

FAQs – Shared Parental Leave (SPL)

These FAQ's are a quick guide to the main principles. For full information please consult the Shared Parental Leave Policy.

What is Shared Parental Leave?

It is a type of leave which can be used as an alternative to part of the maternity leave or adoption leave, which can be shared between the parents (or the mother of the child and her partner) so they can share the caring responsibilities for the new baby.

If you decide instead to use the existing entitlements to maternity leave and paternity leave these are unchanged.

My partner works in another company, can I still get this shared parental leave?

Yes - If you and he/she are both eligible, and give the proper notice.

What is the pay for this type of leave?

Rather like maternity leave, there are some weeks of paid leave and some weeks of unpaid leave. The weekly rate for the paid SPL leave from 5th April 2015 will be £139.58. The total number of paid weeks you can have in a mixture of maternity leave and shared parental leave is the same as you would have received in maternity pay alone.

Can we take time off together?

Yes - If you are eligible, you meet the notification requirements, and you are both going to be caring for the baby. However remember that both of you are on leave together it will use up your leave entitlement and pay entitlement twice as quickly – there is only a fixed amount of leave and pay available for both of you to share.

I'm a mother to be. How is my maternity leave and pay affected if I take up shared parental leave?

You have an entitlement to a number of weeks which can be taken either as maternity leave or SPL but not both. You have to end your maternity leave and pay when you take up SPL therefore, it is suggested that if you are receiving maternity pay in excess of £139.58 per week i.e. where you qualify for 90% of your contractual weekly pay (first 6 weeks) or 50% of your contractual weekly (for 12 weeks) you use your maternity pay entitlement up before you go to SPL otherwise you'd drop to £139.58 per week. Similarly, if your partner is entitled to paternity leave of any description it may be advisable to use that up first as starting SPL would end that entitlement.

I'm about to adopt, does this apply to me?

Yes.

Once I have requested a period of SPL, can I change my mind?

You can but it counts as a new request and you only have 3 requests in total.

If I ask to use SPL, does my manager have to grant it?

If you are eligible and have given proper notice on up to three occasions of wanting to take leave, then yes the manager has to grant it. However, if any of the three occasions are describing a pattern of leave within the "occasion" (e.g. one week on and one week off for a defined period which is known as discontinuous leave) then the manager will have to consider the impact of this and may have to say no. The reasons for refusing a request for a pattern of discontinuous leave include where the work can't be reorganised amongst other staff, that people can't be recruited to cover; that work quality and performance will be affected. HR can advise managers further on the process for considering "discontinuous"

leave requests. If your request for leave is refused the employee can then change the request to one for a block of leave.

How can I find out what the rules are about eligibility and notification?

Attached is A Shared Parental Leave Summary Chart which identifies the process at a glance, but full details are in the Shared Parental Leave policy. The rules are quite complicated - they include whether you and your partner have sufficient length of service and how much you earn - so you might want to take advice from someone in your HR team too

Also take a look at the Government Website <https://www.gov.uk/pay-leave-for-parents> which provides an online tool for parents to find out if they are eligible for Shared Parental Leave. Using this tool will show you the basic Statutory Maternity Pay due (in some cases the mother will get enhanced maternity pay in addition to this, your HR will advise) but it also provides a good indication of entitlements for Shared Parental Leave and Pay.