



SHARED PARENTAL LEAVE POLICY (SPL)

PURPOSE

This policy describes a new kind of leave for parents – Shared Parental Leave (SPL). It sets out the entitlements and provisions for parents who wish to share time away from work to care for their new child, in compliance with legal requirements and to support a more flexible approach for working parents.

The policy is part of our strong commitment to creating a supportive and inclusive workplace for all. We want to enable everyone to contribute fully and develop professionally at work, whilst also managing their wider family needs and responsibilities effectively.

POLICY

Introduction

SPL gives you and your partner more flexibility in how to share the care of your child in the first year of birth or placement for adoption. Employed mothers will continue to be entitled to 52 weeks of Maternity Leave and 39 weeks of statutory Maternity Pay or maternity allowance. An eligible mother can choose to end her Maternity Leave early and with her partner or the child's father, opt for SPL instead of Maternity Leave. They will be able to share a pot of leave and can decide to be off work at the same time and/or take it in turns to have periods to look after the child. There may also be an entitlement to some Statutory Shared Parental Pay (ShPP).

This policy outlines the statutory rights and responsibilities of staff who wish to take SPL and ShPP.

Eligibility

SPL can only be used by two people, the mother/adopter of the child and either the father of the child (in the case of birth), the spouse, civil partner or partner of the child's mother/adopter as long as both parents are sharing the main responsibility for the care of the child at the time of the birth/placement for adoption.

An employee seeking to take SPL must satisfy each of the following criteria:

- You and the other parent must give the necessary statutory notices and declarations. These are:
 - Notice to end any Maternity Leave, Statutory Maternity Pay (SMP) or Maternity Allowance periods (MA), or alternatively
 - Notice to end Adoption Leave or Statutory Adoption Pay (SAP).
- You must have a minimum of least 26 weeks continuous service with us by the end of the 15th week before the child's expected due date/matching date;
- You must still be employed with us at the start of each period of SPL;
- The other parent (your partner in the case of adoption) must have worked for at least 26 weeks of the 66 weeks leading up to the child's expected due date/matching date and have earned an average of at least £30 (this is correct as of 2015 but may change annually) a week during 13 of those weeks.
- You must notify us of your entitlement and provide evidence as required (this is done by completing the Shared Parental Leave Form).

Entitlement

- Eligible employees may be entitled to take up to 50 weeks SPL during the child's first year in their family.
 - SPL cannot commence until the mother has taken the legally required 2 weeks of Maternity Leave immediately following the birth of the child and in the case of the adopter, after taking at least 2 weeks of Adoption Leave.
 - The father/partner/spouse can take SPL immediately following the birth/placement of the child. They may choose to take their paid paternity leave of 2 weeks first as they cannot take paternity leave or pay once they have taken any SPL or ShPP.
- If they reduce their Maternity/Adoption Leave entitlement then they and/or their partner may opt-in to SPL and take any remaining weeks as SPL.
- A mother/adopter may reduce their entitlement to Maternity/Adoption Leave by returning to work before the full entitlement of 52 weeks has been taken, or they may give notice to curtail their leave at a specified future date.

If the employee is eligible to receive Shared Parental Pay (ShPP) it may be paid for some, or all, of the SPL period.

SPL must end no later than 52 weeks after the birth/placement of the child.

Stage 1 – Notification of Entitlement to Shared Parental Leave

You must give your line manager notification of your entitlement and intention to take SPL at least 8 weeks before the date you intend to take it by completing the Shared Parental Leave Form.

By completing the Shared Parental Leave Form you are providing us with the correct notification.

Stage 2 – Booking Shared Parental Leave

You should complete the Period of Leave Notice section of the Shared Parental Leave Form to book SPL.

You have the right to submit 3 notifications specifying leave periods you are intending to take. Each notification may contain either:

- **Continuous leave**, a single period of weeks leave
 - I. This is a number of weeks taken in a single unbroken period of leave (e.g. 6 continuous weeks)
 - II. You have the right to take a continuous block of leave notified in a single notification as long as it does not exceed the total number of weeks SPL available to you
 - III. You may submit up to 3 separate notifications for continuous periods of leave.

OR,

- **Discontinuous leave** where you intend to return to work between periods of leave
 - I. This is a set number of weeks of leave over a period of time, with breaks between the leave where you will return to work (e.g. you will take 6 weeks of SPL and work every other week for a period of 3 months).
 - II. Any requests for discontinuous leave will be carefully considered on a case by case basis, weighing up the potential benefits to the employee and to the Students' Union against any adverse impact to the business. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar pattern of SPL. A request for discontinuous leave may be granted in full or in part e.g. the Students' Union may propose a modified version of the request.
 - III. We have the right to refuse discontinuous leave.

Refusal of Discontinuous Leave

If discontinuous leave is refused you may:

- Withdraw the request without detriment within 15 days of giving the notification, or
- Take the total number of weeks in the period of leave notice in a single continuous block
 - If you choose to take the leave in a single continuous block you have until the 19th day from the date the original notification was given to choose when you want the leave period to begin.
 - The leave cannot start sooner than 8 weeks from the date the original notification was submitted.
 - If you do not choose a start date then the leave will begin on the first leave date requested in the original notification.

SPL can only be taken in complete weeks but may begin on any day of the week (e.g. if a week of SPL began on a Tuesday it would finish on a Monday).

Stage 3 – Discussions regarding Shared Parental Leave

Your manager, upon receiving the Shared Parental Leave Form may write to you to arrange an informal meeting to talk about your SPL booking if required.

