

SHARED PARENTAL LEAVE AND PAY PROCEDURE

1. INTRODUCTION

The University recognises the importance of ensuring that our employees enjoy a healthy balance between their work and family life. We will support this by offering a range of family friendly rights to our employees including shared parental leave so that new parents can choose how to share the care of their child during the first year of birth or adoption.

The procedure has been developed in conjunction with, and agreed by the recognised trade unions.

An overview of the procedure is available in appendix 1.

2. OBJECTIVES

The objectives of this procedure are to:

- Help employees to understand their entitlements in relation to shared parental leave and pay;
- Inform employees of their rights and responsibilities during shared parental leave and return to work;
- Ensure that employees are treated fairly and consistently during shared parental leave and return to work.

3. ENTITLEMENTS AND ELIBIBILITY

3.1 Shared Parental Leave

If an individual is becoming a parent through birth, adoption or surrogacy they may be entitled to shared parental leave (SPL). This enables parents to decide how to share the care of their child in the first year of their life or adoption.

The maximum amount of leave available to share between the parents is 50 weeks. The first 2 weeks following the birth of a child must be taken as maternity leave by the mother. The first two weeks following the adoption of a child or the birth of a baby by surrogacy must be taken as adoption leave.

Any period of maternity leave or adoption leave taken will be deducted from the 50 weeks SPL, with the balance being available to be shared between the parents.

For the purposes of SPL, 'parent' is defined as the mother, father, joint adopter or the spouse, civil partner or partner (if the individual lives with the child) of the child's mother or primary adopter.

Each parent qualifies for shared parent leave separately.

To be eligible for SPL, an individual must share the main responsibility for the care of the child with the other parent at the point of birth or placement for adoption. They must both also meet the following criteria:

Continuity of Employment Test (You)	Employment and Earnings Test (Your Partner)
<ul style="list-style-type: none"> • Worked for the University for at least 26 weeks – <ul style="list-style-type: none"> (a) at the end of the 15th week before the expected week of childbirth (EWC); or (b) at the week in which the primary adopter is notified of having been matched with a child for adoption; • Still be employed by the University in the first week that SPL is taken. 	<ul style="list-style-type: none"> • Worked (including self-employment and agency work) for at least 26 weeks in the 66 weeks leading up to – <ul style="list-style-type: none"> (a) EWC; or (b) the date that the primary adopter is matched with the child for adoption; • Earned at least £30 a week on average in 13 of those 66 weeks;

Additionally the following eligibility criteria must be met:

- The mother or primary adopter must be entitled to either statutory maternity/adoption leave or statutory maternity/adoption pay or maternity allowance; and
- The mother or primary adopter has ended or given notice to reduce any maternity or adoption entitlements.

3.2 Shared Parental Pay

3.2.1 Statutory Shared Pay

The amount of Statutory Shared Parental Pay (ShPP) available will depend on the amount by which the mother or primary adopter reduces their statutory maternity or adoption pay period.

Individuals may be entitled to up to 37 weeks of ShPP, subject to meeting the following requirements:

- Intends to care for the child whilst receiving ShPP;
- Are eligible for
 - (a) statutory maternity pay or statutory adoption pay; or
 - (b) statutory paternity pay and the mother or primary adopter must have been entitled to statutory maternity/adoption pay or maternity allowance;
- Remain continuously employed by the University until the first week of ShPP.

The Government sets the lower earnings limit and ShPP rates on a yearly basis. These figures can be found on the [Government's website](#).

3.2.2 University Enhanced Shared Parental Pay

In addition to ShPP, the University offers the following enhanced package of Shared Parental Pay for eligible employees:

Continuous Service	Option 1 (intend on returning to work)	Option 2 (intend on returning to work)	Option 3 (do not intend on returning to work)
<p>To qualify, individuals must have more than 26 weeks continuous service at:</p> <p>(a) the beginning of the 15th week before EWC; or</p> <p>(b) the week in which the primary adopter is notified of having been matched with a child for adoption</p>	<ul style="list-style-type: none"> • ShPP may be payable during some or all of SPL depending on the length and timing of the leave • The number of weeks of ShPP available will depend on the amount by which the mother or primary adopter has reduced their statutory maternity/adoption pay or maternity allowance • Entitlements will be calculated in the same way as maternity leave and pay to ensure fairness and consistency. 		
	<ul style="list-style-type: none"> • First 14 weeks of SHPL at full normal pay (to include ShPP) • Following 23 weeks of SPL at ShPP only or 90% of weekly earnings (whichever is less) • Up to 13 weeks of unpaid SPL 	<ul style="list-style-type: none"> • First 6 weeks of SPL at full normal pay (to include ShPP) • Following 16 weeks of SPL at half pay (to include ShPP) • Following 15 weeks of ShPP only or 90% of weekly earnings (whichever is less) • Up to 13 weeks of unpaid SPL 	<ul style="list-style-type: none"> • First 4 weeks at 90% of average earnings (to include ShPP) • Following 33 weeks of the SPL period at ShPP only or 90% of weekly earnings (whichever is less) • Up to 13 weeks of unpaid SPL
	<p>Individuals will be required to pay back 10 weeks full normal pay if they do not return to work for at least three months following SPL.</p>		

Employees that seek to combine maternity leave and pay with SPL and ShPP can only receive the maximum entitlement under the Maternity Leave and Pay Procedure.

4. Procedure

4.1 Maternity/Adoption Leave Curtailment

Individuals who are the mother or primary adopter must curtail their maternity or adoption leave before SPL can start. This must be done in writing at least 8 weeks before they wish to curtail their maternity or adoption leave by submitting **ShPL1** to their line manager and their HR Business Partner.

If the mother or primary adopter is not employed by the University, they must follow their own employer's procedure for curtailing maternity or adoption leave.

The curtailment notice is normally binding and can only be revoked if maternity/adoption leave has not yet ended and one of the following applies:

- If, during the eight weeks before ShPL/ShPP is to start, the individual realises that neither they nor the other parent are in fact eligible, they can revoke the curtailment notice in writing up to eight weeks after it was given
- For mothers, if they gave the curtailment notice before giving birth, they can revoke it in writing up to eight weeks after it was given, or up to six weeks after birth, whichever is later, or
- If the other parent has died

If the individual wish to revoke a curtailment notice, this must be done in writing to the line manager and HR Business Partner.

4.2 Notice of entitlement and intention to take Shared Parental Leave

Individuals must give a notice of entitlement and intention to take shared parental leave, along with a declaration from their partner (ShPL Form 2).

This indication is normally not binding at this stage but individual should give as much information as possible.

4.3 Providing Evidence of Entitlement

We may request further evidence of an individual's eligibility for ShPL. This request will be made within 14 days of the request for ShPL and the individual will have 14 days to respond. We may request evidence of:

- The name and address of their partner's employer;
- A copy of the child's birth certificate or a declaration of the time and place of birth; or
- Documentary evidence of the name and address of the adoption agency, the date that the individual was notified of being matched with the child and the expected date of placement.

4.3 Booking Periods of Shared Parental Leave and Pay

As well as submitting your formal notification of intention and entitlement, employees must also submit written notice to University setting out the start and end dates of each period of SPL requested in that notice by completing Form ShPL3.

ShPL can be taken as a single continuous block or in up to three separate blocks of leave. Leave must be taken in blocks of at least one week but can start on any day of the week.

Individuals are encouraged to advise their line manager of their intention to take shared parental leave and pay at the earliest opportunity. However, a minimum of eight week's notice must be given before the start of the first period of ShPL. This can be submitted at the same time, or at a later date, than the notice of intention and entitlement (Form ShPL2).

Individuals have the opportunity to submit up to three periods of leave. This should be done in writing to their line manager and HR Business Partner using **Form ShPL3**. Each notification may include either:

- A single period of leave; or
- Two or more periods of leave (where an individual intends to return to work in between periods of leave).

Any enhanced maternity, adoption or paternity pay received will be counted towards the entitlements of enhanced Shared Parental Pay.

Employees can vary or cancel their proposed ShPL dates by providing written notice to the University normally within 8 weeks of any scheduled ShPL.

Any period of ShPL will end no later than one year after the birth/placement. Any ShPL not taken by the first birthday/anniversary will be lost.

4.4 Shared Parental Pay

In addition to notifying their line manager and HR Business Partner of their periods of ShPL, individuals must also provide written confirm of their entitlement to ShPP within **ShPL Form3**.

