



University  
of Glasgow | Human  
Resources

# Shared Parental Leave Policy



## Shared Parental Leave Policy

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## 1. Introduction

1.1 The University recognises that challenges can arise when parents have to balance work and childcare responsibilities. Shared Parental Leave (SPL) may support a family to balance work and childcare commitments as it allows parents to share up to 50 weeks of leave within a baby or child's first year following birth or adoption.

1.2 It is important that parents understand the choices available to them when planning for the birth or adoption of a child and this policy sets out the options available to employees who wish to take Shared Parental Leave. It also outlines the requirements and responsibilities of all parties where Shared Parental Leave is being discussed or taken.

1.3 All eligible employees (including same-sex partners) are able to take SPL as outlined in this policy. Employees may also be entitled to receive Statutory Shared Parental Pay (ShPP) whilst they are taking SPL.

1.4 A set of [FAQs](#) and a has been developed in order to provide additional/specific support with the Shared Parental Leave process.

1.5 Any policy or procedural questions may be raised with the relevant [College/ University Services HR Team](#).

## 2. Shared Parental Leave (SPL)

2.1 Shared Parental Leave (SPL) provides eligible parents with more options (beyond traditional maternity leave) when considering how to care for, and bond with, their new child. It allows parents to equally share the care of their child during the first year of birth or adoption. Using Shared Parental Leave, both parents can take leave at the same time or they may wish to alternate between periods of leave and periods of work.

2.2 The amount of SPL available depends on when the mother/adopter ends (or intends to end) their maternity/adoption entitlements. Any remaining entitlement to maternity/adoption leave is converted into SPL and can be shared between the two eligible parents. The partner of the mother/adopter can take SPL whilst the mother/adopter is still on maternity or adoption leave if they wish, providing the mother/adopter has given proper notice of their intention to end their entitlement to maternity or adoption leave early.

2.3 Employees can request their SPL in continuous or discontinuous blocks; however the University has the right to decline requests for discontinuous leave.

2.4 Employees can submit up to a maximum of 3 requests to book or vary shared parental leave.

2.5 Shared Parental Leave should not be confused with Ordinary (Unpaid) [Parental Leave](#).

2.6 An employee considering taking SPL is encouraged to contact their line manager to arrange an informal discussion as early as possible to discuss their potential entitlement, to talk about their plans and to enable the University to provide as much support as possible.

## 3. Statutory Shared Parental Pay (SHPP)

3.1 Eligible employees may be entitled to receive up to 37 weeks Statutory Shared Parental Pay (ShPP) whilst taking SPL.

3.2 ShPP is paid at the [statutory rate](#) as set by the Government for the relevant tax year, or 90% of an employee's average weekly earnings if this is lower than the rate set by the Government .

## 4. Eligibility

4.1 Set criteria are in place to establish whether a parent is eligible for Shared Parental Leave and/or Shared Parental Pay. This section separately highlights the eligibility criteria for both Shared Parental Leave and Shared Parental Pay.

### 4.2 Eligibility for Shared Parental Leave (SPL)

SPL can only be used by two people

- The mother/adopter **and**
- One of the following:
  - The father of the child (in the case of birth) or
  - The spouse, civil partner or partner of the child's mother/ adopter.

Both parents must share the main responsibility for the care of the child at the time of the birth/placement for adoption.

Additionally, an employee seeking to take SPL must satisfy each of the following criteria:

Eligibility Criteria
The mother/adopter of the child must be entitled to statutory maternity/adoption leave or if not entitled to statutory maternity/adoption leave they must be/have been entitled to statutory maternity/adoption pay or maternity allowance and must have ended or given notice to reduce any maternity/adoption entitlements.
The employee must still be employed by the University at the start of each period of SPL.
The employee must have/have had a minimum of 26 weeks' continuous service at the end of the 15th week before the child's expected due date/matching date. <sup>1</sup>
In the 66 weeks leading up to the child's expected due date/matching date, the employee's partner must have worked for at least 26 weeks and earned an average of at least £30 per week in any 13 of those weeks.
The employee must correctly notify the University of their entitlement and provide evidence as outlined in sections 7 & 8.

<sup>1</sup>For staff employed by the University, from the NHS, who are undertaking an approved training programme in order to obtain their CCT certification, continuous service with the NHS is recognised for the purposes of shared parental leave entitlement.

