

# WINTERBOURNE NURSERY & INFANT SCHOOL



## Parental Leave Policy

*Includes Shared Parental Leave policy*

Agreed by governors:  
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# Parental Leave Policy

Also Shared Parental Leave - page 6

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### 1. Introduction

Under the amended Maternity and Parental Leave etc. Regulations the child age limit on "ordinary" parental leave increased from five years to 18 years. Ordinary parental leave now provides each person with parental responsibility with the right to up to 18 weeks' unpaid parental leave for each child under 18.

Ordinary parental leave is a legal entitlement for both men and women. It is a period of unpaid leave for employees who are the parents of children aged under 18.

**Please note:** *Parental leave should not be confused with shared parental leave, which applies in relation to babies due on or after 5 April 2015 or children placed for adoption on or after 5 April 2015, or who enter Great Britain on or after that date if adopted from overseas. Shared parental leave allows mothers or adopters who meet the eligibility requirements to bring their maternity or adoption leave to an end and choose to take shared parental leave with their partner, who must also meet the relevant eligibility requirements. Full details of shared parental leave can be found in Chapter 21a of the HR Handbook.*

### 2. Key features

- 18 weeks parental leave for each child;
- Right to take parental leave until the child's 18<sup>th</sup> birthday;
- The employee will remain employed while on parental leave; some terms such as contractual notice and redundancy terms will still apply;
- At the end of parental leave an employee is guaranteed the right to return to the same job as before, or, if that is not practicable, a suitable job which has the same terms and conditions as the old job; where the leave taken is for a period of 4 weeks or less, the employee will be entitled to go back to the same job.

### **3. Main provisions**

- The leave can only be taken in blocks or multiples of one week\*;
- The amount of leave is restricted to four weeks per child per year;
- The employer must give at least 21 days notice of any proposed period of parental leave. Parental leave may be postponed if it would unduly disrupt service provision for a period of no longer than six months;
- The leave cannot be postponed if the leave is to be taken upon the birth of a child or upon the placement of a child for adoption;
- \*Parents of children with disabilities can take their leave in blocks and multiples of one day rather than one week.

### **4. Who is entitled to parental leave?**

All employees who have been continuously employed for one year and have or expect to have responsibility for a child.

An employee has responsibility for a child if:

- the employee is the named parent on the birth certificate; or
- has adopted a child; or
- has acquired parental responsibility under the Children Act 1989.

### **5. Extent of the entitlement**

5.1 An employee is entitled to 18 weeks' unpaid leave in respect of any individual child.

5.2 Where an employee's contractual hours **do not** vary, a week's leave for that employee is a period of absence from work which is equal in duration to the period of time that the employee would normally be required to work. For instance, an employee who works Monday to Friday, 36 hour week would be entitled to 18 weeks Monday to Friday, 36 hour week off on parental leave. Another employee, who works Monday to Wednesday, 21 hour week would be entitled to 18 weeks of parental leave of a similar pattern of work.

5.3 Where an employee's contractual hours vary from week to week or over a longer period, or where they are contractually required to work on some weeks but not on others, a week's leave is a period of absence from work which is equal in duration to the total number of periods which they are normally required to work in a year divided by 52.

### **6. Terms and conditions during periods of parental leave**

During parental leave the employee will remain an employee and contractual obligations still apply.

### **7. Right to return after parental leave**

Where the leave is four weeks or less:

- Employees who take parental leave are entitled to return to the same position they held before they went on parental leave. See the position where parental leave of four weeks or less is taken straight after additional maternity leave.

Where the leave is more than four weeks:

- Employees who take parental leave are entitled to return to the same position they held before they went on parental leave OR if this is not reasonably practical to another suitable position.

At the end of the parental leave an employee is entitled to return to the same terms and conditions in respect of remuneration, seniority, pension rights and similar rights as if they had not been absent.

Employers are permitted to defer requests for parental leave where their business would be unduly disrupted if the employee took parental leave at the time requested (see para 9.1)

## **8. Parental leave and other HR policies**

Where parental leave of four weeks or less is taken immediately after a period of additional maternity / adoption / paternity leave or shared parental leave the employee is entitled to return to the job they held before their leave began. Except where it would not have been reasonably practical for the employee to return to that job even if they had returned at the end of their additional leave. Otherwise the employee is entitled to return to another job which is both suitable for them and appropriate for them in the circumstances.

If an employee abuses the parental leave scheme in any way disciplinary action may be taken.

