

Shared Parental Leave Guidance

1. Introduction

Shared Parental Leave allows parents to share leave and pay, giving more choice and flexibility in relation to the care of a child or children during the first year of birth or adoption. This document covers the different ways staff might structure their Shared Parental Leave and provides further guidance on the policy.

2. Decisions.

You and your partner have three important decisions to make:

- When the primary parent should end their maternity leave and pay or their maternity allowance.
- If and when you are entitled to occupational pay.
- When you would each like to take your Shared Parental Leave.
- How you would like to split any shared parental pay which you are entitled to.

The primary parent can change their mind about whether they want to opt into Shared Parental Leave or not. The primary parent can revoke their application for Shared Parental Leave as long as they have not come to the end of their maternity leave or returned to work.

You can still opt into shared parental leave at a later date. As long as the primary parent ends their maternity leave early, they can change any untaken maternity leave into Shared Parental Leave.

However, Shared Parental leave must be taken within the first 52 weeks after the birth.

It may be the case that what each parent will be paid affects when and how you want to take your Shared Parental Leave, so it is important to consider.

3. Opting in to Shared Parental Leave.

To opt into Shared Parental Leave, the primary parent must end their maternity leave early to convert any untaken leave into Shared Parental Leave.

Remember the primary parent has to take a minimum of two weeks maternity leave following the birth of the baby/adoption or four weeks if they are a manual worker.

A primary parent who wants to opt into Shared Parental Leave can end their maternity leave in one of two ways:

- They can return to work before the end of their maternity leave.
- They can give notice to their employer to end their maternity leave early.

4. Structuring Shared Parental Leave.

Once the primary parent has given notice to end their maternity leave or allowance, the secondary parent can take their Shared Parental Leave together with the primary parent, or at different times. Shared Parental Leave can be stopped and started again, allowing parents to return to work in between.

Annual leave can also be taken in between periods of Shared Parental Leave. As long as both parents meet the eligibility requirements, one of you can take all the shared parental leave. The secondary parent can start their Shared Parental Leave before the maternity leave has ended. This enables parents to be off at the same time. However, the secondary parent must take any paternity leave first. Expecting parents should look at the different options for taking leave and claiming pay to find a structure that suits you.

5. Examples.

Please see below various scenarios for the different options in taking Shared Parental Leave.

Example 1

The primary parent takes 39 weeks of leave with pay and chooses to return to work once the paid portion of maternity leave ends. This means that the primary parent has cut their maternity leave entitlement by 13 weeks. These 13 weeks of maternity leave are converted into 13 weeks of Shared Parental Leave. The 13 weeks of Shared Parental Leave can be taken by their partner whenever they would like, it can be taken after paternity leave, or after the birth parent returns to work.

		2		6		13		26		39		52
Primary parent	Maternity Leave and Statutory Maternity Pay										Return to Work	
Partner	Paternity Leave	SPL (unpaid)					Return to Work					

		2		6		13		26		39		52
Primary parent	Maternity Leave and Statutory Maternity Pay										Return to Work	
Partner	Paternity Leave	Return to Work								SPL (unpaid)		

Example 2

The primary parent ends their maternity leave and pay after 26 weeks. This creates an entitlement of 26 weeks Shared Parental Leave and 13 weeks Shared Parental Pay for the partner to take. The partner can take this leave at the same time as the primary parent, or after the primary parent returns to work.

		2		6		13		26		39		52
Primary parent	Maternity Leave and Statutory Maternity Pay								Return to Work			
Partner	Paternity Leave	Return to Work						SPL (paid)		SPL (unpaid)		

		2		6		13		26		39		52
Primary parent	Maternity Leave and Statutory Maternity Pay								Return to Work			
Partner	Paternity Leave	SPL (paid)			SPL (unpaid)				Return to Work			

Example 3

The primary parent ends their maternity leave after 26 weeks. This creates an entitlement of 26 weeks Shared Parental Leave and 13 weeks Shared Parental Pay for the partner to take. The partner wants to take this leave in blocks. In this example the partner has taken 13 weeks of Shared Parental Leave and Shared Parental Pay after paternity leave and took a second block of 13 weeks unpaid Shared Parental Leave after the primary parent returns to work.

		2		6		13		26		39		52	
Primary parent	Maternity Leave and Statutory Maternity Pay								Return to Work				
Partner	Paternity Leave	SPL (paid)					Return to Work			SPL (unpaid)		Return to Work	

Example 4

The primary parent ends their maternity leave after 4 weeks. This created an entitlement of 48 weeks of Shared Parental Leave and 33 weeks Shared Parental Pay for the partner to take. The secondary parent takes all 48 weeks of Shared Parental Leave and all 33 weeks of Shared Parental Pay.

		2		6		13		26		39		52	
Primary parent	Maternity Leave	Return to Work											
Partner	Paternity Leave	SPL (paid)									SPL (unpaid)		

Example 5

The primary parent ends their maternity leave and pay after 26 weeks. This creates an entitlement of 26 weeks Shared Parental Leave and 13 weeks Shared Parental Pay for the partner to take. The secondary parent chooses to take this leave once the primary parent has returned to work. The secondary parent also chooses to take 4 weeks of annual leave after their paternity leave has finished to extend the time they are at home with the primary parent after the baby is born/adopted.

		2		6		13		26		39		52	
Primary parent	Maternity Leave and Statutory Maternity Pay								Return to Work				
Partner	Paternity Leave	Annual Leave	Return to Work					SPL (paid)		SPL (unpaid)			

Example 6

The primary parents end their maternity leave after 26 weeks. This creates an entitlement of 26 weeks Shared Parental Leave and 13 weeks Shared Parental Pay to be shared between both parents. The secondary parent chooses to take this leave at 26 weeks so the primary parent can go back to work. The primary parent chooses to return to work for a brief period and then take a block of Shared Parental Leave. Shared Parental Leave can be taken by both parents.

		2		6		13		26		39		52	
Primary parent	Maternity Leave and Statutory Maternity Pay								Return to Work		SPL (unpaid)		
Partner	Paternity Leave	Return to Work						SPL (paid)		Return to Work			