### 4.3 Eligibility for Statutory Shared Parental Leave (ShPP)

In addition to meeting the eligibility requirements for SPL, an employee seeking to claim ShPP must further satisfy each of the following criteria:

Eligibility Criteria
The mother/adopter must be entitled to statutory maternity/adoption pay or maternity allowance and must have ended or given notice to reduce any maternity/adoption pay period or maternity allowance period.
The employee must intend to care for the child during the week(s) in which ShPP is payable.
The employee must have/have had average weekly earnings, for the period of eight weeks leading up to and including the 15th week before the child's expected due date/matching date, which are/were not less than the Lower Earnings Limit in force for national insurance contributions.
The employee must remain in continuous employment until the first week of ShPP has begun.
The employee must give proper notification in accordance with the rules set out below.

4.4 An [online calculator](#) is provided by Gov.uk to support parents when understanding their eligibility and entitlements when they have a child.

## 5. Shared Parental Leave (SPL) Allowance

5.1 Eligible employees may be entitled to take up to 50 weeks SPL during their child's first year.

5.2 The amount of SPL available is determined by the amount of unused maternity/adoption leave at the point the mother/adopter chooses to end their entitlement to it. They will have had an entitlement of up to 52 weeks and providing they have not used the full amount, any remaining weeks are converted into SPL which can be shared between both parents.

5.3 If the mother/adopter is not entitled to maternity/adoption leave but is still entitled to Statutory Maternity Pay (SMP), Statutory Adoption Pay (SAP) or Maternity Allowance (MA) then providing they choose to end their entitlement before they have used the full 39 week allowance, their partner will still be entitled to take up to 50 weeks of SPL. This situation may arise, for example, if a mother resigns following birth or adoption. In this case the partner's entitlement will be 52 weeks, less the number of weeks entitlement already used by the mother/adopter (which will always include at least the first 2 weeks after birth/adoption as required by law).

## 6. Shared Parental Pay (SHPP) Allowance

6.1 Eligible employees may be able to take up to 39 weeks ShPP during their child's first year.

6.2 The amount of ShPP an eligible employee will be able to take will depend on the amount of Statutory Maternity/Adoption Pay (SMP/SAP) or Maternity Allowance (MA) that the mother/adopter has already taken at the point that they have ended (or intend to end) their entitlement. They will have had an entitlement of 39 weeks and providing they have not used the full amount, any remaining weeks will be available as ShPP.

6.3 Where both parents are eligible for SPL and ShPP, then it is for them to decide (and notify their employers) on how the ShPP will be shared. The University must be notified of any change to the way parents wish to share the ShPP between each other (See section 8.5)

## 7. Notifying an End to Maternity or Adoption

7.1 The option for Shared Parental Leave is created when a mother or adopter either:

- Brings forward the end date of their maternity or adoption leave (i.e. reduces it to less than 52 weeks) or, in cases where they are not entitled to maternity/adoption leave;
- They bring forward the end date of their statutory maternity/adoption pay period (i.e. reduce it to less than 39 weeks).

7.2 This can be done by either:

- Returning to work
- Giving written notice to their employer to end their maternity or adoption leave on a specified date

7.3 Once a mother or adopter has done this, then they and their partner can declare an entitlement to Shared Parental Leave to their employers (assuming both are eligible).

7.4 If the mother or adopter is an employee of the University, they can give notice to end their maternity/adoption leave on the [Form - Declaration of Entitlement to Shared Parental Leave](#).

## 8. Declaring an Entitlement to Shared Parental Leave/Shared Parental Pay

8.1 Employees must provide the University with a correct declaration of their entitlement and intention to take SPL (and Shared Parental Pay where applicable). This must be in writing using the [Form - Declaration of Entitlement to Shared Parental Leave](#) and must be provided at least eight weeks before the employee intends to take SPL. Where the mother is a University employee, this form also notifies the University of the date on which maternity leave will end. Where both partners are employees of the University, both individuals must submit separate declarations. Employees should return this form to their line manager and send a copy to their [College/US HR Team](#) for processing.

8.2 The declaration requires the employee to provide proposed dates of when they are considering taking their leave; however this is not automatically binding at this point and will not be treated as a request to book leave. Section 10 outlines the process for employees who wish to request a period of Shared Parental Leave.

8.3 Upon receiving an employee's Declaration of Entitlement to take SPL, the line manager must ensure that their College/US HR Team has received a copy then aim to hold an early discussion with the employee around their leave intentions and how they wish to use their SPL entitlement.

8.4 Once the mother/adopter has given notice to end maternity/adoption leave and each parent has informed their employer of their entitlement to take SPL then the notice to end maternity leave is binding and can only be withdrawn in exceptional circumstances.

8.5 Whenever an employee wishes to change the amount of leave or pay they will use (e.g. as a result of transferring leave to or from their partner), the University must be notified via the [Form - Notification of Change of Shared Parental Leave \(or Pay\) Amount](#).

