



UTC Plymouth

Shared Parental Leave Guide

Background

This guide outlines the statutory right to take shared parental leave (SPL) to care for a child due to be born or placed for adoption on or after 5th April 2015. It also outlines the arrangements and notification requirements before a period of SPL and the entitlement to pay during SPL. Shared Parental Leave enables eligible parents to choose how to share the care of their child during the first year of birth or adoption. Its purpose is to give parents more flexibility in considering how to best care for, and bond with, their child. All eligible employees have a statutory right to take Shared Parental Leave. There may also be an entitlement to some Shared Parental Pay.

In Scope

Applies to all employees who opt into shared parental leave, including adoption.

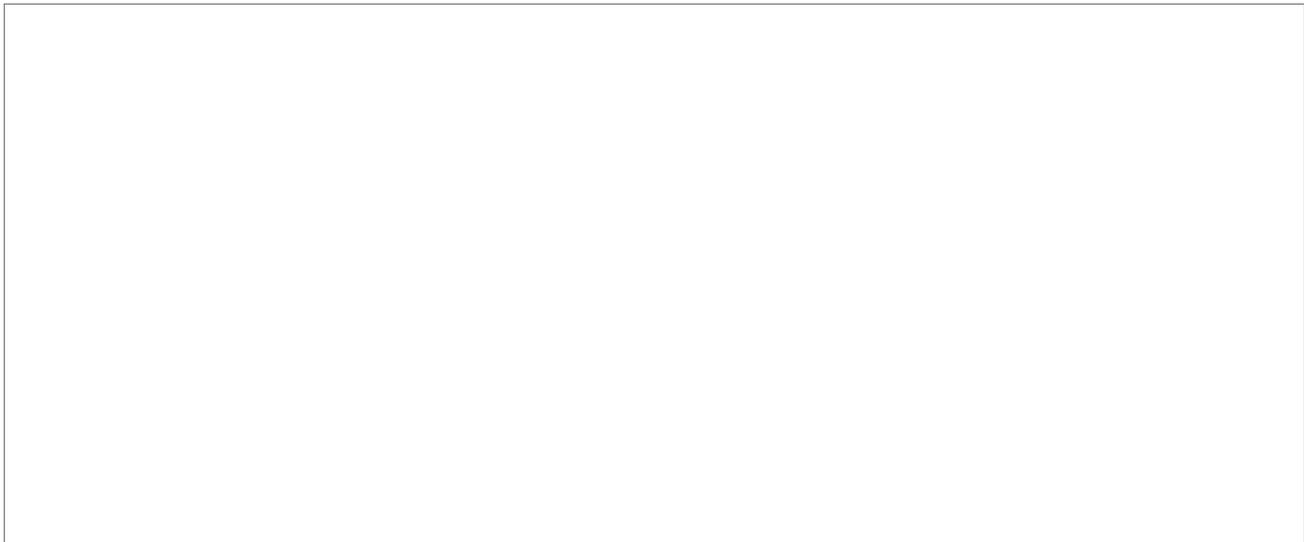
Surrogacy - Intended parents in surrogacy who meet certain criteria will be eligible for statutory adoption leave and pay and SPL and Pay.

Key Principles

UTC Plymouth recognises that, from time to time, employees may have questions or concerns relating to their shared parental rights. We encourage open discussion between employees and managers to ensure that questions and problems are resolved as quickly as possible. Employees should clarify the relevant procedures with the Principal to ensure that they are followed correctly.

Antenatal care

- All expecting parents/employees (primary caregiver) are entitled to paid time off to attend appointments for antenatal care; these can include medical examinations, and/or relaxation or parent-craft. In the case of an accompanying parent (secondary caregiver), this will be covered as time off for dependent care and will be paid if eligible.