At this point, individuals must also provide a written declaration completed and signed by their partner, which must include the following:

- Their agreement to the employee claiming ShPP and for the organisation to process any ShPP payments to the employee
- In the case whether the partner is the mother/adopter that they have reduced their maternity/adoption pay or maternity allowance
- In the case whether the partner is the mother/adopter that they will immediately inform their partner should they cease to satisfy the eligibility conditions

4.5 Responding to an ShPL Notification

The HR Business Partner will respond to ShPL notifications within 14 days of receipt. All requests for a single continuous block of leave will be confirmed. Each request for discontinuous blocks of leave will be considered on a case by case basis. If we are unable to accommodate an individual's requested dates or leave pattern, we may reject the request or put forward an alternative proposal.

4.6 Fraudulent Claims of ShPL or ShPP

In the event that we suspect or are informed that fraudulent information has been provided when making a claim of ShPL or ShPP, we will investigate the matter in accordance with the University's Disciplinary Procedure.

4.7 Recording

All SPL should be recorded in the University's self-service tool i-Trent to ensure appropriate and accurate records are kept.

4 Terms and Conditions during Shared Parental Leave

During SPL, there will be no change to an individual's core contractual rights or terms and conditions except for pay. All other terms and conditions remain unchanged.

5.1 Pension

Individuals will continue to pay pension contributions in the normal way during paid leave. We will also continue to make pension contributions on the individual's behalf during this time. There is the option to agree to continue these contributions whilst on unpaid leave. Further information on the options available under each pension scheme is available on the intranet. Alternatively, individuals can speak with the University's Pensions Officer.

5.2 Annual Leave and Public Holidays

Contractual annual leave and public holiday entitlement continues to accrue throughout ShPL. Individuals should discuss when this leave will be taken with their line manager. Where possible, all leave should be taken within the leave year in which the entitlement became available.

If an individual decides not to return to work, any annual leave and public holidays due will either be offset against their contractual notice period or paid in their final salary payment.

5.3 Shared Parental Leave in Touch Days (SPLIT)

Individuals and their partner are entitled to up to 20 SPLIT Days throughout the SPL period. The purpose of these days is to allow the individual to undertake work in their normal role, to attend training or work events or to ease their return to work. SPLIT Days are optional and must be agreed with their line manager. They do not have any impact on ShPL or affect pay. These days will be paid at their normal contracted rate of pay and will be offset against any statutory ShPP due.

The individual's line manager will keep them informed of any changes that take place in their department and the University as a whole during SPL, including details of any suitable vacancies. Individuals are also encouraged to stay in contact with their line manager during SPL.

5.4 Returning to Work

Before starting ShPL leave, the HR Business Partner will confirm in writing the date that the individual is expected to return to work. If the individual is unable to return to work on this date due to illness or injury, our normal arrangements for sickness absence will apply.

If an individual decides to come back to work before their expected return date, they must advise their line manager and POD in writing at least 8 weeks before they plan to return.