8.6 Once a declaration has been submitted, SPL can commence as follows:

- A mother can take SPL after they has taken at least two weeks maternity leave.
- An adopter can take SPL after taking at least two weeks adoption leave.
- A father/partner/spouse can take SPL immediately following the birth/placement of the child, but must be aware that in doing so they are choosing to forego any right to take statutory paternity leave (as they will not have taken any at that point and can't take any at a later date).

8.7 When a mother/adopter has given notice to curtail their maternity/adoption entitlement then their partner can take Shared Parental Leave at the same time as them (i.e. while they are still using their maternity/adoption entitlements).

8.8 SPL will generally commence on the employee's chosen start date as specified in their leave booking request, or in any subsequent variation notice (see section 9 - Requesting Shared Parental Leave and Section 11 - Variations to arranged Shared Parental Leave below).

8.9 SPL must end no later than one year after the birth/placement of the child. Any SPL not taken by this point is lost.

## 9. Requesting Shared Parental Leave

9.1 Providing they have already declared their entitlement (as per Section 8), employees can formally request a period of SPL by submitting the [Form - Request to Book \(or Vary\) Shared Parental Leave](#) to their line manager at least eight weeks before the date on which they wish their leave to start.

9.2 Employees have the right to submit up to three requests to book (or vary) Shared Parental Leave. Each request may be for:

- a) A single continuous period of unbroken leave; or
- b) Discontinuous leave, (multiple periods of leave over a period of time where the employee intends to return to work between each period of leave).

9.3 SPL can only be taken in complete weeks but may begin on any day of the week. For example, if a week of SPL began on a Tuesday it would finish on a Monday.

9.4 Employees can withdraw their request for shared parental leave within 15 days after submitting it, without the withdrawal counting as one of their three allowed notices.

## 10. Responding to a Request for Shared Parental Leave

10.1 Requests for Shared Parental Leave must be dealt with as soon as possible by line managers and a response must be provided in writing no later than 14 calendar days after the leave request is submitted. Managers should notify their College/US HR Team on receipt of an SPL request and again once they have made a decision. The HR Team will communicate the manager's final decision (approved or rejected) to the employee in writing.

10.2 An employee has an automatic right to take a continuous block of leave which they request in a single notification, providing:

- It does not exceed the total number of SPL weeks available to them.
- They have given at least 8 weeks' notice.

10.3 The University will consider all requests for discontinuous leave but has the right to refuse them. Each request for discontinuous leave will be considered on a case-by-case basis. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar pattern of SPL.

10.4 Before a decision is made, line managers should consider whether an informal meeting is required to discuss a request as per the following guide:

- Where the notice is for a single period of continuous leave then a meeting may not be necessary especially if the request has already been discussed.
- Where the request is for discontinuous leave which can, without further discussion, be approved then a meeting similarly may not be necessary.
- Where the request is for discontinuous leave and there are concerns over accommodating the request, a meeting is necessary

10.5 A template letter - [Invite to Discuss Discontinuous SPL Request](#) is available for use by managers.

10.6 The purpose of any informal meeting is to discuss in detail the leave proposed and what will happen while the employee is away from work. Where it is a request for discontinuous leave the discussion should also focus on how the leave proposal could be agreed, whether a modified arrangement would be agreeable to the employee and the University, what options are open to the employee (see paragraph below) and what the outcome may be if no agreement is reached.

10.7 Where a request for discontinuous leave is refused, the employee can either:

- withdraw their request no later than 15 calendar days after their initial submission, or
- provide notice within the 15 day period that they wish to take the leave in a single continuous block.

Where the employee does not withdraw their request by the 15th calendar day following their initial submission, they will automatically be deemed to have chosen to take the leave in a single continuous block. Where this occurs the employee then has until the 19th calendar day from the submission of the original notification to choose when their continuous leave will begin. It cannot start sooner than eight weeks from the date the original notification was submitted. If no start date is chosen, the leave will begin on the first leave date requested in the original notification.

## 11. Variations to arranged Shared Parental Leave

11.1 Employees are permitted to vary or cancel an arranged period of SPL, provided that they advise their line manager in writing at least eight weeks before the original leave date or the new leave date, whichever is earlier. A request to vary pre-agreed leave should be made



using the [Form - Request to Book \(or Vary\) Shared Parental Leave](#). Any new start date cannot be sooner than eight weeks from the date of the variation request.

11.2 Any variation or cancellation made by the employee (including notice to return to work early) will usually count as having used one of the employee's three opportunities to book/vary leave however a change as a result of a child being born early or as a result of the University requesting a change (and the employee being agreeable to the change) will not count as one of the employee's three opportunities to book/vary leave.

11.3 Managers should consider any request to vary an existing period of SPL under the terms of Section 10 – Responding to a Request for Shared Parental Leave. Any agreed variation should be confirmed in writing and copied to the relevant College/US HR Team.