Eligibility

One of the following must be met:

- Be the child's mother or primary adopter;
- Be the biological father of the child; or
- Be the mother's husband, or partner (including same sex relationships) or civil partner, or be the husband or partner (including same sex relationships) of the primary adopter; and

As well as have 26 weeks continuous service, 15 weeks before:

- The expected week of childbirth; or
- Being notified of being matched with an adoptive child.

Entitlement

Eligible parents will be able to share a maximum of 50 weeks leave and 37 weeks statutory pay (calculated with 2 weeks compulsory leave removed), for the purpose of caring for a child within the first year of the child's life or in the year after the child is placed for adoption.

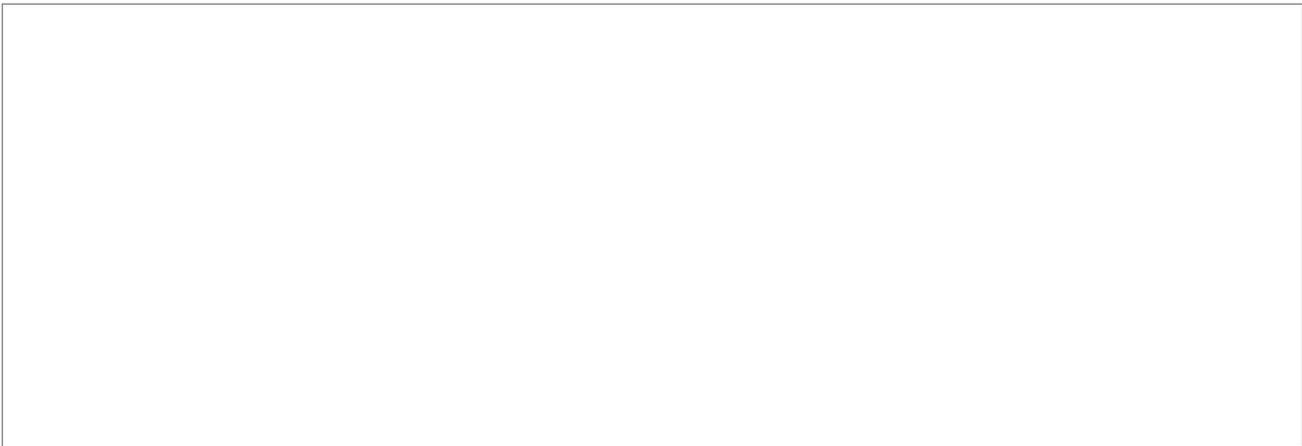
Shared parental leave cannot be taken until after the birth/placing of the child and only applies to babies born or children placed on or after 5th April 2015.

Partners do not have to work for the UTC Plymouth but they must satisfy minimum employment and earnings criteria as per legislation.

Periods of leave (Continuous and Discontinuous)

SPL must be taken in complete weeks, it can be taken either:

- As one continuous block; or
- In multiples of complete weeks.



Notifications

Notice of Entitlement

If you decided to take SPL instead of traditional maternity leave, a notice of entitlement and intention to take shared parental leave must be submitted. This may be submitted at the same time as the maternity/adoption curtailment notice or at a later date, but it cannot be later than 8 weeks before the date of the first period of shared parental leave.

Curtailment notice

Anyone eligible and intending to take shared parental leave must submit a maternity/adoption leave curtailment notice, giving at least 8 weeks' notice stating that they wish to end their maternity or adoption leave early. By not doing so (or not opting into SPL), employees are automatically put on maternity and/or paternity policies. Once the employee has ended their maternity/adoption leave, and have returned to work they will only be entitled to statutory pay during periods of shared parental leave. At that point they cannot revert back onto maternity/adoption leave.

Requesting blocks of leave

Requests for a single block of leave must be agreed by the school. If a request is for more than a single block the school may:

- 1 agree to your request;
- 2 decline your request due to organisational need; or
- 3 propose alternative dates.

Up to three separate requests for periods of shared parental leave and three withdrawal notices may be submitted. Any periods of leave that have been declined to not count towards these totals.

