

1. Introduction

Shared parental leave (SPL) is available to parents with babies born on or after 5 April 2015. SPL allows eligible parents to choose how to spend their child in the first year of birth or adoption by enabling mothers to transfer their maternity or adoption leave and pay at a future date, and fathers to take their share of leave and pay as SPL and pay with their partner's leave and pay at a later date.

Shared parental leave should not be confused with ordinary parental leave, which is unaffected by shared parental leave.

This policy applies to employees who are the mother/adopter or the partner of the mother/adopter. Both parents must ensure that they are liaising with the Company in respect of their requests for SPL.

The Company recognises that employees may have questions or concerns relating to their shared parental leave. It is the Company's policy to encourage open discussion and ensure that questions and problems can be resolved as quickly as possible. If an employee wishes to take shared parental leave, they should speak to their line manager (e.g. their line manager) to clarify the relevant procedures.

2. Aims of the Policy

- 2.1 To provide more flexibility for parents to care for, and adopt, their child.
- 2.2 To ensure that the Company meets its obligations to employees.

3. Provision

- 3.1 SPL can only be used if the employee is the mother/adopter or the partner of the mother/adopter.
 - 3.1.1 The mother/adopter must be the primary carer of the child.
 - 3.1.2 One of the following conditions must be met:
 - 3.1.2.1 The father/partner of the mother/adopter is the primary carer of the child.
 - 3.1.2.2 The mother/adopter is the primary carer of the child.
 - 3.1.3 Both parents must be employed by the Company at the time of the child's birth or adoption.

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[and exceeds] its legal obligations to employees (SPL).

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responsibility for the care of the child at the time of the child's birth or adoption.

- 3.2 In addition, employees must satisfy each of the following criteria:
- 3.2.1 The employee must have been continuously employed by the Company for a continuous period of at least 26 weeks ending on the end of the 15th week before the child's expected birth date;
 - 3.2.2 The employee must have been employed by the Company at the start of each period of leave;
 - 3.2.3 The mother/adopter must be/have been entitled to statutory maternity or adoption leave of the child;
 - 3.2.4 The mother/adopter must have complied with the requirements (or have returned to work before the end of the maternity leave) and SPL notice and evidence requirements;
 - 3.2.5 The employee must pass the 'employment and earnings test' and have been employed as an employee or self-employed earner in at least 26 weeks ending on the expected week of childbirth and have averaged at least the maternity allowance threshold for the 66 weeks.

4. Shared Parental Leave

- 4.1 Eligible employees are entitled to 50 weeks' SPL during the child's first year in the family. Shared parental leave to which an employee is entitled when the mother/adopter brings her child to the Company and the amount of leave that the other parent takes is calculated using the employee's entitlement to maternity/adoption leave, which allows for 52 weeks' leave. If they reduce their maternity/adoption leave, they and/or their partner may opt to take the remaining weeks as SPL.
- 4.2 Shared parental leave must be taken in blocks of at least one week. SPL can only be taken in continuous blocks. SPL can begin on any day of the week. The leave must be taken in **one continuous block** unless the Company agrees to accept the request, provided that the employee meets the requirements), or as a **number of discontinuous blocks** in which case the employee needs the Company's agreement.
- 4.3 A **continuous leave** is taken in a single uninterrupted period. An employee can submit notifications for continuous leave for a number of weeks e.g. four weeks in a row. An employee can submit notifications for continuous leave for a number of weeks e.g. four weeks in a row. An employee can submit notifications for continuous leave for a number of weeks e.g. four weeks in a row.
- 4.4 A notification may be for a number of weeks of **discontinuous leave**, which means asking for a number of weeks of leave over a period of time where an employee will return to work e.g. SPL and works every other week for eight weeks.
- 4.5 The Company will consider the employee's leave notification but has the right to refuse it. If the notification is refused, the employee may withdraw it within 14 days of the notification or take the leave in a single continuous block.

- 4.6 The first two weeks of the compulsory maternity leave period and are reserved for the mother.
- 4.7 Commencement of leave
- 4.7.1 The mother must have taken the legally required two weeks of maternity leave following the birth of the child (see 4.6 above).
- 4.7.2 The adopter must have taken at least two weeks of adoption leave;
- 4.7.3 The father/partner must take SPL immediately following the birth/placement. The father/partner cannot take SPL if the mother has taken any SPL or ShPP).
- 4.8 Where a mother/adopter is entitled to their maternity/adoption entitlement, the mother/adopter is entitled to take leave while the mother/adopter is on leave.
- 4.9 SPL will usually be taken from the chosen start date specified in their leave booking notification or variation notice.
- 4.10 If the employee is entitled to Shared Parental Pay (ShPP) may be paid for some, or all, of the period of "Shared Parental Pay" below).
- 4.11 SPL must come to an end one year after the birth/placement of the child. Any SPL taken after the birthday or first anniversary of the child's birth/placement for adoption is not eligible for SPL.