## **9. Records**

Employers should keep records of any parental leave taken.

## **10. Evidence**

The employer can request evidence of an employee's entitlement to parental leave. This may take the form of evidence of any or all of the following:

- evidence of the employee's responsibility or expected responsibility for the child in respect of whom parental leave is claimed;
- the child's date of birth or, in the case of a child who was placed with the employee for adoption, the date on which the placement began; and
- in the case of a child with a disability, evidence of the child's entitlement to Disability Living Allowance.

## **11. Notice**

An employee wishing to take parental leave must provide 21 days' notice, specifying the date on which the period of leave is to begin and end. In addition:

- i) Where the employee with parental responsibility for a child is to start parental leave on the date on which the child is born must:
  - Specify the expected week of childbirth; and
  - Specify the duration of the period of leave; and

- be given to the employer at least 21 days before the expected week of childbirth.
- ii) In adoption cases, where parental leave is to start on the date of the placement the notice must:
- specify the week in which the placement is to occur; and
  - specify the duration of the period of leave; and
  - be given to the employer at least 21 days before the beginning of that week, or if that is not reasonably practicable, as soon as is reasonably practicable.

## 12. Postponement of parental leave

Except where parental leave is to be taken on the birth of a child or placement of a child for adoption and the employee has given the required notice (as detailed above) the employer is permitted to postpone the taking of parental leave where it would unduly disrupt service delivery, for a period not in excess of six months.<sup>1</sup>

Where the employer wishes to postpone a period of parental leave it must, within 7 days of the employee's notice being given,:

- give the employee notice in writing of the postponement;
- state in the notice, the reason for the postponement; and
- specify the date on which the period of leave the employer agrees to permit the employee to take will begin and end.

## 13. Minimum periods of leave

An employee cannot take parental leave in blocks of less than a week. **Except** where the child in respect of whom leave is taken is entitled to a Disability Living Allowance, then leave may be taken in daily blocks.

Maximum parental leave allowance per year\*

An employee may not take more than four weeks leave in respect of any individual child during a particular year.

*\*A year is a period of 12 months beginning from:*

- *the date on which the employee first became entitled to take parental leave in respect of that particular child; or*
- *in a case where the employee's continuous service has been interrupted, on the date on which the employee most recently became entitled to take parental leave in respect of that child.*

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<sup>1</sup> Other factors which might count towards postponing the taking of leave could include a peak business period or a peak absence period, the level of the employee's skill and responsibility, or the difficulty in covering the absence.

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## 1. INTRODUCTION

This policy sets out the rights of employees to shared parental leave and pay. Shared parental leave is a type of leave that is available to parents with babies due on or after 5 April 2015. Shared parental leave enables mothers to commit to ending their maternity leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner, or to return to work early from maternity leave and opt in to shared parental leave and pay at a later date. [The School provides a separate policy on shared parental leave for employees who are adopting children.]

Shared parental leave should not be confused with ordinary parental leave, which is unaffected by shared parental leave. Ordinary parental leave is the entitlement to up to 18 weeks' unpaid leave. Please see the School's policy on ordinary parental leave.

The School recognises that, from time to time, employees may have questions or concerns relating to their shared parental leave rights. It is the School's policy to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible. As the shared parental leave provisions are complex, if an employee wishes to take shared parental leave, he/she should clarify the relevant procedures with their line manager to ensure that they are followed correctly.

## 2. DEFINITIONS

The following definitions are used in this policy:

"Mother" means the mother or expectant mother of the child.

"Partner" means the father of the child, or the person who, at the date of the child's birth, is married to, the civil partner of, or the partner of the mother. This includes someone, of either sex, who lives with the mother and the child in an enduring family relationship but who is not the mother's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.

"Expected week of childbirth" means the week, starting on a Sunday, during which the mother's doctor or midwife expects her to give birth.

## 3. SCOPE OF THIS SHARED PARENTAL LEAVE POLICY

This policy applies in relation to employees of the School, whether they are the mother or the partner. If it is the mother who is employed by the School, her partner must (where relevant) submit any notifications to take shared parental leave set out in this policy to his/her own employer, which may have its own shared parental leave policy in place, if he/she wants to take a period of shared parental leave.

Similarly, if it is the partner who is employed by the School, the mother must (where relevant) submit any notifications to take shared parental leave to her own employer.

The mother and the partner should ensure that they are each liaising with their own employer to ensure that requests for shared parental leave are handled as smoothly as possible.

