mothers.¹ It does not make provisions for other types of leave such as paternity, adoption or shared parental leave.

¹ The Bill applies to Ministers who are pregnant or who have recently given birth. In [R \(TT\) v Registrar for England and Wales \[2019\] EWHC 2384 \(Fam\)](#), the High Court held that as a matter of law the term "mother" means the person who has given birth (see paras. 139 and 251).

Relevance to Devolved Administrations

The Bill applies to UK Government Ministers, not to Ministers in the Scottish Parliament, the Welsh Parliament/Senedd Cymru or the Northern Ireland Assembly.

Statutory maternity leave and pay

Employees who are pregnant are entitled to 52 weeks of maternity leave (26 weeks of ordinary leave and 26 weeks of additional leave). Employees can begin their maternity leave by giving notice any time after the 11th week before the expected week of childbirth. If not already commenced, maternity leave automatically begins the day after childbirth.

Employees who are pregnant and who have worked for their employer for 26 weeks by the 15th week before the expected week of childbirth are entitled to Statutory Maternity Pay (SMP). This is paid at a rate of 90% of the employee's average earnings for the first six weeks. It is then paid at a statutory rate (£151.20 per week) for a further 33 weeks.

Some employees will have a right to enhanced maternity pay under their contract (called 'occupational maternity pay').

Maternity provision for MPs

MPs taking maternity leave can apply to the Speaker for a proxy vote which allows another MP to vote on their behalf. For new mothers, the proxy vote lasts for six months.

MPs continue to receive full pay for six months whilst on maternity leave. MPs on maternity leave can also apply for funding for additional staff. This means MPs may be able to hire a member of staff to cover their constituency duties. However, some MPs have said that they still struggle to obtain funds for maternity cover.

Statistics on maternity pay

A YouGov survey commissioned by Chartered Institute of Personnel and Development found that in 2016 around 18% of organisations had a maternity pay policy of 26 weeks at or near the full rate of pay, similar to the policy outlined in this Bill. This varies considerably between sectors; 42% of organisations in the public sector and 11% in the private sector offered 26 weeks at or near the full pay.

Reaction to the Bill

While the Bill has generally been welcomed by stakeholders, a number of groups have argued that this should be taken as an opportunity to address both wider problems with Statutory Maternity Pay and issues related to maternity leave for MPs.

Commons and Lords stages of the Bill

The Bill passed all of its Commons stages without amendment on 11 February 2021. During debates on Second Reading and in Committee, many MPs expressed support for the Bill. A number of MPs also raised concern about the Bill having too narrow a scope. Some noted that the Bill did not make provision for paternity, adoption or shared parental leave. Others argued that the Bill should have been taken as an opportunity to address problems with parental cover for MPs and wider problems with maternity leave and pay.

During the Lords stages of the Bill, the Government accepted an amendment to replace the gender-neutral term "person" with the term "mother" and "expectant mother". This amendment was accepted by the House of Commons. No other amendments were made.

The Bill passed all of its stages and was given Royal Assent on 1 March 2021.

1. Background

1.1 Why is the Bill needed?

There are statutory limits on the number of Ministers at any one time, and governments typically operate at or close to this limit.

There are arrangements that allow for some Ministerial duties to be covered by others in government if a Minister takes temporary leave. But the Government states that these arrangements are difficult to extend for a prolonged period of time to the duties carried out by a Cabinet Minister or Secretary of State.

So, if a Cabinet Minister or Secretary of State wants to take maternity leave, the government argues that they might need to resign their office. Similar constraints may exist for salaried members of the Opposition.

The *Ministerial and Other Maternity Allowances Bill* seeks to address this issue by providing for Ministers to take paid maternity leave for six months. It does this by allowing the Prime Minister to designate a Minister who wants to take maternity leave as a 'Minister on Leave'. A temporary minister can then be appointed to cover their duties without exceeding the limit on the size of the government.

The Prime Minister made a [Written Statement](#) on 4 February setting out the Government's arguments in favour of their approach.² The Government also placed a Deposited Paper in the Libraries of both Houses called [Maternity leave and other absences by Ministers](#) which explains the policy in more detail.³

1.2 Constraints on the number of ministers

The [Ministerial and Other Salaries Act 1975](#) sets out the maximum number of paid Ministerial posts: 109 salaried Ministers in either House. This is broken down by category:

- There can be up to 21 Cabinet Ministers excluding the Lord Chancellor (in the Act, the Lord Chancellor is listed separately).
- There can be up to 50 Cabinet Ministers, Ministers of State, and other Ministers heading government departments. Assuming that the maximum number of paid Cabinet Ministers are appointed, there can be a maximum of 29 other such Ministers.
- There can be a total of 83 Cabinet Ministers, Ministers of State and Parliamentary Secretaries. Therefore, if the maximum number of Cabinet Ministers and Ministers of State are appointed, there can be a maximum of 33 Parliamentary Secretaries (excluding the Parliamentary Secretary to the Treasury – known as the Chief Whip – who is a Cabinet Minister or Minister of State).
- There can be up to 3 law officers.

² [HCWS765](#), 4 February 2021, *Ministerial and Other Maternity Allowances Bill*

³ [DEP2021-0097](#) (*Maternity leave and other absences by Ministers*)

- There can be up to 22 whips.

The [House of Commons Disqualification Act 1975](#) sets a limit of 95 on the number paid or unpaid Ministers who can sit in the House of Commons.⁴

1.3 Current arrangements for ministerial maternity leave

The [Ministerial Code](#) includes a provision for Ministers who wish to take maternity leave:⁵

Ministers who wish to take maternity leave (of up to 6 months), or other extended absence from Government, must seek the permission of the Prime Minister. Where the Prime Minister agrees to such a request, the Minister must not exercise their functions as a Minister during their period of absence unless this is agreed by the Permanent Secretary and the Minister who is temporarily covering the Ministerial responsibilities.

The Minister must seek permission from the Prime Minister for extended leave. Another Minister already in government will be asked to temporarily cover the functions and responsibilities of a Minister on leave.