5. Notice Requirements for Shared Parental Pay

- 5.1 An employee entitled to Shared Parental Pay must give <<insert job title e.g their line manager>> notification of their entitlement and intention to take SPL. This notification must be given at least eight weeks before the start of the period of SPL.
- 5.2 Part of the eligibility criteria for an employee to provide the Company with the correct notification is required:
- 5.2.1 the name of the employee;
- 5.2.2 the name of the child;
- 5.2.3 the start and end date of the maternity/adoption leave or pay (or the date of birth of the child and the total amount of SPL available);
- 5.2.4 the date on which the child was expected to be born and the actual date of birth. In the event of a stillbirth, the dates which should be provided are the date of birth of the employee was notified of having the child and the date of placement for adoption;
- 5.2.5 the amount of leave each parent/partner intend to take;

- 5.2.6 a non-binding statement that the employee expects to take the leave.
- 5.3 The employee must provide the Company with a signed declaration stating:
- 5.3.1 that they meet the eligibility conditions and are entitled to take SPL (see 3.2.4 above);
- 5.3.2 that the information provided is true and correct;
- 5.3.3 if the employee is a parent, they must confirm that they are either the mother or father of the child or the spouse, civil partner or partner of the mother or father of the child;
- 5.3.4 that in the event they are not eligible, they will immediately inform the Company.
- 5.4 The employee must provide the Company with a signed declaration from their partner confirming:
- 5.4.1 their name, address and National Insurance number;
- 5.4.2 that they are the mother or father of the child or they are the father of the child or the spouse, civil partner or partner of the mother or father of the child;
- 5.4.3 that they satisfy the 'earnings test' (see 3.2.5 above), and had, alone or jointly with their partner, the main responsibility for the child at the date of the child's birth or adoption;
- 5.4.4 that they confirm that they intend to take SPL that the employee intends to take;
- 5.4.5 that they confirm that they have not been processing the information provided;
- 5.4.6 that they will inform the Company if their partner should they cease to satisfy the eligibility conditions.

6. Requesting further evidence

- 6.1 Within 14 days of the Company's notification being given, the Company may request:
- 6.1.1 the name and address of the partner's employer;
- 6.1.2 a copy of the adoption agreement or, in the case of an adopted child, documentary evidence of the date and address of the adoption agency, the date the employee was notified of having been matched with the child and the date the employee expects to place the child for adoption.
- 6.2 In order to be entitled to take SPL, the employee must produce this information within 14 days of the Company's request.

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In addition to what is required by law, any notice that advises the Company of entitlement to take SPL, ShPP must include:

8.3.1 the start and end date of the SPL/ maternity/adoption pay or maternity allowance;

8.3.2 the total amount of ShPP and their partner's contribution, and a non-binding indication of when the employee will cease to be eligible for ShPP;

8.3.3 a signed declaration from the employee confirming that the information they have given is true, and that they will meet, or will meet, the criteria for ShPP and that they will inform the Company should they cease to be eligible for ShPP;

It must be accompanied by a declaration from the employee's partner confirming:

8.3.4 their agreement to process a claim for ShPP and for the Company to process a claim for ShPP;

8.3.5 (in the case of a mother/ adopter) that they have reduced their maternity/adoption pay or maternity allowance;

8.3.6 (in the case of a mother/ adopter) that they will immediately cease to satisfy the criteria for ShPP should they cease to satisfy the criteria for ShPP;

9. Terms and conditions of employment

Leave

During SPL, all terms and conditions of employment will continue, except for salary. In particular, contractual entitlement will continue to accrue.

10. Contact during SPL (Shared Parental Leave)

Touch days)

10.1 The Company reserves the right to require employees during SPL to attend training, for the purpose of bringing SPL to an end or in order to claim ShPP for that week. These are known as 'Shared Parental Leave Touch' or "SPLIT" days. Any work carried out on a day's work for these purposes.

10.2 The Company has the right to require an employee to carry out any work, and is under no obligation to provide any work, during the employee's SPL. A claim for ShPP is a matter for agreement between the employee and the Company and

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