

Shared Parental Leave Policy

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1. Policy statement

The University is committed to providing a positive working, learning and social environment which is open to all employees regardless of their protected characteristics. This policy allows eligible parents who wish to balance their working life with family responsibilities the opportunity to consider the best arrangement to care for their child during the first year following the birth or adoption¹.

¹ Includes intended parents of a child born through a surrogacy arrangement, who will be subject to a Parental Order and prospective parents fostering a child under the ‘Fostering for Adoption Scheme’.

Primary carers² may choose to remain on maternity or adoption leave or, end their leave early and opt in to Shared Parental Leave (SPL) with their partner³. It allows working parents to equally share their childcare responsibilities in a more flexible way.

This policy is intended to mirror the Statutory Shared Parental Leave scheme. It explains how much time off and pay you can arrange to share with your partner following the birth or adoption. The policy will operate in accordance with the University's core values of inclusiveness, community, integrity, academic excellence and professionalism.

2. Scope

The University has agreed enhanced pay provisions, which include the statutory entitlement for employees who meet the qualifying criteria.

Employees who don't meet the criteria for the enhanced provision may be eligible for statutory shared parental pay.

Statutory Shared Parental Leave (SSPL):

To qualify for SSPL you will have to meet the following criteria:

- Have completed 26 weeks continuous service at the end of the 15th week before the expected week of childbirth, or in the case of adoption, the week in which notification is received about having been matched with a child⁴, and be employed by the University at the start of the week in which SPL is taken.
- Share the main responsibility for caring for the child.
- If you are the primary carer, you are entitled to statutory maternity or adoption leave and pay or maternity allowance.
- Maternity or adoption leave and pay has ended, or notice has been given to end it.

² Primary carer includes the birth mother or the adopter (the adopter means the person who is eligible for adoption leave and pay).

³ Partner includes the biological father or the partner of the mother/adopter. This can be the spouse, civil partner, or a partner who is living in an enduring relationship with them. Primary carers can share their leave with only one person.

⁴ In the case of parents in a surrogacy arrangement, the qualifying period is 26 weeks' continuous service at the end of the 15th week before the expected week of childbirth.

- Your partner meets the employment and earnings test⁵.
- Given the required notice and provided the requested documentation.

University Shared Parental Leave (USPL):

To qualify for the University's Shared Parental Leave scheme you will need to meet the above qualifying criteria and have completed 52 weeks' continuous service before the expected week of childbirth, or in the case of adoption, the week in which notification is received about being matched with a child⁶.

3. Key entitlements

The following is a summary of your entitlement, as set out in the Children's and Families Act 2014 and the Shared Parental Leave and Pay Regulations 2014.

- The primary carer is obliged to take two weeks maternity leave immediately following the birth, or in the case of adoption, two weeks can be taken up to 14 days before the child is placed for adoption. The remaining 50 weeks leave (including 37 weeks statutory pay) is available to share between both parents.
- Where the eligibility criteria are met, the primary carer may end their maternity or adoption leave early and can opt into SPL and share the remaining weeks maternity or adoption leave and pay entitlement with their partner.
- You can opt in and book SPL by giving eight weeks' notice.
- You can choose how to share your childcare responsibilities. You can take time off work together, separately, or a combination of both.
- You and your partner can give up to three separate notices each to book or vary leave.
- You can request leave to be taken in either a single continuous block, or a discontinuous block.

⁵ To meet the employment and earnings test you must have been employed or self-employed earner for a total of 26 weeks (not necessarily continuously in the period of 66 weeks leading up to the week in which the child is due to be born, or match occurs, and to have earned an average of £30.00 a week in 13 of those weeks.

⁶ In the case of parents in a surrogacy arrangement, the qualifying period is 52 weeks' continuous service before the expected week of childbirth.

- You are entitled to take leave requested in single blocks, but we are not obliged to accept requests to take leave in discontinuous blocks.
- With our agreement, you can take 20 shared parental leave in touch (SPLIT) days. These days are in addition to the 10 KIT days available to primary carers on maternity and adoption leave.
- SPL is in addition to the right to paternity/partner leave.
- You may be accompanied by a trade union representative or workplace colleague at meetings arranged to discuss leave.
- The above entitlement will apply equally to single and multiple births and adoptions.

4. Leave and pay

The amount of leave and pay you will be entitled to take will depend on:

- your continuous service at the University.
- the amount of unused maternity/adoption leave and pay remaining.
- how leave is shared with your partner.
- if both parents are employed by the University.

The table in point 5 sets out leave and pay entitlement if you meet the eligibility criteria for Statutory Shared Parental Pay (SSPP) or University Shared Parental Pay (USPP).

Where both partners are employed by the University, USPP entitlement is shared between them and cannot exceed the stated maximum. If both parents are eligible for statutory leave and pay, this is shared between them regardless. For each partner, entitlement is on the basis of their individual eligibility.

Shared parental leave is complex and you are strongly advised to discuss individual circumstances with your local HR Manager at the earliest opportunity to ensure you have all the necessary information to inform your decisions.

The number of weeks stated in the table in point 5, have been adjusted to reflect the two weeks mandatory maternity/adoption leave that the primary carer must take following the birth or placement for adoption.

USPP is aligned to the amount of enhanced university maternity/adoption pay that would have been payable had the maternity/adoption leave continued and not been curtailed.

For example, the primary carer works elsewhere, and their maternity leave commences four weeks before the birth and ends four weeks after the birth. They give notice to opt into shared parental leave from week nine, and so for the partner who is employed by the University all full pay has already been exhausted (under option B) because the timescale for USPP begins on the first day of the primary carer's leave.

