

Caring and Family Leave

Shared Parental Leave

Shared Parental Leave (SPL) is a type of leave that allows eligible parents to choose how to share the care of their child in the first year of birth or adoption by enabling mothers to commit to ending their maternity or adoption leave at a future date, and to share the outstanding balance of leave as SPL with their partner, or to return to work early from maternity leave and opt in to SPL at a later date.

Shared parental leave should not be confused with ordinary parental leave, which is unaffected by shared parental leave. The mother/adopter and the partner should each ensure that they are liaising with their own specific employer in respect of their requests for SPL.

SPL can only be used by the mother/adopter of the child, AND one of the following:

- The father of the child or,
- The spouse, civil partner or partner of the child's mother/adopter.

In addition, both parents must share the main responsibility for the care of the child at the time of the birth/placement for adoption and must meet each of the following eligibility criteria:

- The employee must have been continuously employed by the Company for at least 26 weeks as at the end of the 15th week before the child's expected due date/matching date.
- The employee must still be working for the Company at the start of each period of SPL.
- The mother/adopter of the child must be/have been entitled to statutory maternity or adoption leave in respect of the child.
- The mother/adopter of the child must comply/have complied with the relevant maternity leave curtailment requirements (or have returned to work before the end of statutory maternity leave) and SPL notice and evidence requirements; and
- The employee's partner must meet the 'employment and earnings test' and have been employed or been a self-employed earner in at least 26 of the 66 weeks immediately preceding the expected week of childbirth and have average weekly earnings of at least the maternity allowance threshold for any 13 of those 66 weeks.

SPL Entitlement

Eligible employees may be entitled to up to 50 weeks' SPL during the child's first year in the family. The amount of SPL to which an employee is entitled will depend on when the mother/adopter brings her maternity or adoption leave period to an end and the amount of leave that the other parent takes in respect of the child.

The number of weeks available is calculated using the mother's/adopter's entitlement to maternity/adoption leave, which allows them to take up to 52 weeks' leave. If they reduce their maternity/adoption leave entitlement, then they and/or their partner may opt-in to the SPL system and take any remaining weeks as SPL.

SPL Requirements

- Shared parental leave must be taken in blocks of at least one week.
- SPL can only be taken in complete weeks but may begin on any day of the week.

You can ask to take SPL parental leave in one continuous block (in which case we are required to accept the

- request, provided that you meet the eligibility and notice requirements), or as a number of discontinuous blocks of leave (in which case you need our agreement).
- A continuous leave notification means a notification for a number of weeks taken in a single unbroken period of leave (e.g. four weeks in a row). You can submit up to three separate notifications for continuous periods of leave.
- A notification may also ask for two or more periods of discontinuous leave, which means asking for 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. where you take four weeks of SPL and works every other week for eight weeks).
- We will consider a discontinuous leave notification, but we do have the right to refuse it.
- In the event that the leave pattern is refused, you may may withdraw it within 15 days of giving the notification or take the leave in a single continuous block.

The first two weeks following birth are the compulsory maternity leave period and are reserved for the mother.

- The mother can take SPL after she has taken the legally required two weeks of maternity leave immediately following the birth of the child.
- The adopter can take SPL after taking at least two weeks of adoption leave.
- The father/partner/spouse can take SPL immediately following the birth/placement of the child. They can choose to firstly use up any paternity leave entitlements but cannot take paternity leave once they have taken any SPL.
- Where a mother/adopter gives notice to curtail their maternity/adoption entitlement, the mother/adopter's partner can take any remaining SPL while the mother/adopter is still using their maternity/adoption entitlements.
- SPL will usually begin on the employee's chosen start date specified in their leave booking notice, or in any subsequent variation notice.
- SPL must come to an end no later than one year after the birth/placement of the child.
- SPL not taken by the first birthday or first anniversary of placement for adoption is lost.

Notice Requirements for SPL

If you are eligible for SPL, you must provide notification of your entitlement and your intention to take to SPL to your manager, at least eight weeks before you can take any

period of SPL. Part of the eligibility criteria requires you to provide us with the correct notification.