Conditions of Employment

Fair Treatment

- Expecting employees have the right not to be dismissed or discriminated against for any reason connected with their pregnancy or SPL.

SPLIT Days (Shared Parental Leave in Touch days)

An employee can agree to work for the school (or attend training) for up to 20 days during SPL without bringing their period of SPL to an end or impacting on their right to claim ShPP for that week. These are known as "Shared Parental Leave In Touch" or "SPLIT" days. Any work carried out on a day or part of a day shall constitute a day's work for these purposes.

The school has no right to require the employee to carry out any work, and is under no obligation to offer the employee any work, during the employee's SPL. Any work undertaken is a matter for agreement between the school and the employee. An employee taking a SPLIT day will receive full pay for any day worked. If a SPLIT day occurs during a week when the employee is receiving ShPP, this will be effectively 'topped up' so that the individual receives full pay for the day in question. Any SPLIT days worked do not extend the period of SPL.

An employee, with the agreement of the school, may use SPLIT days to work part of a week during SPL. The school and the employee may use SPLIT days to affect a gradual return to work by the employee towards the end of a long period of SPL or to trial a possible flexible working pattern.

Returning to Work after SPL

The employee will have been formally advised in writing by HR of the end date of any period of SPL. The employee is expected to return on the next working day after this date, unless they notify the school otherwise. If an employee is unable to attend work due to sickness or injury, our normal arrangements for sickness absence will apply. In any other case, late return without

Variations to SPL

The employee is permitted to vary or cancel an agreed and booked period of SPL, provided that they advise the school in writing at least eight weeks before the date of any variation. If you decide to vary your leave for any reason, please complete a new Employee Notification of Shared Parental Leave. A change as a result of a child being born early, or as a result of the school requesting it be changed, and the employee being agreeable to the change, will not count as further notification. Any variation will be confirmed in writing by the organisation.

Shared Parental Pay (ShPP)

Eligible employees may be entitled to take up to 37 weeks ShPP while taking SPL. The amount of weeks available will depend on the amount by which the mother/adopter reduces their maternity/adoption pay period or maternity allowance period. ShPP may be payable during some or all of SPL, depending on the length and timing of the leave.

Where an employee is entitled to receive ShPP they must, at least eight weeks before receiving any ShPP, give the Principal written notice advising of their entitlement to ShPP. To avoid duplication, if possible, this should be included as part of the notice of entitlement to take SPL. It must be accompanied by a signed declaration from the employee's partner. Any ShPP due will be paid at a rate set by the Government for the relevant tax year.

Declaration

Each parent must submit a signed declaration to the Principal with the notice of entitlement and intention, stating:

- 1 their full name;
- 2 their partners full name;
- 3 the name and address of their partners employer;
- 4 confirmation that they are eligible for shared parental leave;
- 5 a statement that the information contained within the declaration is accurate;
- 6 details of the amount of leave each partner is to take (this is non-binding); and
- 7 the consent of their partner, that they agree to the amount of shared parental leave

False Declaration

The school can, where there is a suspicion that fraudulent information may have been provided or where the school has been informed by the HMRC that a fraudulent claim was made, carefully investigate the matter further in accordance with the usual disciplinary procedures, and without acting in a discriminatory manner in relation to any of the protected characteristics defined in the Equality Act 2010.

Other relevant policies, guides and legislations

In certain situations an employee's rights and requirements regarding SPL and ShPP may change. In these circumstances the school will abide by any statutory obligations and an employee should refer to the documents listed below and/or clarify any issues or queries with HR.

Law relating to this document:

The Shared Parental Leave Regulations 2014

The Shared Parental Pay (General) Regulations 2014

The Maternity and Adoption Leave (Curtailed of Statutory Rights to Leave) Regulations 2014

Employment Rights Act 1996

Child and Families Act 2014

Equality Act 2010

Please see <https://www.gov.uk/shared-parental-leave-and-pay/overview> for more information.

VERSION CONTROL SHEET

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July 2019			Reviewed

February 2015