The Explanatory Notes to the Bill state that:⁶

Desk notes have been developed for departments to reflect the practical arrangements they should take to support Ministers while on maternity leave...

In recent years, several ministers have taken maternity leave and returned to their ministerial posts afterwards, including Kemi Badenoch⁷ and Chloe Smith,⁸ both in 2019.

However, the Government states that these arrangements are “particularly difficult to apply” to a Minister in a “very senior office” (such as a Secretary of State). This is because the “legal exercise of functions of such roles cannot be ‘covered’ by another Minister.”⁹

The Government argues that for these legal functions to be executed, another Minister would have to be appointed to the same rank. This could result in a breach of the statutory limit on the number of Ministers.

⁴ [House of Commons Disqualification Act 1975](#), Section 2

⁵ Cabinet Office, [Ministerial Code](#), August 2019, para 4.11

⁶ Cabinet Office, [Explanatory Notes for the Ministerial and Other Maternity Allowances Bill](#), para 9

⁷ FE Week, [Meet the unpaid temporary minister helping cover the FE brief](#), 4 September 2019

⁸ Eastern Daily Press, [Norwich North MP Chloe Smith starts maternity leave - but will use proxy vote on key issues](#), 26 April 2019

⁹ Cabinet Office, [Explanatory Notes for the Ministerial and Other Maternity Allowances Bill](#), para 10

The All-Party Parliamentary Group 'Women in Parliament' also noted that:¹⁰

...while Ministers are now entitled to take maternity and paternity leave, and their work is covered by Ministerial colleagues, there is no additional funding to pay the covering Ministers for their additional responsibilities.

1.4 Statutory maternity leave and pay

Maternity leave

All employees who are pregnant have a right to maternity leave. The right is set out in the [Employment Rights Act 1996](#) and the [Maternity and Parental Leave etc. Regulations 1999](#).

It is a 'day-one' right, meaning an employee does not need to have worked for their employer for a minimum period of time to be eligible.

However, the right only covers those who are [employees](#) within the meaning of employment law. Those who are [workers](#), including many zero-hours workers and agency workers, are not covered.

Employees have a right to 26 weeks of ordinary maternity leave (OML) and 26 weeks of additional maternity leave (AML). Leave must be taken in one continuous block (although employees can curtail their maternity leave and take [Shared Parental Leave](#) in separate blocks).

During both OML and AML employees continue to enjoy the same terms and conditions as if they had not been absent. The key difference is that when an employee returns from AML their employer can offer them a different role provided it is suitable and appropriate and it is not reasonably practicable for the employee to return to their old role.

Employees can give notice to their employer to commence OML any time after the 11th week before the expected week of childbirth (EWC). Leave will automatically begin, at the latest, the day after childbirth.

Statutory Maternity Pay

Employees who have worked for their employer for 26 weeks by the 15th week before the EWC are entitled to Statutory Maternity Pay (SMP). The right is set out in the [Social Security Contributions and Benefits Act 1992](#) and the [Statutory Maternity Pay \(General\) Regulations 1986](#).

For the purposes of SMP, the term 'employee' has a broader meaning, capturing all those who pay Class 1 National Insurance contributions.

However, SMP is only payable to employees whose average weekly earnings are above £120 per week.

An employee must give their employer notice of when they expect liability for SMP to begin. SMP is payable from when the employee stops working (e.g. because they begin maternity leave). As with maternity leave, SMP cannot be taken in blocks as the entitlement will end if the

¹⁰ All Party Parliamentary Group 'Women in Parliament', [Improving Parliament: creating a better and more representative House](#), 2014, p26

employee returns to work (although it is possible for employees to curtail their SMP and take [Shared Parental Pay](#) in separate blocks).

SMP is paid at a rate of 90% of the employee's average earnings for the first six weeks. It is then paid at a statutory rate (£151.20 per week) for a further 33 weeks. Some employees may have a right to enhanced pay under their contract.

1.5 Maternity leave and pay for MPs

MPs are office holders and are not employees. As a result, they are excluded from statutory employment rights such as maternity leave.

For many years, various groups have expressed concern that there were no formal arrangements in place for MPs to take maternity or paternity leave, arguing that a more formalised process was needed to improve inclusivity within Parliament.

In a [2014 report](#), the All-Party Parliamentary Group on Women in Parliament highlighted that discretionary maternity leave meant that MPs seeking to take leave felt they were asking for special treatment:

The lack of formal maternity and paternity leave for MPs is entirely out of step with wider society and gives the impression that the work of a Parliamentarian is not appropriate for those with caring responsibilities. Whilst maternity and paternity leave does exist for MPs in practice, there is no formal system in place. In practice, women who have had babies are usually granted maternity leave, but this is at the discretion of the Whips. Witnesses described to us a feeling of going to the Whips office, forced to beg for 'special treatment' due to their personal circumstances. By formalising provisions through a cross party agreement as to the circumstances in which MPs are entitled to leave, whether for reasons of parenthood, caring, sickness or bereavement, we believe Parliament would signify an openness to a wider pool of candidates, both men and women.¹¹

In a [2016 report](#), Professor Sarah Childs noted that the lack of formal maternity leave meant the UK Parliament was an outlier in comparison to other parliaments:

Arrangements regarding maternity, paternity, parental, adoption, and caring leave for Members are informal and operate at the party level. This no doubt results from the historic maleness of the House. Yet, to become a truly inclusive institution the House of Commons must accommodate and facilitate both the pregnant woman Member and co-parenting and caring MP. [...] provision for maternity leave is, in the majority of parliaments, the same as the national law, although more than one quarter makes no provision. Paternity and Parental leave fare less well, suggesting that the father MP is rarely recognised.¹²

In January 2019, the House of Commons began a pilot scheme of proxy voting for MPs taking maternity, paternity or adoption leave. Under this system, MPs can apply to the Speaker for a proxy vote (which allows another MP to vote on their behalf). For new mothers and primary

¹¹ APPG Women in Parliament, [Improving Parliament: Creating a better and more representative House](#), July 2014, p26

¹² Professor Sarah Childs, [The Good Parliament](#), July 2016, p20

adopters the duration of the proxy vote is six months. For new fathers, partners or second adopters the duration is two weeks. The proxy voting system was permanently adopted in September 2020.¹³

For a detailed overview of proxy voting and the alternatives, see the Library Briefing, [Proxy voting in divisions in the House \(CBP-8359\)](#).

