

## SHARED PARENTAL LEAVE POLICY

<b>Policy Adopted</b>	April 2016
<b>Last Reviewed</b>	March 2022
<b>Next Review Due</b>	March 2025

Date	Reviewed by	Approved by	Date Accepted by Trustees
March 2022	Operations Manager	Policy Review Committee	22/03/2022

## Overview and Eligibility

1. Employees can start Shared Parental Leave (SPL) if they are eligible and they or their partner end their maternity or adoption leave or pay early. The remaining leave will be available as SPL. The remaining pay may be available as Statutory Shared Parental Pay (ShPP).
2. Employees can take SPL in up to three separate blocks. They can also share the leave with their partner if they're also eligible. Parents can choose how much of the SPL each of them will take.  
*Example A:* mother and her partner are both eligible for SPL and ShPP. The mother ends her maternity leave and pay after 12 weeks, leaving 40 weeks available for SPL and 27 weeks available for ShPP. The parents can choose how to split this.
3. SPL and ShPP must be taken between the baby's birth and first birthday (or within 1 year of adoption).
4. Sometimes only one parent in a couple will be eligible to get Shared Parental Leave (SPL) and Statutory Shared Parental Pay (ShPP). This means that they cannot share the leave.
5. If your employee is eligible then they can use SPL to book their leave in separate blocks.

## Shared Parental Leave

6. To qualify for SPL, employees of Triple C (Liverpool), hereafter referred to as Triple C must share responsibility for the child with one of the following:
  - their husband, wife, civil partner or joint adopter
  - the child's other parent
  - their partner (if they live with them)
7. Triple C's employee or their partner must be eligible for maternity pay or leave, adoption pay or leave or Maternity Allowance.

They must also:

- have been employed by Triple C continuously for at least 26 weeks by the end of the 15th week before the due date (or date they are matched with a child for adoption in the UK)
- still be employed by Triple C while they take SPL
- give Triple C the correct notice including a declaration that their partner meets the employment and income requirements which allow your employee to get SPL

## Statutory Shared Parental Pay

8. Employees can get ShPP if one of the following applies:
  - they're eligible for Statutory Maternity Pay (SMP) or Statutory Adoption Pay (SAP)
  - they're eligible for Statutory Paternity Pay (SPP) and their partner is eligible for SMP, Maternity Allowance (MA) or SAP
9. Triple C can refuse SPL or ShPP if the employee doesn't qualify. Triple C will tell the employee the reason if they are refused ShPP.
10. If an employee is eligible and they or their partner end maternity or adoption leave and pay (or Maternity Allowance) early, then they can:
  - take the rest of the 52 weeks of leave (up to a maximum of 50 weeks) as Shared Parental Leave
  - take the rest of the 39 weeks of pay (up to a maximum of 37 weeks) as Statutory Shared Parental Pay (ShPP)
11. A mother must take a minimum of 2 weeks' maternity leave following the birth.
12. The current rate of ShPP can be found by clicking on the following link  
<https://www.gov.uk/shared-parental-leave-and-pay/what-youll-get>

## Starting Shared Parental Leave

13. For Shared Parental Leave (SPL) to start, the mother or adopter must do one of the following:
  - end their maternity or adoption leave by returning to work
  - give Triple C 'binding notice' (a decision that can't normally be changed) of the date when they will end their maternity or adoption leave
  - end maternity pay or Maternity Allowance
14. A mother must take a minimum of 2 weeks' maternity leave following the birth. The adoptive parent getting Statutory Adoption Pay must take at least 2 weeks' adoption leave. The adoptive parent can take it from the day of the placement, or up to 14 days before the placement starts.
15. The mother must give Triple C notice (at least 8 weeks) to end her maternity pay. Adopters must give Triple C notice to end adoption pay.
16. SPL can start for the partner while the mother or adopter is still on maternity or adoption leave if she's given binding notice to end her leave (or pay if she's not entitled to leave).

**Example B** A mother and her partner are both eligible for SPL.

The mother goes on maternity leave 10 weeks before her baby is born. She decides that she'll take 16 weeks of maternity leave and gives you notice. Since the mother has given binding notice, her partner can start SPL as soon as the baby has been born (as long as they've given at least 8 weeks' notice).

17. The employee must give Triple C written notice if they want to start SPL or Statutory Shared Parental Pay (ShPP). They can do this using forms created by the Advisory, Conciliation and Arbitration Service (Acas). After Triple C receiving this notice, we will ask for:
  - a copy of the child's birth certificate
  - the name and address of their partner's employerTriple C have 14 days to ask for this information. The employee then has a further 14 days to provide it.
18. An employee must give at least 8 weeks' notice of any leave they wish to take. If the child is born more than 8 weeks early, this notice period can be shorter.
19. Triple C employee has a statutory right to a maximum of 3 separate blocks of leave, although we can allow more if we wish.

## labelling the decision to end maternity or adoption leave

20. The mother or adopter may be able to change their decision to end maternity or adoption leave early if both:
  - the planned end date hasn't passed
  - they have not already returned to work
21. One of the following must also apply:
  - it's discovered during the 8-week notice period that neither partner is eligible for either SPL or ShPP
  - the employee's partner has died
  - it's less than 6 weeks after the birth (and the mother gave notice before the birth)

## Shared parental leave in touch (SPLIT) days

22. Triple C employee can work up to 20 days during SPL without bringing it to an end. These are called 'shared parental leave in touch' (or SPLIT) days.
23. These days are in addition to the 10 'keeping in touch' (or KIT) days already available to those on maternity or adoption leave. Keeping in touch days are optional - both Triple C and the employee must agree to them.

24. An employee taking Shared Parental Leave (SPL) can split their leave into up to 3 separate blocks instead of taking it all in one go, even if they aren't sharing the leave with their partner.
25. If both parents are taking SPL then they can take their leave at the same time as each other or at different times.
26. The employee must give you at least 8 weeks' notice before a block of leave begins.
27. If Triple C agree, the employee can split a block of leave into shorter periods of at least a week. For example, they could work every other week during a 12-week block, using a total of 6 weeks of their SPL.
28. Triple C will not turn down a request for a block of leave if the employee is eligible and gives Triple C the right notice. We may not agree to the employee breaking the block of leave into shorter periods