There is no option to defer unused USPP. In the example above, any periods of shared parental leave which the partner may take from week nine, will be paid in accordance with any remaining entitlement to university/statutory pay, or if this entitlement is exhausted, leave can be taken on an unpaid basis. In this example, to benefit from any remaining USPP, the partner would need to take leave from week 9 to 24 (option B), or week 9 to 16 (option C). Partners can choose to take time off separately or together.

Further advice, guidance and other examples are available in the [shared parental leave guidance](#)

5. Options table

Option	Service	Scheme	Leave	Pay
Option A	26 weeks or more, but less than 52 weeks continuous service	Statutory shared parental pay (SSPP)	Up to 50 weeks	Up to 37 weeks SSPP
Option B	52 weeks or more continuous service	University shared parental pay (USPP)	Up to 50 weeks	Up to: six weeks full pay (which includes six weeks SSPP) +16 weeks half pay, plus SSPP +15 weeks SSPP ⁷ +13 weeks unpaid
Option C	52 weeks or more continuous service	University shared parental pay (USPP)	Up to 50 weeks	Up to: 14 weeks full pay (which includes 14 weeks SSPP) +23 weeks SSPP +13 weeks unpaid
Option D	26 week or more continuous service	Intends not to return to work	Up to 50 weeks	Up to 37 weeks SSPP

NB: Statutory shared parental pay will be paid at the lower rate for statutory maternity, adoption and paternity pay or 90% of your average weekly earnings, whichever is lower.

6. Terms of Employment

Except as stated in this policy, all other terms and conditions of employment will continue to apply as though you had not been absent.

7. Annual leave

You will continue to accrue your statutory and contractual annual leave entitlement during the whole period of your shared parental leave.

Annual leave accrued up to the date of commencement of shared parental leave should, where possible, be taken before starting leave.

Annual leave accrued during shared parental leave should, where reasonably practical, be taken in the holiday year in which the return to work falls.

Dates of annual leave should be agreed with the head of school/service (or nominee).

If you are employed on a fixed-term contract which is due to expire during your period of shared parental leave, and no suitable alternative employment is found, you will receive payment for any outstanding accrued contractual and statutory leave on the expiry of your contract.

Where you are not able to take all your accrued leave in the current leave year due to the timing of your shared parental leave, or in the case where your baby is born prematurely, the remaining leave, including accrued bank holidays and closure days can be carried forward into the annual leave year in which you return to work. The amount of unused accrued leave carried forward under this policy is not subject to the limit set out in the Annual Leave Policy.

At the point of return to work following shared parental leave, the Annual Leave Policy will apply and any subsequent carry forward of leave will be subject to the terms of that policy.

8. Pension contributions

Pension contributions will continue to be deducted as normal, while you are in receipt of shared parental pay, based on the level of pay you are receiving. See family leave pension arrangements on the [HR website](#) for further information.

9. Fixed-term contracts

If you are employed on a fixed-term contract that is due to expire during your period of shared parental leave, your contract will be extended until the end of your shared parental leave. The extension will be to facilitate the continuing payment of your shared parental leave pay.

During your period of shared parental leave we will continue to support you in seeking a suitable alternative role. You will be provided with access to the redeployment register and will continue to be considered as part of workforce planning. You will be unable to return to work unless your current role is extended, or you obtain another post with us. We will continue to consult with you about the expiry of your fixed-term contract.

Requests for shared parental leave which would continue beyond the original contract end date, will only be accepted in a single block and the end date cannot be later than the date your Statutory Shared Parental Pay would stop.

10. Returning to work

If you wish to return to work early, you can do so by notifying your head of school/service (or nominee), in writing, giving at least eight weeks' notice in advance of your planned return.

On returning to work after shared parental leave, you will have the right to return to the same post, if your total absence due to statutory maternity, paternity, adoption and SPL amounts to 26 weeks or less.

If your total leave is more than 26 weeks, you will have the right to return to the same post unless the post is redundant. In such cases, you will return to a suitable alternative post where one is available.

If you are employed on a fixed-term contract which has been extended to facilitate your shared parental leave you will be unable to return to work unless your current role is extended or you obtain another post with us. You will continue to be provided with access to the redeployment register and support will be provided in seeking suitable alternative employment. You will continue to be considered as part of workforce planning.

11. Not returning to work

If you are receiving USPP and do not return to work for at least three months, we

will claim back the non-statutory part of your USPP. The non-statutory part of your USPP will need to be repaid in full within three months of your leaving date.

If you are employed on a fixed-term contract that comes to an end at the end of your shared parental leave, and it has not been possible to find suitable alternative employment, you would not be expected to repay the non-statutory part of your University Shared parental pay.

12. Working for another employer

Your SSPP/USPP will be shortened if, whilst receiving payment from the University, you start work with another employer, who was not employing you during the 15th week before the expected week of childbirth, or in the case of adoption, the week in which notification is received about having been matched with a child.

13. Opting in to Shared Parental Leave

Information on how to opt into shared parental leave can be found in the [Shared Parental Leave Guidance](#).

14. Further information

Further information about this policy can also be obtained from your local HR Manager.

If this policy is required in an alternative format, please email Human Resources HR@leeds.ac.uk

15. Implementation and review

The policy review process will be managed by the Employment Relations and Policy Team in conjunction with the policy author. Formal reviews of policy will be carried out in consultation with the recognised trade unions and where appropriate, proposed changes will be negotiated in accordance with the Procedural Agreement for each trade union.