MPs' pay is set by the Independent Parliamentary Standards Authority (IPSA). [IPSA guidance](#) explains that if an MP takes leave following the birth or adoption of a child, they will continue to receive their full salary:

We recognise the importance of balancing work and home life, and offer the following support to MPs taking leave on the arrival of a baby:

- MPs are paid their full salary throughout their period of leave
- MPs continue to have full access to all their budgets that support their work, such as office, accommodation, staffing and travel costs
- MPs can receive funding for additional staff to cover their absence
- MPs and their office can have a single point of contact at IPSA to assist them during the period of parental leave¹⁴

The combined effect of the proxy voting system and the IPSA rules is that MPs can take maternity leave on full pay for up to six months.

An MP's role is, of course, not confined to Parliamentary activities. In 2019, Stella Creasy MP called on IPSA to provide additional funding so that she could hire a new member of staff to cover her constituency duties while she was on maternity leave.¹⁵ IPSA ultimately agreed to provide additional funding so that a "locum MP" could be hired.¹⁶

The [IPSA guidance](#) says that MPs on leave can apply for funding for additional staff cover, either by amending existing staff roles or by hiring new staff.

Maternity leave and pay for Ministers

Ministers who are MPs receive a salary in their capacity as an MP and may also receive a salary in their capacity as a Minister.

Ministers who are taking maternity leave will, in their capacity as an MP, be able to arrange proxy votes and will continue to be paid their MP's salary by IPSA. As noted earlier in this paper, in certain cases Ministers may also be able to take maternity leave from their Ministerial duties and arrange for them to be covered by another Minister.

However, the Government states that, for Cabinet Ministers and Secretaries of State, "the legal exercise of functions of such roles cannot

¹³ UK Parliament, [MPs Guide to Procedure: Proxy voting](#)

¹⁴ IPSA, [Leave and holidays: MPs taking leave for the birth or adoption of a child](#)

¹⁵ "I'm pregnant and forced to choose between being an MP and a mum", *The Guardian* [online], 17 June 2019 (accessed 8 February 2021)

¹⁶ "[Stella Creasy: UK's first 'locum MP' to cover maternity leave](#)", *BBC* [online], 3 October 2019 (accessed 8 February 2021)

be 'covered' by another Minister."¹⁷ This means that an additional Cabinet-level Minister may need to be appointed to provide cover, which could breach the statutory limit on the number of Ministers.

¹⁷ Cabinet Office, [*Explanatory Notes for the Ministerial and Other Maternity Allowances Bill*](#), para 10

2. The Bill

The [*Ministerial and other Maternity Allowances Bill 2019-20*](#) (HC Bill 255) received its First Reading in the House of Commons on 4 February 2021.

The House of Commons will be asked to approve a Business Motion to consider all subsequent stages of the Bill on 11 February 2021.

The government has published [Explanatory Notes](#) to the Bill.

2.1 What does the Bill do?

The objective of the Bill is to allow Ministers to take paid maternity leave, whilst remaining part of the government.

‘Minster on leave’

The Bill achieves this by allowing the Prime Minister to designate a Minister wishing to take maternity leave as a ‘Minister on Leave’. This post will not count towards the overall number of Ministers. This means that the Prime Minister can then also appoint someone else to the role vacated by the Minister going on maternity leave, without exceeding the number of Ministers set out in the *Ministerial and Other Salaries Act 1975* and the *House of Commons Disqualification Act 1975* (discussed earlier in this paper).

A designation of ‘Minister on Leave’ would automatically terminate after six months. During that time, the Minister on Leave would be entitled to an allowance equivalent to their Ministerial salary. The Bill does not guarantee that the Minister on Leave will be appointed to their previous ministerial role after their maternity leave ends – as with all ministerial appointments, this is at the discretion of the Prime Minister.

Opposition post holders

The Bill also enables salaried members of the Official Opposition to take paid maternity leave for six months. The Bill applies to those Opposition posts specified in the *Ministerial and Other Salaries Act 1975*: the Leader of the Opposition in both Houses, the Chief Opposition Whip in both Houses, and two Assistant Opposition Whips in the Commons.

The Bill provides maternity leave for these posts in a different way to government Ministers. The Leader of the Opposition in the relevant House may temporarily appointed someone else to the office holder’s role. The office holder on maternity leave would remain in post and would continue to receive their salary. The Bill authorises the same salary to be paid to the person covering their role.

Other types of parental leave

The Bill only makes provision for maternity leave, it does not make provisions for other types of parental leave such as paternity leave, adoption leave or shared parental leave.

Relevance to Devolved Administrations

The Bill applies to UK Government Ministers, not to Ministers in the Scottish Parliament, the Welsh Parliament/Senedd Cymru or the Northern Ireland Assembly.

Fast track legislation

The Government has asked Parliament to expedite the progress of the Bill. It intends that all remaining Commons stages will be taken on 11 February 2021.

To explain why the Bill is being fast tracked now, the Explanatory Notes state that:¹⁸

The issue has been brought to the fore by a specific individual case of a holder of an individual ministerial office wishing to take maternity leave. Were the Bill not to get Royal Assent swiftly, this individual would lose out on the benefits provided by the Bill.

Clause 1

Clause 1 sets out that the Prime Minister may designate someone as a 'Minister on Leave'. The Minister's due date must be no more than 12 weeks away, or they must have given birth within the last four weeks.

Ministers eligible to be designated a Minister on Leave include all Cabinet Ministers, all Ministers of State, all Parliamentary Secretaries and all government whips. Parliamentary Private Secretaries are not members of the government and so are not eligible.

On designation as a Minister on Leave, the person ceases to hold their previous post. But Ministers on Leave remain part of the government because they continue to hold a ministerial office.

The designation of Minister on Leave automatically ends six months after the day of designation. It can end earlier if the Minister is appointed to a new ministerial role or if they resign.