Stage 4 - Responding to a Shared Parental Leave notification

Once your manager has considered the details on the Shared Parental Leave Form a response will be provided in writing within 14 days from the leave request confirming the following:

- Confirming if you are entitled to take SPL
- Number of weeks SPL you are able to take
- Numbers of weeks ShPP you are entitled to
- Confirmation of dates of any Continuous SPL Leave booked
- Confirmation or refusal of any Discontinuous SPL Leave booked
- Invite to a meeting to discuss SPL Leave if required

Stage 5 – Variations to arranged Shared Parental Leave

You can vary or cancel an agreed and booked period of SPL provided that you notify your manager in writing at least 8 weeks before the date of any variation.

Any variation or cancellation, including notice to return to work early, will count as a new notification reducing your right to submit 3 notifications by 1.

If the change is as a result of a child being born early, or as a result of the Students' Union requesting it be changed and you are agreeable to this change your right to submit 3 notifications will not be reduced.

Any variation will be confirmed in writing by the HR Department.

Statutory Shared Parental Pay (ShPP)

Eligible employees may be entitled to take up to 37 weeks ShPP while taking SPL. The amount of weeks available will depend on the amount by which the mother/adopter reduces their Maternity/Adoption Pay period or Maternity Allowance period.

ShPP may be payable during some or all of the SPL, depending on the length and timing of the leave. It will be paid at the current rate set by the Government or 90% of your average weekly earnings (whichever is lower).

ShPP is paid to employees who have 26 weeks continuous service by the 15th week of baby's due date at the date they are notified of being matched with a child for adoption and who qualify for statutory Adoption Pay:

- 8 weeks leave on full pay (including ShPP)
- Plus 16 weeks leave at 50% (plus any ShPP not exceeding normal weekly wages)
- Plus 15 weeks ShPP (if due)
- Plus up to 13 weeks of unpaid leave.

To claim ShPP you must satisfy each of the following criteria:

- The mother/adopter must be/have been entitled to Statutory Maternity/Adoption Pay or Maternity Allowance and must have reduced their Maternity/Adoption Pay or Maternity Allowance period
- The employee must intend to care for the child during the week in which ShPP is payable
- The employee must have an average weekly earnings for the period of 8 weeks leading up to and including the 15th week before the child's expected due date/matching date which are not less than the lower earnings limit in force for national insurance contributions
- The employee must remain in continuous employment until the first week of ShPP has begun
- The employee must give proper notification in accordance with the rules set out in this policy

If you are entitled to take ShPP, at least 8 weeks before receiving any ShPP you must give your line manager written notice advising of your entitlement to ShPP. This is included in the Shared Parental Leave Form.

Terms and Conditions during Shared Parental Leave

During the period of SPL all your contracted rights, except pay, will continue as if you were still at work. Your annual leave entitlement will continue to accrue, however any public holidays, University Closure days or Students' Union closure days will not be added as additional leave.

Pension contributions will continue to be made during any period when you are receiving ShPP but not during any period of unpaid SPL. Employee contributions will be based on actual pay and employers' contributions will be based on the salary you would have received had you not been taking SPL.

Childcare Vouchers are a non-cash benefit and will continue to be provided throughout the period of SPL leave. Once there is no contractual pay from which to deduct the cost of vouchers, the Students' Union will continue to provide them.

Shared Parental Leave In Touch Days (SPLIT Days)

You can agree to attend work for up to 20 days during SPL without bringing your period of SPL to an end or impacting on your right to claim ShPP for that week. This could be to attend a training course, meeting or just to keep you informed of developments at work or discuss your plans for your return to work after SPL. These are known as SPLIT days. Any work or training carried out on a day or part of a day shall constitute a day's work for these purposes.

You are not obliged to carry out any work and the Students' Union is not obliged to offer any work during your period of SPL. Any work undertaken will be by mutual agreement.

You will receive full pay for the hours worked on any SPLIT day. If it occurs during a week when you are receiving ShPP, this will be effectively 'topped up' so that you receive full pay for the day in question.

Any SPLIT days worked will not extend the period of SPL.

The Students' Union reserves the right to maintain reasonable contact with you during your SPL.

Returning to Work after Shared Parental Leave and your Rights

You will have been advised in writing of the end date of any period of SPL. You are expected to return to work on the next working day after this date.

You must give 8 weeks written notice if:

- You wish to return to work before the agreed date
 - If you have already given 3 periods of leave notices you will not be able to end your SPL without our agreement.
- You wish to return to work later than the agreed date, assuming you still have unused SPL entitlement remaining
 - If you have already given 3 periods of leave notices you will not be able to extend your SPL without our agreement.

Your Rights

You are entitled to return to work in the same job and on the same terms and conditions if the total of your maternity/paternity/Adoption Leave and SPL amounts to 26 weeks or less.

If the total of your maternity/paternity/Adoption Leave and SPL amounts to more than 26 weeks, or if you take a period of 5 weeks of unpaid parental leave, even if the total weeks of maternity/paternity/adoption and SPL do not exceed 26 weeks you are entitled to return to the same job, however if this is not reasonably practicable, to another job which is both suitable and appropriate and on terms and conditions no less favourable.

If you decide not to return to work after SPL you must give notice in line with the notice period in your contract.

If you wish to put in a flexible working request the procedure for this is set out in the Flexible Working Policy. It is helpful if requests are made as early as possible to help us review and plan things.

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