The following information is required:

- Your name (as the employee).
- the name of the other parent.
- the start and end dates of any maternity/adoption leave taken in respect of the child and the total amount of SPL available.
- the date on which the child is expected to be born and the actual date of birth. In the case of an adopted child, the dates which should be provided are the dates on which the employee was notified of having been matched with the child and the date of placement for adoption.
- the amount of SPL you and your partner each intend to take.
- a non-binding indication of when you expect to take SPL.

You must provide us with a signed declaration stating:

- you meet, or will meet, the eligibility conditions and are entitled to take SPL.
- that the information provided is accurate.
- if you are not the mother/adopter, you must confirm that you are either the father of the child or the spouse, civil partner or partner of the mother/adopter.
- that in the event that you cease to be eligible, you will immediately inform your manager.

You must provide us with a signed declaration from your partner confirming:

- their name, address and national insurance number.
- that they are the mother/adopter of the child, or they are the father of the child or are the spouse, civil partner or partner of the mother/adopter.
- that they satisfy the 'employment and earnings test' as set out above, and have, along with you, the main responsibility for the child at the date of the child's birth or placement for adoption.
- that they consent to the amount of SPL that you intend to take.
- that they consent to us processing the information contained in the declaration form.
- that they will immediately inform their partner should they cease to satisfy the eligibility conditions.

Requesting further evidence of eligibility

Within 14 days of the SPL entitlement notification being given, we may request the following, which must be provided within 14 days of our request.

- the name and business address of the partner's employer.
- a copy of the child's birth certificate, or, in the case of an adopted child, documentary evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption.

Booking SPL

As well as notifying us of your entitlement to SPL, you must also give notice to take the leave. Usually, notice to take leave will be given at the same time as the notice of entitlement to SPL. You have the right to submit three notifications specifying leave periods you are intending to take. Each notification may contain either:

- (a) a single period of weeks of leave; or
- (b) two or more weeks of discontinuous leave, where you intend to return to work between periods of leave.

- You must book SPL by giving the correct notification at least eight weeks before the date on which they wish to start the leave, and we will provide our response to the request no later than the 14th day after the leave request was made.
- All requests for discontinuous leave will be carefully considered, looking at the potential benefits to you and to us, against any adverse impact to the business.
- Every request for discontinuous leave will be considered on a case-by-case basis.

Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar pattern of SPL.

- You will be informed in writing of the decision as soon as is reasonably practicable, but no later than the 14th day after the leave notification was made.
- If a discontinuous leave pattern is refused, you may withdraw the request without detriment on or before the 15th day after the notification was given; or may take the total number of weeks in the 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 eight 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.

Terms and conditions during Shared Parental Leave

During SPL, all terms and conditions of your contract of employment will continue, except for salary.

We reserve the right to maintain reasonable contact with you during SPL.

Contact during SPL (SPL in touch days) (UK Only)

- You can agree to work, for up to 20 days during SPL without bringing your period of SPL to an end. These are known as SPL in touch days. Any work carried out on a day or part of a day shall constitute a day's work for these purposes.
- We have no right to require you to carry out any work, and we are under no obligation to offer you any work, during the employee's SPL. Any work undertaken is a matter for agreement between you and us.

Returning to work after Shared Parental Leave

You will have been advised in writing by us of the end date of any period of SPL. You are expected to return on the next working day after this date, unless you notify us to the contrary.

You have the right to resume working in the same job when returning to work from SPL if the period of leave, when added to any other period of SPL, SML or statutory paternity leave taken by the employee in respect of the same child, is 26 weeks or fewer.

If you are returning to work from SPL and the period of leave taken is more than 26 weeks, when added to any other period of SPL, SML or statutory paternity leave taken in respect of the same child, or was the last of two or more consecutive periods of statutory leave that included a period of ordinary parental leave of more than four weeks, or a period of AML, you have the right to return to the same job unless this is not reasonably practicable. In these circumstances, if it is not reasonably practicable for us to allow a return to the same job, you have the right to return to another job that is suitable and appropriate them.