#### **4. AMOUNT OF SHARED PARENTAL LEAVE AVAILABLE**

The amount of shared parental leave to which an individual is entitled will depend on when the mother brings her maternity leave period to an end and the amount of leave that the other parent takes in respect of the child.

Shared parental leave must be taken in blocks of **at least one week**.

The employee can request to take shared parental leave in one continuous block (in which case the School is required to accept the request as long as the employee meets the eligibility and notice requirements), or as a number of discontinuous blocks of leave (in which case the employee needs the School's agreement).

**A maximum of three requests for leave per pregnancy can normally be made by each parent.**

The first two weeks following birth are the compulsory maternity leave period and are reserved for the mother. This means that the mother **cannot** curtail her maternity leave to take shared parental leave until **two weeks after the birth** and the maximum period that the parents could take as shared parental leave is 50 weeks between them (although it will normally be less than this because of the maternity leave that mothers usually take before the birth).

However, the mother's partner can begin a period of shared parental leave at any time from the date of the child's birth (but the partner should bear in mind that he/she is entitled to take up to two weeks' ordinary paternity leave following the birth of his/her child, which he/she will lose if shared parental leave is taken first).

**The mother and partner must take any shared parental leave within 52 weeks of birth.**

#### **5. ELIGIBILITY FOR SHARED PARENTAL LEAVE**

For employees to be eligible to take shared parental leave, both parents must meet certain eligibility requirements.

##### **a) Mother's eligibility for shared parental leave**

The mother is eligible for shared parental leave if she:

- has at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remains in continuous employment with the School until the week before any period of shared parental leave that she takes;
- has, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child;
- is entitled to statutory maternity leave in respect of the child; and

- complies with the relevant maternity leave curtailment requirements (or has returned to work before the end of statutory maternity leave), and shared parental leave notice and evidence requirements.

In addition, for the mother to be eligible for shared parental leave, the **partner** must:

- have been employed or been a self-employed earner in at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have average weekly earnings of at least the maternity allowance threshold for any 13 of those 66 weeks; and
- have, at the date of the child's birth, the main responsibility, apart from the mother, for the care of the child.

#### **b) Partner's eligibility for shared parental leave**

The partner is eligible for shared parental leave if he/she:

- has at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remains in continuous employment with the School until the week before any period of shared parental leave that he/she takes;
- has, at the date of the child's birth, the main responsibility, apart from the mother, for the care of the child; and
- complies with the relevant shared parental leave notice and evidence requirements.

In addition, for the partner to be eligible for shared parental leave, the **mother** must:

- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have average weekly earnings of at least the maternity allowance threshold for any 13 of those 66 weeks;
- have, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child;
- be entitled to statutory maternity leave, statutory maternity pay or maternity allowance in respect of the child; and
- comply with the relevant maternity leave or pay curtailment requirements (or have returned to work before the end of statutory maternity leave).

## **6. NOTICE REQUIREMENTS FOR SHARED PARENTAL LEAVE**

The notices that the parents must give to the relevant employer to be able to take shared parental leave are made up of three elements. They are:

- a "maternity leave curtailment notice" from the mother setting out when she proposes to end her maternity leave (unless the mother has already returned to work from maternity leave);

- a "notice of entitlement and intention" from the employee giving an initial, non-binding indication of each period of shared parental leave that he/she is requesting; and
- a "period of leave notice" from the employee setting out the start and end dates of each period of shared parental leave that he/she is requesting.

The notice periods set out below are the **minimum required by law**. However, the earlier the employee informs the School of his/her intentions, the more likely it is that the School will be able to accommodate the employee's wishes, particularly if he/she wants to take periods of discontinuous leave.

Employees are advised that, if they have already decided the pattern of shared parental leave that they would like to take, they can provide more than one type of notice at the same time. For example, the mother could provide a maternity leave curtailment notice, notice of entitlement and intention and period of leave notice at the same time. Similarly, the partner could provide his/her notice of entitlement and intention and period of leave notice at the same time.

#### ***a) Mother's notice curtailing maternity leave***

Before the mother or partner can take shared parental leave, the mother must either return to work before the end of her maternity leave (by giving the required eight weeks' notice of her planned return) or provide her employer with a *maternity leave curtailment notice*.

The maternity leave curtailment notice must be in writing and state the date on which maternity leave is to end. That date must be:

- after the compulsory maternity leave period, which is the two after birth;
- at least eight weeks after the date on which the mother gave the maternity leave curtailment notice to her employer; and
- at least one week before what would be the end of the additional maternity leave period.