Clause 2

This clause deals with the amount and rules around payment to Ministers on Leave.

A Minister on Leave will receive an allowance set at six times the monthly ministerial salary they received in the post they left to become a Minister on Leave, paid in six monthly instalments. An unpaid Minister can be appointed a Minister on Leave, but will not be eligible for these payments.

If a person ceases to be a Minister on Leave before the end of the six-month period, they are entitled to receive the remainder as a lump sum. If a Minister on Leave is appointed to another ministerial office before the end of the six-month period, they are not entitled to receive the remainder of the payments.

¹⁸ Cabinet Office, [Explanatory Notes for the Ministerial and Other Maternity Allowances Bill](#), para 25

Clause 3

This clause sets out how the Bill interacts with other legislation related to ministerial offices and pay.

When a person is designated a Minister on Leave and this exceeds the statutory limits on the number of Ministers, they will not be subject to the consequences set out in the [House of Commons Disqualification Act 1975](#) for six months from the day of appointment.

A Minister on Leave will receive an 'allowance', but this will not count as a 'salary' under the [Ministerial and Other Salaries Act 1975](#).

A Minister on Leave who leaves office will be eligible to a lump sum, under provisions in the [Ministerial and other Pensions and Salaries Act 1991](#).

Clauses 4, 5 and 6

These clauses enable payments to people appointed to cover holders of the salaried Opposition offices, set out in the [Ministerial and Other Salaries Act 1975](#).

The eligible offices are the Leaders of the Opposition in the Commons and Lords, the Chief Opposition Whips in the Commons and Lords and two Assistant Opposition Whips in the Commons.

If the holders of these posts wish to take maternity leave, then the Leader of the Opposition in the relevant House is entitled to appoint someone to cover their role for six months.

The person appointed to provide cover is to be paid an allowance equivalent to the salary of the Opposition office holder taking maternity leave. This allowance is paid under provisions in the [Constitutional Reform and Governance Act 2010](#), which allows for Opposition office holders to be covered by the Ministerial Pension Scheme (no equivalent provision is needed for Ministers on Leave because they are already covered by the Ministerial Pension Scheme due to their ministerial status).

The Opposition office holder on maternity leave will continue to receive their salary for six months.

The temporary appointment to cover maternity leave will automatically end after six months, or earlier if it is terminated by the person who made the appointment.

Clause 7

If the Bill becomes an Act, the Act's territorial extent (where it will form part of the law) will be the whole of the UK. The Act's application (where it will have a practical effect) will also be the whole of the UK.

The Act will come into force on the day it receives Royal Assent (after it has passed all stages in the Commons and the Lords).

The Act will be the Ministerial and other Maternity Allowances Act 2021.

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The Bill gives rise to new public expenditure, and therefore a money resolution will be required. The Bill does not raise any taxes or fees and so a ways and means resolution is not required.¹⁹

¹⁹ Cabinet Office, [*Explanatory Notes for the Ministerial and Other Maternity Allowances Bill*](#), paras 80 and 81

3. Reaction to the Bill

While the Bill has generally been welcomed by stakeholders, a number of groups have argued that this should be taken as an opportunity to address both wider problems with Statutory Maternity Pay (SMP) and issues related to maternity leave for MPs.

Maternity Action, a maternity rights group, [said on Twitter](#) that the Bill was welcome but highlighted that unlike Ministers, who will receive six months' leave at full pay, employees on SMP receive 90% of salary for the first six weeks and £151.20 per week for 33 weeks thereafter.

They also [criticised the fact](#) that the Government is able fast-track this Bill while refusing to support a [Bill introduced by Maria Miller MP](#) to increase and extend redundancy and discrimination protections for pregnant employees and new mothers. In a [consultation response in July 2019](#) the Government said it would legislate to extend protections for pregnant employees and new mothers. However, their Bill has yet to be introduced.²⁰ Similarly, the Government has yet to respond to a 2019 consultation on [proposals for reforming family-related leave](#).²¹

The Fawcett Society similarly [wrote on Twitter](#) that it supported the Bill but also called on the Government to expand SMP to lower income workers and provide access to well-remunerated leave.

Harriet Harman MP, the longest continuously serving female MP (known as the 'Mother of the House') and Chair of the Joint Committee on Human Rights, welcomed the Bill and the fact that Attorney General Suella Braverman will be able to take maternity leave:

The government could have just ducked this and spread the role round other ministers. But that would have been to undermine the office of Attorney General and a bad thing. They could have asked Suella Braverman to keep a "watching brief" on her office while off with the new baby. But that would have been wrong all round, to the office of Attorney, to Suella as a new mother and to her baby. So, I'm glad the government has made an open decision to ask Parliament to provide for maternity leave for ministers.²²

As with many stakeholders, she also said this should be an opportunity to focus on "inadequate rates" of SMP. She called for the Government to also introduce a right for male Ministers to take paternity leave.

Speaking to *The Guardian*, Stella Creasy MP, who campaigned in 2019 for IPSA to provide additional funding to hire a "locum MP" while she was on maternity leave, said that the Bill was long overdue. However, she argued that MPs still struggle to obtain funding for maternity cover and that a right to paid cover for Ministers gave the impression that maternity leave is a bonus for senior members of the Government.²³

²⁰ [PQ88941 \[on Mothers and Pregnancy: Redundancy\]](#), 21 September 2020

²¹ [PQ140900 \[on Conditions of Employment\]](#), 29 January 2021

²² "[As we celebrate Suella Braverman's maternity leave, we must also guarantee the rights of all new parents](#)", *The House* [online], 4 February 2021

²³ "[Backlash over bill giving UK cabinet ministers paid maternity leave](#)", *The Guardian* [online], 4 February 2021

3.1 Comparing proposed Ministerial Leave to occupational maternity pay schemes

As noted above, the Bill effectively provides for salaried Ministers and salaried Opposition office holders to receive six months maternity leave at full pay. This is more generous than the statutory rate of SMP which is 90% of salary for the first six weeks and £151.20 per week for 33 weeks. Furthermore, Maternity Allowance, which is available to mothers who don't qualify for SMP, is paid at £151.20 for the full 39 weeks.