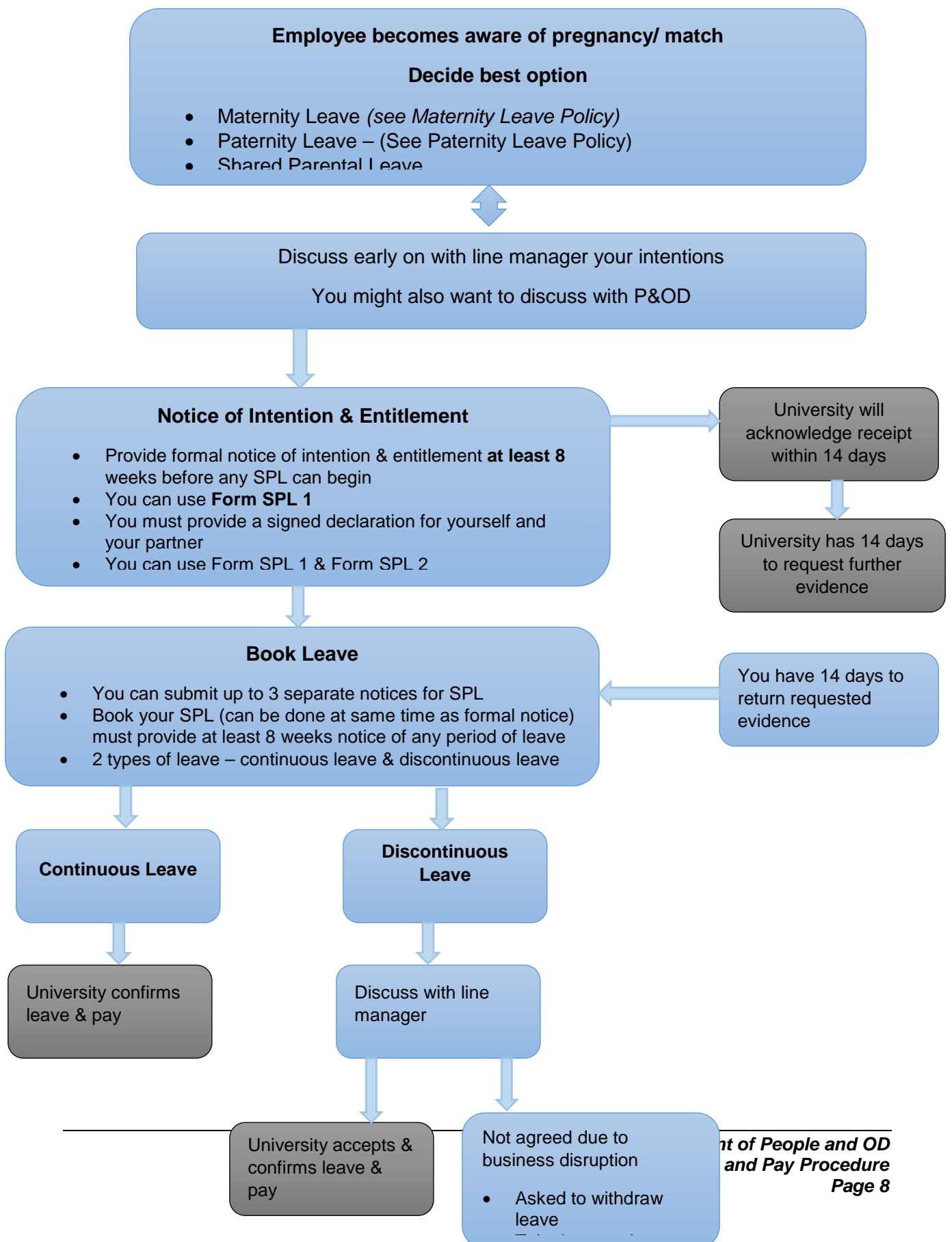
5.5 Rights on Returning to Work

Individuals will have the right to return to the job they did before ShPL, or if that is not practical, to an alternative job that is suitable and appropriate.

Eligible employees have the right to request flexible working and we will give due consideration to such requests. Further information is available in the **University’s Flexible Working Procedure**.

Procedure Author – Employee Relations & Performance Adviser	Procedure Owner – Director of People and Organisational Development
Parent Policy Statement - People and Organisational Development	Public Access or Staff Only Access – Public
Version 2 – Approved June 2018	Changes and Reason for Changes – POD Policy Review

Appendix 1:
The procedure at a glance



Appendix 2

Form ShPL 1 – Maternity Leave Curtailment Notice

Maternity Leave Curtailment Notice

Shared Parental Leave: Maternity Leave Curtailment Notice	
Name:	
Job Title:	
School/Department:	
<i>I wish to bring my maternity leave and pay to an end to be able to take shared parental leave. I have also completed a notice of entitlement and intention to take shared parental leave (ShPL2).</i>	
Section A: Information to be provided by employee (mother)	
I wish to end my maternity leave on:	
I wish my statutory maternity pay period (if applicable) to end on:	
Signed:	Date:
<p>Notes</p> <p>You should complete and submit this form alongside Form ShPL2. Please think very carefully before you submit this form. Once the form is submitted, you can withdraw your maternity leave curtailment form only in limited circumstances.</p> <p>The date on which you end your maternity leave must be at least:</p> <ul style="list-style-type: none"> • Eight weeks after the date on which you provide this notice to the University; • Two weeks after you give birth; and • One week before what you would have been the end of your additional maternity leave 	

Please submit this form to your Line Manager and HR Business Partner

Appendix 2

Form ShPL 2a (The Mother)