The mother must provide her maternity leave curtailment notice **at the same time** she provides either her notice of entitlement and intention or a declaration of consent and entitlement signed by the mother confirming that her partner has given his/her employer a notice of entitlement and intention (see Employee's notice of entitlement and intention below).

#### ***b) Revocation of maternity leave curtailment notice***

The mother can withdraw her notice curtailing her maternity leave in limited circumstances. The withdrawal of a maternity leave curtailment notice **must be in writing** and can be given **only if the mother has not returned to work**.

The mother can withdraw her maternity leave curtailment notice if:

- it is discovered that neither the mother nor the partner are entitled to shared parental leave or statutory shared parental pay and the mother withdraws her maternity leave curtailment notice within eight weeks of the date on which the notice was given;

- the maternity leave curtailment notice was given before the birth of the child and the mother withdraws her maternity leave curtailment notice within six weeks of the child's birth; or
- the partner has died.

**c) *Employee's notice of entitlement and intention***

The employee (whether the mother or the partner) must provide the School with a non-binding *notice of entitlement and intention*.

The employee's notice of entitlement and intention, which **must be in writing** and provided at least eight weeks before the start date of the first period of shared parental leave to be taken by the employee, must set out the following information.

If the employee is the mother, the notice of entitlement and intention must set out:

- the mother's name;
- the partner's name;
- the start and end dates of any statutory maternity leave taken or to be taken by the mother;
- the total amount of shared parental leave available;
- the child's expected week of birth and the child's date of birth (although, if the child has not yet been born, the date of birth can be provided as soon as reasonably practicable after birth, and before the first period of shared parental leave to be taken by the mother);
- how much shared parental leave the mother and partner each intend to take; and
- a non-binding indication as to when the employee intends to take shared parental leave (including the start and end dates for each period of leave).

The mother's notice of entitlement and intention **must** include a declaration signed by her that:

- she satisfies, or will satisfy, the eligibility requirements to take shared parental leave;
- the information she gives in the notice of entitlement and intention is accurate; and
- she will immediately inform the School if she ceases to care for the child.

In addition, the mother's notice of entitlement and intention must include a declaration signed by her partner:

- specifying the partner's name, address, and national insurance number (or declaring that the partner does not have a national insurance number);
- declaring that the partner satisfies, or will satisfy, the conditions set out above (see Mother's eligibility for shared parental leave);
- declaring that the partner is the father of the child, or is married to, the civil partner of, or the partner of, the mother;

- declaring that the partner consents to the amount of leave that the mother intends to take; and
- declaring that the partner consents to the mother's employer processing the information in the partner's declaration.

If the employee is the partner, the partner's notice of entitlement and intention must set out:

- the partner's name;
- the mother's name;
- the start and end dates of any periods of statutory maternity leave, statutory maternity pay or maternity allowance taken or to be taken by the mother;
- the total amount of shared parental leave available;
- the child's expected week of birth and the child's date of birth (although, if the child has not yet been born, the date of birth can be provided as soon as reasonably practicable after birth, and before the first period of shared parental leave to be taken by the partner);
- how much shared parental leave the partner and mother each intend to take; and
- a non-binding indication as to when the partner intends to take shared parental leave (including the start and end dates for each period of leave).

The partner's notice of entitlement and intention must include a declaration signed by the partner that:

- he/she satisfies, or will satisfy, the eligibility requirements to take shared parental leave;
- the information given by the partner in the notice of entitlement and intention is accurate; and
- he/she will immediately inform the School if he/she ceases to care for the child or if the mother informs him/her that she no longer meets the requirement to have curtailed her maternity leave or pay period.

In addition, the partner's notice of entitlement and intention must include a declaration signed by the mother:

- specifying the mother's name, address, and national insurance number (or declaring that the mother does not have a national insurance number);
- declaring that the mother satisfies, or will satisfy, the conditions set out above (see Partner's eligibility for shared parental leave) and she will notify the partner if she no longer qualifies for maternity leave, statutory maternity pay or maternity allowance;
- declaring that the mother consents to the amount of leave that the partner intends to take;
- declaring that she will immediately inform the employee if she no longer meets the requirement to have curtailed her maternity leave or pay period; and
- declaring that the mother consents to the partner's employer processing the information in the mother's declaration.