The [Explanatory Notes to the Bill](#) explain that the rationale for Ministers receiving six months at full pay is that this is comparable to maternity pay in the Civil Service and the Armed Forces.²⁴

This is a reference to occupational maternity pay (OMP). As indicated above, employees can have a right under their contract to an enhanced rate of maternity pay. This is a purely contractual right and may be subject its own specific eligibility requirements.

OMP may cover the full 39 weeks (or more) or it may cover part of the 39 weeks, in which case the employee would switch back to the statutory rate of SMP. If an employer pays OMP, that can be offset against any SMP the employer is liable to pay the employee.²⁵

Statistics on occupational maternity pay

A YouGov survey commissioned by CIPD found that in 2016 around 18% of organisations had a maternity pay policy of 26 weeks at or near the full rate of pay, similar to the policy outlined in this Bill.²⁶ This varies considerably between sectors; 42% of organisations in the public sector and 11% in the private sector offered 26 weeks at or near the full pay.

48% of organisations reported that they offer the statutory minimum requirement, and 14% of organisations reported that they offer something between the statutory minimum and 26 weeks at or near the full rate of pay. 20% reported another policy or didn't know.

Maternity pay policy in organisations

2016

	All	Private Sector	Public Sector	Voluntary Sector
Statutory minimum requirement	48%	56%	23%	38%
Equivalent/similar to Ministers' new maternity pay (26 weeks at/near full pay)	18%	11%	42%	17%
In between	14%	15%	11%	18%
Other/don't know	20%	18%	23%	28%

Notes: sample size of 1,049 employers. Some totals do not sum to 100 because of rounding.

Source: CIPD, [Labour market outlook](#), December 2016

²⁴ [Explanatory Notes to the Ministerial and other Maternity Allowances Bill](#), para. 14

²⁵ Reg. 19, [Statutory Maternity Pay \(General\) Regulations 1986 \(SI 1986/1960\)](#)

²⁶ Chartered Institute of Personnel Development, [Labour market outlook](#), December 2016

Occupational Maternity Pay in the public sector

As noted above, the Explanatory Notes to the Bill cite maternity pay arrangements in the Civil Service and Armed Forces as the justification for giving Ministers a right to six months' leave at full pay.

The maternity pay arrangements for the Civil Service are determined by each department. Answers to a series of Parliamentary Questions in 2014 showed that most departments had similar rules and civil servants with at least one year's service were entitled to 26 weeks maternity leave at full pay followed by 13 weeks of SMP at the statutory rate.²⁷

The maternity pay arrangements for the Armed Forces are set out in the [Tri-Service Regulations for Leave and Other Types of Absence \(JSP 760\)](#). This provides for 26 weeks of maternity leave at full pay for service personnel with one year's continuous service by the 15th week before the expected week of childbirth (EWC). In order to be eligible for leave on full pay, they must also intend to return to service for at least as many weeks as weeks of leave they took. Service personnel who do not meet these requirements may be eligible for SMP at the statutory rate.

The rates of occupational maternity pay vary across the public sector.

The maternity pay arrangements for the police are set in accordance with the [Police Regulations 2003](#). In January 2021, members of the police force were given a right to 26 weeks maternity leave at full pay (an increase from 18 weeks). In order to be eligible, the person must have 63 weeks of continuous service by the 15th week before the EWC.²⁸ Those who do not meet these conditions may be eligible for SMP at the statutory rate.

The maternity arrangements for NHS doctors are set out in the NHS [Terms and Conditions of Service Handbook](#). This provides for 8 weeks of maternity leave at full pay followed by 18 weeks of leave at half pay for doctors who have one year's continuous service by the 11th week before the EWC. In order to be eligible, they must intend to return to work for at least three months once leave ends.²⁹ Again, those who do not meet these conditions may be eligible for SMP at the statutory rate.

The maternity arrangements for teachers in local authority schools are set out in the [Conditions of Service for School Teachers in England and Wales](#) (the 'Burgundy Book'). This provides for maternity leave at full pay for 4 weeks, 90% of pay for 2 weeks and half pay for 12 weeks for teachers who have one year's continuous service by the 11th week before the EWC.³⁰ Teachers who do not qualify for OMP may be eligible for SMP at the statutory rate.

²⁷ [HC Deb 3 March 2014 c683-4W](#) (Department for Work and Pensions); [HC Deb 3 March 2014 c663W](#) (Cabinet Office); [HC Deb 3 March 2014 c654W](#) (Department for Health); [HC Deb 3 March 2014 c719W](#) (Department of Defence); [HC Deb 28 February 2014 c509W](#) (Department for Energy and Climate Change); [HC Deb 27 February 2014 c433-4W](#) (Home Office)

²⁸ Home Office, [Circular 003/2020: amending annexes L, R under Police Regulations 2003](#), 8 January 2021

²⁹ NHS Employers, [Maternity leave and pay - Section 15](#), May 2017

³⁰ Local Government Association, [Maternity: School teachers Q&A September 2019](#), September 2019

4. Commons stages of the Bill

The [Ministerial and other Maternity Allowances Bill 2019-21](#) passed all of its Commons stages without amendment on 11 February 2021. During [debates on Second Reading](#) and [in Committee](#), many MPs expressed support for the Bill. However, a number of MPs also raised concern about the Bill having too narrow a scope. Some noted that the Bill did not make provision for paternity, adoption or shared parental leave. Others argued that the Bill should have been taken as an opportunity to address problems with parental cover for MPs as well as problems with the wider framework for maternity leave and pay.