Notice of Entitlement & Intention to take Shared Parental Leave

Shared Parental Leave: Notice of Entitlement & Intention	
Name:	
Job Title:	
School/Department:	
<i>I wish to provide the University with an indication of my proposed shared parental leave, as well as the required declarations from myself and my partner</i>	
Section A: Information to be provided by employee (mother)	
My partner's name is:	
My maternity leave and pay started/is expected to start on:	
My maternity leave and pay ended/expected to end on:	
My child's expected week of birth is:	
The total amount of shared parental leave my partner and I have available is:	
I intend to take the following number of weeks shared parental leave (include dates):	
My partner intends to take the following number of weeks shared parental leave (include dates):	
I intend to take shared parental pay on the following dates:	
Section B: Declaration to be completed by the employee	
<p>I satisfy the following eligibility requirements to take shared parental leave:</p> <ul style="list-style-type: none"> • I have 26 weeks continuous employment ending with the 15th week before the expected week of childbirth and, by the week before any period of shared parental leave that I take, I will have remained in continuous employment with the University • At the date of the child's birth, I have the main responsibility, apart from my partner, for the care of the child • I am entitled to statutory maternity leave in respect of the child 	

<ul style="list-style-type: none"> • I have complied with the University's maternity leave curtailment requirements or returned to work before the end of my statutory maternity leave period, and will comply with the University's shared parental leave notice and evidence requirements. • The information I have provided is accurate • I will immediately inform the University if I cease to satisfy the eligibility criteria 	
Signed:	Date:
Section C: Declaration to be completed by employee's partner	
My name is:	
My address is:	
My National Insurance No is:	
<p>I satisfy the following eligibility requirements to enable the mother to take shared parental leave:</p> <ul style="list-style-type: none"> • I have been employed or been self-employed earner in at least 26 of the 66 weeks immediately preceding the expected week of childbirth • I have average weekly earnings of at least £30 for any 13 of those 66 weeks • At the date of the child's birth, I have the main responsibility, apart from the mother, for the care of the child • I am the father of the child, or am married to, the civil partner, or the partner of, the mother • I consent to the amount of shared parental leave that the mother intends to take • I consent to your organisation processing the information provided in this form. 	
Signed:	Date:
<p>Notes</p> <p>The start date of the first period of shared parental leave that you wish to take must be at least eight weeks after you have provided this notice. Shared parental leave must be taken in blocks of at least one week.</p> <p>This notice is to allow the University to check that you are entitled to shared parental leave and to provide the University with an initial indication of the shared parental leave pattern that you wish to take. This notice is not binding and you must give the University a period of leave notice at least eight weeks before the first period of shared parental leave in that notice that you wish to take. Any periods of shared parental leave that you indicate in this notice can be changed at a later date.</p>	

Form ShPL 1b (the Partner):

Notice of Entitlement & Intention to take Shared Parental Leave

Shared Parental Leave: Notice of Entitlement & Intention	
Name:	
Job Title:	
School/Department:	
<i>I wish to provide the University with an initial indication of my proposed shared parental leave, as well as the required declarations from myself and the mother</i>	
Section A: Information to be provided by employee (where employee is the father/partner)	
The mother's name is:	
The mother's maternity leave/pay started/is expected to start on:	
The mother's maternity leave/pay ended/expected to end on:	
The mother is expected to receive the following periods of statutory maternity pay/allowance:	
My child's expected week of birth is:	
The total amount of shared parental leave the mother and I have available is:	
I intend to take the following number of weeks shared parental leave (include dates):	
The mother intends to take the following number of weeks shared parental leave (include dates):	
I intend to take shared parental pay on the following dates:	
Section B: Declaration to be completed by the employee	
<p>I satisfy the following eligibility requirements to take shared parental leave:</p> <ul style="list-style-type: none"> • I have 26 weeks continuous employment ending with the 15th week before the expected week of childbirth and, by the week before any period of shared parental leave that I take, I will have remained in continuous employment with the University 	