Within 14 days of receiving a notice of entitlement and intention from the employee, whether the mother or partner, the School can request from the employee:

- a copy of the child's birth certificate (or, if the child has not been born, a copy of the birth certificate within 14 days of the birth - if the birth certificate has yet to be issued after this period, a signed declaration stating the date and location of the child's birth will suffice); and
- the name and address of the other parent's employer (or a declaration that the other parent has no employer).

The employee has 14 days from the date of the request to send the School the required information.

## **7. VARIATION OR CANCELLATION OF NOTICE OF ENTITLEMENT AND INTENTION**

The employee can vary or cancel his/her proposed shared parental leave dates following the submission of a notice of entitlement and intention, provided that he/she provides the School with a written notice. The written notice must contain:

- an indication as to when the employee intends to take shared parental leave (including the start and end dates for each period of leave);
- details of any periods of shared parental leave that have been notified through a period of leave notice;
- details of any periods of statutory shared parental pay that have been notified in relation to periods where shared parental leave was not to be taken; and
- a declaration signed by the mother and the partner that they agree to the variation.

Any indication of leave intended to be taken that the employee provides in a variation of notice of entitlement and intention is non-binding until he/she provides a period of leave notice in relation to that period of leave. There is no limit on the number of variations of notice of entitlement and intention that the employee can make.

## **8. EMPLOYEE'S PERIOD OF LEAVE NOTICE**

To take a period of shared parental leave, the employee must provide the School with a written notice setting out the start and end dates of each period of shared parental leave requested in that notice.

A period of leave notice must be given **not less than eight weeks** before the start date of the first period of shared parental leave requested in the notice. The notice may be given at the same time as a notice of entitlement and intention and can be a request for a continuous period of leave or discontinuous periods of leave.

## **9. VARIATION OR CANCELLATION OF PERIOD OF LEAVE NOTICE**

The employee can vary or cancel his/her proposed shared parental leave dates following the submission of a period of leave notice, provided that he/she provides his/her employer with a **written notice not less than eight weeks** before any period of leave varied or cancelled by the notice is due to commence. The written notice can:

- vary the start date or the end date of any period of shared parental leave or cancel a request for leave;
- request that a continuous period of leave become discontinuous periods of leave; or
- request that discontinuous periods of leave become a continuous period of leave.

## **10. LIMIT ON NUMBER OF REQUESTS FOR LEAVE**

The employee can provide a combined total of up to **three** “period of leave notices” or “variations of period of leave notices” per pregnancy, although the School may waive this limit in some circumstances.

## **11. CONTINUOUS PERIOD OF SHARED PARENTAL LEAVE**

If the employee submits a period of leave notice requesting one continuous period of leave, he/she will be entitled to take that period of leave.

## **12. DISCONTINUOUS PERIODS OF SHARED PARENTAL LEAVE**

The employee may submit a period of leave notice requesting discontinuous periods of leave. For example, the mother and partner could request a pattern of leave from their respective employers that allows them to alternate childcare responsibilities.

If the employee submits a period of leave notice requesting discontinuous periods of leave, the School, in the two weeks beginning with the date the period of leave notice was given, can:

- consent to the pattern of leave requested;
- propose an alternative pattern of leave; or
- refuse the pattern of leave requested.

If agreement is reached within those two weeks, the employee is entitled to take the leave on the dates agreed.

If no agreement has been reached within that two-week discussion period, the employee is entitled to take the leave as one continuous period of leave. In that event, the employee must choose a start date for the leave that is at least eight weeks from the date on which the period of leave notice was originally given. The employee must notify the School of that date within five days of the end of the two-week discussion period. If the employee does not choose a start date within five days of the end of the two-week discussion period, the period of continuous leave will start on the date of the first period of leave requested in the period of leave notice.

Alternatively, if the School has refused the request or no agreement has been reached during the two-week discussion period, the employee may withdraw a period of leave notice requesting discontinuous periods of leave. The employee can withdraw a period of leave notice at any time on or before the 15th day after the period of leave notice was given. A notice for discontinuous leave that has been withdrawn before it is agreed does not count towards the total number of requests for leave that an employee can make.

### 13. AMOUNT OF SHARED PARENTAL PAY AVAILABLE

Statutory shared parental pay is available for eligible parents to share between them while on shared parental leave. The number of weeks' statutory shared parental pay available to the parents will depend on how much statutory maternity pay or maternity allowance the mother has been paid when her maternity leave or pay period ends.