4.1 Maternity provision for MPs and others

As discussed above, MPs who wish to take parental leave can apply for a proxy vote and continue to receive their salary. However, if they wish to arrange additional staff cover for their constituency duties, they have to make an application to IPSA's contingency fund.³¹

Prior to the debates on the Bill, Stella Creasy MP said she was considering bringing legal action against the Government for making provision for paid cover for Ministers while not doing so for MPs.³² During the Committee stage debate, she argued that the provision of IPSA funding for staff cover was inconsistent:

It is really important that we are honest about the lack of clarity. As I have said, there is not a formal maternity leave scheme or formal maternity cover. Unless the hon. Gentleman is suggesting that if an MP disappears for six months, nobody would notice because they do not do anything, then there is work to be covered. The point about this legislation is that it recognises that. It is not about the pay—that is a red herring in this environment. It is about having somebody to cover the work we do outside of this room: the campaigns we run, the constituency events we attend, and the casework we do. For me, it was not acceptable to ask my staff to fill in everything that I did for six months, and expect my constituents to have a reduced service as a result, rather than to have somebody cover those roles.³³

She indicated that the Bill could be challenged under the [Human Rights Act 1998](#) as the provision of paid cover for Ministers but not MPs would be a violation of Article 8 of the [European Convention on Human Rights](#) (right to family life) read with Article 14 (prohibition of discrimination).³⁴

The Supreme Court has held that there are four things that need to be shown in order for a claim under Article 14 ECHR to succeed:

In order to establish that different treatment amounts to a violation of article 14, it is necessary to establish four elements. First, the circumstances must fall within the ambit of a Convention right. Secondly, the difference in treatment must have been on the ground of one of the characteristics listed in article 14 or

³¹ IPSA, [Leave and holidays: MPs taking leave for the birth or adoption of a child](#)

³² "[Pregnant Labour MP threatens legal action over maternity leave for top ministers](#)", *The Guardian* [online], 10 February 2021

³³ [HC Deb 11 February 2021 c577](#)

³⁴ [HC Deb 11 February 2021 c575](#)

“other status”. Thirdly, the claimant and the person who has been treated differently must be in analogous situations. Fourthly, objective justification for the different treatment will be lacking.³⁵

Discrimination on the basis of “other status” can arise in a range of different circumstances. The Supreme Court has found, for example, that the exclusion of judges from whistleblower protections because they are office holders and not employees amounted to a violation of Article 10 (freedom of speech) read together with Article 14.³⁶

Claimants must show that they are being treated differently to someone in an analogous situation. This does not require a direct comparator and courts are normally willing to find that two groups are comparable.³⁷ The key issue will often be whether the differential treatment is justified.

Pay for Ministers is regulated directly by statute whereas MPs’ pay and expenses are regulated independently by IPSA, a point made by the Paymaster General, Penny Mordaunt, responding for the Government:

We respect the independence of IPSA, and while we have to work with it—the Government have committed to supporting it—and the House authorities, all Members of the House will want to contribute to this important analysis. We want to look at custom and procedure. We also want to examine what legislative change may be required, particularly with regard to Ministers, which is the most complex issue. Recommendations by and to IPSA will be made through the usual channels. There has been quite a large amount of discussion about this already, with the help of the Opposition. As I have said, the Government will support IPSA on any of that work, and on any of the issues that we are all seeking to address. Its independence will be respected in line with its statutory footing.³⁸

Following the debates on the Bill, IPSA published a new [consultation on funding for MP parental leave and cover](#). The consultation proposes to set up an MP Parental Leave Cover Fund. The fund would allow MPs on parental leave to hire new staff to cover their constituency duties. New mothers or primary adopters would be covered for up to seven months whereas fathers, partners and second adopters would be covered for two weeks.³⁹ The consultation closes on 1 March 2021.

Maternity pay for MPs’ staff and councillors

A number of MPs raised concerns about other groups who do not have access to maternity pay or cover. Jim Shannon MP argued that maternity pay and cover should be extended to councillors as well as to the devolved assemblies.⁴⁰ Meanwhile Wendy Chamberlain MP noted that under IPSA contracts, MPs’ staff are only entitled to maternity leave on full pay if they have worked for the same MP for a year (which causes difficulties for staff who frequently move between MPs).⁴¹

³⁵ [R \(Stott\) v Secretary of State for Justice \[2018\] UKSC 59](#), para. 8

³⁶ [R \(Gilham\) v Ministry of Justice \[2019\] UKSC 44](#)

³⁷ [AI \(Serbia\) \(FC\) v Secretary of State for the Home Department \[2008\] UKHL 42](#)

³⁸ [HC Deb 11 February 2021 c590](#)

³⁹ IPSA, [Consultation: Funding for MP parental leave cover and staff reservists leave](#), February 2021

⁴⁰ [HC Deb 11 February 2021 c569](#)

⁴¹ [HC Deb 11 February 2021 c586](#)

4.2 Ministerial Leave for fathers, partners and adopters

As noted above, the Bill only makes arrangements for birth mothers to take Ministerial Leave. There is no provision for leave equivalent to paternity, adoption or shared parental leave.

The fact that the Bill does not make provision for fathers, partners or adopters was criticised by a number of MPs, including Rachel Reeves, the Shadow Chancellor of the Duchy of Lancaster, and Cat Smith, the Shadow Minister for the Cabinet Office.⁴²

Richard Holden MP noted that men often felt unable to take paternity leave and that take-up of shared parental leave was extremely low. He argued that the Bill was sending the wrong message by failing to make provision for paternity, adoption and shared parental leave:

I want to say a little about the equalities impact assessment proposed in new clause 1, because it has raised broader issues about paternity leave, adoption leave and shared parental leave. It is clear from today's debate that fathers have been a bit of an afterthought. A report published by the Chartered Institute of Personnel and Development in December 2020 found that 73% of men feel stigmatised over taking just the two weeks of paternity leave, never mind any longer, and 95% of men said that their workplace culture prevents them from taking extended paternity leave and that really needs to change. In fact, a report by Her Majesty's Revenue and Customs has found that the proportion of fathers taking paternity leave actually fell between 2018 and 2019, from 32% to 31%, and that just 1% of parents take shared parental leave, according to the most recent figures available.

We have a huge leadership role to play here. The Minister indicated on Second Reading that this issue will be rectified later, and I look forward to her re-emphasising that commitment shortly, because at this important stage, messages from the Dispatch Box are necessary to show all of us that fathers are important, and that equality for mothers and fathers will not be achieved until we allow them to step up.⁴³

The Paymaster General, Penny Mordaunt, noted that arrangements for two weeks of paternity leave can already be made under the current system. However, she acknowledged that the Bill was narrow in scope and that issues around paternity, adoption and shared parental leave needed to be resolved. She suggested that further legislation would be brought forward before the summer recess.⁴⁴

4.3 Equality impact assessment

A number of MPs expressed concern that no equality impact assessment (EIA) had been published alongside the Bill. An amendment in the name of Stella Creasy ([New Clause 1](#)) would have required the Government to publish an EIA within three months of the Act coming into force.