## **12. Terms and Conditions during Shared Parental Leave**

12.1 During any period of SPL the contract of employment remains in force and employees are entitled to receive all normal contractual benefits, except for salary.

12.2 Pension contributions will continue to be made during any period when the employee is receiving ShPP but not during any period of unpaid SPL. Employee contributions during any paid period of SPL will be based on actual pay, while the University's contributions will continue to be based on the employee's full salary.

## **13. Annual Leave**

13.1 SPL is granted in addition to an employee's annual leave entitlement. Employees are reminded that, wherever possible, annual leave should be taken in the year that it is accrued. Where an SPL period overlaps two leave years the employee should consider how their annual leave entitlement can be used (this may be to take paid time off instead of unpaid time off) to ensure that, as far as possible, it is not untaken at the end of the University's leave year.

## **14. Contact during Shared Parental Leave**

14.1 It is important that the University maintains reasonable contact with its employees and this is particularly relevant during longer term periods where employees are out of the workplace. Reasonable contact can allow discussions to take place around return to work plans; to ensure employees are aware of any possible career opportunities; to discuss any special arrangements or training required in order to ease their return to work or simply to update them on developments at work during their absence.

14.2 Before any period of SPL begins the line manager should discuss arrangements with the relevant employee around how contact will be maintained during their period(s) of leave.

## **15. Shared Parental Leave in Touch (SPLIT) days**

15.1 An employee can agree to work for the University for up to 20 days over the course of their full SPL entitlement without bringing any period of SPL to an end or impacting on their right to claim ShPP for a particular week. These are known as Shared Parental Leave In Touch (SPLIT) days. Any work carried out on a day or part of a day shall constitute a day's work for these purposes.

15.2 The University has no right to require employees to carry out any work nor is it under any obligation to offer the employee any work, during the employee's SPL however an

employee and their manager may agree to use SPLIT days to effect a gradual return to work towards the end of a long period of SPL or to trial a possible flexible working pattern . Any work undertaken is a matter for agreement between the line manager and the employee. Employees will receive the normal hourly/salary rate for the hours worked on such days; inclusive of any ShPP they are receiving (i.e. Statutory Shared Parental Pay will be 'topped up' by salary to the level of normal pay).

15.3 Where both parents work for the University, each parent has their own individual entitlement to 20 SPLIT days.

## 16. Returning to Work After Shared Parental Leave

16.1 Employee's will have been advised in writing of the end date of any period of SPL and are expected to return to work on the next working day after this date, unless they notify the University otherwise. If they are unable to attend work due to sickness or injury, the University's normal arrangements for [Managing Attendance](#) will apply. In any other case, failure to return to work without prior authorisation will be treated as an unauthorised absence.

16.2 Where an employee wishes to return to work earlier than the expected return date, they may provide a written notice to vary the leave and must give their manager at least eight weeks' notice of their date of early return. This will count as one of the 3 allowed notifications to book or vary leave that employees are allowed to make. If they have already used their three notifications to book and/or vary leave (or they fail to provide 8 weeks notice) then their manager does not have to accept the notice to return early but may do so if it is considered to be reasonably practicable.

16.3 An employee returning to work from a period of statutory leave (i.e. maternity/paternity/adoption leave or SPL) of less than 26 weeks will generally return to the job in which they were employed prior to the leave, on the terms and conditions that would have applied had they not been absent.

16.4 An employee returning from a period of continuous statutory leave exceeding 26 weeks is entitled to return either to the same job, or if this is not reasonably practicable (for example due to a unit restructure), to an equivalent job which would be considered suitable alternative work, on terms and conditions no less favourable than would have applied if the employee had not been absent.

16.5 On returning from a period of SPL, an employee may wish to consider applying for a change to their working hours/pattern. Employees considering this option should look at the University's [Flexible Working](#) Policy for further details.

## 17. Special circumstances and further information

17.1 In certain situations an employee's rights and requirements regarding SPL and ShPP may change. In these circumstances the University will abide by any statutory obligations and employees should clarify any issues or queries with their College/University Services HR Team.

## 18. Useful/Related Links

[FAQs - Shared Parental Leave](#)

[Process Diagram - Shared Parental Leave](#)

[Form - Declaration of Entitlement to Shared Parental Leave](#)

[Form - Notification of Change of Shared Parental Leave \(or Pay\) Amount](#)

[Form - Request to Book \(or Vary\) Shared Parental Leave](#)

[Maternity Policy](#)

[Paternity Leave Policy](#)

[Adoption Policy](#)

[University of Glasgow Childcare Voucher Scheme](#)

[University Nursery](#)

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