A total of 39 weeks' statutory maternity pay or maternity allowance is available to the mother. As there is a compulsory maternity leave period of two weeks, this means that a mother who ends her maternity leave at the earliest opportunity could share up to 37 weeks' statutory shared parental pay with her partner (although it will normally be less than this because of the maternity leave that mothers usually take before the birth).

Any statutory shared parental pay due during shared parental leave will be paid at a rate set by the Government for the relevant tax year, or at 90% of the employee's average weekly earnings, if this figure is lower than the Government's set weekly rate.

It is up to the parents as to who is paid the statutory shared parental pay and how it is apportioned between them.

### 14. ELIGIBILITY FOR STATUTORY SHARED PARENTAL PAY

For employees to be eligible for statutory shared parental pay, both parents must meet certain eligibility requirements.

#### *a) Mother's eligibility for statutory shared parental pay*

The mother is eligible for statutory shared parental pay if she:

- has at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remains in continuous employment with her employer until the week before any period of shared parental pay that she gets;
- has normal weekly earnings for a period of eight weeks ending with the 15th week before the expected week of childbirth of at least the lower earnings limit for national insurance contribution purposes;
- has, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child;
- is absent from work and intends to care for the child during each week in which she receives statutory shared parental pay; and
- is entitled to statutory maternity pay in respect of the child, but the maternity pay period has been reduced.

In addition, for the mother to be eligible for statutory shared parental pay, the **partner** must:

- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have, at the date of the child's birth, the main responsibility, apart from the mother, for the care of the child; and
- have average weekly earnings of at least the maternity allowance threshold or any 13 of those 66 weeks.

## ***b) Partner's eligibility for statutory shared parental pay***

The partner is eligible for statutory shared parental pay if he/she:

- has at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remains in continuous employment with his/her employer until the week before any period of shared parental pay that he/she gets;
- has normal weekly earnings for eight weeks ending with the 15th week before the expected week of childbirth of at least the lower earnings limit for national insurance contribution purposes;
- has, at the date of the child's birth, the main responsibility, apart from the mother, for the care of the child; and
- is absent from work and intends to care for the child during each week in which he/she receives statutory shared parental pay.

In addition, for the partner to be eligible, the mother must:

- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have average weekly earnings of at least the maternity allowance threshold or any 13 of those 66 weeks;
- have, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child; and
- be entitled to statutory maternity pay or maternity allowance in respect of the child, but the maternity pay period or maternity allowance period has been reduced.

## **15. RIGHTS DURING SHARED PARENTAL LEAVE**

During shared parental leave, all terms and conditions of the employee's contract except normal pay will continue. Salary will be replaced by statutory shared parental pay if the employee is eligible for it.

This means that, while sums payable by way of salary will cease, all other benefits will remain in place. For example, holiday entitlement will continue to accrue. Pension contributions will continue to be paid.

## **16. CONTACT DURING SHARED PARENTAL LEAVE**

The School reserves the right to maintain reasonable contact with employees during shared parental leave. This may be to discuss employees' plans for their return to work, to discuss any special arrangements to be made or training to be given to ease their return to work or to update them on developments at work during their absence.

An employee can agree to work for the School (or to attend training) for up to 20 days during shared parental leave without that work bringing the period of his/her shared parental leave and pay to an end. These are known as "shared-parental-leave-in-touch" (SPLIT) days.

The School has no right to require employees to carry out any work and employees have no right to undertake any work during their shared parental leave. Any work undertaken,

and the amount of salary paid for any work done on SPLIT days, is entirely a matter for agreement between employees and the School.

If you are entitled to receive statutory shared parental pay for any week during which you attend work for SPLIT days, you will still receive this in the usual way. In addition, we will also pay you for each hour that you work during a SPLIT day at your hourly payment rate.

## **17. RETURNING TO WORK FOLLOWING SHARED PARENTAL LEAVE**

The employee has the right to resume working in the same job when returning to work from shared parental leave if the period of leave, when added to any other period of shared parental leave, statutory maternity leave or statutory paternity leave taken by the employee in relation to the same child, is 26 weeks or less.

If the employee is returning to work from shared parental leave and the period of leave taken is more than 26 weeks, when added to any other period of shared parental leave, statutory maternity or paternity leave taken in relation to 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 additional maternity leave, the employee has the right to return to the same job unless this is not reasonably practicable. In these circumstances, if it is not reasonably practicable for the School to permit a return to the same job, the employee has the right to return to another job that is suitable and appropriate for him/her.