⁴² [HC Deb 11 February 2021 c531](#) and [c589](#)

⁴³ [HC Deb 11 February 2021 c588](#)

⁴⁴ [HC Deb 11 February 2021 c559](#) and [c589](#)

Caroline Noakes MP, Chair of the Women and Equalities Committee, argued that EIAs are vital in ensuring that legislation does not overlook equalities issues:

There is a danger that legislation introduced at pace will overlook equalities considerations. We have seen that occur throughout the pandemic. Measures introduced with good intentions for good purposes have sometimes had impacts that had not fully been considered from an equalities perspective. Please can we try to avoid the same mistake here? By not including adoption leave or provision for surrogacy, are we perhaps inviting equalities challenges further down the line? I would like an assurance from my right hon. Friend that an equalities impact assessment will be done, and I would like that to be given to us from the Dispatch Box today.⁴⁵

Kirsten Oswald MP, the SNP spokesperson on woman and equalities, argued that an EIA might have highlighted the need for the Bill to focus on wider maternity rights issues:

There is no doubt that an equalities impact assessment is a vital way of dealing with some of the issues with the Bill. The recent Petitions Committee report that we have spoken about highlights some of the issues that need to be addressed when introducing reforms in this area. Recognising that the eyes of the country will be on the changes, we need to avoid creating a two-tier system. We cannot have a good system for Ministers and holders of other high-powered posts and a second-rate system for everyone else.

An equality impact assessment might have thrown up the need to address some of the wider issues in order to avoid that two-tier perception. It would also have highlighted that parental leave more broadly is vital to shattering the glass ceiling, and that too many barriers are still in place relating to caring responsibilities. When this Bill comes back, as the Minister has promised it will, it needs to address those issues.⁴⁶

Responding to these concerns, Penny Mordaunt said the Government wanted to carry out an impact assessment of the Bill and broader maternity rights issues. She said a note to this effect had already been shared with the Opposition and that it would be placed in the Library.⁴⁷

The Bill passed its Commons stages without New Clause 1 being added.

4.4 Gender-neutral language

A number of MPs expressed concern about the use of gender-neutral language in the Bill. The Bill uses 'person': "the person is pregnant". [Amendments 15 to 19](#) in the names of Sir John Hayes MP and Jackie Doyle-Price MP would have replaced the word "person" with "woman" or "Minister" respectively.

Joanna Cherry QC MP argued that it was important for legislation to reflect the fact that maternity discrimination is rooted in biology:

It is not transphobic to advocate for women's sex-based rights under the Equality Act 2010. It is possible, and right, to support

⁴⁵ [HC Deb 11 February 2021 c536](#)

⁴⁶ [HC Deb 11 February 2021 c566](#)

⁴⁷ [HC Deb 11 February 2021 c590](#)

both trans rights and women’s rights. Neither should be sacrificed for the sake of the other. We can have an inclusive society for everyone without doing that. Sex is a protected characteristic for a very good reason: discrimination against women is rooted in their biology. That is our lived experience. We must find a way to be inclusive without erasing women’s biology and women’s lived experience from the statute book, so why is this Bill doing that?⁴⁸

Tonia Antoniazzi MP noted that employment and equality legislation, including the *Equality Act 2010*, uses “her” and “woman”.⁴⁹

Penny Mordaunt argued that the Government was following a convention on gender-neutral drafting that was put in place in 2007:

Legislation is now typically drafted without reference to gender, and I fully recognise that certain phrases can jar in the public consciousness and leave us open to legal challenge. As I have said, this is not a new convention and it has the specific example of the clauses before this House today. [...]. I do not think that the clarity of the Bill would be aided by the amendments, which, taken together with the others standing in my right hon. Friend’s name, would offer only partial alteration of the Bill’s terminology. The current drafting is legally accurate and clearly covers all women who are pregnant or give birth. I appreciate the strength of feeling he has on this.⁵⁰

The Bill passed its Commons stages without any of the amendments being made.

Gender-neutral language in employment legislation

The [convention on gender-neutral drafting](#) was announced in 2007 by then Leader of the House of Commons, Jack Straw.⁵¹ It is reflected in the Office of Parliamentary Counsel’s Drafting Guidance, which says:

In practice, gender-neutral drafting means two things—

- avoiding gender-specific pronouns (such as “he”) for a person who is not necessarily of that gender;
- avoiding nouns that might appear to assume that a person of a particular gender will do a particular job or perform a particular role (eg “chairman”).⁵²

Most employment legislation uses gendered language when referring to maternity rights issues. The legislation on maternity leave uses “she” and the legislation on statutory maternity pay uses “woman”.⁵³ There are a number of examples of employment legislation enacted after 2007 which still use gendered language, including the *Equality Act 2010*.⁵⁴

However, there are also examples of legislation that has use “person” when referring to pregnancy. This includes the *Pensions Act 2014*, the *Civil Partnerships, Marriages and Deaths (Registration etc.) Act 2019*

⁴⁸ [HC Deb 11 February 2021 c553](#)

⁴⁹ [HC Deb 11 February 2021 c545](#)

⁵⁰ [HC Deb 11 February 2021 c595](#)

⁵¹ [HC Deb 8 March 2007 c146WS](#)

⁵² Office of Parliamentary Counsel, [Drafting Guidance](#), June 2020, para. 2.1.3

⁵³ Section 71, [Employment Rights Act 1996](#); section 164, [Social Security Contributions and Benefits Act 1992](#)

⁵⁴ Section 18, [Equality Act 2010](#)

and the *Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020* (the lockdown legislation).⁵⁵

There is some uncertainty among employment and discrimination lawyers about how the use of gendered language in maternity rights legislation impacts on the rights of people who are transgender. In an Oral Evidence session before the Women and Equalities Committee, Robin White, a barrister at Old Square Chambers, said that she had previously advised a transgender couple that the transgender woman could take maternity leave. Karon Monaghan QC, a barrister at Matrix Chambers, noted that maternity rights legislation was designed to address the biological consequences of pregnancy. She argued that the law should not be interpreted in such a way that the person who gave birth is not entitled to those protections.⁵⁶

There does not appear to be any judicial precedent on how legislation on family leave applies to transgender, intersex or non-binary people.

