



Shared Parental Leave

An EPM Guide



Guide to Shared Parental Leave (ShPL)

When your employee notifies you that they wish to take Shared Parental Leave, you might be unsure of how it works, their eligibility and generally what Shared Parental Leave actually is. Here's our key guidance on Shared Parental Leave-related terminology, which will support you in understanding it.

Shared Parental Leave (ShPL)

Shared Parental Leave is a form of leave allowing birth parents and adopters to share their maternity/adoption leave with their partner, assuming that both are eligible.

Eligibility:

- a) They are the child's birth parent or adopter, and share the main responsibility for the care of the child with the child's non-birth parent (or their partner, if the non-birth parent is not their partner) or the secondary adopter or primary adopters partner;
- b) They are the child's non-birth parent and share the main responsibility for the care of the child with the child's birth parent;
- c) They are the birth parent's or primary adopters partner and share the main responsibility for the care of the child with the birth parent/primary adopter (where the child's non-birth parent does not share the main responsibility with the birth parent).

Additional criteria that need to be met to meet eligibility for SPL and Shared Parental Pay (ShPP):

- Have been employed continuously by the same employer for at least 26 weeks by the end of the 15th week before the due date
- Stay with the same employer whilst they take SPL
- Be 'employees'
- Each earn on average at least £123 a week
- The partner would also need to have been working for at least 26 weeks (they do not need to be in a row) during the 66 weeks before the week the child was placed with them or before the child was born and have earned at least £390 in total across any 13 of the 66 weeks

The birth parent's partner or adopters partner wishes to take ShPL or ShPP, there are additional criteria that they need to meet, however, they need to confirm they meet them in the application. Further details can be found in our guidance and policies available in the Hub on the website.

Basics:

The total ShPL available is 52 weeks minus the number of weeks' maternity leave, SMP or MA period taken or to be taken.

The total statutory shared parental pay (ShPP) available is 39 weeks minus the number of weeks of the SMP or MA period taken or to be taken, payable during the 52 weeks following the birth of the child

ShPL needs to be taken before the 1st birthday of the child. Any leave untaken by then would be lost.

Terms and conditions of employment remain in force during Shared Parental Leave, except for the terms relating to pay.

Shared Parental Leave In Touch (SPLIT) days

SPLIT days allow employees on Shared Parental Leave to work up to 20 days during their leave period.

These days are intended to enable employees to stay connected (if they wish) with their workplace and ease the transition back to work. Employees can choose whether to work SPLIT days. They will need to agree with you, as the employer, how many days to work (up to a maximum of 20 days), and what type of work will be undertaken on those days.

Even if an employee only works for part of a day, this is counted as an entire SPLIT day. Pay for SPLIT days should be agreed upon with the employer in advance. Taking SPLIT days does not end Shared Parental leave provided that no more than 20 days are taken. These are in addition to KIT days available for maternity and adoption leave.

Key responsibilities:

Employee Responsibilities	Give 8 weeks' written notice of curtailment of maternity/adoption leave, confirming the date it will end. At the same time give Notice to Opt In to Shared Parental Leave scheme. Give notice of leave dates (continuous or discontinuous). Up to 3 notices can be given, one block per notice is deemed to be continuous and more than one block of leave on a notice would be discontinuous.
Employer Responsibilities	Confirm arrangements for leave

Further questions?

Your EPM People Adviser is available should you have specific questions or require further advice so please get in touch with them.