<ul style="list-style-type: none"> • At the date of the child's birth, I have the main responsibility, apart from my partner, for the care of the child • I am the father of the child, or am married to, the civil partner of, or the partner of, the mother • I will comply with the University's shared parental leave notice and evidence requirements • The information I have provided is accurate • I will immediately inform the University if I cease to care for the child 	
Signed:	Date:
Section C: Declaration to be completed by employee's partner (the mother)	
My name is:	
My address is:	
My National Insurance No is:	
<p>I satisfy the following eligibility requirements to enable the mother to take shared parental leave:</p> <ul style="list-style-type: none"> • I have been employed or been self-employed earner in at least 26 of the 66 weeks immediately preceding the expected week of childbirth • I have average weekly earnings of at least £30 for any 13 of those 66 weeks • At the date of the child's birth, I have the main responsibility, apart from the mother, for the care of the child • I am entitled to statutory maternity leave, statutory maternity pay/allowance in respect of the child • I have curtailed my maternity leave or returned to work before the end of my statutory maternity period • I consent to the amount of shared parental leave that the mother intends to take • I will immediately inform my partner if I no longer meet the requirements to curtail my maternity leave (and pay, if applicable) • I consent to your organisation processing the information provided in this form. 	
Signed:	Date:
<p>Notes</p> <p>The start date of the first period of shared parental leave that you wish to take must be at least eight weeks after you have provided this notice. Shared parental leave must be taken in blocks of at least one week.</p> <p>This notice is to allow the University to check that you are entitled to shared parental leave and to provide the University with an initial indication of the shared parental leave pattern that you wish to take. This notice is not binding and you must give the University a period of leave notice at least eight weeks before the first period of shared parental leave in that notice that you wish to take. Any periods of shared parental leave that you indicate in this notice can be changed at a later date.</p>	

Appendix 3

Form ShPL3: Application for Shared Parental Leave and Pay

Form ShPL3
APPLICATION FOR SHARED PARENTAL LEAVE

Shared Parental Leave: Application			
Name:			
Job Title:			
School/Department:			
Section A: Confirmation of Dates			
I intend to take shared parental leave on the following dates: (please include the start and end dates for each period of leave you intend to take)			
I wish my maternity leave to end on (if this is known):			
Section B: Payment Option			
Continuous Service	Option 1 (intend on returning to work)	Option 2 (intend on returning to work)	Option 3 (do not intend on returning to work)
More than 26 weeks continuous service (at the beginning of the 15th week before EWC)	Entitled to up to 50 weeks shared parental leave <ul style="list-style-type: none"> First 14 weeks at full normal pay (to include ShPP) Following 23 weeks at ShPP only or 90% of weekly earnings (whichever is less) Up to 13 weeks of unpaid maternity leave 	Entitled to up to 50 weeks shared parental leave <ul style="list-style-type: none"> First 6 weeks at full normal pay (to include ShPP) Following 16 weeks of the maternity leave at half pay (to include ShPP) Following 15 weeks at SMP only or 90% of weekly earnings (whichever is less) Up to 13 weeks unpaid maternity leave 	Entitled to up to 50 weeks shared parental leave <ul style="list-style-type: none"> First 4 weeks at 90% of average earnings (to include ShPP) Following 33 weeks at SMP only or 90% of weekly earnings (whichever is less) Up to 13 weeks unpaid maternity leave
Individuals be required to pay back 10 weeks full normal pay if they do not return to work for at least three months following maternity leave.			
I certify that I and my partner meet the eligibility criteria can confirm that I choose option (1, 2 or 3):			
Section C: Declarations – to be signed by the employee			
I understand that: <ul style="list-style-type: none"> You can request to take shared parental leave in one continuous block (in which case the University is required to accept the request as long as you meet the eligibility and notice requirements), or as a number of discontinuous blocks of leave (in which case you need the organisation's agreement). A maximum of three requests for leave per pregnancy can normally be made by each parent. The start date of the first period of leave that you wish to take must be at least eight weeks after you have provided this notice. Shared parental leave must be taken in blocks of at least one week. 			

<ul style="list-style-type: none"> • This notice is to confirm to the University the shared parental leave you intend to take. You must have already submitted a notice of entitlement and intention before using this form. • The University recognises that employees' plans can change. However, it is recommended that you and your partner think carefully about your shared parental leave before submitting this form, as opportunities to amend these requests are limited. • You and your partner must take any shared parental leave within 52 weeks of the birth of your child. 	
Signed:	Date:
Section C: Declarations – to be signed by the partner	
<p>I declare that:</p> <ul style="list-style-type: none"> • I agree to the employee claiming ShPP and for the organisation to process any ShPP payments to the employee • In the case whether the partner is the partner is the mother/adopter that they have reduced their maternity/adoption pay or maternity allowance • In the case whether the partner is the mother/adopter that they will immediately inform their partner should they cease to satisfy the eligibility conditions 	
Signed:	Date:

Please give a copy of this form to your Line Manger & HR Admin Team