In 2019, the High Court held that a transgender man who had given birth should be referred to as “mother” on the birth certificate. The court held that, as a matter of law, the term “mother” applied to the person who gave birth, regardless of their gender.⁵⁷ The Court of Appeal upheld the High Court’s decision, although it found it unnecessary to provide a legal definition of the word “mother”.⁵⁸

⁵⁵ Section 30, *Pensions Act 2014*; section 3, *Civil Partnerships, Marriages and Deaths (Registration etc.) Act 2019*; reg. 2, *Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020*

⁵⁶ Women and Equalities Committee, [Oral evidence: Reform of the Gender Recognition Act](#), HC 884, 10 February 2021, Q52

⁵⁷ *R (TT) v Registrar for England and Wales* [2019] EWHC 2384 (Fam), para. 251

⁵⁸ *R (McConnell and YY) v Registrar for England and Wales* [2020] EWCA Civ. 559

5. Lords stages of the Bill

The Bill had its [Second Reading](#) in the House of Lords on 22 February and [Committee stage](#), [Report stage](#) and [Third Reading](#) on 25 February.

5.1 Lords amendments

Most of the [amendments that were tabled in the Lords](#) concerned the issue of gender-neutral language. Lord Lucas tabled amendments to replace the term “person” with “mother or expectant mother”. Lord Hunt of Kings Heath tabled amendments to replace the term “person” with “woman”.

During the Second Reading debate, Lord True, Minister of State in the Cabinet Office, responded for the Government saying that it did not intend to amend the Bill.⁵⁹

However, during the Committee stage debate, Lord True announced that the Government would be supporting the amendments tabled by Lord Lucas. Explaining the Government’s decision, Lord True said:

The Government recognise the strength of feeling on this issue and the desire of your Lordships’ House to give effect to this strength of feeling. The Government recognise the concerns that have been expressed, articulated today by my noble friend in his remarks when moving Amendment 1 and by many others in the debate on Monday, that in meeting the legal requirements of legislative drafting there may be more than one acceptable approach.

The amendments tabled in the name of the noble Lord, Lord Lucas, seek to change the drafting of the Bill to substitute the words “mother or expectant mother” in lieu of the word “person” in various places in Clauses 1 to 3. The Government accept that such an approach to the drafting of the Bill would be legally acceptable and that the intention and meaning of the Bill would be unaffected by such a change.⁶⁰

The amendments tabled by Lord Lucas were passed without a division and those tabled by Lord Hunt of Kings Heath were not moved. No other amendments were made to the Bill during the Lords stages.

5.2 Consideration of Lords amendments

The Bill returned to the House of Commons for [consideration of Lords amendments](#) on 1 March 2021.

Reiterating the Government’s acceptance of the amended language, the Paymaster General, Penny Mordaunt, said:

The amendments that the Government are accepting today to substitute “mother” or “expectant mother” where appropriate for “persons” in clauses 1 to 3, although grammatically challenging in places, do not affect the operation of the Bill and achieve the twin aims of being legally accurate and delivering on the policy intention. Moreover, the use of the word “mother” or

⁵⁹ [HL Deb 22 February 2021 c689](#)

⁶⁰ [HL Deb 25 February 2021 c926](#)

“expectant mother” where appropriate is in line with recent case law of the Court of Appeal, as was noted by Lord Pannick in the House of Lords. These amendments are legally acceptable and the intention and meaning of the Bill would be unaffected by such a change. As discussed previously, the word “woman” or the word “Minister” would have run into legal difficulties, and I hope the words “mother” and “expectant mother” will be acceptable to hon. Members. During the passage of the Bill through the Commons, we also amended the explanatory notes.⁶¹

Crispin Blunt MP, Chair of the All Party Parliamentary Group on Global LGBT+ Rights, questioned whether the perspective of transgender people had been considered in the debate on gender-neutral language:

We currently face a situation where trans people feel under a full-on attack, yet if one listened to their lordships who were making the case for this amendment, one would have thought it was the other way round. The proponent of these amendments said in the other place:

“We are currently faced with a full-on attack on women’s sex-based rights—a misogynistic and bullying campaign which seeks to diminish women’s rights in the name of the rights of trans people.” [*Official Report, House of Lords*, 25 February 2021; Vol. 810, c. 962.]

I want to gently suggest that my noble Friend Lord Lucas turn the board around and see what the perspective is from the other side. The context is wild and exaggerated threats about the position of women’s rights from trans people.⁶²

However, he argued “[a]n innocuous sounding amendment in a tiny, technical Bill aimed at resolving the Attorney General’s maternity leave is not the place to have the fight around the principle.”⁶³

Responding to these concerns, Penny Mordaunt said:

The amendments we are accepting today are legitimate and understandable, and critically they are also legally sound, but let me say in supporting them from this Dispatch Box that trans men are men and trans women are women, and great care has been taken in the drafting and accepting of these amendments to ensure that that message has got across.

So often these issues are presented as an intractable row between two incompatible positions. They are not; they are about all people being able to go about their lives and to be supported in doing so. I know that many hon. Members in this place and their lordships in the other place feel that very strongly and feel a huge responsibility. As a woman, I agree with many of the comments made today. I want the rights of all women to be taken care of and all men to be safeguarded, too.⁶⁴

The Lords amendments were agreed to without a division.

The [Ministerial and other Maternity Allowances Act 2021](#) was given Royal Assent on 1 March 2021.

⁶¹ [HC Deb 1 March 2021 c51](#)

⁶² [HC Deb 1 March 2021 c54](#)

⁶³ Ibid.

⁶⁴ [HC Deb 1 March 2021 c60](#)

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